



INTERNATIONAL TELECOMMUNICATION UNION

ANNEX GUIDE

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**UNIÃO NORTE-RIOGRANDENSE DOS ESTUDANTES DE DIREITO INTERNACIONAL
SIMULAÇÃO DE ORGANIZAÇÕES INTERNACIONAIS
INTERNATIONAL TELECOMMUNICATION UNION**

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ABSTRACT

This Annex Guide is a complementary document to the Study Guide and was created with the intention to improve the delegates' preparations to the 20th Edition of SOI, serving as basis material that stimulates their research on the standing of several nations and enterprises that will be part of the International Telecommunication Union's (ITU) simulation committee. Considering the organization's nature on the global stage, this document, through an exploratory research methodology, presents an introductory understanding on every delegation's standing on the international community regarding the collection of personal data from internet users, cybersecurity, and digital privacy matters serving as a starting point to a deep and comprehensive research, which will allow a proper addressing on the simulation by the respective delegates.

Keywords: ITU. Privacy. Cybersecurity. Data Collection. Internet.

ABBREVIATION INDEX

- APPI – Act on the Protection of Personal Information.
- APPs – Australian Privacy Principles.
- BDSG – *Bundesdatenschutzgesetz*.
- CAC – Cyberspace Administration of China.
- CCA – China Consumers Association.
- CCPA – California Consumer Privacy Act.
- CNIL – *Commission Nationale de l’informatique et des Libertés*.
- CPC – Communist Party of China.
- DoJ – Department of Justice.
- DPA – Data Protection Act.
- DPB – Personal Data Protection.
- DPO – Data Protection Officer.
- EC – European Commission.
- ENISA – European Union Agency for Network and Information.
- EU – European Union.
- FICA – Financial Intelligence Centre Act.
- FTC – Federal Trade Commission.
- GCI – Global Cybersecurity Index.
- GDPL – General Data Protection Law.
- GDPR – General Data Protection Regulation.
- ICCPR – International Covenant on Civil and Political Rights.
- ICT – Information and Communications Technology.
- IoT – Internet of Things.
- IPA – Israel Privacy Authority.
- IPPs – Information Privacy Principles.
- IT – Information Technology.
- ITA – Information Technology Act.
- ITU – International Telecommunication Union.
- KCC – Korean Communications Commission.
- KISA – Korea Internet and Security Agency.
- LGPD – *Lei Geral de Proteção de Dados*.

MOIS – Ministry of Interior and Safety.

NDPR – Nigeria Data Protection Regulation.

NITDA – Nigeria’s National Information Technology Development Agency.

NSA – National Security Agency.

NSIA – National Strategic Intelligence Act.

NY SHIELD – New York Stop Hacks and Improve Electronic Data Security Act.

OAIC – Office of the Australian Information Commissioner.

PDPA – Personal Data Protection Act.

PDPC – Personal Data Protection Commission.

PIPA – Personal Information Protection Act.

PIPEDA – Personal Information Protection and Electronic Documents Act.

POPI – Protection of Personal Information Act.

PPL – Protection of Privacy Law.

PRC – People's Republic of China.

RICA – Regulation of Interception of Communications and Provision of Communications.
Related Information Act.

U.S. – United States.

UK – United Kingdom.

UN – United Nations.

UPCIA – Use and Protection of Credit Information Act.

USA – United States of America.

USSR – Union of Soviet Socialist Republics.

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1 INTRODUCTION

Looking forward to promoting a strong basis for a consistent debate during ITU's assembly, this document was constructed through an exploratory research methodology as to gather and introduce clear initial information about the countries and enterprises that will be represented, guiding the delegate through possible research topics about its own delegation and the other presents.

In this sense, throughout this production, historical and geopolitical information about each country were addressed, pointing out its main legislations about the theme, as well as the competent authorities on the matter, their latest discussions and positions, and when applicable, strong cases/trends involved. Thus, such details are proposed as tools to delineate the country's current status in the international scenario on data protection.

Lastly, it is fundamental to highlight that a proper study of this guide, as it provides a general perspective about each delegation, will allow the participant to comprehend and foresee the other nations and enterprises' positions at the assembly, which consequently may result, if well exploited, in self-development and outstanding participations from the delegate, improving the committee's discussions and resolutions on the topics.

2 ITU'S ADMINISTRATIVE DIVISION: THE FIVE REGIONS

Allowing an easier administration for the organization, the State Membership of the International Telecommunication Union (ITU) is divided into five administrative regions that follow political and geographical aspects. This division is used – among other governing bodies of the Union – to ensure an equitable distribution on the Council membership, with seats being apportioned among these sections.¹

¹ INTERNATIONAL TELECOMMUNICATION UNION. **ITU Council Membership**. Available at: <https://www.itu.int/en/council/Pages/members.aspx>. Accessed on: May 25, 2020.

3 REGION A – THE AMERICAS

Once considered as the “New World”, the Americas are the region comprising the totality of the Northern and South American continents, making up most of the Earth’s Western Hemisphere. With Brazil and Argentina being its earliest members, joining in 1877 and 1888 respectively, the Americas are designated as “Region A” of the ITU. It is currently comprised of 35 States, with nine of them having seats in the Union’s Council.²

3.1 BRAZIL

The Federative Republic of Brazil is the 6th most populous country in the world, with over 210 million people, and is the 5th largest country by area.³ It was the first country in America to join the International Telecommunication Union, and together with the Sublime State of Persia, the Empire of Brazil, which joined in 1877, was the first fully autonomous state outside Europe to become a member of the ITU.⁴

Currently, Brazil stands out for having one of the largest populations connected to the internet, among the five largest in the world, and it is considering this that social media and networks are of great impact on Brazilians' daily lives, affecting politics, social life and especially information.⁵

Aiming to ensure the right to privacy of its citizens, the South American country in its constitution determines in the Article 5-X: “intimacy, private life, honor and the image of people are inviolable [...]”, this law being the first guarantee of this fundamental right in the digital sphere.⁶ From this, it is clear that the Brazilian Federal Constitution of October 1988

² INTERNATIONAL TELECOMMUNICATION UNION. **Region A** – The Americas. Available at: https://www.itu.int/online/mm/scripts/gensel29?_search_region=A&_languageid=1. Accessed on: May 25, 2020.

³ INSTITUTO BRASILEIRO DE GEORGRAFIA E ESTATÍSTICA. **Projeção da População**. Available at: <https://www.ibge.gov.br/estatisticas/sociais/populacao/9109-projecao-da-populacao.html?=&t=resultados>. Accessed on: May 23, 2020.

⁴ INTERNATIONAL TELECOMMUNICATION UNION. **List of Member States**. Available at: <https://www.itu.int/online/mm/scripts/gensel8>. Accessed on: May 21, 2020.

⁵ STATISTA. **Brazil**: internet user penetration 2017-2023. Available at: <https://www.statista.com/statistics/292757/brazil-internet-user-penetration/>. Accessed on: May 23, 2020.

⁶ BRAZIL. [Constitution (1988)]. **Constituição da República Federativa do Brasil de 1988**. Brasília, DF: Presidência da República, [2016]. Available at: http://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm. Accessed on: May 23, 2020.

contains an explicit protection of the right to privacy, which includes the most diverse segments of the digital world.⁷

Particularly in Brazil, the growth curve of new internet users is very steep. Between 2016 and 2017 there were 10 million more people with internet access.⁸ Therefore, analyzing the data of the 21st century shows an extremely excessive growth, forcing the need to legislate on the subject. An example of this is that in 2001 only eight million Brazilians had access to the internet (4.53%), ten years later in 2011 this number had risen to 90 million (45.69%).⁹

Considering the relevance of the subject, the *Marco Civil da Internet* (Law 12.965/2014) was presented to the Brazilian Congress and it sought to protect the portion of the population that had become active members of the digital environment.¹⁰

Even so, in 2018 scandals have emerged related to the Brazilian general elections. Such scandals were primarily related to widespread fake news, mainly circulating on WhatsApp. The fuel for such misinformation was data extracted from several sources, which allowed for the targeted messaging.¹¹

Finally, Brazil's *Lei Geral de Proteção de Dados* (LGPD) consolidates after these events, a clarification of Brazilian legislation, considering that the country has over 40 different statutes and laws that govern the usage and handling of personal data. The LGPD starts to replace certain regulations and supplement others, bearing some resemblance to EU's General Data Protection Regulation. Thus, it stands out that the Brazilian government aims to make the digital world safer and consequently more attractive to the user.¹²

⁷ PRIVACY INTERNATIONAL. **State of Privacy Brazil**. Available at: <https://privacyinternational.org/state-privacy/42/state-privacy-brazil>. Accessed on: May 22, 2020.

⁸ AGÊNCIA BRASIL. **Número de usuário de internet cresce 10 milhões em um ano**. Available at: <https://agenciabrasil.ebc.com.br/economia/noticia/2018-12/numero-de-usuarios-de-internet-cresce-10-milhoes-em-um-ano-no-brasil>. Accessed on: May 24, 2020.

⁹ STATISTA. **Brazil: internet penetration 2000-2017**. Available at: <https://www.statista.com/statistics/209106/number-of-internet-users-per-100-inhabitants-in-brazil-since-2000/>. Accessed on: May 24, 2020.

¹⁰ COMITÊ GESTOR DA INTERNET. **O CGI.br e o Marco Civil da Internet**. Available at: <https://www.cgi.br/pagina/o-cgi-br-e-o-marco-civil-da-internet/>. Accessed on: May 24, 2020.

¹¹ INTERNATIONAL ASSOCIATION OF PRIVACY PROFESSIONALS. **Privacy and personal data protection in Brazil: 2019**. Available at: <https://iapp.org/news/a/privacy-and-personal-data-protection-in-brazil-2019/>. Accessed on: May 24, 2020.

¹² GENERAL DATA PROTECTION REGULATION EUROPEAN UNION.

What is the LGPD? Brazil's version of the GDPR. Available at: <https://gdpr.eu/gdpr-vs-lgpd/>. Accessed on: May 23, 2020.

3.2 CANADA

One of the three countries of North America, Canada is a parliamentary democracy established in a constitutional monarchy in Westminster tradition,¹³ being a realm within the Commonwealth of Nations.¹⁴ It is worthy to note that the multicultural country is a member of Francophonie,¹⁵ on behalf of the French speakers' community of Quebec and surroundings. It is also important to note that Canada is a developed country, with the thirteenth-highest ranking in the Human Development Index¹⁶ and the third-highest mobile internet speed in the world, according to Opensignal (mobile data analysis firm).¹⁷

Member of the ITU since 1908,¹⁸ Canada has a complex telecommunications system that seeks to integrate the fact that it is the 2nd largest country in the world in area and one of the least populous. Even with these adversities, the country has one of the largest internet accesses and a large amount of data browsing in the Canadian computer network.¹⁹

In the Canadian Charter of Rights and Freedoms, privacy has been considered a fundamental right. The country also has an internal privacy law that protects Canadians personal information from their government or private institutions.²⁰ Previously, the Privacy Act 1980 was the major law adopted to regulate the collection and use of personal information in and by public and government bodies.²¹

¹³ GOVERNMENT OF CANADA. **How government works.** Available at: <https://www.canada.ca/en/government/system/how-government-works/structure.html>. Accessed on: May 24, 2020.

¹⁴ THE COMMONWEALTH. **Canada.** Available at: <https://thecommonwealth.org/our-member-countries/canada>. Accessed on: May 24, 2020.

¹⁵ LA FRANCOPHONIE. **Canada.** Available at: <https://www.francophonie.org/node/944>. Accessed on: May 21, 2020.

¹⁶ HUMAN DEVELOPMENT REPORTS. **Canada - Human Development Indicators.** Available at: <http://hdr.undp.org/en/countries/profiles/CAN>. Accessed on: May 21, 2020.

¹⁷ OPENSIGNAL. **The State of Mobile Network Experience.** Available at: https://www.opensignal.com/sites/opensignal-com/files/data/reports/global/data-2019-05/the_state_of_mobile_experience_may_2019_0.pdf. Accessed on: May 21, 2020.

¹⁸ INTERNATIONAL TELECOMMUNICATION UNION. **List of Member States.** Available at: <https://www.itu.int/online/mm/scripts/gensel8>. Accessed on: May 21, 2020.

¹⁹ INTERNET WORLD STATS. **Internet Users and 2019 Population in North America.** Available at: <https://www.internetworldstats.com/stats14.htm>. Accessed on: May 24, 2020.

²⁰ GOVERNMENT OF CANADA. **Privacy: a fundamental right in Canada.** Available at: <https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/occupational-health-safety/privacy-fundamental-right-canada-national-dosimetry-services.html>. Accessed on: May 22, 2020.

²¹ LIBRARY OF CONGRESS LAW. **Online Privacy Law: Canada.** Available at: <https://www.loc.gov/law/help/online-privacy-law/2012/canada.php>. Accessed on: May 22, 2020.

However, the rapid advances of internet and information technology, as well as possibilities of personal data manipulation required for the discussion of new legislation.²² Thus, the Parliament of Canada in 2000 had the Personal Information Protection and Electronic Documents Act (PIPEDA) passed to “support and promote electronic commerce by protecting the personal information that is collected, used or disclosed” in the process of commercial transactions in the private sector.²³

It is important to comment that the PIPEDA has had great influence and pressure from the European Union (EU) and to some extent compliance with the directive on data protection of the EU’s Council Directive 95/46/EC.²⁴ It stands out that besides PIPEDA, many provinces of Canada have specific privacy legislation regulating the private sector in the area of health information.²⁵

Still, the fast evolution of information and increased network complexity, coupled with recent trends and scandals are raising new concerns about personal information protection. In light of this situation, many sectors of Canadian society and politicians are asking themselves whether the government and businesses can adequately protect the personal data of their Canadian consumers and users.²⁶

Therefore, with the computerized data across international borders exploding in the last decade, the trust of Canadian people in economic data protection by websites and companies was almost completely undermined.²⁷ This occurs mainly related to economic personal data, due to the risks involved. Recent events, particularly in the USA, provoked numerous debates and resulted in new guidelines for federal departments from the Office of the Privacy Commissioner of Canada.²⁸

²² FINANCIAL POST. **Privacy commissioner warns of 'crisis' in our data protection laws.** Available at: <https://business.financialpost.com/technology/privacy-commissioner-warns-of-crisis-in-our-data-protection-laws>. Accessed on: May 21, 2020.

²³ LIBRARY OF CONGRESS LAW. **Online Privacy Law: Canada.** Available at: <https://www.loc.gov/law/help/online-privacy-law/2012/canada.php>. Accessed on: May 22, 2020.

²⁴ Ibidem.

²⁵ Ibidem.

²⁶ FINANCIAL POST. **Privacy commissioner warns of 'crisis' in our data protection laws.** Available at: <https://business.financialpost.com/technology/privacy-commissioner-warns-of-crisis-in-our-data-protection-laws>. Accessed on: May 21, 2020.

²⁷ Ibidem.

²⁸ OFFICE OF THE PRIVACY COMMISSIONER OF CANADA. **Protecting your privacy online.** Available at: <https://www.priv.gc.ca/en/privacy-topics/technology/online-privacy-tracking-cookies/online-privacy/protecting-your-privacy-online/>. Accessed on: May 23, 2020.

3.3 UNITED STATES OF AMERICA

The United States of America (USA) is a country of 50 states and a federal district, Washington D.C., located in North America with an estimated population of 328.200.000 inhabitants. After the Britain's American colonies broke with England in 1776 and were recognized as the new nation of the United States of America following the Treaty of Paris in 1783, the USA was consolidate as a federal republic and a representative democracy. On the economical aspect, it is a highly developed country, the United States is the world's largest economy by nominal Gross Domestic Product (GDP), \$20,54 trillion (2018), and is also a leading political, cultural, and scientific force internationally.²⁹

The right of privacy is not explicitly stated in the U.S. Constitution, but some amendments provide protections on the subject in the country.³⁰ Besides, the country is a founding member of the United Nations and the article 12 of the Universal Declaration of Human Rights guarantees the right to privacy.³¹

Also, several laws are enacted at federal and state levels, they regulate the use of certain types of data or regulate some sectors, such as health, finance and telecommunications. For example, the Health Information Portability and Accountability Act (HIPAA) protects a person's health information, and the Federal Trade Commission (FTC) enforces the right to privacy in various privacy policies and privacy statements.³²

Even though the USA is one of the largest online markets worldwide, close to 312 million internet users access the web from the United States, ranking only behind China and India in terms of online audience size,³³ there is not a general law or an agent responsible for online privacy at the federal level.

However, all states have established online privacy laws. Among them, California stands out, which is a reference in data protection. Recently, the state promulgated the California Consumer Privacy Act (CCPA), which entered into force in January. This law

²⁹ CENTRAL INTELLIGENCE AGENCY. **North America:** United States — The World Factbook. Available at: <https://www.cia.gov/library/publications/the-world-factbook/geos/us.html>. Accessed on: May 14, 2020.

