

**The 2017 Presidential Election:  
The arrival of targeted political speech in French politics**

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*in partnership with Tactical Technology Collective's  
Our Data Our Selves project  
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*December 2018*

## **The 2017 Presidential Election: The arrival of targeted political speech in French politics**

At the beginning of the French presidential campaign in November 2016, France's most prestigious newspaper, *Le Monde*, declared the "big collapse" of big data in politics. Despite having the best technology at her disposal and state-of-the-art targeting software, Hillary Clinton could not get elected, they reported. The article was even titled "[\*Trump's election, the failure of big data\*](#)." In light of the Cambridge Analytica scandal and its role in Trump's election, it would be tempting to view this interpretation as ironic. But instead, we should see it as proof that the use of personal data in politics is moving so quickly that having an accurate idea of what is really happening is a challenging task. Furthermore, as explained by [Colin Benett in an article on voter data bases](#), the competitive environment of a campaign and the proprietary nature of new campaigning technologies mean that "the internal data processing operations of political parties in every country are typically shrouded in a good deal of secrecy." Despite the opacity of the digital campaigning environment, this investigation examines the use of French citizens' data during the French presidential campaign in the spring of 2017. At the same time *Le Monde* was writing about how useless big data was in the US presidential campaign, were voters in France aware of the role of electoral data in building political speech? Did it play a significant role in the outcome of the election?

After the Brexit vote in the UK and the election of US President Donald Trump, the 2017 French presidential election was held in a very particular context. The state of emergency that was declared after the [November 2015 Paris attacks](#) was still in effect. For the first time in the Fifth Republic, the incumbent president, François Hollande, decided not to run for a second term, even though he was eligible, because of low opinion polls. François Fillon, from the right-wing Les Républicains was under investigation for "misappropriation of public funds" during the campaign, after the publication of revelations that he employed family members in fictitious jobs [in a series of politico-financial affairs that came to be known as "Penelopegate"](#). On 23 April 2017, [Emmanuel Macron](#) of [En Marche!](#) and [Marine Le Pen](#) of the [National Front](#) (FN) came out on top of the first round of elections. The outcome garnered worldwide attention: Would the country go for Macron, a pro-European liberal who had never been elected, or far-right Le Pen, who vowed to take on globalization and France's relationship with the EU? It was the first time since [2002](#) that a National Front candidate had made it to the second round and the first time in history that the runoff did not include a nominee of the traditional left or right parties. Benoit Hamon from the socialist party came in fifth and achieved the lowest score in his party's history.

In the second round of elections, on 7 May 2017, Emmanuel Macron was elected with 66% of the vote. The legislative elections then followed on 11 and 18 June 2017. Legislative elections are held every five years, after the presidential election, to elect 577 Members of the National Assembly, one of the two chambers of the French parliament.

Amongst the candidates themselves, questions about digital strategies and access to personal data were raised. They were competing against each other with promises to “[secure the preservation of Europeans personal data](#)” (Macron), oblige web actors “[to inform the users if they are profiled and allow them to refuse](#)” (Jean-Luc Mélenchon) or to establish an obligation to host the personal data of French citizens “[on French servers localized in France](#)” (Le Pen). But how did these same politicians use personal data during their campaigns?

### **Traditional opinion surveys saw Macron coming**

Contrary to what happened in the United States, [where opinion polls always credited Hillary Clinton as leading](#), the French presidential election was not the same theatre of confrontation between traditional election surveys and big data analysis companies.

Several big data companies did try to disrupt the scene and question the credibility of opinion pollsters.

[One application called Gov](#) promoted itself in [several French medias](#). The app predicted François Fillon would come out ahead in the first round, even after he was placed under investigation. The app allows anyone to subscribe and rate political personalities every day. Contrary to polling companies, the app does not apply quota techniques and therefore claimed it was safe from biases. But as described by *Le Monde*, Fillon’s supporters massively [downloaded the app](#) to skew the results and influence opinions.



*Example of questions asked on Gov: Can Fillon make it to the second round of the primary election? Would you vote for Juppé or Fillon? Fillon is listed as the winner in both cases. The result is then advertised on Twitter by Force Républicaine, a political club supporting Fillon.*

*Source: [Force Républicaine](#) Twitter account*

Filteris, a Canadian big-data opinion-analysis company, which signed a partnership with the conservative news magazine *Valeurs Actuelles* (which supported Fillon) [was also giving François Fillon winner of the first round](#). Vigiglobe, which analysed positive and negative impressions made by candidates on Facebook and Twitter [was giving Jean-Luc Mélenchon \(19,58%\) against François Fillon in the first round](#).

“None of the buzz measurement studies predicted that Macron would arrive ahead in the first round”, [wrote French left-wing newspaper Libération](#) on 23 April 2017. Macron was elected as predicted by traditional research institutes. One new innovation was the partnerships between

traditional research institutes, such as Harris Interactive, with big data analysis [companies such as Linkfluence](#), or Ipsos's partnership with the political software company Liegey Muller Pons.

### **The arrival of “methodical precise political targeting”...**

“The 2017 presidential and legislative campaign was nevertheless the year when methodically precise political targeting arrived in France”, said Jacques Priol, author of *Le big data des territoires* and CEO of Civiteo, a company providing big data consulting for politics in an interview. “Subscribing to the services of political software is now a prerequisite of campaigning,” added Anaïs Théviot, a data-politics specialist from Sciences Po Bordeaux, a French political science university and research organization, interviewed for this report.

### **...combined with a lot of mistakes**

Along with using very sophisticated software and technologies, many mistakes were made by campaign teams. As is detailed in the case studies here, Macron's campaign team kept all the e-mail addresses of people wishing to unsubscribe to their newsletters in open-access in a Google doc. This is a very qualified database of people considered to have been disappointed by Macron and could be used by opponents to address them with targeted content. Processes on how to answer citizens' e-mails, which tone to adopt and how to interact were stored in public Google documents. According to French Radio station RMC, Nicolas Sarkozy's team for the primary election used data harvested from social media to combine it with donor's files to organize door-to-door campaigning. According to researcher Ronan Chardonneau from Angers University, none of the candidates' websites were respecting the entire law in terms of protecting visitors' personal data.

