

Subjects: Publication of pictures on Internet

Occupation: Citizen

Data type: Pictures

Someone has published a picture of me on a social network. Can I request it to be removed?

A teenager, suspicious by nature, thinking she isn't photogenic, never uploaded any pictures of herself on social networks.

She discovers that several of her friends have pictures of her on their online pages.

She asks her friends to remove the pictures, but instead some of them add more pictures with bullying comments.

She calls her law teacher for help. He informs her she can go to court, request an urgent decision against her friends but also against the provider of the social network.

She shares this legal information over the social network, et share the problematic with her friends.

They recognized they went too far and remove the pictures that were uploaded without her consent.

Recommendations

Explicit consent of the data subject is required in order to publish a picture, also on the Internet. If the consent is missing, the upload should not take place.

Basic principles

Principle of legality, right to the image

Resources

Tips from Pascal Rytz, lawyer «How-to remove my picture from Facebook» (in French) in Tribune de Genève <http://journal.tdg.ch/oter-ma-photo-facebook-2012-01-29>