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Can you hear me? Okay? Okay. This is basically we have to be here, okay in this situation we have basically I normally teach low with low students for me it's really exciting for you have to have your points of view by their opinion. But as you can imagine we are completely different. We are two different kinds of animals I am and that person and you guys know, I hope this is what I think so basically I hope that we can try to have a good experience. But at the basis of this kind of lecture is important that you give me your feedback your opinion, if you don't understand me, please raise your hands and ask me because it's that does not make any sense also, because we have the exam and I had the experience that was really good at the very end, but a lot of person asked me at the end of the lecture, a lot of questions that you can ask me now since the beginning, it's not a problem. I use the opposite. We have we have some important points and fees for that we have to explain but they have done a lot of cases so we can discuss about the case study. And we can have different opinions. Sometimes that happens. And it's interesting also to have your opinion because as I said before, you have a different approach to solve the problem and normally also say, in my experience, you have the right approach. I have to tell you my professional experience in it to explain why I have this opinion. I work that I stopped to know about technology since 2000. I finished my university 1999. And in that period of time, the first time was the first was the first time that Google appeared in Italy. And so for me it was really shocking, right now check it something like that. But more than just like the experience, because for me, it was something that they say okay, this is the future. And so I decided that in my life, I have to assist the Google and then I start to study and then to try to have a kind of contact with Google. I started my PhD and I want to stand for the two more contact with Google at the very end after eight years. I start to assist Google and I did the important trial. That is not is not related to this kind of subject because it was about the freedom of expression and YouTube and was a criminal case. And then after that case, I start to know very well how it works, who will end up the basis of of goodwill is the fact that the engineer will say the chief or any of any kind of decision. Then we have the legal and the marketing of the other point of the triangle to say and then back to the job the resource to the engineer. And so for a lot of fears, I say okay, this is the future because when, when when when the stand the rationality of engineer I say that this is absolutely more than better than the law decision or the marketing decision, because you are keen to solve the problem. And basically the lawyer is a scheme to create problem this is the difference between a lawyer and engineer but at the same time, we have to tell you one things that is important that you have to understand. I stopped to have to say more complex opinion about the science scientist to be precise one that I manage another case of Google that goes straight to your case.

And I don't know if you know Street View case. It was a case where basically, at the beginning of the Streetview issue, you were really younger, was this kind of machine that goes ar ound the board and take the main image of Google and at the same time they take also the MAC address, sorry the Wi Fi connection to have a better location of the GPS s are better efficient off your mobile when use for example Google Maps you use it you know probably GPS and and the Wi Fi connection. So they do was to use these kinds of machines. This kind of car sorry, to to map all the Wi Fi connection and then they start to do that but the engineer says why we cannot explore. We cannot expand this kind of activity because as we have a car that goes around the world to take all the Manage of the street at the same time all the Wi Fi connection. Why we cannot start if the Wi Fi is open to take the payload data that runs between these kinds of Wi Fi and you have to remember that this kind of activity started in 2008. And in some countries, but we could say around the world but I can tell you about Italy, a lot of Wi Fi was not close was not without password. And so basically, they are absolutely open a lot, a lot of them. So they start to take all this payload data. And at the same time, one of the Google employee lost or I don't know if they was attacked or lost the car I don't know what happened but basically the police discovered this car and then the poor stranger situation they asked some question to the to the driver and then they start to make an analysis of the on the on the on the hard drive that was present in the in that car and they discovered that they take all this information and this is a crime and there is an important crime that is illegal wiretapping because you are you're doing a an activity around the ward to take conversation between person for example, a lot of password was was shared in that kind of situation. It leaked a piece of data because the car goes around the street so you cannot take all the information, all the conversation but just delete that part of the conversation that happened between these this kind of network and then we start the criminal proceeding. And the end I asked her to then to get to the engineer that decides to do that there was more than 140 criminal proceeding around the world, every single state, Italy, France, you can you can see on on Google, there is a decision. If you see it Street View case you have already the case and it became epi C is the association that basically monitor this kind of criminal proceeding. And I asked to the to them to an engineer why he did that. And he said because he is absolutely useful. And they say yes but why you don't ask to a lawyer because it's not important the lawyer so I say okay, at the same time, you are you have to decide and you are the future. But at the same time, sometimes you need a lawyer. So I understand that that opposite at the same time. I really appreciate the data scientists unless when they decided not to ask if something is legal or illegal because it happens that sometimes it's things that could appear useful and also technologically interesting could be illegal. Today, we are not discussing we are also discussing about what happened because it's a sort of data protection violation think we're not discussing about this case. It's just an example to explain you why is important this kind of lecture and why we don't we have to discuss together because I have to learn by you. You are my teacher in a certain sense, but at the same time, you perhaps for a little part of your life you need also my competence and you need also to understand the data protection issue because it's really important. The data protection principle when you work on data and the future is data. So I know that you have done some lecture with with Tanya withdrawal and wonderful professor and then you have also had the for only a couple of lecture if I remember well, listen until now, you will have my lecture that are on the same principle of data protection. We have coordinated our lecture. But if you think that there is any kind of duplication or something like that, you have to tell me because perhaps it's not important to repeat the something that is already said by other professors. So please also tell me something is already set. Okay, so we can start with this really sick and Erica light. It's not to be realized that the chosen this is what we have now. And so we have to know who is worrying Brenda is that our two lawyer

