



Online privacy in Thailand:

public/strategic awareness (Year 1)
Pirongrong Ramasoota

Asian Privacy Scholars Network 2nd International Conference
(19-20 November 2012)
Meiji University, Tokyo

<http://www.meiji.ac.jp/~privacy/>

- With appreciation to Privacy International (PI) and International Development Research Council (IDRC) of Canada, for their support and collaboration, and to all contributors to the PrivAsia (Privacy in Asia) project

Outline

- Research Questions
- Methodology
- Research findings
 - Countrywide survey of privacy awareness
 - Law analysis on privacy and online privacy
 - Case studies of online privacy violation
 - Dialogues with civil society on privacy advocacy
- Conclusion



R
e
s
e
a
r
c
h
Q
u
e
s
t
i
o
n
s

• What are the notable characteristics of perception and awareness of privacy by online users in Thailand?

• How do the perception and awareness of privacy among Thai online users influenced by these factors – geographical, socio-demographic, cultural attitudes, and Internet use characteristics?

• Do perception and awareness of privacy among Thai online users vary in different online applications e.g. SNS, online forums, email, blogging? How? Why?



R
e
s
e
a
r
c
h
Q
u
e
s
t
i
o
n
s

- How do related laws, regulations, and policy in Thailand address privacy, particularly in the online sphere?
- Are there prominent case studies of online privacy intrusion or violation in recent periods in Thailand?
- What is the perception of key members of the Thai civil society with regard to online privacy and what advocacy action, if any, is taken to promote the right to privacy in Thai society?



- M
e
t
h
o
d
o
l
o
g
y
- Questionnaire-based survey to study perception and awareness of privacy, administered on 800 samples from six regions nationwide.
 - Prominent case studies of online privacy violation – law enforcement and corporate practices
 - Law and policy analysis related to privacy, particularly online privacy
 - In-depth interviews with leaders in civil society, rights-based advocacy groups

Research Results

- I. Survey of privacy awareness



S
u
r
v
e
y

Questionnaire-based survey

- To answer the questions about perception and awareness, a survey of 1,000 online users was carried out in six regions of the country:
 - Bangkok Metropolitan
 - North
 - Northeast
 - West
 - East
 - South

s
a
m
p
l
e
s

Survey respondents – socio-demographics

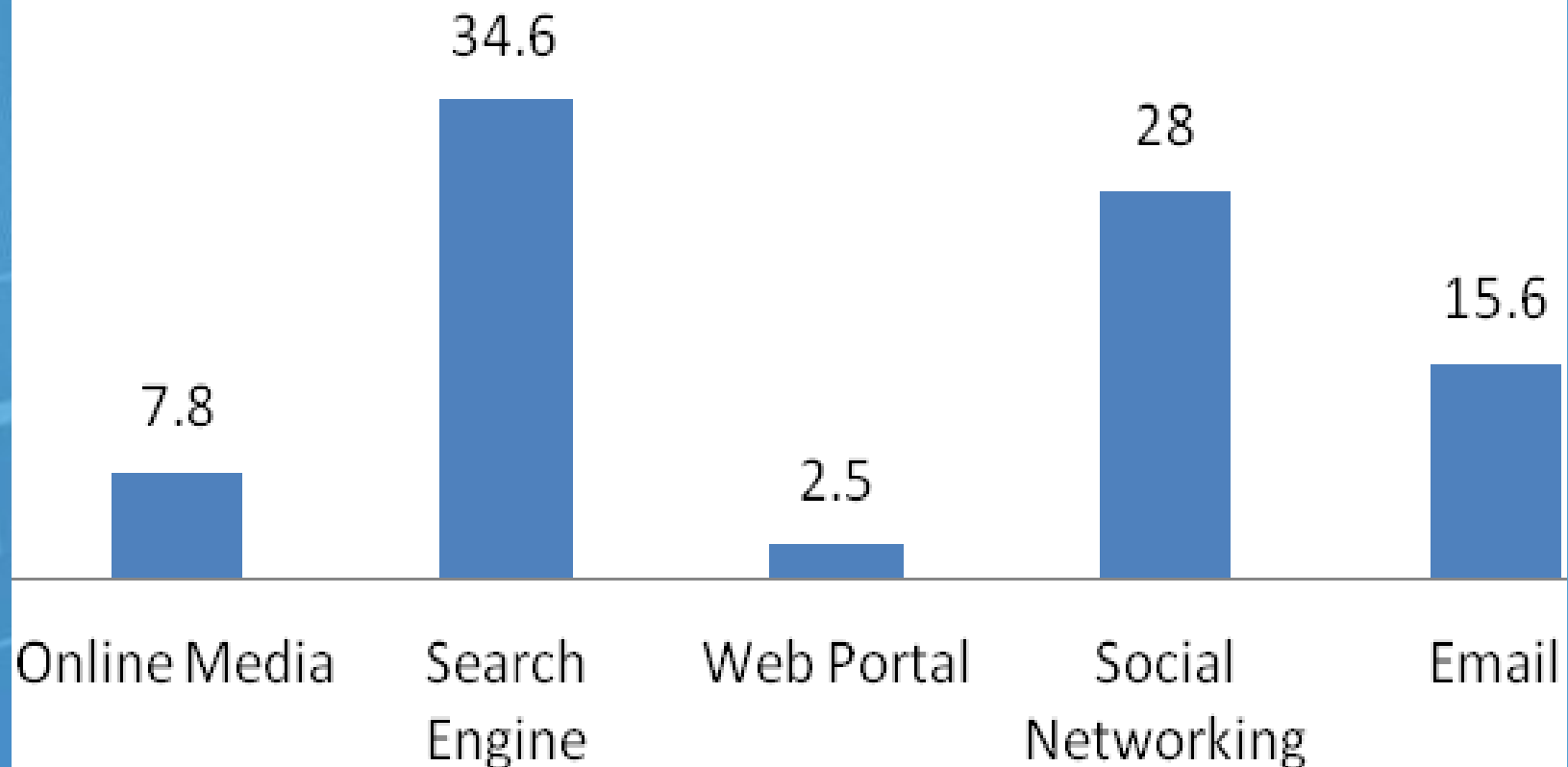
- More men than women (60.9% vs. 37.1%)
- Most are between 16-25 age group (51.6%), followed by 26-35 age group (28%)
- Most (54%) have completed a bachelor's degree, followed by secondary education (15.4%)
- Most are students (44.8%), followed by civil servants/state employees (27.9%) and corporate employees (15.3%)

Survey respondents – Internet use

- Most are heavy (45%), frequent (39.9%), and long-term (48.6%) users.
- Most own a personal computer at home (48.9%)
- Application most rated in use are search engine, social networking, email, online media, and web portal, in that order.



Most heavily used online applications



Level of privacy perception in offline context

- Polling booth privacy
- Police intrusion
- Physical notion of privacy (the right to be let alone).

