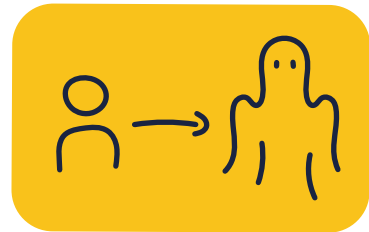
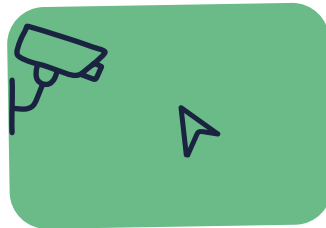


**I**

**have**



**nothing**



**to**

**hide**

**but you don't need to know  
everything about me**

2024  
edition

# The CNIL in a nutshell

- Protect personal data
- Support innovation
- Preserve civil liberties

## KEY FIGURES

Source: CNIL 2023 annual report

### SUPPORTING COMPLIANCE & ADVISING

96,097

ORGANISATIONS APPOINTED A DATA PROTECTION OFFICER (DPO)

151

DELIBERATIONS INCLUDING 102 OPINIONS ON DRAFT TEXTS

31

PARLIAMENTARY HEARINGS

34,250

DPO APPOINTED

4,668

DATA BREACH NOTIFICATIONS

520

CASES PROCESSED IN HEALTH AND RESEARCH

### INVESTIGATING & ISSUING SANCTIONS

340

INVESTIGATIONS INCLUDING:

157 ON SITE

128 ONLINE

38 DOCUMENT BASED

17 HEARINGS

42

SANCTIONS INCLUDING:

18 ORDINARY PROCEDURE

24 SIMPLIFIED PROCEDURE

4 REPRIMANDS TO A CONTROLLER OR A PROCESSOR

36 FINES

FOR A TOTAL AMOUNT OF

89 179 500 EUROS

168

FORMAL NOTICES

33

REMINDERS OF LEGAL OBLIGATIONS

+5



draft European sanctions

EXAMINED BY THE CNIL

## INFORMING INDIVIDUALS & PROTECTING RIGHTS

47,111 CALLS ANSWERED

11.8 million VISITS ON CNIL WEBSITES

137,243 FOLLOWERS ON X

204,346 FOLLOWERS ON LINKEDIN

16,433 COMPLAINTS

20,810 ADMISSIBLE REQUESTS FOR INDIRECT ACCESS RIGHTS (BANK, LAW ENFORCEMENT...)

6,950 VERIFICATIONS CARRIED OUT

## ANTICIPATING & INNOVATING

PRIVACY RESEARCH DAY INTERNATIONAL CONFERENCE

76 CONTRIBUTIONS RECEIVED (ARTICLES, RESEARCH PROJECTS, TECHNOLOGICAL DEMONSTRATIONS)

4,439 ATTENDANTS (ON SITE AND ONLINE)

AIR2023

"IA ET LIBRE-ARBITRE : SOMMES-NOUS DES MOUTONS NUMÉRIQUES ?"

1,700+ ATTENDANTS (ON SITE AND ONLINE)

32

ARTICLES PUBLISHED ON LINC.CNIL.FR

1

NEW IP REPORT: "DONNÉES, EMPREINTE ET LIBERTÉS"

## HUMAN RESOURCES

BUDGET 26.3 MILLION €

288 JOBS

82% "CATEGORY A" AGENTS

62% AGENTS WHO ARRIVED BETWEEN 2018 AND 2023

39%



61%

39 years average age

7 years and 2 months

OF SERVICE ON AVERAGE

## › WHAT IS THE CNIL?

Created by the French Data Protection Act of 6 January 1978, the **Commission nationale de l'informatique et des libertés [French Data Protection Authority]** is an independent administrative authority responsible for ensuring the protection of personal data contained in computer or paper files and processing operations, both public and private.

On a daily basis, the CNIL ensures that information technology is at the service of the citizen and that it does not undermine human identity, human rights, privacy, individual or public liberties.

Since February 2019, **Marie-Laure Denis**, Councillor of State, is the CNIL's Chair.

