

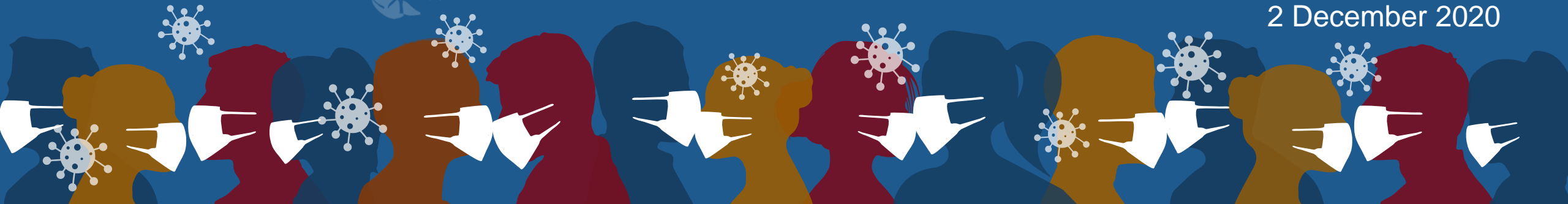


# PRIVACY AND DATA PROTECTION IN THE TIME OF **PANDEMIC**

ASSOC. PROF. DR. SONNY ZULHUDA  
INTERNATIONAL ISLAMIC UNIVERSITY MALAYSIA

The 6th International Conference on Internet Applications,  
Protocols and Services (Netapps2020): “Enduring Internet's Use  
and Growth in the Post Pandemic Era”

2 December 2020



# Agenda

- 
- 01** Reality Check
  - 02** Response and Trends
  - 03** Emerging Privacy Risks
  - 04** Data Protection and Governance Strategies

# COVID-19 PANDEMIC CORONAVIRUS



## ACT 342: PREVENTION AND CONTROL OF INFECTIOUS DISEASES ACT 1988 Section 11. Declaration of an infected local area.

- ...
- (2) The Minister may, by regulations made under this Act, **prescribe the measures** to be taken to control or prevent the spread of any infectious disease within or from an infected local area.
  - (3) During the continuance in force of an order made under subsection (1), it shall be lawful for any authorized officer to direct any person or class or category of persons living in an infected local area or in any part thereof to subject himself or themselves-
    - (a) to **treatment or immunisation**;
    - (b) to **isolation, observation or surveillance**...; or
    - (c) to **any other measures** as the authorized officer considers necessary to control the disease.
  - (4) It shall be lawful for an authorized officer to use such force, with or without assistance, as may be necessary and to employ such methods as may be sufficient **to ensure compliance** with any direction issued under subsection (3).

# Covid-19 Statistics as of 30<sup>th</sup> Nov 2020

COVID-19

## PANDEMIC

Eleven months and counting...

**62,363,527**

Confirmed cases

**1,456,687**

Confirmed deaths

**220**

Countries, areas or territories with cases





**HEALTH CONCERNS:** intensified reporting, patients tagging, scheduled control, body temp scanning, contact tracing, high-risk people identification



**POLICY MEASURES:** Governments around the world impose movement restriction, lockdown, surveillance, curfew, quarantine and border control



**NEW NORM:** Physical distancing and its Ramifications. New way of Work, Learn, Shop, Meet, Business from Home



**BRING ABOUT:** Social, Psychological, Technical, Public Trusts, Business and Governance **Vulnerabilities**





### INFORMATION



People tend to collect information about the Pandemic, click on links and web pages, spreading the information with poor exercise of fact-checking

### TECHNICAL



People work on official documents using home-based computers, not subject to a security protection and support as they have in office.

### FINANCIAL



Reduced mobility, losing jobs, scarcity of earning opportunities, etc. creates financially challenged society, who would turn into shortcuts.

### TRUST



Apps for social networking, e-shopping, e-meeting, e-learning and cloud services are mushrooming and widely used, but may not adequately equipped with rigorous security and privacy measures or policies



## Technical Vulnerabilities

The urgency of digital working environment has not been fairly balanced with the prerequisite of data culture awareness, thus creates loopholes in the data management, and data governance

## Window for Cyber Criminals?

We witness how malicious minds potentially used this Covid-19 crisis as a window to exploit our vulnerabilities.



