

2016 discharge: EU general budget, European Data Protection Supervisor

2017/2144(DEC) - 18/04/2018 - Text adopted by Parliament, single reading

The European Parliament decided by 569 votes to 124, with 4 abstentions, to **grant discharge** to the European Data Protection Supervisor discharge in respect of the implementation of the budget for the financial year 2016.

Members welcomed the conclusion of the Court of Auditors, according to which the payments as a whole for the year ended on 31 December 2016 for administrative and other expenditure of the European Data Protection Supervisor were **free from material error** and that the examined supervisory and control systems for administrative and other expenditure were effective.

Parliament stressed that the discharge procedure needs to be streamlined and sped up. It requested that the Committee and the Court of Auditors follow best practice in the private sector and proposes in this regard to **review the timetable for the discharge procedure** so that the vote on the discharge would take place in Parliament's plenary part-session in November, thereby closing the discharge procedure within the year following the accounting year in question.

Financial and budgetary management: Members welcomed the overall prudent and sound financial management of the Supervisor in the 2016 budget period and expressed support for the successful shift towards **performance-based budgeting** in the Commission's budget planning. They encouraged the Supervisor to apply that method to its own budget-planning procedure.

Members also noted that in 2016, the Supervisor had a total allocated budget of EUR 9 288 043 (EUR 8 760 417 in 2015) and that the implementation rate was 91.93% (94.66% in 2015). They noted the **decrease of the implementation rate** and the Supervisor's forecast for maintaining this trend in the upcoming years.

While noting that the creation of the European Data Protection Board continues to be undertaken by the Supervisor, Members considered that budget estimations should ensure an efficient budgetary performance in the upcoming years.

Supervisor's actions: Members welcomed the launch in 2016 of the **Supervisor's Accountability Initiative**, designed to equip all the Union institutions, beginning with the Supervisor as a data controller itself, to lead by example in how the institutions comply and demonstrate compliance with data protection rules.

Members made a series of observations and recommendations to the Supervisor:

- fully respect and implement the **General Data Protection Regulation (GDPR)** and the Directive for data protection in the police and justice sectors;
- follow-up the internal control systems recommendations relating in particular to information security and business continuity policies;
- inform Parliament's Committee on Budgetary Control of the amounts paid in 2016 under Service Level Agreements in which fees depend on consumption;
- establish an independent body with sufficient budgetary resources to support **whistleblowers** wishing to disclose information on possible irregularities negatively impacting on the Union's financial interests, while ensuring their confidentiality is protected;
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- promote effective actions maximising the benefits of new technologies while ensuring full respect for fundamental rights;
- contribute more to **solutions driving innovation and ensuring compliance with privacy and data protection rules**, especially by increasing transparency, user control and accountability in big data processing;

All the key performance indicators set in the Supervisor's 2015-2019 strategy have been met and that the Supervisor had at times exceeded its targets in 2016, which shows that the implementation of the strategy is on track.

The Supervisor has published in its annual activity report a chapter about inter-institutional cooperation with other institutions as was requested in the 2015 discharge report. It noted that in 2016 the Supervisor signed two new Single Cooperation Agreements and called on the Supervisor to **continue strengthening inter-institutional cooperation** and to provide an update on its achievements in its next annual activity report.

Members called on the Supervisor to include in its **annual activity report**:

- a detailed list of missions undertaken by its members in 2016, indicating the price, the place and the cost of each mission;
- the missions undertaken in 2017 to be included in its next annual activity report;
- information on implementing measures to ensure effective internal control of the processes in order to guarantee an economic, efficient and effective achievement of the Supervisor's objectives.
- an overview of the sections on procurement and missions' management, to include a comparative table of the last four years;
- information on whistleblowing and anti-harassment decisions, disciplinary procedures and administrative investigations.

Lastly, while regretting the decision of the United Kingdom to withdraw from the European Union, Members stressed that at this point no predictions can be made about the financial, administrative, human and other consequences related to the withdrawal. **Impact assessments** should be performed and Parliament informed of the results by the end of 2018.