

Top lawyers urge need to fight for digital consumer rights collectively

2017-03-17 10:10:32

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**From left: Digital Mobility Solutions Lanka (Pvt) Ltd CEO Jifrey Zulfer, President's Counsel Dr. Dayanath Jayasuriya, Institute of Policy Studies Research Assistant Vishvanathan Subramanian, Sri Lanka Housewives' Association President Suhaila Hussain, Attorney-at-Law Thishya Weragoda and takas.lk Co-Founder/CEO Lahiru Pathmalal
Pic by Damith Wickramasinghe**

Sri Lankan consumers must fight collectively for the enactment of digital consumer rights protection laws in Sri Lanka to keep privacy violating corporates at bay, leading attorneys in the country advocated this week during a forum in Colombo.

"These are not isolated matters that an individual can take on, but consumers collectively have to take on," Attorney-at-law Thishya Weragoda told a seminar titled 'Consumer Rights in the Digital Age' organized by the Institute of Policy Studies.

He said that many leading companies in the country either contract data mining companies or use their own databases to spam consumers through digital channels or sell their customer databases to third parties. Many leading Sri Lankan companies, some of which are on the prestigious S&P SL 20 index of the Colombo Stock Exchange, have been observed violating consumer privacy by sending spam messages, and by selling their customer databases to joint venture partners and other third parties. "With great power comes great responsibility," Weragoda said, invoking the likable Uncle Ben from the popular Spider Man comics to whom the oft-quoted phrase is attributed to.

He said that consumers have to demand Sri Lankan companies to be more responsible, but that most consumers are not aware of digital rights. He added that even some of the top professional associations are violating privacy. "Even the Bar Association gives out information. The Bar Association has the contact details of every attorney, and I always keep getting SMSes from various colleges and educational institutes on whether I would like to study their masters or other programmes," Weragoda said.

He went on to say that even the country's President violates privacy when sending New Year wishes.

However, the missing link to reduce the increasing information asymmetry is the lack of privacy and digital data protection laws in Sri Lanka, despite the country being party to many international human rights conventions that include privacy as an inalienable human right. "We need laws augmenting privacy, and for there to be education and awareness," President's Counsel Dayanath Jayasuriya said.

Information Communication Technology Agency Director/Legal Advisor Jayanath Fernando said that the Consumer Affairs Authority should be the agency responsible for formulating privacy policies.

“An inter-ministerial committee came to a determination to fast track this. Laws are way behind technology,” he said.

However, Consumer Affairs Authority officials at earlier occasions have said that they did not have the expertise to create digital privacy laws. (CW)