## Critical Infrastructure Protection

The concept of national critical infrastructure need to be relooked so as to accommodate this threat to national and public health as one critical security objectives.



**TheStar**

#JustStayAt  For You **News** Business Sport Metro Lifestyle Food Tech Education Opinion

TOPICS ▸ Political Crisis | Covid-19 Watch | Asean+ | True or Not | Do You Know | Star Golden Hearts Award

# Cybersecurity cases rise by 82.5%

**FOCUS** 

Sunday, 12 Apr 2020

By YUEN MEIKENG

MORE people are online now – be it for business, education, entertainment, socialising or working from home due to the movement control order (MCO).

But the higher usage of technology also means bigger risks of running into cyberthreats.

About 352 accounts on the video conferencing app Zoom were compromised on Wednesday, including a healthcare provider in the US and seven educational institutions.

There has yet to be any report on hacked Zoom accounts from Malaysia.

**CyberSecurity**  
MALAYSIA  
An agency under MOSTI



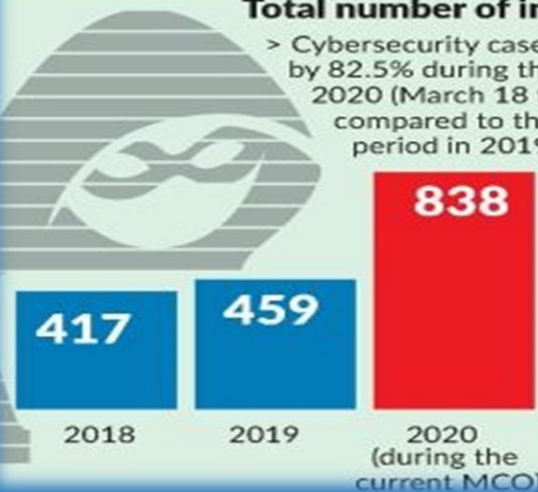
# PANDEMIC COVID-19



## Beware of cyberattacks!

### Total number of incidents

- > Cybersecurity cases increased by 82.5% during the MCO 2020 (March 18 to April 7) compared to the same period in 2019.



### Tips to stay safe online

#### Working from home

- > Update all systems including Virtual Private Networks (VPN) and devices with the latest security patches
- > Alert employees about phishing attempts.
- > Avoid logging in to your work environment using public Internet Wi-Fi. Connect through your home or mobile network data.
- > Enable Multi Factor Authentication.

#### Covid-19 scams

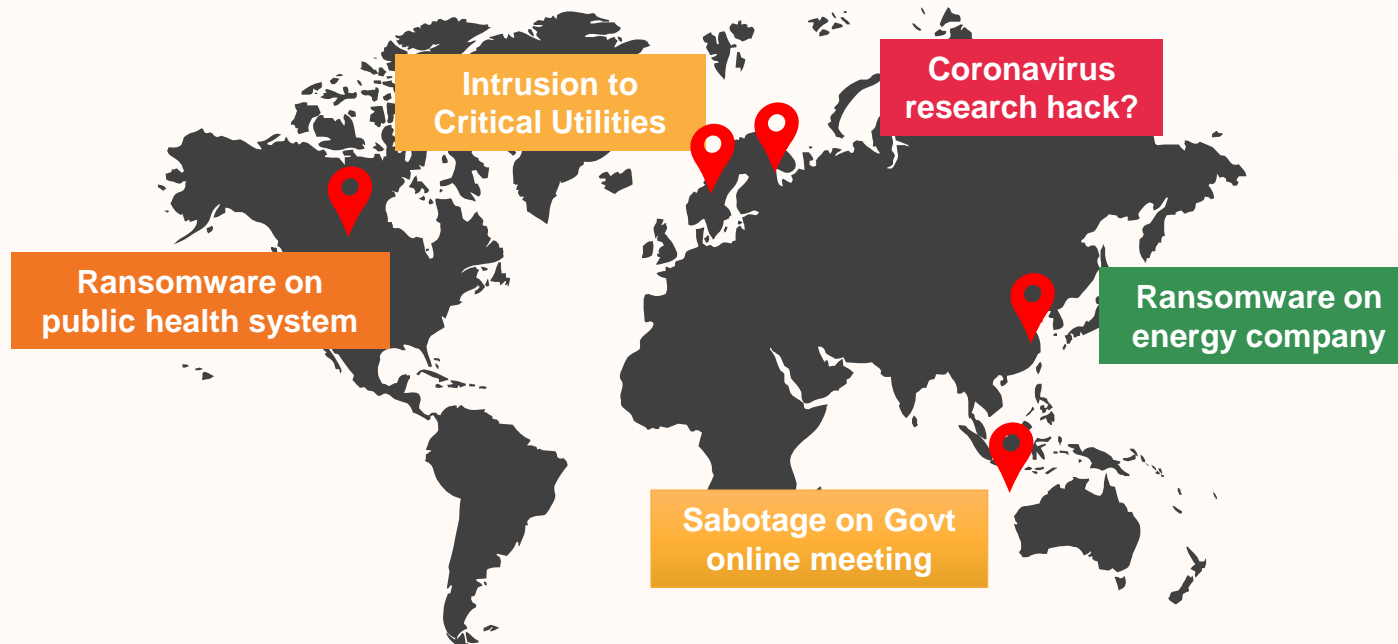
- > Always verify information from emails, text messages and social media posts about Covid-19.
- > Do not share personal or financial information in emails
- > Do not click on suspicious links provided to you on Covid-19, verify with the sender or agencies that can help.
- > Use legitimate, government websites for up-to-date, fact-based information