³⁰ LIVE SCIENCE. **Right to Privacy:** Constitutional Rights & Privacy Laws. Available at: <https://www.livescience.com/37398-right-to-privacy.html>. Accessed on: May 14, 2020.

³¹ UNITED NATIONS. **Universal Declaration of Human Rights.** 1948. Available at: <https://www.un.org/en/universal-declaration-human-rights/>. Accessed on: May 14, 2020.

³² LIVE SCIENCE. **Right to Privacy:** Constitutional Rights & Privacy Laws. Available at: <https://www.livescience.com/37398-right-to-privacy.html>. Accessed on: May 14, 2020.

³³ STATISTA. **Number of internet users in the United States from 2000 to 2019.** Available at: <https://www.statista.com/statistics/276445/number-of-internet-users-in-the-united-states/>. Accessed on: May 14, 2020.

gives consumers more control over their personal information and will reach beyond California's borders, if the company has consumers in California and meets the criteria outlined in the CCPA.³⁴

In 2020, another law that also came into force is the New York Stop Hacks and Improve Electronic Data Security Act (NY SHIELD). It is similar to the CCPA. In fact, NY Shield is an expansion of the state's data breach notification law. It requires certain companies to be more transparent and to be more careful when dealing with personal data.³⁵

In the latest years, in terms of privacy in the U.S., one of most striking case was the revelations concerning the National Security Agency's domestic collection of intelligence from internet and communications companies. While an employee of government contractor Booz Allen & Hamilton, Edward Snowden disclosed to the media that the NSA collected information on phone records of millions of Verizon customers daily. Snowden also revealed that the NSA had a program, called PRISM, which gave them direct access to servers at the U.S. tech companies of Google, Facebook, Apple and Microsoft.³⁶

Another outstanding case is the Cambridge Analytica one. Cambridge Analytica, a political data firm hired by President Trump's 2016 election campaign, gained access to information on 50 million Facebook users as a way to identify the personalities of American voters and influence their behaviour.³⁷

In conclusion, even though it is a great world power, it can be seen that the American government has many challenges ahead. The creation of a federal data protection law is a required emergency, because, in addition to providing more transparency to this process and guaranteeing the user's right to be the owner of their data, the law will ensure jurisdictional support at a national scale.

³⁴ FORBES. **A New California Privacy Law Could Affect Every U.S. Business** — Will You Be Ready? Available at: <https://www.forbes.com/sites/allbusiness/2019/09/07/california-consumer-privacy-act-could-affect-your-business/#45f67aa236ac>. Accessed on: May 14, 2020.

³⁵ THE NEW YORK STATE. **Breach Notification:** NYS Information Security Breach and Notification Act. Available at: <https://its.ny.gov/breach-notification>. Accessed on: May 14, 2020.

³⁶ BBC. **Edward Snowden:** Leaks that exposed US spy programme. Available at: <https://www.bbc.com/news/world-us-canada-23123964>. Accessed on: May 14, 2020.

³⁷ THE NEW YORK TIMES. **Facebook and Cambridge Analytica:** What You Need to Know as Fallout Widens. Available at: <https://www.nytimes.com/2018/03/19/technology/facebook-cambridge-analytica-explained.html>. Accessed on: May 14, 2020.

4 REGION B – WESTERN EUROPE

Being the continent where most of the ITU's founding States are located, Western Europe can be considered the birthplace of the Union. In addition to its 15 original members, another 20 nations later joined the Union making up for a membership of 33 countries in the region that currently receives the “B” designation, having 8 seats in the ITU's Council.³⁸

4.1 FRANCE

One of the oldest and most influential modern nations in the world – due to its historic past with ex-colonies all-over the globe –, the French Republic stands as fertile ground to important changes, above all when those modifications look forward to protecting the rights of its citizens.³⁹

In 1978, France made itself one of the pioneer countries to implement a legislation that delineates boundaries to information technology, the law n° 78-17, which states on its article 1 that such technology “shall not violate human identity, human rights, privacy, or individual or public liberties”.⁴⁰ In 2016, following that perspective, the General Data Protection Regulation (GDPR) was created, contributing to the standardization of data protection all across Europe, including France.⁴¹

Despite the fact that the GDPR is a regulation that does not need the mediation of any other law, the French parliament modified, in June 2018, the law n° 78-17 to adjust and expand the rights safeguarded by the new European regulation. As of so, any business established in France or related to it are subject to the GDPR and French regulations when those dealings regard the offer of goods and services or the monitoring of the behavior of EU residents.⁴²

It is therefore important to point out that the GDPR, extended by the French regulations, ensures: the right of access to data, guaranteeing that the individual may demand

³⁸ INTERNATIONAL TELECOMMUNICATION UNION. **Region B** – Western Europe. Available at: https://www.itu.int/online/mm/scripts/gensel29?_search_region=B&_languageid=1. Accessed on: May 25, 2020.

³⁹ ENCYCLOPAEDIA BRITANNICA. **France**. Available at: <https://www.britannica.com/place/France>. Accessed on: May 12, 2020.

⁴⁰ FRANCE. **Act n° 78-17 of 6 January 1978**. Available at: <https://www.cnil.fr/sites/default/files/typo/document/Act78-17VA.pdf>. Accessed on: May 12, 2020.

⁴¹ EUROPEAN UNION. **REGULATION (EU) 2016/679 (General Data Protection Act)**. Available at: <https://gdpr-info.eu/>. Accessed on: May 12, 2020.

⁴² ICLG. **Data Protection Laws and Regulations** – France. Available at: <https://iclg.com/practice-areas/data-protection-laws-and-regulations/france>. Accessed on: May 12, 2020.

from the controller information such as the source, purpose, location and extension of the data that is being stored, as well as for how long such details will be held; and the right to rectification of errors, which means that any inaccurate or incomplete information regarding personal data of the subject must be rectified or deleted.⁴³

The regulations also defend: the right to object or restrict processing; the right to deletion/right to be forgotten, allowing the individual to demand the erasure of his data if it's no longer used for its original purpose, if the subject withdraws its consent based on lawful grounds, or if the data has been unlawfully processed, contradicting the GDPR or the French regulations; the right to data portability is guaranteed as well, permitting the user to request the transfer of their data or simply to get a copy of it, in a commonly used format; at last, the right to withdraw consent; and above all, the right to object to the collection of personal data for marketing purposes.⁴⁴

All those rights mainly assured by the guarantee of the right to complain to the relevant data protection authority, which in France is the CNIL (*Commission Nationale de l'informatique et des Libertés*), an institution that, besides monitoring the implementation of the GDPR, the law 78-17 and other regulations – by sanctioning, for example, repetitive violations -, the commission also holds power to elaborate guidelines about the management of genetic, biometric or other types of data related to health.⁴⁵

Furthermore, the CNIL is responsible for the education of the French citizens in the matter of their rights, doing that by also fomenting, through investments and rewards, innovative tools and projects on the theme from academic *nuclei*, a proposal from the French government that contributes to the betterment of people's knowledge and security.⁴⁶ However, due to the European Cyber Security Act approved in 2018, in terms of digital privacy, France is also under the jurisdiction of the European Union Agency for Network and Information (ENISA). The act also obliges France and the other EU members to work with the European Cyber Security Certification, awarding the ICTs that fulfill the legal demands about the topic.⁴⁷

⁴³ ICLG. **Data Protection Laws and Regulations** – France. Available at: <https://iclg.com/practice-areas/data-protection-laws-and-regulations/france>. Accessed on: May 12, 2020.

⁴⁴ Ibidem.

⁴⁵ Ibidem.

⁴⁶ CNIL. **The CNIL's Missions**. Available at: <https://www.cnil.fr/en/cnils-missions>. Accessed on: May 12, 2020.

⁴⁷ ICLG, op. cit.

Lately, French authorities have been discussing: the security of health data (smart healthcare devices); Geolocation data for mobility and proximity services; and cookies and trackers, in order to assure that consent to the placement of cookies is prior, explicit and unambiguous, accompanied by the information of the purpose.⁴⁸ While in 2019, CNIL revolved around the discussions about voice assistants, such as Siri, Google Assistant, and Alexa, which are constantly listening, including to private conversations; the fast passed growth of cloud computing and its vulnerability to breaches; data exchanges between private entities and government; and the use of data for political communication.⁴⁹

4.2 GERMANY

One of the founding members of the ITU, the Federal Republic of Germany is among the world's great powers with very high living standards, a strong economy – the largest in the European Union (EU) –, and leadership in several industrial and technological sectors. The country has the largest population in Europe as well. Configured as a federation of sixteen sovereign states, the State's authority to supervision data protection laws is split between local and federal governments and it spans across the country's private and public sectors.⁵⁰

In the early seventies, the state of Hessen passed not only the first national data protection law but also the world's first legal piece on the matter – which later became federal legislation.⁵¹ Following the EU's General Data Protection Regulation (GDPR) in 2016, Germany has adjusted its legal framework with its own Federal Data Protection Act, or *Bundesdatenschutzgesetz* (BDSG). By making use of the numerous open clauses of the GDPR, it brought new special provisions that specify and restricts data processing standards, leading to several court rulings against companies like Facebook and record-setting fines.^{52 53}

⁴⁸ CNIL. **What inspection strategy for 2020?**. Available at: <https://www.cnil.fr/en/what-inspection-strategy-2020>. Accessed on: May 12, 2020.

⁴⁹ ICLG. **Data Protection Laws and Regulations – France**. Available at: <https://iclg.com/practice-areas/data-protection-laws-and-regulations/france>. Accessed on: May 12, 2020.

⁵⁰ LANDESBEAUFTRAGTE FÜR DATENSCHUTZ UND INFORMATIONSFREIHEIT NORDRHEIN-WESTFALEN. **Data protection authorities in Germany**. Available at:

https://www.ldi.nrw.de/LDI_EnglishCorner/mainmenu_DataProtection/Inhalt2/authorities/authorities.php. Accessed on: May 1, 2020.

⁵¹ SCHOMERUS, Rudolf; GOLLA, Peter. **Bundesdatenschutzgesetz Kommentar**. 11. ed. Berlin: 2012. 646 p.

⁵² THE WALL STREET JOURNAL. **German Court Rules Against Facebook on Data Protection**. Available at: <https://www.wsj.com/articles/german-court-rules-against-facebook-on-data-protection-11579891532>. Accessed on: May 3, 2020.

Internationally, Germany sponsored resolutions recognizing privacy as a fundamental human right⁵⁴ and against unlawful and arbitrary surveillance.⁵⁵ The country has consistently stressed its position that governments should not use cybersecurity concerns as a pretext for interfering with individual rights, supporting that common rules and standards for the internet should be developed with all relevant stakeholders – governments, businesses, academics, and other experts – working closely together. That means that Germany opposes an expansion of the ITU mandate to solely regulate the internet, unlike a broad coalition of states like Russia, China, India, Iran, and Saudi Arabia.⁵⁶

4.3 UNITED KINGDOM

The United Kingdom of Great Britain and Northern Ireland (UK) is composed of a set of four countries: England, Scotland, Wales and Northern Ireland, located in a group of islands on the west coast of Europe.⁵⁷ The UK adopts the parliamentary monarchy, in which the Prime Minister acts as head of government and the monarch, as head of state. With a total population of 66 million, its capital is located in London, England, country which holds 80% of the total population. Furthermore, in 2020, the UK officially left the European Union (EU) after the process that became known as “Brexit”.⁵⁸

ITU member since 1871,⁵⁹ the United Kingdom has a comprehensive set of cyber laws to ensure very strong data protection. In addition, the UK is free from internet censorship and filtering, and up-to-date laws are in place for e-commerce and electronic signatures.⁶⁰ In this perspective, all the countries that form this kingdom are highly evaluated in rankings

⁵³ BURKHOLDER, Patrick. **Highest GDPR Fine Imposed in Germany**. Available at: <https://www.digital-business-news.com/business/cyber-law/1322-gdpr-fine-germany>. Accessed on: May 1, 2020.

⁵⁴ IAPP. **EDPS announces resolutions adopted during ICDPPC**. Available at: <https://iapp.org/news/a/edps-announces-resolutions-adopted-during-icdppc/>. Accessed on: May 23, 2020.

⁵⁵ In 2013, together with Brazil. BBC. **The UN General Assembly adopts anti-spy resolution**. Available at: <https://www.bbc.com/news/world-latin-america-25441408>. Accessed on: May 23, 2020.

⁵⁶ CFR. **Internet Governance and the ITU**. Available at: <https://www.cfr.org/report/internet-governance-and-itu-maintaining-multistakeholder-approach>. Accessed on: May 2, 2020.

⁵⁷ THE COMMONWEALTH. **United Kingdom**. Available at: <https://thecommonwealth.org/our-member-countries/united-kingdom>. Accessed on: May 2, 2020.

⁵⁸ BRITANNICA ESCOLA. **Reino Unido**. Available at: <https://escola.britannica.com.br/artigo/Reino-Unido/482747>. Accessed on: May 2, 2020.

⁵⁹ INTERNATIONAL TELECOMMUNICATION UNION. **Region B – Western Europe**. Available at: https://www.itu.int/online/mm/scripts/gensel29?_search_region=B&_languageid=1. Accessed on: May 3, 2020.

⁶⁰ THE SOFTWARE ALLIANCE. **Country Report – United Kingdom**. Available at: https://cloudscorecard.bsa.org/2018/pdf/country_reports/2018_Country_Report_UnitedKingdom.pdf. Accessed on: May 5, 2020.

carried out by various indicators that assess the quality of cybersecurity and data protection, such as the Global Cybersecurity Index (GCI), an ITU ranking.

Regarding international laws to which the United Kingdom is signatory, the Convention on Cybercrime can be highlighted. It was the first international treaty on crimes committed via internet and other computer networks, signed on 2001, in Budapest. Besides dealing specifically with infringements of copyright, computer-related fraud, child pornography and violations of network security, this convention contains a series of powers and procedures such as the search of computer networks and interception.⁶¹

Moreover, the Data Protection Act 2018, an act of the British Parliament, updated the Data Protection Act 1998 and complemented the EU General Data Protection Regulation (GDPR), a pan-European law of which the UK is signatory, which entered into force in May 2018. This update was maintained despite the Brexit.⁶² This Act requires organizations to ensure that personal data is protected against: theft, unauthorized access, or accidental loss. This document also does not prescribe the implementation of any specific security measures, it simply requires appropriate technical and organizational security measures.⁶³

The United Kingdom, despite its strong cyber laws, was involved in one of the biggest scandals involving digital privacy. The British company Cambridge Analytica was responsible for the massive leak and unauthorized use of Facebook personal data in an improper way for electoral purposes. Using an intermediary app, this company was able to harvest large data volumes — over 50 million raw profiles — and use big data analytics to create psychographic profiles in order to subsequently target users with customized digital ads and other manipulative information.⁶⁴

The resolution of this scandal came about through Facebook's agreement to pay a £500,000 fine imposed by the UK data protection agency,⁶⁵ as Facebook owner Mark

⁶¹ COUNCIL OF EUROPE. **Details of Treaty No. 185** – Convention on Cybercrime. Available at: <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/185>. Accessed on: May 6, 2020.

⁶² THE SOFTWARE ALLIANCE. **Country Report** – United Kingdom. Available at: https://cloudscorecard.bsa.org/2018/pdf/country_reports/2018_Country_Report_UnitedKingdom.pdf. Accessed on: May 6, 2020.

⁶³ Ibidem.

⁶⁴ IENCA, Marcello; VAYENA, Effy. **Cambridge Analytica and Online Manipulation**. Available at: <https://blogs.scientificamerican.com/observations/cambridge-analytica-and-online-manipulation/>. Accessed on: May 6, 2020.

⁶⁵ BBC. **Facebook agrees to pay Cambridge Analytica fine to UK**. Available at: <https://www.bbc.com/news/technology-50234141>. Accessed on: May 6, 2020.

Zuckerberg admitted that the data was not protected as it should have been.⁶⁶ In addition, Cambridge Analytica ended its activities and continued to be investigated for influencing various electoral processes, through other private companies, including Brexit.⁶⁷

⁶⁶ IENCA, Marcello; VAYENA, Effy. **Cambridge Analytica and Online Manipulation**. Available at: <https://blogs.scientificamerican.com/observations/cambridge-analytica-and-online-manipulation/>. Accessed on: May 6, 2020.

⁶⁷ GUIMÓN, Pablo. **Cambridge Analytica, empresa pivô no escândalo do Facebook, é fechada**. Available at: https://brasil.elpais.com/brasil/2018/05/02/internacional/1525285885_691249.html. Accessed on: May 6, 2020.

