

Annotated agenda – Nordic-Baltic coordination network on regulatory issues (NOBAREG)

Time

14. June: 12:00 – 16:45, 15. June: 09:00 – 12:00

Venue

Clarion Hotel Arlanda Airport, Stockholm

Participants

Denmark (first day)

Iceland (Digital)

Aaland Island

Estonia

Norway

Finland

Sweden

Wednesday 14. June

Topic	Annotation
Status on the implementation processes of the Data Governance Act - DGA	<p>Update on national preparations for DGA implementation</p> <p>Several countries reported ongoing national processes to designate competent bodies under the DGA. While some have finalized legal proposals or suggested responsible entities for key articles (such as Articles 7, 8, 13, and 23), others are still in early stages, awaiting government decisions or facing internal restructuring of responsibilities. Notably, proposed or confirmed bodies include statistics agencies, digital service agencies, transport and communications authorities, and data protection inspectorates. In some cases, cooperation between agencies is being considered to address responsibilities such as secure processing environments. A few countries were not present to provide updates, and some have yet to initiate formal decisions.</p> <p>General awareness and communication efforts</p> <p>The group reflected on the limited awareness within the public sector regarding new roles and responsibilities under the DGA. Some members noted initial steps to raise awareness, such as updating national websites and planning seminars or webinars, though efforts remain modest overall.</p> <p>Potential role for NoBaReg</p> <p>Building on member comments, the group discussed the potential for NoBaReg to serve as a common hub for information on EU digital legislation. There was general support for exploring a shared base of resources that could be adapted to national contexts.</p>

Topic	Annotation
Single Digital Gateway: Six months to go...	Olli Hurskainen from the KEHA Centre gave a presentation on the SDG, which was included as part of the overall session. The discussion that followed included questions aimed at clarifying the topic for non-experts, reflecting a need for more accessible communication. It was also noted that the SDG has links to the Interoperable Europe Act, suggesting potential synergies to explore further.

Topic	Annotation
Introduction to the Swedish and the Finnish DGA-reports: What have they learned?	<p>As part of NoBaReg’s role in sharing national approaches to legislative implementation, the group explored and compared the Finnish and Swedish processes for transposing the DGA. The comparison offered insight into structural, legal, and procedural differences, as well as shared challenges and lessons.</p> <p>In Finland, implementation was organized through a cross-ministerial structure, including a virtual coordination office for digital legislation and a national coordination group for EU digital regulation, both led by the Ministry of Transport and Communications. A dedicated working group for the DGA was formed after the legislation was adopted, drawing on experts from six to seven ministries. This group worked under a ministerial mandate and was supported by a secretary who contributed to drafting the legislative proposal. Informal networks, active earlier in the EU legislative process (such as for AI), complemented the more formal structure by supporting negotiation coordination. Trust and delegated responsibility from middle management to technical experts were emphasized as key features of the Finnish approach.</p> <p>Legal drafting in Finland is shaped by constitutional requirements: EU legislation is often not deemed sufficient as a direct legal basis, requiring national statutes to specify mandates and competences. For example, Chapter II of the DGA relied on rediscovering a 2016 legal provision to allow relevant responsibilities to be assigned via statute. The designated Competent Authority under Article 8 will be the Digital and Population Data Services Agency, envisioned as a central access point for datasets, open data, and DGA-related information. For Article 7, Finland limits the scope of the Competent Authority to support functions only; actual decisions on data reuse remain with individual agencies.</p> <p>In contrast, Sweden’s process was structured around a legal investigator (LI), an established national mechanism that allows for broad consultation while preserving the independence of the investigator’s conclusions. The LI does not represent a collective body and is free to incorporate—or disregard—input as deemed appropriate. The Swedish model is more sequential and segmented, with limited parallel processes. While the LI conducted approximately 15 initial consultations (some repeated), there was also a separate budget-related dialogue within government structures. The final report from the LI totalled around 300 pages and included cost assessments related to DGA implementation.</p> <p>The comparison highlighted distinct procedural models: Finland's collaborative and network-based coordination versus Sweden's formalised, centralized legal investigation. Both countries noted benefits and trade-offs in terms of efficiency, inclusiveness, legal clarity, and flexibility. The session served as a valuable lens for understanding national strategies and offered inspiration for future coordination and knowledge-sharing across the region.</p>