### **Complex legislation perceived and applied differently**

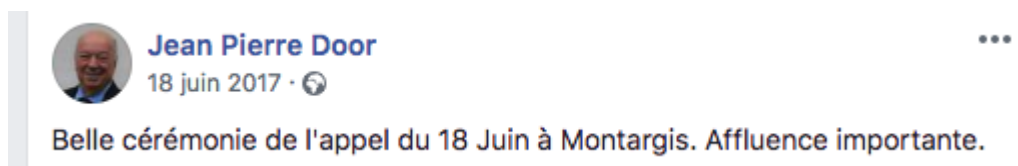
This election took place one year before GDPR and increased public awareness of the importance of big data issues. French law is believed to be very protective in terms of political targeting. The [Loi informatiques et liberté of 1978](#) (which GDPR would modify in May 2018) strictly forbids the creation of lists of citizens according to their political, religious or philosophical beliefs, racial or ethnic origins, their affiliation with a trade-union, or pieces of information related to their health or sexual life. According to the political scientist from SciencesPo (CEVIPOF), Thierry Vedel, French society still has a very vivid memory of the so-called “Jew file” of the Vichy regime. “Targeted propaganda would not be as efficient in France,” Vedel said in an interview for



this report. “French presidential polls take place all over the country via direct universal suffrage: there is no swing state or decisive district for politics to identify and target.”

Nevertheless, individual political targeting is allowed under certain circumstances. Every French citizen must be listed on one and only one voter list. As explained by [Colin Benett in one research article about voters’s databases](#): “The voter list is to contain the family name, surname, and domiciliary address, including the number and street name where available, of each voter. Voter lists are to be kept in a registry in the commune’s archives, and may be accessed and copied by ‘any voter, any candidate and any political party or group’, including those who belong to another commune. The list may be accessed at either the appropriate town hall or prefecture, depending on the commune. A consultation of the list is a free service, whereas a paper copy may be subject to a fee.”

Information on voter lists can be used to target voters as long as political propaganda is not issued the day before or on the exact day of the election, according to article L.49 of the French electoral code. A Member of Parliament election was canceled in December 2017 [because of a Facebook post](#) issued the day of the election, when any kind of political propaganda is strictly forbidden.



*Jean-Pierre Door’s Facebook post on the 18th of June 2017, the day of the legislative election. “Beautiful ceremony commemorating The Appeal of 18 June (a famous De Gaulle speech, editor’s note) in Montargis. Important crowd.” His election was invalidated because posting on the day of the vote can be considered illegal propaganda.*

Voter lists indicate the date and birthplace of the voter and their precise address. “It is however illegal to infer a conclusion from pieces of information from voters lists, from a name or a place of birth for instance. A campaigning politician is not allowed to write to all the residents of a certain city inferring they all share the same religious beliefs. It would be discriminatory profiling based on illegal use of data,” explained Delphine Krust, an electoral law lawyer, who was interviewed for this report.

However, when in court, the application of French law seems not to be as protective as perceived. “Recent case laws showed that if a voter suspects having been targeted illegally by a political campaigning, it is their own responsibility to bring proof of their assertion,” Krust said. A

particular case set a precedent in French law, explains the lawyer, in Drancy municipal elections, where voters were suspected to have been targeted because of “Jewish-sounding” names. Drancy is sadly known in France for its former internment camps for confining Jews who were later deported to extermination camps.

The French state council [stated in October 2002](#) that proof should be brought by the person suspecting or alleging illegal targeted propaganda: “*Si Monsieur X soutient que Monsieur LAGARDE aurait adressé un tract à l’ensemble des électeurs dont le nom présentait une « consonance juive » et qu’il aurait ainsi constitué illégalement un fichier des électeurs présumés d’origine juive, il n’assortit cette dernière allégation d’aucun commencement de preuve* / If M. X maintains M. LAGARDE had addressed a leaflet to all voters whose name would display a ‘Jewish consonance’ and would have illegally constituted a file of presumed Jewish voters, M. X. matches the latter allegation of no beginning of proof,” the French State council wrote in its decision.

### **Does liking mean consenting?**

In November 2016, before GDPR was applied, the [French data protection office CNIL issued a guide](#) for candidates on how to use data from social media. “Massive collection of data issued on social media is not legal without informing the concerned public,” wrote CNIL. NationBuilder is an American company that sells community-organizing software. It claims to offer a fully integrated suite of tools for the organization of a campaign, and outreach through e-mail, telephone, social media, and traditional door-to-door campaigning. As it will be detailed in the case study, [Le Monde made](#) public in April 2017 that NationBuilder was offering to enrich political databases with information collected from social media, although it was not allowed by the CNIL.

“Public data available on social media is still personal data: if consulting it is always possible, re-using it (extracting, saving, using, enriching, etc.) is submitted to the whole terms of use of Informatique et libertés law,” states the CNIL guide.

French law on Informatique et liberté allows political organizations to store, collect and use personal information on consenting supporters or regular contacts, but they need to be offered the possibility to contest data collection. In [a 2012 recommendation on political communication](#), CNIL draws a distinction between “regular contacts” and “occasional contacts.” Data from occasional contacts can’t be stored, treated or used for targeted profiling, but it is permissible to approach them to invite them to become a regular contact.

What is a “regular” or “occasional” contact in social media terms?

**Regular contact:** A person that would follow a candidate on Facebook, a friend with the politician on Facebook or more generally a person who has demonstrated through social media a will to maintain regular contact with a political party or candidate. This should not be considered illegal political profiling because one can be a regular contact from different political organizations and no one could deduce ‘unequivocal political affiliation’ from it, explains the CNIL.

**Occasional contact:** A person who would like, comment, share or retweet content published on social media by a political organization or candidate.

