



Tech Talk

Big Data ©

by Max Farrington and Pascal Grierson

Facebook, the NSA, and the United States generally just lost a major battle in the big data war between America and the European Union. Max Schems, a 28 year old Austrian law student managed to force the European Court of Justice or ECJ to declare invalid a treaty that gave many US companies such as Google, Facebook and Apple the ability to move its European big data out of Europe, into America.

First of all, let's define what big data means. It is a term used to describe all the data saved through sharing, storing, searching, capturing or visualizing on the internet. Let's take Facebook as an example. If you have an account that you access regularly where you've put up many details of yourself, your life, your friends, the photos you've uploaded, then all of this goes on the Internet and is then stored in a huge hardware based in the United States, as Facebook is American. The NSA is also currently building the Utah Data Center and when finished, the facility will be able to store a huge amount of information that has been collected by the NSA over the last few years.

The issue was quite simple; information from French, British or German users was being sent to the US and this caused major diplomatic issues. It is somewhat related to recent revelations by Edward Snowden, the privacy activist, such as the Americans spying on German officials or even US companies spying on European citizens.

Schems the young student, had been in a privacy lawsuit with Facebook for 2 years and ended up winning it. The Agreement known as "Safe Harbour" is now officially invalidated.

This does not mean that Google and friends have stopped sending data to the US but they must now comply with the EU's laws which are much stricter than the US's. Facebook's European headquarters are in Dublin, Ireland, which is, of course in the EU and means the Irish authorities must make sure that data transfers abide by the laws of the European Union. Many reactions ensued, for instance Facebook said that the transferred data was totally legal and that the EU and US governments had to cooperate to provide reliable methods for lawful data transfers. The ECJ's decision could also impact on the TTIP, the Transatlantic Trade Investment Partnership, which is the agreement to create a huge free market between the EU and the United States.

The final word from the Austrian student was "This judgment draws a clear line. It clarifies that mass surveillance violates our fundamental rights. The decision also highlights that governments and businesses cannot simply ignore our fundamental right to privacy, but must abide by the law and enforce it."