

Minutes

111th EDPB Plenary meeting

4 November 2025 – Remote

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. Items

I.1. Information given by the Chair

The EDPB Chair informed the members of the EDPB that, in her absence, the Deputy Chair will chair the afternoon session of the meeting.

I.2. Draft Agenda of the 111st EDPB meeting

The draft agenda was adopted with the inclusion of three new items under AOB.

The discussions relating to agenda points B.2.1, B.1.4 and D.2.1 were declared confidential in accordance with Art. 33(1)(c) EDPB RoP.

I.3. Minutes of the 109th EDPB meeting

The minutes of the 109th EDPB plenary meeting were adopted unanimously with the modifications proposed.

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

B. Agenda Items for discussion

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

B.1.1 Implementation Plan for the Procedural Rules Regulation – request for mandate (Enforcement & Cooperation ESGs)

The Chair introduced the topic and highlighted that several EDPB guidelines and internal documents will be impacted by the Proposal for a Regulation of the European Parliament and of the Council laying down additional procedural rules relating to the enforcement of Regulation (EU) 2016/679 (Procedural Rules Regulation), and that these changes need to be reflected in the EDPB guidance

that is already adopted or is currently being drafted. The Chair added that a Joint Implementation Team was created to ensure a consistent implementation of the Procedural Rules Regulation, and that the work done at Joint Implementation Team level led to the request for mandates. The Chair gave the floor to the EDPB Secretariat.

The EDPB Secretariat presented the request for mandates for an Implementation Plan for the application of the Procedural Rules Regulation.

The EDPB members adopted the mandates unanimously.

The coordinators called for rapporteurs to work on the files. The EDPB Secretariat highlighted the possibility to rediscuss in the future the possible public consultations to gather feedback on the documents prepared as a result of the granted request for mandates.

B.1.2 Guidelines on the processing of personal data to target or deliver political advertisements – request for mandate (Regulation (EU) 2024/900) (Social Media ESG)

The Chair introduced the topic and gave the floor to the lead rapporteur.

The lead rapporteur presented the request for mandate for Guidelines on the processing of personal data to target or deliver political advertisements and mentioned that the Guidelines will focus on Chapter III of the Regulation, and on the interplay between the Regulation and the GDPR.

Two EDPB members suggested that the mandate should include text messages in the context of political advertisements, and a discussion on the envisaged timeline followed. The EDPB members agreed that a state of play on the Guidelines would be provided in spring 2026, and in that occasion an assessment on whether the guidelines can be completed after the summer 2026 will be conducted.

The EDPB members adopted the mandate unanimously.

B.1.3 Update of the mandate of the Guidelines on web scraping in the context of generative AI (Technology ESG)

The Chair introduced the item and recalled that the members agreed that these guidelines should be treated as a high priority work item and completed within a short timeframe. She gave the floor to the lead rapporteur.

The lead rapporteur presented a request to update the mandate of the Guidelines on web scraping in the context of generative AI. The lead rapporteur highlighted that this update of the mandate would specify that the scope of the Guidelines will be limited to private sector bodies. The lead rapporteur then provided a state of play of the work on the Guidelines.

The EDPB members agreed on the revised scope and that a further assessment would be conducted nearer to the adoption of the document on the need for subsequent Guidelines for public sector bodies.

The EDPB members adopted the update of the mandate unanimously.

B.2. Agenda items for discussion

B.2.4 Strategic discussion on the concept of a “representative” under Article 68(3) GDPR

The Chair introduced the item, highlighting that the GDPR does not clearly define who is a “member” of the Board, and that there is the need to find a common reading for “members” as stated in Article 73(1) GDPR and for the concept of “representative” under Article 68(3).

[REDACTED]
[REDACTED] a staff member of the DPA cannot in any way be considered as an EDPB member considering the fact that they are not appointed in accordance with Article 53 GDPR

After the discussions, the EDPB members agreed to have a written vote on this matter.

The Chair recalled that, based on the outcome of the vote, there might be the need to re-open the call for applications for the post of deputy chair.

B.2.1 Strategic discussion on the EDPB Initiative with DPAs from countries with an EU adequacy decision (International Engagement Task Force and Cooperation, Enforcement and International Transfers ESGs)

The EDPB Chair introduced the item and highlighted the importance of this discussion ahead of the annual meeting with DPAs from countries with an EU adequacy decision scheduled on the first day of the EDPB plenary meeting in December. The Chair made also reference to the work done in 2025. The Chair passed the floor to the EDPB Secretariat.

The EDPB Secretariat presented the state of play of the follow-up actions taken after the annual meeting that took place in 2024. The EDPB Secretariat presented the first discussion point, concerning the topics [REDACTED] and [REDACTED] opened the floor for discussion.

B.1. Agenda items for discussion in view of adoption (continued)

B.1.4 EDPB Opinion regarding the European Commission draft implementing decision pursuant to Regulation (EU) 2016/679 on the adequate protection of personal data by Brazil (International Transfers and Borders, Travel & Law Enforcement ESG)

The Chair introduced the topic and gave the floor to the lead rapporteurs, who presented the Opinion.

One EDPB member, after welcoming that Brazil is obtaining the adequacy decision, recalled that the Brazilian Agency had become fully independent this September, both from a financial and a human-resources point of view. The member of the EDPB also clarified that Brazil consists of 25 States and a federal entity. The EDPB members adopted the Opinion unanimously.

