The Necessity of the Cyber Privacy Law to Enhance the Economic Growth in Sri Lanka

P Supasini[#], B Soorya

Department of Law, University of Jaffna, Sri Lanka
supasini1234@gmail.com

Privacy is a right and a tool to protect human dignity and esteem which protects one's autonomy from public scrutiny. Therefore, this right is enjoyed by all individuals, institutions, groups and governments. Simply each and every sector anticipates privacy threats. Although, the Sri Lankan legal regime does not provide a specific legal recognition to protect individual privacy, several legislations governing computer related transactions and crimes considerably attempt to protect the right to privacy of persons at least to a certain extent, in the cyber space. However, notwithstanding the existence of these legislations, the absence of an expressed protection of right to privacy has adversely impacted on the economic growth of Sri Lanka mainly owing to the reluctance on the part of the institutions and investors to enter into and comply with cyber transactions. This paper primarily focuses on the legal aspects pertaining to the individual right to privacy, especially in the cyber space of Sri Lanka and the implications of the absence of this right on the e-commerce sector in Sri Lanka. Methodology of the research paper is based on socio-legal study. The data for this research was collected from Acts, International Conventions and judicial decisions as primary sources, and from journals, scholarly articles, empirical data available at both library and electronic data bases as secondary sources. The paper lays down certain recommendations to the legal framework and its implementation in order to enhance the efficacy of e-commerce in the transboundary level and to eradicate the fear of disclosing information in electronic platforms all of which would ultimately result in the realization of the dream of a digitally inclusive Sri Lanka in its full package.

Keywords: Information technology, Privacy, Fundamental rights, Economic growth