

## Mind Map-2

## NEW WHATSAPP

## POLICY & PRIVACY

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### Introduction

- Recently, **WhatsApp** has updated its **privacy policy**, highlighting how **user data is impacted when there is interaction with a business** on the platform, and provides more **details on integration with Facebook**, WhatsApp's parent company.
- Privacy experts and antitrust bodies have also raised the alarm at this new privacy policy of WhatsApp. Moreover, Indian users are more vulnerable due to the absence of any data protection law.
- As the Supreme Court in **K. Puttaswamy's judgment** held that the right to privacy is a fundamental right, the WhatsApp new policy is yet another reason why India needs data protection law.

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### Why New WhatsApp Policy must be a concern?

- 1. Data sharing with Facebook**
  - The information that WhatsApp automatically collects and will be sharing with Facebook includes the mobile phone number, user activity, and other basic information of the WhatsApp account.
  - WhatsApp's recent privacy policy to share commercial user data with Facebook establishes that it is the owner of the data rather than an intermediary.
  - The policy essentially takes away the choice users had until now to not share their data with other Facebook-owned and third-party apps.
- 2. Infringes the principle of Data Localisation & contradicts Srikrishna Committee report**
  - The recommendations of the Srikrishna Committee report, forms the basis of the Data Protection Bill 2019.
  - The principle of Data Localisation, which aims to put curbs on the transfer of personal data outside the country, may come in conflict with WhatsApp's new privacy policy.
  - The updated privacy policy of WhatsApp can be seen as a move to ensure subtle forms of commercial exploitation and micro-targeting by political campaigns (Cambridge Analytica scandal).
- 3. 360-degree profile into a person's online activity:**
  - Though the end-to-end encryption clause remains intact, with the updated privacy policy, WhatsApp can now share one's metadata, essentially everything beyond the conversation's actual text. (**Metadata:- It virtually gives a 360-degree profile into a person's online activity**). This level of insight into a person's private and personal activities is done without any government oversight at present or regulatory supervision
- 3. Take it or Leave it' Policy:**

If users disagree with the messaging platform's updated privacy policy, they will have to quit WhatsApp when the new terms of service are set to come into effect

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### What's Next?

- 1. Need for a strong Data Protection Law:**
  - India's data protection law has been languishing for two years now. If India had a data protection law in place, WhatsApp would not have been able to go ahead with this update in the first place.
  - For instance, WhatsApp's updated privacy policy guidelines won't be applicable if you live in the European Region thanks to the data protection law (**GDPR**) in place there.
- 2. Making Public Aware about importance of digital privacy:**
  - According to many experts, WhatsApp users in India will not care too much about this issue, what with privacy policies being generally difficult to be understood by the public.
  - Therefore, the government and civil society must engage in awareness programs to make the public aware of the importance of digital privacy.

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### Conclusion

The privacy of a billion citizens is too important a thing to be left just to the practices of a commercial enterprise. It will be reassuring if a strong law guarantees it.