decided they start for the first time in the war that at the end, please if you can help me about that, I will more than happy to reps Yes, this is the model learn really, really fast. Now is better. Sorry, my fault.

Okay. We were discussing about war and burn days that these two experts did that in the iconic article, the right of privacy. That was published in the Harvard Law Review at the end, I think dated in the first years of 9090. In the what is called the principle that the first time they investigate the existence of a principle which may be invoked to protect the privacy of individuals from invasion area baits to enterprising press, the photographer or the possessor of of our any added modern device for recording or reproducing scenes of sounds, and more in general and right to be left alone. And this is amazing because we are discussing of a principle that was made 100 years ago, but the is in this specific period of time completely. Actual and fundamentals because we are in the social media to say duration and everything are faster, lives in a situation where our image is absolutely crazy. And I was telling it to my friends yesterday that basically we don't normally when I was younger, the only way to see my face was the mirror. And now it's not the mirror is just a social media is Internet is a social situation where you can be photographer by by anyone. So this is a really important piece of the right to be left alone. And this is the regions the regions of privacy if you use the US pronunciation or privacy if you use the US UK pronunciation but anyway, this is the principal and then we have some important principle that are connected to these because a article of Warren invalidates the article 12 of the Universal Declaration of Human Rights that says that no one shall be subjected to arbitrary interference with his privacy family for Mercury's balance not to attack upon his honor or reputation. Everyone has the right to the protection of the law against such interference or attacks. So this is a an important principle that we can use and we need to use and is connected with Article eight of the European Convention on Human Rights. When you will be at the exam remember this principle because it's a principle that is also important for Alessandra Pantaleo. I think that that is Sandra mention these or II will mention again. So remember that this article eight is that the basis of the European data protection now is the GDPR and then other you know very well GDPR as we come back to the principle of GDPR the right to respect for private and family life. Everyone has the right to respect respect in it.

So, in this response, this is the comma on the part of one the very few is that there shall be no integrated flavor and set by public authority with exercise of itself is right except such as in accordance with the law and is necessary in a democratic society in the interest of national national security, public safety, or the economic well being of the country for the prevention of disorder of crime for the protection of health or morals, or for the protection of the rights and freedoms of others. What is this second bond that is absolutely important in anticipate the important issue that we have to remember very well indeed that's why it's important the article eight we have always do balance of interest. We always leave that in a balance of interest. I think that the future of the law will be a system one there is a risk assessment we could call it where you have to analyze the right balance of interest from one side that you have for example the public security so if I want to live in a in a place that is really safe, so I want to have CCTV in every street in every place. And so this is opposite you will have more security. But at the same time if you have a CCTV in every single street and this kind of CCTV are managed by, say a political not only not only by the state, but also but also managed by a political party. You can have to see a new set that could be not fair of this kind of data. So what do you want? You want to right to be left alone to mention our birthdays? Or do you want more safety and the same things that we could say about the health because the same time we are finished now. Hopefully the COVID experience and and that was really hard. And now, what is your opinion about the contract tracing the contract tracing? Was it the system of contract tracing? I was involved in one of that the Italian one that had a lot of problems in Italy and it's a system that theoretically then practically doesn't work but basically theoretical was absolutely a good system to to theoretically, again, want to repeat to prevent any kind of epidemic pandemic but at the same time, at the same time we have a compression we limit the right of priva cy. So what is the right balance? What do we want? We want to be safe and healthy or we want to be want to be left alone. Again, want to have the right of privacy? I don't know what is the right answer. It's a balance. It's a balance that you have to realize it because you cannot say okay, only has only safety received me can not see all the privacy. It's the good balance. It's based on a discussion that should be made by you and I so basically they say we need to be a little bit more competent on a technical issue because we are not competent. We in the sense of legal and ethical part of the water. And so we don't know what we try to do nor to to regulate because basically we don't know how it works. And this is tragic combat is true. And at the same time. Who isn't the power to use technology to use data doesn't have some competence on the legal issue. So that's why it's important, this kind of connection between technology and law. And that's why it's really really useful because sometimes you can solve a lot of problem if you if you work if we work together.

