

## Anu Talus

Chair of the European Data Protection Board

Lucilla Sioli Head of EU AI Office

Artificial Intelligence Office CNECT.A.2 Brussels

Brussels, 6 November 2024

Subject: Response to the letter on European Data Protection Board (EDPB) statement on the role of data protection authorities (DPAs) in the Artificial Intelligence Act Framework.

Dear Mrs. Sioli,

I would like to thank for his letter of 29 August 2024 (Ares(2024)6134122), sent at the request of President Ursula von der Leyen, regarding the European Data Protection Board's (EDPB) statement on the role of data protection authorities (DPAs) in the Artificial Intelligence Act Framework.

First and foremost, I appreciate your expressed interest in working with the EDPB to ensure a coordinated approach to AI governance. I would also like to reaffirm that the EDPB values the opportunity to engage with the AI Office and the AI Board considering the strong entanglement between the AI Act and data protection law. As highlighted in the EDPB 2024–2027 Strategy, ensuring consistency and cooperation with other regulatory authorities is a strategic priority for the Board, as this is key to promoting the right to data protection in the overall regulatory architecture and contributes to a consistent application of different regulatory frameworks. In that regard, the EDPB has started to work on guidelines on the interplay between the GDPR and the AI Act, on which a discussion with your team would be welcomed.

We therefore support the establishment of appropriate mechanisms to ensure cooperation between the EDPB, the AI Office and the AI Board, also in light of Articles 2(3)(c) and (d), and 6 of the Commission Decision of 24 January 2024 establishing the European Artificial Intelligence Office, C/2024/1459, articles 65(2) and 66(h) of the Artificial Intelligence Act, and article 70(4) of the General Data Protection Regulation.



In this regard, I would like to invite you to the EDPB plenary meeting of 2 or 3 December 2024 in order to discuss this matter. I would also be grateful if you could present information relating to the establishment of the AI office and the AI Board at this meeting, as well as on any other matter that you consider beneficial to our cooperation.

Within this framework, I would like to also draw your attention to the need for taking due account of the requirements laid down in Article 74(8) of the AI Act regarding high-risk AI systems, as stated in the EDPB statement on the role of DPAs in the Artificial Intelligence Act Framework.

In addition, the EDPB is currently working on an Article 64(2) GDPR Opinion on AI models, for which the legal deadline for adoption is on 23 December, and for which an exchange of views with the AI Office would be beneficial.

For this reason, I would like to invite the AI Office to take part in one of the meetings organised at technical level by the EDPB for the preparation of this Opinion on 21 November, 2024. This would be an opportunity to exchange views on this matter. In addition, I welcome the participation of the AI office in the public event that the EDPB organises on 5 November, 2024.

Reciprocally, the EDPB would be pleased to present the opinion it will adopt on AI models during a future meeting of the AI Board, in the first semester 2025.

lf	you	need	further	assistance,	please	contact	Isabelle	Ver	eecker
				Head	of EDPB	Secretariat)	or Gwenda	l Le	Grand
	Deputy Head of EDPB Secretariat).								

Kind regards,

Anu Talus