

Warsaw, 27 April 2021

Mr David KLING

Ms. Susan TAYLOR

FACEBOOK POLAND Sp. z o.o.

Dear Mr Kling, dear Ms. Taylor,

The Personal Data Protection Office is concerned about the information regarding the leakage of, among others, Polish citizens' personal data, users of the social network website Facebook.com, which took place at the beginning of April 2021. Having received numerous signals, both coming from users of the platform as well as state and non-governmental organisations, and simultaneously having analysed information provided by the media, being obliged on the basis of the provisions of the General Data Protection Regulation (EU) 2016/679 (GDPR)¹ to monitor the case, we would like to ask you to treat it with extreme seriousness. We would like to emphasise that clarification of the incident's causes and the assessment of its impact on data subjects should constitute a priority in view of the controller's key obligations under the GDPR.

At the same time, the Personal Data Protection Office requests Facebook Poland Sp z o.o. to take steps in order to limit the risk of unauthorised use of personal data by offering all Polish users of the platform a service enabling them to check whether they have been affected by the data breach.

In light of the information dated April 14th, 2021 from the Data Protection Commission posted on the website www.dataprotection.ie, concerning the launch of inquiry by this authority in relation to making Facebook users' personal data available on the Internet and undertaking activities towards Facebook Ireland Ltd. aimed at determining whether there has been a breach of the GDPR provisions, the Personal Data Protection Office hopes that the controller will facilitate the conduct of the activities immediately and with due diligence with respect to any requests made by the Irish supervisory authority, which has the role of lead supervisory authority in this case.

We would like to draw your attention to the fact that in the era of globalisation and universal access to the Internet, the disclosure of such a large amount of data from a social network site (concerning

¹ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation), OJ L 119, 4.5.2016, p. 1; OJ L 127, 23.05.2018, p. 2; OJ L 74, 4.03.2021, p. 35.

533 million users) poses a huge threat to the privacy of many individuals. The nature of the data posted on Facebook.com makes it possible to conclude that they can be used not only to send spam or to conduct fraudulent telemarketing (as enabled by the disclosed telephone numbers and e-mail addresses associated with Facebook). There is also a significant risk that persons whose data have been accessed will become victims of phishing attacks and other criminal activities. In particular, it may be dangerous to target specific individuals identified through the data made available.

That is why it is so important to comprehensively explain the circumstances of the relevant case, so that it will be possible to thoroughly assess the risk of violating the rights and freedoms of data subjects and to take the most appropriate measures to mitigate the adverse effects of the breach.

We also request to develop and make available such tools that would allow Polish users of Facebook.com to check whether their profile has been accessed by unauthorized persons.

Considering all the above, the Personal Data Protection Office requests to treat the situation highly seriously and to ensure its priority character.