

Google case set to examine if EU data rules extend globally

September 10 2018, by Kelvin Chan



In this April 17, 2007, file photo exhibitors of the Google company work in front of a illuminated sign at the industrial fair Hannover Messe in Hannover, Germany. Google is taking its legal fight against an order requiring it to extend "right to be forgotten" rules to its search engines globally to Europe's top court. (AP Photo/Jens Meyer, File)

Google is going to Europe's top court in its legal fight against an order requiring it to extend "right to be forgotten" rules to its search engines

globally.

The technology giant is set for a showdown at the European Union Court of Justice in Luxembourg on Tuesday with France's data privacy regulator over an order to remove search results worldwide upon request.

The dispute pits data privacy concerns against the public's right to know, while also raising thorny questions about how to enforce differing legal jurisdictions when it comes to the borderless internet.

The two sides will be seeking clarification on a 2015 decision by the French regulator requiring Google to remove results for all its search engines on request, and not just on European country sites like google.fr.

Google declined to comment ahead of the hearing. Its general counsel, Kent Walker, said in a blog post in November that complying with the order "would encourage other countries, including less democratic regimes, to try to impose their values on citizens in the rest of the world."

"These cases represent a serious assault on the public's right to access lawful information," he added.

In an unusual move, the court has allowed a collection of press freedom, free speech and civil rights groups to submit their opinions on the case. These groups agree with Google that forcing internet companies to remove website links threatens access to information and could pave the way for censorship by more authoritarian regimes such as China, Russia and Saudi Arabia.

The court's ruling is expected within months. It will be preceded by an opinion from the court's advocate general.

The case stems from a landmark 2014 Court of Justice ruling that people have the right to control what appears when their name is searched online. That decision forced Google to delete links to outdated or embarrassing personal information that popped up in searches of their names.

Authorities are now starting to worry about the risk that internet users can easily turn to proxy servers and virtual private networks to spoof their location, allowing them to dig up the blocked search results.

Google said in its most recent transparency report that it has received requests to delete about 2.74 million web links since the ruling, and has deleted about 44 percent of them.

Not all requests are waved through. In a related case that will also be heard Tuesday, the EU court will be asked to weigh in on a request by four people in France who want their search results to be purged of any information about their political beliefs and criminal records, without taking into account public interest. Google had rejected their request, which was ultimately referred to the ECJ.

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