5 REGION C – EASTERN EUROPE AND NORTHERN ASIA

Considering its membership tally, Region C is the Union's smallest administrative section, comprising of 21 Eastern European and Northern Asian nations. With the Russian Federation – a founding nation of the ITU – being the largest and most prominent country of the region, it also features two of the three most recent joining Members of the Union: Serbia, who joined in 2001, and Montenegro, in 2006. Currently, it only comprises five of the 48 seats of the Council.⁶⁸

5.1 RUSSIA

Largest country in the world, the Russian Federation is a federal semi-presidential constitutional republic.⁶⁹ Regarding international involvement, Russia was a founding member of both the United Nations and ITU. It joined the UN in 1945 – under the name of Union of Soviet Socialist Republics (USSR) – and became a permanent member of the UN Security Council in 1991.^{70 71} Also, Russia joined ITU in 1865 – when it still was the Russian Empire – and is currently a member of the Council.^{72 73}

In Russia, the main legislation regarding data privacy and security are rather broad, stretching from the Russian Constitution itself to international treaties such as the Strasbourg Convention for the Protection of Individuals, with regard to Automatic Processing of Personal Data, and infra-constitutional regulations, in this case, the Data Protection Act No. 152 FZ from 2006 (DPA), complemented subsidiarily by the Information Technologies and Information Protection Act No. 149 FZ, the Russian Labour Code - protecting the employee's personal data.⁷⁴

⁶⁸ INTERNATIONAL TELECOMMUNICATION UNION. **Region C** - Eastern Europe and Northern Asia. Available at: https://www.itu.int/online/mm/scripts/gensel29?_search_region=C&_languageid=1. Accessed on: May 25, 2020.

⁶⁹ CENTRAL INTELLIGENCE AGENCY. **Central Asia: Russia** — The World Factbook. Available at: <https://www.cia.gov/library/publications/the-world-factbook/geos/rs.html>. Accessed on: Jun. 19, 2020.

⁷⁰ DAG HAMMARSKJÖLD LIBRARY. **Founding Members** – UN Membership. Available at: <https://research.un.org/en/unmembers/founders>. Accessed on: Jun. 19, 2020.

⁷¹ PERMANENT MISSION OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS. **History**. Available at: https://russiaun.ru/en/permanent_mission/istorija. Accessed on: Jun. 19, 2020.

⁷² INTERNATIONAL TELECOMMUNICATION UNION. **List of Member States**. Available at: <https://www.itu.int/online/mm/scripts/gensel8>. Accessed on: Jun. 19, 2020.

⁷³ INTERNATIONAL TELECOMMUNICATION UNION. **ITU Council Membership**. Available at: <https://www.itu.int/en/council/Pages/members.aspx>. Accessed on: Jun. 19, 2020.

⁷⁴ DLA PIPER. **Data Protection Laws on the World** – Russia. Available at: <https://www.dlapiperdataprotection.com/index.html?t=law&c=RU>. Accessed on: June 19, 2020.

In 2014, some changes to the DPA were made, requiring all personal data operators to store and process any information from Russian individuals in databases located in Russia. This change came into force only in 2015 and the penalty for violating this determination is ultimately to block websites that involve the illegal processing of Russian personal data.⁷⁵

In this perspective, the registration of violators of the rights of personal data holders must be established by Roscomnadzor (also known as “Agency”), the Russian Federal Service for Supervision of Communications, Information Technology and Mass Media. This organ is responsible for supervising the media, including electronic media and mass communications, information technology and telecommunications, which can block certain websites.^{76 77}

Furthermore, the DPA determines the hiring of a Data Protection Officer, responsible for overseeing the enterprise’s compliance with the legislation and organize the proper handling of data, ensuring its security against unlawful or unauthorized management. If the Data Controller does not hire a DPO is in open violation of the DPA and may be subject to sanctions and enforcement protocols determined by the Roscomnadzor.⁷⁸

In the case of breaches, accidental loss or damages of personal data, there is no obligation to report the occurred to the Roscomnadzor. However, in the event of violating the DPA, the Agency issues a notice demanding the correction of the situation, reserving the right to imposing administrative penalties – with a maximum of \$75,000 RUR – and disciplinary sanctions, both to the Data Controller and the DPOs of the company.⁷⁹

In accordance to the aforementioned, as well as the lack of proper direct regulations about online privacy and the incipient concept of personal data postulated by the DPA, the annual Freedom on the Net report of 2019 defined Russia’s score as 31 (out of 100), considering it a country without free internet.⁸⁰

⁷⁵ DLA PIPER. **Data Protection Laws on the World** – Russia. Available at: <https://www.dlapiperdataprotection.com/index.html?t=law&c=RU>. Accessed on: June 19, 2020.

⁷⁶ THE RUSSIAN GOVERNMENT. **Federal Service for Supervision of Communications, Information Technology and Mass Media**. Available at: <http://government.ru/en/departments/58/>. Accessed on: Jun. 19, 2020.

⁷⁷ THE FEDERAL SERVICE FOR SUPERVISION OF COMMUNICATIONS, INFORMATION TECHNOLOGY AND MASS MEDIA. **Statute of Roskommnadzor**. Available at: http://eng.rkn.gov.ru/about/statute_of_roskommnadzor/. Accessed on: Jun. 19, 2020.

⁷⁸ DLA PIPER. **Data Protection Laws on the World** – Russia. Available at: <https://www.dlapiperdataprotection.com/index.html?t=law&c=RU>. Accessed on: June 19, 2020.

⁷⁹ Ibidem.

⁸⁰ FREEDOM HOUSE. **Countries** – Internet Freedom Scores. Available at: <https://freedomhouse.org/countries/freedom-net/scores>. Accessed on: Jun. 19, 2020.

Furthermore, it can be concluded that the authoritarian political system and the subservient judiciary power makes possible for Russia to censor the internet, restricting networks, blocking social media and websites and arresting users.⁸¹

⁸¹ FREEDOM HOUSE. **Russia**. Available at: <https://freedomhouse.org/country/russia/freedom-net/2019>house.org/countries/freedom-net/scores. Accessed on: Jun. 19, 2020.

6 REGION D - AFRICA

With the largest number of Member States in a single administrative section by comprising 54 countries, Region D is the ITU's reunion of African nations. With most of the countries joining the Union in the second half of the 20th Century, mostly between the early 60s and late 70s, the region can be seen as the "youngest" considering an average of the joining date of its members. With 13 seats on the Council, Region D has a prominence that is proportional with its size in the overall Membership.⁸²

6.1 NIGERIA

Nigeria is a country located in Western Africa with an estimated population of 214.028.302 inhabitants, Africa's largest. Since its independence from the United Kingdom in 1960, Nigeria was mostly ruled by a military government, however, in 1999 a new constitution was adopted and a civilian government installed, in the form of a federal presidential republic. Economically speaking, Nigeria is Sub Saharan's biggest economy, with an estimated Gross Domestic Product of 376.4 billion USD in 2017.⁸³

As for international policy, Nigeria has developed a 9 point agenda which seeks, amongst other objectives, to improve security for all, support regional and sub-regional integration, as well as continental and intercontinental trade.⁸⁴

In recent years, Nigeria has experienced a vast increase in its internet users, currently estimated at 85.5 million.⁸⁵ Despite such a significant popularization of online activities and internet connectivity overall, the country's cybersecurity measures are found lacking. Currently, it places 5th in Africa and 57th worldwide considering ITU's 2018 Global Cybersecurity Index (CGI).⁸⁶

Regarding privacy, even though it is guaranteed as a constitutional right to all citizens, international reports have demonstrated concern related to the practical respect of

⁸² INTERNATIONAL TELECOMMUNICATION UNION. **Region D** - Africa. Available at: https://www.itu.int/online/mm/scripts/gensel29?_search_region=D&_languageid=1. Accessed on: May 25, 2020.

⁸³ CENTRAL INTELLIGENCE AGENCY. **Africa: Nigeria** — The World Factbook. Available at: <https://www.cia.gov/library/publications/the-world-factbook/geos/ni.html>. Accessed on: May 11, 2020.

⁸⁴ BBC. **Nigeria foreign policy**: Nine main areas Buhari administration wan focus - BBC News Pidgin. Available at: <https://www.bbc.com/pidgin/tori-51140039>. Accessed on: May 11, 2020.

⁸⁵ KEMP, S. **Digital 2020**: Nigeria. Available at: <https://datareportal.com/reports/digital-2020-nigeria>. Accessed on: May 11, 2020.

⁸⁶ INTERNATIONAL TELECOMMUNICATION UNION. **Global Cybersecurity Index (GCI) 2018**. Available at: https://www.itu.int/dms_pub/itu-d/opb/str/D-STR-GCI.01-2018-PDF-E.pdf. Accessed on: May 11, 2020.

such right by the government.⁸⁷ ⁸⁸ Prior to 2018, issues encountered included: lack of opportunities to opt in or out of data collection, limited transparency regarding data collection and usage, insufficient protections safeguarding the users from inappropriate governmental overreach related to personal data acquisition and unclear legislation addressing the matter.⁸⁹

Come 2019, Nigeria's National Information Technology Development Agency (NITDA) released the Nigeria Data Protection Regulation (NDPR).⁹⁰ This document aims to provide comprehensive legislation regarding not only the meaning of data privacy but also the boundaries related to personal data acquisition, processing, and trade. The regulation additionally describes the process in which it will be implemented and penalties related to breaches of its standards.

In conclusion, it is relevant to note that merely the existence of regulation and legislation does not necessarily translate into guaranteed rights. As such, it remains to be seen whether Nigeria's government will rise to the challenge of upholding the standards proposed in the NDPR while allowing companies and government branches to responsibly and purposely access its citizen's data.

6.2 SOUTH AFRICA

Regarded as one of Africa's most prominent countries, South Africa boasts a population of approximately 56 million inhabitants, and has 11 official languages. It is organized as a parliamentary republic, with 9 provinces and 3 capitals, as follows: Pretoria (administrative capital), Cape Town (legislative capital) and Bloemfontein (Judicial Capital). On the economical aspect, the country strives mainly on exporting commodities and providing services.⁹¹

The right to privacy is assured by Section 14 of South Africa's 1996 Constitution. The country is also part to relevant international instruments on the matter, such as the

⁸⁷ IZOGU, C. E. et al. **Personal Data Protection in Nigeria**. Available at:

http://webfoundation.org/docs/2018/03/WF_Nigeria_Full-Report_Screen_AW.pdf. Accessed on: May 11, 2020.

⁸⁸ PRIVACY INTERNATIONAL. **The Right to Privacy in Nigeria**. Available at:

https://privacyinternational.org/sites/default/files/2018-05/UPR_The%20Right%20to%20Privacy_Nigeria.pdf. Accessed on: May 11, 2020.

⁸⁹ Ibidem.

⁹⁰ NATIONAL INFORMATION TECHNOLOGY DEVELOPMENT AGENCY. **Nigeria Data Protection**

Regulation. Abuja, National information Technology Development Agency, January 01 2019. Available at:

<https://nitda.gov.ng/wp-content/uploads/2019/01/Nigeria%20Data%20Protection%20Regulation.pdf>. Accessed on: May 11, 2020.

⁹¹ CENTRAL INTELLIGENCE AGENCY. **Africa: South Africa** — The World Factbook. Available at:

<https://www.cia.gov/library/publications/the-world-factbook/geos/sf.html>. Accessed on: May 11, 2020.

Universal Declaration of Human Rights⁹² and the International Covenant on Civil and Political Rights.⁹³

Matters related to civilian surveillance are conducted mainly by the State Security Agency and its subdivisions. Laws regarding the extent of surveillance and individual rights include the Regulation of Interception of Communications and Provision of Communications Related Information Act (RICA)⁹⁴, Financial Intelligence Centre Act (FICA)⁹⁵ and the National Strategic Intelligence Act (NSIA)⁹⁶, amongst others.

In terms of private data protection President Zuma signed, in 2013, the Protection of Personal Information Act 4 (POPI).⁹⁷ Although not fully in effect, the POPI's main goal is to set standards, procedures and boundaries related to the usage of personal information by public and private actors. It also creates the Information Regulator, an organism consisted of a Chairperson and 4 other persons, its main function being guaranteeing public and private compliance to the provisions stated by the POPI Act.⁹⁸

In spite of an apparently well-structured set of laws regarding both online and offline privacy, a report published by the Privacy International organization denounced considerable flaws related to the checks and balances system related to surveillance laws.⁹⁹ The report mentions that unlawful surveillance is conducted mainly motivated by partisan interests.

As such, it is important to outline that the extent to which privacy legislation in South Africa is respected is unknown. A flawed checks and balances system, alongside a stagnated data protection policy results in a very dangerous combination, with the country's 36.5 million internet users being at a constant risk of unlawful surveillance and unsure whether their personal data is safe or not.¹⁰⁰

⁹² UNITED NATIONS. **Universal Declaration of Human Rights**. 1948. Available at: <https://www.un.org/en/universal-declaration-human-rights/>. Accessed on: May 11, 2020.

⁹³ SOUTH AFRICA. [Constitution (1996)]. **The Constitution of the Republic of South Africa**. Available at: <https://www.justice.gov.za/legislation/constitution/SACConstitution-web-eng.pdf>. Accessed on: May 11, 2020.

⁹⁴ SOUTH AFRICA. **Regulation of Interception of Communications and Provision of Communication-related information Act [No. 70 of 2002]**. Available at:

https://www.gov.za/sites/default/files/gcis_document/201409/a70-02.pdf. Accessed on: May 11, 2020.

⁹⁵ SOUTH AFRICA. **Financial Intelligence Centre Act [No. 38 of 2001]**. Available at:

https://www.gov.za/sites/default/files/gcis_document/201409/a38-010.pdf. Accessed on: May 11, 2020.

⁹⁶ SOUTH AFRICA. **National Strategic Intelligence Act 39 of 1994**. Available at:

https://www.gov.za/sites/default/files/gcis_document/201409/act39of1994.pdf. Accessed on: May 11, 2020.

⁹⁷ SOUTH AFRICA. Information Regulator. **Protection of Personal Information Act, 2013**. Available at: <https://www.justice.gov.za/infoereg/docs/InfoRegSA-POPIA-act2013-004.pdf>. Accessed on: May 11, 2020.

⁹⁸ *Ibidem*.

⁹⁹ PRIVACY INTERNATIONAL. **State of Privacy South Africa**. Available at:

<https://privacyinternational.org/state-privacy/1010/state-privacy-south-africa>. Accessed on: May 11, 2020.

¹⁰⁰ KEMP, S. **Digital 2020: South Africa** — DataReportal – Global Digital Insights. Available at: <https://datareportal.com/reports/digital-2020-south-africa>. Accessed on: May 11, 2020.

7 REGION E – ASIA AND AUSTRALASIA

Last but not least, Region E is the ITU’s administration portion that holds all the Member States coming from the southern Asian and the so-called Australasian parts of the world. With a membership of 50 nations, it shares its prominence with Region D as one of the largest sections of the Union, also reflecting on its presence on the Council with 13 seats. The plurality of countries leads to a very variant joining date, ranging from early members like India and Iran – both joined in 1868 – to the most recent State in the Union: Timor-Leste, that entered the Union in 2010.¹⁰¹

7.1 AUSTRALIA

The largest country of Australasia¹⁰², the Commonwealth of Australia is a federal parliamentary democracy under a constitutional monarchy.¹⁰³ Regarding international involvement, Australia was a founding member of both The Commonwealth of Nations, in 1931, and the United Nations, in 1945.^{104 105} Also, the island-country joined the ITU in 1878, being a member of the Council since 1959.^{106 107}

In Australia, the authority responsible for monitoring and upholding the right to privacy and information access rights – being it individual, commercial, governmental or private sector – is the Office of the Australian Information Commissioner (OAIC).¹⁰⁸

Furthermore, the main legislation regarding data privacy is The Privacy Act 1988. It was created to promote and protect individual privacy, regulate the handling of personal

¹⁰¹ INTERNATIONAL TELECOMMUNICATION UNION. **Region E – Asia and Australasia**. Available at: https://www.itu.int/online/mm/scripts/gensel29?_search_region=E&_languageid=1. Accessed on: May 25, 2020.

¹⁰² Australasia is a geographical term that has never had a precise definition but is often treated as having the same or coincident boundaries as Oceania. ENCYCLOPAEDIA BRITANNICA. **Australasia**. Available at: <https://www.britannica.com/place/Australasia>. Accessed on: Jun. 17, 2020.

¹⁰³ CENTRAL INTELLIGENCE AGENCY. **Oceania: Australia** — The World Factbook. Available at: <https://www.cia.gov/library/publications/the-world-factbook/geos/as.html>. Accessed on: Jun. 17, 2020.

¹⁰⁴ THE COMMONWEALTH. **Australia**. Available at: <https://thecommonwealth.org/our-member-countries/australia>. Accessed on: Jun. 17, 2020.

¹⁰⁵ PARLIAMENT OF AUSTRALIA. **Australia’s engagement with the United Nations**. Available at: https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BriefingBook43p/engagementun. Accessed on: Jun. 17, 2020.

¹⁰⁶ INTERNATIONAL TELECOMMUNICATION UNION. **List of Member States**. Available at: <https://www.itu.int/online/mm/scripts/gensel8>. Accessed on: Jun. 17, 2020.

