



Navigating the Digital Labyrinth

The Evolving Right to Privacy in Zimbabwe and India

In the rapidly evolving digital landscape, the right to privacy has taken on new dimensions extending beyond traditional boundaries to encompass digital data privacy and protection.

This article, drawing insights from Tatenda Ayibongwe Sibanda and Prof (Dr) Debarati Halder embarks on a critical comparative analysis of the right to privacy in the digital era, focusing on the legislative frameworks of Zimbabwe and India.

Understanding Digital Data Vulnerabilities

In the digital world, data attributed to its principal owner undergoes multiple stages of processing. This journey from collection to processing and eventual storage (in digital devices, servers, or cloud systems) exposes the data to various vulnerabilities.

Researchers have identified key points where data infringement can occur: during processing, when it's visible to third parties and during storage where it's accessible for future use. The article delves into the nuances of these vulnerabilities and their implications for individual privacy.

Key Protectors of Digital Data

Several entities play a pivotal role in safeguarding digital data. These include governments, intermediaries, data fiduciaries and data collectors.

Each of these stakeholders has a significant part in enhancing data protection mechanisms and ensuring individual privacy. The article explores the responsibilities and actions of these data protectors in the digital arena.

Comparative Analysis: Zimbabwe and India

This research conducts a comparative analysis of Zimbabwe's Cyber and Data Protection Act of 2021 and India's Digital Personal Data Protection Act, 2023. The focus is on understanding the patterns of digital era privacy violations and assessing the responsibilities of both government and non-government entities in addressing these challenges.

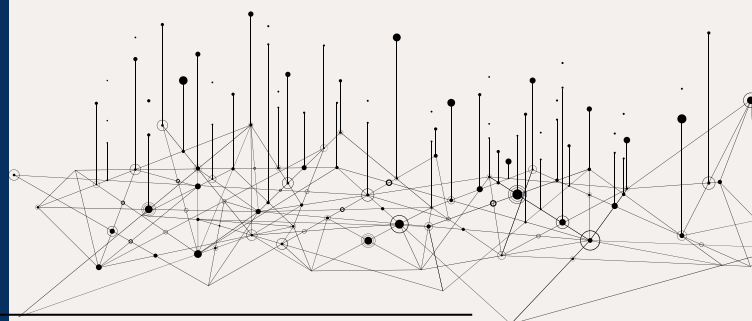


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Zimbabwe's Approach: The Cyber and Data Protection Act of 2021

Zimbabwe's Cyber and Data Protection Act represents a significant step in addressing digital privacy and data protection. This legislation aims to regulate the processing of personal data, provide safeguards against data misuse and establish guidelines for data controllers and processors. The article examines how this Act aligns with international data protection standards and its effectiveness in protecting citizens' digital privacy.



India's Digital Landscape: The Digital Personal Data Protection Act, 2023

In contrast, India's Digital Personal Data Protection Act, 2023 reflects the country's commitment to safeguarding personal digital data. This Act lays down the rules for digital data processing, emphasizes the consent of data owners and sets penalties for data breaches. The analysis will focus on how this Act balances individual privacy rights with the needs of a rapidly growing digital economy.

Assessing Governmental Responsibility

A critical aspect of this comparative study is assessing the role and responsibility of governments in Zimbabwe and India in protecting digital data. The article explores how these governments have approached the task of regulating data protectors, ensuring compliance with laws and protecting citizens from digital privacy breaches.

Conclusion

The Way Forward in Digital Data Protection

The comparative analysis of Zimbabwe and India's approaches to digital privacy and data protection offers valuable insights into the complexities of legislating and enforcing privacy rights in the digital era. It underscores the need for dynamic and adaptable legal frameworks that can keep pace with technological advancements while ensuring the fundamental right to privacy. The article concludes with recommendations for enhancing digital data protection and privacy in an increasingly interconnected world.

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