

In the matter of the General Data Protection Regulation

DPC Complaint Reference: [REDACTED]

In the matter of a complaint, lodged by [REDACTED] with the Data Protection Commission pursuant to Article 77 of the General Data Protection Regulation, concerning Meta Platforms Ireland Limited

Record of Amicable Resolution of the complaint and its consequent withdrawal pursuant to Section 109(3) of the Data Protection Act, 2018

Further to the requirements of EDPB Guidelines 06/2022 on the practical implementation of amicable settlements Version 2.0 (adopted on 12 May 2022)

**RECORD OF AMICABLE RESOLUTION FOR THE
PURPOSE OF EDPB GUIDELINES 06/2022 ON THE
PRACTICAL IMPLEMENTATION OF AMICABLE
SETTLEMENTS VERSION 2.0
(ADOPTED ON 12 MAY 2022)**

Dated the 11th day of April 2025



Data Protection Commission
21 Fitzwilliam Square South
Dublin 2, Ireland

Background

1. On 15 May 2024, [REDACTED] (“the **Data Subject**”) lodged a complaint pursuant to Article 77 of the GDPR with the Data Protection Commission (“the **DPC**”) concerning Meta Platforms Ireland Limited (“the **Respondent**”).
2. The DPC was deemed to be the competent authority for the purpose of Article 56(1) of the GDPR.

The Complaint

3. The details of the complaint were as follows:
 - a. The Data Subject contacted the Respondent on 19 October 2023, to request the erasure of two Facebook accounts, pursuant to Article 17 and 19 GDPR, to which they no longer had access. As the Data Subject did not identify the accounts, which were the subject matter of their erasure request, the Respondent requested further information in order to be able to locate the accounts on its platform. On 4 December 2023, the Data Subject engaged with the Respondent on this matter providing the requested information, as well as reiterating their request for the access to and erasure of the accounts in question under Article 15, 17, and, 19 GDPR. The Data Subject noted they would agree to provide a copy of their Identity Document to the Respondent, should it be required, in order to verify the ownership of the accounts.
 - b. After some further engagement, on 1 April 2024, the Respondent requested the Data Subject verify the ownership of the accounts in question. However, based on the information provided by the Data Subject, the Respondent was unable to verify them as the rightful owner of the accounts.
 - c. As the Data Subject was not satisfied with the response received from the Respondent, they lodged a complaint with the DPC.

Action taken by the DPC

4. The DPC, pursuant to Section 109(4) of the Data Protection Act, 2018 (“the **2018 Act**”), is required, as a preliminary matter, to assess the likelihood of the parties to the complaint reaching, within a reasonable time, an amicable resolution of the subject-matter of the complaint. Where the DPC considers that there is a reasonable likelihood of such an amicable resolution being concluded between the parties, it is empowered, by Section 109(2) of the 2018 Act, to take such steps as it considers appropriate to arrange or facilitate such an amicable resolution.
5. Following a preliminary examination of the material referred to it by the Recipient SA, the DPC considered that there was a reasonable likelihood of the parties concerned reaching, within a

reasonable time, an amicable resolution of the subject matter of the complaint. The DPC's experience is that complaints of this nature are particularly suitable for amicable resolution in circumstances where there is an obvious solution to the dispute, if the respondent is willing to engage in the process. In this regard, the DPC had regard to:

- a. The relationship between the Data Subject and Respondent (being, in this case, an individual consumer and a service provider); and
 - b. The nature of the complaint (in this case, an unsuccessful attempt by the Data Subject to exercise their data subject rights).
6. While not relevant to the assessment that the DPC is required to carry out pursuant to Section 109(4) of the 2018 Act, the DPC also had regard to EDPB Guidelines 06/2022 on the practical implementation of amicable settlements Version 2.0, adopted on 12 May 2022 ("**Document 06/2022**"), and considered that:
- a. the possible conclusion of the complaint by way of amicable resolution would not hamper the ability of the supervisory authorities to maintain the high level of protection that the GDPR seeks to create; and that
 - b. such a conclusion, in this case, would likely carry advantages for the Data Subject, whose rights under the GDPR would be vindicated swiftly, as well as for the controller, who would be provided the opportunity to bring its behaviour into compliance with the GDPR.

Amicable Resolution

7. The DPC engaged with both the Data Subject and Respondent in relation to the subject matter of the complaint. The DPC first corresponded with the Respondent on 24 October 2024. Further to that engagement, the Respondent acknowledged that the customer service provided to the Data Subject with regard to their data protection requests fell below expectations. The Respondent subsequently facilitated the Data Subject regaining access to their accounts, in order to schedule them for permanent deletion.
8. In this regard, on 19 November 2024, the DPC wrote to the Data Subject, seeking their views on the action taken by the Respondent. In this correspondence, the DPC requested a reply, within a specified timeframe.
9. In their response to the DPC of the same date, the Data Subject confirmed that they successfully regained access to their accounts. The Data Subject thanked the DPC for its assistance in resolving this matter.
10. In addition to the initial request, the Data Subject requested the deletion of additional accounts on behalf of family members. The DPC advised the Data Subject of the authorisation required in order for this office to act on the request. As the authorisation was not received, the Data Subject was informed the additional accounts would not be included in the scope of

this request, and details for how to lodge a new complaint with the correct authorisation were provided.

11. On 25 November 2024, the Respondent advised the DPC that the Data Subject had scheduled the accounts for permanent deletion. Furthermore, it was noted, that the Respondent would address its obligations pursuant to Article 19 GDPR.
12. In circumstances where the subject matter of the complaint has been amicably resolved, in full, the complaint, by virtue of Section 109(3) of the 2018 Act, is deemed to have been withdrawn by the Data Subject.

Confirmation of Outcome

13. For the purpose of Document 06/2022, the DPC confirms that:
 - a. The complaint, in its entirety, has been amicably resolved between the parties concerned;
 - b. The agreed resolution is such that the object of the complaint no longer exists; and
 - c. Having consulted with the supervisory authorities concerned on the information set out above, as required by Document 06/2022 the DPC has now closed off its file in this matter.
14. If dissatisfied with the outcome recorded herein, the parties have the right to an effective remedy by way of an application for judicial review, by the Irish High Court, of the process applied by the DPC in the context of the within complaint.

Signed for and on behalf of the DPC:



Deputy Commissioner
Data Protection Commission