#### Video teleconferencing apps

- > Use the latest version of apps and security software
- > Only download software from its official website or app store.
- > Never share confidential information during a meeting
- > Enable non-recordable videos and audio, and limit file sharing.
  - > If something is suspicious, log out.
  - > If you lose your computer or mobile phone, log out from all clients immediately and change your login password.
  - > Do not share or publish the confer
  - > Log out from the app after a meeting.

# Exploitation of Cyber Infrastructure (CIIP)

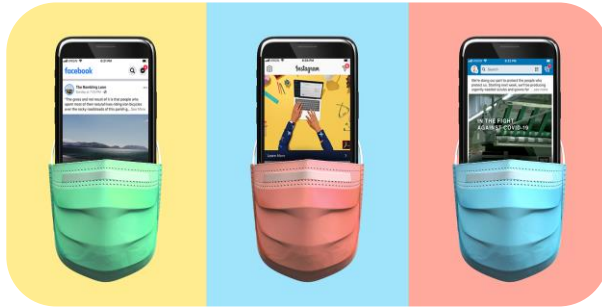
What had happened in the Cyberspace during Covid-19 Crisis?



Terrorists and cybercriminals are always interested to exploit cyberspace vulnerabilities. The activity of cyber terrorism does not relax during Covid-19. Several cyber attacks do target a critical information infrastructure (CII), a traditional target for cyber terrorism.

# Emerging Privacy Risks

COVID-19



Personal data exploitation through illicit collections via online services, Apps, etc;



Fraud & scam via fake accounts begging for donation, fake charity drives, fake emergencies etc.



Misinformation: Rise of citizen news portals with unaccountable stories – a test-bed for phishing attacks.



Unsecured online platforms prone to personal data breaches (online shopping, online meeting, social media, etc).



The rise of surveillance and Private data collection?



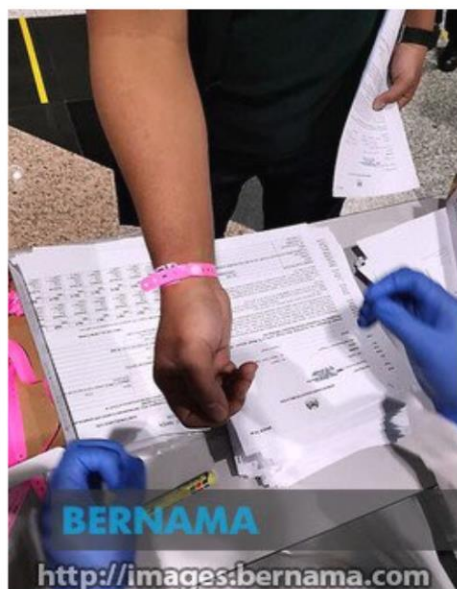


JIRAN ANDA RENTAS NEGERI BALIK BERAYA?  
INI SENARAI NO HOTLINE UNTUK ANDA  
BUAT REPORT

EDURESTARI.COM



Tidak perlu angkat tangan

A form titled "BORANG MAKLUMAT KELUAR ANTARA NEGERI (DOMESTIK)". The form contains the following fields:

