Basic information

2021/2114(DEC) DEC - Discharge procedure	Procedure completed
2020 discharge: General budget of the EU - European Data Protection Supervisor **Subject** 8.70.03.10 2020 discharge	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
CONT Budgetary Control	GARCÍA MUÑOZ Isabel (S&D)	12/07/2021
	Shadow rapporteur LENAERS Jeroen (EPP) MITUȚA Alin (Renew) PEKSA Mikuláš (Greens/EFA) KUHS Joachim (ID) FLANAGAN Luke Ming (The Left)	

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	STRUGARIU Ramona (Renew)	26/10/2021

European Commission

Commission DG	Commissioner
Budget	HAHN Johannes

Key events

Date	Event	Reference	Summary
		COM(2021)0381	Summary

30/06/2021	Non-legislative basic document published		
14/09/2021	Committee referral announced in Parliament		
28/02/2022	Vote in committee		
04/04/2022	Committee report tabled for plenary	A9-0086/2022	
04/05/2022	Decision by Parliament	T9-0152/2022	Summary
04/05/2022	Debate in Parliament		
05/10/2022	Final act published in Official Journal		

Technical information

Procedure reference	2021/2114(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	CONT/9/06626

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE699.019	17/12/2021	
Committee opinion	LIBE	PE700.430	14/01/2022	
Amendments tabled in committee		PE703.199	01/02/2022	
Committee report tabled for plenary, single reading		A9-0086/2022	04/04/2022	
Text adopted by Parliament, single reading		T9-0152/2022	04/05/2022	Summary

Council of the EU

Document type	Reference	Date	Summary
Supplementary non-legislative basic document	06001/2022	03/03/2022	

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(2021)0381	30/06/2021	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary

CofA	Court of Auditors: opinion, report	N9-0043/2022 OJ C 430 25.10.2021, p. 0007	25/10/2021	

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act
Budget 2022/1709 OJ L 258 05.10.2022, p. 0141

2020 discharge: General budget of the EU - European Data Protection Supervisor

2021/2114(DEC) - 30/06/2021 - Non-legislative basic document

PURPOSE: presentation by the Commission of the consolidated annual accounts of the European Union for the financial year 2020, as part of the 2020 discharge procedure.

Analysis of the accounts of the EU Institutions: European Data Protection Supervisor

The consolidated annual accounts of the EU provide financial information on the activities of the institutions, agencies and other bodies of the EU from an accrual accounting and budgetary perspective. They are prepared according to the highest available international public sector standards.

The discharge is a Parliament decision that reflects its conclusions at the end of a process, the discharge procedure, on the way the Commission (and other institutions and bodies) has carried out its task of implementing the EU budget.

The decision is based in particular on the European Court of Auditors reports, in particular its annual report, in which the Court provides a Statement of Assurance (DAS) on the legality and regularity of transactions (payments and commitments).

Implementation of the EDPS's appropriations for the financial year 2020

The EDPS was allocated a budget of **EUR 19 476 998**. This represents an increase of 16.3% compared to the 2019 budget. The overall increase was mainly due to the impact of the new tasks resulting from the European Data Protection Regulation 1725/2018 and the new supervisory tasks in connection with enforcement and judicial cooperation agencies (e.g. EPPO, Eurojust).

As regards budget implementation, the overall rate in commitment appropriations amounted to 73%. This rate is substantially lower than the previous year due to the impact of COVID-19 related restrictions on the Institution’s activities.

The EDPS’s activities in 2020 were marked by:

- the COVID-19 pandemic. The EDPS had to adapt its working methods as an employer, but also its priorities since COVID- 19 strengthened the call for the protection of individuals’ privacy with the appearance of contact tracing apps and other technologies used for the fight against the coronavirus. While technology can certainly contribute to limiting the spread of the virus, the EDPS’ priority is to ensure the protection of individuals’ personal data and right to privacy;

- the new Strategy for 2020-2024 whose overarching aim is to shape a safer digital future, with three core pillars outlining the guiding actions and objectives for the organisation to the end of 2024: Foresight, Action and Solidarity;

- the start of the implementation of a new budget management tool, Bluebell.

2020 discharge: General budget of the EU - European Data Protection Supervisor

2021/2114(DEC) - 04/05/2022 - Text adopted by Parliament, single reading

The European Parliament decided by 589 votes to 11, with 42 abstentions, to **grant discharge** to the European Data Protection Supervisor in respect of the implementation of its budget for the financial year 2020.

Parliament noted that the Court of Auditors had **not found any significant weaknesses** in respect of the audited topics related to human resources and procurement for the European Data Protection Supervisor. The Court found, based on its audit work, that the payments for the financial year 2020 for the administrative expenditure of the institutions, including those of the Supervisor, are, on the whole, **free from material error**. No specific problems concerning the regularity of transactions were detected by the Court.

