

Video: Internet freedom and data protection after Google Spain

June 20 2014

David Erdos discusses C-131/12 Google Spain, Google v Agencia Espanola de Protection de Datos (2014), the Court of Justice of the European Union's long awaited "right to be forgotten" case which examined the rights of individuals mentioned in public domain material indexed on Google search.

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This Court decision enunciated both the scope and breadth of data protection obligations in an even more expansive way even than argued by the Agencia Espanola de Protection de Datos itself. It implies that Google acquires data protection obligations as soon as it collects information from the web and not just after it receives a request for deindexing. Moreover, Google appears to have absolute obligations to remove material in a variety of circumstances even if this is causing the individual mentioned no prejudice. It is particularly unclear how such obligations will operate vis-à-vis so-called sensitive data such as that concerning criminality, political opinion or health. The norms the Court articulated conflict markedly with those which are now mainstream online. Effective implementation will, therefore, depend less on legal technicalities than on how powerful such [data protection](#) norms are when placed alongside the vast cultural, political and economic power of "internet freedom."

Provided by University of Cambridge

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