Basic information

2020/2148(DEC) DEC - Discharge procedure	Procedure completed
2019 discharge: General budget of the EU - European Data Protection Supervisor **Subject** 8.70.03.09 2019 discharge	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	MITUȚA Alin (Renew)	10/07/2020
	Shadow rapporteur LENAERS Jeroen (EPP) GARCÍA MUÑOZ Isabel (S&D) PEKSA Mikuláš (Greens/EFA) CZARNECKI Ryszard (ECR) FLANAGAN Luke Ming (GUE/NGL)	

Committee for opinion	Rapporteur for opinion	Appointed
JURI Legal Affairs	The committee decided not to give an opinion.	
LIBE Civil Liberties, Justice and Home Affairs	CHINNICI Caterina (S&D)	01/10/2020

European Commission

Commission DG	Commissioner
Budget	HAHN Johannes

Key events

Date	Event	Reference	Summary
29/06/2020	Non-legislative basic document published	COM(2020)0288	

15/09/2020	Committee referral announced in Parliament		
01/03/2021	Vote in committee		
29/03/2021	Committee report tabled for plenary	A9-0067/2021	Summary
27/04/2021	Debate in Parliament		
28/04/2021	Decision by Parliament	T9-0172/2021	Summary
24/09/2021	Final act published in Official Journal		

Technical information

Procedure reference	2020/2148(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	CONT/9/03849

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE657.247	16/12/2020	
Amendments tabled in committee		PE680.759	05/02/2021	
Committee opinion	LIBE	PE661.915	24/02/2021	
Committee report tabled for plenary, single reading		A9-0067/2021	29/03/2021	Summary
Text adopted by Parliament, single reading		T9-0172/2021	28/04/2021	Summary

Council of the EU

Document type	Reference	Date	Summary
Supplementary non-legislative basic document	05792/2021	05/02/2021	

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2020)0288	29/06/2020	

Additional information

Source	Document	Date

European Commission	EUR-Lex	

Final act

Budget 2021/1558
OJ L 340 24.09.2021, p. 0168

2019 discharge: General budget of the EU - European Data Protection Supervisor

2020/2148(DEC) - 29/03/2021 - Committee report tabled for plenary, single reading

The Committee on Budgetary Control adopted the report by Alin MITUȚA (Renew Europe, RO) calling on the European Parliament to grant discharge to the European Data Protection Supervisor in respect of the implementation of the budget for the financial year 2019.

Members welcomed the conclusion of the Court of Auditors, according to which the payments as a whole for the year ended on 31 December 2019 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. They noted with satisfaction that in its annual report for 2019, the Court observed no serious weaknesses in respect of the audited topics related to the EDPS' human resources and procurement activities.

Budgetary and financial management

In 2019, the EDPS had a total allocated budget of EUR 16 638 572 (compared to EUR 14 449 068 in 2018), which represented a 15.15 % increase compared to the 2018 budget. The budget implementation rate in terms of commitments was 91.97 % (compared to 93.7 % in 2018). The report recognised the positive trend in terms of the payment implementation rate which was 80.69 % (compared to 75.2 % in 2018) with a payment appropriation carry-over rate of 12.18 %.

The overall budget increase was mainly due to the impact of the new tasks resulting from the General Data Protection Regulation, GDPR), which lays down the data protection obligations for the Union institutions and bodies in relation to the processing of personal data and the development of new policies) and the necessary growth of the European Data Protection Board (EDPB) that was created on 25 May 2018 and for which the EDPS was entrusted to provide an independent secretariat. 2019 was the first full year of operation of the EDPB Secretariat and of the implementation of the GDPR, which justifies the increase.

Human resources

The EDPS' budget is mostly administrative, with a large proportion being used for expenditure relating to persons, buildings, furniture, equipment and miscellaneous running costs. A substantial number of staff are contract staff employed for a temporary period, such as the replacement of staff on parental leave or for the implementation of specific actions. Its staff comprises 19 Union nationalities and had a gender representation of 39 % male staff and 61 % female staff in 2019.

