



Final

## 60<sup>th</sup> Plenary meeting

1 February 2022, Remote

### 1 Adoption of the minutes and of the agenda, Information given by the Chair

#### 1.1 Minutes of the 59<sup>th</sup> Plenary meeting – adoption

The minutes were unanimously adopted with the modifications proposed. The members of the EDPB also agreed on the public version of the minutes.

#### 1.2 Draft agenda of the 60<sup>th</sup> EDPB meeting – adoption

The draft agenda was adopted with the inclusion of new points under AOB (4.1 Update by the LT SA, 4.2 Update by the EDPB Chair on the EDPB Commissioners' meeting on cooperation).

The confirmation of rapporteurs on the request for an opinion on the Europrise certification criteria for processing operations of processors (agenda item 3.1.) was removed from the agenda.

### 2 Consistency mechanism and Guidelines

#### 2.1 Art. 64 Opinion on the CARPA certification criteria – discussion and adoption

The rapporteur presented the draft opinion regarding the LU SA draft decision on the GDPR-CARPA certification criteria, which is the first EDPB opinion on a draft decision approving certification criteria. After describing the scope and content of the opinion, the rapporteur highlighted the fruitful discussions that took place at ESG level.

The opinion was adopted by the members of the EDPB unanimously.

### 3 FOR DISCUSSION AND/OR ADOPTION – Expert Subgroups and Secretariat

#### 3.1 EDPB Secretariat

##### Requests for an Article 64 Opinion regarding draft certification criteria (Art. 42(5) GDPR) - confirmation of rapporteurs

The EDPB Secretariat informed the EDPB members about a request by the LU SA for an Art. 64.1.c GDPR opinion on the draft LU SA decision approving Europrivacy certification criteria intended as EU data protection seal.

In addition to the EDPB Secretariat, two SAs have volunteered to contribute as co-rapporteur on this file.

The EDPB members gave the mandate to the rapporteurs.

### 4 AOB

#### 4.1 Update by the LT SA

The LT SA provided information to the EDPB members regarding an ongoing investigation concerning a website containing personal data about politicians, civil servants and their relatives. The controller has stated that the website merely serves journalistic purposes, which would result in another authority, namely the Inspector of Journalist Ethics, being competent for enforcement.. The LT SA is of the opinion that decision on the factual purposes of the processing can be made only after necessary information about ongoing data processing is received.

In relation to the investigation, the LT SA has received a letter from the European Centre for Press and Media Freedom demanding the investigation be stopped.

One SA indicated that following a similar problem with a national website, they had issued an opinion concerning the interplay between journalistic work and their national data protection law, which they are willing to share with the LT SA.

The EDPB members took note of the information given.

#### 4.2 Update by the EDPB Chair on the EDPB Commissioners' meeting on cooperation - information

The EDPB Chair informed the EDPB members that the meeting will be organised in Vienna on 27 and 28 April 2022.

The EDPB members and EDPB Secretariat are invited to submit topics for the meeting and interpretation needs. The EDPB Chair will prepare a draft agenda for discussion during the next EDPB plenary meeting.

## Annex: Attendance List

### **SAs:**

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, PL SA, PT SA, RO SA, SE SA, SI SA, SK SA

- European Commission

- EFTA Surveillance Authority

- EDPB Secretariat