

Google EU data case raises censorship fears

May 14 2014, by Rob Lever



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The EU's top court ruled Tuesday that individuals have the right to ask the US Internet giant to delete [personal data](#) and "to be forgotten" online

under certain circumstances when their personal data becomes outdated or inaccurate.

Analysts who follow the online space said the global impact of the ruling was not immediately clear, but that it could raise some tricky issues in Europe and beyond.

"The practical implementation seems to be vague and potentially very messy," said Greg Sterling, analyst at Opus Research who follows the [search](#) business.

Sterling said Google should be able to comply and filter the results, but that means Internet search results could be different depending on where the user is located, in a manner similar to what takes place in China under government censorship rules.

"This opens the door to people who don't like search results to remove or change their information," Sterling told AFP.

The analyst added that it could be "problematic" trying to determine which results to remove and that "this begs the question about what is in the public interest."

Danny Sullivan of the website Search Engine Land said the impact may be positive if it only applies to protection of privacy.

"However, there's a real concern if this turns out to be abused, if done to prevent easy access to legitimate public records," Sullivan added.

'Collateral censorship'

Margot Kaminski, who heads the Information Society Project at Yale Law School, said in a tweet that the ECJ ruling "puts decisions in hands

of intermediaries (and) will cause collateral censorship."

That point was also made by the British-based advocacy group Index on Censorship.

"This is akin to marching into a library and forcing it to pulp books," the group said in a statement.

"Although the ruling is intended for private individuals it opens the door to anyone who wants to whitewash their personal history."

Guy Levin of the Coalition for a Digital Economy, a group promoting the British tech industry, said on Twitter that the ruling "creates huge uncertainty for anyone using data online - eg advertising, publishing, search. UK #startups will suffer as a result."



The Google cultural hub in Paris is pictured on December 10, 2013

Google said the ruling was a disappointment and "dramatically" at odds with an opinion last year delivered by one of the ECJ's top lawyers.

"We now need to take time to analyze the implications," it added.

Google, which dominates the Internet search industry, has previously argued that it is responsible only for finding the Information.

The case highlights growing concerns about so-called online reputation management, which has spawned an industry that helps eliminate or minimize damaging information online.

In the United States, a law passed in California allows individuals to "erase" online content from postings as a minor, but only items the users uploaded themselves.

The European ruling "would not be possible under US law," said Eric Goldman, who heads the High-Tech Law Institute at Santa Clara University.

"It almost certainly would violate the (US constitution's) First Amendment, and it would clearly violate current federal law which says websites and search engines can't be liable for third party content," Goldman said in an email.

A different view was voiced by Marc Rotenberg, executive director of the Washington-based Electronic Privacy Information Center, who argued that the ruling was "very much in the American tradition that people should be able to control information about themselves."

"This is a very important decision for the privacy rights of Internet

users," Rotenberg told AFP.

Rotenberg said the decision is in line with a tradition which allows Americans to "expunge" data such as juvenile criminal records which can be used against them later in life.

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