Commentators interviewed for this report, such as the co-founder of personaldata.io and mathematician Paul-Olivier Dehaye, argues that such a distinction could be perceived as “arbitrary. Did citizens know when they followed a candidate on Twitter that you allow them to collect your personal data?” The question of informed consent should be addressed before the next election now that GDPR makes it mandatory.

### **What will GDPR change?**

Like the French law of Informatique et liberté, Article 9 of GDPR states that the ‘processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a person’s sex life or sexual orientation shall be prohibited’.

The GDPR then [lists a number of exemptions](#) that leave space for political parties and data brokers to interpret them, which should be kept in mind for the next elections to come. Article 9.2 permits the processing of data when it is “carried out in the course of its legitimate activities with appropriate safeguards by a foundation, association or any other non-profit seeking body with a political, philosophical, religious or trade union aim and on condition that the processing relates solely to the members or to former members of the body or to persons who have regular contact with it in connection with its purposes and that the personal data are not disclosed outside that body without the consent of the data subjects.” Article 9.2 permits processing that ‘relates to personal data which are manifestly made public by the data subject’.

### **Case study: Mistakes, open Google Docs, and illegal websites**



## Privacy: “Do as I say, not as I do.”

Ronan Chardonneau is a French associate professor of digital marketing at Angers University and the founder of an audience analysis tool claiming to be respectful of user privacy. [He conducted a study analysing the eleven websites](#) of the candidates to check if they respected CNIL obligations. The document was made public on the 20th of April. [CNIL directives request](#) that any website editor informs visitors of technical solutions employed, request consent for using cookies or any other solutions employed or data collecting and offer a possibility to contest. “None of the candidates’ websites were respecting the three conditions,” explains Chardonneau. François Fillon, Benoît Hamon, Nathalie Arthaud, Marine Le Pen and Philippe Poutou did not respect any of the conditions, as shown on the screenshot of the study below.

*Analyse n° 3 : respect de la réglementation relative aux cookies par les sites des candidats*

Candidats	Site web	1 – Information	2 - Consentement	3 – Moyen de refus	Nombre de manquements
François Fillon	fillon2017.fr	Non	Non	Non	3
Benoît Hamon	benoitthamon2017.fr	Non	Non	Non	3
Emmanuel Macron	en-marche.fr	Oui	Non*	Oui**	1
Nathalie Arthaud	nathalie-arthaud.info	Non	Non*	Non	3
Nicolas Dupont Aignan	nda-2017.fr	Oui	Non*	Oui**	1
Marine Le Pen	marine2017.fr	Non	Non	Non	3
François Asselineau	upr.fr	Non	Non	Oui**	2
Jean-Luc Mélenchon	avenirencommun.fr	Non	Non	Oui**	2
Jacques Cheminade	cheminade2017.fr	Oui	Non*	Non	2
Jean Lassalle	jeanlassalle2017.fr	Non	Non	Non	3
Philippe Poutou	poutou2017.org	Non	Non	Non	3

\*Les sites <https://en-marche.fr>, [www.nda-2017.fr](http://www.nda-2017.fr), et <http://www.cheminade2017.fr> vous informent de la présence de cookies, mais en réalité ne vous demandent pas votre consentement pour les installer, ce qui est contraire à la loi.

\*\*Les sites <https://en-marche.fr>, [www.nda-2017.fr](http://www.nda-2017.fr), <https://www.upr.fr> et <https://avenirencommun.fr> expliquent brièvement dans leurs pages « mentions légales » qu’il est possible de s’opposer au dépôt des cookies sans plus de détails.

*Screenshot issued from Ronan Chardonneau’s study. Column 1 asks if the user is made aware of the use of cookies, Column 2 if the user is asked for consent and column 3 if it is made possible for the user to contest the use of cookies. All these options should be offered in order to have a legal website.*

*Source: [Ronan Chardonneau](#)*

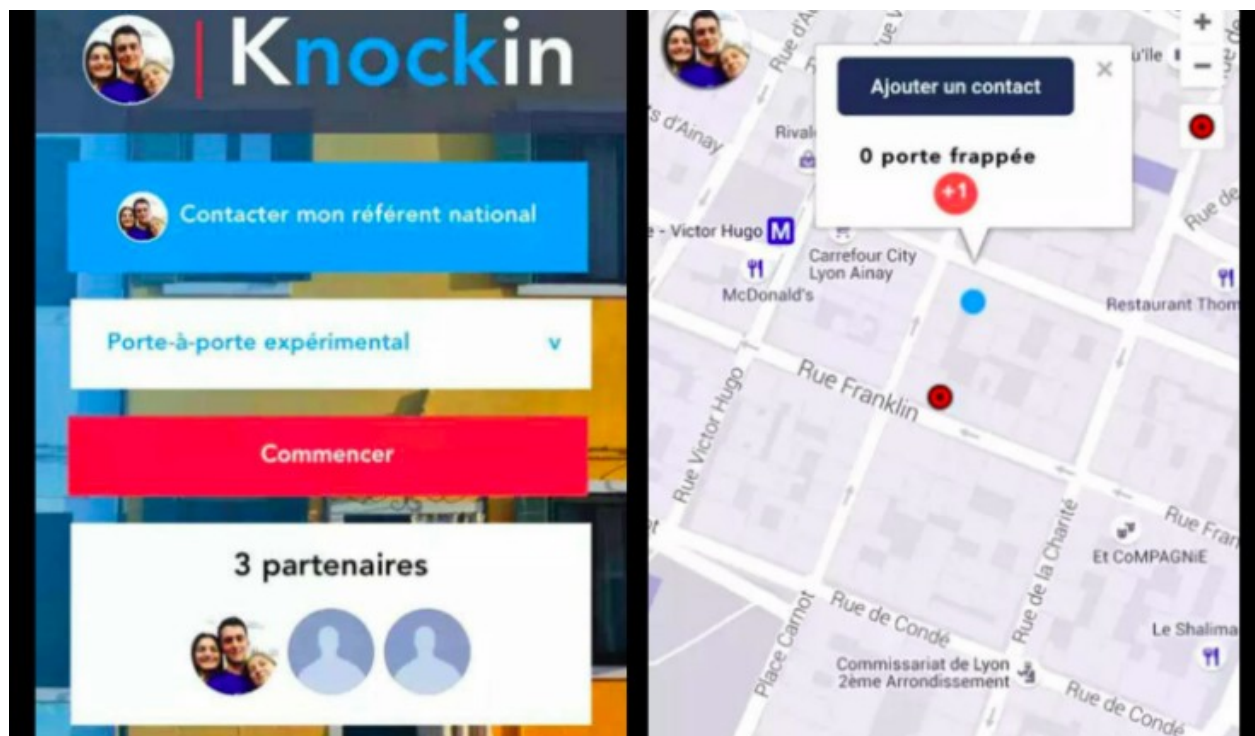
Nine of the candidates used Google Analytics to obtain audience measurements without expressing it clearly to their visitors and “none of them used the option to anonymize data before sending it to Google,” adds Charbonneau. “To put it clearly, as soon as you arrived on one of those websites, your presence was registered without you being aware of it.”