- Kepada :  
Kawasan Pentadbiran Balai Polis:  
**BUTIR-BUTIR PENDUDUK**  
Dimaklumkan bahawa penama di bawah akan meninggalkan rumah kediaman untuk keluar antara negeri (Domestik)
- Nama : .....
- Alamat : .....
- No telefon yang boleh dihubungi .....
- Tarikh meninggalkan rumah: .....
- Tarikh dijangka balik ke rumah : .....
- Alamat semasa bercuti : .....
- Kenderaan yang ditinggalkan (jenis & no. Pendaftaran)  
1. ....  
2. ....  
3. ....
- Lain-lain maklumat (jika ada): .....
- Tandatangan .....
- Tarikh .....

(keratan ini hendaklah diserahkan kepada Balai Polis berdekatan)



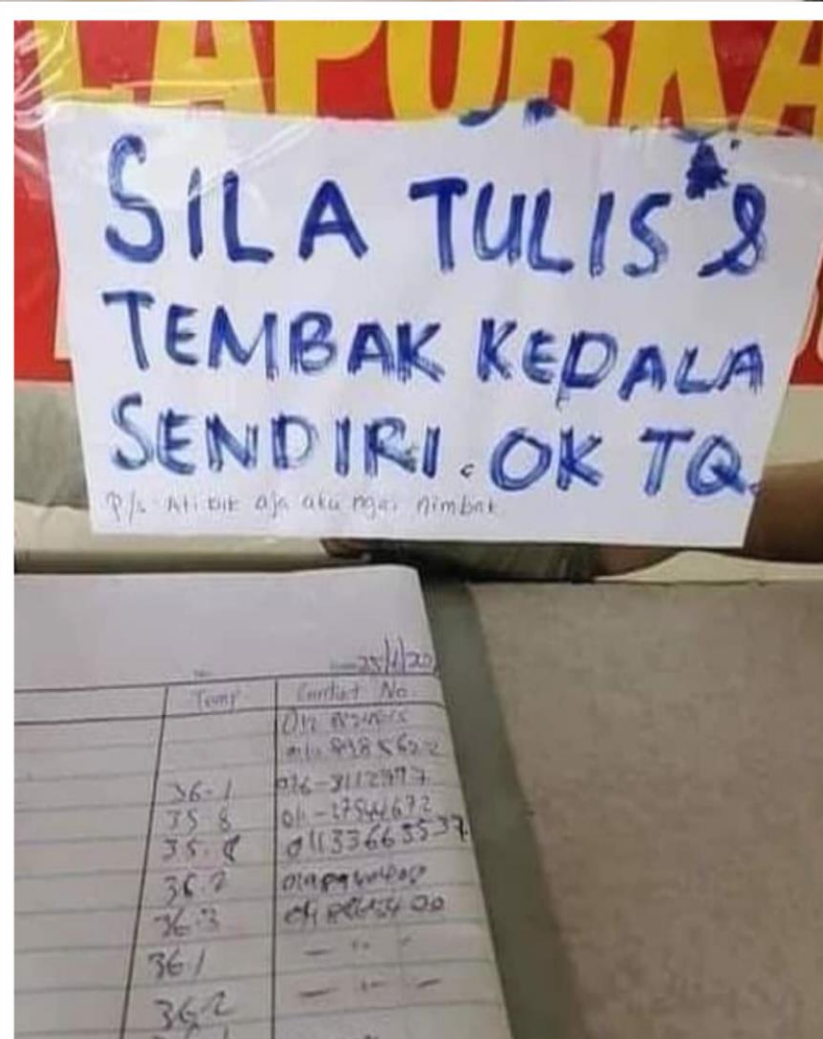
Menteri Kanan Keselamatan, Dato Seri Ismail Sabri hari ini memaklumkan bahawa setiap pelanggan yang memasuki setiap kedai dan premis perniagaan di pusat membeli belah tidak perlu memeriksa suhu badan.

Beliau menambah lagi bahawa, kewajipan untuk memeriksa suhu badan kini ditetapkan hanya pada pintu masuk di pusat membeli belah dan hanya diperiksa sekali sahaja.

