



MORDENATE CONGRES
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Een recht om te worden vergeten

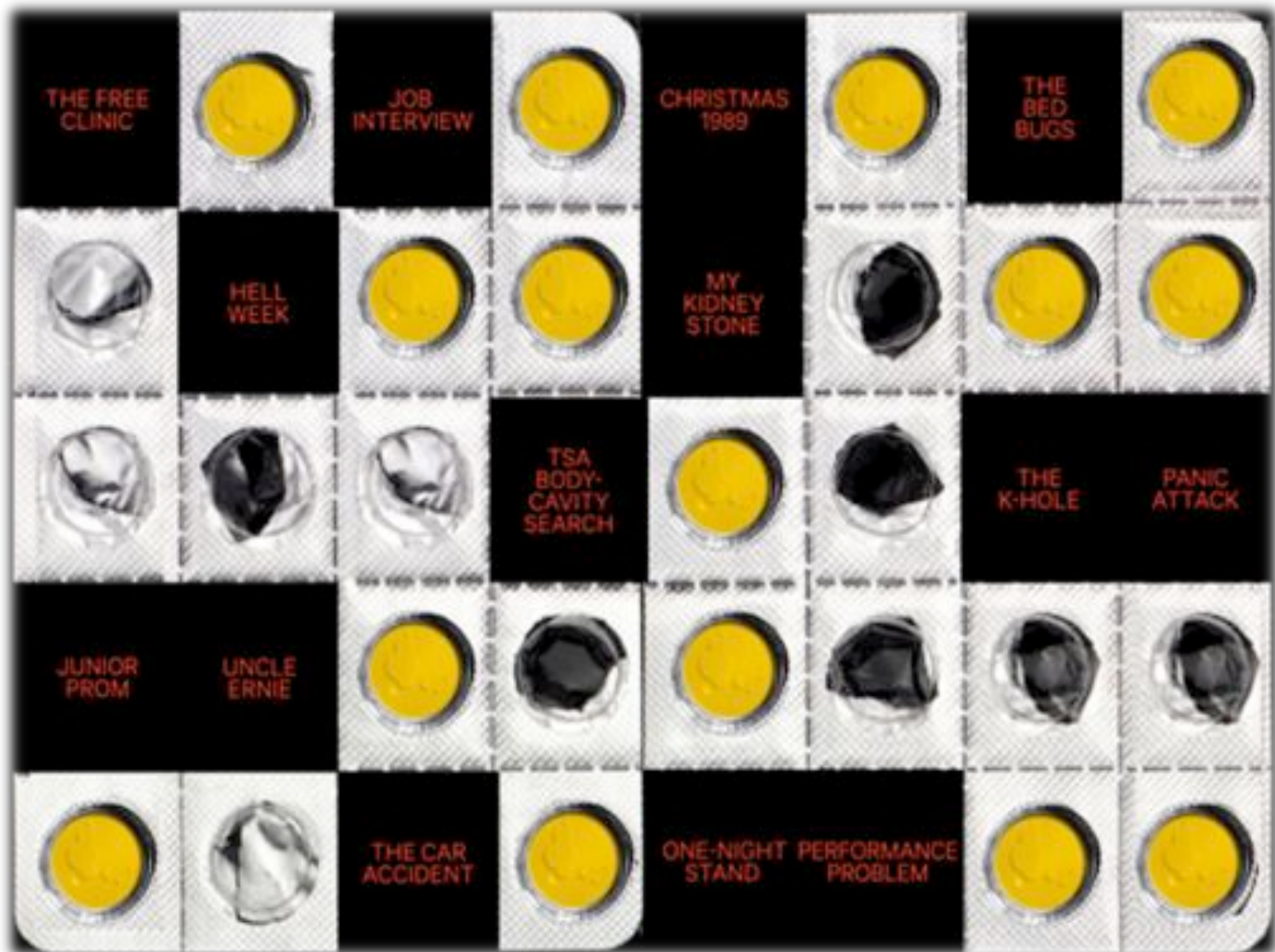
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Bird & Bird



The Forgetting Pill Erases Painful Memories. Forever

Whenever the brain wants to retain something, it relies on just a handful of chemicals. Even more startling, an equally small family of compounds could turn out to be a universal eraser of history, a pill that we could take whenever we wanted to forget anything. And researchers have found one of these compounds. In the very near future, the act of remembering will become a choice.



*“a pill that we could take
whenever we wanted to
forget anything”*

*“In the very near future, the
act of remembering will
become a choice”*



A red pen is shown writing the phrase "the right to be forgotten" in a cursive script on a white surface. The pen is positioned at the top right, with the tip touching the end of the word "forgotten".

the right to be forgotten

het recht om te worden vergeten en om gegevens te laten wissen

HET VERGEETRECHT



The Internet has an almost unlimited search and memory capacity. So even tiny scraps of personal information can have a huge impact, even years after they were shared or made public. The right to be forgotten will build on already existing rules to better cope with privacy risks online. It is the individual who should be in the best position to protect the privacy of their data by choosing whether or not to provide it. It is therefore important to empower EU citizens, particularly teenagers, to be in control of their own identity online



*“to empower EU citizens,
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identity online”*



the web is littered with references to my criminal conviction in Italy, but I respect the right of journalists and others to write about it, with no illusion that I should I have a 'right' to delete all references to it at some point in the future. But all of my empathy for wanting to let people edit-out some of the bad things of their past doesn't change my conviction that history should be remembered, not forgotten, even if it's painful



“history should be remembered, not forgotten, even if it's painful”



[A]nyone who advocates the establishment of a full-blown right to be forgotten must clarify what this right means and how it can be effected.

[C]onsiderable obstacles need to be overcome if people are really to be able to have their digital footprints forgotten and to shun their data shadows



[The RtbF is] one of the more interesting parts of the Regulation. Its implications for the information society need thinking through carefully – as does the challenge of making this right work in practice.

[A]n insufficiently qualified right to be forgotten could have serious implications for freedom of expression – particularly the right to publish information – and for the maintenance of the historical record.



A right to be forgotten wrongly treats freedom of expression as an exception in relation to the right to privacy

it represents the biggest threat to free speech on the Internet in the coming decade



[Er zijn] de nodige vragen [...] over het realiteitsgehalte van hetgeen de verordening belooft.

[D]e vraag is of de verantwoordelijke in het tijdperk van de sociale media in staat zal zijn te achterhalen bij welke derde zich gegevens bevinden, welke inspanningen hij daartoe redelijkerwijs kan en moet leveren, en wat er van de derde redelijkerwijs kan worden verwacht.



data-subjects have the right...

to erasure of personal data relating to them and the abstention from further dissemination of such data

and to obtain from third parties erasure of any links to, or copy or replication of that data, if...

- the data are no longer necessary
- withdrawal of consent
- no other legal ground for data processing
- data subject objects
- court or authority ruling
- other unlawful processing

*art. 17 (i)
Regulation (LIBE)*

*“the right to obtain from
third parties erasure of any
links to, or copy or
replication of that data”*



maatregelen en boetes...

- in cases of first and non-intentional non-compliance: a warning in writing
- regular periodic data protection audits



*a fine up to €100.000.000
or up to 5% of the annual worldwide
turnover
(whichever is greater)*





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dank u wel!