¹⁰⁷ DEPARTMENT OF INFRASTRUCTURE, TRANSPORT, REGIONAL DEVELOPMENT AND COMMUNICATIONS. **International involvement**. Available at: <https://www.communications.gov.au/what-we-do/internet/international-involvement>. Accessed on: Jun. 17, 2020.

¹⁰⁸ OFFICE OF THE AUSTRALIAN INFORMATION COMMISSIONER. **What we do**. Available at: <https://www.oaic.gov.au/about-us/what-we-do/>. Accessed on: Jun. 17, 2020.

information and implement obligations under Article 17 of the International Covenant on Civil and Political Rights (ICCPR).¹⁰⁹ ¹¹⁰ In 1997, the Telecommunications Act gave the Privacy Commissioner the competence for monitoring over the privacy of personal information held by telecommunications carriers.¹¹¹

The Privacy Act includes and has its cornerstone in the 13 Australian Privacy Principles (APPs), which are applied to privacy sector organizations and government agencies and regulates, among others, the consumer credit reporting system, tax file numbers, and health and medical research.¹¹² The APPs came as a replacement of the 11 Information Privacy Principles (IPPs), in March 12, 2014.¹¹³

According to the annual Freedom on the Net report, in 2019 Australia's score was 77 (out of 100) and it was considered a country with free internet.¹¹⁴ Therefore, in view of all these legislations, it is noticeable that Australia has a significant record and interest in the advancement and protection of political rights and civil liberties, including the ones concerning personal data and information rights.¹¹⁵

7.2 CHINA

Established over 70 years ago after a millennium of monarchic dynasties, the People's Republic of China (PRC) currently figures as the world's most populous and one of the five largest nations in total area, with a soaring economy that brought prominence to the country on the global stage.¹¹⁶ Member of the ITU since its early republican days, the People's Republic is solely ruled by its founding political party, the Communist Party of

¹⁰⁹ HIGH COMMISSIONER FOR HUMAN RIGHTS. **International Covenant on Civil and Political Rights**. 1966. Available at: <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>. Accessed on: Jun. 17, 2020.

¹¹⁰ OFFICE OF THE AUSTRALIAN INFORMATION COMMISSIONER. **The Privacy Act**. Available at: <https://www.oaic.gov.au/privacy/the-privacy-act/>. Accessed on: Jun. 17, 2020.

¹¹¹ OFFICE OF THE AUSTRALIAN INFORMATION COMMISSIONER. **History of the Privacy Act**. Available at: <https://www.oaic.gov.au/privacy/the-privacy-act/history-of-the-privacy-act/>. Accessed on: Jun. 17, 2020.

¹¹² OFFICE OF THE AUSTRALIAN INFORMATION COMMISSIONER. **Australian Privacy Principles**. Available at: <https://www.oaic.gov.au/privacy/australian-privacy-principles/>. Accessed on: Jun. 17, 2020.

¹¹³ NATIONAL LIBRARY OF AUSTRALIA. **Information Privacy Principles**. Available at: <https://webarchive.nla.gov.au/awa/20181010003746/https://www.oaic.gov.au/privacy-law/privacy-archive/privacy-resources-archive/information-privacy-principles>. Accessed on: Jun. 17, 2020.

¹¹⁴ FREEDOM HOUSE. **Countries – Internet Freedom Scores**. Available at: <https://freedomhouse.org/countries/freedom-net/scores>. Accessed on: Jun. 17, 2020.

¹¹⁵ FREEDOM HOUSE. **Australia**. Available at: <https://freedomhouse.org/country/australia/freedom-net/2019>. Accessed on: Jun. 17, 2020.

¹¹⁶ LIN, Justin Yifu. **China and the Global Economy**. Available at: <http://www.frbsf.org/economic-research/files/Lin.pdf>. Accessed on: May 2, 2020.

China (CPC) – which spans its control over every aspect of the country, from the government to military, and the private sphere of the economy.¹¹⁷

The country's troubled history with data protection can be linked to cultural aspects like the emphasis on the importance of the community, family and the State at the expense of individual rights, including the right to privacy.¹¹⁸ Although that sentiment is still very much alive, domestic scandals evolving Chinese giants Baidu and Alibaba¹¹⁹ led to an “awakening” of consumers in the country to the issue. A 2018 survey conducted by the China Consumers Association (CCA) found that 85% of consumers were worried about the risks of being subject to violation of their privacy.¹²⁰

The shift in public opinion not only helped contradict the belief that Chinese people are less concerned about their privacy but also contributed to a series of legal measures that helped the Chinese standing on the issue when compared to Western nations.¹²¹ While the current legislature is still developing a personal data protection law, existing provisions, such as those included in the 2017 Cybersecurity Law and 2018 E-Commerce Law and supplementary measures such as the 2018 Personal Information Security Specification, make up a comprehensive framework for individual data rights protection.¹²²

As an example of China's commitment to improving data protection for its citizens, the mentioned Cybersecurity Law adopted measures like banning online service providers from collecting and selling users' personal information without user consent. The law also establishes basic privacy requirements for Chinese companies: it bans network operators from gathering data that is not relevant to their services, bans sharing identifiable data without user consent, and requires these businesses to assure the safety of their data.¹²³

¹¹⁷ THE GUARDIAN. **How the state runs business in China.** Available at: <https://www.theguardian.com/world/2019/jul/25/china-business-xi-jinping-communist-party-state-private-enterprise-huawei>. Accessed on: Apr. 27, 2020.

¹¹⁸ YAO-HUAI, Lü. **Privacy and data privacy issues in contemporary China.** Available at: <https://cdn.tc-library.org/Rhizr/Files/4367e301-0301-4e6f-b2d7-f6a54e794a83/042ef109-e363-4179-a284-4e5be354b67f.pdf>. Accessed on: Apr. 27, 2020.

¹¹⁹ REUTERS. **China's cyber watchdog scolds Ant Financial over user privacy breach.** Available at: <https://www.reuters.com/article/us-ant-financial-china/chinas-cyber-watchdog-scolds-ant-financial-over-user-privacy-breach-idUSKBN1F006B>. Accessed on: Apr. 27, 2020.

¹²⁰ CHINA CONSUMERS ASSOCIATION. **Investigation report of personal information disclosure of the application.** Available at: <http://www.cca.org.cn/jmxf/detail/28180.html>. Accessed on: May 7, 2020.

¹²¹ MIT TECHNOLOGY REVIEW. **China's citizens do care about their data privacy, actually.** Available at: <https://www.technologyreview.com/2018/03/28/67113/chinas-citizens-do-care-about-their-data-privacy-actually/>. Accessed on: May 3, 2020.

¹²² SHENG, Wei. **One year after GDPR, China strengthens personal data regulations, welcoming dedicated law.** Available at: <https://technode.com/2019/06/19/china-data-protections-law/>. Accessed on: May 2, 2020.

¹²³ Ibidem.

Following the report by the internet agency under the Cyberspace Administration of China (CAC) that found out that nearly 99% of the country's 829 million internet users used mobile phones to access the internet,¹²⁴ regulators in China have also launched a campaign that focuses on enforcing this legal framework specifically against illegal collecting and use of personal information by smartphone applications. The agency did so by reviewing about a thousand apps with large numbers of users or those offering services closely related to peoples' daily lives – ranging from food ordering and car-hailing to health, financial, and navigation services.¹²⁵

Ultimately, the model that has emerged with these legislations represents an alternative to the EU's blueprint manifested in the GDPR, both being capable to influence the development of data protection norms across the globe. Considering that data protection in China is intimately linked to national security and stability, the Chinese approach offers an important counterpoint to the European, differing itself by seeking to build consumer trust in a digital economy without removing the government's ability to surveil and oversee a country's population as a step to guarantee their security.¹²⁶

Nevertheless, this specific aspect is what draws heavy criticism from European authorities for the PRC's regime. It is noted that, while consumer privacy is well protected against misuse by companies in China by a robust and growing set of legislation, these same protections will not be effective if it goes against the Communist Party of China's interests. While this may sound contradictory by Western legal standards, the same cannot be said under Chinese law.¹²⁷

7.3 INDIA

The biggest country on the Indian subcontinent, the Republic of India is the 2nd most populous country and the most populous democracy in the world,¹²⁸ being a pluralistic,

¹²⁴ CYBERSPACE ADMINISTRATION OF CHINA. **43rd Report on the Development of the Internet in China**. Available at: http://www.cac.gov.cn/2019-02/28/c_1124175677.htm. Accessed on: May 28, 2020.

¹²⁵ CHINA DAILY. **Illegal data collection by apps targeted**. Available at: <http://www.chinadaily.com.cn/a/201901/26/WS5c4ba316a3106c65c34e69ea.html>. Accessed on: May 2, 2020.

¹²⁶ MIRCHANDANI, Manisha. **Why China Could Lead on Global Data Privacy Norms**. Available at: <https://www.brinknews.com/why-china-could-lead-on-global-data-privacy-norms/>. Accessed on: Apr. 27, 2020.

¹²⁷ YANG, William. **How much do Chinese people care about privacy?** Available at: <https://www.dw.com/en/how-much-do-chinese-people-care-about-privacy/a-43358120>. Accessed on: Apr. 30, 2020.

¹²⁸ VICTORIA AND ALBERT MUSEUM. **The Indian subcontinent: land and culture**. Available at: <http://www.vam.ac.uk/content/articles/t/the-indian-sub-continent-land-and-culture/>. Accessed on: May 24, 2020.

multilingual and multi-ethnic society. According to the Freedom on the Net Organization, the internet in India is partially free, being the 30th in the Internet Freedom Score.¹²⁹ Thus, considering only the countries with internet freedom, the Asian country has more than 560 million internet users, being the largest online market in the world.¹³⁰

As such, India has very controversial internet legislation and is accused of promoting censorship in some sectors of the digital world that provide a legal framework to regulate security, use and commerce, guaranteeing the police excessive powers with the Information Technology Act (ITA) of 2000.¹³¹

Therefore, the Indian state has no legislation or convention on the protection of personal data, like the GDPR or the Data Protection Directive. There are only international provisions with the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, which both recognize the universal right to privacy.¹³²

Despite the lack of impetus in the *Rajya Shaba* and the *Lok Shaba*¹³³ – both part of bicameralism system of India –¹³⁴ in presenting protective measures to digital privacy and even when the Supreme Court of India ruled that privacy is a constitutional right of Indian citizens, they leave a visible trail of private data while navigating in the online world.¹³⁵

In this perspective, the Indian government has recently begun legislating a possible Personal Data Protection (DPB), which would control collection, processing, protection and disclosure of personal data of Indian residents,¹³⁶ since the digital economy in India is expected to reach a valuation of \$1 trillion dollars by 2022, attracting numerous global players and companies around the world.¹³⁷

¹²⁹ FREEDOM HOUSE. **Countries** – Internet Freedom Scores. Available at: <https://freedomhouse.org/countries/freedom-net/scores>. Accessed on: May 24, 2020.

¹³⁰ STATISTA. **Internet usage in India** - Statistics & Facts. Available at: <https://www.statista.com/topics/2157/internet-usage-in-india/>. Accessed on: May 24, 2020.

¹³¹ OPENNET INITIATIVE. **ONI Country Profile: India**. Available at: <http://access.opennet.net/wp-content/uploads/2011/12/accesscontested-india.pdf> . Accessed on: May 25, 2020.

¹³² LINKLATERS. **Data Protected** – India. Available at: <https://www.linklaters.com/pt-br/insights/data-protected/data-protected---india>. Accessed on: May 25, 2020.

¹³³ The legislature system of India is divided in the bicameral Parliament of India, with the *Rajya Sabha*, the Upper House or Council of States and with the *Lok Sabha*, the Lower House, also known as House of the People. PARLIAMENT OF INDIA. **Indian Parliament**. Available at: <https://parliamentofindia.nic.in/>. Accessed on: May 27, 2020.

¹³⁴ NATIONAL PORTAL OF INDIA. **Indian Parliament**. Available at: <https://www.india.gov.in/my-government/indian-parliament>. Accessed on: May 25, 2020.

¹³⁵ HARVARD BUSSINESS REVIEW. **How India Plans to Protect Consumer Data**. Available at: <https://hbr.org/2019/12/how-india-plans-to-protect-consumer-data>. Accessed on: May 25, 2020.

¹³⁶ *Ibidem*.

¹³⁷ *Ibidem*.

Currently, the use of personal data at alarming levels, majorly by big corporations, is observed in India and that is why DPB intends to protect and safeguard citizen's privacy rights, directly affecting businesses with a cost-benefit analysis that often lose money in offering free services, but aim to earn profits from the sale and exploitation of customers' personal data.¹³⁸

7.4 IRAN

The Islamic Republic of Iran is located in the Middle East region, southwest Asia, and its capital is Tehran. With a total population of approximately 80 million, Iran has many ethnic groups, each with its own idiom, and Persians are the largest, being Persian the main language in the country. Iran is also one of the world's biggest producers of petroleum and natural gas, which are very important products for the Iranian economy.¹³⁹ The country is headed by a supreme leader, both political and religious, who appoints the heads of the judiciary, the military and the media, in addition to confirming presidential elections.¹⁴⁰

ITU member since 1868,¹⁴¹ Iran, structurally, has some agencies and departments responsible for cybersecurity. Among them is the Supreme Council of Cyberspace, in which the Supreme Leader has all the power of decision on internet policies. In addition, Iran has its own Cyber Police, which aims to: ensure a secure cyberspace; protect national and religious identity, community values, legal freedom, national critical infrastructure against electronic attacks; preserve national interests and authority in cyberspace; and guaranteeing the people's legal rights, in order to preserve national power and sovereignty.¹⁴²

Among the specific legislation related to cyber space in the country is the Computer Crimes Law (Law No. 71063), which encompasses crimes against the confidentiality of data, computer and telecommunications systems, as well as crimes against the integrity and validity of computer, telecommunications data and systems. Another law that provides for data protection is the Computer Misuse and Cybercrime Act of 2003 (Law No. 22 of 2003), which

¹³⁸ HARVARD BUSSINESS REVIEW. **How India Plans to Protect Consumer Data**. Available at: <https://hbr.org/2019/12/how-india-plans-to-protect-consumer-data>. Accessed on: May 25, 2020.

¹³⁹ BRITANNICA ESCOLA. **Irã**. Available at: <https://escola.britannica.com.br/artigo/Ir%C3%A3/481580>. Accessed on: May 8, 2020.

¹⁴⁰ BBC. **Iran country profile**. Available at: <https://www.bbc.com/news/world-middle-east-14541327>. Accessed on: May 8, 2020.

¹⁴¹ INTERNATIONAL TELECOMMUNICATION UNION. **List of Member States**. Available at: <https://www.itu.int/online/mm/scripts/gensel8>. Accessed on: May 8, 2020.

¹⁴² CYBER POLICY PORTAL. **Iran (Islamic Republic of)**. Available at: <https://cyberpolicyportal.org/en/states/iran>. Accessed on: May 10, 2020.

typifies the unauthorized access to computer data, unauthorized access and interception of computer service and illegal possession of devices and data as criminal offenses.¹⁴³

Regarding international cooperation with the UN, Iran has expressed its opinions in the Open Working Group on developments in the field of information and telecommunications in the context of international security, recognizing that in order to achieve cyber security, states' inherent rights to the development, acquisition, use, import, export and access to ICTs, in addition to the development of science and technology without any restrictions or discrimination, must be fully respected and guaranteed.¹⁴⁴

In this sense, Iran's discussions with these countries range from topics such as the creation of a regional data center to collaboration in Information Technology (IT), software, hardware and cybersecurity. Besides, Iran has sought out other countries to discuss increased security cooperation between cyber agencies in combating internet crime, in order to bring greater data security.¹⁴⁵

Moreover, Iran is a country that suffers a lot from the blocking of the internet and mobile telephony imposed by the national authorities. According to specialists, the reason for the blockade is clear: to prevent access to and exchange of information about the protests that broke out in the country. In 2019, for example, during popular protest against the 50% readjustment in the price of gasoline in the country, the Iranian government imposed this internet restriction measure, which made it difficult to obtain information to know the exact dimension of what is happening from over there.¹⁴⁶

7.5 ISRAEL

The small State of Israel, with only approximately 21 thousand km² of total area, is a parliamentary democracy.¹⁴⁷ Regarding international involvement, Israel became a member of the United Nations in 1949 and of the ITU a year before, in 1948.^{148 149}

¹⁴³ CYBER POLICY PORTAL. **Iran (Islamic Republic of)**. Available at: <https://cyberpolicyportal.org/en/states/iran>. Accessed on: May 10, 2020.

¹⁴⁴ Ibidem.

¹⁴⁵ Ibidem.

¹⁴⁶ BBC. **Iran internet 'disrupted' ahead of protests**. Available at: <https://www.bbc.com/news/world-middle-east-5091145>. Accessed on: May 12, 2020.

