



Final Minutes

112th EDPB plenary meeting

2–3 December 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. Minutes of the 110th and 111th EDPB meetings

The minutes of the 110th and 111th EDPB plenary meetings were unanimously adopted with the modifications proposed.

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

I.2. Information given by the Chair

The Chair welcomed Ms. Niamh Sweeney and congratulated her on her appointment as one of the Commissioners of the Irish SA. The Chair also welcomed Ms. Maria Christofides, Commissioner of the Cypriot SA, who attended an EDPB in-person plenary meeting for the first time.

The Chair reminded the EDPB members that a coordinator was still needed for the Generative AI Enforcement Taskforce and that any member interested in this position could contact the EDPB Secretariat.

The Chair informed the EDPB members that, according to the news, the Georgian DPA, an observer to the EDPB's activities and member of the executive committee of the General Privacy Assembly, will be dissolved in March 2026. The Chair intends to send them a letter in this respect.

The Chair also noted that, due to conflicting obligations, items B.2.5, B.1.7, D.2.1 and the D.3 items would be chaired by Prof. Paula Meira Lourenço, Commissioner of the Portuguese SA.

I.3. Draft agenda of the 112th EDPB meeting

The draft agenda was adopted unanimously with the addition of three AOBs.

The discussions relating to agenda point B.1.4 were declared confidential in accordance with Art. 33(b) EDPB RoP.

The discussions relating to agenda points B.2.1, B.2.2, B.2.3, B.2.4 and D.2.1 were declared confidential in accordance with Art. 33(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 six A agenda items and they were all adopted unanimously:

- A.1. Opinion on the draft decision of the NL SA on the BCR-C of Illumina (International Transfers ESG);
- A.2. Opinion on the draft decision of the NL SA on the BCR-P of Illumina (International Transfers ESG);
- A.3. Opinion on the draft decision of the NL SA on the BCR-C of Arcadis (International Transfers ESG);
- A.4. Opinion on the IE SA's draft decision regarding CSG BCR-P (International Transfers ESG);
- A.5. Opinion on the IE SA's draft decision regarding CSG BCR-C (International Transfers ESG); and
- A.6. Opinion on C.E.C.L. Certification Criteria (Compliance, E-Government & Health ESG).

B. Agenda items for discussion

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

B.1.1. EDPB Update of Best Practices for the organisation of EDPB Plenary meetings

The Chair introduced the item, recalling that the purpose of the document is to increase the efficiency of plenary meetings.

The EDPB Secretariat provided an overview of the proposed changes and demonstrated how they would implement commitments contained in the Helsinki Statement, making it easier for rapporteurs to obtain high-level orientation on documents; building the revised approach for (among other things) detailed mandate requests, info notes and public consultations into the best practices; and supporting regular high-level exchanges to exchange experience between EDPB members. The EDPB Secretariat also underlined that this will no longer be a pilot project but rather submitted to a general periodic assessment.

The EDPB members adopted the updated Best Practices unanimously and agreed to publish them.

B.1.2. EDPB Best Practices on how to prepare and draft EDPB guidance and templates of the Helsinki Quality Checklist and of Timetable

The Chair introduced the item, underlining its links to the implementation of the Helsinki Statement and its commitments that guidelines should be clearer, shorter and delivered more quickly. She passed the floor to the rapporteur.

The rapporteur presented the best practices and the two templates. It was proposed to have a two-year pilot phase.

The EDPB members adopted unanimously the Best Practices and the two templates and entrusted the EDPB Secretariat to refine the templates, if needed. The Chair confirmed that the Best Practices are a tool designed to provide guidance, which does not preclude flexible handling in specific cases. The members further agreed on a pilot phase of two years, with an assessment on the state of play after one year involving the members and coordinators closely in order to assess the experience of the measures and propose adjustments to the Best Practices, if necessary.

B.1.3. Template for report on public consultation

The Chair introduced the item, noting that this is one of the practical actions following from the Helsinki Statement and recalling that the EDPB committed to publicly report on the main outcomes of public consultations. The template could be used for both reporting on public consultations organised after the adoption of the first version of the guidance and for the consultation organised earlier in the drafting process. She passed the floor to the EDPB Secretariat.

The EDPB Secretariat presented the template.

The members adopted the template unanimously and entrusted the EDPB Secretariat with making any necessary changes on the basis of the practice.

The Chair recalled the importance of ensuring the practical implementation of the Helsinki statement and invited all members to share information within their organisation.

B.1.4. EDPB Best Practices on Article 64(2) Opinions (Cooperation ESG)

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

The lead rapporteur presented the work done on these Best Practices which would update the Internal document 3/2019 on Article 64(2) GDPR.

The Chair clarified that the document will be made public, as with the previous version, and that the word “internal” in the title is because it relates to EDPB’s internal work.

The EDPB members adopted the updated Internal Document with the Best Practices as an appendix unanimously and decided to publish it on the EDPB website.

