
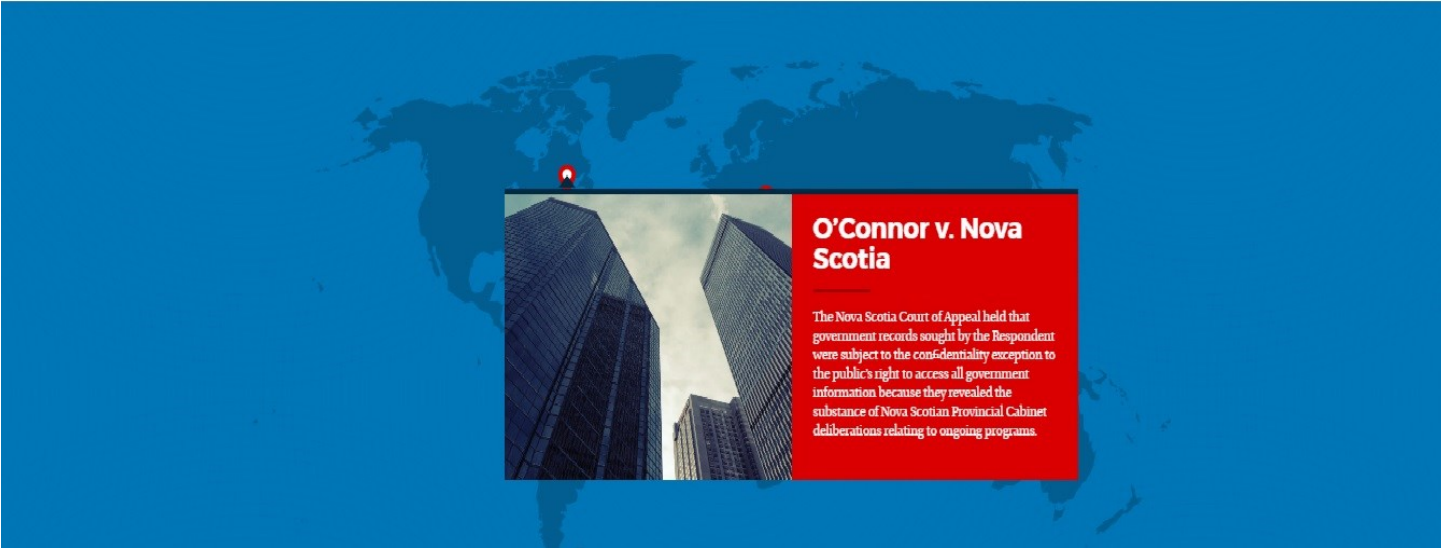


GLOBAL FREEDOM OF EXPRESSION



O'Connor v. Nova Scotia

The Nova Scotia Court of Appeal held that government records sought by the Respondent were subject to the confidentiality exception to the public's right to access all government information because they revealed the substance of Nova Scotian Provincial Cabinet deliberations relating to ongoing programs.

Banco de Jurisprudencia sobre libertad de expresión en español

El Banco de Jurisprudencia en Español

Sobre el Banco de Jurisprudencia en Español

Socios

Misión

Equipo de trabajo del proyecto *Global Freedom of Expression*

Información de contacto

El proyecto *Global Freedom of Expression* en colaboración con la Oficina de la UNESCO en Montevideo y Dejusticia han desarrollado esta versión en español del banco de jurisprudencia sobre la libertad de expresión y acceso a la información. Esta base de datos incluye las decisiones más importantes de 16 países de América Latina y una serie de decisiones del resto del mundo en materia de libertad de expresión y acceso a la información. El análisis fue realizado por un grupo de abogados supervisados por Catalina Botero Marino, abogada internacional de derechos humanos y ex Relatora Especial para la Libertad de Expresión de la Comisión Interamericana de Derechos Humanos de la Organización de Estados Americanos. La FLIP (Fundación para la Libertad de Prensa) y la Universidad Externado (Colombia) contribuyeron de manera determinante en el análisis de algunos de los casos más destacados de América Latina en materia de libertad de expresión. Esperamos que esta herramienta le sea útil y sus comentarios son bienvenidos.

Video: Una Introducción al Banco de Jurisprudencia

Comunicado de Prensa

[VER LOS CASOS](#)





www.globalfreedomofexpression.columbia.edu

The screenshot displays the 'Case Law' section of the website. On the left, a blue sidebar contains filter options under 'Filter Cases', including 'REGION' (Africa, Asia and Asia Pacific, Europe and Central Asia, Middle East and North Africa, North America, Latin-America and Caribbean) and 'COUNTRY' (All Countries). The main content area features a search bar, a 'SHOW TACS' button, and sorting options for 'NEWEST' and 'OLDEST'. It reports '777 CASES FOUND' and highlights a featured case: 'State vs Mohammad Shahrukh' from October 1, 2016, categorized under 'PAKISTAN, ASIA AND ASIA PACIFIC' with sub-topics 'Terrorism, Violence'. Below this, another case 'Magyar Helsinki Bizottsag v. Hungary' is listed with a date of November 8, 2016. A world map graphic is visible in the background of the featured case card.