Then we have the article eight of the Charter of Fundamental Rights of the European Union. That is everyone has the right to the protection of personal data concerning him or her such data must be precessing thoroughly for specified proposes and on the basis of the consent of the person concerned or some other legitimate basis laid down by law. Everyone has the right of access to data which has been collected concerning him or her and the right to have rectified compliance with these rules shall be subject to control by an independent authority. And this is sort of a summary of what is the privacy in Europe as seen was like a single article all the privacy because the first the first principle is everyone has the right of data protection obviously. The second principle is such data should be presented fairly on the basis on a legitimate basis. When we when we think of privacy or privacy, we always think we obviously think after consent, that these are the basis of privacy in a certain sense, but it's not the unique system to use data. You always think okay, I have to say yes. And they have to consent, processing of data if I want to use the service when you download an app or whatever. But it's not true. Because there are a lot of other important principle that we can use to to use data. And this is really, really important. The GDPR now, we'll go back from that we just go for a couple of minutes also to discuss about GDPR is the give us a give more than six

legitimate basis to process data. So it's really important to figure out that they can also process your data on the basis of a contract. I can also so I have a contract and then I process your data or at the same time I can process data if we for example, eBay, a distribution that is made by law, because there is a legal obligation or reason for example, a investigation and criminal investigation. So I don't need to ask your consent to make an investigation against you. So this is really important and then there is another point that is everyone has the right to access the data which has been collected and the right to rectify it. And this is another you could say data subject, right. And this is another point that we have to learn very well, because it's it has an impact that really strongly impacted on any kind of technical activity. Because one thing is is to say that there are some right and one thing is is to apply this right so first of all the axis in a certain says if I want to have an access to some personal data, it could be simple.

But as I'm a data protection officer in certain reality, for example University, and one student asked to the Data Protection Officer because it's the right of the student that is subject to have access to his data or their data. It's it's really a mess, because we don't know what sorry. We didn't know in what kind of place we have stored this data because there is no proper data classification. There is no sorry, there is no proper data classification on the certain database. So if you ask her to have access to this data, probably obviously, some fundamental data that could have been fine immediately, but sometimes certain data that are not so evident if you don't have a proper data classification tool. It's really really difficult to find it. But then there are other rights that are really complex from a technical perspective when asked to delete data, and this is the article 17 The right of the election. So deletion, so for.

