



Final

106th Plenary meeting

3-4 June 2025, In person

Some points have been redacted from these minutes as their publication would undermine the protection of one or more of the following legitimate interests, in particular: the public interest as regards international relations; the privacy and integrity of the individual regarding the protection of personal data in accordance with Regulation 2018/1725; the commercial interests of a natural or legal person; ongoing or closed investigations; the decision-making process of the EDPB, in relation to matters upon which a decision has not yet been taken and/or the decision-making process of the EDPB, in relation to matters upon which a decision has been taken.

I. Adoption of the minutes and of the agenda, Information given by the Chair

I.1. Introduction

The Chair welcomed the new Commissioner of the ES SA, Lorenzo Cotino Hueso, as well as the new deputy Commissioner, Francisco Pérez Bes. The EDPB Chair further informed the members that Ventsislav Karadjov has ended his term as Commissioner of the BG SA and welcomed Borislav Bozhinov as the new Commissioner of the BG SA. The new Commissioners introduced themselves. The Chair also informed the members that Koen Gorissen, the new Commissioner of the BE SA, will have the occasion to present himself on 4th June. Finally, the Chair congratulated Jekaterina Macuka on the renewal of her mandate as the head of the LV SA.

The Chair provided an update to the EDPB members on the latest developments in the United States on a judicial case regarding the dismissal of the three Democrats' members of the US Privacy and Civil Liberties Oversight Board (PCLOB) and on their reinstatement.

The Chair provided an update on the upcoming EDPB High-Level Meeting that will take place in Helsinki at the beginning of July and gave information on the topics that will be discussed.

The Chair informed the EDPB members that the Head of the EDPB Secretariat will meet the chair and the rapporteur of the French parliamentary inquiry committee on the impact of social media and TikTok on minors.

Adopted on 08/07/2025

The Chair reminded the members about the High-Level Debate on Competition, Innovation and Data Protection organised by the EDPS, the DE Federal SA and DE Bavarian SA that would take place on the evening of 3 June.

The Chair informed the members of the EDPB that, due to a strike in the aviation sector, the second day of the plenary meeting will be chaired by the Deputy Chair.

I.2. Minutes of the 105th Plenary meeting – adoption

The minutes of the previous EDPB plenary meeting were adopted unanimously with the editorial modifications proposed.

The members of the EDPB also agreed on the public version of the minutes.

I.3. Draft agenda of the 106th EDPB meeting – adoption

The draft agenda was adopted with the deletion of one point under AOB and the inclusion of a new point under AOB.

The discussions relating to agenda points B.2.3 and D.2.1 were declared confidential in accordance with Art. 33(1)(c) EDPB RoP.

A. Agenda items for adoption

There was no request to discuss the proposed A items. A single vote was organised for the three A items and they were all adopted unanimously:

- A.1. Opinion on the draft decision of the Dutch SA regarding the Controller Binding Corporate Rules of the Signify Group (International Transfers ESG);
- A.2. Opinion on the draft decision of the Dutch SA regarding the Controller Binding Corporate Rules of the ASML Group (International Transfers ESG); and
- A.3. Document on data protection aspects of article 75 Anti Money Laundering Regulation - Request for mandate (Financial matters ESG).

B. Agenda items for discussion

B.1. Agenda items for discussion in view of adoption

B.1.1. Request for mandate for a mapping exercise of the EU Digital Rulebook (Cross-Regulatory Interplay and Cooperation ESG)

The Chair introduced the item. One member of the Cross-Regulatory Interplay and Cooperation ESG presented a request for mandate for a mapping exercise of the EU Digital Rulebook which would collect information from all EDPB members on the national implementation of the laws, starting with DMA, DSA, DGA, DA and AIA. Three members intervened to express their support for the initiative.

The EDPB members adopted the mandate unanimously.

B.1.2. 2025–2027 Work Programme for the Cross-Regulatory Interplay and Cooperation ESG (Cross-Regulatory Interplay and Cooperation ESG)

The EDPB Chair introduced the item. One of the Coordinators of the Cross-Regulatory Interplay and Cooperation ESG presented the Work Programme, explained to the EDPB members that it maps the initiatives of the ESG for the next three years and that it includes some projects that are already ongoing. Two EDPB members intervened to express support for the Work Programme. One member

underlined the need to assess the possible need to have formal legal bases for the cooperation between SAs and regulators in other domains in concrete cases.