B.1.5. List of mandates for EDPB ESGs and TFs

The Chair underlined that the list of mandates for the expert subgroups and taskforces, in accordance with the EDPB’s Rules of Procedure, should be reviewed annually. She then gave the floor to the EDPB Secretariat.

The EDPB Secretariat described the main changes to the mandates.

The EDPB adopted the document and agreed to update the EDPB website accordingly.

B.1.7. Recommendations on the legal basis for requiring the creation of user accounts on e-commerce websites (Financial Matters ESG)

The EDPB Chair introduced the item and passed the floor to the lead rapporteur.

The lead rapporteur presented the recommendations.

The members supported the adoption of the document with the exception of two EU members, which abstained from the vote.

The EDPB members adopted the recommendations and decided to launch a public consultation for a period of 10 weeks, considering the holiday break.

B.2. Agenda items for discussion

B.2.1. Preparation for the meeting with DPAs from countries with an EU adequacy decision (International Engagement TF)

The Chair recalled the agenda of the meeting of the EDPB with DPAs from countries which are subject to an EU adequacy decision taking place in the afternoon of 2 December 2025. The EDPB members discussed the preparation of the meeting.

B.2.2. Meeting of EDPB Initiative with DPAs from countries with an EU adequacy decision (International Engagement TF)

The participants shared views on past activities and updates on the next enforcement and advisory priorities. The participants agreed to have ad hoc calls and written exchanges on the identified advisory priorities.

The participants reiterated their willingness to continue working together.

B.2.3. Discussion on proposed Omnibus Regulation on the simplification of the digital acquis, including proposed amendments to the GDPR

The Chair introduced the topic and recalled that the EDPB and the EDPS received a request to issue a Joint Opinion on these two proposals. The Chair informed the EDPB members that a request had been made for an extension of deadline to adopt the Joint Opinion on the Digital Omnibus during the February plenary meeting.

The European Commission described the context of the proposal, highlighting that, in line with feedback received from stakeholders in particular during the GDPR Implementation dialogue, the proposal is not about a general reopening of the GDPR or amend core elements of the Regulation, but instead about targeted amendments which seek to harmonise, clarify and simplify in order to facilitate compliance by EU industry and address concerns voiced by various stakeholders without lowering the level of data protection. The European Commission confirmed that it was possible to submit the Joint Opinion on the Digital Omnibus in February.

The EDPB members then exchanged on key topics that they considered particularly important to address in the Joint Opinion, noting both positive and negative elements of the proposal. Many members expressed their support for simplification and harmonisation while protecting the core of the GDPR. Further, several members noted that the goals of the Omnibus package appeared to overlap with those expressed in the Helsinki Statement, especially relating to simplification and easier GDPR compliance. Many members raised concerns with regard to the new definition of the concept of personal data and underlined that, while this still require further analysis, the proposed modification seems to go further than the recent CJEU case law, and beyond a targeted modification of the GDPR, which may risk to adversely affect the fundamental right to data protection. Finally, it was agreed that the Opinion would focus on how the proposals will impact the fundamental rights of individuals and whether they will lead to simplification and increased certainty.

The members agreed on elements to be inserted in a press release. In terms of practical organisation, it was also agreed that work on the Joint Opinion has the highest priority on the EDPB's agenda. Several members deemed it appropriate to pursue the work on the ongoing EDPB items which touch upon the same topics as the Omnibus but avoiding the submission of such items for adoption before the finalisation of the Joint Opinions.

The EDPB Secretariat presented the planning that had been previously shared with the relevant subgroups, using 20 January as the deadline for the Joint Opinion on the AI Omnibus and the February plenary meeting as the deadline for the Joint Opinion on Digital Omnibus. The use of these planned deadlines was agreed.

B.2.4. Discussion on EDPB contribution to the scheduled Omnibus package regarding further changes to the GDPR

The Chair introduced the topic and gave the floor to the [REDACTED]

[REDACTED]

The EDPB members agreed to have a written vote on whether the Joint Opinion might include such considerations.

B.2.5. Common paper on AI of the DMA High Level Group (Cross-Regulatory Interplay & Cooperation ESG)

The Chair introduced the item and gave the floor to the rapporteur. The rapporteur noted that, following contributions from all DMA High Level Group members, including the EDPB, the Commission had presented a draft document which maps regulatory concerns raised by AI under the frameworks supervised by the members of the Group.

The EDPB members agreed to endorse this document in the name of the EDPB during the High-level Group meeting of 12 December 2025.

C. Organisational matters

C.1. Elections of Deputy Chair: Confirmation and presentation of candidates

Four applications for the position of EDPB Deputy Chair were received from Jekaterina Macuka (LV SA), Francisco Pérez Bes (ES SA), Jelena Virant Burnik (SI SA) and Mirosław Wróblewski (PL SA).

The EDPB members took note of the information provided by the applicants, as well as of their responses to the questions raised.