SHOW TACS

Case Law

Filter Cases

REGION

- Africa (66)
- Asia and Asia Pacific (130)
- Europe and Central Asia (283)
- Middle East and North Africa (27)
- North America (163)
- Latin-America and Caribbean (107)

COUNTRY

All Countries

MODES OF EXPRESSION

- Books / Plays (34)
- Audio / Visual Broadcasting (69)
- Electronic / Internet-based

Search Case Law

NEWEST OLDEST

777 CASES FOUND

FEATURED

October 1, 2016

State vs Mohammad Shahrukh

PAKISTAN, ASIA AND ASIA PACIFIC

Terrorism, Violence

November 8, 2016

Magyar Helsinki Bizottsag v. Hungary

...sion.columbia.edu/updates/

Google Spain SL v. Agencia Española de Protección de Datos

Closed Contracts Expression

MODE OF EXPRESSION

Electronic / Internet-based
Communication

DATE OF DECISION

May 13, 2014

OUTCOME

Remanded for Decision in
Accordance with Ruling, Advisory
Opinion/Preliminary Ruling

CASE NUMBER

Case C-131/12

REGION & COUNTRY

Spain, Europe and Central Asia



JUDICIAL BODY

European Court of Justice (ECJ)

TYPE OF LAW

International/Regional Human
Rights Law

THEMES

Privacy, Data Protection and
Retention

TAGS

Data Protection and Retention,
Internet, Right to be forgotten,
Privacy, Search Engines, Google,
Personal Information

CASE ANALYSIS



DECISION DIRECTION



Contracts Expression



This decision preserves an individuals rights of privacy and the protection of personal data while also holding that there are limits to those rights which are “justified by the preponderant interest of the general public” in access to that information.

GLOBAL PERSPECTIVE



CASE SIGNIFICANCE



OFFICIAL CASE DOCUMENTS



Have comments?

Let us know if you notice errors or if the case analysis needs revision.