The EDPB members adopted the Work Programme 2025-2027 for the Cross-Regulatory Interplay and Cooperation ESG unanimously.

[B.1.3. Guidelines 2/2024 on Article 48 GDPR \(version after public consultation\) \(International Transfers and Borders, Travel and Law Enforcement ESGs\)](#)

The EDPB Chair introduced the item and recalled that in December 2024 the EDPB adopted the first version of the Guidelines and opened a public consultation. The rapporteur referred to the seventeen contributions received by the EDPB and assessed at subgroup level, and presented the updates made to the Guidelines following the public consultation.

The EDPB members adopted the revised Guidelines 2/2024 on Article 48 GDPR with the abstention of one EDPB member and decided to publish them on the EDPB website.

[B.2. Agenda items for discussion](#)

[B.2.1. Two Support Pool of Experts reports regarding Training Curriculum on AI and Data Protection](#)

The Chair introduced the work done in the context of the Support Pool of Expert (SPE) on two projects which provide a Training Curriculum on AI and Data Protection, one addressed to DPOs and privacy professionals, and the other addressed to technical professionals. The two projects were commissioned last summer at the request of the EL SA and finished at the end of 2024 and beginning of 2025. The EL SA presented the conclusions of the reports and the structure and content of the two curricula.

The EDPB Secretariat presented the option of a pilot programme which would publish these two reports both as a PDF version on the EDPB website and as a community version on the EDPB gitlab platform (code.europa.eu). The community version could then be updated on the basis of public contributions, with the EDPB Secretariat holding a moderation role and contributions being made under the CC BY SA licence.

The EDPB members took note of the reports and exchanged on the matter. The EDPB Secretariat confirmed that it is possible to reuse this material at national level as long as this was done under the CC BY SA licence. As a connected matter, one member also proposed that authorities developing rules on the use of AI in their organisation could share information on this matter. Another member explained its ongoing initiative to develop rules for the use of AI in its own organisation and in the public sector more generally.

It was agreed to publish the reports on the website and on the EDPB gitlab platform as part of a one-year pilot project, and that the outcome of the project would be reported to the EDPB after that time.

[B.2.2. Request for a joint EDPB-EDPS opinion on the EC draft proposal on the simplification of record-keeping obligation under Art. 30\(5\) GDPR](#)

The EDPB Chair introduced the item and recalled that, on 21 May 2025, the European Commission requested a Joint EDPB-EDPS Opinion on the proposed Small Midcaps (SMCs) Omnibus Regulation to amend a number of pieces of EU legislation, including a proposed simplification of the record-keeping obligation under Art. 30(5) GDPR. The deadline to adopt the Joint Opinion is 16 July 2025.

The EDPB already shared a preliminary view on this legislative proposal in a letter of 8 May 2025. This was done in response to a letter from the European Commission of 6 May 2025 which had described the initial proposal, although the text of the proposal had not yet been available at that time.

The EDPB members were invited to share their views on the matter to provide orientations to the drafters.

The European Commission explained the changes aimed by the Proposed SMCs Omnibus Regulation. It clarified that the definition of small mid-cap company (“SMC”) would not be specific to the GDPR but would be a new category of companies reflected in several acts. The Proposed Regulation would amend Articles 30(5), 40 and 42 GDPR and would include a Recital which specifies that “the processing of special categories of personal data under in Article 9(2)(b) GDPR for the purposes of carrying out the obligations and exercising specific rights of the controller or of the data subject in the field of employment and social security and social protection law” should not trigger as such the obligation to maintain records of processing. The European Commission explained that this was added as a recital of the SMCs Omnibus Regulation because it is not legally possible to amend the Recital of the GDPR through the Proposed SMCs Omnibus Regulation.