Thursday 15. June

Topic	Annotation
Nordic Council of Ministers (NCM) - Contextual framing of NoBaReg	<p>Signe van Zundert from the NCM provided a contextual overview of NCM’s structure and thematic organization, noting that hierarchies and coordination mechanisms can differ depending on the area. NoBaReg operates under the MR Digital strand and stands out due to its designation as a “network group,” which makes it distinct from more traditional project formats with reference groups or fixed mandates. This structure aligns with NoBaReg’s original proposal to function as a pilot initiative.</p> <p>Signe also introduced the Cross-Border Digital Services programme, one of the central pillars within MR Digital, and emphasized its relevance to NoBaReg’s work. She underlined the value of articulating and promoting shared Nordic-Baltic values, particularly as a means of clarifying the added value of cross-border collaboration. The NCM sees strategic importance in ensuring that resources are well-directed and highlighted that groups like NoBaReg can both add value and support national processes in areas of mutual interest.</p>
Update on Data Act negotiations	<p>Jeanna Thorslund from DIGG and the Swedish EU Presidency support team presented the status and procedural landscape of the Data Act negotiations. Her presentation provided an overview of the Act’s main themes and objectives, contextualizing them within the broader negotiation dynamics.</p> <p>Key discussion points included the proposed access to data by public sector bodies in cases of national emergency—a provision that has sparked considerable debate due to the absence of a harmonized EU definition of such emergencies. Member States hold widely differing, and in some cases strongly held, positions on this issue.</p> <p>Trade secrets and intellectual property rights were also highlighted as complex areas, intersecting with contractual law and touching on aspects governed by the Rome II Regulation. Another major theme under discussion is cloud interoperability—particularly the ability for users to switch between cloud service providers. This issue involves multiple stakeholders and is expected to result in significant practical changes.</p> <p>The trialogue negotiations are ongoing, with the Swedish Presidency aiming to conclude the process within its term. The negotiations involve four committees, with ITRE taking the lead.</p>

Topic	Annotation
Guest presentation on the AI Act	<p>Alex Kleinitz Schultz, legal advisor at the Norwegian Digitalisation Agency, gave a guest presentation on the contents of the AI Act (AIA), including updates adopted by the European Parliament on June 14, 2023.</p> <p>During the discussion, Finland raised concerns about the feasibility of certain obligations under the AIA—specifically the requirement to review notifications within three months. While seen as a positive goal, it was noted that meeting such a deadline would demand significantly more capacity than currently available, with one comment suggesting that a team of 25 would not be sufficient.</p> <p>In response, Alex emphasized that the AIA encourages a high degree of collaboration across Member States, particularly among supervisory authorities. She also highlighted the importance of coordination in the context of AI sandboxes and underlined that implementation will require greater cooperation between the public sector, academia, and the private sector. Effective oversight cannot rest solely on supervisory authorities.</p>

Topic	Annotation
Next steps and strategic considerations	<p>The group acknowledged the strategic importance of the forthcoming AIA, noting that while it will likely become unavoidable for national administrations, it is currently premature to engage too deeply due to the early stage of dialogue negotiations. The positions of the Council and Parliament remain significantly different, and changes are expected. Still, the group agreed that preparing for the likely requirement of establishing a national supervisory authority under the AIA is a reasonable starting point for future work.</p> <p>Linked to the AIA is the concept of legislation being "digitalization-ready" and "automation-ready." Finland has recently introduced national legislation addressing this, which could serve as a relevant case study for NoBaReg to explore further.</p> <p>Sweden confirmed that its current focus is on concluding negotiations on the Data Act, with the AIA expected to become a central topic under the upcoming Spanish Presidency.</p> <p>Regarding the next physical meeting in November 2023, the group discussed two possible options: holding it in Copenhagen in connection with the Cross-Border Digital Services (CBDS) conference or organizing it in Spain to coincide with developments around the AIA supervisory authority. There was general agreement that the latter would be more directly relevant to NoBaReg's mandate at this stage. This prompted a set of preliminary questions that could frame future dialogue:</p> <ul style="list-style-type: none"> – What are the legal and administrative implications of setting up a supervisory authority well in advance of final legislation? – What funding models are being considered or adopted? – What kind of technical expertise was prioritized in selecting personnel? – Why was the authority located outside a major city, and what challenges has this posed? – What steps have been taken in the establishment process? – How is the balance being managed between preparatory administrative work and the evolving regulatory landscape? <p>While topics such as electronic identification—featured prominently in the CBDS conference—are considered adjacent to NoBaReg's focus, members will share relevant information with colleagues. The group expressed no objections to the tentative meeting plan presented by the project leads in the main presentation.</p>