There is a slight geographical imbalance in staff, in that only 19 Union nationalities are represented in the EDPS, of which Belgian citizens hold 28 % of the positions.

Members unlined efforts made relating to wellbeing especially during the COVID-19 crisis.

Complaints and inquiries

The report concluded that in 2019, the EDPS received 59 admissible complaints seeking an in-depth inquiry, and that the EDPS issued 48 complaint decisions. It also received 151 inadmissible complaints, the majority relating to data processing at national level as opposed to processing by a Union institution or body. The EDPS replied to all inadmissible complaints, directing the complainant to the relevant authority.

2019 discharge: General budget of the EU - European Data Protection Supervisor

2020/2148(DEC) - 28/04/2021 - Text adopted by Parliament, single reading

The European Parliament decided by 635 votes to 27, with 36 abstentions to **grant discharge** to the European Data Protection Supervisor (EDPS) in respect of the implementation of the EDPS budget for the financial year 2019.

In the resolution accompanying its discharge decision (adopted by 627 votes to 30, with 34 abstentions), the European Parliament made a series of comments:

Parliament welcomed the conclusion of the Court of Auditors, according to which the payments as a whole for the year ended on 31 December 2019 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. It also noted with satisfaction that in its annual report for 2019, the Court observed no serious weaknesses in respect of the audited topics related to the EDPS' human resources and procurement activities.

Budgetary and financial management

In 2019, the EDPS had a total allocated budget of EUR 16 638 572 (compared to EUR 14 449 068 in 2018), which represented a 15.15 % increase compared to the 2018 budget. The budget implementation rate in terms of commitments was 91.97 % (compared to 93.7 % in 2018). The resolution recognised the positive trend in terms of the payment implementation rate which was 80.69 % (compared to 75.2 % in 2018) with a payment appropriation carry-over rate of 12.18 %.

The overall budget increase was mainly due to the impact of the new tasks resulting from the General Data Protection Regulation, GDPR), which lays down the data protection obligations for the Union institutions and bodies in relation to the processing of personal data and the development of new policies) and the necessary growth of the European Data Protection Board (EDPB) that was created on 25 May 2018 and for which the EDPS was entrusted to provide an independent secretariat. 2019 was the first full year of operation of the EDPB Secretariat and of the implementation of the GDPR, which justifies the increase.

Parliament appreciated the diligent and proactive action of the EDPS in monitoring the EU institutions' respect for data protection.

Human resources

The resolution noted that at the end of 2014, the EDPS comprised 55 members of staff (compared to 96 at the end of 2019), which signifies almost a doubling in the number of staff. A substantial increase in the number of contact agents was also noted.

The EDPS's staff comprises 19 EU nationalities and had a gender representation of 39 % male staff and 61 % female staff in 2019.

The resolution underlined efforts made relating to wellbeing noting that the EDPS provides staff with contacts and information concerning psychosocial as well as medical support which was strongly implemented in the period of the COVID-19 crisis. In addition, informal mid-term appraisals give staff the opportunity to voice concerns.

Parliament encouraged the Supervisor to complete the existing flexible working arrangements with a protection of the staff members' right to disconnect.

Ethics and integrity policy

The resolution appreciated that the ethics framework of the EDPS was revised on 12 November 2019 with the formal establishment of the position of ethics officer with a clear mandate.

All newcomers to the EDPS are provided with an awareness-raising session on the ethical framework and the new code of conduct for staff.

Moreover, the EDPS equal opportunities clause is considered to be an excellent initiative.

Complaints and inquiries

The resolution concluded that in 2019, the EDPS received 59 admissible complaints seeking an in-depth inquiry, and that the EDPS issued 48 complaint decisions. It also received 151 inadmissible complaints, the majority relating to data processing at national level as opposed to processing by a Union institution or body. The EDPS replied to all inadmissible complaints, directing the complainant to the relevant authority.