NEWS DIGEST

MEITY Chair on Internet Policy

ICRIER's Internet Policy News Digest is your update on Indian and global developments in cyber-security, digital economy, and Internet governance. We have recently re-designed the news digest to include opinion pieces covering issues both global as well as focused on India. We sincerely welcome your valuable feedback and comments at www.internetpolicy.in. Please email your valuable feedback and comments to internet.news@icrier.res.in.

GLOBAL

This fortnight has seen continued dialogue on the evolving nature and efficacy of privacy and data protection law. The debate builds on multiple perspectives that are shaped by socio-cultural norms of different countries and the nuances of enforcement. While Natasha Singer writing for The New York Times explores the need for a sweeping data protection law in the US, Stephanie Hare writing for The Guardian analyses the shortcomings of GDPR in protecting user data, including children's data. An essay written by Paula Kift for the Observer Research Foundation explores the key actors involved in shaping the GDPR and how different implementations of the law can have varied implications on how personal data is processed within the European Union and beyond. As the right to privacy takes centre stage in developing countries, Winston Ma Wenyan, writing for the World Economic Forum, enumerates how, in recent times, Chinese users have stood up for their privacy before internet giants. Kenya recently approved its Data Protection Law that imposes restrictions on how personally identifiable information obtained by firms and government entities can be handled, stored, and shared. The news links below capture recent corporate activity around data management.

Google's 'Project Nightingale' involves the transfer of healthcare data
An anonymous whistleblower who works in 'Project Nightingale' has revealed that the project involves the secret transfer of personal medical data of up to 50 million Americans from one of the largest healthcare providers in the US to Google. The transferred data includes full personal details, including name and personal history, and the data has been anonymised.

Microsoft to apply California's digital privacy Law across the US
Microsoft has announced to implement California Consumer Privacy Act (CCPA) that comes into effect from January 1, 2020, throughout the US. The CCPA allows people to request that their data be deleted and also gives them an opportunity to opt-out of having their information sold to a third party.

Facebook gave Tinder special access to user data, reveals leak: Report
Facebook CEO Mark Zuckerburg allowed Tinder, a popular dating app with special access to user data, as shown by leaked exchanges between the Facebook CEO and Tinder co-founder Sean Rad. The leaked correspondence is part of a long-running lawsuit between former Facebook app developer Six4three and Facebook in a California State Court.

Facebook reveals that 100 software developers may have improperly accessed user data
Facebook has disclosed that 100 software developers may have improperly accessed user data, including the names and profile pictures of people in specific groups on the social network. The company said it has removed this access and reached out to 100 developers who may have accessed this type of information.

ICANN
The Internet Corporation for Assigned Names and Numbers (ICANN) held its 66th Public Meeting in Montreal from November 2-7, 2019. ICANN66 was also the 21st Annual General Meeting of ICANN. To discuss the key takeaways from the ICANN66 meeting, ICRIER is hosting a Readout on December 2, 2019 to bring various stakeholders abreast of the latest developments at ICANN.

ISOC Sells .org domain registry to private equity firm
Ethos Capital, a private equity firm, is acquiring a Public Interest Registry (PIR), the nonprofit corporation which maintains the .ORG domain, from Internet Society (ISOC). The acquisition amount is currently unknown but is anticipated to provide "substantial funding" to support ISOC's work.

INDIA

Data is at the centre stage of policy discussions in India. Writing for the Economic Times, Gulshan Rai exhorts that cybersecurity should be India's priority, and the government must devise a national cybersecurity strategy that defines the country's priorities, principles, and approaches to managing cybersecurity risks. While Shashi Tharoor argues in the Quint that the Kudankulam security breach may be behind us, but there is an urgent need to enhance Indian cyber capabilities to prevent a future violation of this nature.

Prasanto K. Roy writing for India Today highlights how data can be used by governments to game democracies and how an ordinary voter has been rendered vulnerable through the use of their personal data. Meanwhile, Sushant Kumar writing for Livemint makes a strong case for creating social applications across various sectors such as cancer research, civic governance, urban planning, agriculture by utilising data. Roshni Majumdar writing for India Today explores how the Indian government's quest to build the country's facial recognition system may have no basis in law. Institutional positions on privacy, data protection, and data use are summarised in some of the news links provided below.

Personal Data Protection Bill will be tabled during the winter session
The Personal Data Protection Bill has been listed as one of the Bills to be tabled during the Winter Session of Parliament, which commenced on November 18, 2019. While the final contour of the Bill is yet to be known, the draft version, which was made public earlier, among other things said businesses were required to seek explicit consent for the data they collect on consumers.

Information Technology Industry Council opposes India's bid for data localisation
Information Technology Industry Council has stated that India's mandate on data localisation could prove detrimental to tech companies, and also opposed the government's bid to force social media apps such as WhatsApp to allow traceability of the origin of certain messages.

India views its privacy seriously, data imperialism not acceptable says, Ravi Shankar Prasad
Amid the commotion over Pegasus hacking incident, IT Minister Ravi Shankar Prasad on Wednesday stated that India takes privacy seriously of which informational privacy is an integral part, and data imperialism will not be acceptable. The comments assume significance

in the backdrop of recent disclosures by messaging giant WhatsApp stating that Indian journalists and human rights activists were among those globally spied upon by unnamed entities using an Israeli spyware Pegasus.

WhatsApp can't start payments business, RBI tells Supreme Court
The Reserve Bank of India has submitted before the Supreme Court that Whatsapp is non-compliant with current data localisation norms and that it has directed National Payments Corporation of India (NPCI) to not allow a full-scale launch of payments business by Whatsapp on the Unified Payments Interface (UPI).

India Internet Week
The India Internet Week was held from November 11-17 2019, at Kolkata, India. The objective of the event was to facilitate discussions around internet governance through a week-long conglomeration of multiple conferences, workshops, and panel discussions. The week culminated with the India School of Internet Governance held from November 15-17, 2019, a school run in collaboration with four ISOC chapters, namely, Delhi, Trivandrum, Mumbai, and Kolkata. More details about the event and various sessions held at the India Internet Week can be found here

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