



Minutes

109th EDPB Plenary meeting

07 & 08 October 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. Information given by the Chair

The Chair noted the discussions which have taken place at ESG level regarding the impact of Court of Justice decision in C-413/23 P *SRB v EDPS*. Following this decision, and considering the Helsinki Statement, the drafting team for the EDPB Guidelines on anonymisation discussed the possible organisation of a stakeholders' event and asked for the Chair's position on this. The Chair underlined that it is important for the EDPB to be proactive and that she is in favour of organising such an event, in a remote format and with a set of clear questions on the matter, in order to proceed with the implementation of this ruling in the EDPB's work. The Chair then asked for the members' views.

The majority of the members expressed their support for the organisation of this event and to take into account the results in the ongoing work on the Guidelines on anonymisation and the Guidelines on pseudonymisation. Some members highlighted that we should be mindful to not unreasonably increase the workload of the drafting teams of the Guidelines. The importance of having clearly defined and targeted questions was stressed, as well as having a clear timetable to ensure that the EDPB draft Guidelines on anonymisation and the final version of the Guidelines on pseudonymisation can be adopted within a reasonable time. The members decided to proceed with organising the event based on these criteria.

The Chair then informed the members that she had been invited to the Council Working Party on Data Protection on Friday 10 October, mainly to present the agreements in the Helsinki Statement. She underlined the importance of sharing the EDPB's commitments in light of current legislative discussions.

I.2. Minutes of the 108th EDPB Plenary meeting

The draft minutes of the 11 September 2025 EDPB Plenary meeting were adopted unanimously with the modifications proposed.

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

I.3. Draft agenda of the 109th EDPB Plenary meeting

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

The discussions relating to agenda points B.1.2, B.1.4, B.2.1 and B.2.2 were declared confidential in accordance with Art. 33 EDPB RoP.

I.4. Info point on the Global Privacy Assembly of 2025

The Chair provided information to the EDPB members regarding the Global Privacy Assembly (GPA) of 2025, underlining how well it was organised. She explained that three resolutions were adopted: on digital education; on the collection and use of personal data to train AI models; and on meaningful human oversight of decisions involving AI systems.

The Chair provided information on the awards that were given and congratulated the EDPS for their prize on accountability for a data breach awareness campaign and for an exercise they carried out about cybersecurity incident handling.

The Chair informed the members that Mr. Philippe Dufresne, the Privacy Commissioner of Canada, was elected as Chair of the Executive Committee of the GPA. She thanked Mr. Borislav Bozhinov, Chairman of the Commission for Personal Data Protection of Bulgaria, who acted as Chair of the Executive Committee of the GPA after the departure of the previous Chairman. Mr. Bozhinov will remain a member of the Executive Committee.

The Chair then gave the floor to Ms. Lela Janashvili, President of the Georgian SA, who has been appointed as a member of the Executive Committee. Ms Janashvili shared her views on the main challenges and underlined her readiness for an open cooperation on this matter.

Finally, a member took the floor to share its perspective on the GPA. The member agreed on the good organisation, appreciated the discussions on AI, and considered it important to assess how to use the closed session most effectively.

A. Agenda items for adoption

There was one A agenda item which was adopted unanimously:

- A.1. Opinion on the draft decision of the FR SA on the BCR-C of Tessi (International Transfers ESG)

B. Agenda items for discussion

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

B.1.1 Joint Guidelines of the European Commission and the EDPB on the interplay between the Digital Markets Act and the GDPR (Cross-Regulatory Interplay & Cooperation and Technology ESGs)

The Chair introduced the topic and gave the floor to the European Commission. The European Commission underlined that the Joint Guidelines were breaking new ground in terms of how the EDPB and the European Commission work together, and that there is a high demand for guidance on the interplay of the EU Digital rulebook. The European Commission also confirmed its continued and full engagement in the matter and underlined that joint guidelines show how both legal frameworks can be complied with effectively while respecting both objectives.

The Chair then gave the floor to the lead rapporteur for the EDPB drafting team, who gave an overview of the content of the draft guidelines and the discussions at ESG level.

