

PRESS Release: Six Korean human rights activists file a lawsuit against Google HQ and Google Korea

- On 23rd of July, six Korean human rights activists file a lawsuit against Google Inc. and Google Korea requesting the disclosure of personal information provision records to Seoul Central District Court –

1. On 23rd of July, Wednesday, six Korean human rights activists have filed a lawsuit against Google Inc. and Google Korea for requesting the disclosure of personal information provision records which Google provided to third parties such as NSA. They filed a claim petition as follows.

- According to Edward Snowden, Google cooperated with NSA in gathering personal information through 'PRISM Program'. Due to his witness, suspicion has been raised that even private information of users, who are not American citizens living in other countries and use Google services could have been provided to NSA and to some considerable extent. .
- For this matter, there are also possibilities that personal information as a sender/responder and Gmail service usage records of plaintiffs that have exchanged email messages with other global activists and professionals working for the improvement of human rights conditions would have been provided to a third party, such as NSA. Providing personal information and service usage records (particularly Gmail service usage records) could have directly violated plaintiffs' own rights to control their own personal information.
- Users have rights to request service providers for getting access to and/or getting appropriate information for the status and records of their personal information provision which could have been provided to the third parties if any. ('Act on Promotion of Information and Communications Network Utilization and Information Protection. etc'¹ Item 2 of Paragraph 2 of Article 30). When requested, the service providers should immediately take the action upon requests. ('Act on Promotion of Information and Communications Network Utilization and Information Protection. etc'¹ Paragraph 4 of Article 30).
- Google has to observe the Constitution of the Republic of Korea as long as it provides its services to Korean people, and by using the network system run by the Korean

¹ http://elaw.klri.re.kr/kor_service/lawView.do?hseq=18719&lang=ENG

telecommunications carriers. Also, Google Korea, a subsidiary company of Google Inc., is also a Korean company that should observe the laws of Korea. Taking into account the characteristics of its services that utilize the customers' personal information and the fact that it runs the department of personal information separately, it is hard to say that Google Korea has nothing to do with taking the customers' personal information.

- Therefore, it is a violation of 'Act on Promotion of Information and Communications Network Utilization and Information Protection. etc' that Google Inc. and Google Korea have not taken any action upon requests to disclose the status and records of personal information provision including service usage records (particularly, the Gmail service usage records) which could have been provided to third parties .
- 2. On February 10th 2014, 6 Korean human rights activists, the plaintiffs of this lawsuit, have requested Google Inc. and Google Korea to provide records of their Google accounts' personal information provision which could have been provided to the third parties. They have already requested Google Inc. to inform whether they had provided personal information or the service usage records (the sender/responder of their e-mails, their e-mail messages) to the third party.
- 3. On February 22nd, however, Google hasn't answered or confirmed at all to the inquiries in its response sent by its legal department. The plaintiffs have urged Google to disclose the information concerned once again on May 20th. However, Google hasn't yet provided any answer up to now when they filed a lawsuit against the company.
- 4. Before filing the lawsuit, the plaintiffs held the press conference in court's press room and emphasized that the right to be informed on how and what one's personal information is provided to be secured by International Human Rights laws, as well as Constitution of Republic of Korean, and local laws. The plaintiffs called for Google to immediately respond to this legitimate request.

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