SEND FEEDBACK

GLOBAL PERSPECTIVE



Related International and/or regional laws

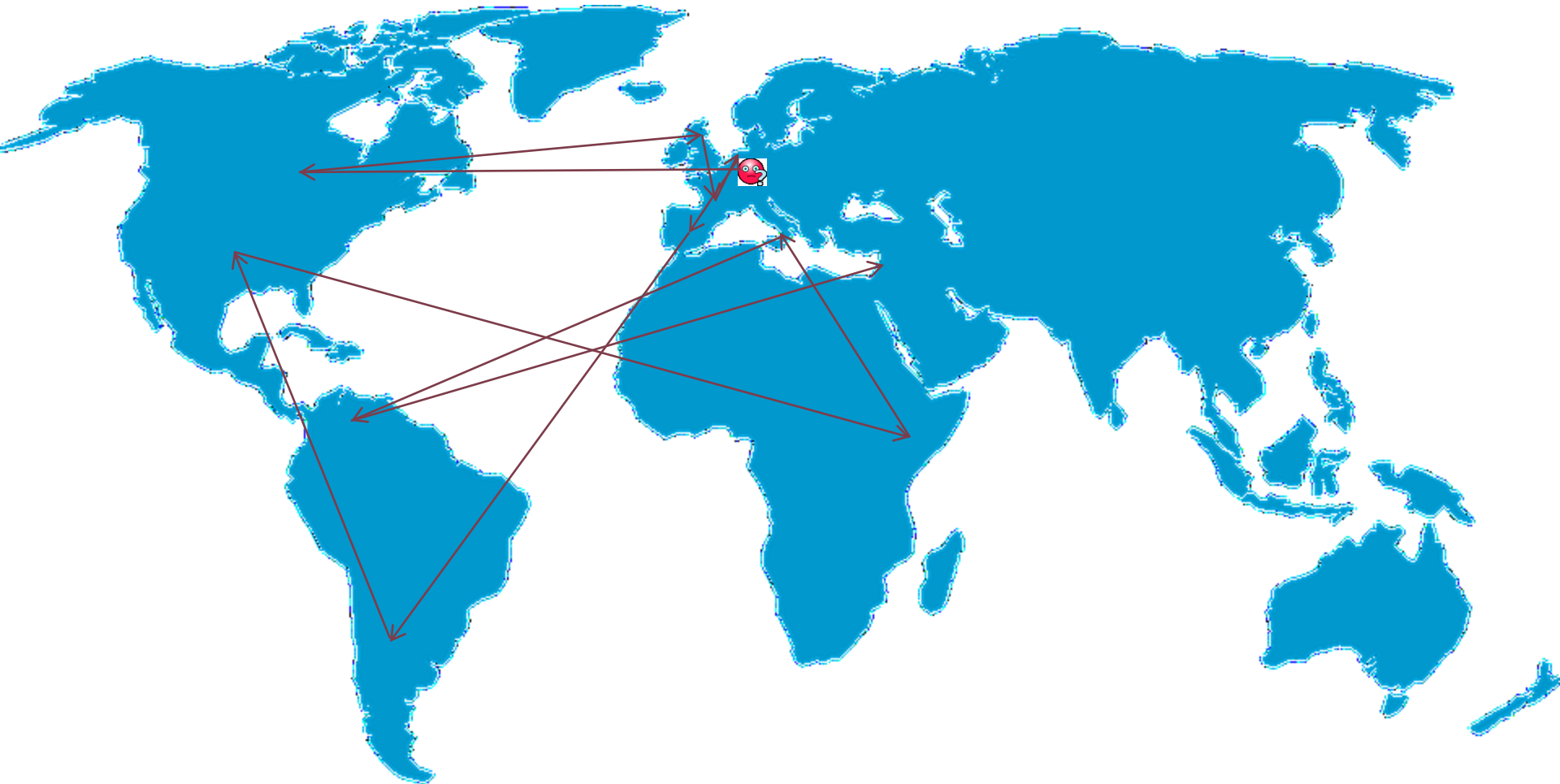
- **EU, Directive 95/46/EC (1995)**
Articles 2, 4, 12 and 14
- **Charter of Fundamental Rights of the European Union art. 7**
"Everyone has the right to respect for his or her private and family life, home and communications."
- **Charter of Fundamental Rights of the European Union, art. 8**
"Everyone has the right to the protection of personal data concerning him or her."
- **ECHR, art. 10**
"Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises."
- **ECJ, Lindqvist, Case C 101/01 (2003)**
Para. 25
- **ECJ, Case C 73/07, Tietosuojavaltuutettu v. Satakunnan Markkinapörssi Oy (2008)**
Para. 48 & 49

The decision was cited in:

- [Equustek Solutions Inc. v. Jack](#)
- [Plaintiff v. Google Netherlands BV](#)
- [Rodriguez v. Google Inc.](#)
- [García v. Google, Inc.](#)
- [Cartier v. BSKyB](#)
- [Ordonnance du 16 Septembre 2014 \(Google France Case\)](#)
- [Don Domingo v. Google Spain](#)
- [Nederlandstalige rechtbank van eerste aanleg Brussel, 2015/57/C](#)
- [Schrems v. Data Protection Commissioner](#)
- [Belgian Privacy Commission v. Facebook](#)
- [Don Alfonso v. Google Spain](#)
- [Galloway v Frazer, Google Inc t/a YouTube and others](#)
- [Google Spain, S.L. v. Agencia Española de Protección de Datos \(Spanish Data Protection Agency\)](#)
- [PJS v News Group Newspapers Ltd \[2016\] UKSC 26](#)
- [MT v. OY, HTG, MA & A. Ltd.](#)

OFFICIAL CASE DOCUMENTS

Google v Spain Goes on a World Tour



Cengiz v. Turkey

Select Language

Powered by Google Translate

Closed Expands Expression

MODE OF EXPRESSION

Electronic / Internet-based
Communication

DATE OF DECISION

December 12, 2015

OUTCOME

Article 10 Violation

CASE NUMBER

48226/10 and 14027/11

REGION & COUNTRY

Turkey, Europe and Central Asia



JUDICIAL BODY

European Court of Human Rights
(ECtHR)

TYPE OF LAW

International/Regional Human
Rights Law

THEMES

Access to Public Information, Other
(see tags)

TAGS

Internet, YouTube, On-line
Expression, Right to Information

United States Telecom Association v. FCC

Select Language

Powered by Google Translate

Facebook



Closed Expands Expression

MODE OF EXPRESSION

Electronic / Internet-based
Communication

DATE OF DECISION

June 14, 2016

OUTCOME

Law or Action Upheld

CASE NUMBER

No. 15-1063

REGION & COUNTRY

United States, North America



JUDICIAL BODY

Appellate Court

TYPE OF LAW

Administrative Law, Constitutional
Law

THEMES

Other (see tags)

TAGS

Internet, Internet Service Providers,
On-line Expression