

# EDPB Work overview

50th EUI DPO Network meeting – 14th June 2022

João Soares da Silva, EDPB DPO / Legal Officer



# EDPB Main Tasks

- To issue opinions, guidelines, recommendations and best practices to promote a common understanding of the GDPR and the Law Enforcement Directive (LED);
- To advise the European Commission on any issue related to the protection of personal data in the Union;
- To contribute to the consistent application of the GDPR, in particular in cross-border data protection cases; and
- To promote cooperation and the effective exchange of information and best practices between national supervisory authorities.



# EDPB Work Plan 2021-2022

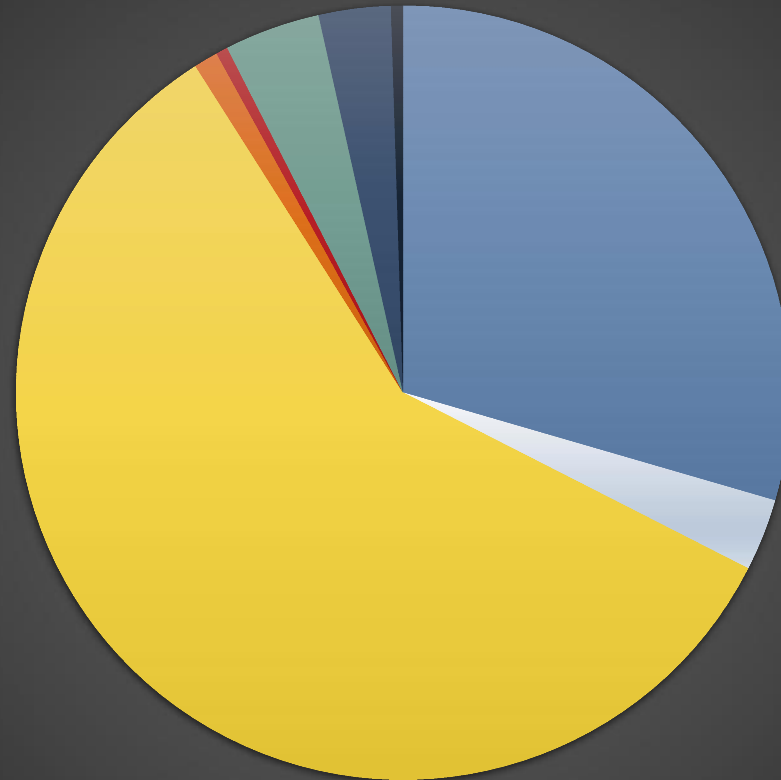
Pillar One: Advancing harmonisation and facilitating compliance	Pillar Two: Supporting effective enforcement and efficient cooperation between national supervisory authorities	Pillar Three: A fundamental rights approach to new technologies	Pillar Four: The Global Dimension
<p>Further guidance on key notions of EU data protection law, such as:</p> <ul style="list-style-type: none"> <li>) Data subject rights</li> <li>) Guidelines on legitimate interest</li> <li>) Processing of personal data for medical and scientific research purposes;</li> <li>) Children's data;</li> <li>) Remuneration against personal data;</li> </ul> <p>Consistency activities: Articles 64, 65 and 66 GDPR;</p> <p>Development and implementation of compliance mechanisms for controllers and processors</p> <p>Advising the EU legislator on any important issue related to the protection of personal data in the Union (e.g. Data Governance Act, ePrivacy, Anti-Money Laundering legislation) and intensifying engagement and cooperation with other regulators and policymakers</p> <p>Development of awareness-raising common tools on the GDPR for a wider audience</p>	<p>Encouraging and facilitating the use of the full range of cooperation tools enshrined in Chapter VII of the GDPR and Chapter VII of the LED and further promoting a common application of key concepts in the cooperation procedure, such as:</p> <ul style="list-style-type: none"> <li>) Guidance on Article 60 (OSS);</li> <li>) Guidance on Article 61 (MA)</li> <li>) Guidelines on Article 65</li> </ul> <p>Implementation of the Coordinated Enforcement Framework (CEF)</p> <p>Implementation of the Support Pool of Experts</p>	<p>Reinforcing the application of fundamental data protection principles and individual rights and establishing common positions and guidance, especially in the context of new technologies:</p> <ul style="list-style-type: none"> <li>) Examples regarding Data breach notifications*</li> <li>) Blockchain Anonymisation and Pseudonymisation</li> <li>) Use of facial recognition technology in the area of law enforcement</li> <li>) Virtual voice assistants*</li> <li>) Data protection in social media platform interfaces: practical recommendations</li> <li>) Any additional guidance on legal implications relating to technological issues</li> </ul> <p>Strengthening cooperation with external stakeholders (ENISA advisory group, ISO liaison, Contact point of the Stakeholder Cybersecurity Certification Group, etc.)</p>	<p>Providing guidance on the use of transfer tools ensuring an essentially equivalent level of protection and increasing awareness on their practical implementation and issues relating to government access to personal data:</p> <ul style="list-style-type: none"> <li>) Opinions on and review of adequacy decisions (UK, Republic of Korea, review of Japan decision, any revision of 95/46 adequacy decisions...) PNR agreements (UK, Canada, Japan...);</li> <li>) Codes of conduct as a tool for international transfers</li> <li>) Certification as a tool for international transfers</li> <li>) Article 37 LED (transfers subject to appropriate safeguards)</li> <li>) Article 48 GDPR (transfers or disclosures not authorised by Union law)</li> <li>) Territorial scope (Article 3) of the GDPR and its interplay with Chapter V</li> </ul> <p>Engaging with the international community to promote EU data protection as a global model and to ensure effective protection of personal data beyond EU borders</p> <p>Facilitating the engagement between EDPB members and the supervisory authorities of third countries with a focus on cooperation in enforcement cases involving controllers/processors located outside the EEA</p>