Google Analytics collects several pieces of data, including:

- IP address
- Internet provider
- City of the user
- Pages of the website the user visited and in which order
- Time of connection and time spent on different pages
- Browser used
- Source of the visit (social media, search engine, direct access, etc.)
- The language of the user
- How many times the user visited if he/she already visited

“Using Google Analytics is not illegal, but it should raise our concerns that candidates claim to want to secure personal data or protect French citizens from profiling and have such a laid-back approach of their own websites,” explains Chardonneau. French data protection office CNIL was contacted for comment by news magazine *L'Express*. “Even if some signs of progress have been made, taking our directives into account stay insufficient.” Such negligences could [result in fines up to 375.000 euros](#). CNIL explained to *L'Express* that launching a procedure at the time the study was out was useless because it would result only after the election.

### Nicolas Sarkozy and Knockin



*Screenshot of Knockin, an app used by Nicolas Sarkozy's team for right-wing primary elections which allowed the campaign to geolocate supporters of the candidate by harvesting data from social media. Considered invasive by the public, French data protection authority CNIL opened an investigation of the app before considering it legal. Source: [Forbes France](#)*

In November 2016, CNIL [opened an investigation](#) on Knockin, an app used by Nicolas Sarkozy's team for right-wing primary elections, which allowed them to geolocate supporters of the candidate. Knockin had been created by Paul Hatte, who was also a member of Sarkozy's campaign team. Knockin is described by the founder as an app allowed to handle a contact database, an electoral cartography and organize door-to-door campaigns. In September 2016, [French radio RMC reported on how the app works](#):

"If you like Nicolas Sarkozy's Facebook page or one of his posts on Twitter, the app sees you as a right-wing supporter and will harvest public data about you (Facebook, Twitter, LinkedIn, election rolls) to find your address." A supporter in Levallois's (town of Paris's suburbs) showed the app to the journalist. "On his phone, a map with red spots. Each spot matches with a right-wing supporter indicating their names and precise address." The [app was considered extremely](#) invasive by those who received supporters' visits and were called by their names, according to RMC's report. The app got lots of press coverage and created debate: *Le Monde* [qualified the event as "The Knockin scandal."](#)

According to a letter sent by CNIL to the founder of the app, Paul Hatte, the app was then considered respectful of the law. Supporters whose data was used on the app were considered as "regulars contacts" of the candidate. As explained, collecting data on a regular contact of a party or politic personality is legal. This outcome could be considered surprising considering CNIL issued its guide on how to use or not use data from social media right after the "Knockin scandal" and the guide precisely stated that combining data from different sources could not be done without the consent of the user. RMC wrote any people who had liked Sarkozy's page could be targeted on the app, yet a person who liked a Facebook page is only considered an occasional contact, on whom collecting data is illegal. Did RMC make a mistake in its coverage?

## Macron's open Google doc




































While it was easy to join En Marche's mailing list during the presidential campaign, it was not that easy to unsubscribe. Investigative work by journalist Alexandre Léchenet showed that requests to unsubscribe were received by volunteers and kept in an open google document. He published [his work in BuzzFeedFrance](#).

	A	B	C	D	E	F	G	H
	Désadhésion	Animateur local	Fait le		Désinscription newsletter			modification de mail
2	@aol.com	non			@gmail.com			@yahoo.fr
3	@orange.fr	non			@gmail.com			@orange.fr
4	@gmail.com	non			@free.fr			@orange.fr
5	@gmail.com	non			@hotmail.fr	menace CNIL		@nu
6	@orange.fr	non			@gmail.com	menace CNIL		@yahoo.fr
7	@orange.fr	non			@gmail.com	menace CNIL		@aol.com
8	@gmail.com	non			@gmail.com	menace CNIL		@nu
9	@gmail.com	non			@gmail.com			@nu
10	@gmail.com	non			@wanadoo.fr			@num
11	@gmail.com	oui			@wanadoo.fr			@nu
12	@orange.fr	non			@orange.fr			@nu
13	@orange.fr	non			@gmail.com			@nu
14	@gmail.com	non			@gmail.com			@nu
15	@wanadoo.fr				@gmail.com			@numericable.fr
16	@gmail.com				@gmail.com			@alice.it
17	@gmail.com				@gmail.com			@nu
18	@gmail.com				@hotmail.com			@nu
19	@orange.fr				@yahoo.com	menace CNIL		@nu
20	@orange.fr				@gmail.com	menace CNIL		@nu
21	@gmail.com				@gmail.com			@nu
22	@hotmail.fr				@gmail.com			@nu

*Screenshot of Macron's campaign team doc obtained by journalist Alexandre Léchenet. The document stores a thousand names of people willing to unsubscribe from Macon's newsletter or cancel membership. Column A shows the e-mail address of the citizens requesting to cancel their membership, column E to unsubscribe to the newsletter, column F notifies if the citizen has threatened to contact the French data protection office. Source: [BuzzFeed France](#)*

A thousand e-mail addresses were compiled with additional notes if the person had threatened to contact CNIL. A list of people willing to unsubscribe from a political database constitutes precious information for any opponent who would want to reach Macron's disappointed

supporters. Plus, Article 34 of French law Informatique et libertés specifies personal data should be kept secure, confidential and prevent any outside third party to get access.