In its resolution, adopted by 577 votes to 17 with 44 abstentions, Parliament made the following observations.

Budgetary and financial management

In 2020, the Supervisor was allocated a budget of **EUR 19 476 998**, representing an increase of 16.3 % compared to the 2019 budget of EUR 16 638 572. The increase was mainly due to the impact of the new tasks set out in General Data Protection Regulation for the EU institutions

and the new supervisory responsibilities in connection with enforcement and judicial cooperation agencies, such as, amongst others, the European Prosecutor's Office and Eurojust.

The COVID-19 pandemic has had a negative impact on budget implementation (73 % in 2020, compared to 91.97 % in 2019). This impact is visible on the mission and training budgets (execution of less than 17 %) and on the organisation of meetings, including experts' reimbursement and catering (execution of less than 15 %) resulting in savings of EUR 2 183 000, which represents 11 % of the overall budget consumption.

As human resources costs represent a significant part of the overall budget, the delay in recruitment procedures (another consequence of the COVID-19 pandemic) had a negative impact on the execution of the overall budget.

The Supervisor's investment in its digital transformation at least partially compensated the low budget execution rate as the IT-related budget lines for the Supervisor and the EDPB exceeded the initial allocation (109 %).

Internal management, performance, internal control

Parliament welcomed the adoption of the new management tool - called 'Bluebell' - developed by the European Research Council Executive Agency (ERCEA), which allows better forecasting and monitoring of the actual implementation of budget lines based on data uploaded by the operational units. It welcomed the fact that in 2020, working methods had been adapted following the COVID-19 pandemic and that all paper-based signatures and procedures had been digitised. In addition, physical meetings have been replaced by cheaper and less time-consuming online meetings.

Human resources, staff well-being and gender equality

In 2020, the Supervisor had a total of 113 staff members, compared to 96 in 2019. Parliament noted the very low occupation rate of 86.90% of the establishment plan.

Parliament noted the favourable trend in the geographical distribution of the staff as a whole, which represented 20 Member States in 2020, given the size of the institution. It called on the EDPS to continue to pay attention to issues of gender balance, equal opportunities and geographical distribution, in particular during selection procedures.

In 2019 and 2020, the gender balance remained constant in the staff overall, at around 58% women and 42% men. At middle management level, the figures remain the same as in 2019, with 75% women and 25% men. As in 2019, the two senior management positions are occupied by men.

The Supervisor offers a range of working arrangements and all officers benefit from flexible working hours, with the exception of those receiving a management allowance. The Supervisor's staff have made extensive use of teleworking as a flexibility tool to ensure business continuity and to manage the difficult conditions imposed by the COVID-19 pandemic.

Parliament noted that no cases of harassment were reported in 2020 and appreciated that in December 2020 the Supervisor signed a revision of his anti-harassment decision to clarify the rights and obligations of each party.

Ethical framework and transparency

Parliament noted that the Supervisor's ethical framework was updated in 2019, requiring all new starters to attend a mandatory presentation on the subject during their initial training. The code of conduct for staff members was revised in December 2019 to bring it into line with changes in the institution and the new legal framework, and to include staff members of the Secretariat.

The EDPS does not currently use the inter-institutional Transparency Register but publishes the agenda and interventions of the Supervisor on its website, including meetings with interest representatives, to ensure accountability towards citizens; encourages the Supervisor to explore ways to link its own register to the Transparency Register.

Digitalisation, cyber security, data protection

Parliament noted that the Supervisor attaches importance to analysing the opportunities, risks and challenges that innovative technologies may pose for data protection and the personal data of individuals. It recognises the role of the EDPS in the global debate on digital ethics, in particular regarding the development of artificial intelligence and facial recognition technologies.

In December 2020, the Supervisor signed an SLA with CERT-EU (Computer Emergency Response Team for the EU institutions, bodies and agencies) on the provision of a wider range of cyber security services. Members welcomed the appointment of a full-time Data Protection Officer in September 2020 to strengthen its capacity to monitor personal data processing activities.

Parliament noted that in 2020, despite the COVID-19 pandemic, the Supervisor was able to offer several training sessions to many EU institutions to advise them on how to protect individuals' personal data.

Members believe that the Supervisor's participation in a number of international fora is crucial to shape and share best practice and create consistent procedures based on a common understanding of data protection rules.

COVID pandemic

Parliament underlined the crucial role of the Supervisor in protecting personal data and privacy, two fundamental rights in the Union, in the context of the COVID-19 pandemic, particularly the relevance and influence of its assessment of compliance with data protection of the numerous contact tracing and warning apps widespread during the pandemic. It acknowledged the additional workload that has faced the Supervisor and appreciated that the Supervisor had not only ensured business continuity, but also increased its productivity.