¹⁴⁷ CENTRAL INTELLIGENCE AGENCY. **Middle East: Israel** — The World Factbook. Available at: <https://www.cia.gov/library/publications/the-world-factbook/geos/is.html>. Accessed on: Jun. 18, 2020.

¹⁴⁸ ISRAEL MINISTRY OF FOREIGN AFFAIRS. **Admission of Israel to the United Nations** - General Assembly Resolution 273. Available at:

In Israel, the main legislation concerning data privacy are the Human Dignity and Liberty, the Protection of Privacy Law (PPL); and the regulations complementary to the PPL, as well as the guidelines instituted by the Israel Privacy Authority (IPA). The IPA also has the responsibility of supervising and enforcing the determinations postulated by the PPL.¹⁵⁰

Furthermore, in 2017, the Constitution, Law, and Justice Committee of the Knesset promulgated the Data Security Regs, which expanded the number of requirements demanded from data controllers, such as a list of manuals and policies regarding the handling of data; security measures concerning physical, environmental and logical factors; and, lastly the training of the staff team, and regular inspections.¹⁵¹

Many of the demands from the Data Security Regs are the competence of a Data Protection Officer (DPO), a professional which necessarily must exist if the Data Controller is: possessor of five legally registered databases; a public institution; or a financial enterprise. Moreover, the DPO must be subordinate directly to the manager or owner of the database, instituting security protocols and periodically presenting reviews from the compliance of the company with the Data Security Regs. An eventual failure to hiring a DPO – be it Israeli or not – in the cases mentioned may result in administrative fines or criminal sanctions.¹⁵²

In addition, PPL determines the notification of breaches to the IPA accordingly to the category of the database and the breach's severity. To better regulate this matter, the Privacy Protection Authority's Policy for Reporting Severe Security Incidents was instituted by the IPA, with mandatory adherence, otherwise, the controller may be subject to sanctions such as the public disclosure of the transgression or the loss of the database registration.¹⁵³

Considering an overview of the data protection tutelage, the Israeli legislation is rather strict, submitting the Controller that violates the PPL and regulations such as the Data Security Regs to civil and criminal sanctions, which may include fines, indemnities or even imprisonment up to fifteen years. Although such legal provisions do not directly address concepts such as online privacy, cookies or any type of geolocation data, which constitutes a

<https://www.mfa.gov.il/mfa/foreignpolicy/mfadocuments/yearbook1/pages/admission%20of%20israel%20to%20the%20united%20nations-%20general.aspx>. Accessed on: Jun. 18, 2020.

¹⁴⁹ INTERNATIONAL TELECOMMUNICATION UNION. **List of Member States**. Available at: <https://www.itu.int/online/mm/scripts/gensel8>. Accessed on: Jun. 18, 2020.

¹⁵⁰ ICLG. **Data Protection Laws and Regulations – Israel**. Available at: <https://iclg.com/practice-areas/data-protection-laws-and-regulations/israel>. Accessed on: June 18, 2020.

¹⁵¹ DLA PIPER. **Data Protection Laws on the World – Israel**. Available at: <https://www.dlapiperdataprotection.com/index.html?t=law&c=IL&c2=>. Accessed on: June 18, 2020.

¹⁵² ICLG, op. cit.

¹⁵³ DLA PIPER, op. cit.

problem, considering the fast-paced expansion of the Information and Communications Technology.¹⁵⁴

However, according to the annual Freedom in the World report, in 2019 Israel's score was 76 (out of 100) and it was considered a country with free internet. Therefore, it is noticeable that being a multiparty democracy with institutions that are able to monitor and guarantee political rights and civil liberties, Israel can keep advancing and making its internet a safer space when it concerns the privacy of personal data and information rights.^{155 156}

7.6 JAPAN

Japan is an island country lying off the east coast of Asia and its capital is Tokyo. Known as the "Land of the Rising Sun", the country has one of the largest economies in the world and its role in the international community is considerable, assuming an important source of financial aid and global credit.¹⁵⁷ In addition, Japan is home to over 126 million people, making it the 10th largest country in the world in terms of population. Also, the main religions among the Japanese are Shintoism and Buddhism.¹⁵⁸ Nowadays, the country adopts a constitutional monarchy with democratic parliamentary regime.¹⁵⁹

ITU member since 1879,¹⁶⁰ Japan has its online privacy governed primarily by a general law, the Act on the Protection of Personal Information (APPI), rather than a specialized law on online privacy. This device applies to business operators who maintain the personal information of 5,000 or more people, and requires that all business operators who handle personal information specify the purpose for which the personal information is used.

¹⁵⁴ DLA PIPER. **Data Protection Laws on the World** – Israel. Available at:

<https://www.dlapiperdataprotection.com/index.html?t=law&c=IL&c2=>. Accessed on: June 18, 2020.

¹⁵⁵ FREEDOM HOUSE. **Countries and Territories** – Global Freedom Scores. Available at:

<https://freedomhouse.org/countries/freedom-world/scores>. Accessed on: Jun. 18, 2020.

¹⁵⁶ FREEDOM HOUSE. **Israel**. Available at: <https://freedomhouse.org/country/israel/freedom-world/2020>.

Accessed on: Jun. 18, 2020.

¹⁵⁷ BBC. **Japan country profile**. Available at: <https://www.bbc.com/news/world-asia-pacific-14918801>.

Accessed on: May 13, 2020.

¹⁵⁸ NATIONS FACTS. **Japan Facts**. Available at: <http://nationfacts.net/japan-facts/>. Accessed on: May 13, 2020.

¹⁵⁹ THE GOVERNMENT OF JAPAN. **About Japan**. Available at: <https://www.japan.go.jp/japan/>. Accessed on: May 13, 2020.

¹⁶⁰ INTERNATIONAL TELECOMMUNICATION UNION. **List of Member States**. Available at: <https://www.itu.int/online/mm/scripts/gensel8>. Accessed on: May 13, 2020.

Thus, data subjects can request the disclosure of their personal information maintained by business operators.¹⁶¹

Moreover, Japan has other laws to protect personal information, including two of great relevance to the country's legal framework. The first is the Basic Act on Cybersecurity, which aims: to promote the cybersecurity policy by a system of principles, measures and regulations; to enhance economic and social vitality and lay the social groundwork for the people to live with a sense of safety; and to contribute to the protection of international peace and security. The second is Act on Prohibition of Unauthorized Computer Access, which aims to prevent crimes related to computers committed through telecommunications links.¹⁶²

Regarding bilateral and multilateral cooperation, Japan is a signatory to the Convention on Cybercrime, the first international treaty on crimes committed via the internet and other computer networks, signed on 2001, in Budapest.¹⁶³ In addition, the country actively participated in discussions on telecommunications, recognizing that is important to promote rule of law in cyberspace, and approves that international law, and in particular the United Nations Charter, is apply to cyberspace. Japan also discussed and cooperated on cybersecurity with countries such as Estonia, India, China and South Korea.¹⁶⁴

With strong legislation and international cooperation in relation to cyber security and privacy, data protection is becoming an even more important issue due to security concerns in Japan during preparations underway for the Tokyo Olympics and Paralympics. Thus, high-level events like these made it urgent for Japan to prioritize its security systems, since the Tokyo Paralympics and Olympics will be the first to use facial recognition.¹⁶⁵

Therefore, the Japanese government has intensified its security guarantees for the preparation for the games, presenting a project that will consist of obtaining access to citizens' most vulnerable electronics. In this sense, officials from Japan's National Institute of Information and Communications Technology will travel around the country using password lists commonly used to analyze nearly 200 million devices that work from the Internet of

¹⁶¹ UMEDA, Sayuri. **Online Privacy Law: Japan**. Available at: <https://www.loc.gov/law/help/online-privacy-law/2012/japan.php>. Accessed at: May 15, 2020.

¹⁶² CYBER POLICY PORTAL. **Japan**. Available at: <https://cyberpolicyportal.org/en/states/japan>. Accessed on: May 15, 2020.

¹⁶³ COUNCIL OF EUROPE. **Details of Treaty No. 185 – Convention on Cybercrime**. Available at: <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/185>. Accessed on: May 15, 2020.

¹⁶⁴ CYBER POLICY PORTAL. **Japan**. Available at: <https://cyberpolicyportal.org/en/states/japan>. Accessed on: May 15, 2020.

¹⁶⁵ ARNDT, Stephanie. **Data Privacy in Japan**. Available at: <https://izanau.com/article/view/data-privacy-in-japan>. Accessed on: May 15, 2020.

Things (IoT). These government hackers will try to gain access to these devices on home and commercial networks for research purposes.¹⁶⁶

In this way, users and internet service providers will be assessed on the vulnerability of the network. Thusly, the government of Japan decided to take measures to ensure the safety of its citizens and visitors during the Olympics, scheduled for 2021, and its project to invade the Internet of Things is an example.¹⁶⁷

7.7 MALAYSIA

Member of the Commonwealth of Nations,¹⁶⁸ the federal elective constitutional monarchy of Malaysia has been growing progressively in the past years, achieving economy expansion rates of 6.5% per year, which necessarily demand the expansion of civil rights, especially in face of the transition of economic activities (from extractivism and agriculture to manufactured products) as Malaysia has been witnessing.¹⁶⁹

In this scenario, personal data protection is a relatively new concept for the Malaysian people. Such perspective was only concretized when the Malaysian parliament promulgated the Personal Data Protection Act (PDPA) on June 2 of 2010, legislation that only came to vigor three years later, on November 15, 2013. The PDPA institutes the position of a Personal Data Protection Commissioner, appointed to enforce the law's provisions. The Commissioner is advised by a Personal Data Protection Advisory Committee appointed by the Minister, holding a mandate of three years.¹⁷⁰

It is in the power of the Commissioner the possibility of appointing forums to discuss codifications for a class of data controllers (communication enterprises, banking institutions, health services, etc), if those “codes of practice” are approved by the commissioner they become binding and violations against them constitute transgressions against the PDPA itself. The commissioner also holds power to determine Security Standards, as regulations that the

¹⁶⁶ THOMPSON, Avery. **Japan is going to start hacking its citizens.** Available at: <https://www.popularmechanics.com/technology/security/a26077229/japan-hacking-citizens-internet-of-things/>. Accessed on: May 15, 2020.

¹⁶⁷ HUGHES, Matthew. **Japanese officials will target millions of IoT devices to help secure the Olympics.** Available at: <https://thenextweb.com/security/2019/01/28/japanese-officials-will-target-millions-of-iot-devices-to-help-secure-the-olympics/>. Accessed on: May 15, 2020.

¹⁶⁸ THE COMMONWEALTH. **About Us.** Available at: <https://thecommonwealth.org/about-us>. Accessed on: May 13, 2020.

¹⁶⁹ ENCYCLOPAEDIA BRITANNICA. **Malaysia.** Available at: <https://www.britannica.com/place/Malaysia>. Accessed on: May 13, 2020.

¹⁷⁰ DLA PIPER. **Data Protection Laws on the World – Malaysia.** Available at: <https://www.dlapiperdataprotection.com/index.html?t=law&c=MY>. Accessed on: May 13, 2020.

data controllers are obliged to comply with. However, a commissioner's decision can be discussed through the Personal Data Protection Appeal Tribunal, and if that via is not satisfactory to the data user, he may appeal to the Malaysian High Courts.¹⁷¹

Furthermore, PDPA also determines that for an enterprise to deal with personal data, certificates of registration must be issued, which by the end of the established term of validity must be renewed so that the data controller may continue processing. Not to mention the essentiality of consent to data collection, necessarily performed in a way that the data controller keeps a proper record of the consent.¹⁷²

A peculiar aspect about the Malaysian regulations is that transference of data to non-Malaysian jurisdictions aren't permitted, not unless authorized by the minister of communication and multimedia (composing a "White List of countries"¹⁷³) or in the hypothesis that the user has given its express consent and the transfer is essential to the maintenance of the contract of services between the user and enterprise, safeguarding all the user's interests and rights delineated by the PDPA.¹⁷⁴

Unfortunately, Malaysian law does not include the obligation of warning authorities about data breaches. As well as the rights to deletion/to be forgotten, to restrict processing, to data portability, in comparison to legislations such as the GDPR, do not exist. If comparisons are to be continued, it is important to also highlight that the PDPA, unlike the GDPR from EU and other national legislations such as the General Data Protection Law from Brazil, does not require a Data Protection Officer – professional dedicated to the security of the enterprise's data, preventing unlawful manipulations or breaches.¹⁷⁵ On the other hand, violations of the PDPA are punishable with criminal penalties, which vary from fines to imprisonment.¹⁷⁶

Since August 2018, the Commissioner has been discussing the implementation of a Data Breach Notification.¹⁷⁷ A most welcome addition to Malaysian law as it is still very insipient if compared to other legislation, as well as excessively centralized in the figure of the Commissioner in terms of wielding power to majorly regulate, inspect and punish.

¹⁷¹ DLA PIPER. **Data Protection Laws on the World** – Malaysia. Available at: <https://www.dlapiperdataprotection.com/index.html?t=law&c=MY>. Accessed on: May 13, 2020.

¹⁷² ICLG. **Data Protection Laws and Regulations** – Malaysia. Available at: <https://iclg.com/practice-areas/data-protection-laws-and-regulations/malaysia>. Accessed on: May 13, 2020.

¹⁷³ *Ibidem*.

¹⁷⁴ DLA PIPER, *op. cit.*

¹⁷⁵ FUNDAÇÃO INSTITUTO DE ADMINISTRAÇÃO. **DPO (Data Protection Officer): o que é, funções e como se tornar**. Available at: <https://fia.com.br/blog/dpo/>. Accessed on: May 13, 2020.

¹⁷⁶ ICLG, *op. cit.*

¹⁷⁷ *Ibidem*.

7.8 SOUTH KOREA

The Republic of Korea, with a population of 51 million inhabitants and through policies favoring investments and saving, emerged from one of the poorest economies from Asia in 1960 to one of the wealthiest countries in the world, with rights in expansion, including the right to privacy.¹⁷⁸

In South Korea, the main legislation regarding data privacy is the Personal Information Protection Act ('PIPA'), from September 30th, 2011. Such legislation serves as a basis for sector-specific laws, which are: the Act on Promotion of Information and Communication Network Utilization and Information Protection ('IT Network Act'), regulating the collection and use of data by IT Service; the Use and Protection of Credit Information Act ('UPCIA'); and the Act on Real Name Financial Transactions and Guarantee of Secrecy, regulating the information extracted by financial institutions.¹⁷⁹

The Ministry of the Interior and Safety (MOIS), assessed by the Personal Data Protection Commission (PDPC), is the main guardian of PIPA. Alongside the ministry and the PDPC, there are: the Korea Communications Commission (KCC), responsible for the execution of the IT Network Act; the Financial Services Commission, enforcing the UPCIA; and the Korea Internet and Security Agency (KISA), which performs the tasks distributed by the MOIS, KCC, and PDPC, also responsible for receiving the reports from the population.¹⁸⁰

Before the collection of data, the PIPA establishes the need to notify the data subject of the vital information stipulated under the law, obtain his/her consent, specifying the purpose, items to be collected and period of detention. If data transfers are needed, the subject must be informed, sharing the information of who the data is to be transferred to, which data is to be provided, and the means and process for that (including the time of possession), to which the data user may refuse to consent. Those recommendations gain even more attention when the user is under 14 years old, that consent must come from his legal guardians.¹⁸¹

The only exceptions to the consent happen if: the circumstance is permitted by an act or judicial order; it is essential to a Public institution's performance, accordingly to the law; it

¹⁷⁸ CENTRAL INTELLIGENCE AGENCY. **Asia: South Korea** — The World Factbook. Available at: <https://www.cia.gov/library/publications/the-world-factbook/attachments/summaries/KS-summary.pdf>. Accessed on: May 13, 2020.

¹⁷⁹ DLA PIPER. **Data Protection Laws on the World** – South Korea. Available at: <https://www.dlapiperdataprotection.com/index.html?t=law&c=KR&c2=>. Accessed on: May 13, 2020.

¹⁸⁰ ICLG. **Data Protection Laws and Regulations** – South Korea. Available at: <https://iclg.com/practice-areas/data-protection-laws-and-regulations/korea>. Accessed on: May 13, 2020.