## › WHAT IS PERSONAL DATA?

**Personal data means any information relating to an identified or identifiable natural person.** But because it concerns individuals, the latter must keep control over it.

An identifiable natural person is one who can be directly identified (e.g. by their first or last name), or indirectly (phone number, licence plate, social security number, postal address, voice...).

An individual can be identified from a single data, such as the their name, or by cross-referencing different types of data (e.g. a woman which lives in a specific place, with a specific birthday, and member of a specific association).

## › WHAT IS THE GDPR?

**The General Data Protection Regulation (GDPR)** is the reference text for personal data protection in the European Union. It came into effective application in 2018 and **gives individuals more control over their data.**



The GDPR provides an unified framework for organisations. It enables them to develop their digital activities and innovate within the EU, in a trustworthy manner for partners and users.

## › WHAT IS THE FRENCH DATA PROTECTION ACT?

**Voted in 1978, the French Data Protection Act is the reference text on data protection in France:** it is enforceable on the entire territory and aims to protect French's citizens data.

This Act precises some of the GDPR provisions, along with other frameworks such as the LED (law enforcement directive) or ePrivacy directive (rules for cookies and other tracking devices).



Information technology must serve citizens. Its development must guarantee human identity, human rights, privacy and both individual and public freedoms.



## › WHAT ARE DATA PROTECTION CORE PRINCIPLES?

› **Purpose:** the data controller has to collect and use personal data for a precise, lawful and fair purpose.

› **Proportionality and relevance:** information must be relevant and strictly necessary to the purpose of the file.

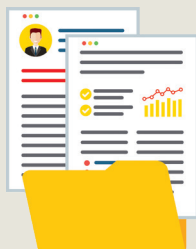
› **Limited data retention period:** it is not possible to keep information on individuals in a file indefinitely. A precise retention period must be set, depending on the type of information stored and the purpose of the file.

› **Security and confidentiality:** the file manager must guarantee the security of the information. In particular, they must ensure that only authorized persons have access to this information.

## ▶ WHAT ARE THE CNIL'S MISSIONS ?

### Informing individuals and protecting their rights

▶ The CNIL responds to requests from individuals and professionals. It carries out communication actions towards the general public and professionals, through its networks, the press, its website, its presence on social media or by providing educational tools.



▶ When receiving a complaint, the CNIL generally discusses the facts reported by the complainant with the controller or processor. In case of infringement, the CNIL asks the data controller to comply and respect the rights of individuals.

### Supporting compliance and advising

▶ In order to help private and public organisations, the CNIL provides a complete toolbox adapted to their size and needs, including guidelines, practical guides, recommendations, templates, etc. It also offers the opportunity to benefit from sector-specific and, in some cases, individual support through a range of innovative schemes.

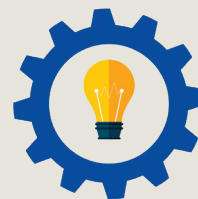


▶ Advising public authorities is one of the CNIL's tasks under the French Data Protection Act. It may be consulted by various public bodies on draft texts (laws, decrees, etc.) before they are adopted. In particular, it advises the government, which has the obligation to seek its opinion on certain projects.

▶ The CNIL contributes to the search for solutions enabling public authorities to use personal data files in strict compliance with citizens' rights and freedoms.

### Anticipating and innovating

▶ As part of its innovation and foresight activities, the CNIL maintains a dedicated watch in order to detect and analyse technologies or new uses that could have a significant impact on privacy. Its laboratory experiments innovative products or applications. Thus, the CNIL contributes to the development of technological solutions that protect privacy by advising companies as early as possible in the process (privacy by design).



▶ CNIL is also involved in stimulating social debate on ethical issues surrounding data, and acts as a point of contact and dialogue with digital innovation ecosystems (researchers, startups, laboratories).

### Investigating and issuing sanctions

▶ Investigations are effective means of intervention with data controllers and their data processors, allowing for the CNIL to verify the concrete implementation of the GDPR and the law.



▶ The decision to carry out an investigation is made on the basis of complaints received by the CNIL, current events, and an annual programme regarding topics for which a data protection issue has been identified.