Walaupun bagaimanapun, pelanggan masih perlu mencatat nama dan nombor telefon di premis kedai yang dimasuki



# Private Surveillance?



TheStar

#JustStayAt



For You

News

Business

Sport

Metro

Lifestyle

Food

Tech

Education

Opinion

TOPICS ▸

Political Crisis

Covid-19 Watch

Asean+

True or Not

Do You Know

Star Golden Hearts Award

## Covid-19: Residents take coronavirus surveillance into their own hands

INTERNET

Sunday, 05 Apr 2020

5:40 PM MYT

By Thin Lei Win and Beh Lih Yi



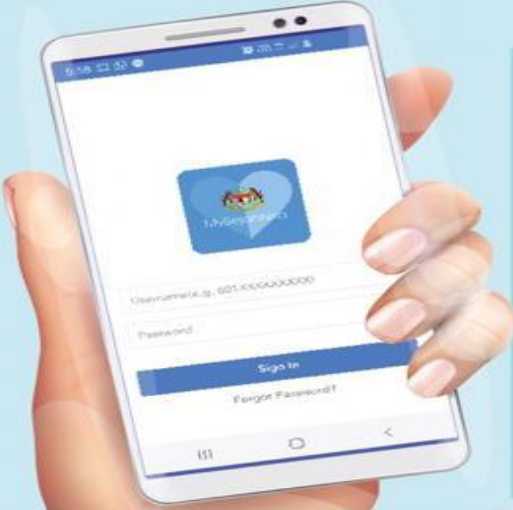
As governments around the world urge citizens to stay indoors to contain the deadly virus, concerned communities are taking surveillance matters into their own hands, reporting alleged breaches of quarantine and questioning anyone they deem suspicious. — Reuters

ROME/KUALA LUMPUR: A week after Malaysia ordered a partial lockdown to slow the


# Private Surveillance?








**Assess COVID-19 health risk for you and your family**




**Get COVID-19 health guidelines**




**HELP US TO HELP YOU**



**KEEP YOU AND YOUR FAMILY SAFE FROM COVID-19**



**Get guidance on actions to be taken based on COVID-19 risk category**



**Get information about the nearest health facilities**



**Receive the latest information and guideline from a trusted source**


**Strategic Collaboration: NSC, MOH, MAMPU & MCMC**

# COVID-19






# Emerging Mobile Tracking Apps

COVID-19



←  **MySejahtera**  
App permissions






Version 1.0.21 may request access to

-  **Camera**
  - take pictures and videos
-  **Location**
  - access precise location (GPS and network-based)
  - access approximate location (network-based)
-  **Telephone**
  - directly call phone numbers
-  **Storage**
  - modify or delete the contents of your SD card
  - read the contents of your SD card
-  **Other**
  - android.permission.FLASHLIGHT



←  **GERAK MALAYSIA**  
App permissions

Version 2.6.73 may request access to




-  **Camera**
  - take pictures and videos
-  **Location**
  - access precise location (GPS and network-based)
  - access approximate location (network-based)
-  **Telephone**
  - read phone status and identity
-  **Storage**
  - modify or delete the contents of your SD card
  - read the contents of your SD card
-  **Other**
  - run foreground service
  - This app can access other apps

sonnyzulhuda.com



←  **MyTrace**  
App permissions

Version 1.0.30 may request access to

-  **Location**
  - access precise location (GPS and network-based)
  - access approximate location (network-based)
-  **Storage**
  - modify or delete the contents of your SD card
  - read the contents of your SD card
-  **Other**
  - run foreground service
  - Access Bluetooth settings
  - run at startup
  - have full network access
  - view network connections
  - retrieve running apps



# Data Processing during the Pandemic

COVID-19

Newly infected patients – Should it be disclosed, announced or published? What if it happens in a workplace?

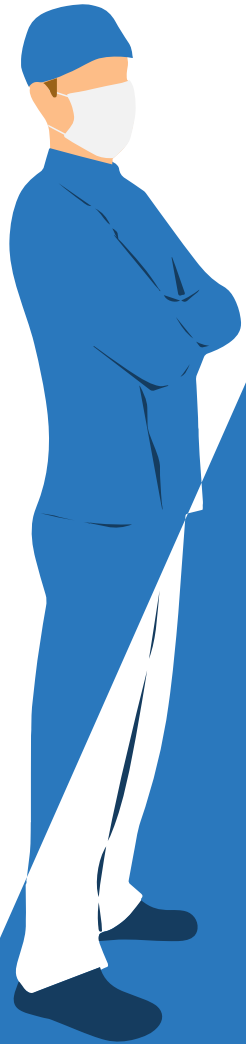
Collection of individuals data during movement, entry to premise or visit to clinic/hospital.

