

2022  
2024

# STRATEGIC PLAN



BY YOUR SIDE TO BUILD  
A TRUSTED DIGITAL SOCIETY.



**CNIL** ■  
COMMISSION NATIONALE  
INFORMATIQUE & LIBERTÉS

PROTÉGER les données personnelles  
ACCOMPAGNER l'innovation  
PRÉSERVER les libertés individuelles

# THE CNIL IN A NUTSHELL

## The CNIL, the regulator of personal data

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

On a daily basis, the CNIL ensures that information technology serves the public and that it does not harm human identity, human rights, privacy, or individual or public freedoms.

### INFORMING AND PROTECTING RIGHTS

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

Anyone can contact the CNIL in the event of a difficulty in exercising their rights.

### SUPPORTING COMPLIANCE AND ADVISING

In order to help private and public bodies to comply with the GDPR, the CNIL offers a complete toolbox adapted to their size and needs.

The CNIL oversees the search for solutions allowing them to pursue their legitimate goals while strictly respecting the rights and freedoms of citizens.

### ANTICIPATING AND INNOVATING

To identify and analyse technologies or new uses that may have significant impacts on privacy, the CNIL provides dedicated monitoring.

It contributes to the development of technological solutions protecting privacy by advising companies as early as possible, with a view to privacy by design.

### INVESTIGATING AND ISSUING SANCTIONS

Oversight allows the CNIL to verify the concrete implementation of the law. It can require an actor to bring its processing into compliance (orders to comply) or impose sanctions (fines, etc.).

# INTRODUCTION

## BY YOUR SIDE TO BUILD A TRUSTED DIGITAL SOCIETY

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The CNIL's 2019-2021 strategic plan followed the entry into force of the European general data protection regulation (GDPR) in 2018. The CNIL's main objective was to enable everyone to make use of the various facets of this **new regulation which is unparalleled worldwide**. It wanted to demonstrate its full potential, while remaining an effective, pragmatic and modern regulator, and prioritising the digital challenges of everyday life.

Almost four years after the entry into force of the GDPR, most companies and public services have organised themselves to meet these challenges, and the new regulatory framework is also better known to those concerned. Thanks to ongoing efforts, the CNIL has adapted its legal framework, deployed its technological expertise and made its sanctioning policy credible. Public authorities' awareness of digital issues has resulted in an increase in the authority's staff of more than 25% over the past three years. Responding to all of the rapidly growing requests and needs in the field remains a daily challenge for the institution.

Indeed, the increasing digitisation of economic and social life as well as the pandemic have increased the risks to privacy. Furthermore, the omnipresence of major digital services raises new regulatory issues. In this context, personal data is, more than ever, the common thread of our digital daily life. Faced with these findings, it is essential that the GDPR, through European cooperation between authorities, fully plays its role as a powerful lever for compliance and enables the actual respect of individuals' rights and a level playing field between economic players.

The CNIL's new strategic direction for 2022 to 2024 is part of this process.

This strategic direction is broken down into three key themes:

**Theme 1 - Promote the control and respect of individuals' rights in the field.**

**Theme 2 - Promote the GDPR as a trusted asset for organisations.**

**Theme 3 - Prioritise targeted regulatory actions for high-stake privacy issues.**

Aware of the expectations linked to its action, the CNIL shall perform its role to serve individuals' rights and freedoms by means of an agile, balanced and effective regulation.

Through its actions and ambitions for the years to come, the CNIL aspires **to be - more than ever - by your side to build a trusted digital society.**

# STRATEGIC PLAN 2022-2024

## THEME 1

### Promote the control and respect of individuals' rights in the field

The protection of individuals' rights over their personal data, reinforced by the GDPR, has been the main mission of the CNIL since the French Data Protection Act of January 6, 1978. In line with its previous strategic plan, the CNIL is working to promote the exercise of individuals' rights.

With the support of operational partners in particular, this objective involves communicating the information and tools to the public enabling them to understand their rights and exercise them. Ensuring the effectiveness of these rights also requires intensifying the CNIL's supervisory and preventive action.

Finally, all of these actions must be carried out in cooperation with the European collective to change the practices of major digital players and set new standards.

**The CNIL has set itself four goals in this area:**

**1 - Strengthen the process of informing individuals and increase their awareness to promote the exercise of rights**

The public's control of personal data presupposes better knowledge of their rights and involves facilitating the exercise of these rights.

The CNIL will intensify its communication actions and publish tools to facilitate this exercise, relying on its network of partners.

**2 - Increase the effectiveness of preventive action**

To ensure the effectiveness of individuals' rights and organisations' compliance with the GDPR, the CNIL must implement a dissuasive and proportionate preventive policy within tighter deadlines.

