



# The activity of the Commission Nationale de l'Informatique et des Libertés (CNIL)

14 July 2023

Over the past months, the French Commission Nationale de l'Informatique et des Libertés ("CNIL"), regulator of personal data, imposed tremendous financial sanctions on GAFAM, especially for the use of cookies, and for data protection breaches which still is core for the CNIL. It also created a fast-track simplified procedure for less complex cases which should enable it to strengthen its enforcement action in the future.

## The sanctions

### Increase in the number of sanctions issued by the CNIL



**21 sanctions in 2022**

following 345 controls (including 17 issued by the CNIL's restricted formation – body in charge of imposing sanctions)



**500 millions euros**

in fines (in total) since 2018



**Personal data security**

1/3 of sanctions involving a violation of personal data security



**Cooperation with european counterparts**

3 decisions adopted in cooperation with european counterparts of the CNIL in 2022 in the context of the one-stop shop established by the GDPR

### Spotlight: the latest landmark decisions



**Procedures regarding the use of cookies**



**150 million euros Google**



**60 million euros Microsoft**



**60 million euros Facebook**



**8 million euros Apple**



**35 million euros**

Affirmation by the French administrative Supreme Court (Conseil d'Etat) on 27 June 2022 of the CNIL decision issuing a 35 million euros fine against an Amazon group subsidiary thus validating the CNIL extraterritorial reach and the proportionality of sanctions in consideration of the profits generated by the violations.

## Evolution of the procedure

### Implementation of a simplified enforcement procedure in 2022



Target

**Cases of lower complexity or gravity**



Cap

**20,000 euros**



Fast-track procedure

**Decisions issued by the CNIL Chairman**

### Adoption in May 2023 of a new set of guidelines by the European Data Protection Board (EDPB)



**Transparent calculation of administrative fines**

- Reference table summarizing the methodology for the calculation of fines
- Taking into account the gravity of a violation and the company's revenues



**Guidelines in the context of dispute resolution between authorities**

Guidelines on the procedure for adoption of legally binding decisions in the context of dispute resolution between data protection authorities