

Google's EU data case raises censorship fears

WASHINGTON, USA: A European Court of Justice (ECJ) decision ordering Google to delete some personal data on request has raised concerns about online censorship and how Internet searches work in various countries.



Opus Research's Greg Sterling says the ruling is "very messy". Image: [Twilio](#)

The EU's top court ruled that individuals have the right to ask Google to delete personal data and "to be forgotten" online under certain circumstances when their personal data becomes outdated or inaccurate.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 sector 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 said.

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.

Concerns about possible abuse

"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.

Margot Kaminski, who heads the Information Society Project at Yale Law School, said in a tweet that the court 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. "Although the ruling is intended for private individuals it opens the door to anyone who wants to whitewash their personal history."

Darren Hayes, a computer science professor at Pace University, said the ruling reflects tougher EU privacy standards and suggests that there will be challenging times ahead for data miners, or companies that rely on scraping vast quantities of personal information from the Internet collected for marketing purposes.

Guy Levin of the Coalition for a Digital Economy, a group promoting the British technology industry, said on Twitter that the ruling creates huge uncertainty for anyone using data online such as the advertising and publishing.



Margot Kaminski of Yale University's Law School. Image: Yale School of Law

Disappointment over ruling



Google's Eric Goldman says the ruling is against the US Constitution's First Amendment. Image: Google

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

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

Google, which dominates the Internet search sector, had 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 a businesses that help eliminate or minimise 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.

Source: AFP via I-Net Bridge

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