So we could also call it the right to oblivion, but it's another right I want to concentrate to write the off deletion because if I asked to delete data, I don't know that for the same principle and if not accidentally, first, what kind of data I have to keep and what kind of data I have to delete of a student because some some data I need to keep it for legal perspective and do not delete every single record of one of you that made the request so sometimes I have to decide what kind of data you have to keep and what one what kind of data you have to delete, but more difficulties to find every single place. Again, the problem is to identify data where it can present my personal information. Schramm sir Max trim so we will talk about about him Matt is a is a no stren attorney and the story is really, really interesting. Start this first legal action against Mehta now, at the time was Facebook, asking what he did, which is to close the account at the time was not Instagram was Facebook, and then asked to meet us or to Facebook to delete every single data of him and to have the evidence of that. And then Facebook repaired Okay, we have to delete every single data of you. Then Max Ramsar made another request and say please send me right to access send me any kind of information that you have about me. And the normal answer should be we don't have any kinds of information because we have deleted but there was not between the person that reply, there was a mistake and then they sent Exedy What did they have about him? And it was more than one on the 1200 pages of information about it. So they send them a PDF file containing all these pages about him. And then he started legal action against against Mater because he said you tell me you wrote me that you have deleted all my information because I because I closed my account, but then you were not able to do that or you didn't want we will know that. I more. I think I don't have any more information about what is written but I think that the problem was a technical problem. There was no interest to keep that data perhaps but was really complex to delete in a complete and definitive way the data. So this kind of fry the right to rectification right to access the right of deletion is not right here but you will see these kinds of right are really a mess for anybody of us that has to work with data. Now obviously for the time being is a problem, a legal problem, but it will be in the next future, a technical problem. And for me, it's now a technical problem. Rather than an immediate problem. Then, obviously, we need to have any dependent authority. And as you know, in every part of Europe, we have an independent authority. But we have also other authority in other states that are not complied with that they not have the GDPR the more there are more data protection law. For example, last week I was speaking with the American Data Protection Authority in the opposition if they don't comply with the GDPR or they have a collection authority as we have in Italy or we have in France or in another part of the war. Basically Europe. We don't have for example, United States, this kind of authority, but it's you see, at least for Europe is principal absolutely correct but not only for Europe. Then we have article 52 And then we are finished with the principle this is important for the exam please please because this is our simple and the summarize the most important issue, any limitation on the exercise of the right and freedom recognized by this chapter must be provided by far by law and respect the answers of those rights and freedoms subject to the principle of proportionality proportionality. Limitation may be made only if they are necessary in generally meet objective or general of general interest recognized by the Union or the need to protect the rights and freedoms of others. So again, we have a situation where we can and this is the privacy and the data protection every every time you can try to make a balance you can try to say okay, but we need to use the data for specific proposes, but you can use the data only. This is what happened in Europe. If you have a law or any way, we can respect the principle of proportionality and what is the principle of proportionality? Is that balance of interest again, is the idea that you cannot UK you have to balance on the basis of proportionality principle. What is the most important fundamental rights that we have to respect? Sorry if I repeat, but just to be clear, it's more important to your health is more important that your your business is more important than your safety or is more important your privacy and we have to make this balance every time and the GDPR is these is to discuss about this kind of balance of interest.

If you have understood these you have understood an important part of the general principle of privacy, the balance of interest and the principle of proportionality.

what are the main pillars of the European approach? A data centric model, a procedural approach, tech neutral approach, risk management, the basis. I think that to tell you the truth, I the most important and the most difficult approach is the risk management approach. Because as I told you before, if you want to analyze the principle of proportionality principle, we have to start with a risk management approach. I know very well risk management because my first professional activity was done in the in the field of criminal law, specifically specifically cyber crime. So I work a lot in the cybersecurity issue and I work with some experts. They always analyze the situation where there is advanced of influence and my activity was to analyze the potential criminal risk of certain activity. So every time that you try to solve the problem, you have some risk and you have to analyze risk and you have to make a evaluation on the basis of this risk. And at the same time, we have also to remember that also tic tac nail trial approach is really important. We don't have we always see that it's not the problem of the algorithm. It's probably of the person that decided this can be five and this is the principle. Now we are discussing about generative ai i know what will be the future in a certain sense. I'm more on. I'm a little bit worried about generative AI from a legal perspective, an ethical perspective, because I worked a lot in these last two, three years with the same company that our artificial intelligence company that is Italian company that is called expert AI, and they will want to give you our experience if I if I if I if I will be able to give you my what I've learned from them. And what is the physical of expertise to work on explanatory arguments. It's really important to work on something that is explainable, and they think that the degenerative AI is very difficult to be explainable. So for certain fields could be wonderful, generative AI, but at the same time we need to be in the position to understand how it works. Obviously, it's something that is impossible when we work with the AI. I know that but at the same time we need to go in that direction. If you want my legal opinion on it's not probably European because one we work on fundamental principle and not on a per se, technical principle, degenerative value could be really, really risky of AI. Just to tell you give you an example when we talk about a robot lawyer or when we talk about a rubber GA and I think that we have seen that with that with the with this kind of first experiment on generative AI, we will have some potential solution that could be comparable with the decision of a human but at the same time I continue to to get that that when you will be judged by a machine and you're not doing that the possibility to explain what is called the mens rea or that is lighting that is the willingness to commit the crime when you have to explain this that is really fundamental in a criminal trial. And the machine can not understand that what is behind this kind of activity. That probably is crime. But at the same time, you have to understand why this happened. And this could be really impacted on the sanction for example, or also the decision to be acquitted or or or to be convicted. So basically, it's really, really important to have if you want to use AI and obviously I hope that we will be we will be really using AI should be an explanatory because say AI why I said this because the approach is attacking approach but at the same time, and we will see with the article 18 And when they read the article 2025 Sorry, 22 decades of research, not to show a new Trump proach because there is a lot of attention in the data protection law on the human intervention. So basically, yes, you can use AI you can use this kind of tool, but that should be any human intervention. And you know better than I that sometimes is impossible. Please, for example don't know the decision behind or activity criminal activity behind them.

