

DPC signs new Joint Declaration on AI

The Data Protection Commission of Ireland has recently signed up to a joint declaration (the “Declaration”) with other data privacy regulatory authorities confirming their commitment to implementing data governance that promotes innovative and privacy-protecting Artificial Intelligence (“AI”). Ireland will already be subject to the new European AI Act (Regulation (EU) 2024/1689) once it becomes fully effective.

Background

In addition to the many opportunities AI presents, it is also recognised as posing significant risks with respect to the protection of fundamental rights such as data protection and privacy. There are also concerns that it poses risks of discrimination and misinformation that may be caused by the inappropriate processing of data.

As a result, the European Union has also sought to legislate this area with its AI Act setting out harmonised rules on artificial intelligence in Europe. This is the first comprehensive legal framework on AI worldwide and its stated aim is to foster trustworthy AI in Europe.

Joint Signatories

Authorities from Australia, Korea, France and the United Kingdom were the other parties to sign this joint declaration. It was signed in Paris at an OECD hosted event organised by the Commission nationale de l'informatique et des libertés (CNIL) and the Data Protection Authority of South Korea on 11th February 2025.

Terms of the Declaration

Under the declaration, each of the signatory regulators commits to:

- foster a shared understanding of lawful grounds for processing data in the context of AI training in the respective jurisdictions.

Clear standards and requirements should be developed to ensure that AI training data is processed lawfully, whether based on consent, contractual necessity, legitimate interest, or other legal justifications.

- exchange information and establish a shared understanding of proportionate safety measures based on rigorous scientific and evidence-based assessments.
- continuously monitor both the technical and societal implications of AI and to leverage the expertise and experience of Data Protection Authorities and other relevant entities, including NGOs, public authorities, academia, and businesses, in AI-related policy matters when possible.
- reduce legal uncertainties and secure space for innovation where data processing is essential for the development and deployment of AI.
- strengthen interactions with other relevant regulatory authorities.

How Clerkin Lynch Can Help

Clerkin Lynch’s regulatory services team can assist with compliance with data protection legislation in Ireland.

Reach out to the contact details below for more information.



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