AI, competition and personal data: further work between the CNIL and the Autorité de la concurrence

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On 5 March 2025, the French data protection authority (*Commission nationale de l'informatique et des libertés* – CNIL) and the *Autorité de la concurrence* held an internal seminar to discuss the intersecting challenges of data protection and competition in the development of artificial intelligence (AI).

The two authorities discussed various topics, including: the competitive analysis of the sector following the opinion issued by the *Autorité* on 28 June 2024 on generative AI, how to ensure that AI model training is lawful with regard to the GDPR following the opinion published by the European Data Protection Board (EDPB), the recent recommendations issued by the CNIL to support the development of responsible AI, the economic challenges of AI business models and the AI value chain, and the challenges of open-source strategies for data protection and competition law.

The discussions illustrate the two institutions' objective to maintain close cooperation, as expressed in the joint declaration of 12 December 2023 and reflected by the request made by the CNIL to the *Autorité* for an opinion – for the first time – on its draft recommendations on mobile applications. With the digital transformation of the economy and the importance of data in new business models (in particular large-scale digital platforms), new questions are emerging at the intersection of competitive analysis and personal data protection.

The expert, awareness-raising seminar provided a forum to share analyses and methods and to explore new issues to facilitate the development of AI systems that are trusted by our fellow citizens and beneficial to the French economy, in the wake of the entry into force of the EU AI Act.

The recent AI Action Summit showed that maintaining healthy competition, on the one hand, and building AI systems that are trusted by users, on the other, are essential to the competitiveness of the economy and generate benefits for our fellow citizens. The two authorities will approach the gradual implementation of the new European rules on AI with the same spirit of openness and exchange.

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