- Who is in charge?
- What items need to be collected?
- How those data are retained, processed and disposed of?
- Who to disclose the data to?
- Who to contact on this data processing matter?

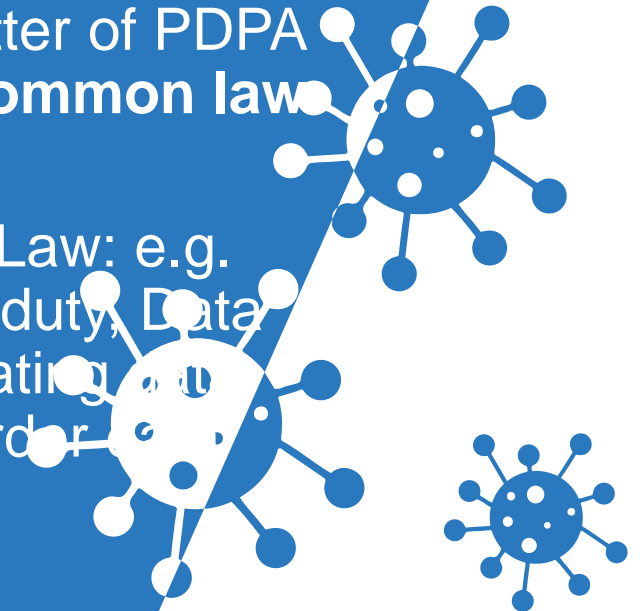
Who manages the data? (Processors, Cloud, IT Providers? Any 3<sup>rd</sup> party **service provider** is a data processor, thus subject to Security, Disclosure as well as Retention principles.



