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

2022/2089(DEC) - 10/05/2023 - Text adopted by Parliament, single reading

The European Parliament adopted by 579 votes to 16, with 33 abstentions, to **grant discharge** to the European Data Protection Supervisor in respect of the implementation of the budget for the financial year 2021.

In its resolution, adopted by 577 votes to 21 with 37 abstentions, Parliament made the following observations:

Budgetary and financial management

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%. In 2021, the Supervisor met or exceeded the targets set for eight of the nine key performance indicators.

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.

Parliament welcomed that the Supervisor immediately created an internal COVID-19 task force to actively monitor and assess the Union’s responses to the pandemic which has raised concerns about the protection of personal data and privacy rights of individuals.

It also welcomed 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.

Parliament welcomed the Supervisor’s focus on ensuring the mental well-being of both Supervisor and Board staff during the COVID-19 pandemic. It welcomed that the Supervisor has developed the system for flexible working arrangements and welcomed that no cases of psychological or sexual harassment were 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.

There were no cases of staff leaving the institution in order to join the private sector in 2021 and no cases involving cooling-off periods.

Parliament also commented on digital transition, cybersecurity and data protection, buildings and security, environment and sustainability, interinstitutional cooperation and communication.

The resolution highlighted the following points in particular:

- the Supervisor continues to test and demonstrate open source tools, rather than proprietary tools, in order to maintain independence from suppliers, retain control of its technical systems, and better guarantee privacy and the protection of user data;

- it is important to adapt human and financial resources to the growing workload and to increase the Supervisor's budget: 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;

- the EDPS is making efforts to become a paperless institution. It continues to encourage the use of public transport, reimbursing 50% of monthly or annual season tickets;

- cooperation between the EDPS and other EU institutions, bodies and agencies, in particular the European Public Prosecutor's Office, is welcomed. The EDPS needs additional resources to monitor the European Central Bank's digital euro project. The EDPS is encouraged to continue the dialogue with Europol about the Agency's processing of large-scale data sets;

- 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.