

Final Minutes

116th EDPB plenary meeting

10 March 2026 – 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. Adoption of the minutes and of the agenda, Information given by the Chair

I.1. Introduction

The EDPB Chair welcomed the participants to the meeting and started by providing an update on the recent hearing at the EU General Court to defend the EDPB Urgent Binding Decision 1/2023.

I.2. Minutes of the 114th and 115th EDPB meeting

The minutes of the 114th EDPB plenary meeting were adopted unanimously. The minutes of the 115th EDPB plenary meeting were also adopted unanimously with some minor modifications.

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

I.3. Draft agenda of the 116th EDPB meeting

The draft agenda was adopted unanimously without modifications.

The discussions relating to agenda points B.1.2 and B.2.2 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 A agenda items and they were all adopted unanimously:

- A.1. Opinion on the draft decision of the NL SA regarding the Controller Binding Corporate Rules of the BCD Travel Group (International Transfers ESG); and

- A.2. Opinion on the draft decision of the NL SA regarding the Controller Binding Corporate Rules of the IBM Group (International Transfers ESG).

B. Agenda items for discussion

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

B.1.1 EDPB-EDPS Joint Opinion on the Proposal for a European Biotech Act (Compliance, e-Government and Health ESG)

The EDPB Chair introduced the item and passed the floor to the rapporteurs for a general presentation of the Joint Opinion. After the presentation, the rapporteurs introduced the discussion points and outlined the main arguments. For the first discussion point concerning the additional elements to be included in the clinical trial protocol, the EDPB members decided to recommend that the protocol would include certain additional elements describing the processing. For the second discussion point concerning the allocation of the role of controller, the EDPB members decided to include additional wording which invites the co-legislators to reflect on the possibility to attribute the role and responsibilities of controller to the organisation (i.e. the clinical trial site) within which the investigators conduct the clinical trial instead of to the investigators themselves.

The EDPB members took a vote on the adoption of the Joint Opinion. 27 EU members of the EPDB voted in favour, with 1 EU member of the EDPB abstaining. 2 EEA SAs expressed their position in favour of adoption, with 0 EEA SAs expressing a position against and 0 EEA SAs abstaining.

The EDPB members adopted the Joint Opinion and entrusted the EDPB Secretariat with incorporating the changes agreed into the final version of the Joint Opinion.

B.1.2. EDPB Letter to the European Commission regarding the proposed US ESTA reform

The Chair introduced the item and gave the floor to the rapporteur to present the draft letter to the European Commission regarding the proposed US ESTA reform. The EDPB members discussed the draft letter and agreed to include a few additions.

The EDPB members took a vote on the adoption on the adoption of the letter. 27 EU members of the EPDB voted in favour, 1 EU member of the EDPB abstaining. 2 EEA SAs expressed their position in favour of adoption, with 0 EEA SAs against and 0 EEA SAs abstaining.

The EDPB members adopted the letter and entrusted the EDPB Secretariat with incorporating the changes agreed into the final version.

B.1.3. Collection of statistics reflecting data protection authorities' activities - amended Questionnaire and Key Concepts document (Enforcement ESG)

The EDPB Chair introduced the item and recalled that a pilot phase took place last year to allow SAs to test it and share feedback. The Key Concepts questionnaire has now been revised on the basis of the feedback received and the EDPB Secretariat will soon launch the next exercise of the statistics collection for the years 2024 and 2025. Following this, the rapporteur presented the updated list of definitions as well as the questionnaire. The EDPB members agreed on a few minor editorial changes.

The EDPB members took a vote on the adoption of the document. 27 EU members of the EPDB voted in favour, with 1 EU member of the EDPB abstaining. 2 EEA SAs expressed their position in favour of adoption, with 0 EEA SAs against and 0 EEA SAs abstaining.

The EDPB members adopted the updated version of the questionnaire and list of definitions.

The EDPB members decided to launch the collection of figures for the years 2024 and 2025 in March or April 2026. The EDPB Chair called on the EDPB members to take steps to adjust their internal systems if necessary and highlighted the importance of producing figures and statistics that are consistent.

B.1.4. GDPR DPIA template (Technology ESG)

The EDPB Chair introduced the item and passed the floor to the rapporteur. The rapporteur recalled that this item stems from the Practical Implementation Plan of the Helsinki Statement and explained that the template was prepared on the basis of existing DPIA-related materials at national level and the WP 29 Guidelines on DPIA, and that the AI office's feedback has also been collected and collaboration is taking place on the FRIA/DPIA. The rapporteur also noted that the template does not impose a specific methodology to be followed when performing the DPIA and that it is not mandatory for controllers to use this specific template. Rather, the rapporteur explained that the template is designed to help controllers with their reporting and documenting obligations, and that controllers should still be encouraged to use this template and to provide feedback in the context of a public consultation.

The members discussed the nature of the EDPB template at the SA level. The EDPB members agreed that, once it is finalised after the public consultation, all SAs will begin the necessary steps to adopt the EDPB DPIA template as their general national templates. This includes using the template for the output from their national tools, although it does not require SAs to change those tools' methodology or workflow if they can be made compatible with the template. Several members highlighted that the transition process needed to be clarified in a future Plenary meeting, including the extent of the changes necessary for existing national templates, tools and/or methodologies. It was agreed that this would be explained in a short text accompanying the publication of the template, to be drafted by the Chair and EDPB Secretariat in liaison with the drafting team, confirmed in an upcoming written procedure.