¹⁸¹ DLA PIPER, op. cit.

is essential to the performance of the contract between the enterprise and the user (payments, etc); it is essential to the integrity of the user and he/she is unavailable; when it is fundamental to the controller, in limited cases, as long as it is not harmful to the data subject.¹⁸²

Explicit consent is also needed for the use of personal data to advertise or also to the management of Geolocation data, a need that is only lifted when the situations involve a request for emergency aid, or an act authorizes it. This technology is related to the use of cookies and trackers, an asset that also demands consent, related to the disclosure on the Privacy Policy of details concerning the installation and means of collecting data.¹⁸³ However, there are no other cookies restrictions (no penalties as well) or differentiation between them.¹⁸⁴

Besides, under PIPA, every Data Controller must designate a data protection officer. The IT Network Act, in its turn, determined that the director that handles personal data must be the DPO. If a data protection officer is not designated, the data controller may be subject to administrative fines. The DPO must establish a plan and system to safely deal with personal data, preventing intruders and adulterations.¹⁸⁵

If a breach occurs, according to PIPA, the controller must inform the subject, including the remedies taken to rectify the situation. If it affects over 10.000 users, the MOIS, KISA, or the National Information Security Agency must also be notified. In case of damages, the authorities may demand reports on the processing of data, which refusal may result in fines and/or imprisonment, and if the damage is deemed intentional or originated from negligence, the data controller may be considered liable three times the damage suffered.¹⁸⁶

Lastly, in January 2020, PIPA was amended, defining and allowing the process of pseudonymized data for scientific research or matters of public interest; strengthening the PDPC powers; and allowing the gathering of unconsented data to other cases. The Network Act was amended too, erasing topics related to personal data, which, as of July 2020, are to be solely handled by the PIPA. The National Assembly also amended the UPCIA, clarifying the

¹⁸² DLA PIPER. **Data Protection Laws on the World** – South Korea. Available at: <https://www.dlapiperdataprotection.com/index.html?t=law&c=KR&c2=>. Accessed on: May 13, 2020.

¹⁸³ Ibidem.

¹⁸⁴ ICLG. **Data Protection Laws and Regulations** – South Korea. Available at: <https://iclg.com/practice-areas/data-protection-laws-and-regulations/korea>. Accessed on: May 13, 2020

¹⁸⁵ DLA PIPER, op. cit.

¹⁸⁶ Ibidem.

manipulation of big data; introduced “MyData Industry”, as personal data management and establishing security processes to it; and removed provisions equal or similar to PIPA.¹⁸⁷

¹⁸⁷ MONDAQ. **Korea Introduces Major Amendments To Data Privacy Laws**. Available at: <https://www.mondaq.com/privacy-protection/898830/korea-introduces-major-amendments-to-data-privacy-laws>. Accessed on: May 13, 2020.

8 SECTOR MEMBERS

In addition to the sovereign nations, the Union’s Sector Membership program gathers over 900 private organizations from the internet, health, financial, industrial and other utility sectors, as well as universities and funding bodies, in a common effort to drive investment, innovation and widely shared opportunities in a path to sustainable growth. While Sector entities are not part of the Council and are non-voting members of the Union, they still have the opportunity to influence the decisions made by the organization.¹⁸⁸

8.1 ALPHABET, INC.

Alphabet, Inc. is a holding company, which engages in the business of acquisition and operation of different companies. It operates through the Google and Other Bets segments, their main internet products and business, respectively. Alphabet is the world's fourth-largest technology company, with a \$1 trillion market value (2020)¹⁸⁹.

The company was founded by Lawrence E. Page and Sergey Mikhaylovich Brin on October 2, 2015 and is headquartered in Mountain View, CA. The establishment of Alphabet Inc. was prompted by a desire to make the core Google business "cleaner and more accountable" while allowing greater autonomy to group companies that operate in businesses other than internet services.¹⁹⁰

In privacy policy aspect, the biggest recent overhaul of Alphabet’s mains company, the Google’s policy came in May 2018, in response to Europe’s General Data Protection Regulation, or GDPR. According to Sam Heft-Luthy, the product manager for Google’s privacy policy, the year-long redesign with writers, designers, researchers and lawyers wasn’t just a change of legal language but a “full product update” to “better describe the information we collect and explain user controls.”¹⁹¹

¹⁸⁸ INTERNATIONAL TELECOMMUNICATION UNION. **Sector Members**. Available at: <https://www.itu.int/online/mm/scripts/gensel11>. Accessed on: May 25, 2020.

¹⁸⁹ FORTUNE. **Alphabet (GOOGL)**. Available at: <https://fortune.com/fortune500/2019/alphabet/>. Accessed on: May 13, 2020.

¹⁹⁰ FORBES. **Alphabet (GOOGL)**. Available at: <https://www.forbes.com/companies/alphabet/#a815f85540ee>. Accessed on: May 13, 2020.

¹⁹¹ THE NEW YORK TIMES. **Google’s 4,000-Word Privacy Policy Is a Secret History of the Internet**. Available at: <https://www.nytimes.com/interactive/2019/07/10/opinion/google-privacy-policy.html>. Accessed on: May 17, 2020.

In terms of data policy, most likely influenced by GDPR rules that give users more control and ownership over their data, the policy added nine mentions that users could export data and numerous sections explaining how to delete data.¹⁹²

In 2019, the Google reportedly violated European Union standards of transparency and consent by providing sensitive data to the advertising market. Evidence analysed by the Irish Data Protection Commission¹⁹³ - which oversees Google's European business - indicates that the search giant is secretly using hidden web pages that provide advertisers with personal data about its users. The practice goes against what is provided for in European Union standards, which require consent and transparency.¹⁹⁴

Thus, despite some stalemates, Alphabet's contribution to any discussion of the internet, technology and data privacy is necessary. It is one of the largest technology companies in the world and one of the most interesting, therefore, being able to contribute positively to the realization of the right to privacy online and offline.¹⁹⁵

8.2 FACEBOOK, INC.

Facebook is an American company offering online social networking services. It was founded in 2004 by Mark Zuckerberg, Eduardo Saverin, Dustin Moskovitz, and Chris Hughes. The company's headquarters are in Menlo Park, California.¹⁹⁶ Facebook became the largest social network in the world, with more than one billion users as of 2012 and, today, valued at approximately \$475,455.2 billion, the fifth most valuable company in the United States.¹⁹⁷

¹⁹² THE NEW YORK TIMES. **Google's 4,000-Word Privacy Policy Is a Secret History of the Internet.** Available at: <https://www.nytimes.com/interactive/2019/07/10/opinion/google-privacy-policy.html>. Accessed on: May 17, 2020.

¹⁹³ DATA PROTECTION COMMISSION. **Background.** Available at: <https://www.dataprotection.ie/en/about/background>. Accessed on: Jun. 11, 2020.

¹⁹⁴ FOLHA. **Google é acusado de transferir dados pessoais de usuários à anunciantes.** Available at: <https://www1.folha.uol.com.br/mercado/2019/09/google-e-acusado-de-transferir-dados-pessoais-de-usuarios-a-anunciantes.shtml>. Accessed on: May 18, 2020.

¹⁹⁵ INVESTOPEDIA. **Why Google Became Alphabet.** Available at: <https://www.investopedia.com/articles/investing/081115/why-google-became-alphabet.asp>. Accessed on: Jun. 13, 2020.

¹⁹⁶ FORBES. **Why do Facebook's actions seem indestructible?** Available at: <https://forbes.com.br/negocios/2020/01/por-que-as-acoes-do-facebook-parecem-indestrutíveis/>. Accessed on: May 15, 2020.

¹⁹⁷ FORTUNE. **Facebook.** Available at: <https://fortune.com/fortune500/2019/facebook/>. Accessed on: May 15, 2020.

Facebook, in addition to being the most-used social platform in the world, owns three others that occupy respectively the 3rd, 4th and 6th positions in the ranking of the world's most-used social platforms, they are: WhatsApp, Facebook Messenger and Instagram.¹⁹⁸

In 2018, the Facebook's General Data Protection Regulation (GDPR) adjustments were a first step in a long road ahead toward fixing its data privacy problems. Based on the adjustments required by GDPR, Facebook simplified and made its data policy transparent.¹⁹⁹ This policy describes the information we process to enable the operation of Facebook, Instagram, Messenger and other products and resources offered by Facebook.²⁰⁰

Although, all changes in the privacy policy and the transparency of data collection, in 2019, in a courtroom, Facebook's lawyers said the quiet part out loud: Users have no reasonable expectation of privacy.²⁰¹

The admission came from Orin Snyder, a lawyer representing Facebook in a litigation stemming from the Cambridge Analytica scandal. The Facebook–Cambridge Analytica data breach occurred in early 2018 when millions of Facebook users' personal data was harvested without consent by Cambridge Analytica to be predominantly used for political advertising. This data break was the largest known leak in Facebook's history.²⁰²

Facebook reached an agreement with the US Federal Trade Commission (FTC) to pay a \$5 billion fine for breaches of the company's privacy. The record fine concerns breaking a pact signed by the American agency with the social network, which agreed in 2011 to protect its users' data, according to reports.²⁰³

Thus, it is possible to realize that Facebook has a short history of many controversies, even with the change in privacy policy, regaining user trust will be the biggest challenge. People need to know the products they consume, use them without the fear of

¹⁹⁸ SMART INSIGHTS. **Global social media research summary 2020**. Available at: <https://www.smartinsights.com/social-media-marketing/social-media-strategy/new-global-social-media-research/>. Accessed on: May 15, 2020.

¹⁹⁹ VOX. **What you need to know about Facebook's new privacy settings**. Available at: <https://www.vox.com/technology/2018/4/18/17251480/facebook-privacy-scandal-changes-europe-gdp>. Accessed on: May 15, 2020.

²⁰⁰ FACEBOOK. **Data Policy**. Available at: <https://www.facebook.com/policy.php>. Accessed on: May 15, 2020.

²⁰¹ THE NEW YORK TIMES. **Facebook Under Oath: You Have No Expectation of Privacy**. Available at: <https://www.nytimes.com/2019/06/18/opinion/facebook-court-privacy.html>. Accessed on: May 15, 2020.

²⁰² THE NEW YORK TIMES. **Facebook and Cambridge Analytica: What You Need to Know as Fallout Widens**. Available at: <https://www.nytimes.com/2018/03/19/technology/facebook-cambridge-analytica-explained.html>. Accessed on: May 14, 2020.

²⁰³ CNET. **Federal court approves \$5B Facebook settlement with FTC over Cambridge Analytica**. Available at: <https://www.cnet.com/news/federal-court-approves-facebook-settlement-with-ftc-over-cambridge-analytica/>. Accessed on: May 15, 2020.

having their data illegally used. Furthermore, there is much to be done to minimize risks and reduce the vulnerability of data systems.

8.3 HUAWEI TECHNOLOGIES CO., LTD.

Founded in 1987, Huawei Technologies Co., Ltd. is a Chinese multinational company that provides information and communications technology (ICT) equipment and infrastructure, consumer electronics, smartphones, and other devices. Operating in more than 170 countries with over 194,000 employees, Huawei²⁰⁴ serves more than three billion people as the world's largest telecommunications equipment manufacturer.²⁰⁵ It also became the second-biggest global smartphone maker, after surpassing Apple in 2018.²⁰⁶

As a Platinum Sector Member of the ITU, Huawei is a top industry contributor to international cooperation between countries and sector entities, ensuring that international standards and strategies result in enhanced product competitiveness worldwide.²⁰⁷ The company has also been working closely with the Union to jointly promote ICT development in developing countries like India, Nigeria, and Egypt. Focused on improving the connection between regions and bringing connectivity in rural areas of these nations, Huawei deployed technology and offered training programs to allow maintenance of established networks.²⁰⁸

But Huawei's rise to the global stage did not come without controversy. Growing concerns regarding the company's demeanor are backed by claims that the Chinese government has directly fueled Huawei's ascension to its current market position through tens of billions in fiscal benefits, financing, and cheap resources.²⁰⁹ Such a role played by the State leads to questioning whether the company is playing along with the Chinese Communist

²⁰⁴ Pronounced as “wah-way”.

²⁰⁵ HUAWEI. **Corporate Introduction**. Available at: <https://www.huawei.com/en/about-huawei/corporate-information>. Accessed on: Apr. 28, 2020.

²⁰⁶ GIBBS, Samuel. **Huawei beats Apple to become the second-largest smartphone maker**. Available at: <https://www.theguardian.com/technology/2018/aug/01/huawei-beats-apple-smartphone-manufacturer-samsung-iphone>. Accessed on: May 2, 2020.

²⁰⁷ WORKABLE. **Huawei's ITU Standard Expert**. Available at: <https://apply.workable.com/huawei-16/j/3BDE0A5091/>. Accessed on: Apr. 28, 2020.

²⁰⁸ PR NEWS ASIA. **Huawei Joins Hands with ITU to Promote ICT Development in Developing Countries**. Available at: https://en.pnasia.com/releases/global/Huawei_Joins_Hands_with_ITU_to_Promote_ICT_Development_in_Developing_Countries-6379.shtml. Accessed on: Apr. 29, 2020.

²⁰⁹ THE WALL STREET JOURNAL. **State Support Helped Fuel Huawei's Global Rise**. Available at: <https://www.wsj.com/articles/state-support-helped-fuel-huaweis-global-rise-11577280736>. Accessed on: Apr. 30, 2020.

Party's interests and, hence, if their compromise with cybersecurity issues has fallen under partisan influence.²¹⁰

Those concerns, along with Huawei's growing role in 5G technologies,²¹¹ has led to a series of political measures in several Western countries. The company has been banned from providing 5G network equipment in the United States of America and Australia, while Canada's relationship with the firm was put under review. In Europe, where Chinese presence has been steadily growing, some telecom operators considered removing Huawei's equipment from their networks altogether. Huawei phones were also banned by main mobile carriers in the USA after being specifically labeled as a security threat.²¹²

The Chinese tech giant discredits these claims. The company's chairman, Guo Ping, argued that Huawei "has a strong track record in security in three decades" and the company "has not and will never plant backdoors" or "allow anyone to do so" on their products. Ping has also hit back at the USA's accusations as having "no evidence, nothing" and questioned the country's standing on the issue citing American legislation that requires tech companies to hand over data on customers when requested by the government.²¹³

After all, Huawei's business keeps thriving worldwide, translating to high figures: in 2019 alone, it has generated over 122 billion dollars in revenue – an all-time high for the company.²¹⁴ Much to thank for these numbers are the European and the Middle Eastern countries that kept their contracts with the tech giant despite the widespread accusations – seen by the Chinese media as an American "smear campaign doomed to fail".^{215 216 217}

²¹⁰ THE NEW YORK TIMES. **Who Owns Huawei?** The Company Tried to Explain. It Got Complicated. Available at: <https://www.nytimes.com/2019/04/25/technology/who-owns-huawei.html>. Accessed on: May 23, 2020.

²¹¹ SIN, Ben. **How Huawei Is Leading 5G Development.** Available at: <https://www.forbes.com/sites/bensin/2017/04/28/what-is-5g-and-whos-leading-the-way-in-development/#36d85b902691>. Accessed on: Apr. 30, 2020.

²¹² O'FLAHERTY, Kate. **Huawei Security Scandal: Everything You Need to Know.** Available at: <https://www.forbes.com/sites/kateoflahertyuk/2019/02/26/huawei-security-scandal-everything-you-need-to-know/#2568f7df73a5>. Accessed on: May 1, 2020.

²¹³ GHOSH, Shona. **Huawei just swiped at the US, saying it has 'no evidence, nothing,' of Chinese spying.** Available at: <https://www.businessinsider.com/huawei-says-us-has-no-evidence-nothing-of-chinese-spying-2019-2?r=US&IR=T>. Accessed on: May 1, 2020.

²¹⁴ EARLEY, Kelly. **After a challenging year, Huawei hits record \$122bn revenue for 2019.** Available at: <https://www.siliconrepublic.com/companies/huawei-2019-earnings-record-revenue>. Accessed on: Apr. 28, 2020.

²¹⁵ THE NEW YORK TIMES. **Huawei Is Winning the Argument in Europe, as the U.S. Fumbles to Develop Alternatives.** Available at: <https://www.nytimes.com/2020/02/17/us/politics/us-huawei-5g.html>. Accessed on: Apr. 28, 2020.

²¹⁶ WORLD ECONOMIC FORUM. **The rise of techno-nationalism - and the paradox at its core.** Available at: <https://www.weforum.org/agenda/2019/07/the-rise-of-techno-nationalism-and-the-paradox-at-its-core/>. Accessed on: Apr. 29, 2020.

²¹⁷ WEIHUA, Chen. **Washington's smear campaign against Huawei doomed to fail.** Available at: <https://www.chinadaily.com.cn/a/201903/01/WS5c78773ea3106c65c34ec12b.html>. Accessed on: May 1, 2020.

9 CONCLUSION

In short, the main objective of this Annex Guide was to bring together a briefing of the delegations to be simulated at the ITU's Plenipotentiary Assembly, based on the collection of the main information related, be it legislation, positions or trends, from each country or company regarding data protection and digital privacy.

In this perspective, by presenting such information, it is emphasized that each delegation has its importance within the committee – as each of them has a position on the matter –, therefore, the disclosure of it, allowing a general acknowledgement, looks forward to creating a debate that values equity and diplomacy.

Thereby, the committee, through this guide, seeks that the analysis of the specific situation of each country and enterprise regarding the committee's theme permits the delegates to see the current scenario in a more holistic way and, thus, deepen the understanding about the selected countries' positions about the right to digital privacy, a fundamental right of growing importance, daily threatened due to the emergent information technologies.