All EU members were asked to vote to confirm whether the applications of Jekaterina Macuka (LV SA), Jelena Virant Burnik (SI SA), Francisco Pérez Bes (ES SA), and Mirosław Wróblewski (PL SA) were admissible. While 13 EU members voted to confirm that the application from Francisco Pérez Bes (ES SA) was admissible, 15 EU members confirmed that only the applications of Jekaterina Macuka (LV SA), Jelena Virant Burnik (SI SA) and Mirosław Wróblewski (PL SA) were admissible. The EEA countries expressed their position for all the applications to be admissible.

The applicants whose candidacies were confirmed by a majority of EU members were submitted for election under agenda item C.3.

C.2. Future of FINES TF (Fining TF)

The Chair introduced the item and passed the floor to the coordinator.

The coordinator noted that, as the Fining Taskforce had existed since the start of the EDPB activities and worked on guidelines, a proposal had been made to convert the Taskforce into an Expert Subgroup. In addition, the members of the current task force propose to extend its existing mandate to cover other corrective measures.

One member asked about the possible overlap of the proposed extended mandate with the Enforcement subgroup. The coordinator informed the members that the draft mandate had been discussed with the Enforcement ESG and clarified that the mandate of Enforcement was linked to concrete cases while the proposed Corrective Powers subgroup would instead deal with the topic in an abstract manner. A vote was held on the extension of the mandate. 24 EU members voted in favour, 2 EU members voted against, with no abstentions. The 3 EEA countries expressed their position in favour of extending the mandate.

The EDPB members agreed to convert the Fining Taskforce into the new expert subgroup on Corrective Powers (CPWR) and the extension of its mandate was granted.

C.3. Voting on election of Deputy Chair

The EDPB members proceeded with the election of a new Deputy Chair of the EDPB.

In the first round, Jekaterina Macuka (LV SA) obtained 9 votes, Jelena Virant Burnik (SI SA) 11, and Mirosław Wróblewski (PL SA) 7 votes. One EU EDPB member abstained. 1 EEA member supported Jekaterina Macuka and 2 supported Jelena Virant Burnik.

Following this vote, Mirosław Wróblewski decided to withdraw his application.

A second round of votes was organised and Jelena Virant Burnik was elected as the new Deputy Chair with 17 votes. 10 EU EDPB members voted in favour of Jekaterina Macuka and 1 abstained. 2 EEA members supported Jelena Virant Burnik and 1 supported Jekaterina Macuka.

D. Items for information

D.2. Updates from EDPB members

D.2.1. 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 item and underlined that this file is considered a high priority for the EDPB. She gave the floor to the lead rapporteur, who provided an update on the work on this file.

The lead rapporteur recalled that the mandate was adopted in April 2025 and that the last progress report was given in November. Since then, the work has progressed quite substantially. A first draft should be ready in first semester of 2026.

The EDPB members took note of the information given. The members also acknowledged the fact that the need to provide a joint opinion on the proposed amendments to the GDPR and the AI Act may cause delay in the workflow.

D.3. Any other business

D.3.1. Sharenting

The FR & IE SAs provided information to the EDPB members regarding 'Sharenting', a portmanteau of the words 'parenting' and 'sharing' which is used to describe the practice of parents regularly

sharing information, photos and videos about their children on social media and other online platforms. The two authorities described their “Pause Before You Post” campaign, which included a video that was shared online and shown in cinemas and on public television.

The EDPB members took note of the information given.

D.3.2. Apple Tracking Transparency framework and the use in Germany

The DE SA informed the EDPB members about the current state of the German competition authority's investigation of the Apple Tracking Transparency framework (there are similar investigations by the respective authorities in other European states). In Germany Apple proposed the commitment to change the challenged ATT prompts to resolve the investigation by agreement. The proposed changes are currently reviewed within a market test which also covers questions related to data protection issues. Therefore, the BfDI and the Bavarian LDA (as German lead authority) are asked to participate in the market test. The ES SA intervened to share information relating to a ruling from the Madrid commercial court that Meta must pay €479 million to 87 Spanish digital news outlets. According to the Court, Meta obtained a “significant competitive advantage” by using personal user data from Facebook and Instagram for personalized advertising without proper legal basis/consent and in violation of the GDPR.

D.3.3 Events to celebrate the 10-year anniversary of the adoption of the GDPR

The ES SA suggested that an event, at the EDPB level, could be organised on 26 April 2026 to celebrate the 10-year anniversary of the GDPR's adoption.

The ES SA informed as well the EDPB members that they are considering organizing an event for the same occasion at national level together with the regional authorities.

D.3.4. Farewell of the Greek SA Representative

Mr. Vassilis Zorkadis, Director at the EL SA, informed the EDPB members he is stepping down from his position within the SA. He thanked all the members and wished good luck for the challenges lying ahead.

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, LV SA, MT SA, NL SA, NO SA, PL SA, PT SA, RO SA, SE SA, SI SA, SK SA

European Commission

Observers:

- AL SA, MD SA, MK SA, XK 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 and B.2.2;
- The CH SA was present for item D.2.1 of the agenda.

EDPB Secretariat