**France’s leading role in the protection of privacy, despite remaining concerns, says UN privacy expert** 

[French](https://www.ohchr.org/FR/NewsEvents/Pages/DisplayNews.aspx?NewsID=22413&LangID=F)

GENEVA / PARIS (17 November 2017) – Ending today his [first official visit to France](https://www.ohchr.org/FR/NewsEvents/Pages/DisplayNews.aspx?NewsID=22410&LangID=F), the UN Special Rapporteur on the Right to Privacy, Joseph Cannataci, has noted France's innovative initiatives regarding data protection and oversight of surveillance activities which may interfere with people’s right to privacy, both within French territory and abroad. Existing legal safeguards, he said, are consistent with the universal right to privacy.  
  
His visit, from 13-17 November, focused on five priorities: surveillance and security; a better understanding of the right to privacy; personal data collection and management in large societies; big data and open data; and personal health data.  
  
During his visit, Mr Cannataci discussed these issues with representatives of the relevant authorities, including the Council of State, the Justice, Interior and Foreign Affairs ministries, and civil society. He also met the National Commission for the Control of Intelligence Techniques (CNCTR), the National Commission for Informatics and Liberty (CNIL), the National Consultative Commission on Human Rights (CNCDH) and intelligence services  
  
The Special Rapporteur commended France’s creative efforts in introducing privacy safeguards which did not exist previously. For example, he noted that the establishment of a system of prior authorization, legal or de facto, concerning surveillance activities in France and abroad has improved respect for the universal right to privacy.  French authorities have indeed put in place a system for ensuring the right to privacy through the establishment of control measures by independent institutions such as the Commission Nationale de l'Informatique et des Libertés (CNIL), la Commission Nationale de Contrôle des Techniques de Renseignement (CNCTR), as well as through the specialized training of certain judges within the Council of State. These measures, taken together, constituted in his view an effective "ecosystem" of control, to regulate matters relating to privacy and personal data.

The Special Rapporteur noted that France, as a member of the European Union, was obliged to respect the EU’s existing legal framework on data protection established since 1981. This framework, integrates the Convention No. 108 of the Council of Europe and the 1995 Directive No. 46, into the new General Data Protection Regulation package (GDPR) which will come into force on 25 May 2018. The principles set by these regulations are in line with article 12 of the Universal declaration of human rights and article 17 of the International Covenant on civil and political rights, which France has ratified in 1980.  
  
In this regard, Mr Cannataci added that France was one of the first countries to have passed a general law (on 6 January 1978) that covered state and private actors, and which inspired European regulations.  It was therefore no surprise that after four decades of evolution, France had created this “ecosystem”, which had just seen the addition of new legislative measures in the field of security, he added.  
  
Mr Cannataci said he awaited the effects of the implementation by France of the latest European legislation in this area. The French Government confirmed its intention to be the most protective State possible, he noted, adding that he hoped French legislation could be used as a model not only for European States but also for all other UN Member States.  
  
Mr Cannataci will present a comprehensive report containing his findings and recommendations to the UN Human Rights Council in March 2019.  
  
END

***Mr. Joseph Cannataci****(Malta) was appointed as the first*[*Special Rapporteur on the right to privacy*](https://www.ohchr.org/EN/Issues/Privacy/SR/Pages/SRPrivacyIndex.aspx)*by the Human Rights Council in July 2015. He is an academic who has had a pioneering role in the development on data protection, privacy law and technology law. A UK Chartered Information Technology Professional & Fellow of the British Computer Society, he also continues to act as Expert Consultant to a number of international organisations.*

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*UN Human Rights, country page -*[*France*](https://www.ohchr.org/EN/Countries/ENACARegion/Pages/FRIndex.aspx)

*For more information and****media inquiries****, please contact:  
In Paris, during the visit: Gabrielle Wellemans (+41 79 444 6129 /*[*gwellemans@ohchr.org*](mailto:gwellemans@ohchr.org)*). In Geneva, before and after the visit: Jon Izagirre Garcia (+41 229 177 915 /*[*jizagirre@ohchr.org*](mailto:jizagirre@ohchr.org)*).*

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