REFERENCES

- AGÊNCIA BRASIL. **Número de usuário de internet cresce 10 milhões em um ano.** Available at: <https://agenciabrasil.ebc.com.br/economia/noticia/2018-12/numero-de-usuarios-de-internet-cresce-10-milhoes-em-um-ano-no-brasil>. Accessed on: May 24, 2020.
- ARNDT, Stephanie. **Data Privacy in Japan.** Available at: <https://izanau.com/article/view/data-privacy-in-japan>. Accessed on: May 15, 2020.
- BBC. **Edward Snowden:** Leaks that exposed US spy programme. Available at: <https://www.bbc.com/news/world-us-canada-23123964>. Accessed on: May 14, 2020.
- BBC. **Facebook agrees to pay Cambridge Analytica fine to UK.** Available at: <https://www.bbc.com/news/technology-50234141>. Accessed on: May 6, 2020.
- BBC. **Iran country profile.** Available at: <https://www.bbc.com/news/world-middle-east-14541327>. Accessed on: May 8, 2020.
- BBC. **Iran internet 'disrupted' ahead of protests.** Available at: <https://www.bbc.com/news/world-middle-east-5091145>. Accessed on: May 12, 2020.
- BBC. **Japan country profile.** Available at: <https://www.bbc.com/news/world-asia-pacific-14918801>. Accessed on: May 13, 2020.
- BBC. **Nigeria foreign policy:** Nine main areas Buhari administration wan focus - BBC News Pidgin. Available at: <https://www.bbc.com/pidgin/tori-51140039>. Accessed on: May 11, 2020.
- BBC. **The UN General Assembly adopts anti-spy resolution.** Available at: <https://www.bbc.com/news/world-latin-america-25441408>. Accessed on: May 23, 2020.
- BRAZIL. [Constitution (1988)]. **Constituição da República Federativa do Brasil de 1988.** Brasília, DF: Presidência da República, [2016]. Available at: http://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm. Accessed on: May 23, 2020.
- BRITANNICA ESCOLA. **Irã.** Available at: <https://escola.britannica.com.br/artigo/Ir%C3%A3/481580>. Accessed on: May 8, 2020.
- BRITANNICA ESCOLA. **Reino Unido.** Available at: <https://escola.britannica.com.br/artigo/Reino-Unido/482747>. Accessed on: May 2, 2020.
- BURKHOLDER, Patrick. **Highest GDPR Fine Imposed in Germany.** Available at: <https://www.digital-business-news.com/business/cyber-law/1322-gdpr-fine-germany>. Accessed on: May 1, 2020.

CENTRAL INTELLIGENCE AGENCY. **Africa:** Nigeria — The World Factbook. Available at: <https://www.cia.gov/library/publications/the-world-factbook/geos/ni.html>. Accessed on: May 11, 2020.

CENTRAL INTELLIGENCE AGENCY. **Africa:** South Africa — The World Factbook. Available at: <https://www.cia.gov/library/publications/the-world-factbook/geos/sf.html>. Accessed on: May 11, 2020.

CENTRAL INTELLIGENCE AGENCY. **Asia:** South Korea — The World Factbook. Available at: <https://www.cia.gov/library/publications/the-world-factbook/attachments/summaries/KS-summary.pdf>. Accessed on: May 13, 2020.

CENTRAL INTELLIGENCE AGENCY. **North America:** United States — The World Factbook. Available at: <https://www.cia.gov/library/publications/the-world-factbook/geos/us.html>. Accessed on: May 14, 2020.

CENTRAL INTELLIGENCE AGENCY. **Central Asia:** Russia — The World Factbook. Available at: <https://www.cia.gov/library/publications/the-world-factbook/geos/rs.html>. Accessed on: Jun. 19, 2020.

CENTRAL INTELLIGENCE AGENCY. **Middle East:** Israel — The World Factbook. Available at: <https://www.cia.gov/library/publications/the-world-factbook/geos/is.html>. Accessed on: Jun. 18, 2020.

CENTRAL INTELLIGENCE AGENCY. **Oceania:** Australia — The World Factbook. Available at: <https://www.cia.gov/library/publications/the-world-factbook/geos/as.html>. Accessed on: Jun. 17, 2020.

CFR. **Internet Governance and the ITU.** Available at: <https://www.cfr.org/report/internet-governance-and-itu-maintaining-multistakeholder-approach>. Accessed on: May 2, 2020.

CHINA CONSUMERS ASSOCIATION. **Investigation report of personal information disclosure of the application.** Available at: <http://www.cca.org.cn/jmxf/detail/28180.html>. Accessed on: May 7, 2020.

CHINA DAILY. **Illegal data collection by apps targeted.** Available at: <http://www.chinadaily.com.cn/a/201901/26/WS5c4ba316a3106c65c34e69ea.html>. Accessed on: May 2, 2020.

CNET. **Federal court approves \$5B Facebook settlement with FTC over Cambridge Analytica.** Available at: <https://www.cnet.com/news/federal-court-approves-facebook-settlement-with-ftc-over-cambridge-analytica/>. Accessed on: May 15, 2020

CNIL. **The CNIL's Missions.** Available at: <https://www.cnil.fr/en/cnils-missions>. Accessed on: May 12, 2020.

CNIL. **What inspection strategy for 2020?.** Available at: <https://www.cnil.fr/en/what-inspection-strategy-2020>. Accessed on: May 12, 2020.

COMITÊ GESTOR DA INTERNET. **O CGI.br e o Marco Civil da Internet**. Available at: <https://www.cgi.br/pagina/o-cgi-br-e-o-marco-civil-da-internet/>. Accessed on: May 24, 2020.

COUNCIL OF EUROPE. **Details of Treaty No. 185** – Convention on Cybercrime. Available at: <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/185>. Accessed on: May 15, 2020.

CYBER POLICY PORTAL. **Iran (Islamic Republic of)**. Available at: <https://cyberpolicyportal.org/en/states/iran>. Accessed on: May 10, 2020.

CYBER POLICY PORTAL. **Japan**. Available at: <https://cyberpolicyportal.org/en/states/japan>. Accessed on: May 15, 2020.

CYBERSPACE ADMINISTRATION OF CHINA. **43rd Report on the Development of the Internet in China**. Available at: http://www.cac.gov.cn/2019-02/28/c_1124175677.htm. Accessed on: May 28, 2020.

DAG HAMMARSKJÖLD LIBRARY. **Founding Members** – UN Membership. Available at: <https://research.un.org/en/unmembers/founders>. Accessed on: Jun. 19, 2020.

DATA PROTECTION COMMISSION. **Background**. Available at: <https://www.dataprotection.ie/en/about/background..> Accessed on: Jun. 11, 2020.

DEPARTMENT OF INFRASTRUCTURE, TRANSPORT, REGIONAL DEVELOPMENT AND COMMUNICATIONS. **International involvement**. Available at: <https://www.communications.gov.au/what-we-do/internet/international-involvement>. Accessed on: Jun. 17, 2020.

DLA PIPER. **Data Protection Laws on the World** – Israel. Available at: <https://www.dlapiperdataprotection.com/index.html?t=law&c=IL&c2=>. Accessed on: June 18, 2020.

DLA PIPER. **Data Protection Laws on the World** – Malaysia. Available at: <https://www.dlapiperdataprotection.com/index.html?t=law&c=MY>. Accessed on: May 13, 2020.

DLA PIPER. **Data Protection Laws on the World** – Russia. Available at: <https://www.dlapiperdataprotection.com/index.html?t=law&c=RU>. Accessed on: June 19, 2020.

DLA PIPER. **Data Protection Laws on the World** – South Korea. Available at: <https://www.dlapiperdataprotection.com/index.html?t=law&c=KR&c2=>. Accessed on: May 13, 2020.

EARLEY, Kelly. **After a challenging year, Huawei hits record \$122bn revenue for 2019**. Available at: <https://www.siliconrepublic.com/companies/huawei-2019-earnings-record-revenue>. Accessed on: Apr. 28, 2020.

ENCYCLOPAEDIA BRITANNICA. **Australasia**. Available at: <https://www.britannica.com/place/Australasia>. Accessed on: Jun. 17, 2020.

ENCYCLOPAEDIA BRITANNICA. **France**. Available at: <https://www.britannica.com/place/France>. Accessed on: May 12, 2020.

ENCYCLOPAEDIA BRITANNICA. **Malaysia**. Available at: <https://www.britannica.com/place/Malaysia>. Accessed on: May 13, 2020.

EUROPEAN UNION. **REGULATION (EU) 2016/679 (General Data Protection Act)**. Available at: <https://gdpr-info.eu/>. Accessed on: May 12, 2020.

FACEBOOK. **Data Policy**. Available at: <https://www.facebook.com/policy.php>. Accessed on: May 15, 2020.

FINANCIAL POST. **Privacy commissioner warns of 'crisis' in our data protection laws**. Available at: <https://business.financialpost.com/technology/privacy-commissioner-warns-of-crisis-in-our-data-protection-laws>. Accessed on: May 21, 2020.

FOLHA. **Google é acusado de transferir dados pessoais de usuários à anunciantes**. Available at: <https://www1.folha.uol.com.br/mercado/2019/09/google-e-acusado-de-transferir-dados-pessoais-de-usuarios-a-anunciantes.shtml>. Accessed on: May 18, 2020.

FORBES. **A New California Privacy Law Could Affect Every U.S. Business — Will You Be Ready?** Available at: <https://www.forbes.com/sites/allbusiness/2019/09/07/california-consumer-privacy-act-could-affect-your-business/#45f67aa236ac>. Accessed on: May 14, 2020.

FORBES. **Alphabet (GOOGL)**. Available at: <https://www.forbes.com/companies/alphabet/#a815f85540ee>. Accessed on: May 13, 2020.

FORBES. **Why do Facebook's actions seem indestructible?** Available at: <https://forbes.com.br/negocios/2020/01/por-que-as-acoes-do-facebook-parecem-indestrutíveis/>. Accessed on: May 15, 2020.

FORTUNE. **Alphabet (GOOGL)**. Available at: <https://fortune.com/fortune500/2019/alphabet/>. Accessed on: May 13, 2020.

FORTUNE. **Facebook**. Available at: <https://fortune.com/fortune500/2019/facebook/>. Accessed on: May 15, 2020.

FRANCE. **Act n° 78-17 of 6 January 1978**. Available at: <https://www.cnil.fr/sites/default/files/typo/document/Act78-17VA.pdf>. Accessed on: May 12, 2020.

FREEDOM HOUSE. **Countries** – Internet Freedom Scores. Available at: <https://freedomhouse.org/countries/freedom-net/scores>. Accessed on: Jun. 19, 2020.

FREEDOM HOUSE. **Australia**. Available at: <https://freedomhouse.org/country/australia/freedom-net/2019>. Accessed on: Jun. 17, 2020.

FREEDOM HOUSE. **Countries and Territories** – Global Freedom Scores. Available at: <https://freedomhouse.org/countries/freedom-world/scores>. Accessed on: Jun. 18, 2020.

FREEDOM HOUSE. **Israel**. Available at: <https://freedomhouse.org/country/israel/freedom-world/2020>. Accessed on: Jun. 18, 2020.

FREEDOM HOUSE. **Russia**. Available at: <https://freedomhouse.org/country/russia/freedom-net/2019>. Accessed on: Jun. 19, 2020.

FUNDAÇÃO INSTITUTO DE ADMINISTRAÇÃO. **DPO (Data Protection Officer):** o que é, funções e como se tornar. Available at: <https://fia.com.br/blog/dpo/>. Accessed on: May 13, 2020.

GENERAL DATA PROTECTION REGULATION EUROPEAN UNION. **What is the LGPD?** Brazil's version of the GDPR. Available at: <https://gdpr.eu/gdpr-vs-lgpd/>. Accessed on: May 23, 2020.

GHOSH, Shona. **Huawei just swiped at the US, saying it has 'no evidence, nothing,' of Chinese spying**. Available at: <https://www.businessinsider.com/huawei-says-us-has-no-evidence-nothing-of-chinese-spying-2019-2?r=US&IR=T>. Accessed on: May 1, 2020.

GIBBS, Samuel. **Huawei beats Apple to become the second-largest smartphone maker**. Available at: <https://www.theguardian.com/technology/2018/aug/01/huawei-beats-apple-smartphone-manufacturer-samsung-iphone>. Accessed on: May 2, 2020.

GOVERNMENT OF CANADA. **How government works**. Available at: <https://www.canada.ca/en/government/system/how-government-works/structure.html>. Accessed on: May 24, 2020.

GOVERNMENT OF CANADA. **Privacy:** a fundamental right in Canada. Available at: <https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/occupational-health-safety/privacy-fundamental-right-canada-national-dosimetry-services.html>. Accessed on: May 22, 2020.

GUIMÓN, Pablo. **Cambridge Analytica, empresa pivô no escândalo do Facebook, é fechada**. Available at: https://brasil.elpais.com/brasil/2018/05/02/internacional/1525285885_691249.html. Accessed on: May 6, 2020.

HARVARD BUSSINESS REVIEW. **How India Plans to Protect Consumer Data**. Available at: <https://hbr.org/2019/12/how-india-plans-to-protect-consumer-data>. Accessed on: May 25, 2020.

HUAWEI. **Corporate Introduction**. Available at: <https://www.huawei.com/en/about-huawei/corporate-information>. Accessed on: Apr. 28, 2020.

HUGHES, Matthew. **Japanese officials will target millions of IoT devices to help secure the Olympics.** Available at: <https://thenextweb.com/security/2019/01/28/japanese-officials-will-target-millions-of-iot-devices-to-help-secure-the-olympics/>. Accessed on: May 15, 2020.

HUMAN DEVELOPMENT REPORTS. **Canada - Human Development Indicators.** Available at: <http://hdr.undp.org/en/countries/profiles/CAN>. Accessed on: May 21, 2020.

IAPP. **EDPS announces resolutions adopted during ICDPPC.** Available at: <https://iapp.org/news/a/edps-announces-resolutions-adopted-during-icdppc/>. Accessed on: May 23, 2020.

ICLG. **Data Protection Laws and Regulations – Israel.** Available at: <https://iclg.com/practice-areas/data-protection-laws-and-regulations/israel>. Accessed on: June 18, 2020.

ICLG. **Data Protection Laws and Regulations – France.** Available at: <https://iclg.com/practice-areas/data-protection-laws-and-regulations/france>. Accessed on: May 12, 2020.

ICLG. **Data Protection Laws and Regulations – Malaysia.** Available at: <https://iclg.com/practice-areas/data-protection-laws-and-regulations/malaysia>. Accessed on: May 13, 2020.

ICLG. **Data Protection Laws and Regulations – South Korea.** Available at: <https://iclg.com/practice-areas/data-protection-laws-and-regulations/korea>. Accessed on: May 13, 2020.

IENCA, Marcello; VAYENA, Effy. **Cambridge Analytica and Online Manipulation.** Available at: <https://blogs.scientificamerican.com/observations/cambridge-analytica-and-online-manipulation/>. Accessed on: May 6, 2020.

INSTITUTO BRASILEIRO DE GEORGRAFIA E ESTATÍSTICA. **Projeção da População.** Available at: <https://www.ibge.gov.br/estatisticas/sociais/populacao/9109-projecao-da-populacao.html?=&t=resultados>. Accessed on: May 23, 2020.

INTERNACIONAL ASSOCIATION OF PRIVACY PROFESSIONALS. **Privacy and personal data protection in Brazil: 2019.** Available at: <https://iapp.org/news/a/privacy-and-personal-data-protection-in-brazil-2019/>. Accessed on: May 24, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **Global Cybersecurity Index (GCI) 2018.** Available at: https://www.itu.int/dms_pub/itu-d/opb/str/D-STR-GCI.01-2018-PDF-E.pdf. Accessed on: May 11, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **ITU Council Membership.** Available at: <https://www.itu.int/en/council/Pages/members.aspx>. Accessed on: Jun. 19, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **List of Member States.** Available at: <https://www.itu.int/online/mm/scripts/gensel8>. Accessed on: Jun. 19, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **Region A** – The Americas.

Available at:

https://www.itu.int/online/mm/scripts/gensel29?_search_region=A&_languageid=1. Accessed on: May 25, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **Region B** – Western Europe.

Available at:

https://www.itu.int/online/mm/scripts/gensel29?_search_region=B&_languageid=1. Accessed on: May 25, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **Region C** - Eastern Europe and Northern Asia. Available at:

https://www.itu.int/online/mm/scripts/gensel29?_search_region=C&_languageid=1. Accessed on: May 25, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **Region D** - Africa. Available at:

https://www.itu.int/online/mm/scripts/gensel29?_search_region=D&_languageid=1. Accessed on: May 25, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **Region E** – Asia and Australasia.

Available at:

https://www.itu.int/online/mm/scripts/gensel29?_search_region=E&_languageid=1. Accessed on: May 25, 2020.

INTERNATIONAL TELECOMMUNICATION UNION. **Sector Members**. Available at:

<https://www.itu.int/online/mm/scripts/gensel11>. Accessed on: May 25, 2020.

