

## **2020 DISCHARGE: EUROPEAN DATA PROTECTION SUPERVISOR - 2021/2114(DEC)**

Final compromise amendments by the Rapporteur

AMs: 25

**COMP 1** - Paragraph 1

Covered: AM 1 S&D, AM 2 Greens, AM3 EPP

1. *Notes* that the Court of Auditors' (the Court's) report on the implementation of the budget concerning the financial year 2020 does not contain any remarks about the European Data Protection Supervisor (EDPS); *notes especially in this regard the positive continued growth in 2020 of the EDPS, both in terms of financial and human resources, allowing the Agency to fulfil its mandate;*

**COMP 2** - Paragraph 2

Covered: AM 5 The Left, AM 6 EPP

2. Recalls that the EDPS is not a decentralised Union agency; *notes* the Court's position that the small budget of the EDPS, its low volume of financial transactions and the low level of assessed risks do not justify the publication of a separate report on EDPS; underlines that the legality and regularity of EDPS transactions should, *as a matter of principle, (AM 5, The Left) continue to (AM 6, EPP)* be properly examined by the Court as transparency is vital for the appropriate functioning of all Union bodies; asks the Court to issue *a separate annual report (AM 6, EPP)* on the annual accounts of this important Union body;

**COMP 3** - Paragraph 3

Covered: AM 5 The Left, AM 6 EPP

3. Highlights the key role of the EDPS in the Union justice and home affairs framework, ensuring the full respect for the right of privacy and data protection; notes the numerous unparalleled questions the EDPS was faced with in its supervisory role with regards to the European Public Prosecutor's Office (the EPPO); appreciates the support offered by the EDPS to the EPPO with regards to the establishment of its personal data processing rules; *as well as the support to other Union agencies within the justice and home affairs framework, such as Europol and Eurojust; (AM 10, SD) reminds that the workload of the EDPS has increased in the last years, and is expected to further increase due to the growing digitalisation trend in EU institutions, bodies and agencies, as well as the revision of the mandates of agencies and the initiatives presented by the Commission; underlines the importance that the EDPS budget matches its tasks and priorities in order to enable EDPS to fulfil with the duties it is entrusted to; (AM 9, Greens)*

**COMP 4** - Paragraph 4

Covered: AM 14 Greens, AM 15 EPP

4. Welcomes the EDPS response to the new privacy and data protection challenges related to the COVID-19 pandemic, namely immediately establishing an internal task force to actively monitor, *undertake actions (AM 15, EPP), follow developments, and to prepare for the future of data protection and privacy after the COVID-19 crisis (AM 14, Greens);*

## **COMP 5 - Paragraph 5**

Covered: AM 20 EPP, AM 21 Greens

5. Welcomes the EDPS Strategy 2020-2024 and the supervisory and advisory role that the EDPS fulfils, especially sharing knowledge on monitoring Union institutions', *bodies and agencies'* (AM 21, Greens) compliance with the "Schrems II" judgement<sup>1</sup> in relation to transfers of personal data to third countries; *encourages the EDPS to apply its new strategy with a view to allow the Union to remain a world leader in data protection and also to remain competitive among global players in the digital sector;* (AM 20, EPP)

## **COMP 6 - Paragraph 5a**

Covered: AM 7 Renew, AM 22 S&D, AM 23 EPP

*5a. Welcomes the 2020 annual report published by the EDPS in April 2021; appreciates the insight given on all EDPS activities; welcomes the fact that in 2020 the EDPS met or surpassed the targets set in five out of eight key performance indicators; highlights in particular its cooperation with the European Data Protection Board; notes the 17% increase in its budget compared to 2019; notes that in 2020, 72.97% of the EDPS's allocated budget was implemented, a lower figure compared to 2019 (92%) and below the 2020 target (90%); acknowledges the EDPS's explanation that this is mainly due to the COVID-19 crisis, which significantly affected its activities;*