I try to repeat the question because perhaps at the at the bottom that was not so clear. Yes, website was not there was not so clear in what I say nai could absolutely no very well, very well. The precedent or the cases that are behind these situations, especially in in a case law system like the UK on the US US system. The basis on the case is obviously an AI could have a complete knowledge of all their cases that are similar to the case that they have to judge. So this is a real advantage and human cannot know every single case. Similar to the to the one that he has to judge or again, AI cannot can have a complete idea of for the law, especially in a civil law that is the European system that are that can can can use to solve the case. Because there are many many laws especially in every part of the ward. So an AI can absolutely have this kind of knowledge, what they cannot in my view and they cannot have is the meant the willingness to commit a crime that is the another terms it is correct from a legal standpoint, but the problem is difficult for you is this subjective element, what is in the mind of the premium? Because when you have to judge you have also to understand if, for example you commit a crime because you were provoked or you commit a crime because you want to commit a crime. There is a huge difference not because you don't go to trek to prison, obviously you will go to prison in anything. But if you if you are provoked, there is a the sanction is absolutely less at the same time if you if your your real intention was to commit the crime. So you are a dangerous person. Probably your sanction, European ascension would be really high so you have to stay in prison more time. This this is the criminal I know that you probably see a lot of movie or there are a lot of wonderful attorney that always win the case. I did the thing the reality I always lose those the case because basically the intelligent person, the criminal intelligent person does not have any kind of legal issue because they continue to commit criminal activity without the need of any kind of authority. So basically, my activities to defend a sister person that are not so clever, and the only position is starting from the assumption that you will be I mean, we will go in jail. You will be probably convicted. How much time do you have to stay in jail? So this is a good question that the AI has to answer. Not if there is the law of there is the case law. But how much time and I think that it's really difficult for an AI to understand what is the psychological elements on the end of the of the tree and I think that the experience of the judgment of a human judges could be better or at least I don't know, perhaps I'm wrong and they want to have your opinion. But I think that if I were a criminal, I prefer to have a human judge and talk to every single judge as a judge because obviously they have the opportunity to explain the reason that normally 99% of times are explainable, but for human, I'm not sure that we have the same sensitivity and know what, what is the right terms when we talk about a robot, robot or AI, just because you follow your example about robot. So that's why I'm quite nervous about that. Anyway, we have just we have done a lot of experiments now in the judicial system and probably we love AI and then we like to discuss about it we are taking a neutral approach. But when we talk about the tech neutral approach, I don't think that the actual data protection law is really neutral because when you say it's new drug, but at the very end a new a new risk, which should be in human intervention is not neutral, because at the very end there is a there is a man in the loop. Understand what I mean. So basically, it's difficult to say that there is this principle theoretically, obviously, there is this principle, but it's really hard principle. Then, I tell you about the legal basis that is the legal basis to process data and obviously the other pillars is the Proceed procedural approach and data centric model, but this is absolutely clear of everything get in the future will be data centric.

So we go to the first case that the probably it's it's absolutely useful for you. You have to remember that European Court of Human Rights is not part of the EU. We have now the case sorry for the Michael Gramsci. I always make this mistake. I try to, to be really near to the microphone, and then we have ECG, and that is the European Court of Justice or the Court of Justice of the European Union, but you can say ECG and then European court of the human rights. So it's not the question for the exam to worry about that but remember that are two different court.

It's European court, also the European Court of Human Rights, but it's also have other countries that are not in the European Union. That's this is the difference in the European Court of Justice. It says Made by all the member states of Europe.

We have a decision of the European Court of Justice, the CG and this is a case that was quite important. And this was the case that give you the possibility to Google to to start a new system that is the right-to-be-forgotten tool that probably you don't know very well and they want to give you this information because it's useful for you.

