

Minutes

115th EDPB plenary meeting

10 - 11 February 2026 – 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 EDPB Chair provided an update on the ruling on case C-97/23 P.

The EDPB Chair reminded the EDPB members about the need to appoint coordinators, for the Cooperation and Enforcement ESGs (including ad hoc ones for 65 procedures), and that a call for applications would be launched again. If unsuccessful, the EDPB Secretariat would be asked to act as coordinator.

The EDPB Chair also informed the EDPB members about the possibility of an ad hoc plenary meeting on 18 March 2026 for the discussion and adoption of the Joint Opinions on the Cybersecurity Regulation and on the amendments to the NIS-2 Directive.

The EDPB Chair informed the EDPB members that, due to conflicting obligations, the second day of the meeting would be chaired by the Deputy Chair.

I.2. Minutes of the 113th EDPB meeting

The minutes of the 113th EDPB plenary meeting were unanimously adopted with the modifications proposed.

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

I.3. Draft agenda of the 115th EDPB meeting

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

The discussions relating to agenda points B.2.1, B.2.2 and D.1.2 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 two point A agenda items and they were all adopted unanimously:

- A.1. Opinion on the draft decision of the NL SA regarding the Processor Binding Corporate Rules of the Arcadis Group (International Transfers ESG); and
- A.2. Opinion on the draft decision of the NL SA regarding the Controller Binding Corporate Rules of ABN AMRO Bank (International Transfers ESG).

B. Agenda items for discussion

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

B.1.1 Coordinated Enforcement Framework - Report on the right to erasure (Enforcement ESG)

The Chair introduced the matter. In 2025, the Coordinated Enforcement Framework (CEF) was dedicated to the topic of 'the implementation of the right to erasure by controllers'. Thirty-two SAs participated, gathering contributions from 764 controllers. A report was produced which identifies the main challenges and recommendations.

The co-rapporteurs presented the report and underlined that the annex consolidates the different national reports. The co-rapporteurs also illustrated the timeline, methodology and figures. Amongst the thirty-two participating SAs, nine SAs have launched or continued formal investigations, and several other SAs plan to take immediate enforcement actions or awareness raising actions. Positive findings and challenges/lack of awareness were underlined, as well as recommendations to controllers, SAs and the EDPB. A vote took place for the adoption of the report.

26 EU members voted in favour of the adoption of the report; 0 EU members voted against; 0 EU members abstained.

The EEA SAs expressed their position, with 2 EEA SAs in favour of the adoption of the report; 0 EEA SAs against; 0 EEA SAs abstaining.

The EDPB members adopted the report and agreed to publish it on the EDPB website.

B.1.2. Joint EDPB and EDPS opinion on the Proposal for a Digital Omnibus (Key Provisions, Technology and Compliance, E-Government & Health ESGs)

The EDPB Chair introduced the topic and its background. The EDPS underlined that the Joint Opinion is the result of a close cooperation between the EDPB and the EDPS, and that it is in line with the commitment in the Helsinki Statement to facilitate compliance.

The rapporteurs presented the Joint Opinion.

The EDPB members discussed the Joint Opinion and made some modifications to the text.

A vote took place for the adoption of the Joint Opinion.

26 EU members voted in favour of the adoption of the Joint Opinion; 1 EU member abstained.

The EEA SAs expressed their position, with 2 EEA SAs in favour; 0 EEA SAs against; 0 EEA SAs abstaining.

The EDPB adopted the Joint Opinion, entrusting the EDPB Secretariat with incorporating the changes agreed into the final version of the Joint Opinion.

B.1.3. Work Programme 2026–2027, including on templates for organisations (Coordinators and Strategic Advisory ESGs)

The Chair introduced the topic and recalled that the Work Programme 2026–2027 would be the second of the Work Programmes implementing the EDPB Strategy. As usual, two documents have been prepared, being an internal and a public work programme. The Chair then explained that a report had been prepared on the public consultation launched on the EDPB website to collect inputs from organisations on which templates could facilitate their GDPR compliance activities.

The EDPB Secretariat presented the documents.

Following this, the EDPB members exchanged on the selection and prioritisation of certain work items in the internal Work Programme. The EDPB members agreed on the need for more time on this matter and that the discussions on the internal Work Programme would be continued in a coming plenary meeting.

The discussions then focused on the external Work Programme and a vote on its adoption took place.

24 EU members voted in favour; 1 EU member voted against; 0 EU member abstained.

The EEA SAs expressed their position, with 2 EEA SAs in favour; 0 EEA SAs against; 0 EEA SAs abstaining.

The EDPB members adopted the public EDPB Work Programme 2026–2027 and took note of the report on the public consultation on helpful templates for organisations, and of its publication.

B.1.4. Request for mandate regarding Good Practices for cross-regulatory cooperation and exchange of information between regulators (Cross-Regulatory Interplay and Cooperation ESG)

The Chair introduced the topic and passed the floor to the coordinator of the Cross-Regulatory Interplay and Cooperation ESG, who presented the request for mandate for Good Practices for cross-regulatory cooperation and exchange of information between regulators.

The EDPB members adopted the mandate unanimously.

B.1.5. Reply to letter on commercial spyware usage (Technology ESG)

The rapporteur presented the draft reply to the letter of 26 June 2025 by civil society regarding spyware abuse cases in the EU. The draft reply shares the EDPB's position on matters of spyware usage and states that the EDPB is vigilant as to its effects, and as to its impact on individuals' and journalists' fundamental rights.