In response to questions from the EDPB Members, the European Commission further clarified that NGOs and charities would be covered by the new exemption; that, where an SMC has some processing operations which are high risk and which others are not, the documentation requirement would only apply to the ones which are high risk; and referred to the EDPB Guidelines on Article 35 GDPR for interpreting the notion of high risk. In addition, one member of the EDPB noted that the Proposal does not include an assessment of the consequences on fundamental rights. The European Commission took note of that point while noting that the impact on fundamental rights would not be substantial.

The EDPB members discussed the proposed modifications. As part of this, and in relation to the concept of high risk, the EDPB members also referred to the national lists of processing subject to DPIA adopted under Article 35(4) GDPR.

The EDPB members agreed that as orientation, the EDPB could support the targeted adaptation of exception of record-keeping, noting the importance of rules relating to the risks of the processing. In this context, the members underlined the fact that this legal change does not relate to core principles of the GDPR. The EDPB members further agreed to emphasise that, in practice, the records of processing is useful for compliance with other legal requirements, such as those relating to DPIAs, the respect of access rights or for the drafting of privacy policies. This would mean that, if controllers or processors were no longer be obliged to keep those records, those subject to the exemption would still need a means to ensure the respect of the other legal requirements and the principle of accountability.

B.2.3. State of play on the Strategic Cases project (Enforcement ESG)

The EDPB Chair introduced the item. The Coordinator of the Enforcement ESG presented the state of play of the project, adding that the “██████████” case is currently still ongoing, and informing the members that no new strategic case has been proposed. The ENF Coordinator highlighted the need to discuss the matter, probably during the EDPB High-Level Meeting in Helsinki.

The EDPB members exchanged on the matter. Several members highlighted the importance and benefits of the project as one of the key commitments following the Vienna meeting and supported the idea of taking a decision at the meeting in Helsinki. Several members noted that, since the Vienna meeting, cooperation between SAs had changed positively, noting a closer cooperation outside of the strategic cases procedure.

The EDPB members agreed that a decision on the continuation of the strategic cases project and on how this project could be framed in the current context would be taken at the EDPB High Level Meeting in Helsinki.

B.2.4.

[REDACTED] - Guidelines on Scientific Research (Compliance, e-Government and

Health ESG)

[REDACTED]

C. Organisational matters

C.1. Appointment of EDPB representative(s) as observer(s) at EDICG and the Working Group of EDICG under eIDAS cooperation group (Compliance, e-Government and Health ESG)

The Chair reminded the members that the European Commission had established the European Digital Identity Cooperation Group (EDICG) and its Working Group on handling technical and operational tasks related to the EU Digital Identity Wallets, notified eIDs and Trust Services, and that, following the initiative of one member, the EDPB contacted the European Commission to have an EDPB representative as an observer at this cooperation group and the potential subgroups. The European Commission agreed to have a main and an alternate representative of the EDPB as observer at the EDICG.

The Chair also recalled that, during the previous plenary meeting, the EDPB members had unanimously appointed [REDACTED] as the EDPB representative as observer at EDICG.

The EDPB members unanimously appointed [REDACTED] as alternate EDPB representative as observer at EDICG and [REDACTED] as main EDPB representative as observer at the Working Group of the EDICG. The appointed representatives will be called to represent the EDPB and, consequently, to align their positions with the Compliance, e-Government and Health ESG.

D. Agenda items for information

D.1. Outcome of written procedures

D.1.1. Letter to EC on upcoming draft legislative proposal on simplification of record-keeping

The EDPB Secretariat followed up on the Letter to EC on upcoming draft legislative proposal on simplification of record-keeping and updated the information given to the EDPB members regarding its adoption via written procedure. The EDPB members took note of the information given.

D.2. Updates from EDPB participants

D.2.1. Update on Strategic Cases regarding [REDACTED] Enforcement ESG)

The Chair introduced the item as a cooperation between the [REDACTED] and noted that it had been an excellent example of successful cooperation. The [REDACTED] provided an update on the [REDACTED] case and stated that a public-facing report would be produced. The [REDACTED] believed this cooperation was successful and asked the EDPB members to close the strategic case.