- Surveillance camera in workplace
- Wiretapping for police investigation and quality assurance of

- Consumer database and corporate data sharing
- State surveillance
- Job screening through criminal record checks



Low



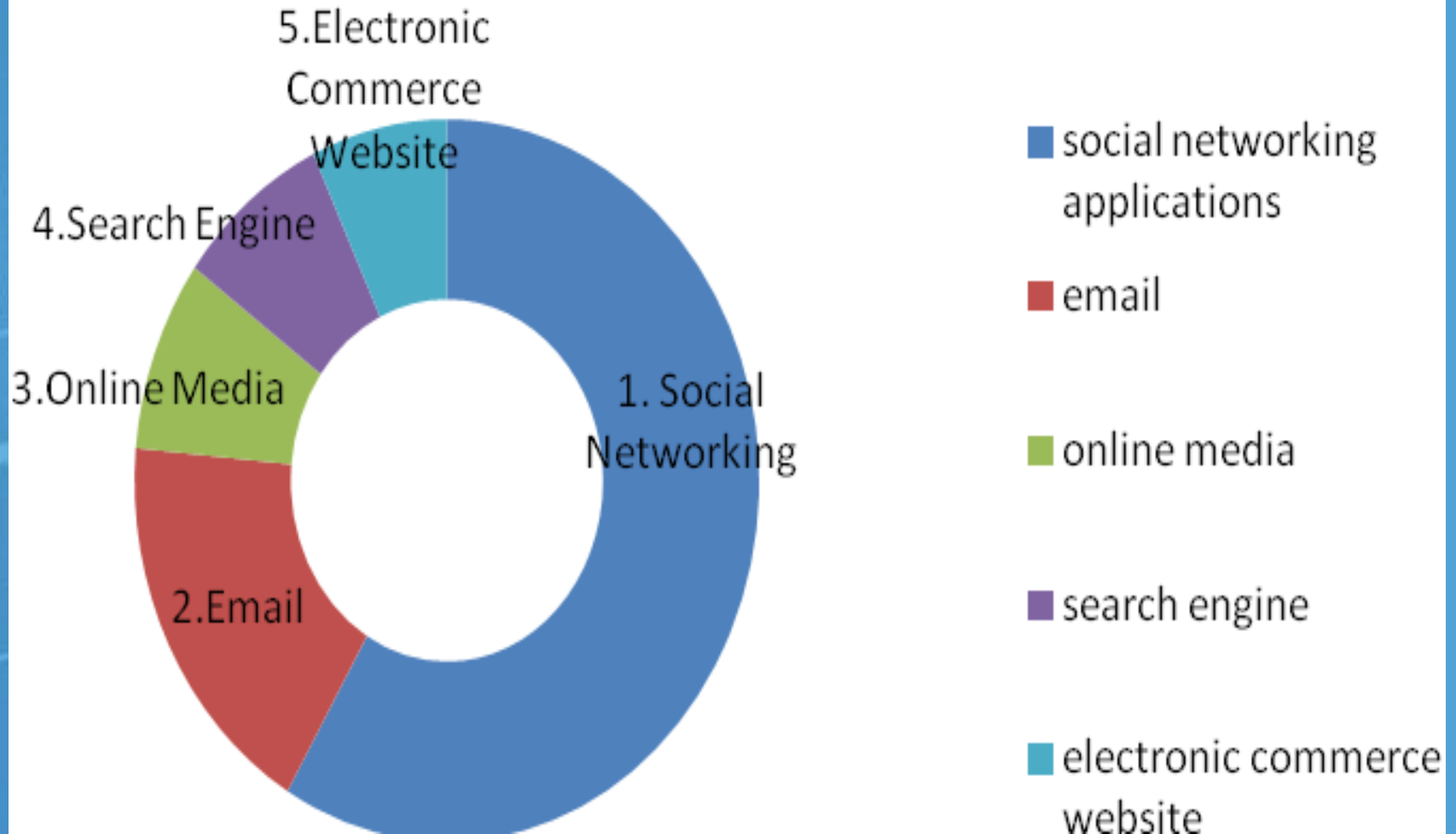
Medium



High

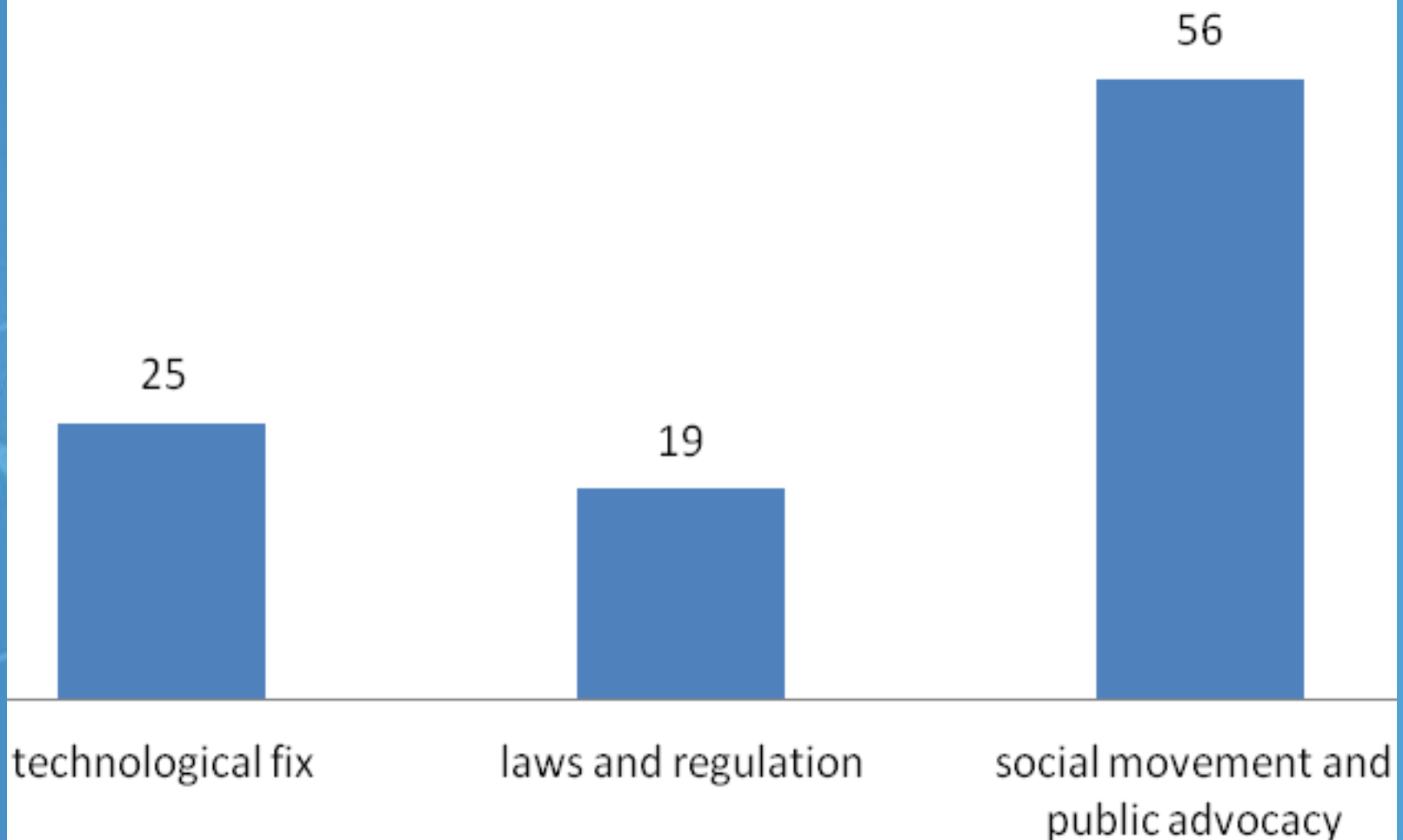


Perception of Online Applications' Threats



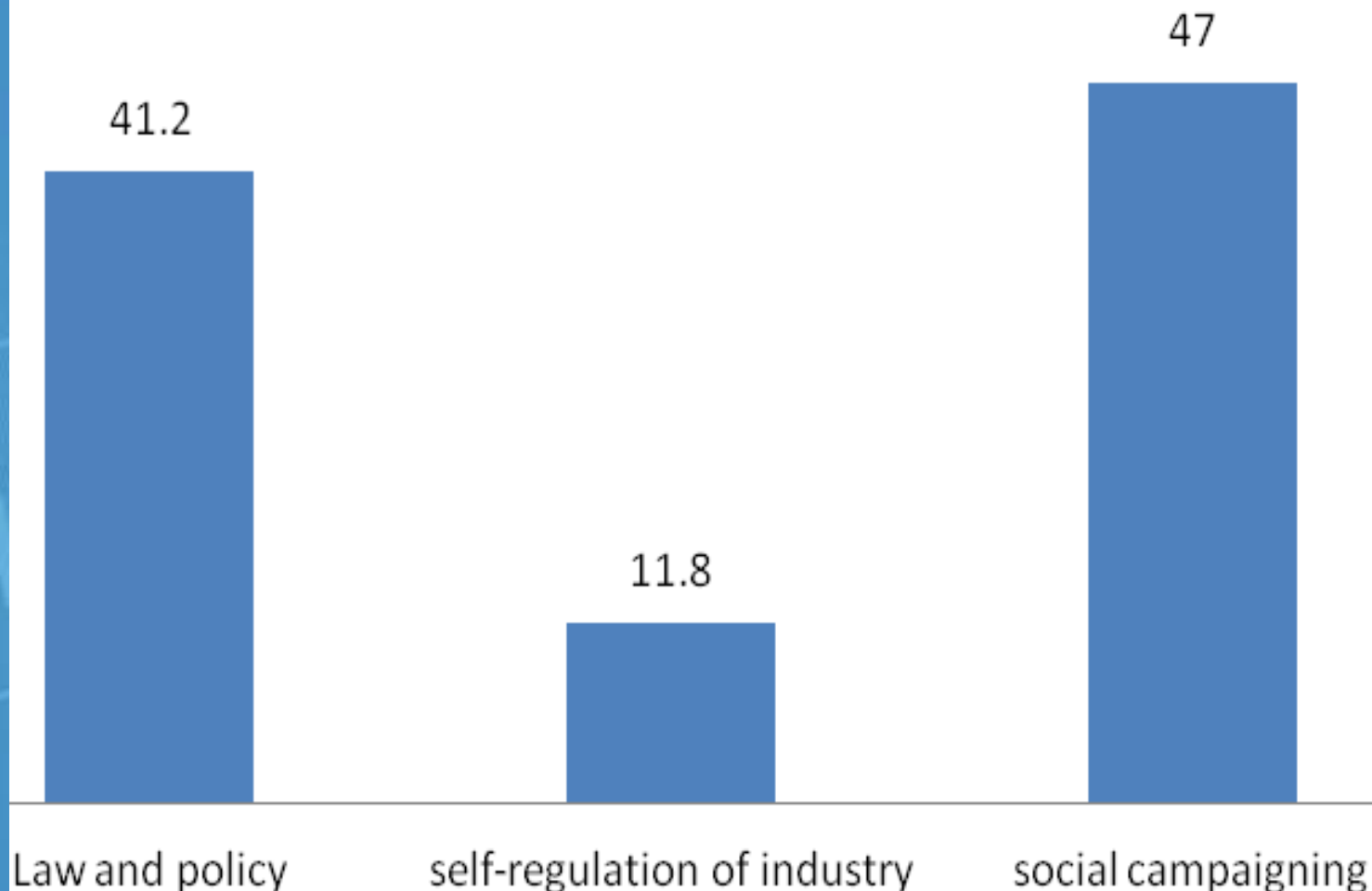


Reactionary Approach in case of online privacy violation