# Data Processing during the Pandemic

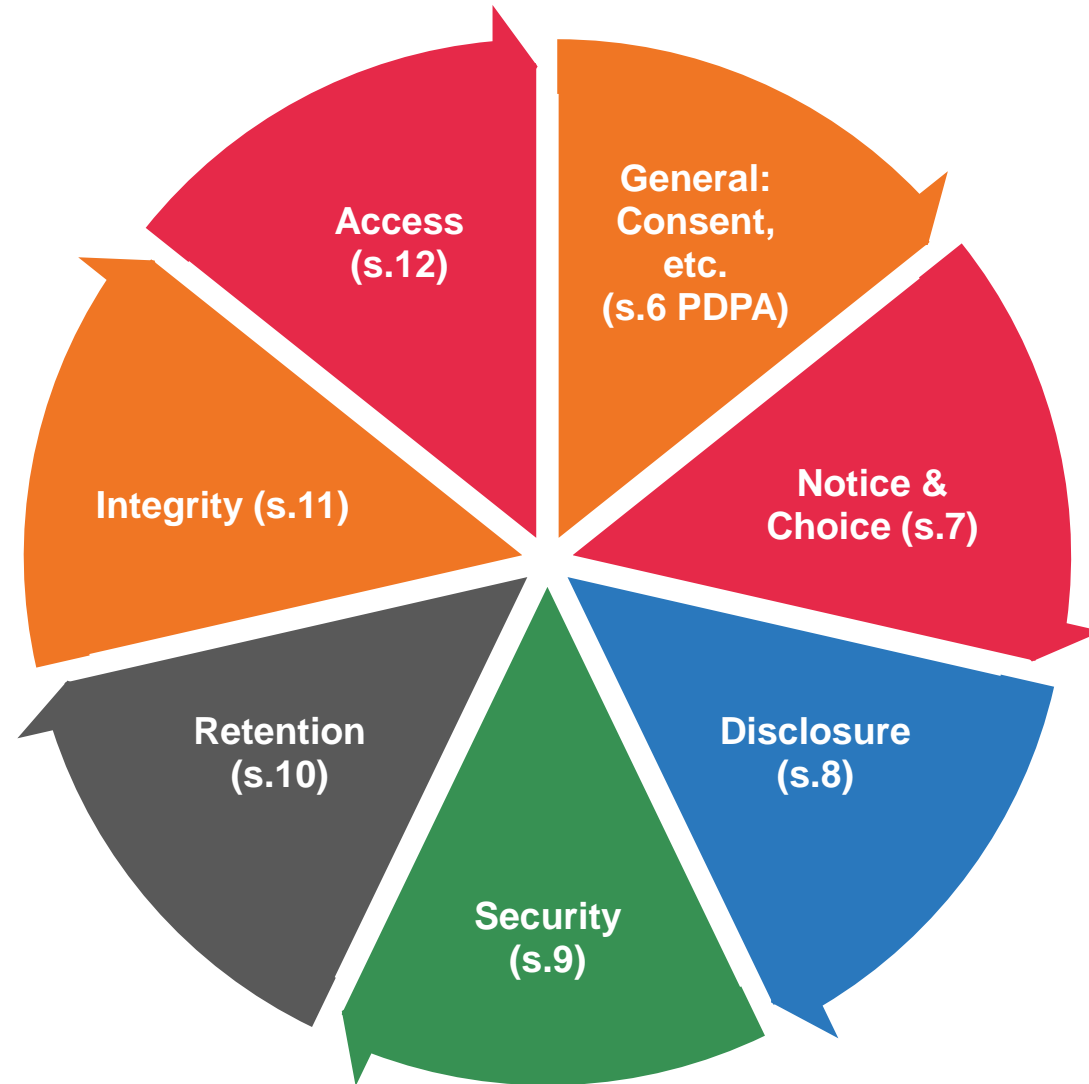


- **Privacy policies** on those initiatives will need to be notified and publicised to achieve **transparency** and to ensure due diligence.
- Pertinent to strengthen your **cyber security system: both technical and organisational**.
- Privacy is not only a matter of PDPA compliance but also **a common law rights for individuals**.
- Room for improving the Law: e.g. Data breach notification duty, Data protection officer, Regulating data processor, and trans-border transfer.



# Seven Personal Data Protection Principles

Data user who contravenes the above Principles commits an offence and shall, on conviction, be liable to a fine not exceeding three hundred thousand ringgit or to imprisonment for a term not exceeding two years or to both.



# The Milestone of PDPA 2010

Regulates  
**processing of  
PII** in commercial  
transactions

New sets of  
obligations for  
**data users**

New **offences**  
relating to data  
abuses etc.

**Rights for  
individuals**

Information  
governance and  
**Data due  
diligence**

Promotes self-  
regulatory **Codes  
of Practices**



# And... creates new data offences

**COVID-19**



Breaching  
data  
protection  
principles

Failure to  
register as  
Data User  
(when  
applicable)

