

CEO Message

The occasion of Data Privacy Day (DPD) that the Security & Privacy fraternity across the globe celebrates with rather great fervour is special for DSCI and the privacy community in India. The momentum that has been building around Data Privacy & Data Protection in past few years or so, is both astounding as well as unprecedented.

The manner in which countries and economic blocks are precipitating their efforts towards overhauling their regulatory regimes around Data Protection also speaks volumes about the massive digitization drives that are underway which in turn are setting the stage for data rich digital economies. We at DSCI are pleased to reach out to you today with the objective of taking stock of how far along the discipline of Privacy has really progressed in past one year and the challenges it has confronted during this period. As we gear up for year 2018, a quick tour of developments we can look forward to in months to come and how we, as a community, could be better prepared for them.

The operationalization drive for the EU GDPR went on throughout 2017 as the companies were busy making themselves GDPR compliant, the deadline for which fast approaches in May 2018. Last year bore testimony to facial recognition becoming mainstream as an authentication system. On the regulatory front, Brazil held public consultations for a national internet-of-things plan and a national digital strategy which, in all likelihood, will be finalized this year. Both have ties to privacy and data protection and will probably have a big influence on digital and infrastructure investments in Brazil. Another noteworthy development was China's Cyber Security law that came into effect in June last year. The law is expected to reform data management and internet usage regulations in China and impose new requirements for network and system security. Japan enacted the next-generation medical infrastructure law in May 2017 and the law comes into force by this May. The act will allow medical big data to be pooled anonymously so it can be utilized for research into diseases and the development of new drugs. Another important development to follow would be the formulation of the new UK Data Protection Law, following the Brexit the nation would fall under the third country category. It would be interesting to see the approach UK takes to resolve this conundrum.

The global regulatory regimes are gradually moving towards Mandatory Breach Notification requirements. We would see that reflected in the legislation coming into force in 2018, such as the Australian Privacy Amendment (Notifiable Data Breaches) Bill, which would come into force next month on 22nd February 2018.

India too has been busy with the endeavour of putting together its first comprehensive Data Protection framework that shall adequately address the asks of the emerging Digitization and Privacy paradigm. Committee of experts under the chairmanship of Justice B N Srikrishna has come out with a White Paper on Data Protection Framework for India, the document is a compendium of privacy knowledge and a consultation document rolled into one. Public consultation is at the heart of formulation of any law that looks to balance the rights of individuals and the economic benefits associated with digitisation. It is important to come together through such deliberations and find answers to difficult questions. DSCI in association with NASSCOM had hosted consultations in different cities with our members and are drafting the submission to MeitY with all your valuable inputs. Being part of this committee, I have had the privilege of contributing DSCI's Privacy expertise to the overall discourse.

Courtesy Honourable Supreme Court's judgement on 24th August 2017, Right to Privacy now stands a fundamental right enshrined under Part III of the constitution of India. Needless to say, India has embarked on its Data Protection journey with full vigour and let's hope that fructifies in the form of a robust Data Protection legislation.

We are also beginning to witness overall, Data coming to centre stage in Global Forums of world leaders. Speaking at the World Economic Forum's annual meeting in Davos, Prime Minister Modi said, "Today, data is a real wealth and it is being said that whoever acquires and controls the data will have hegemony in the future. The global flow of data is creating big opportunities as well as challenges." Given that Data is becoming both an economic and national asset, we believe that there would be increasing attention to Data Protection and Privacy.

Talking about the Data Breaches that made waves in 2017- Equifax, one of the three largest credit agencies in the U.S., suffered a breach that may affect 143 million consumers. Due to the sensitivity of data stolen—including Social Security numbers and driver's license numbers—this is being touted as one of the worst breaches ever. Ride-hailing service Uber admitted that it concealed a hack that affected 57 million customers and drivers. Apparently, the 2016 security breach compromised customers' information, including names, email addresses and mobile phone numbers.

Having talked about some of the key developments in the Privacy realm, both, globally as well as domestically, let me bring back focus on why it is vital to observe DPD in letter & spirit and how we could be making meaningful contributions to this domain. The message that needs to be reinforced here is that every employee of an organization should strive to become its Privacy Ambassador by consciously owning the Privacy agenda and diligently executing it by adhering to the Privacy principles and the best practices of data handling.

We, at DSCI, have been working on various fronts to advance the multi-dimensional discipline of Data Protection & Data Privacy in the country. Be it creating a pool of Privacy experts via our Privacy credentials or be it engaging with experts from across the globe on the contemporary and intricate challenges of this area, our objective has been to do our bit in strengthening India's Privacy & overall Cyber Security posture. I, once again, wish all the professionals a happy Data Privacy Day.