Reaction to unauthorized use of personal data



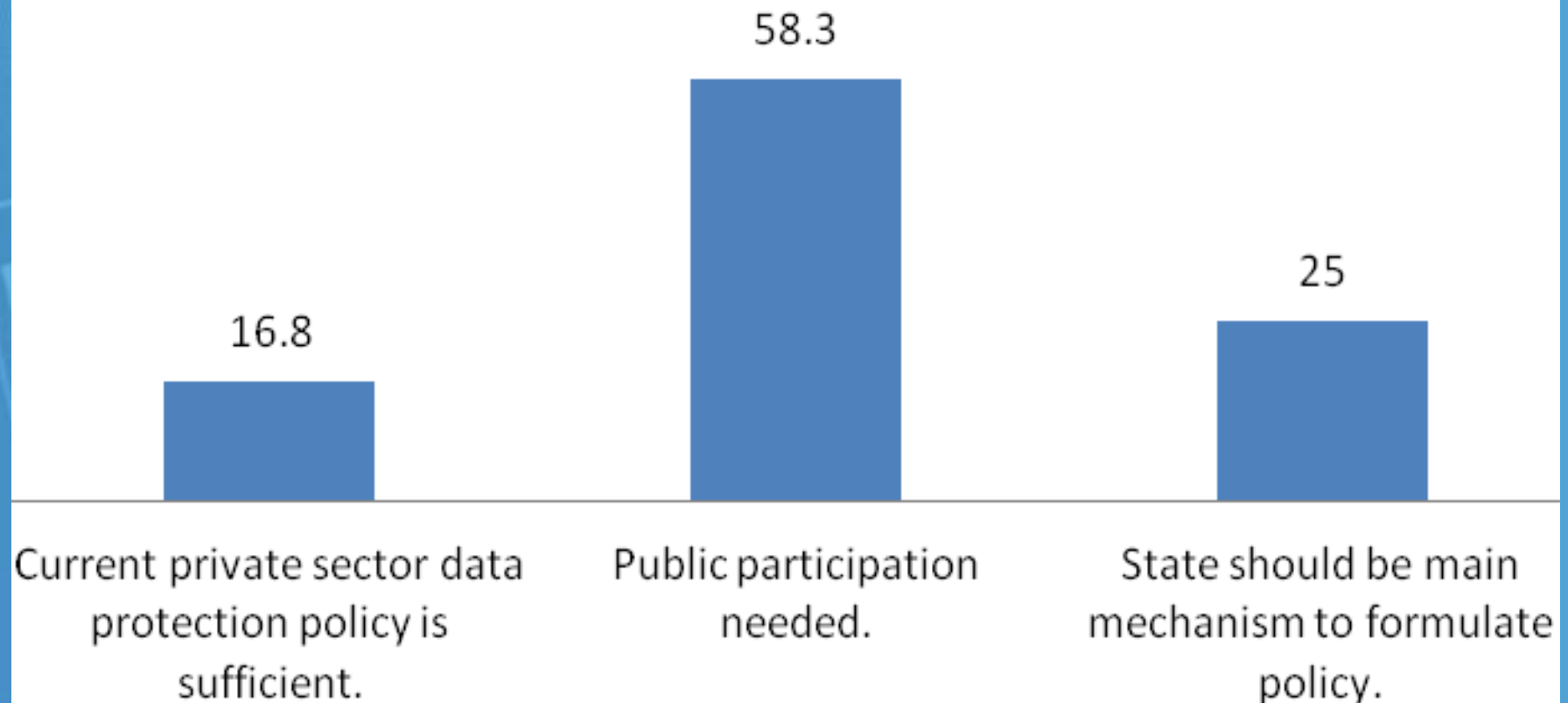


Degree of self-prevention against online privacy violation

- 1) Linking of personal information across different online platforms under the same management and ownership e.g. google and gmail
 - 1) Selectively only in types of information that would not infringe upon personal privacy (45.5%)
 - 2) Yes, because of convenience in getting service (31.6%)
 - 3) No, because service providers will know every behavior online (22.9%)

