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It has to be thanked to the EDPB for having taken the effort to give a thorough judgment to Article 25 of the GDPR. As a student of the Master in Data Protection of the CEU San Pablo University I want to make the following comments and contributions

First comment: In the executive summary, I would explicitly say that DPbD is a process.

Second Comment: In the executive summary, I would very explicitly say that DPbD also applies to organisational processes

Third Comment: Include the full text of article 25 at the beginning of section 2

Fourth Comment: In point 9, section 2.1.1: add business processes as an explicit example

Fifth Comment: In 2.1.1. The difference between a measure and a safeguard is not clear. Bullet 10 says that " Safeguards act as a second tier " (suggesting that they are a second line of defense if the measures fail); The examples cited refer to the rights of the data subjects (which in fact can be seen as a second line of defense if the data controller does not comply with the principles of data protection), although the intervention in the processing sounds more as a first line mechanism than a second. safeguard line. Bullet 11 also says "An example of a technical measure or safeguard is pseudonymization of personal data", which suggests that there really is no difference.

Sixth Comment: In 2.1.1. In bullets 7 and 8, the controller must be replaced by the manufacturer, because only he has the possibility and knowledge and, therefore, the obligation to implement appropriate technical and organizational measures that must be designed to implement the principles of protection of data and integrate the necessary safeguards in the processing to comply with the requirements of the GDPR and protect the rights of the interested parties. Most controllers are due to their possibilities and knowledge, since SMEs cannot implement the requirements.

Seventh Comment: In 2.1.2. In bullets 14, 15 and 16, the controller must be replaced by the manufacturer because because it has the potential to demonstrate that the system complies with GDPR, they are the creators of the systems and could and should control their design and can demonstrate that they have implemented measures and safeguards.

Eighth Comment: In 2.1.3 "State of the Art", in bullet 19 an obligation is imposed on manufacturers, in determining the appropriate technical and organizational measures, to take into account the current progress in the technology that is available in the market. In addition, in bullet 21 it is determined that it is also the responsibility of the controller and not only applies to technological measures, but also to organizational ones. It is important to indicate that the lack of adequate organizational measures can diminish or even completely weaken the effectiveness of a chosen technology, which is out of control for the manufacturer.

Ninth Comment: In 2.2. In bullet 39, to give the controller the possibility of selecting the preferred values at the end of the paragraph, the following sentence must be included: "The manufacturer of the system is obliged to implement in it the possibility that the controller selects the correct values of preset. That is, the system must be configurable. "

Tenth Comment: In 2.2. In bullet 52, the paragraph should begin with the following sentence: "In order to comply with the storage limitation request, the manufacturer must provide the

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means so that, in different cases, different storage limitations are possible by default, so that the controller has the possibility of limiting the retention period for different cases. "

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