



Oslo Declaration:

Nordic Data Protection Authorities join forces on children's data protection in gaming, AI, and administrative fines

On 30–31 May 2024, the Nordic Data Protection Authorities (DPAs) from Denmark, the Faroe Islands, Finland, Iceland, Norway, Sweden and Åland met in Oslo for their annual Nordic Meeting. The purpose of the Nordic Meetings is to discuss current data protection issues and exchange best practices. Nordic Meetings have been organised since 1988.

During the meeting, the Nordic DPAs agreed on the following:

- **Children's rights:** During the Nordic Meeting, the DPAs adopted joint principles on children and online gaming, to be published shortly. The principles set out how children's rights should be safeguarded by game developers.
- **The EU's digital package:** The DPAs recall the 2022 Helsinki Declaration, which recognises the overlap between the GDPR and the EU's digital package, underlines the importance of avoiding unwanted fragmentation of supervision, and points to the need to ensure the consistent enforcement of the said legislations. If provided with the resources to do so, the DPAs can provide practical guidance in order to help innovation and avoid legal uncertainty.
- **Artificial intelligence:** While the AI Act will address certain aspects of AI, the GDPR will continue to apply. Most development, training and use of AI will entail processing of personal data. Therefore, it is necessary to apply both sets of rules.

In this regard, the Nordic governments should carefully assess the resource needs of DPAs. With the proper resources, DPAs can provide operational guidance on AI and assist in avoiding harm from legislative uncertainty. DPAs will also contribute directly under the AI Act, be it in regulatory sandboxes, as market surveillance authorities, or more generally as authorities protecting fundamental rights. Ensuring that DPAs have sufficient resources to carry out these tasks is essential.

It is also important for the Nordic governments to review whether current national legislation provides for and supports responsible development, training and use of AI, in particular to ensure a legal basis to process personal data in the context of AI.

- **Administrative fines:** The Nordic DPAs discussed the strong standards of data protection and good governance made possible by the general Nordic approach wherein DPAs can issue fines against public sector bodies. They note with regret that

the Finnish, Åland and Faroese DPAs do not have the same powers as is the general Nordic practice and endorse suggestions that these DPAs' powers be expanded in this regard.

The DPAs reaffirmed their focus on efficiency and a risk-based approach to their designated tasks. The DPAs' resource situation continues to affect their ability to respond to violations of individuals' fundamental right to data protection in a timely and effective manner. This especially applies to the situation in Åland. The DPAs also discussed other issues, including awareness-raising.

The Nordic DPAs will continue and strengthen their cooperation based on Nordic values.

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