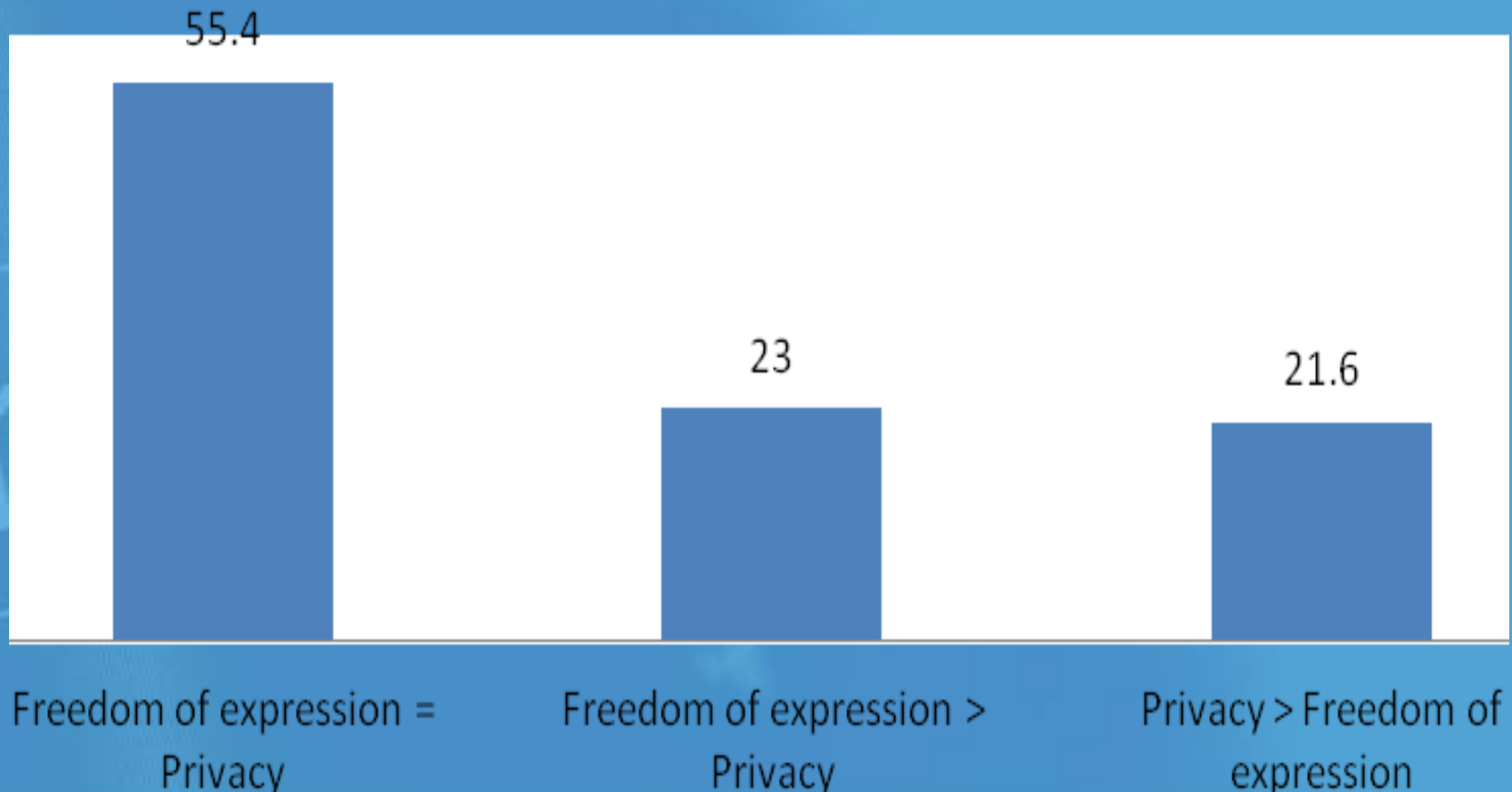


Perception regarding data protection law in the Thai context



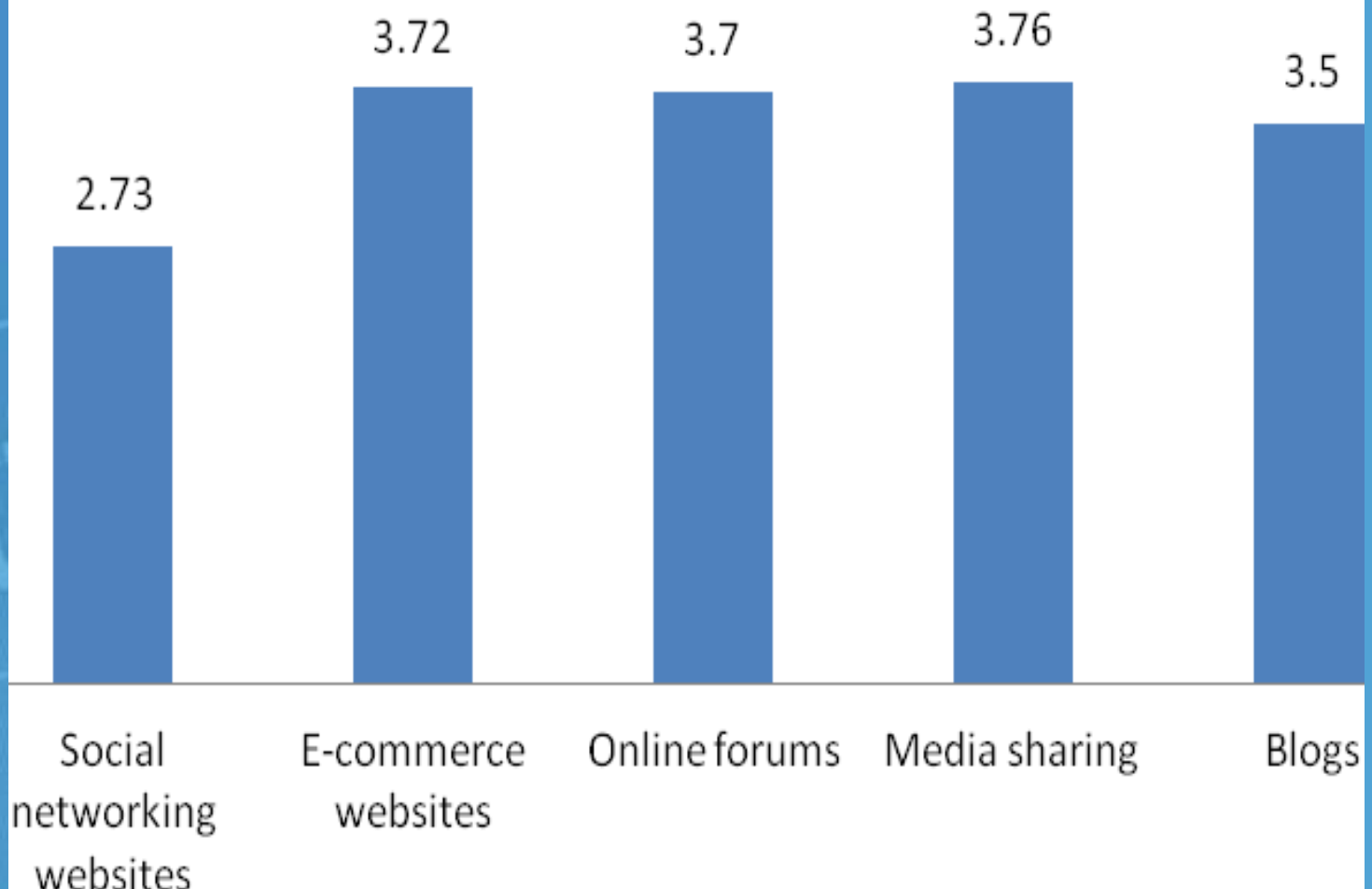


Emphasis given to privacy and freedom of expression





Privacy Awareness in Online Applications



Attitude towards privacy principles that should apply across online applications

	Collection Limitation	Purpose Specification	Use Limitation	Data Retention
Social networking websites	Strongly agree (3.77)	Strongly agree (3.89)	Strongly agree (4.02)	Strongly agree (3.82)
E-commerce websites	Strongly agree (3.54)	Strongly agree (3.82)	Strongly agree (3.89)	Strongly agree (3.81)
Online forum	Strongly agree (3.76)	Strongly agree (3.86)	Strongly agree (3.90)	Strongly agree (3.74)
Media sharing	Strongly agree (3.76)	Strongly agree (3.82)	Strongly agree (3.90)	Strongly agree (3.77)
Blog	Strongly agree (3.50)	Strongly agree (3.68)	Strongly agree (3.75)	Strongly agree (3.71)

Awareness of privacy principles across different online applications

- Strong correlation in most applications studied
 - High awareness reflected in use limitation, collection limitation, and purpose specification in all three applications