To do this, the CNIL will work on adapting its supervisory and sanctioning procedures, as well as the compliance orders it issues. Investigating complaints will remain a priority at the heart of its preventive strategy and it will seek to reduce investigation times.

**3 - Strengthen the CNIL's European role and the effectiveness of the European collective**

It is at the European level that the protection of individuals' rights by the major digital players is taken into account. The CNIL has traditionally played a leading role.

It will continue its determined efforts to increase the effectiveness of the "one-stop-shop" mechanism, consolidate its relations with its partners and promote common priorities for action within the European Data Protection Board.

**4 - Prioritise actions to protect everyday uses**

Faced with sometimes complex and often opaque digital services and tools, people need a trusted ally to understand how they work and the issues in terms of freedoms and privacy.

The CNIL will take into account the public's practical needs and provide them with tools to enable them to find their way in their digital daily lives.

# STRATEGIC PLAN 2022-2024

## THEME 2

### Promote the GDPR as a trusted asset for data controllers

Over the past three years, data protection has gradually become part of the daily culture of data controllers (companies, authorities, associations, etc.). In order to extend this process, the CNIL will further strengthen its offer of support by making it easier to understand and anticipate the legal framework, by developing compliance tools and helping to protect against cyber risks. It will also develop its support strategy thanks to new sandbox-type tools.

Beyond a culture of compliance and its advantages, it will act so that public and private players use GDPR as an asset for their image or their competitiveness.

**This theme is broken down into five goals:**

**1 - Strengthen the legal security of data controllers through practical and clear guidelines**

To ensure their compliance, data controllers must be able to rely on the CNIL to obtain clarification of the legislation and thus be able to apply the data protection principles in a manner adapted to their challenges.

The CNIL will continue to produce doctrine, in consultation with all stakeholders, and will communicate it in an accessible, summarised and operational form.

**2 - Develop certification and code of conduct tools**

Provided for by the GDPR, these tools enable data controllers to take charge of their compliance in a manner adapted to their particularities.

The CNIL will strengthen its dialogue with compliance officials (code holders, certifying bodies) and will work, both at national and European level, to develop and simplify these tools.

**3 - Make GDPR compliance the best prevention against cyber risks**

Cybercrime is growing to the detriment of companies and authorities, but also of individuals whose data is corrupted or exposed.

Through its work on data security and its technological expertise, the CNIL will strengthen its role in the public authorities' response to cyber risk.

**4 - Strengthen and develop the support strategy**

Data controllers need transparent and accessible support tools that are adapted to their challenges.

The CNIL will continue to transform its support strategy to encourage innovation (sandbox, start-up strategy, enhanced support).

**5 - Assume a regulatory role with an economic impact**

Effective protection of personal data goes hand in hand with understanding business models and the economic impact of regulatory decisions.

The CNIL will continue to develop in-house economic expertise based on analytical skills and the evaluation of its actions.

### Our priorities in the face of the increased use of personal data

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Today, everyone can assess the extent of digital technology in our daily lives and in public debate. The technologies used are increasingly based on intensive data collection and processing.

At the same time, they are giving rise to increasingly varied and rapidly evolving uses. To meet these challenges as a benchmark regulator in the digital world, the CNIL will implement a global action plan covering three key themes.

As it was able to do for cookies, it will begin its compliance strategy with determining the doctrine. With the sector concerned, a second phase will enable the establishment of practical tools to aid compliance.

Finally, the CNIL will conduct supervisory campaigns and adopt corrective measures if necessary. The goal is to bring practices into compliance within a sector over two or three years.

#### Three key themes have been selected:

##### 1 - Smart cameras and their uses

The accelerated development in the field of so-called "smart" cameras, often coupled with predictive algorithms, raises the question of the necessary and proportionate nature of these devices and runs the risk of large-scale surveillance of individuals. The CNIL will implement an action plan which will concern both sovereign uses (police/courts) and commercial uses and include a support phase for actors.

##### 2 - Data transfers in the cloud

Data transfer is a real security and compliance issue for French users of cloud computing solutions from major digital players, but also an issue of European digital sovereignty.

In cooperation with its European counterparts, the CNIL's action plan on this matter will make it possible, on the basis of the "Schrems II" decision, to secure the transfer of French individuals' personal data to countries outside the EU.

##### 3 - Collection of personal data in smartphone applications

Faced with opaque technologies and diverse practices, the CNIL's objective is to make data flows visible and strengthen the compliance of mobile applications and their ecosystems so as to better protect the privacy of smartphone users. The action plan it will adopt will include targeted intervention themes, user awareness and a European version of the approach.

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