E	F	
<b>Désinscription newsletter</b>		
     @gmail.com		
   @gmail.com		
   @free.fr		
   @hotmail.fr	menace CNIL	
   @ymail.com	menace CNIL	
   @gmail.com	menace CNIL	
   @.com	menace CNIL	
   @gmail.com		
   @wanadoo.fr		
   @wanadoo.fr		
   @orange.fr		

*In red, if the citizen has threatened to contact the CNIL. Source: [BuzzFeed France](#)*

Five days after the publication of the article, the Google doc was no longer in open access. Mounir Mahjoubi, the current Secretary of State for Digital Affairs, who at that time was in charge of Macron's digital campaign, explained that the file must have been created by volunteers. Léchenet was also able to consult guidelines for helpers and volunteers on how to respond to e-mails that were also accessible to anyone who had the link. Before the use of NationBuilder for the legislative campaign, e-mails were personalized "manually" by En Marche volunteers. "Kindliness, good mood and professionalism in every mail," said the document. "Anyway keep in mind every answer might end up in the media."

### Case study: LMP, open data, Nepal outsourcing and codes of doors



Liegey Muller Pons (LMP) is a French company founded five years ago, which presents itself as selling data analysis to help politicians and political parties improve their electoral strategy. In 2018, according to the head of product Fabrice Rivière, who was interviewed for this report, half of the company's clients are involved in political campaigning, the other half are private companies "mainly willing to conduct local infrastructures." By producing big data analysis, they claim to be able to identify which polling station to prioritize to launch door-to-door campaigns and which areas are more likely to feel concerned by candidate's ideas.

Before creating the company, the three co-founders Liegey, Muller and Pons were part of François Hollande's campaign team in 2012. The co-founders [claim they managed to identify 20.000 swinging polling stations and earned François Hollande 0,6 points](#). Digital campaigning sociologist Anaïs Théviot considers them as the ones who imported the "professional use of big data in politics" into France. Several largely positive news articles were written in France in 2017 about the company: the daily newspaper *Les Echos* called them a "[French gold nugget](#)", *Paris Match* called them "Macron's favorite start-up," *Capital* praised how they "[helped Macron win](#)," and *Le Monde* wrote that their software was "[a purveyor of dreams](#)."

Macron hired LMP to provide a digital platform to harvest data during his Grande Marche for a "six-figure sum." The Grande Marche was a massive door-to-door campaign launched in May 2016, before the official campaign, aiming to gather 100.000 answers to a typical questionnaire. Four-thousand volunteers lead the Marche, according to the head of operations Ludovic Chaker. Contrary to what could have been said in French media, Macron did not hire LMP for the official presidential campaign, but the candidate for the Socialist Party Benoît Hamon did. He collected 6,35% of the votes and was eliminated in the first round.

Théviot [explained](#) in a scientific article called *Big data, a new treasure for politics* that "political parties, to bypass CNIL legislation, don't do individual targeting but polling station targeting or district targeting." LMP built its model on this service.

Besides providing tools for La Grande Marche, LMP sells two main products:

### **Fifty + One**

One application, called "Fifty + One" claims to allow political campaigners to visualize voting behavior at the smallest possible scale (approximately 1.000 people), to identify which area to target for door-to-door campaigns. The co-founders explain working using an [ecological inference algorithm](#). The ecological inference algorithm is a statistical process aimed to deduce individual

behaviors from aggregated data. It was invented by two experts on voting patterns, Harvard professor Gary King and Princeton assistant professor Kosuke Imai when [hired](#) by the *New York Times* in 2001 to investigate the contested Bush/Gore election. The scientists were trying to find out if illegal votes that had been taken into account in Florida had changed the final outcome of the election. King pursued [new methods of ecological inference in 2009](#) in a research article exploring which social groups voted for Hitler in Germany in 1933.

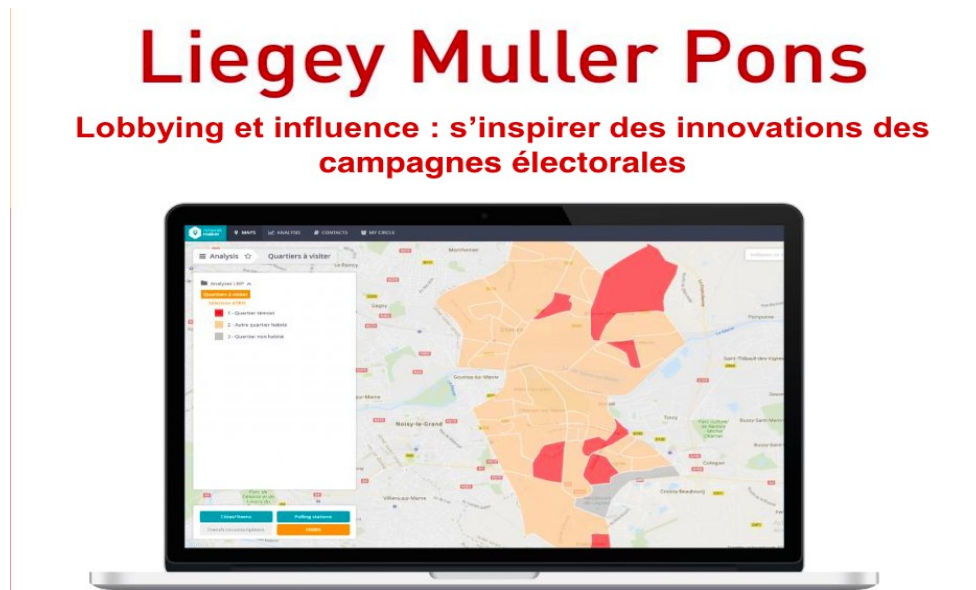
“We produce analysis combining public open data from Insee (The National Institute of Statistics and Economic Studies) and election results,” explains LMP head of product Fabrice Rivi re. “We built a database for every polling station in France (there are 65.000 polling stations in France) combining election results since 2007 and hundreds of different socio-demographic variables such as unemployment rate, youth unemployment rate, average time spent in public transport every day, average incomes, average number of children or marital status, etc. Using this database, we are able to produce a statistical analysis to give a level of priority to a district.” A partnership was signed with French research polling institute Ipsos to add opinion poll results to a database during the presidential campaign. “Commercial use of open public data is allowed by French law, explains Delphine Krust, electoral law lawyer. What is not is to infer information from public data. For instance, to infer a religious belief from a birthplace or a nationality from the spelling of the name, and then to target these voters based on those assumptions.”