 - Low awareness is reflected in only data retention, possibly due possibly to enforcement of new computer crime law that requires 90-day retention of traffic log on all service providers.

F i n d i n g s

Factors influencing privacy awareness

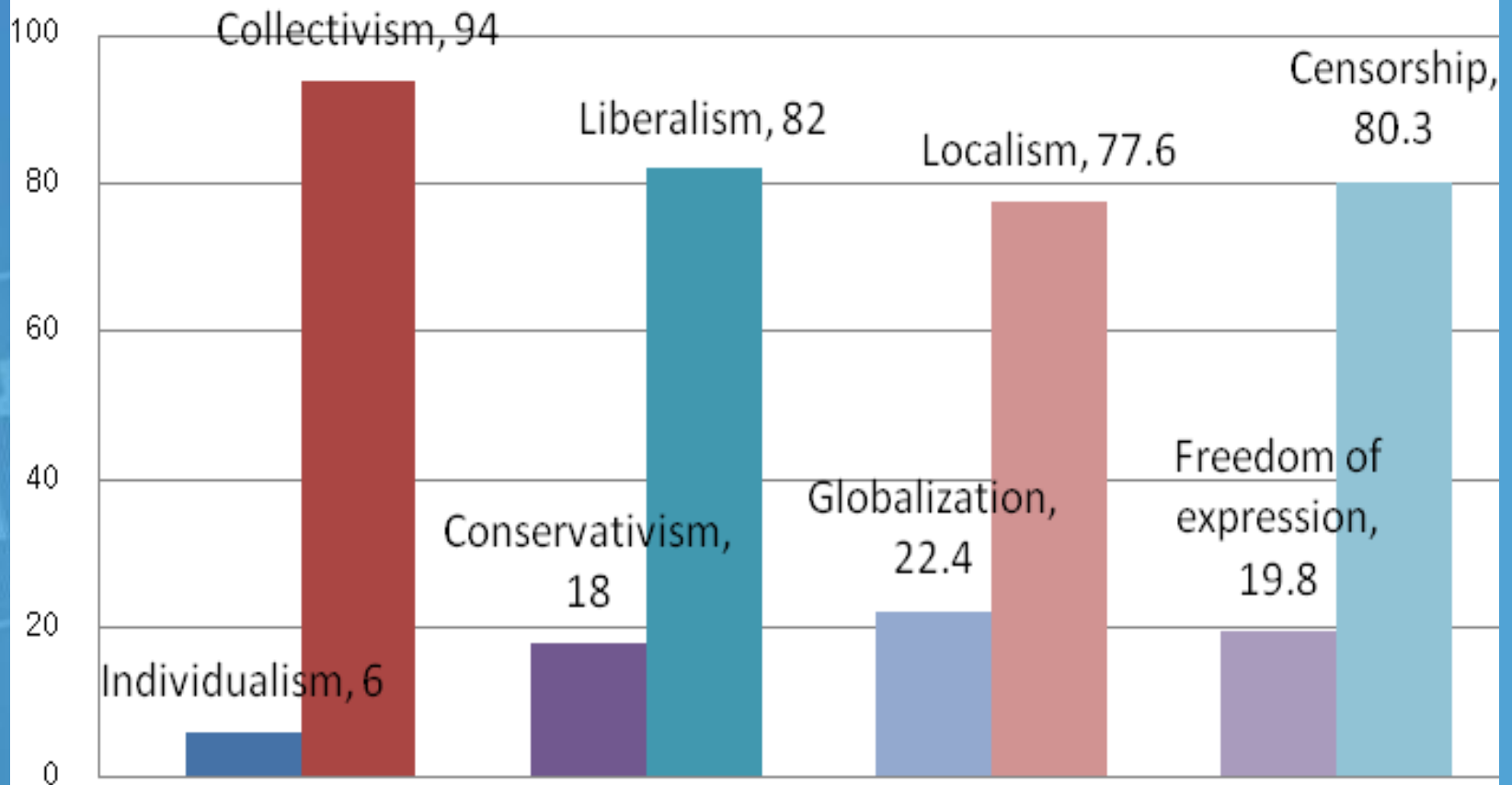
- Educational level
 - Positively influence privacy awareness in most online applications – social networking service, e-commerce, media-sharing, and blog, with the only exception of online forums.
- Internet use pattern
 - Amount of use, frequency of use, and length of being online user positively influence privacy awareness in all online applications studied

Cultural attitude

- Four types of cultural attitudes are found to have statistically significant relationship with privacy awareness in all or almost all online applications studied:
 - Individualism vs. collectivism
 - Liberalism vs. conservatism
 - Globalization vs. localism
 - Freedom of expression vs. censorship



Cultural Attitude of Respondents



F i n d i n g s

Cultural attitude and privacy awareness

- An individualistic person exhibits greater awareness of privacy right or a case of privacy intrusion than a collectivist person
- A liberal person exhibits greater awareness of privacy right or a case of privacy intrusion than a conservative person.