▶ At the end of the investigations carried out by the departments, the Chair of the CNIL may decide, depending on the seriousness of the breaches found, to close the case or issue a formal notice.

▶ The Chair of the CNIL may also refer the matter to the CNIL's restricted committee in order to issue a financial penalty on the organisation. Corrective measures may be published.



## ▶ HOW DOES THE CNIL WORK?

The CNIL is made up of a multi-disciplinary College of 18 members elected or appointed by the parliamentary assemblies or courts to which they belong, by the Prime Minister and by the Presidents of the Senate and the National Assembly. The Chair of the CNIL is appointed by the President of the Republic.

### ▶ Plenary sessions

The 18 members of the CNIL meet in plenary session once a week on an agenda pre-established by the Chair. A major part of these sessions is devoted to the assessment of laws and decrees that are submitted by the government for an official CNIL opinion. The College is also responsible for analysing soft law instruments such as guidelines, standards and recommendations.

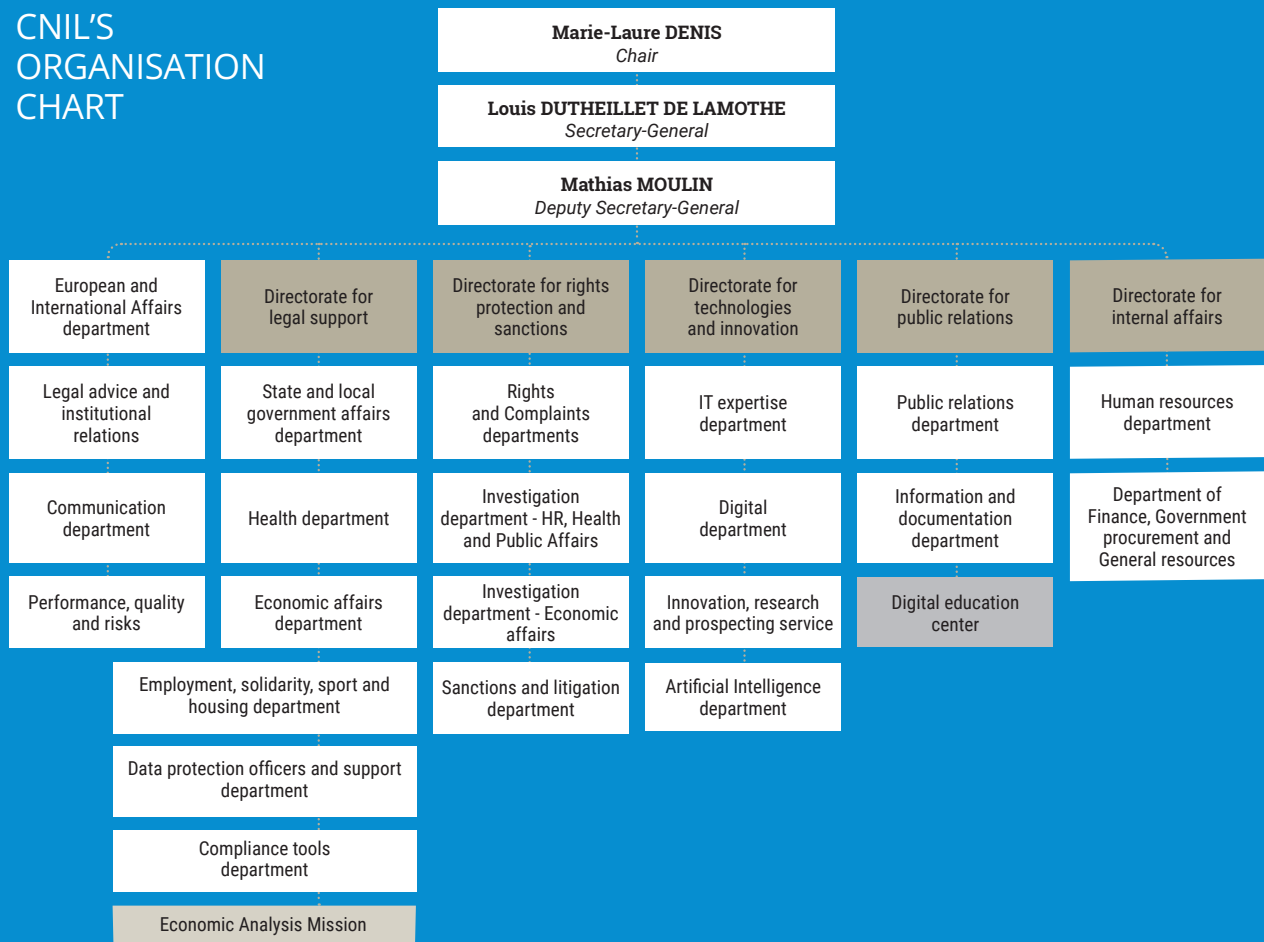
### ▶ The restricted committee and its sessions