And the thing that you have to use perhaps you everybody of you, anybody if you ask us the right to forget for is experience or experience.

Who knows what is the right of forgotten tools have right to be forgotten sorry, tools. Okay, I will.

Because what is it yes, you say to be no know what Google should Google or Facebook or any society issue should edu certainty that they don't know you? They don't know anything about.

Okay, it's true. This is the principal what is important that that is the Google differently from mentor and from other instrumental tool that you have online and that proper format that is completely free. And if you want to ask Google to remove information about you, you have the possibility to use this tool. So it's useful because it happens that in your life, perhaps you have some information about you that you don't want that peer how on the on the web on Google on Google.

And then this is an instrument that will be used, I don't know, just just you to know and then he will take two minutes to explain how it works because it's really simple is that as Brad said, for example, a friend's a few as a legal problem and then this information goes online and when and when you google him or her you will see information about these legal action and probably is not good information that you don't want these information appear. And then you can ask to Google to remove this information. But the point is that you don't remove the information from the website but only in the search engine only. Google so there is the A ay perhaps it was the Italian a few can can empty with this word de indigency on it if you if you can.

indication, indication. Now indexation index station indexation index station? I don't know. I think that is correct. I hope that you can understand but anyway, you can delete the we can see the nice states is something that would make sense the information from Google, but not from what from the website. So if you have information is been asked in the New York Times, for example, use the information remain in New York Times, but you will not see on Google. It's clear. Okay, this is their right to be forgotten and the opportunity that you have with Google, but it's true what you said before because you can ask it to everybody. So also to your time, sir, to Mater to everybody to any kind of web company to delete your information. But you have to it's not so simple, is not so effective. As you have in Google. This is the main difference that we have. So Google Ad give to the to the user this opportunity and why they give this opportunity not because they are rude, but just because there was a case that impose this kind of tool just to Google and not to the other. So was not because they want to help the user but just because there was a European Court of Justice case, that is this principle and what happened at least or to stay at Gonzales lodge with the Spanish data protection and compliance against the Lavon guardia there is a Spanish here Spanish guys know, okay, which publishes a daily newspaper with the larger situation against Google Spain and Google. They complain mostly based on the fact that when a need to recuse enter Mr. Cote I state your name, first.

Name in the Google search engine, you will obtain links to the two page of LaGuardia off 19 January 9 March and 19 nt respectively on which announcement mentioning his name appeared for a real estate auction connected with attachment proceeding for the recovery of social security steps. So he was a clerk in the quarter. So it was a respectable person, but he had some problem economic problem with his company and know exactly what he did.

related to real estate, and this information, even if it was information that appeared in 1998. So 16 before 16 years before that the civil action against Google, this information was present on the internet. So as you know, internet doesn't forget. And it was it became completely crazy about this fact, because he said it's not true. It's I every one of us as a resource, right fundamental right and opinion of what is reputation. So normally even if you made a mistake, after a good period of time, not one here, probably there is a right to say I don't want to have this information present on land. Last week I manage it is sufficient. That was really hard.

We are the case that is quite famous in Italy. That was I call it for the for the Italian guys that is it will be super quiet about that. But for the large Italian guys is Karima and that was American girls that will say that that their relation with our former former president and then at the very end our president that was that we are serious person thought that he will he were she was the son of the Egyptian President back. This is a crazy situation that we either need them and then a criminal proceeding start against our former former president and against this girl. And then at the very end after 10 years of criminal proceeding. This girl's war was acquitted has been acquitted recently, and then she said I want to be I want to have the right of oblivion. I want to add my personal life because in the last 10 years, she were 17 years old when this happened. Now she is 30. And so she she was she she was underage. And then she said okay, I committed a lot of mistake. And it's true. I made a lot of mess. But at the same time I need to add my reputation I need to start a new life. I have a nice one that I have a little song I want to give them to my son a different perception of matter. Because if you Google error now, you will see a lot of information regarding her past. And so what is right and this is a question for you. It's it's correct. To delete something that unfortunately, I say like isn't as I'm an Italian is the story of our country that our former former minister and the relation with the 17 years that he thought that she was the son of the Egyptian president and she wasn't but anyway is this is the story, good or not? Is the story from one side and from the other side. There is a word that was in a certain sense victim of this situation because it was insufficient. That was absolutely bigger than she was a 70s American guys that arriva girl Sorry, did arise in Italy when he was 14. So what is the right balance of interest? We need to delete information about who to apply for to be corrected Kereama in my group or we need to keep this information because it's the part of the story the entire story. This is a question for you. What do you what do you think about that? What we have to do?