# EDPB Strategy 2021-2023

<b>Pillar One: Advancing harmonisation and facilitating compliance</b>	<b>Pillar Two: Supporting effective enforcement and efficient cooperation between national supervisory authorities</b>	<b>Pillar Three: A fundamental rights approach to new technologies</b>	<b>Pillar Four: The Global Dimension</b>
<p><b>Key action 1:</b> the EDPB will focus on providing further guidance on key notions of EU data protection law;</p> <p><b>Key action 2:</b> the EDPB will further promote development and implementation of compliance mechanisms for controllers and processors;</p> <p><b>Key action 3:</b> the EDPB will foster the development of common tools for a wider audience and engage in awareness raising and outreach activities.</p>	<p><b>Key action 1:</b> encourage and facilitate use of the full range of cooperation tools enshrined in Chapter VII of the GDPR and Chapter VII of the LED;</p> <p><b>Key action 2:</b> implement a Coordinated Enforcement Framework (CEF);</p> <p><b>Key action 3:</b> establish a Support Pool of Experts (SPE) on the basis of a pilot project;</p>	<p><b>Key Action 1:</b> Assessing new technologies;</p> <p><b>Key Action 2:</b> Reinforcing data protection by design and by default and accountability;</p> <p><b>Key Action 3:</b> intensify engagement and cooperation with other regulators (e.g. consumer protection and competition authorities) and policymakers to ensure that individuals receive optimal protection and to prevent harms from occurring.</p>	<p><b>Key Action 1:</b> Promote the use of transfer tools ensuring an essentially equivalent level of protection and increase awareness on their practical implementation;</p> <p><b>Key Action 2:</b> Engaging with the international community;</p> <p><b>Key Action 3:</b> facilitate the engagement between EDPB members and the supervisory authorities of third countries with a focus on cooperation in enforcement cases involving controllers/processors located outside the EEA.</p>



## EDPB main work since inception (until end May 2022)



■ Guidelines

■ Recommendations

■ Art. 64 opinions

■ Art. 65 decisions

■ Art. 66 urgent decision

■ Joint EDPB/EDPS opinions

■ Art. 70 opinions

■ Opinion on LED directive

# EDPB Work in 2022 (until end of May)

- ) 6 Guidelines:
  - Guidelines 01/2022 on data subject rights - Right of access\*
  - Guidelines 02/2022 on the application of Article 60 GDPR
  - Guidelines 3/2022 on Dark patterns in social media platform interfaces: How to recognise and avoid them\*
  - Guidelines 04/2022 on the calculation of administrative fines under the GDPR\*\*
  - Guidelines 05/2022 on the use of facial recognition technology in the area of law enforcement\*\*
  - Guidelines 06/2022 on the practical implementation of amicable settlements
- ) 9 Art. 64 Opinions
- ) 2 EDPB/EDPS Joint Opinions:
  - ) EDPB-EDPS Joint Opinion 1/2022 on the extension of the Covid-19 certificate Regulation
  - ) EDPB-EDPS Joint Opinion 2/2022 on the Proposal of the European Parliament and of the Council on harmonised rules on fair access to and use of data (Data Act)
- ) 1 statement
  - ) Statement 01/2022 on the announcement of an agreement in principle on a new Trans-Atlantic Data Privacy Framework
- ) 1 toolbox
  - ) Toolbox on essential data protection safeguards for enforcement cooperation between EEA data protection authorities and competent data protection authorities of third countries

\*Closed public consultation

\*\* Open public consultation