

The President

LA QUADRATURE DU NET

To the attention of Mr. Arthur MESSAUD
60 RUE DES ORTEAUX
75020 - PARIS

Registered letter with acknowledgement of receipt

Acknowledgement of Receipt No.: 2C 137 386 0363 4

Investigation of the case:

Adélaïde PATERNOGA

N/ Ref: MLD/APA/CLP211124

Paris, August 2, 2021

Referral No. 18010725

(to be recalled in all correspondence)

Dear Sir,

The Quadrature du Net has sent a complaint to the Commission Nationale de l'Informatique et des Libertés (CNIL) against the company Amazon, concerning the lack of legal basis for its behavioural analysis and advertising targeting processes.

As a reminder, in application of the procedures for cooperation between authorities established by the General Data Protection Regulation (GDPR), the Commission Nationale de l'Informatique et des Libertés (CNIL) had forwarded your complaint to the Luxembourg data protection authority (Commission Nationale pour la Protection des Données CNPD), which is competent to deal with requests relating to the company Amazon Europe Core, established on its territory. The CNIL cooperated closely with the CNPD, both upstream, during the investigations and the analysis of the evidence obtained, and downstream, during the examination of the draft decision in the context of the one-stop shop procedure.

Pursuant to Article 77 of the GDPR, I hereby inform you of the decision adopted in this case by the CNPD, in agreement with the European data protection authorities concerned by this processing operation.

The evidence gathered during the investigations enabled the CNPD to establish the commission of several breaches of the GDPR by Amazon Europe Core.

As a result, the CNPD imposed a fine of seven hundred and forty-six million euros (EUR 746,000,000) on Amazon Europe Core, together with an injunction under penalty to bring its processing operations into compliance within six (6) months of the notification of the penalty.

In its decision, the CNPD found breaches of Articles 6.1, 12, 13, 14, 15, 16, 17 and 21 of the GDPR. In this regard, Amazon Europe Core is specifically requested to:

- comply with the provisions of article 6.1 of the RGD in order to provide a legal basis for the processing of advertising targeting;
- comply with the transparency obligations set out in Articles 12, 13 and 14 of the GDPR;
- comply with any future request for access, rectification or deletion, in accordance with Articles 15 to 17 of the GDPR;
- set up an objection mechanism in accordance with Article 21 of the GDPR and ensure that it covers all data processing for the purpose of canvassing.

The compliance order is accompanied by a penalty payment of seven hundred and forty-six thousand euros (EUR 746,000) for each day's delay beyond the six-month deadline for compliance.

This decision was notified to Amazon Europe Core. However, it is not made public, in particular the breaches retained, until all avenues of appeal have been exhausted, in accordance with Luxembourg law. It will then be published on the CNPD website.

In view of all these elements, and in particular the sanction taken by the Luxembourg data protection authority against Amazon Europe Core, I hereby inform you of my decision to close your complaint with the CNIL.

Please accept, Sir, the expression of my best regards.

A handwritten signature in black ink, appearing to read "M-L. Denis", is written above a horizontal line.

Marie-Laure DENIS

Subject to the applicants' interest in acting, CNIL decisions may be appealed to the Council of State within two months of their notification.