



MAX PLANCK INSTITUTE

FOR COMPARATIVE PUBLIC LAW
AND INTERNATIONAL LAW

Human Rights Discussion Group

Elif Küzeci

Assistant Professor at Bahcesehir University Law Faculty in Istanbul, Turkey

Dr. Jekyll or Mr. Hyde?

Revisiting “Right to Be Forgotten” in the light of the rulings of the CJEU (C-131/12) and the Turkish Constitutional Court (No. 2013/5653)

Thursday, 20 October 2016, 15:00 – 16:30, Room 014

The “Right to be Forgotten” has attracted great deal of attention by individuals, academics, activists, politicians, lawyers, and companies specifically since the Google Spain ruling of the CJEU (C-131/12) dated the 13th of May, 2014. Indeed, we are living in an era when to be forgotten is becoming exceptional in the means of new information and communication technologies. However, the decision got controversial responses including both welcoming the right to be forgotten as a new right and criticizing potential negative effects of it on freedom of expression. These discussions mainly focus on EU and US conflicts related to their human rights perspectives. However, the ruling also echoed in different parts of the world. One of the recent examples of it could be found in the Turkish Constitutional Court (TCC) ruling no. 2013/5653, published on August 24th, 2016. In this presentation, some questions posed by the right to be forgotten, will be analyzed in the light of the two rulings of the CJEU and the TCC. The main questions, which will be discussed, are: Do we need the right to be forgotten? Could it be an autonomous right? For who, and by whom could this right be exercised? Is the right to be forgotten just applicable in the online world or also in the offline world? Is the right to be forgotten a new human right or a sugar coated censorship?

Elif Küzeci is Assistant Professor at Bahcesehir University Law Faculty in Istanbul, Turkey. She is also an Adjunct Professor at Istanbul Technical University, Computer and Informatics Faculty. She accomplished her LL.M.



degree with the thesis titled “Freedom of Expression on the Internet” and holds a PhD degree from Ankara University that deals with “Data Protection”. She has been interested in multi-dimensional effects of information communication technologies (ICTs) on the human rights since the early 2000s. Besides academic researching and lecturing at universities, she has been also a member of several NGOs and networks, including Asian Privacy Scholars Networks and Informatics Association of Turkey. She participated actively in the foundation of Internet Society (ISOC) Turkey Chapter one of the aims of which is to advocate for equal and free access to the Internet. Currently, she is the vice president of the Chapter. She is also actively participating in the decision-making processes of her focus area as an expert under Ministries and the Parliament in Turkey. She has published extensively on ICTs and human rights.

Max Planck Institute for Comparative Public Law and International Law
Contact: Dr. Sabrina Ragone (ragone@mpil.de) and Elif Askin (askin@mpil.de)