2021 discharge: General budget of the EU - European Data Protection Supervisor

2022/2089(DEC) - 30/03/2023 - Committee report tabled for plenary, single reading

The Committee on Budgetary Control adopted the report by Mikuláš PEKSA (Greens/EFA, CZ) on the discharge for implementation of the European Union general budget for the financial year 2021, section IX - European Data Protection Supervisor.

The committee responsible recommended that the European Parliament **give discharge** to the European Data Protection Supervisor in respect of the implementation of the budget for the financial year 2021.

Budgetary and financial management

The report notes that the Supervisor's budget for 2021 amounted to **EUR 19 463 193,** which represents a minimal decrease of 0.07% compared to 2020. It further notes that the budget implementation rate was 86% for the year 2021, which is a significant increase compared to 2020, when the implementation rate was 73%.

Internal management, performance and control

Members acknowledge that 2021 was a challenging year, not least due to the COVID-19 pandemic, which created the immediate need to safeguard staff wellbeing and at the same time created new tasks, including the setting up the EU Digital COVID Certificate and the monitoring of Passenger Locator Forms, contact tracing apps, and other technologies used to fight against the virus, and ensuring that they were fully in line with the Union personal data protection legislation.

The report welcomes that the Supervisor immediately created an internal COVID-19 task force to actively monitor and assess the Union’s responses to the pandemic. It also welcomes that the Supervisor launched a competition to employ more specialised experts on data protection and adapted the internal organisation to reflect the increased workload on data protection. Members welcome the Supervisor’s launch of a Business Continuity and Crisis Management review exercise with relevant internal and external stakeholders following an internal assessment of the lessons learnt from the COVID-19 pandemic.

Human resources, equality and staff well-being

At the end of 2021, the Supervisor had 132 staff members, a slight increase from the end of 2020 and a significant increase from the end of 2019 when there were 107 staff members. Members are concerned to see an increase in the number of contract staff and a decrease in the number of civil servants between the end of 2020 and the end of 2021. They encouraged the Supervisor to **offer permanent contracts** to its employees to guarantee business continuity and work security.

The number of EU nationalities represented in the staff had further increased to 21, compared to 20 at the end of 2020. While both senior management positions are occupied by men, women represent 75% of middle management.

The current rules allow for teleworking up to three days a week and the Supervisor is setting up a working group to develop a strategic approach to ensure that the workload is fairly distributed among staff. No cases of psychological or sexual harassment have been reported.

Ethical framework and transparency

The Supervisor's ethical framework, which was updated in 2019, includes, among other things, mandatory training for new staff on harassment, prevention of conflicts of interest and other ethical issues. The EDPS does not currently use the inter-institutional transparency register, but publishes on its website the EDPS' programme, recorded meetings and interventions, including meetings with interest representatives. The EDPS is invited to join the inter-institutional agreement on a mandatory transparency register.

The report makes the following observations, *inter alia*:

- the Supervisor's workload is expected to increase further due to the growing trend towards **digitalisation** in the Union, the revision of the agencies' mandates and the initiatives presented by the Commission, in particular in the area of justice and home affairs, namely the opinions on Europol's mandate, on the digital services and digital markets legislation and on the NIS 2.0 Directive, as well as the joint opinions on the artificial intelligence act and the Union's digital COVID certificate. It is important to adapt human and financial resources to the growing workload and to increase the Supervisor's budget accordingly;

- the EDPS is making efforts to become a **paperless institution**;

- the report welcomes the **cooperation** between the Supervisor in his supervisory functions and the other EU institutions, bodies and agencies, in particular the European Public Prosecutor's Office. It welcomes the Supervisor's close monitoring of the evaluation of the European Central Bank's digital euro project. It welcomes the Supervisor's proposed initiative to create a pool of experts to support national data protection authorities in their work on investigations;

- as regards **communication**, the EDPS has organised several events which have helped to strengthen its role and the understanding of its mission by the general public. It prepared a public pilot phase of two social media platforms, EU Voice and EU Video, launched in 2022 to promote the use of decentralised, free and open technologies as alternative social networks.