F
i
n
d
i
n
g
s

Cultural attitude and privacy awareness

- A person who supports globalization exhibits greater awareness of privacy right and case of privacy intrusion than a person supporting localism.
- A person who supports freedom of expression shows greater awareness of privacy right and case of privacy intrusion than a person supporting censorship.



Cultural attitude and reaction to privacy intrusion

- F**
i
n
d
i
n
g
s
- Cultural attitude is shown not to have any bearing on the studied samples' reaction to privacy intrusion.
 - Descriptive statistics show that 56.3% of the individualistic type chose public advocacy and social campaign as reaction to privacy intrusion while 56.1% of the collectivists chose the same option.
 - It can be inferred that the studied population gives greater importance to public education about privacy



Socio-demographics and reaction to privacy intrusion

- F
i
n
d
i
n
g
s
- Similar to cultural attitude, there is no statistically significant relationship between socio-demographic factors like gender, age, income, and education to reaction to reaction to privacy intrusion.
 - A notable trend is discerned, however. A preference for public advocacy and social campaign is reflected in all age groups, men/women, all income brackets, and all educational levels.
 - Again, this reflects an emphasis, if not a mandate, for public education on privacy.

Research Results

- Case studies related to online privacy
 - Political witch-hunt and privacy of online dissidents
 - Sniffer program and email
 - Smart ID card

Case study 1: Political witchhunt and privacy of dissidents

- A singing contest/reality show participant, a college student, and a high school student were socially reprimanded for having posted “politically incorrect” -- **red**-slanted and lèse majesté (insulting royal family) on their Facebook walls.
- Personal information from their Facebook profiles were captured and posted onto a hostile fan page and “Social Sanction” wall on Facebook as well as in several online forums to invoke public anger



The larger social context

- An unprecedented political conflict that reflects
 - Ideological polarization between pro- and anti-status quo forces – color-coated divide between yellow and red-shirts
 - Online communication constituting major public sphere for political expression and mobilization
 - Struggle between old and new dynasty politics



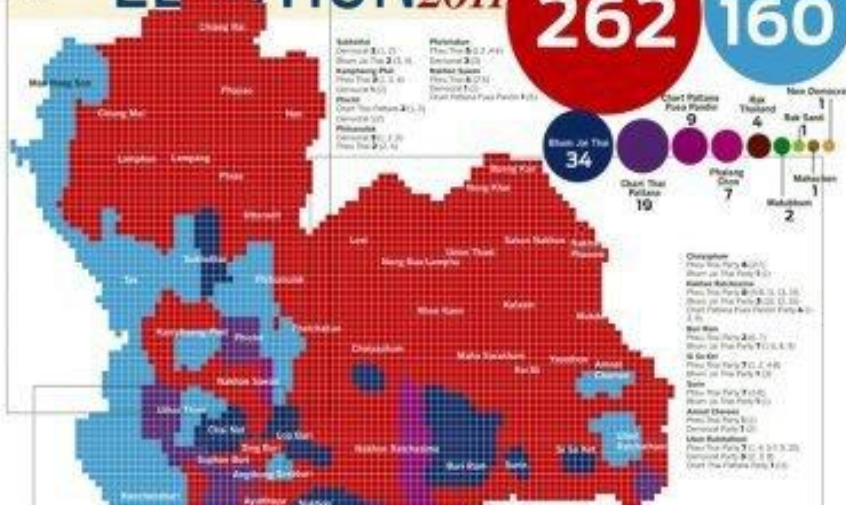
Old and new dynasty politics



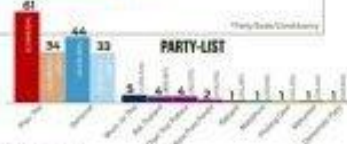


THAI
ELECTION
MONDAY
July 4
2011

ELECTION 2011

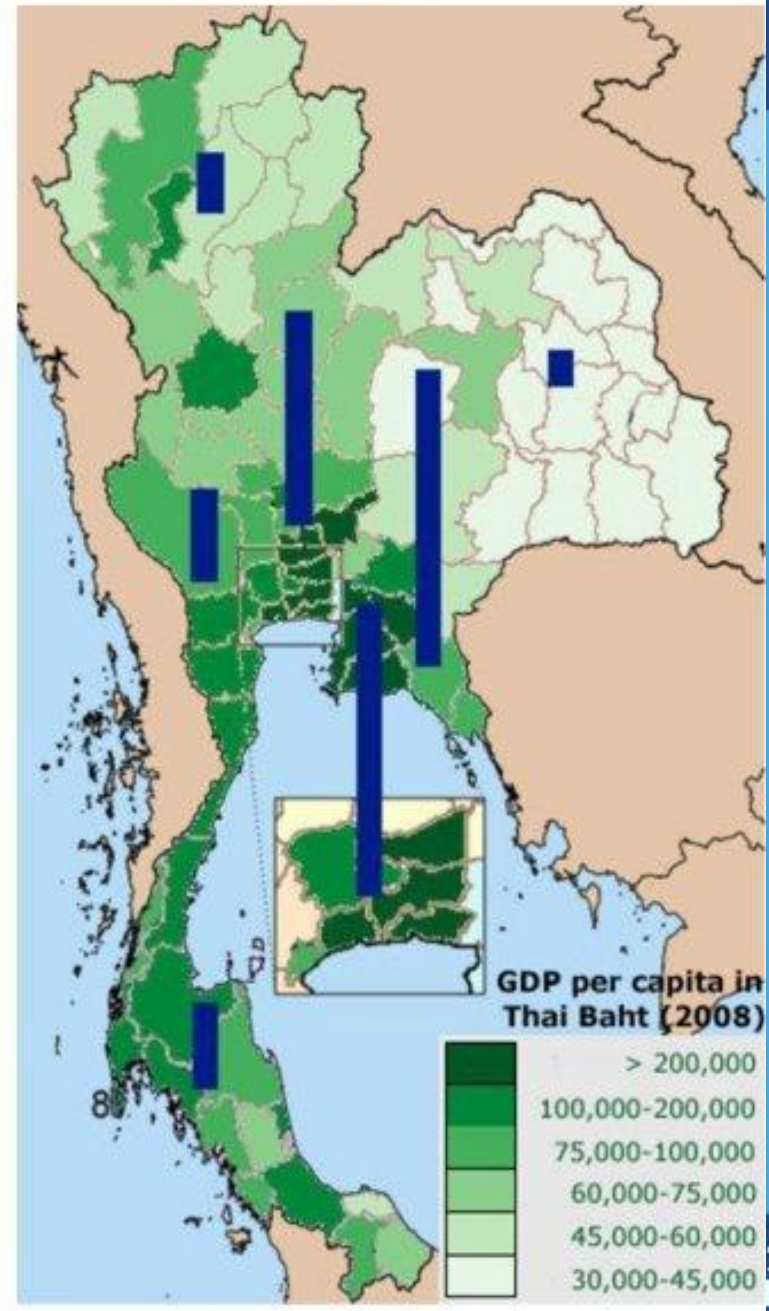


- Chiang Mai**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Chiang Rai**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Khon Kaen**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Udon Thani**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Surin**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Bangkok**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)