INTERNET WORLD STATS. **Internet Users and 2019 Population in North America**.

Available at: <https://www.internetworldstats.com/stats14.htm>. Accessed on: May 24, 2020.

INVESTOPEDIA. **Why Google Became Alphabet**. Available at:

<https://www.investopedia.com/articles/investing/081115/why-google-became-alphabet.asp>. Accessed on: Jun. 13, 2020.

ISRAEL MINISTRY OF FOREIGN AFFAIRS. **Admission of Israel to the United Nations - General Assembly Resolution 273**. Available at:

<https://www.mfa.gov.il/mfa/foreignpolicy/mfadocuments/yearbook1/pages/admission%20of%20israel%20to%20the%20united%20nations-%20general.aspx>. Accessed on: Jun. 18, 2020.

IZOGU, C. E. et al. **Personal Data Protection in Nigeria**. Available at:

http://webfoundation.org/docs/2018/03/WF_Nigeria_Full-Report_Screen_AW.pdf. Accessed on: May 11, 2020.

KEMP, S. **Digital 2020: Nigeria**. Available at: <https://datareportal.com/reports/digital-2020-nigeria>. Accessed on: May 11, 2020.

KEMP, S. **Digital 2020: South Africa** — DataReportal – Global Digital Insights. Available at: <https://datareportal.com/reports/digital-2020-south-africa>. Accessed on: May 11, 2020.

LA FRANCOPHONIE. **Canada**. Available at: <https://www.francophonie.org/node/944>. Accessed on: May 21, 2020.

LANDESBEAUFTRAGTE FÜR DATENSCHUTZ UND INFORMATIONSFREIHEIT NORDRHEIN-WESTFALEN. **Data protection authorities in Germany**. Available at: https://www.ldi.nrw.de/LDI_EnglishCorner/mainmenu_DataProtection/Inhalt2/authorities/authorities.php. Accessed on: May 1, 2020.

LIBRARY OF CONGRESS LAW. **Online Privacy Law: Canada**. Available at: <https://www.loc.gov/law/help/online-privacy-law/2012/canada.php>. Accessed on: May 22, 2020.

LIN, Justin Yifu. **China and the Global Economy**. Available at: <http://www.frbsf.org/economic-research/files/Lin.pdf>. Accessed on: May 2, 2020.

LINKLATERS. **Data Protected** – India. Available at: <https://www.linklaters.com/pt-br/insights/data-protected/data-protected---india>. Accessed on: May 25, 2020.

LIVE SCIENCE. **Right to Privacy: Constitutional Rights & Privacy Laws**. Available at: <https://www.livescience.com/37398-right-to-privacy.html>. Accessed on: May 14, 2020.

MIRCHANDANI, Manisha. **Why China Could Lead on Global Data Privacy Norms**. Available at: <https://www.brinknews.com/why-china-could-lead-on-global-data-privacy-norms/>. Accessed on: Apr. 27, 2020.

MIT TECHNOLOGY REVIEW. **China's citizens do care about their data privacy, actually**. Available at: <https://www.technologyreview.com/2018/03/28/671113/chinas-citizens-do-care-about-their-data-privacy-actually/>. Accessed on: May 3, 2020.

MONDAQ. **Korea Introduces Major Amendments To Data Privacy Laws**. Available at: <https://www.mondaq.com/privacy-protection/898830/korea-introduces-major-amendments-to-data-privacy-laws>. Accessed on: May 13, 2020.

NATIONAL INFORMATION TECHNOLOGY DEVELOPMENT AGENCY. **Nigeria Data Protection Regulation**. Abuja, National information Technology Development Agency, January 01 2019. Available at: <https://nitda.gov.ng/wp-content/uploads/2019/01/Nigeria%20Data%20Protection%20Regulation.pdf>. Accessed on: May 11, 2020.

NATIONAL LIBRARY OF AUSTRALIA. **Information Privacy Principles**. Available at: <https://webarchive.nla.gov.au/awa/20181010003746/https://www.oaic.gov.au/privacy-law/privacy-archive/privacy-resources-archive/information-privacy-principles>. Accessed on: Jun. 17, 2020.

NATIONAL PORTAL OF INDIA. **Indian Parliament**. Available at: <https://www.india.gov.in/my-government/indian-parliament>. Accessed on: May 25, 2020.

NATIONS FACTS. **Japan Facts**. Available at: <http://nationfacts.net/japan-facts/>. Accessed on: May 13, 2020.

OFFICE OF THE AUSTRALIAN INFORMATION COMMISSIONER. **Australian Privacy Principles**. Available at: <https://www.oaic.gov.au/privacy/australian-privacy-principles/>. Accessed on: Jun. 17, 2020.

OFFICE OF THE AUSTRALIAN INFORMATION COMMISSIONER. **History of the Privacy Act**. Available at: <https://www.oaic.gov.au/privacy/the-privacy-act/history-of-the-privacy-act/>. Accessed on: Jun. 17, 2020.

OFFICE OF THE AUSTRALIAN INFORMATION COMMISSIONER. **The Privacy Act**. Available at: <https://www.oaic.gov.au/privacy/the-privacy-act/>. Accessed on: Jun. 17, 2020.

OFFICE OF THE AUSTRALIAN INFORMATION COMMISSIONER. **What we do**. Available at: <https://www.oaic.gov.au/about-us/what-we-do/>. Accessed on: Jun. 17, 2020.

OFFICE OF THE PRIVACY COMMISSIONER OF CANADA. **Protecting your privacy online**. Available at: <https://www.priv.gc.ca/en/privacy-topics/technology/online-privacy-tracking-cookies/online-privacy/protecting-your-privacy-online/>. Accessed on: May 23, 2020.

OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS. **International Covenant on Civil and Political Rights**. 1966. Available at: <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>. Accessed on: Jun. 17, 2020.

O'FLAHERTY, Kate. **Huawei Security Scandal: Everything You Need to Know**. Available at: <https://www.forbes.com/sites/kateoflahertyuk/2019/02/26/huawei-security-scandal-everything-you-need-to-know/#2568f7df73a5>. Accessed on: May 1, 2020.

OPENNET INITIATIVE. **ONI Country Profile: India**. Available at: <http://access.opennet.net/wp-content/uploads/2011/12/accesscontested-india.pdf> . Accessed on: May 25, 2020.

OPENSIGNAL. **The State of Mobile Network Experience**. Available at: https://www.opensignal.com/sites/opensignal-com/files/data/reports/global/data-2019-05/the_state_of_mobile_experience_may_2019_0.pdf. Accessed on: May 21, 2020.

PARLIAMENT OF AUSTRALIA. **Australia's engagement with the United Nations**. Available at: https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/BriefingBook43p/engagementun. Accessed on: Jun. 17, 2020.

PARLIAMENT OF INDIA. **Indian Parliament**. Available at: <https://parliamentofindia.nic.in/>. Accessed on: May 27, 2020.

PERMANENT MISSION OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS. **History**. Available at: https://russiaun.ru/en/permanent_mission/istorija. Accessed on: Jun. 19, 2020.

PR NEWS ASIA. **Huawei Joins Hands with ITU to Promote ICT Development in Developing Countries.** Available at:

https://en.pnasia.com/releases/global/Huawei_Joins_Hands_with_ITU_to_Promote ICT_Development_in_Developing_Countries-6379.shtml. Accessed on: Apr. 29, 2020.

PRIVACY INTERNATIONAL. **State of Privacy Brazil.** Available at:

<https://privacyinternational.org/state-privacy/42/state-privacy-brazil>. Accessed on: May 22, 2020.

PRIVACY INTERNATIONAL. **State of Privacy South Africa.** Available at:

<https://privacyinternational.org/state-privacy/1010/state-privacy-south-africa>. Accessed on: May 11, 2020.

PRIVACY INTERNATIONAL. **The Right to Privacy in Nigeria.** Available at:

https://privacyinternational.org/sites/default/files/2018-05/UPR_The%20Right%20to%20Privacy_Nigeria.pdf. Accessed on: May 11, 2020.

REUTERS. **China's cyber watchdog scolds Ant Financial over user privacy breach.**

Available at: <https://www.reuters.com/article/us-ant-financial-china/chinas-cyber-watchdog-scolds-ant-financial-over-user-privacy-breach-idUSKBN1F006B>. Accessed on: Apr. 27, 2020.

SCHOMERUS, Rudolf; GOLLA, Peter. **Bundesdatenschutzgesetz Kommentar.** 11. ed. Berlin: 2012. 646 p.

SHENG, Wei. **One year after GDPR, China strengthens personal data regulations, welcoming dedicated law.** Available at: <https://technode.com/2019/06/19/china-data-protections-law/>. Accessed on: May 2, 2020.

SIN, Ben. **How Huawei Is Leading 5G Development.** Available at:

<https://www.forbes.com/sites/bensin/2017/04/28/what-is-5g-and-whos-leading-the-way-in-development/#36d85b902691>. Accessed on: Apr. 30, 2020.

SMART INSIGHTS. **Global social media research summary 2020.** Available at:

<https://www.smartinsights.com/social-media-marketing/social-media-strategy/new-global-social-media-research/>. Accessed on: May 15, 2020.

SOUTH AFRICA. [Constitution (1996)]. **The Constitution of the Republic of South Africa.**

Available at: <https://www.justice.gov.za/legislation/constitution/SACConstitution-web-eng.pdf>. Accessed on: May 11, 2020.

SOUTH AFRICA. **Financial Intelligence Centre Act [No. 38 of 2001].** Available at:

https://www.gov.za/sites/default/files/gcis_document/201409/a38-010.pdf. Accessed on: May 11, 2020.

SOUTH AFRICA. Information Regulator. **Protection of Personal Information Act, 2013.**

Available at: <https://www.justice.gov.za/infoREG/docs/InfoRegSA-POPIA-act2013-004.pdf>. Accessed on: May 11, 2020.

SOUTH AFRICA. **National Strategic Intelligence Act 39 of 1994**. Available at: https://www.gov.za/sites/default/files/gcis_document/201409/act39of1994.pdf. Accessed on: May 11, 2020.

SOUTH AFRICA. **Regulation of Interception of Communications and Provision of Communication-related information Act [No. 70 of 2002]**. Available at: https://www.gov.za/sites/default/files/gcis_document/201409/a70-02.pdf. Accessed on: May 11, 2020.

STATISTA. **Brazil**: internet penetration 2000-2017. Available at: <https://www.statista.com/statistics/209106/number-of-internet-users-per-100-inhabitants-in-brazil-since-2000/>. Accessed on: May 24, 2020.

STATISTA. **Brazil**: internet user penetration 2017-2023. Available at: <https://www.statista.com/statistics/292757/brazil-internet-user-penetration/>. Accessed on: May 23, 2020.

STATISTA. **Internet usage in India** - Statistics & Facts. Available at: <https://www.statista.com/topics/2157/internet-usage-in-india/>. Accessed on: May 24, 2020.

STATISTA. **Number of internet users in the United States from 2000 to 2019**. Available at: <https://www.statista.com/statistics/276445/number-of-internet-users-in-the-united-states/>. Accessed on: May 14, 2020.

THE COMMONWEALTH. **About Us**. Available at: <https://thecommonwealth.org/about-us>. Accessed on: May 13, 2020.

THE COMMONWEALTH. **Australia**. Available at: <https://thecommonwealth.org/our-member-countries/australia>. Accessed on: Jun. 17, 2020.

THE COMMONWEALTH. **Canada**. Available at: <https://thecommonwealth.org/our-member-countries/canada>. Accessed on: May 24, 2020.

THE COMMONWEALTH. **United Kingdom**. Available at: <https://thecommonwealth.org/our-member-countries/united-kingdom>. Accessed on: May 2, 2020.

THE FEDERAL SERVICE FOR SUPERVISION OF COMMUNICATIONS, INFORMATION TECHNOLOGY AND MASS MEDIA. **Statute of Roskomnadzor**. Available at: http://eng.rkn.gov.ru/about/statute_of_roskomnadzor/. Accessed on: Jun. 19, 2020.

THE GOVERNMENT OF JAPAN. **About Japan**. Available at: <https://www.japan.go.jp/japan/>. Accessed on: May 13, 2020.

THE GUARDIAN. **How the state runs business in China**. Available at: <https://www.theguardian.com/world/2019/jul/25/china-business-xi-jinping-communist-party-state-private-enterprise-huawei>. Accessed on: Apr. 27, 2020.

THE NEW YORK STATE. **Breach Notification:** NYS Information Security Breach and Notification Act. Available at: <https://its.ny.gov/breach-notification>. Accessed on: May 14, 2020.

THE NEW YORK TIMES. **Facebook and Cambridge Analytica:** What You Need to Know as Fallout Widens. Available at: <https://www.nytimes.com/2018/03/19/technology/facebook-cambridge-analytica-explained.html>. Accessed on: May 14, 2020.

THE NEW YORK TIMES. **Facebook Under Oath:** You Have No Expectation of Privacy. Available at: <https://www.nytimes.com/2019/06/18/opinion/facebook-court-privacy.html>. Accessed on: May 15, 2020.

THE NEW YORK TIMES. **Google's 4,000-Word Privacy Policy Is a Secret History of the Internet.** Available at: <https://www.nytimes.com/interactive/2019/07/10/opinion/google-privacy-policy.html>. Accessed on: May 17, 2020.

THE NEW YORK TIMES. **Huawei Is Winning the Argument in Europe, as the U.S. Fumbles to Develop Alternatives.** Available at: <https://www.nytimes.com/2020/02/17/us/politics/us-huawei-5g.html>. Accessed on: Apr. 28, 2020.

THE NEW YORK TIMES. **Who Owns Huawei?** The Company Tried to Explain. It Got Complicated. Available at: <https://www.nytimes.com/2019/04/25/technology/who-owns-huawei.html>. Accessed on: May 23, 2020.

THE RUSSIAN GOVERNMENT. **Federal Service for Supervision of Communications, Information Technology and Mass Media.** Available at: <http://government.ru/en/department/58/>. Accessed on: Jun. 19, 2020.

THE SOFTWARE ALLIANCE. **Country Report** – United Kingdom. Available at: https://cloudscorecard.bsa.org/2018/pdf/country_reports/2018_Country_Report_UnitedKingdom.pdf. Accessed on: May 6, 2020.

THE WALL STREET JOURNAL. **German Court Rules Against Facebook on Data Protection.** Available at: <https://www.wsj.com/articles/german-court-rules-against-facebook-on-data-protection-11579891532>. Accessed on: May 3, 2020.

THE WALL STREET JOURNAL. **State Support Helped Fuel Huawei's Global Rise.** Available at: <https://www.wsj.com/articles/state-support-helped-fuel-huaweis-global-rise-11577280736>. Accessed on: Apr. 30, 2020.

THOMPSON, Avery. **Japan is going to start hacking its citizens.** Available at: <https://www.popularmechanics.com/technology/security/a26077229/japan-hacking-citizens-internet-of-things/>. Accessed on: May 15, 2020.

UMEDA, Sayuri. **Online Privacy Law:** Japan. Available at: <https://www.loc.gov/law/help/online-privacy-law/2012/japan.php>. Accessed at: May 15, 2020.

UNITED NATIONS. **Universal Declaration of Human Rights**. 1948. Available at: <https://www.un.org/en/universal-declaration-human-rights/>. Accessed on: May 14, 2020.

VICTORIA AND ALBERT MUSEUM. **The Indian subcontinent: land and culture**. Available at: <http://www.vam.ac.uk/content/articles/t/the-indian-sub-continent-land-and-culture/>. Accessed on: May 24, 2020.

VOX. **What you need to know about Facebook's new privacy settings**. Available at: <https://www.vox.com/technology/2018/4/18/17251480/facebook-privacy-scandal-changes-europe-gdp>. Accessed on: May 15, 2020.

WEIHUA, Chen. **Washington's smear campaign against Huawei doomed to fail**. Available at: <https://www.chinadaily.com.cn/a/201903/01/WS5c78773ea3106c65c34ec12b.html>. Accessed on: May 1, 2020.

WORKABLE. **Huawei's ITU Standard Expert**. Available at: <https://apply.workable.com/huawei-16/j/3BDE0A5091/>. Accessed on: Apr. 28, 2020.

WORLD ECONOMIC FORUM. **The rise of techno-nationalism** - and the paradox at its core. Available at: <https://www.weforum.org/agenda/2019/07/the-rise-of-techno-nationalism-and-the-paradox-at-its-core/>. Accessed on: Apr. 29, 2020.

YANG, William. **How much do Chinese people care about privacy?** Available at: <https://www.dw.com/en/how-much-do-chinese-people-care-about-privacy/a-43358120>. Accessed on: Apr. 30, 2020.

YAO-HUAI, Lü. **Privacy and data privacy issues in contemporary China**. Available at: <https://cdn.tc-library.org/Rhizr/Files/4367e301-0301-4e6f-b2d7-f6a54e794a83/042ef109-e363-4179-a284-4e5be354b67f.pdf>. Accessed on: Apr. 27, 2020.