## A “CRM-type” tool

LMP combines Fifty+One with a “CRM-type” tool that allows campaigns “to facilitate the organization of campaigners on the ground.”

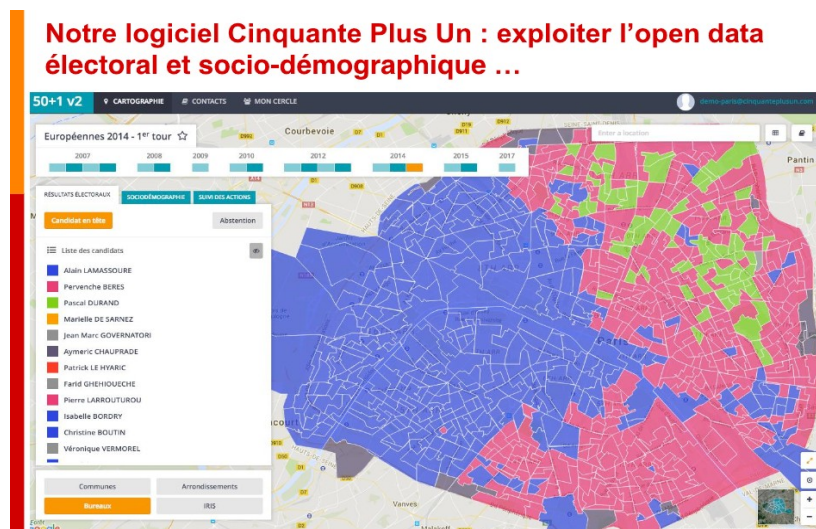
“We never work with personal data, only aggregate data,” says Rivi re. But Th viot from Sciences Po Bordeaux contends: “Agencies like LMP always claim they never work with individual data. But when door-to-door campaigning, volunteers will take note about interactions with people, questions raised, or pieces of information about a specific person such as their names or e-mail address. Even if anonymized later, individual data is then compacted into their analysis.” LMP answers that the personal data aggregated in the CRM database belongs to the clients, not to them.

In a PDF file of a presentation aimed in all probability to be shown at potential private clients, which was consulted for this report thanks to Paul-Olivier Dehaye, LMP presents itself as a “lobbying 2.0 consulting company,” getting inspired by electoral campaigns to create “influence.”



*First slide of a presentation by LMP to advertise their techniques to potential private customers. “Lobbying and influence: get inspired by electoral campaigns.”*

The company praises itself for being able to “make the most of open electoral and socio-demographic data and combine it with giant contact databases”.



Screenshot of the LMP presentation presenting their software Fifty+One: “Make the most of open electoral and socio-demographic data...,” it reads. A map of Paris is shown with the electoral results of the European Election in 2014.

**...l'associer à des bases de contacts géantes...**

**Jusqu'à 900 000 contacts par utilisateur**

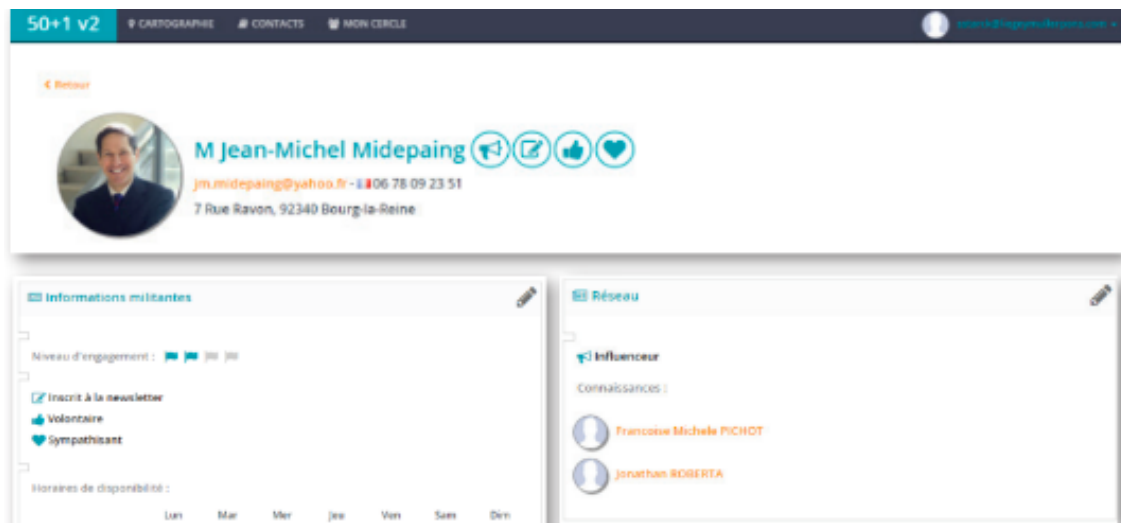
Liegey Muller Pons

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Following slide of the same presentation. “...And associate it with giant databases.” A fake example index card of a contact met door-to-door campaigning. In the red circle: “Each user has to up to 900.000 contacts”

LMP advertises itself showing a fake example index card extracted from their database of a person met door-to-door campaigning. A lot of information is listed, including: the name of the person, his job, place of work, socio-professional category, familial situation, number of children. The next screenshot shows more details about this index card, in which the person is also

categorized according to his beliefs: “level of engagement” (here, 2 out of 5), “influencer.” The social network of the person is drawn by writing a list of his acquaintances.



