

EU court advisor sides with Google on 'right to be forgotten'

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An EU rule forcing search engines to comply with requests to remove links should be limited to Europe, the senior legal advisor to the bloc's top court said Thursday in a boost for web giant Google.

The legal clash pits Google against France over the "right to be forgotten" rule, which the US firm would like to see limited to European domains of its website—such as Google.fr or Google.de—and not Google.com or domains outside the European Union.

In his non-binding opinion, Advocate General Maciej Szpunar told the European Court of Justice that EU law "should limit the scope of the de-referencing that search engine operators are required to carry out, to the EU," a statement said.

Szpunar is "not in favour of giving the provisions of EU law such a broad interpretation that they would have effects beyond the borders of the 28 member states," the statement added.

Judges at the ECJ usually, but not always, follow the legal opinions of the [court](#)'s advocate general.

The two sides are battling over a shock 2014 decision at the same court which granted the right for individuals, under certain conditions, to have references to them removed from search engine results.

The US tech behemoth firmly opposed the decision, but complied with the ruling by delisting [search](#) references once requested across its European domains.

France's data regulator, the Commission Nationale de l'Informatique et des Libertes (CNIL), opposed the distinction and said the firm should apply the delisting to all extensions, regardless of the national [domain](#).

In 2016, CNIL fined Google 100,000 euros (\$112,000) for non-compliance and Google appealed to France's highest court, which in turn has referred to the ECJ for an opinion.

Google argues that its application of the right to be forgotten is already effective in France for well over 99 percent of searches.

It also adds that the company has implemented geo-blocking technology for EU searches that attempt to use non-EU domains to access de-listed information.

In September, EU court judges heard a long list of stakeholders, including [human rights groups](#) that fear abuses of the EU's "right to be forgotten" rule by authoritarian states outside the bloc.

In a statement, the lobbying body for tech giants including Google welcomed the opinion.

The opinion "balances EU residents' right to be delisted while respecting the constitutional rights of citizens outside of the EU," said CCIA Senior Manager Alexandre Roure.

"We hope the final court ruling will take the same pragmatic and balanced approach," he added.

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