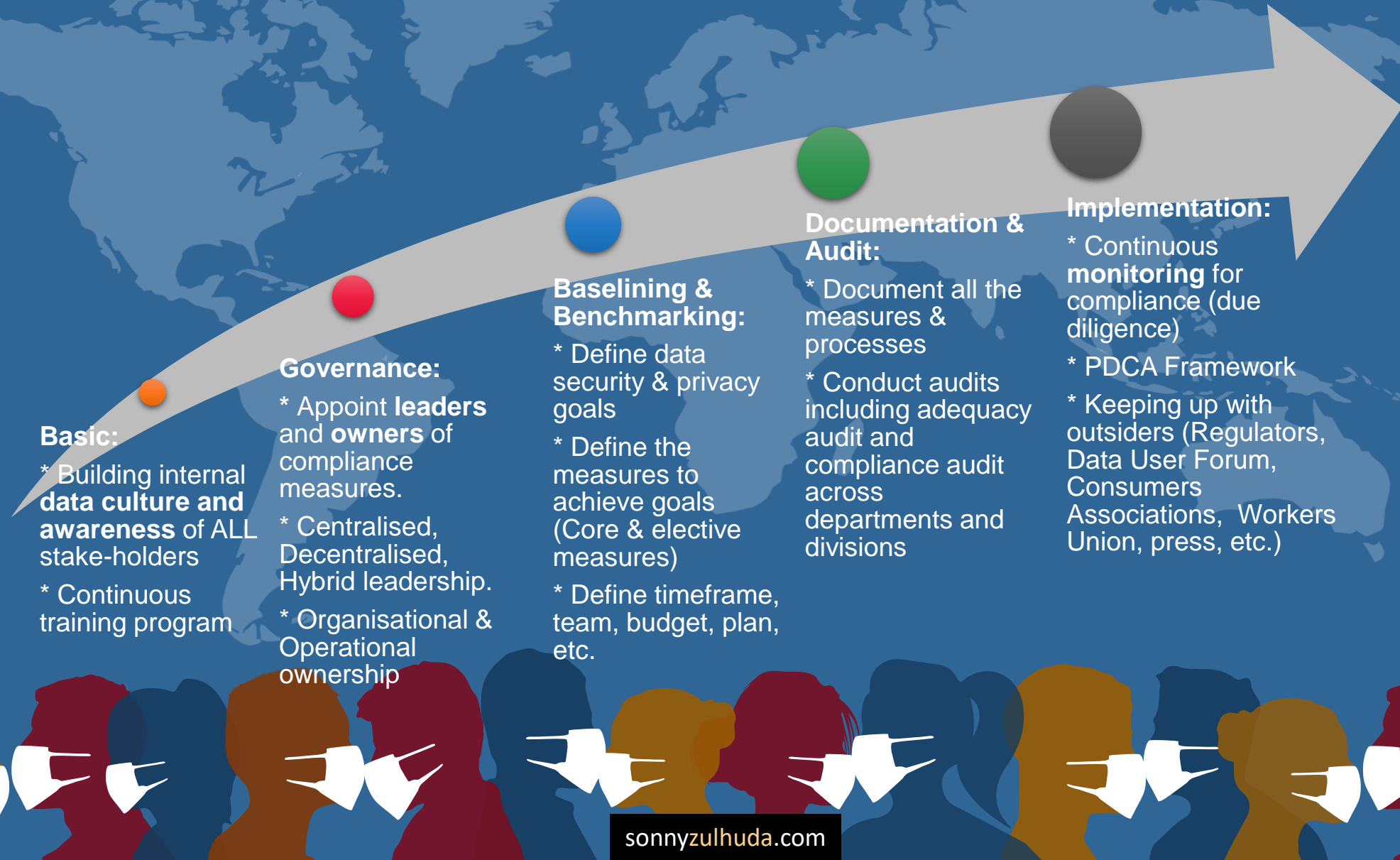
Unlawful  
collection  
of personal  
data

Unlawful  
sale of  
personal  
data

Breach of  
data  
security  
system

# MOVING ON: THE DATA GOVERNANCE STRATEGY

22



# Conclusion Remarks

COVID-19



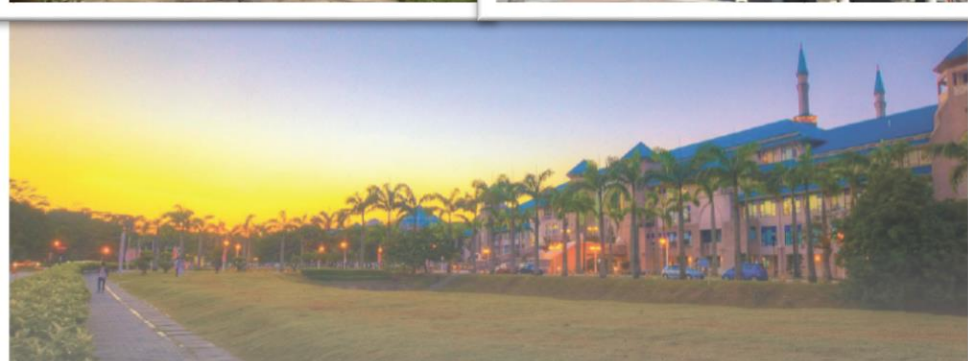
Pandemic is not a basis for relaxing the Rule. The Pandemic leads to **system and governance vulnerabilities** – Alert mode on data protection.

Massive exemption given to the Government is **not a “license” to downgrade** their data protection.

As Malaysia is battling Covid-19, we shall **strengthen trust** and maintain sustainability

Relaxing data protection will only create **elements of distrust** among members of society and citizen-government relationship.





**THANK YOU  
FEEDBACK:**

**[sonny@iium.edu.my](mailto:sonny@iium.edu.my)  
<http://sonnyzulhuda.com>**