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*A more detailed example of the fake index card. Detailed informations kept into LMP software about a contact. His “level of engagement (here, 2 out of 5)”, “influencer” is rated (left column). The social network of the person is drawn by writing a list of his “acquaintances” (right column).*

## Cloud Factory



# French Presidential Campaign Rolls to Victory Using Geospatial AI



*Source: [Cloud Factory](#)*

To draw the outlines of polling stations to build visualization for 50+1 software, LMP uses voter rolls. “When the outlines are not open data, we localize all the register voters from one polling station to deduce its limits,” says Fabrice Rivière. To conduct this task for 65.000 different polling stations, LMP worked with a second company, Cloud Factory. Cloud Factory is a Nepalese company specialized in data-processing. “Part of what LMP does is make geospatial data meaningful to their customers by building algorithms that accurately visualize households within a geographic location, including their political proclivities,” [writes Cloud Factory in a blog post](#). “CloudFactory helps by identifying discrepancies in images of maps, making the necessary corrections and sending it back so they can create smarter models (...) With today’s geospatial technologies we can take huge amounts of complex information, such as family size, socio-economic indicators, political affiliations, and other public data, and visualize it in an interactive map.”

“This example shows the extent of information asymmetry between citizens and politics. Citizens have no idea how many people are involved in processing data. They have no idea when they receive a political speech that a political agency is behind it, using satellite images of their district

and the services of dozens of Nepalese,” explains Dehaye from Personal-data.io. “When registering on voter lists, citizens consent that their information will be used to organize the election, including electoral propaganda,” adds election lawyer Delphine Krust. “Do they know this consent include sending data in Nepal or elsewhere? Not sure.”

### **Case study: NationBuilder**

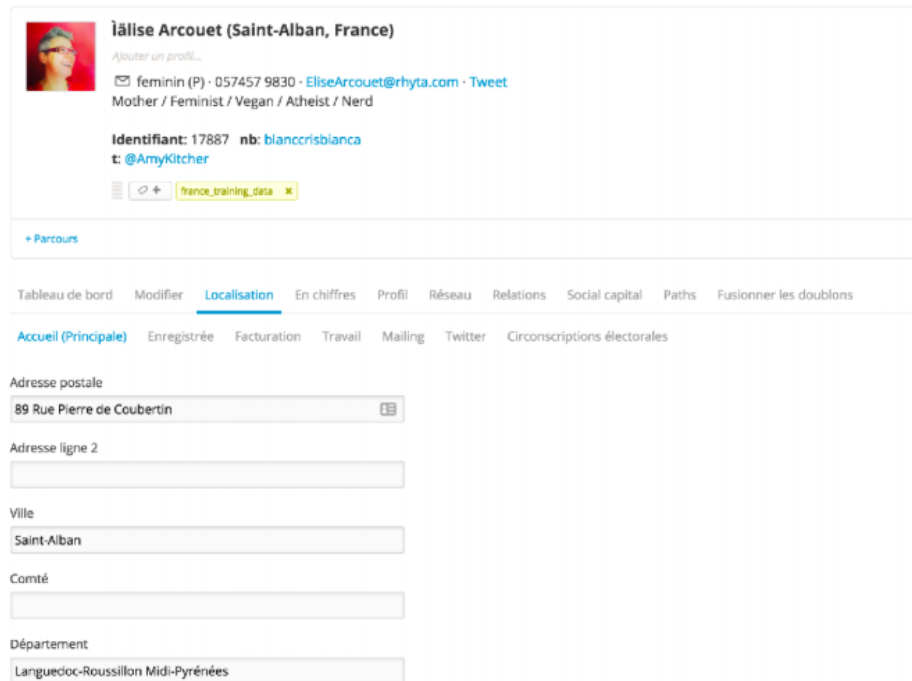
On 10 February 2016, Jean-Luc Mélenchon of the left-wing party Les Insoumis, announced in a TF1 television interview that he would be a candidate for presidential election. He had “no precise model” but explained he was using the same platform to organize his campaign as Bernie Sanders: NationBuilder. In reality, Sanders did not use NationBuilder, but that was not the point. “The idea was to appear modern, using the same tool as the Americans,” analyses Jacques Priol from Civiteo.

NationBuilder is company that offers software that provides CRM, CMS, e-mailing management and fund-raising tools. They claim to offer a fully integrated suite of tools for the organization of a campaign, and outreach through e-mail, telephone, social media, and traditional door-to-door campaigning. The company claims to be able “to create action-focused websites, fundraise & process donations in minutes, target emails with social insights, visualize paths to turn supporters into advocates.”

“We do not collect or sell any kind of data,” explains Toni Cowan-Brown, European business development at NationBuilder. “We help our customers update and organize their existing and organically created databases, exploit them fruitfully to organize campaigns and/or send targeted e-mails. The information collected is always owned by the customer.” The software was used by seven candidates: Alain Juppé, Jean-Luc Mélenchon, Nicolas Sarkozy, Bruno Le Maire, Nathalie Kosciusko-Morizet, and François Fillon. Four-hundred candidates for the legislative election from En Marche, Macron’s movement, used the software for their campaign.

One of NationBuilder’s core skills is to help send targeted e-mails. “We tell all of our customers it does not make sense to send the same e-mail to half a million people. They need to define a goal, a target audience, and ensure your emails have a strong call-to-action,” says Toni Cowan-Brown. The company recommends starting with first targeting 10.000 senders, then expanding if the open rate is satisfying. NationBuilder allows targeting senders directly from the client’s database.