The EDPB members endorsed the document unanimously. The EDPB members agreed that the guidelines will be submitted to public consultation for a period of 8 weeks.

Following the endorsement, the Chair recalled the discussions at SAESG and the fact that several members had suggested that the EDPB should be consulted on a possible implementing act regarding Article 6(11) DMA. The European Commission took note of this request, indicating that there are also consultation procedures which the Commission must follow under the Digital Markets Act.

B.1.2 Selection of topics for the CEF 2026 (Enforcement ESG)

The Chair informed the Board there were five possible topics submitted for the Coordinated Enforcement Action 2026 and noted that the action will be carried out on a voluntary basis as usual. The ENF Coordinator then presented the preferences of the ENF ESG. The ENF Coordinator then asked the Plenary to select the next CEF topic, taking into account the preference expressed in the ENF ESG, but also taking note of possible strategic angles that have not been explored by the ENF ESG.

The EDPB members discussed the topics and agreed that the next Coordinated Enforcement action 2026 will be “Compliance with the obligations of transparency and information (Articles 12, 13 and 14 GDPR)”.

B.1.3 Request for mandate regarding the drafting of a template for cross-regulatory cooperation agreements (Cross-Regulatory Interplay and Cooperation ESG)

The Chair introduced the topic and passed the floor to the lead rapporteur, who presented the request for mandate. The lead rapporteur further clarified that while initially the focus was on cooperation with consumer and competition authorities, this has been extended to all relevant regulators. In addition, the template would not cover cooperation between SAs, as this is covered by

the GDPR and the GDPR procedural regulation. The CIC ESG expects to complete this work for adoption by the Plenary by summer 2026.

The EDPB members adopted the mandate unanimously.

B.1.4 Opinions on the decision of the PL SA on the BCR-C and on the BCR-P of Box (International Transfers ESG)

The Chair introduced the topic and explained that while normally BCR Opinions are adopted as A items, these Opinions had been submitted as B items, following a request from an EDPB member.

The EDPB members adopted the Opinions unanimously.

B.2. Agenda items for discussion

B.2.1. Discussion on draft guidelines on consent or pay (Key Provisions ESG)

The Chair introduced the topic and gave the floor to the lead rapporteur. The lead rapporteur explained that the Plenary was asked to give strategic orientation with regard to two questions, the first on the general direction of the guidelines, and the second on whether to retain a statement in the draft Guidelines regarding the relevance of an individual's dependence on a particular service for the assessment of the validity of consent.

The EDPB members agreed that the core issue was whether consent is freely given.

Following the discussion, the majority of EDPB members agreed to maintain the current approach.

The Members then discussed the second question.

The majority of EDPB members agreed to maintain the statement within the Guidelines.

B.2.2. Discussion on enforcement strategies

The Chair invited the members to share information on their enforcement strategies at national level, as well as any strategic challenges they are facing when enforcing the GDPR. The members presented their strategies, highlighting their priorities and challenges. Several members mentioned AI, processing of personal data of children, and other vulnerable persons, as well as processing of personal data on a large scale. Many members also underlined that they were facing challenges due to lack of resources, mentioned that the increasing number of complaints was posing a challenge, and expressed an interest in learning from the experience of other SAs. The Chair recalled that a workshop on complaints handling would be organised in March 2026 within the ENF ESG and suggested that this could be preceded by a discussion at Plenary level.

The Chair thanked the members for their interventions.

B.2.3. EDPB Stakeholders Engagement

The Chair introduced the topic and then gave the floor to the EDPB Secretariat, who presented the research done on the possibility of creating a stakeholders' group.

The EDPB members underlined the importance of strengthening dialogues with stakeholders. Some members highlighted that the EDPB should take the time to carefully examine the creation of such a group. In this regard, members noted the existing tools for interacting with stakeholders, such as public consultation and questionnaires, and that the improvement of such tools may be a higher priority than the creation of a stakeholder group. Some members also shared their own experience in relation to stakeholders group. The members stressed that, if a stakeholders group were to be created, there would be a need for clear rules on the selection, including to ensure balanced representation and lack of conflicts of interest of its members, and on the functioning of such a group. One member also mentioned the need to explore the financial impact for the EDPB.

