



Final

## 19th Plenary meeting

3 April 2020

Remote meeting

*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.*

### 1. Introduction

Chair checked the well-being of Commissioners. Commissioners adopted the agenda of the meeting.

### 2. Processing of data to fight COVID-19

Commissioners exchanged views on the current situation and challenges to the protection of personal data that arise in the context of COVID-19 pandemic.

The issue of the European Commission's letter addressed to national telecommunications operators was discussed. One SA pointed out that if the EC sends letters to electronic communication companies in the MS, the letter should be also shared with the EDPB members. The EC representative took note of the comment. The EDPS committed to share the letter it received from the EC regarding the opinion it delivered on March 25, and the material attached to it. The EC also proposed to share it with the EDPB. The Chair asked whether the EDPB will also be formally consulted.

The allocation of tasks between Corona Contact Points and Board expert sub-groups, as well as ways of sharing information between SAs, was discussed. A new dedicated page on Confluence will be created to share information. The role of the Corona Contact Points is to coordinate the exchange of information. The ESG will be tasked to work on drafting of EDPB documents. It was decided that in the context of processing of personal data to fight COVID-19, the Board will issue guidance on the following

topics: (i) use of location data and anonymization of data; (ii) processing of health data for scientific and research purposes; and (iii) processing of data by technologies used to enable remote working. As regards mobile apps, this topic will also be tackled within subject (i), it was agreed that the Board will adopt a horizontal approach and issue general guidance. Use of new technologies for law enforcement purposes was discussed, with no conclusion. It was agreed that the SEC will submit proposals for three mandates and that the Commissioners will have time up to Monday 6 April 12.00 to comment on them. These three topics are the most urgent ones and a commissioner suggested that the ESG would provide the documents by Wednesday 8 April, at least on the first topic. It was agreed that this call will be considered as a remote plenary meeting and that the next one should take place on Tuesday, 7 April.

### 3. AOB

The issue of GDPR deadlines in the context of coronavirus pandemic was discussed. Different views, such as processing as many cases as possible and limiting Board's procedures only to situations that require urgent attention, were presented. It was decided that the issue of the impact of the COVID-19 on the EDPB activities will be a subject to further discussion by the Commissioners during the next call planned on 7 April.

Chair briefed Commissioners about her call with Vice President Věra Jourová. The issue of sharing information regarding Board's activities with media was discussed. The Chair will publish a public agenda of the meeting and will publish a press statement just after the call to ensure a coordinated action towards media. It was decided that Commissioners will hold calls dedicated to COVID-19 on weekly basis.

### To-do/Next steps (for SEC)

- To create an **independent page** dedicated to COVID-19 in Confluence;
- To send today **draft mandates** to the Members (to be approved by Members by Monday 06.04.2020, noon);
- To invite Commissioners to **another call** on COVID 19, on Tuesday, 07.04.2020;
- To prepare today a **press release** about EDPB work on processing of personal data in the context of fighting COVID 19 to be approved by the Chairwoman.

### Annex: Attendance List

- SAs: AT, BE, BG, CZ, CY, DE, DK, EE, ES, FI, FR, HR, HU, IE, IT, LU, LT, LV, MT, NL, PL, PT, SK, SE
- EEA SAs: IS
- European Data Protection Supervisor
- European Commission
- EDPB Secretariat