

Session 4: Privacy, surveillance and data protection

24 November, 2020; 8:30 - 10:30 AM UTC

This unit will identify the different facets of an individual's privacy that are impacted in the digital age and map regulations that are intended to protect those rights. It will examine the impact of emerging technologies on decisional privacy by analysing the different forms of surveillance currently deployed in society and the legal frameworks enabling them. Since the increasing use of personal data in the ICT space warrants a closer look at the data protection legislations, we will look at the current level of protection offered by legislations and examine if they have been adapted to address the informational privacy harms arising out of the technological changes.

Reference Materials

** Tables are hyperlinked, please click on the text to access*

- **Table 3: Laws and regulations governing the ICT ecosystem**
- **Table 4: Resources/databases on ICT and jurisprudence**
- **Table 5: International human rights law landscape**
- **Table 2: Constitutional guarantees**

Reading Materials

Suggested readings:

1. Rishab Bailey, Vrinda Bhandari, Smriti Parsheera, Faiza Rahman, *Use of personal data by intelligence and law enforcement agencies*, NIPFP (August 2018)
2. Amber Sinha, *Fundamental Right to Privacy series*
3. A Free and Fair Digital Economy Protecting Privacy, Empowering Indians Committee of Experts under the Chairmanship of Justice B.N. Srikrishna
4. Smitha Krishna Prasad and Sharngan Aravindakshan, *Playing catch up - privacy regimes in South Asia* (June 2018)
5. Access Now, *India's plan to regulate non-personal data: protect personal data first* (September 2020)

Additional readings:

1. Comments on the Framework for a Proposed Data Protection Legislation for Sri Lanka (July 2019)
2. OECD Guidelines Governing the Protection of Privacy and Transborder Flows of Personal Data
3. APEC Privacy Framework
4. General Data Protection Regulation
5. Amber Sinha and Arindrajit Basu, *The Politics of India's Data Protection Ecosystem* (December 2019)
6. Centre for Internet and Society, *Essay: Watching Corona or Neighbours? - Introducing 'Lateral Surveillance' during COVID-19* (May 2020)

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Session Summary

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