The EDPB members agreed to close the case and took note of the joint public-facing report. The [REDACTED] will inform the EDPB Secretariat of when the report is published and the EDPB will then publish the report on its website after the publication from the [REDACTED]

D.2.2. Update on state of play regarding Joint Guidelines of the European Commission and the EDPB on the interplay between the DMA and the GDPR (Cross-Regulatory Interplay and Cooperation ESG)

The Chair introduced the item and passed the floor to the rapporteur to provide an update on the state of play of these guidelines.

The rapporteur explained the background to the Joint Guidelines and highlighted the importance of this document for the pillar of the EDPB Strategy 2024-2027 on 'safeguarding data protection in the developing digital and cross-regulatory landscape'.

As the text of the Joint Guidelines has now been agreed at the level of the joint drafting team, the Commission is now formally consulting internally on the latest text. Following this, the EDPB drafting team will meet with the Commission drafting team to discuss any potential changes proposed by the Commission's services and then validate the revised draft with the CIC ESG. With a possible public consultation taking place during the autumn, the EDPB and the Commission's drafting teams would aim to address the received feedback and finalise the Joint Guidelines before the end of 2025.

The EDPB members took note of the information given.

D.2.3. Initiative for a Joint Implementation Team (JIT) for the purposes of implementing the future Regulation laying down additional procedural rules relating to the enforcement of the GDPR (Cooperation and Cross-Regulatory Interplay & Cooperation ESGs)

The EDPB Chair introduced the topic, underlying the need for the EDPB and SA to prepare for the implementation in practice of this Regulation despite the fact that the negotiations are not yet finalised. She passed the floor to the rapporteur to describe this initiative.

The rapporteur informed the members that a temporary Joint Implementation Team (JIT) would be established. This would consist of members of both the COOP and the ENF ESGs. The purpose of the JIT would be to ensure a consistent and comprehensive approach to the implementation of the future Regulation by the EDPB and its members. This implementation plan will be presented at ENF ESG and then at plenary level.

In order to draft the Implementation Plan, the JIT will undertake the following actions: 1) carry out a mapping exercise; 2) allocate a proposed priority to each action; 3) allocate for each action a responsible ESG; 4) advise on ways to ensure the timely achievement of the highest priority actions.

The EDPB members took note of the information given.

D.3. Any other business

D.3.1. Information regarding case C-222/25

The EE SA provided information to the EDPB members regarding case C-222/25 and explained the background of the case and its developments at national level. The EE SA explained that the Estonian Supreme Court referred the case to the Court of Justice of the European Union for a preliminary ruling, and illustrated the questions asked to the Court of Justice.

The EDPB members took note of the information given.

D.3.2. Information following Belgian Market Court Decision on IAB Europe

The BE SA provided information to the EDPB members following the Belgian Market Court Decision on IAB Europe. The BE SA presented the background of the case, its developments at national level, and the fact that some of the violations identified by the BE SA were confirmed by the Market Court. The BE SA shared its views on some questions that remain open on the updated transparency and consent framework (TCF) and will assess the best way to cooperate with the other competent SAs.

The EDPB members took note of the information given.

D.3.3. Information on the work on monitoring email tracking pixels

Following the adoption of the EDPB guidelines on the technical scope of Article 5(3) of the ePrivacy Directive, confirming the application of the fact that it was applicable to pixel, the FR SA decided to work on a national draft recommendation on the matter, which will be subject to public consultation. The FR SA underlined that they observed an increased use of tracking pixels into emails for a number

of purposes, such as determining whether a recipient opened or not the email or to improve marketing campaigns. The FR SA added that observations and contributions to the national draft recommendation are welcome.

The EDPB members took note of the information given.

Annex: Attendance List

AT SA, BE SA, BG SA, CY SA, CZ SA, DE SA, DK SA, EDPS, EE SA, EL SA, ES SA, FI SA, FR SA, HR SA, IE SA, IS SA, IT SA, LI SA, LT SA, LU SA, LV SA, MT SA, NL SA, NO SA, PL SA, PT SA, RO SA, SE SA, SI SA, SK SA

The HU SA delegated voting rights to the PL SA pursuant to Art. 22 RoP.

European Commission

Observers:

- AL SA, MD SA, KO SA, GE SA. In line with Art. 8 of the EDPB RoP, the observers were present during the plenary meeting except for points B.2.3 and D.2.1 of the agenda.

EDPB Secretariat