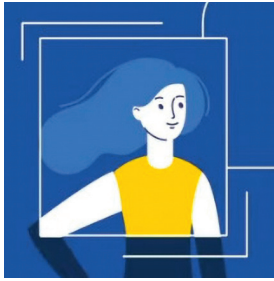
The restricted committee is the body of the CNIL responsible for issuing sanctions. It is composed of five members and a Chair other than the CNIL's Chair. It can adopt various sanctions on organisations that do not comply with the law and can publish it. Its Chair will ensure that the committee is impartial and that there is no incompatibility between the duties of the members and their personal positions.

### Who are the members of the CNIL's College?

- 6 representatives of high courts
- 5 qualified persons
- 4 parliamentarians
- 2 members of the Economic, Social and Environmental Council
- 1 member of the Commission for access to administrative documents

## CNIL'S ORGANISATION CHART





## > WHAT ARE THE RIGHTS OF INDIVIDUALS?

The GDPR strengthened the rights of individuals on their data and applies whenever a person in Europe is affected by data processing. International organisations are therefore subject to European law when they offer a product or service to people in Europe, even remotely.

### > The right of access

You can directly ask a data controller if they hold any information about you, and request to obtain a copy of all of your personal data.

### > The right to object

You can object, for legitimate reasons, to being included in a file. You can also object to your personal data being communicated, transmitted or stored.

### > The right to rectification

You can request the rectification of inaccurate information about you. The right to rectification complements the right of access.

### > The right to de-listing

You can submit requests to search engines for the removal of search results associated with your surname and first name.

### > The right to data portability

You can receive some of your data in a machine-readable format. You are free to store this portable data elsewhere or to transmit it from one service to another.

### > The right to erasure

You have the right to obtain the erasure of data by the data controller.

### > The right to restriction

You can ask an organisation to temporary “freeze” the use of your personal data: it will not be able to use it for a certain period of time.



## > THE CNIL IN EUROPE AND WORLDWIDE

The CNIL is a member of several European and international bodies, notably the European Data Protection Board (EDPB). It also participates in a wide range of work and conferences on the subject of personal data protection around the world, with the aim of providing uniform responses to increasingly widespread challenges to people's rights.

### > European Data Protection Board (EDPB)

The European Data Protection Board (EDPB), body of the European Union, has been established by the GDPR. It gathers EU authorities for a consistent enforcement of the GDPR. It can publish guidelines, good practices, opinions to clarify the interpretation of principles and to assist companies, public authorities and individuals in implementing these texts. It can also adopt binding decisions to settle disputes between supervisory authorities..

### > French-speaking countries

For many years now, the CNIL has been committed to promoting a culture of data protection in French-speaking countries. These actions led to the creation, in 2007, of the Association francophone des autorités de protection des données personnelles (AFAPDP), in partnership with the Organisation internationale de la francophonie (OIF), and to the adoption of privacy protection legislation by French-speaking countries such as Burkina Faso, Tunisia, Morocco, Madagascar and Mali.

## > WHAT IS A CNIL OPINION?

The CNIL may be consulted by various public bodies on draft texts such as decrees or laws prior to their adoption. Opinions issued by the CNIL are intended to enlighten the public authorities on issues relating to information technology and civil liberties, but do not constitute «validation», «authorization» or «refusal».

Advising public authorities is one of the CNIL's missions under the French Data Protection Act. In particular, it advises the government, which has to seek its opinion for certain projects.

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