

Letters



Brussels, 3 March 2022

Ref: OUT2022-0011

Sent by e-mail only

Dear Ms. Pahl,

With respect to your letter dated 21 December 2021, first let me express our appreciation for BEUC's efforts aimed at protecting consumer rights and ensuring that the ad-tech industry respects the EU data protection laws. I would also like to thank you for your attention dedicated to our recent work on EU digital files, including Digital Markets Act and Digital Services Act.

I would like to underline that the European Data Protection Board is committed to ensuring consistent application of the General Data Protection Regulation, including in the ad-tech sector. As indicated in my letter to BEUC dated 18 June 2020¹, while the EDPB lacks the required competence to launch investigations, as this competence lies with the relevant national supervisory authorities, the topic of privacy in the ad-tech industry is assigned to the relevant EDPB Expert Subgroups. Thanks to the work we have conducted in this context, we have adopted documents such as the Guidelines 8/2020 on the targeting of social media users² and the updated Guidelines 05/2020 on consent under Regulation 2016/679³ that are relevant to building a uniform approach to this matter. We are also monitoring relevant legislative procedures and actively collaborating with the Consumer Protection Cooperation Network.

The EDPB's actions to support the enforcement of the GDPR, at the core of the second pillar of our Strategy for 2021-2023⁴, is also demonstrated by the creation of projects like the Support Pool of Experts and the Coordinated Enforcement Framework⁵. In parallel, EDPB Expert Subgroups also serve

¹ Available at: https://edpb.europa.eu/our-work-tools/our-documents/letters/edpb-response-monique-govens-ursula-pahl-beuc_en.

² The guidelines were adopted in their final version after public consultation on 13 April 2021 and are available at: https://edpb.europa.eu/our-work-tools/our-documents/guidelines/guidelines-82020-targeting-social-media-users_en.

³ See in particular paragraphs 38-41 and 86 of the updated guidelines. Available at: https://edpb.europa.eu/our-work-tools/our-documents/guidelines/guidelines-052020-consent-under-regulation-2016679_en.

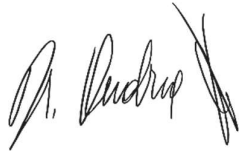
⁴ Available at: https://edpb.europa.eu/our-work-tools/our-documents/strategy-work-programme/edpb-strategy-2021-2023_en.

⁵ Further information is available here: https://edpb.europa.eu/our-work-tools/support-cooperation-and-enforcement/gdpr-cooperation-and-enforcement_en.

as a useful forum for the national supervisory authorities to coordinate, cooperate and exchange experiences.

I would like to reassure you that your letter has been circulated within all the EDPB members.

Yours sincerely,



Andrea Jelinek