B.2. Agenda items for discussion (continued)

B.2.2 State of play on the joint guidelines on the interplay between the AI Act and EU data protection law (Technology, Key Provisions and Borders, Travel & Law Enforcement ESGs)

The Chair introduced the topic and recalled that this file is considered a priority for the EDPB. The Chair then gave the floor to the lead rapporteur who presented the state of play of the item.

It was agreed to prepare concise and operational Guidelines to focus on the interplay between the AI act and data protection law. The lead rapporteur provided information about the state of play of the work, indicated that the drafting team's goal was to finalize a first version of the draft guidelines by the beginning of 2026, which imposes a fast and intensive pace. The lead rapporteur presented the key factors identified by the drafting-team to carry out the work in this timeline, and stated that they will inform the EDPB members on the state of play of the file again during the December plenary meeting.

Two members underlined the importance of these Guidelines. One member stressed their support for giving flexibility to the Technology ESG and drafting team, and underlined the need to help drafting team members coordinate internally. Another member suggested creating a single point of contact in each DPA for redline issues.

B.2.3 Analysis of the audited descriptions of profiling techniques under Article 15 of the Digital Markets Act (Cross-Regulatory Interplay & Cooperation ESG)

The Chair introduced the item and gave the floor to the EDPB Secretariat.

The EDPB Secretariat informed the members about the new batch of reports received and the difficulties to find rapporteurs to take the lead on this. They further noted that, if no further volunteers for lead rapporteur come forward by December, the EDPB will have to acknowledge the lack of resources for this workstream and communicate this fact to the European Commission and to the DMA HLG.

The EDPB Secretariat invited the members to take note of this information.

One EDPB member stressed the importance of this file, of the cooperation with other regulators, and the strategic role. Another member underlined its lack of resources but encouraged the others to check if there is some capacity to work on this important work.

D. Items for information

D.2. Updates from EDPB Participants

D.2.1. Update regarding ongoing investigations into data brokers

The Chair introduced the item and gave the floor to the Irish supervisory authority.

The IE SA announced that there is an investigation into data brokers on the purchase and other provision of data sets which included the exact location of, among others, identifiable military personnel and parliamentarians. The IE SA informed the members of the EDPB that they are analysing the issues of transparency and legal basis, and that the scope of misuse by bad actors could be significant. They mentioned that they were working with the FR SA and the NL SA in relation to the issues currently identified and encouraged the other members to reach out to them if they had any relevant experience.

D.2.2. SPE project “Market study of data brokers”

The Chair introduced the project and gave the floor to the BE SA. The BE SA presented the report and noted that while some aspects of the study are specific to Belgium, parts of the report could be re-used by other supervisory authorities.

The EDPB members agreed to publish the study on the EDPB website.

D.3. Any other business

D.3.1. Sharing of the contribution of the EDPB to the Artificial Intelligence sub-group of the High-Level Group for the Digital Markets Act on AI-related regulatory issues

The EDPB Secretariat asked if there would be any objections to sharing the contribution adopted by the EDPB Plenary on 8 July 2025 with the other members of the Artificial Intelligence subgroup to the High-Level Group for the DMA. The EDPB members gave their assent to the request.

D.3.2. European Central Bank's joint controllership arrangement with national competent authorities

The EDPS communicated to the members that it received a consultation request from the European Central Bank concerning a draft joint controllership arrangement with national competent authorities in the single supervisory mechanism, requesting clarifications for how that agreement should cover notifications of data breaches and prior consultations on data protection impact assessments. The EDPS is competent to respond to the consultation insofar as it concerns the EUDPR. Nonetheless, the consultation also requires the assessment of GDPR provisions. For this reason, the EDPS would like to bring this matter to the attention of the EDPB.

The EDPS clarified that it would not expect immediate action. The EDPB members took note of the information given. In terms of next steps, the EDPS will have an in-depth discussion in the TECH and Financial Matters sub-groups.

D.3.3. Information on GDPR-related amendments of the forthcoming Digital Omnibus

The EDPB Chair introduced the item and passed the floor to the European Commission. The European Commission requested that this point be treated as confidential.

The European Commission presented a point for information on the forthcoming Digital Omnibus, which is aimed at creating a more consistent framework and will affect a number of digital legislations. The European Commission explained that, subject to political validation, targeted amendments to the GDPR will be included, noting that the core provisions of the GDPR will not be impacted by the Digital Omnibus.

The EDPB members asked several questions which were answered by the European Commission. The European Commission further noted that the Digital Omnibus should be adopted in a short timeframe and that a request for a Joint EDPB-EDPS Opinion would be sent after the adoption.

The EDPB members took note of the information given.

D.3.4. Invitation to the AI Conference organised in Warsaw in December

The Polish Supervisory authority invited all the EDPB members to a conference which will be held on 10th December 2025, and which is jointly organised with the Council of Europe. The conference will take place in Warsaw and online. The PL SA announced that it would send the full programme and the invitation in due time.

The EDPB members took note of the information given.

Annex: Attendance List

1. 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, HU 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,
2. European Commission
3. Observers: AL SA, BA SA, RS SA, ME SA; In line with Art. 8 of the EDPB RoP, the observers were present during the discussions of the plenary meeting, with the exception of items B.2.1., B.1.4. The CH SA was present for item B.2.2.
4. EDPB Secretariat