- Chonburi**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Nakhon Phanom**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Phra Nakhon Si Ayutthaya**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Kasat**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Samut Prakan**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Samut Sakhon**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Samut Songkhro**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Pathum Thani**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Prachin Buri**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Chumphon**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Rangsit**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Si Sa Ket**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Phang Nga**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Phuket**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Trang**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Phuket**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)
- Yala**
Pheu Thai 10 (21.7%)
Democrat 45 (100%)

Thailand's GDP



2012) Tokyo



เชื่อมั่นว่าคนไทยเกินสิบล้านคน อยาก"ก้านคอ" น้อง"ก้านรูป" 

สถานะข้อความ | ข้อมูล | เวนบอร์ด | รูปภาพ | วิดีโอ | กิจกรรม

ข้อมูลเบื้องต้น

ชื่อ: **เชื่อมั่นว่าคนไทยเกินสิบล้านคน อยาก"ก้านคอ" น้อง"ก้านรูป"**
 หมวดหมู่: **ความสนใจร่วมกัน - การเมือง**
 รายละเอียด: **จัดตั้งขึ้นเพื่อประณามการกระทำอันสามหาของนางสาว ฐิติกานต์ สุกุลดารชาติ**
 ลักษณะความเป็นส่วนตัว: **เปิดกว้าง : เนื้อหาทั้งหมดเผยแพร่สู่สาธารณะ**

การศึกษาปัจจุบัน
มหาวิทยาลัยบางขวางราชภัฏ
คณะวิทยาศาสตร์
สาขาวิชา การปกครองทหาร

ประวัติของนางสาวฐิติกานต์ สุกุลดารชาติ

ข้อมูล

หมวดหมู่:
ความสนใจร่วมกัน - การเมือง

รายละเอียด:
จัดตั้งขึ้นเพื่อประณามการกระทำอัน
ของนางสาว ฐิติกานต์ สุกุลดารชาติ

ลักษณะความเป็นส่วนตัว:
เปิดกว้าง : เนื้อหาทั้งหมดเผยแพร่

1. การศึกษาเดิมของ นางสาวฐิติกานต์ สุกุลดารชาติ เคยศึกษาอยู่ รร. รัตนราชบุรีบำรุง อ.บ้านโป่ง จ.ราชบุรี แต่โดนทางรร. ไล่ออกเพราะ "หมิ่นพระบรมเดชานุภาพ" จึงย้ายมาศึกษาต่อที่ รร.ธราปราสาทเพชรวิทยา จ.นครราชสีมา และได้จบการศึกษา ม.6 "ไปเมื่อวันที่ 29-30 มีนาคม 2553"
2. นางสาวฐิติกานต์ สุกุลดารชาติเป็นคนหัวประชาธิปไตยรุนแรง ครั้งเมื่ออยู่ รร.ธราปราสาทเพชรวิทยา เคยถูกกล่าวหาว่าตีเด็กตอนจากครูบาอาจารย์อยู่หลายครั้งให้รักชาติ ศาสนา พระมหากษัตริย์ แต่ก็มีได้ทำให้ นางสาวฐิติกานต์ สุกุลดารชาติ เปลี่ยนความคิดไปแต่อย่างไร
3. สมัยอยู่ ม.5 รร. ธราปราสาทเพชรวิทยา เคยได้รับรางวัลชนะเลิศ และรางวัลดีเด่น โครงการประกวดเรียงความส่งเสริมประชาธิปไตย หัวข้อ "ประชาธิปไตยสมบูรณ์"
4. นางสาวฐิติกานต์ สุกุลดารชาติ เคยใช้นามแฝงว่า "ก้านรูป" ตั้งกระทู้หมิ่นหมิ่นพระบรมเดชานุภาพ อยู่ในเครือข่ายเสรีไทย <http://forum.serithai.net/> อยู่บ่อยๆ
5. นางสาวฐิติกานต์ สุกุลดารชาติ เป็นแนวร่วมสมัครพรรคพวกหน้า เคยขึ้นปราศรัยบนเวทีแดง ในนาม "ก้านรูป"
6. นางสาวฐิติกานต์ สุกุลดารชาติ ตั้งเฟสบุ๊คหมิ่นพระบรมเดชานุภาพ โดยใช้เนื้อหาที่แสดงความคิดเห็นไปในทางจาบจ้วงราชวงศ์จักรีอย่างต่อเนื่อง

History of Miss Jane Doe— detailing her real name, address, her parents’ name, their profession. Items 1. to 5. listed her academic background, her being expelled from school for lèse majesté, her participation in the red-shirts’ rally, and her constant posting of lèse majesté content on her facebook wall.



- Wall
- Info
- Photos (51)
- Discussions
- Video

9,332
people like this

Likes

มันใจคนไทยเกิน 1 ล้านคน ต่อต้านมาร์ค (V11) AF7

Musician/Band



Wall

มันใจคนไทยเกิน 1 ล้านคน... · Top Posts ▾

Share: Post Photo Link Video

Write something...



มินู-ชิวอน- ยูโน-ใจใจ olo

เมื่อไรจะล้านคน ชะที ครี ซ่าาาาาาาา ทมิน ยังไม่ถึงจะเอาล้านซะแล้วหรือคร ะ ครักาาาาาาาา

March 8 at 9:11am · Like · Comment

Donaya Klawkeaw likes this.

View all 26 comments



มินู-ชิวอน- ยูโน-ใจใจ olo พายุทีาาาาาาาาาาาาาาาา

๗๗ Yesterday at 12:37am · Like



ที่รักครับ รักในหลวง บั้นจมัน อีตัวเหี้ย มินู-ชิวอน- ยูโน-ใจใจ olo นี้โดน รอลชนตายไปแล้ว

4 hours ago · Like

“we are confident that more than 1 million of Thais hate Mark V11”

นาย กฤษณะ ประภาพันธ์

เกิด 7 เมษายน 2529

ปัจจุบัน : นักศึกษาทุนพระราชทาน
ในสมเด็จพระพี่นางเจ้าฟ้ากัลยาณิวัฒนา
กรมหลวงนราธิวาสราชนครินทร์
ปีการศึกษา 2551 มหาวิทยาลัยรังสิต
คณะนิติศาสตร์

birthday

YouTube



ผมตัดสินใจ ผมเลือดเนื้อแดงคู้บ : นักศึกษาทุนพระราชทาน
by REDFUNNYSHIT

ในสมเด็จพระพี่นางเจ้าฟ้ากัลยาณิวัฒนา
กรมหลวงนราธิวาสราชนครินทร์
ปีการศึกษา 2551 มหาวิทยาลัยรังสิต
คณะนิติศาสตร์

เคยออกรายการ เกมโชว์
"อัจฉริยะข้ามคืน ล้านที่ 13"
ที่น้องได้ก้าว ถึง รอบ 2 คน แข่งขัน

เบอร์ติดต่อ 085-8189492

Mobile
number

Personal Information was published in the most popular online newspaper

กะเทยโพร้อ้างเป็น นศ.ม.รังสิต ถูกบีบร่วม พธม.-ม.แพทยิต F จนลาออกเพราะเดินสายเล่นเกมโชว์

โดย ASTVผู้จัดการออนไลน์ 6 พฤษภาคม 2553 12:28 น.

Like Be the first of your friends to like this.