The EDPB members adopted the DPIA template unanimously and agreed that it would be subject to a public consultation of 8 weeks.

B.1.5. Request for mandate on Joint Guidelines with the European Commission on the Interplay Between Data Protection and Competition Law (Cross-Regulatory Interplay and Cooperation ESG)

The EDPB Chair introduced the item, recalling that the CIC ESG already drafted a position paper on the interplay between data protection and competition law which was adopted by the EDPB Plenary in January 2025, and highlighting the close connections to the Helsinki Statement and the EDPB Strategy. Following this, the rapporteur presented the request for mandate.

The EDPB members adopted the mandate unanimously.

B.2. Agenda items for discussion

B.2.1. Access to documents: Question on confirmatory application

The EDPB Chair introduced the topic. The EDPB members discussed an ongoing confirmatory application [REDACTED]

[REDACTED] and entrusted the EDPB Secretariat with preparing a reply to the confirmatory application.

B.2.2 INGO registration requirements and adequacy decision

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

The EDPB members exchanged on the matter and decided to continue discussing this matter at an upcoming EDPB plenary meeting.

C. Organisational matters

C.2. General organisational matters

C.2.1. Appointment of EDPB representative to the ETIAS Fundamental Rights Guidance Board (Coordinated Supervision Committee)

The EDPB Chair introduced the subject and informed that FRONTEX has invited the EDPB to nominate representatives to the European Travel Information and Authorisation System (ETIAS) Fundamental Rights Guidance Board (EFRGB). In June 2021, the EDPB appointed one main member and two alternates.

Following the resignation of the alternate members, the Chair informed the EDPB members that she intends to appoint [REDACTED] (PL SA) and [REDACTED] (SI SA) as alternate EDPB representatives to the ETIAS Fundamental Rights Guidance Board. 27 EDPB Members supported the proposal, with 1 EDPB member abstaining. 3 EEA SAs supported the proposal.

The appointed representatives will be called to represent the EDPB and, consequently, to consult and align their position with the Coordinated Supervision Committee (CSC).

D. Items for information

D.1. Updates by EDPB participants

D.1.1. State of play of the draft guidelines on the interplay between the AI Act and EU data protection laws perspective (Technology; Key Provisions; Borders, Travel & Law Enforcement; and Cross-Regulatory Interplay & Cooperation ESGs)

The Chair introduced the item and gave the floor to the rapporteur who provided an update on the work on this file.

The EDPB members took note of the information given.

D.1.2. New round of secondments 2026–2027 and assessment of the last round in 2024–2025

The EDPB Chair introduced the subject and gave the floor to the EDPB Secretariat. The EDPB Secretariat presented the assessment of the 2024–2025 edition of the secondment programme, noting that 54 staff members from 19 sending authorities have visited 25 host authorities (23 national SAs, the EDPS and the EDPB Secretariat) and have highly appreciated their experience. The secondments lasted between 2 and 13 weeks in total, with an average of almost 5 weeks. The EDPB

Secretariat also recalled how the selection procedure works and informed the members that a call for expression of interest for the next edition of the programme will be circulated soon.

The EDPB members took note of the information given.

D.1.3. Privacy risks for EU citizens travelling to third countries

The EDPB Chair introduced the subject and recalled the discussion from the morning. The speaker then highlighted potential privacy impacts for EU citizens travelling to the United States, following recently proposed legislative changes concerning ESTA.

The EDPB members discussed the matter and agreed to organise a coordinated information campaign to help DPAs to inform EEA individuals on the matter, carefully checking the status of the US legislation.

D.2. Any other business

D.2.1. European Commission Proposal for a "Digital Networks Act"

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

The EDPS then informed the members that they have been consulted by the European Commission under Article 42(1) EUDPR and an Opinion is expected to be adopted in March 2026. The EDPS also expressed willingness to present their findings at sub-group level.

The EDPB members discussed the topic and agreed that the matter should be further discussed at TECH ESG level with a view to prepare a possible statement. The topic will be discussed again at an upcoming plenary meeting.

D.2.2. Information about Swedish media articles regarding Meta Smart glasses

The EDPB Chair introduced the item and gave the floor to the speaker, who shared an update on recent media articles in Sweden reporting on alleged personal data collection and transfers to a third country by Meta's Smart glasses in violation of the GDPR.

The speaker also informed the members that they are in contact with the LSA, which had confirmed the allegations in relation to transfers to a third country contained in the article were false and thanked them for the cooperation on the matter.

D.2.3. Farewell to Belgian Commissioner

The Chair informed the EDPB members of the Hielke Hijmans' recent resignation as a member of the Executive Board of the Belgian Data Protection Authority. The EDPB Chair and the EDPB members wished him the best of luck for the future.

E. Other written state of play

E.2.1. Guidelines on the interplay between the DSA and the GDPR – Article 40 DSA (Social Media ESG)

The EDPB members took note of the written state of play concerning the guidelines on the interplay between the DSA and the GDPR.

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, BA SA, ME 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 and B.2.2 of the agenda.
- The CH SA was present for item D.1.1 of the agenda.

EDPB Secretariat