The draft letter was adopted by the members of the EDPB unanimously.

B.2. Agenda items for discussion

B.2.1. DPAs' participation in IAPP Washington

The Chair introduced the topic and recalled the recent news reports of issues related to crossing the US border by some European travellers. The Chair added that the new proposed US Bill, currently under public consultation, would imply that ESTA applicants should provide more information about them and their family members, and their social media information from the last five years.

The EDPB members discussed the matter. The EDPB members agreed that the EDPB Secretariat would gather information on the planned attendance, and that the EDPB members would coordinate on this matter.

B.2.2. Enforcement strategies & exchange of best practices: complaint handling

The Chair recalled the discussion at the October 2025 plenary meeting, where EDPB members were invited to volunteer to share information on the solutions they have found to deal with a large volume of complaints. Eight SAs shared their experience, presented national procedures and tools, templates and solutions developed at national level to handle complaints more efficiently.

Several EDPB members underlined the challenges they are facing on complaint handling, such as the increasing number of complaints and of AI-generated complaints, and the lack of resources. One member indicated that it is important to be clear to the public in order to manage their expectations. The Chair thanked the EDPB members for their interventions and recalled that a workshop on complaints handling would be organised in March 2026 in Luxembourg. The EDPB members agreed that the EDPB Secretariat would prepare a summary of the interventions to identify best practices, and that it would collect templates for complaint handling developed by the SAs.

B.2.3. Joint EDPB and EDPS opinion on the Proposal for a European Biotech Act (Compliance, E-Government & Health ESG)

The EDPB Chair introduced the topic and its background. The Chair underlined that the purpose of the discussion was to provide strategic orientations on specific points of the Joint Opinion on the Proposal for a European Biotech Act, selected by the drafting team in cooperation with the subgroup. The rapporteurs presented the points for discussion.

The first discussion point concerned the legal basis under Article 6(1)(c) GDPR and the proposed amendments to Article 93(1) and (2) Regulation (EU) No 536/2014 of the European Parliament and of the Council of 16 April 2014 on clinical trials on medicinal products for human use (Clinical Trials Regulation - CTR).

The EDPB members discussed the question and agreed that the Joint Opinion should express favour for the legislative proposal that sponsors and investigators can rely on Article 6(1)(c) GDPR for all processing carried out to perform research activities in the context of an authorised clinical trial in accordance with the proposed Article 93(1)(b) and 93(2)(a) CTR.

The second discussion point concerned the further processing of clinical trial data by the same controller for specific purposes and the proposed amendments to Article 93(6) CTR. As the European Commission clarified that the aim was to create a legal basis for that processing, and not to subject it to the rules relating to purpose limitation and compatibility, the EDPB members entrusted the subgroup members to assess whether the conditions of Article 6(3) GDPR were fulfilled.

The third discussion point concerned the derogation from Article 9(4) GDPR and the proposed amendment to Article 93(7) CTR. The EDPB members discussed the question and agreed that this matter would not be addressed in the Joint Opinion.

C. Organisational matters

C.2. General organisational matters

C.2.1. Adopted 2026 budget and execution of 2025 budget

The Head of HR, Budget and Administration Unit of the EDPS presented the 2025 budget execution and explained that there was an execution of 94,1% of the total EDPB budget (title 3 of the EDPS budget) and 96,3% of the operational activities.

The adopted 2026 budget was also discussed. For 2026, the EDPB Secretariat was granted five additional permanent staff.

The EDPS added that the additional posts granted show the importance of data protection and thanked the EDPB Secretariat for its work on the budget.

The EDPB Chair thanked the EDPB Secretariat and the EDPS for the support provided for the preparation of the EDPB budget proposal, its defence before the budgetary authorities as well as the cooperation on the budget's execution.

The EDPB members took note of the information provided.

C.2.2. Dates of EDPB Plenary meetings in 2027

The EDPB Secretariat presented the proposed meeting dates for plenaries in 2027, with the suggestion to hold 5 in person and 6 remote meetings in alternating order.

The EDPB members unanimously adopted the timetable of dates for plenary meetings in 2027.

D. Items for information

D.1. Updates by EDPB participants

D.1.1. Presentation on DK SA's national approach to receiving and handling of data breach notifications

The DK SA presented to the EDPB members the national approach to receiving and handling of data breach notifications, the online form for data breach notifications, and illustrated the flow of the notification and its timeline.

The EDPB members took note of the information given.

D.1.2. Privacy risks for EU citizens travelling to third countries

Due to time constraints the discussion on this agenda item was postponed to the next plenary meeting.

D.1.3. Report of the stakeholder event on anonymisation and pseudonymisation (Technology ESG)

The Chair introduced the topic and its background.

The EDPB members took note of the report of the stakeholder event on anonymisation and pseudonymisation and of its publication.

D.2. Any other business

D.2.1. DMA Specification proceeding

The European Commission provided information to the EDPB members regarding the ongoing DMA specification proceeding and a public consultation on the matter. [REDACTED]

The EDPB members took note of the information given [REDACTED]

D.2.2. Information on case C-730/25

The LT SA provided information to the EDPB members regarding the request for a preliminary ruling in case C-730/25.

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, HU SA, IE SA, IS SA, IT 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, ME SA, MD SA, RS SA, XK SA. In line with Art. 8 of the EDPB RoP, the observers were present during the plenary meeting except for point B.2.1 of the agenda.

EDPB Secretariat