

# Right to be FORGOTTEN



## WHY IN NEWS?



The EU Court of Justice ruled, "Individuals have the right under certain conditions to ask search engines to remove links with personal information about them." This means that search engines like Google will have to remove some search results from their pages.

## WHAT IS IT?



Reflects the claim of an individual to have certain data deleted so that third persons can no longer trace them



In coherence with the right to privacy



## ARGUMENTS IN FAVOUR



Reformatory justice: "Right to be forgotten" is necessary to provide conditions where offenders after conviction of their sentences can live their reformed lives



New Digital Age: unique modern phenomenon that information is instantly, globally, and perpetually accessible



To prevent them from being bullied



This is more than 'double jeopardy'



For solidarity, respect and dignity of humanity



With the cyber bullying, young people, adolescents and kids are especially vulnerable



Without this, it'll be very hard to change the 'moral and political attitudes' of society



Many articles based on 'half-truths' still continue on Internet even after 'criminal defamation' case is won by the victim



Individual right to privacy



The original sources of information which are decades old are static, unrepresentative reminders of lives past. For Eg



Google received over 50,000 requests for articles to be removed from search results



Victims of rape, assault or other criminal acts



Many videos are uploaded without 'consent'



Revenge posts for a person



Privacy is a Fundamental right, under Art. 21 by SC in Kharak Singh case



Much of content is just 'rumours' or 'speculations'

## ARGUMENTS AGAINST



Any sort of censoring is bad (except when unlawful under defamation, copyright, or criminal law)



May lead to partisan removal of important content, it is against right to information



Against FRs:



Controlling social behavior by sensitizing human behavior



Violation of the freedom of expression



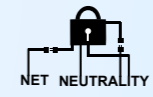
Online available information makes the judgment easy It may be used for violating 'net neutrality'



Journalists will lose their livelihood. Hence, it is against right to livelihood



"Right to be forgotten" will make it difficult for people to maintain integrity. For eg, Vijay Mallya's information or Kingfisher's info, if removed after some years, it may remove incentive to walk the right path



It may be used for violating 'net neutrality'

## WAY FORWARD



The control over our personal data has already been lost online: to corporations, to governments; as a trade-off to be empowered by the benefits of digital connectivity and global information flows



Consensus required about which content to be removed - important for maintaining impartiality, objectivity and maintaining freedoms of cyberspace



Right to be forgotten needs to be in sync with "right to delist" as the impact of the label "right to be forgotten" takes the issue into debates of—



forgetting v/s remembering,



Censorship v/s truth or history



Privacy v/s freedom of expression,

## TAKE AWAYS FROM RIGHT TO BE FORGOTTEN



The point of having this right is not to manipulate memory or eliminate information, but to make it less prominent, where justified



EU ruling supports for removal of all the "incorrect, inadequate or misleading". The relevant information remains accessible