As shown in the screenshot below from a PDF presentation provided by NationBuilder, the CRM tool offers etiquettes to qualify contacts. These etiquettes can be quite precise, such as “atheist” or “feminist”.



**lâlise Arcouet (Saint-Alban, France)**  
Ajouter un profil...

✉ féminin (P) · 057457 9830 · EliseArcouet@rhyta.com · Tweet  
Mother / Feminist / Vegan / Atheist / Nerd

Identifiant: 17887 nb: blancrcrisbianca  
t: @AmyKitcher

france\_training\_data

+ Parcours

Tableau de bord Modifier **Localisation** En chiffres Profil Réseau Relations Social capital Paths Fusionner les doublons

Accueil (Principale) Enregistrée Facturation Travail Mailing Twitter Circonscriptions électorales

Adresse postale  
89 Rue Pierre de Coubertin

Adresse ligne 2

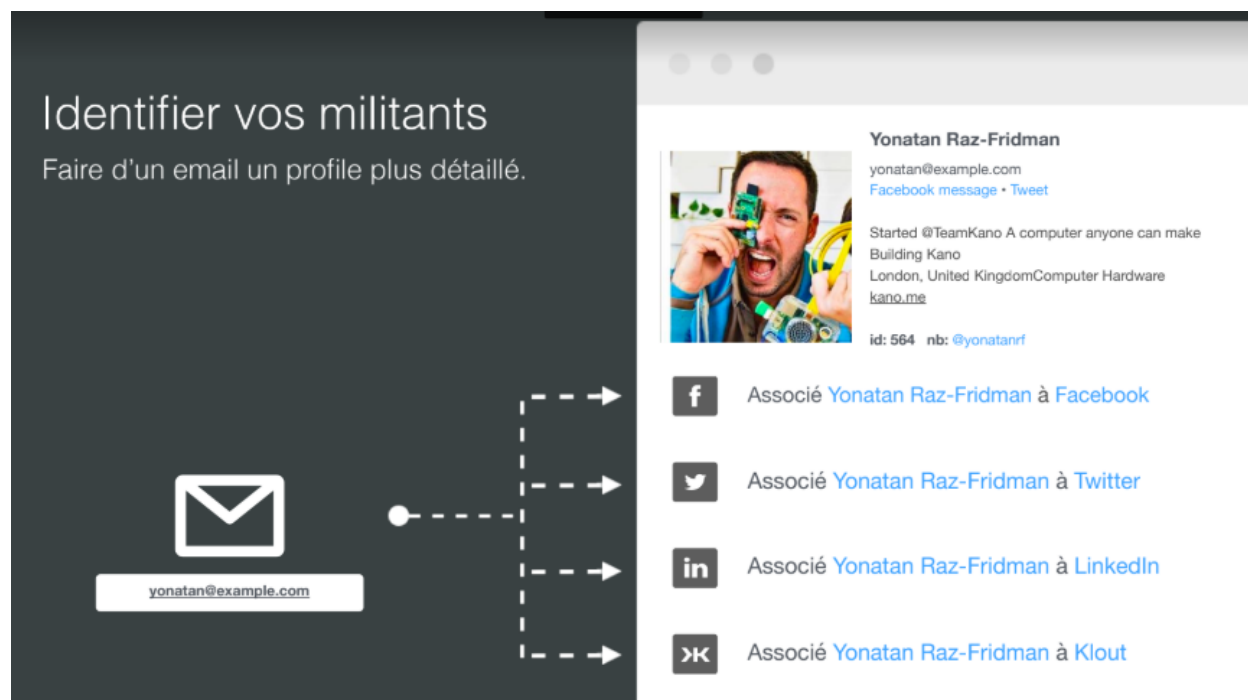
Ville  
Saint-Alban

Comté

Département  
Languedoc-Roussillon Midi-Pyrénées

*Screenshot of a presentation of NationBuilder’s activity by NationBuilder. Here, an example of the CRM tool offers the use of etiquettes to qualify contacts. These etiquettes can be quite precise, here the woman is registered as “mother, feminist, vegan, atheist, nerd”*

In this presentation, the company also promotes its “match” functionality.



*Screenshot of a presentation of NationBuilder's activity by NationBuilder's "match functionality." "Identify your activist," says the slide. "Get a detailed profile from one e-mail." The tool allows clients to harvest public data from Facebook, LinkedIn, Twitter and Meetup accounts associated with a particular e-mail address. The tool was deactivated because it was found not to comply with CNIL's guidelines.*

The functionality allows its client, when an internet user provides his or her e-mail address on a website using NationBuilder CMS, to harvest public data from their Facebook, LinkedIn, Twitter and Meetup accounts and the associated accounts. The Match functionality also allows the integration of a candidate's database with every internet user who would have "liked" one of their Facebook or Twitter posts. This information could then be used to facilitate targeted emailing. *Le Monde* [revealed in April 2017](#) that NationBuilder deactivated the Match tool for French politics in March 2017. The French data protection office CNIL wrote in its guide about how to use [public social media](#) data: "combining data about one user from different social medias (...) requires the user's consent," even for public information.

Even if a CNIL guide is not considered law, the office has the authority to impose sanctions on companies or political parties if they are considered to be using illegal data harvesting. On 27 March 2017, CNIL's president was interrogated in a press conference: Would the authority sanction the company? Isabelle Falque-Pierrotin then explained the office was in a "pedagogical" phase and would alert the Constitutional Council of the incident only if "incidents with a small

difference of voices occur.” In that case, “the debate about political software should be appointed to the electoral judge,” she said.

“I am very concerned by happened here,” said Dehayé, co-founder of [personaldata.io](https://personaldata.io) and an activist who contributed to revealing the Cambridge Analytica scandal. “The electoral judge should, according to the law, be notified in any case. What sense does it make to wait for an election to be over, for millions of people to have voted, to decide if an irregularity is worth notifying? There is a judicial vacuum here,” he added.