The members agreed that further discussion on the matter was needed before a decision could be taken regarding the possible creation of such a group. A drafting team should be set up within the SAESG to work further on the matter, including the evaluation of possible rules on the selection procedure and procedure of the group, as well as the involvement of the EDPB members.

C. Organisational matters

C.2. Template for Mandate Requests

The Chair introduced the topic, noting that this is one of the practical actions following from the Helsinki Statement. She then gave the floor to the lead rapporteur who presented the draft template.

The members adopted the template unanimously.

C.3. Appointment of International Transfers ESG coordinator

The Chair introduced the topic and passed the floor to the EDPB Secretariat, who informed the members that [REDACTED] from the DK SA had reapplied for the role and this was supported by the ITS ESG members.

The EDPB members unanimously designated [REDACTED] as coordinator for the ITS ESG.

C.4. Appointment of the Enforcement ESG coordinator on an interim basis

The Chair introduced the topic and recalled information provided at previous plenaries that the ENF ESG has not had a second coordinator since the beginning of the year.

The EDPB members unanimously designated [REDACTED] (NL SA) as interim coordinator for the ENF ESG until 31 January 2026. EDPB members were invited to consider applying for this role after this date.

C.5. Appointment of EDPB Representative to the EC Expert Group on a technology roadmap on encryption

The Chair introduced the topic and informed the members that the European Commission would invite the EDPB's representative to participate, on an ad-hoc basis, in meetings of the Informal Expert Group that will be especially relevant to the protection of personal data.

The EDPB members appointed [REDACTED] (FR SA) as main representative, and [REDACTED] (SE SA) as alternate representative. The appointed representative will be called to represent the EDPB and, consequently, to consult and align their position with the Technology ESG, as well as the Borders, Transfers & Law Enforcement ESG.

C.6. Appointment of ISO-EDPB liaison

The Chair introduced the topic and recalled that the Article 29 Working Party had established a liaison with the ISO Subcommittee 27, and in particular its working group 5 on 'Identity Management and Privacy Technologies'. Since the creation of the EDPB in 2018, however, the formal process of appointment the liaison by the EDPB had been missed. It was therefore proposed to designate a main and alternate representative.

The EDPB members appointed [REDACTED] (FR SA) as main representative and [REDACTED] (IT SA) as alternate representative. The appointed representative will be called to represent the EDPB and, consequently, to consult and align their position with the Technology ESG.

D. Items for information

D.2. Updates from EDPB Participants

D.2.1. Update to the EDPB from the Coordinated Supervision Committee

The EDPB Chair introduced the topic and gave the floor to the CSC coordinator.

The CSC coordinator provided an update on the Coordinated Supervision Committee's activities for the period between March 2025 and September 2025. The CSC coordinator began by giving an overview of the systems that fall under the CSC's remit, as well as the legal reporting obligations it is subject to. The CSC coordinator also informed the members that the number of systems within the CSC's remit continues to increase a lot, and also involves new IT systems, such as AGORA, the new database set up under the Digital Services Act. This trend is likely to continue and the coordinator noted that additional resources should be provided for that. The CSC coordinator further informed the members that the nature of the work is changing, and that the CSC is now being called on to discuss substantial and complex questions of legal interpretation. The coordinator stressed the added value of the new working methods, and in particular the setting up of dedicated working groups. This has enabled the CSC to provide joint informal comments with the EDPS on the information campaign materials on the entry into operation of the Entry Exit System. The CSC coordinator also gave an overview of some of the documents adopted by the CSC during the reporting period, including the VIS annual report.

In conclusion, the CSC coordinator underlined that in order to ensure the CSC continues to be able to deliver on its mandate, there is an urgent need to both define clear mechanisms for cooperation on specific issues requiring the CSC to act swiftly and to ensure that sufficient resources are allocated to the CSC activities, as well as an appropriate level of representation.

The EDPB members took note of the information given.