Delete or not delete the data?

this is a really attorney. This is not the backside of the slipper. Busy I want to believe I want to add my payment my fees, but this is not the point. It's more it's more it's bigger than this kind of situation. It goes to the to the really fundamental right of our future because if we if we start to delete and we think that we need to hear I understand what you have to say because I am in the part of her because she arrives in Italy and everything is absolutely bigger than her happens. And then she was she was in this creative magic and crazy circle for 13 years and then now she wants to have some quiet. I see okay, but this is the life what I probably also Atelier after 20 years could say please delete my so if you work in this direction, we can have also got equation so and we don't we have this this power now because in the past we had in our history was not only here, but now our history is in Google if you want to search something, you search on Google, you don't search on every path that yes you have bootcut I start to study with the encyclopedia, but there is an encyclopedia. I don't think that there is there is Wikipedia, but you can manage and you can change which pedia as you know very well.

So it's a really hard decision. I think that the balance of interest is to say okay Kadima, we can delete some photos of you when you were 17 years older. That are really

sexy, we can say for photo bit, but I understand that we don't need to see there because we need to respect the very major. But at the same time I cannot delete all the single piece of story of Karina because there was a criminal proceeding. There was a piece of story. So you have to make a balance of interest from one side that is what we need to keep to save the story. And then probably the body of game at that moment is not so bad. But anyway is something that we can renounce in a certain sense for the legitimate interested of claimants so this is the point and then

okay what what happened? Coming back to this case that costae is requested Alaba guardia it was the newspaper to remove or alter those pages so that the personal data relating to Iman no longer appeared or to use certain tools made available by search engines and asked to Google to remove the person to remove the data related to him stated in this contest that attachment proceedings concerning him and been fully resolved for a number of years. And that reference separate them was not entirely irrelevant evidence. So this is the first time before the GDPR the GDPR arrive in 2019. That the person tried to use the right to be forgotten. That in a certain sense, was a general principle that we study at the beginning and the European Court of Human Rights that obviously charters are your fuel right, obviously was done before 2014 and 2018. But for the for was the first time that the court stopped decide what we have to do with this kind of balancing of influence. So we the decision of 13th of July of 2010 the Spanish data protection rejected the complaint. And this was the first one in 2010.

And as it related to why they think in the view that the duplication byte of information, the question was legally justified and it was intended to give maximum Publicity to the auction in order to secure as many bidders as possible. So that was the old Trump this was this auction, but you have to tell an investor as to as there is to know about this kind of legal issue that happened to stay at the same time on the audit. On the other hand, the complaint was apparent, insofar as it was directed against Google's pain, and Googling authority. Consider the operation of search engines are subject to data protection legislation, given that they carry out data processing for which they are responsible, and act as intermediaries in the Information Society. So this principle was from my side, La Guardia decided to the Spanish data protection decided to keep the information to Lubanga at the same time, they decided that Google Spain and Google was liable by the data protection law. So it's not that fundamental for the exam.

Today, it's really important that what we have to what we see now so if you want to remember the principle of stadia, and then you can make a connection with also claim if you want just to remember what is the balance of interest principle is that is that the subject may in the light of these fundamental rights under Article Seven and eight of the charter request that information requests are no longer be made available to the general public on account to face inclusion such as the result, those right override as a rule, not only the economic interest of upgrade of the search engine, but also the interest of the general public enabling access to date information are pushed upon a search engine related to the data subjects name. However, that will not be the case if it appeared for particular reason, such as the role played by the data subject in the public life is that the interference with this fundamental right is justified by the proponent that I'm interested of the general public intervene on account of its inclusion in the list of results access to the information requested.

To be simple, the point is, you have to balance the public interest also that we have regarding this information and we if the person is a public person, again, our former former president, prime minister sorry.

Was was was really a public person. He is a public person. When we talk about Chrystia is not a public person. The information was on public interested. Yes, information wasn't potentially was was helpful to know that he had some judicial problem, but at the same time, we have to consider the right to have a new life and we could say and so we have too many entities balance of interest. So we can stop for 10 minutes, then I will show you the right to be forgotten firm so you can understand practically how it works and then we go to continue with the other