













Procedure file

Basic information		
DEC - Discharge procedure	2023/2138(DEC)	Procedure completed, awaiting publication in Official Journal
2022 discharge: General budget of the EU - European Data Protection Supervisor		
Subject 8.70.03.12 2022 discharge		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Budgetary Control	 FLANAGAN Luke Ming	26/05/2023
		Shadow rapporteur	
		 STAVROU Eleni	
		 RÓNAI Sándor	
		 MITUA Alin	
		 PEKSA Mikuláš	
		 CZARNECKI Ryszard	
		 KUHS Joachim	
		Committee for opinion	Rapporteur for opinion
	 Legal Affairs	The committee decided not to give an opinion.	
	 Civil Liberties, Justice and Home Affairs		13/11/2023
		 ZDECHOVSKÝ Tomáš	
European Commission	Commission DG Budget	Commissioner HAHN Johannes	

Key events			
28/06/2023	Non-legislative basic document published	COM(2023)0391	
12/09/2023	Committee referral announced in		

	Parliament		
22/02/2024	Vote in committee		
12/03/2024	Committee report tabled for plenary	A9-0086/2024	Summary
10/04/2024	Debate in Parliament		
11/04/2024	Decision by Parliament	T9-0235/2024	Summary

Technical information

Procedure reference	2023/2138(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed, awaiting publication in Official Journal
Committee dossier	CONT/9/12908

Documentation gateway

Non-legislative basic document		COM(2023)0391	28/06/2023	EC	
Court of Auditors: opinion, report		N9-0060/2023 OJ C 000 04.10.2023, p. 0000	04/10/2023	CofA	
Committee draft report		PE753.487	13/12/2023	EP	
Committee opinion	LIBE	PE756.193	25/01/2024	EP	
Amendments tabled in committee		PE758.205	31/01/2024	EP	
Supplementary non-legislative basic document		06179/2024	12/03/2024	CSL	
Committee report tabled for plenary, single reading		A9-0086/2024	12/03/2024	EP	Summary
Text adopted by Parliament, single reading		T9-0235/2024	11/04/2024	EP	Summary

2022 discharge: General budget of the EU - European Data Protection Supervisor

The Committee on Budgetary Control adopted the report by Luke Ming FLANAGAN (The Left, IE) on discharge in respect of the implementation of the general budget of the European Union for the financial year 2022, Section IX European Data Protection Supervisor.

The committee called on the European Parliament to grant the European Data Protection Supervisor discharge in respect of the implementation of the budget of the European Data Protection Supervisor for the financial year 2022.

Budgetary and financial management

The report noted that the final adopted budget for the EDPS was EUR 20 266 000 in 2022, which represented an increase of 4.12% compared to 2021. The budget implementation rate was 98 % in 2022, which is higher than the previous year, when the budget implementation rate was 86 %.

The report noted that Russias war of aggression against Ukraine created budgetary pressure for the EDPS, including through rising inflation and salary adjustments, strongly increasing energy costs and the cost of goods and services through public procurement and service-level agreements with other institutions. Members welcomed the internal reallocations within budget chapters performed in the course of 2022 in order to optimise the budget implementation.

The EDPS budget for staff missions increased from EUR 41 000 to EUR 251 000, i.e. an increase of 512 %, between 2021 and 2022 following the resumption of travel after the COVID-19 pandemic. Within this overall budget, the EDPS had a dedicated mission budget for the Supervisor of EUR 33 000 in 2022 compared to EUR 5 000 in 2021, i.e. an increase of 560 %. The increase in inflation and the substantial increase in energy prices in 2022 linked to Russias war of aggression against Ukraine had an adverse effect on flight tickets and hotel costs, thus leading to an increase in mission costs.

Internal management, performance and internal control

Members acknowledged the major organisational changes, and the corresponding revision of its rules of procedures, undertaken by the EDPS in 2022 to support the evolution of its tasks and improve the efficiency of its processes in light of the fast-changing international environment. As a result of these changes, the EDPS created a new function of Head of the EDPS Secretariat at the level of a Secretary General, a dedicated legal service function, a governance and internal compliance sector, two new operational sectors in the supervision and enforcement unit, a new finance sector in the HR, budget and administration Unit and an antenna in Strasbourg.

Furthermore, the oversight functions of the EDPS in relation to the operational personal data processed by Europol in the framework of its mandate were strengthened.

The EDPS received 367 complaints in 2022, which 47 more than in 2021, out of which 65 were admissible and 302 were inadmissible, in addition to the 129 admissible complaints ongoing in 2022.

The report called on the EDPS to review its rules of procedure of ensuring and timely review of complaints by citizens.

Human resources, equality and staff well-being

At the end of 2022, the EDPS had 127 staff members, compared to 124 at the end of 2021 and 114 at the end of 2020. Given the increase in workload due to new tasks and responsibilities allocated to the EDPS, as well as many more legislative consultations and data sets to monitor, the EDPS would need a proportionate increase in staff to maintain efficient workflows with reasonable response times. The report encouraged the EDPS to provide permanent contracts to its employees to guarantee business continuity and work security.

The occupancy rate of the establishment plan was at 86.9% at the end of 2022 which was lower than the target.

Members noted with satisfaction that the EDPS recruited 18 trainees in 2022, who were remunerated and enjoyed the same working arrangements as the rest of the staff.