D.2.2. SPE project “Video tutorial on the EDPB Website Auditing Tool” (Support Pool of Experts)

The Chair introduced the topic, recalling that the EDPB Website Auditing Tool had been developed within the context of the SPE to verify the compliance of cookies and online trackers on websites, and that the EDPB Secretariat had asked an SPE expert to create a video tutorial for this tool which was finished last July.

The EDPB Secretariat presented an extract of the video tutorial to the members.

The EDPB members took note of the information given and welcomed the work done.

D.2.3. SPE project “The Digital Euro and its Token-Based Offline Modality”

The Chair introduced the topic and gave the floor to the EDPB Secretariat. The EDPB Secretariat then presented the project and its conclusions to the members, explaining that it demonstrates the technical possibilities for meeting a high level of data protection with the digital euro (in particular for a cash-like anonymous and double-spending resistant offline modality for the digital euro).

The EDPB members took note of the information given and decided to publish the report.

D.2.4. Update on state of play regarding mapping exercise (Cross-Regulatory Interplay & Cooperation ESG)

The Chair introduced the topic and gave the floor to the lead rapporteur. The rapporteur then presented the work done, explaining that the exercise focused on five legal acts, and examined where Member States and SAs are in the implementation process, what new tasks they have, and whether they have sufficient resources. The lead rapporteur further explained that the mapping exercise would be a reoccurring item for the CIC ESG and that members will be asked to keep information updated.

Several members underlined the value of such an exercise, and suggested this could also be used to look for synergies to be more efficient. The importance of each SA keeping its information updated was also stressed. Some members suggested other ESGs could carry out similar mapping projects where relevant.

D.3. Any other business

D.3.1. Election of the Deputy Chair

The Chair informed the members that Ms. Maria Christofides had been appointed as Commissioner of the CY SA last week. She will be present at the next Plenary. The CY SA took the floor to convey a message from her and acknowledged the valuable work of her predecessor, Ms. Irene Loizidou Nicolaidou.

The Chair then recalled that, with the end of mandate of Ms Irene Loizidou Nicolaidou, the EDPB will need to elect a new deputy chair. An email had been shared by the Secretariat regarding a call

for candidates for a new Deputy Chair. The election will take place on 3 December, during the in-person Plenary. On 2 December, candidates will have the opportunity to present themselves.

D.3.2. Update on the implementation dialogue

The European Commission informed the members about the actions which the European Commission intends to take following the GDPR implementation dialogue organised by Commissioner Mc Grath in July 2025. The European Commission underlined the important relevance of the Helsinki statement adopted by the EDPB in July 2025. Following the implementation dialogue, without providing detailed information, the European Commission indicated that it envisages some targeted amendment to the GDPR to ensure simplification of the implementation of the GDPR. The EDPB members took note of the information given.

D.3.3. Update on the EU DPIA template and possible work on FRIA under the AI Act

The EDPB Secretariat recalled that the need for a Data Protection Impact Assessment (DPIA) template was identified as part of the practical implementation of the Helsinki Statement and gave a state of play on the work done so far. The EDPB Secretariat gave an update following previous discussions about a possible joint template with the European Commission on DPIA/Fundamental Rights Impact Assessment (FRIA).

The EDPB Secretariat informed the members that as the work on the FRIA template is quite advanced at this stage and that stakeholders had expressed a preference to the AI office for separate, complementary templates. It was agreed that the foreseen deliverable will therefore not be a joint document and the EDPB will instead cooperate with the European Commission to ensure that the templates are complementary and cross-refer to each other where relevant. The expected adoption is planned for early 2026. One EDPB member agreed to act as lead rapporteur and another EDPB member agreed to act as co-rapporteur together with the EDPB Secretariat.

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, HU SA, IE SA, IS SA, IT SA, LI SA, LT SA, LU SA, MT SA, NL SA, NO SA, PL SA, PT SA, SE SA, SI SA, SK SA

The LV SA delegated voting rights to the EE SA pursuant to Art. 22 RoP.

European Commission

Observers: AL SA, BA SA, GE SA, KO SA, MD 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 item B.1.4. The CH SA was present for item D.2.1.

EDPB Secretariat