



PRESS RELEASE

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The Conseil d'Etat quashes the possibility of transferring data from the GendNotes application to other files

Several associations asked the Conseil d'État to overturn the decree authorising the use of the "GendNotes" mobile application used by the Gendarmerie Nationale to collect data in the field and allowing the transfer of this data to other files. The Conseil d'Etat found that the GendNotes authorisation decree did not indicate precisely which files were concerned or how the data would be processed in these other files or for what purpose. This is why it is quashing the transfer possibility today.

By a decree of 20 February 2020, the French Prime Minister authorised the French Minister of the Interior to implement automated processing of personal data known as the "Mobile Note-taking Application" (GendNotes). This application aims to facilitate the collection and storage of data collected by the gendarmes as part of prevention, investigation or intervention operations with a view to their use in other files and the transmission of reports to the judicial authorities.

Several associations appealed to the Conseil d'Etat to have this decree annulled.

The Conseil d'État observed that the decree did not include any indication of the nature or purpose of the transfers of data collected via GendNotes to other files, nor of the conditions under which they would be used in these files. Consequently, the Conseil d'État ruled that the purpose of the GendNotes processing was not "determined, explicit and legitimate", as required by the Data Protection Act of 6 January 1978, and quashed the possibility of transferring data from GendNotes to other files.

However, the Conseil d'Etat found that the other purposes of the GendNotes application, as well as the conditions for their implementation, were in compliance with the law.

Read decision No. 439360

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