
MINUTES

Meeting of the Network of Data Protection Officers of national law enforcement authorities, JHA Agencies and EPPO

Brussels, Tuesday 17 January 2023

The fourth meeting of the network for Data Protection Officers of law enforcement authorities, Justice and Home Affairs Agencies and the European Public Prosecutor's Office (hereinafter the “DPO Network”) took place on Tuesday 17 January 2023 in Albert Borschette Congress Centre. The meeting was held in- person.

The Commission representatives welcomed the participants, requested from them their consent to share within the network their electronic addresses to foster exchanges, and the agenda was subsequently adopted.

The Commission representatives presented the first reports on the application of the Data Protection Law Enforcement Directive (EU) 2016/680 (‘LED’) and of Regulation (EU) 2018/1725 (EUDPR). In this context, the Commission representatives stressed that ensuring the highest possible level of consistency between data protection regimes in the EU was a key policy objective. The Commission representatives also updated the DPOs on the current state of play and on infringement cases related to the LED and pointed to recent case law developments. During the Q&A session, participants notably brought up the issue of data breach notifications and the need for guidelines. The Commission representatives referred to the EDPB guidelines on data breaches under the GDPR, which, while not directly applicable, are also relevant for LED data breaches, and should therefore contribute to a more uniform approach.

In response to a request from the members of the network at the previous meeting, the Commission representatives presented the tools available for international transfers of personal data under the GDPR, the EUDPR and the LED, with a focus on transfers to international organisations. The Commission representatives also provided an overview of ongoing work streams in this area, including dialogues to explore the possibility of

adequacy decisions for international organisations under the GDPR, the development of a template administrative arrangement for data transfers to international organisations under the EUDPR, as well as negotiations on international agreements. An exchange followed on different transfer instruments and their use/implementation in practice.

The rest of the meeting was held exclusively among DPOs, without the presence of the Commission representatives, touching on topics such as the exercise of data subjects' rights, the applicability of the LED to logging files and the international data transfers to international organisations.

In conclusion, the Commission representatives, based on the views of the DPOs, indicated that the next DPO Network meeting would tentatively be held end of June-beginning of July 2023.

List of participants

1. DPO's from national law enforcement authorities of:

Belgium

Germany

Cyprus

Luxembourg

Hungary

Estonia

France

Ireland

Italy

Netherlands

Poland

Malta

Slovenia

Sweden

Spain

Norway

Iceland

2. DPOs from the following Justice and Home Affairs Agencies:

FRONTEX

EUROPOL

3. DPO from the European Public Prosecutor's Office (EPPO)