Ethical framework and transparency

The report encouraged the EDPS to continue raising awareness and organising surveys to assess the level of staff awareness of the EDPS/EDPB ethical framework. It also welcomed the overall high level of transparency achieved by the EDPS concerning its activities.

Regretting that the EDPS has still not formally joined the transparency register, Members reiterated their calls on the EDPS to join up.

The report also welcomed the fact that the EDPS has set up a framework to prevent conflicts of interest at the level of senior management and staff.

Interinstitutional cooperation

Members welcomed the budgetary and administrative savings achieved through inter-institutional cooperation, notably the conclusion of service-level agreements with the Parliament for the rental of its premises and the use of its IT system applications, hardware supplies and maintenance, and with the Commission for ICT services.

Communication

The report noted that the budget for public communication and promotional activities in 2022 amounted to EUR 304 665, which represented an increase of 19 % compared to 2021. It welcomed the comprehensive communication strategy aiming to raise awareness about its role and the importance of respecting Union data protection rules.

Members noted the leading role of EDPS in piloting and promoting social media channels contributing to the Unions strategy for data and digital sovereignty in compliance with the data protection legal framework.

2022 discharge: General budget of the EU - European Data Protection Supervisor

The European Parliament decided by 562 votes to 15, with 27 abstentions, to grant the European Data Protection Supervisor discharge in respect of the implementation of the budget of the European Data Protection Supervisor for the financial year 2022.

In its resolution, adopted by 556 votes to 19 with 28 abstentions, Parliament made the following observations:

The Court, as part of the audit for 2022, examined the supervisory and control systems of the EDPS. Members noted that 14 (23 %) of the 60 transactions contained errors but that the Court, based on the five errors which were quantified, estimates the level of error to be below the materiality threshold.

Budgetary and financial management

The final adopted budget for the EDPS was EUR 20 266 000 in 2022, which represented an increase of 4.12% compared to 2021. The budget implementation rate was 98 % in 2022, which is higher than the previous year, when the budget implementation rate was 86 %.

Russias war of aggression against Ukraine created budgetary pressure for the EDPS, including through rising inflation and salary adjustments, strongly increasing energy costs and the cost of goods and services through public procurement and service-level agreements with other institutions. Members welcomed the internal reallocations within budget chapters performed in the course of 2022 in order to optimise the budget implementation.

The EDPS budget for staff missions increased from EUR 41 000 to EUR 251 000, i.e. an increase of 512 %, between 2021 and 2022 following the resumption of travel after the COVID-19 pandemic. Within this overall budget, the EDPS had a dedicated mission budget for the Supervisor of EUR 33 000 in 2022 compared to EUR 5 000 in 2021, i.e. an increase of 560 %. The increase in inflation and the substantial increase in energy prices in 2022 linked to Russias war of aggression against Ukraine had an adverse effect on flight tickets and hotel costs, thus leading to an increase in mission costs.

Internal management, performance and internal control

Members acknowledged the major organisational changes, and the corresponding revision of its rules of procedures, undertaken by the EDPS in 2022 to support the evolution of its tasks and improve the efficiency of its processes in light of the fast-changing international environment.

Furthermore, the oversight functions of the EDPS in relation to the operational personal data processed by Europol in the framework of its mandate were strengthened.

As part of the changes implemented in 2022, the EDPS has striven to streamline its internal procedures to deal more rigorously with investigations and to redeploy specialised staff. The EDPS received 367 complaints in 2022, which 47 more than in 2021, out of which 65 were admissible and 302 were inadmissible, in addition to the 129 admissible complaints ongoing in 2022. The EDPS issued a final decision, opinion or reply in 23 out of 65 complaint cases received in 2022 within 42 days on average.

The EDPS is called on to review its rules of procedure of ensuring and timely review of complaints by citizens.

Human resources, equality and staff well-being

At the end of 2022, the EDPS had 127 staff members, compared to 124 at the end of 2021 and 114 at the end of 2020. Given the increase in workload due to new tasks and responsibilities allocated to the EDPS, as well as many more legislative consultations and data sets to monitor, the EDPS would need a proportionate increase in staff to maintain efficient workflows with reasonable response times. The report encouraged the EDPS to provide permanent contracts to its employees to guarantee business continuity and work security.

The occupancy rate of the establishment plan was at 86.9% at the end of 2022 which was lower than the target. The EDPS employed a total of 64% women and 36% men. Members regretted the absence of women in senior management positions in 2022.

Members noted with satisfaction that the EDPS recruited 18 trainees in 2022, who were remunerated and enjoyed the same working arrangements as the rest of the staff.

Ethical framework and transparency

Parliament encouraged the EDPS to continue raising awareness and organising surveys to assess the level of staff awareness of the EDPS/EDPB ethical framework. It also welcomed the overall high level of transparency achieved by the EDPS concerning its activities.

Regretting that the EDPS has still not formally joined the transparency register, Members reiterated their calls on the EDPS to join up.

The resolution also welcomed the fact that the EDPS has set up a framework to prevent conflicts of interest at the level of senior management and staff.

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Members noted the leading role of EDPS in piloting and promoting social media channels contributing to the Unions strategy for data and digital sovereignty in compliance with the data protection legal framework.

Concerning digitalisation, Parliament noted that, in 2022, the EDPS surveyed the IT strategies of several EUIs in the framework of a large IT feasibility study, which served as a basis for defining the EDPS IT strategy for the coming years. The EDPS is called upon to keep the discharge authority informed of the outcome of this analysis and its impact on resources.