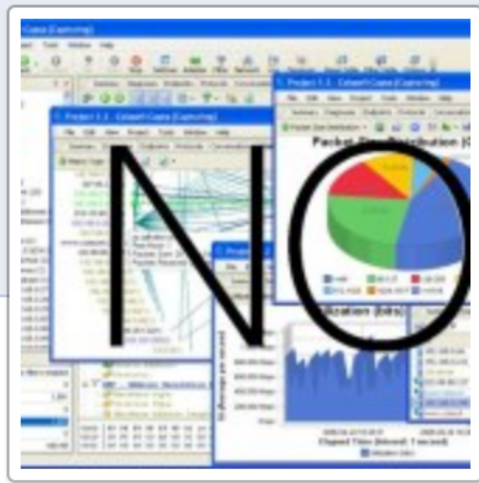
Personal photo captured from Facebook posted onto online newspaper forum

กฤษณะ ประภาพินธ์
เกิด 7 เมษายน 2529

นิสัย น่ารัก ยิ้มง่าย ตลก
ปัจจุบันเรียน มหาวิทยาลัยราชภัฏนครปฐม คณะ มนุษยศาสตร์และสังคมศาสตร์ เอก อุตสาหกรรมท่องเที่ยว อังกฤษ
- ผู้ป็น (Tourism Indusy Major)
ใครว่างก็ไปสมทบงานจะรอดูรูปก็อย่างลืมไปโพสต์ด้วยนะ ที่นี้ได้รางวัลจะเอามาให้เพื่อน ๆ ที่โรงเรียนแหม่ แน่นอนขออีก
อีก 3000 คะแนน



- Case study 2: “Sniffer”
 - Thai Cabinet passed a Cabinet Resolution to introduce “Sniffer” program to online communication in Thailand with state objective to reduce the piracy of intellectual property
 - The use of Sniffer requires co-operation from ISPs to setup the program at their gateway
 - Cyber community object to Sniffer due to concerns about privacy violation
 - “Thailand No Sniffer” Facebook group



Thailand No Sniffer

3,575 likes · 4 talking about this

Non-Profit Organization

ICT กำลังดันเรื่องการดักข้อมูลบนเน็ตโดยอ้างการปราบปรามลิขสิทธิ์

Chat (30)

What is Sniffer???

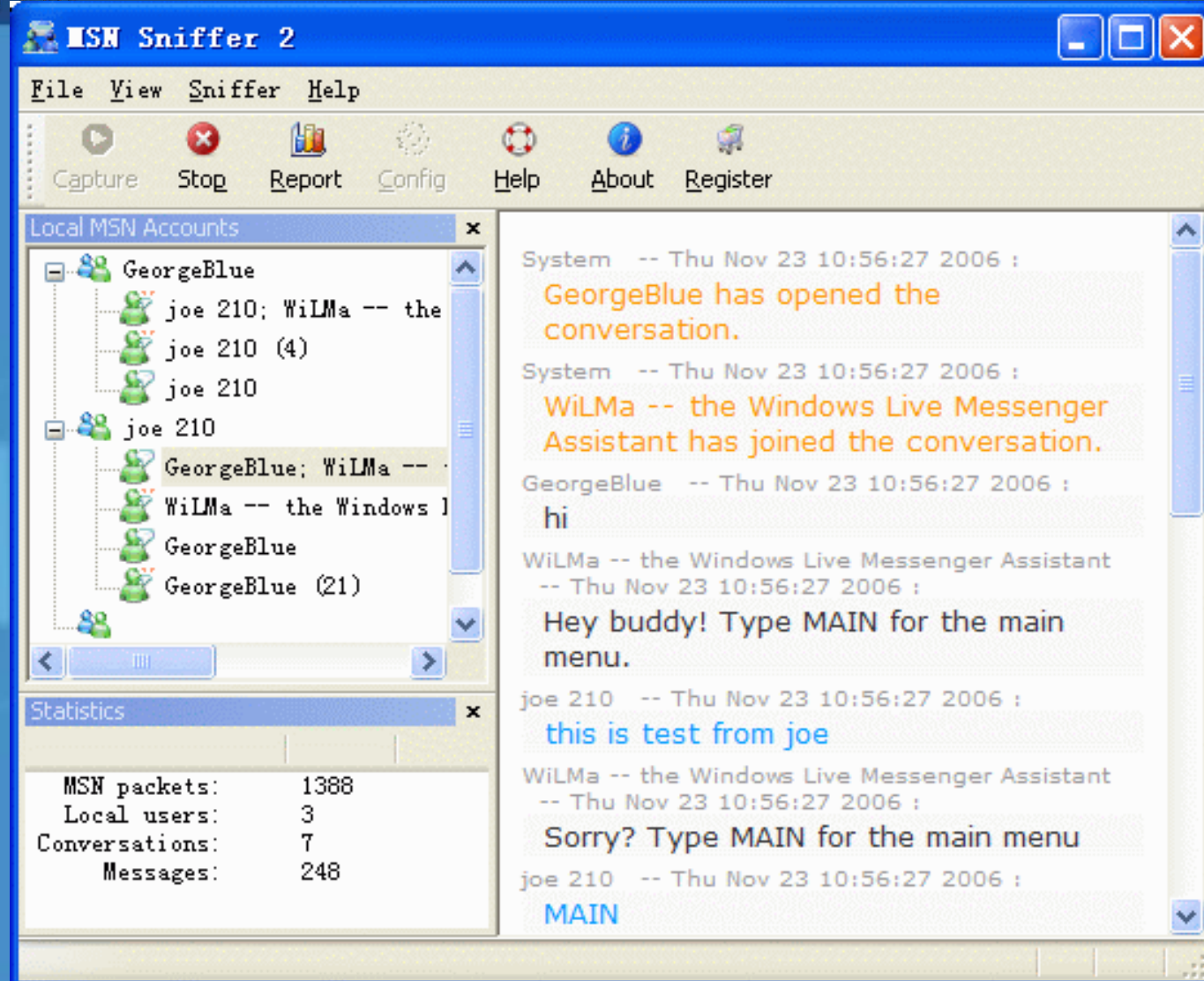
- is a computer program or a piece of computer hardware that can intercept and log traffic passing over a digital network or part of a network. As data streams flow across the network, the sniffer captures each packet and, if needed, decodes and analyzes its content according to the appropriate RFC (Request for comments) or other specifications.



What information sniffer can access?

- History: the web sites visited.
- What is searched for on the site.
- Your e-mail recipients.
- The contents of your mail.
- Any files you download.
- A list of your audio, video and telephony options.
- A list of visitors to your website.

- MSN
SNIFFER2



- Http Detect

HttpDetect (EffeTech HTTP Sniffer)

File View Sniffer Help

No.	Time	Client (IP:PORT)	Server (IP:PORT)	URL	File...	Status
69	Ju...	192.168.1.3 :3057	www.efeotech.com :80	/	35660	FIN, 200
70	Ju...	192.168.1.3 :3058	www.efeotech.com :80	/images/style.css		FIN, 304
71	Ju...	192.168.1.3 :3058	www.efeotech.com :80	/images/logo_main.jpg		FIN, 304
72	Ju...	192.168.1.3 :3058	www.efeotech.com :80	/images/chinese_edition.gif		FIN, 304
73	Ju...	192.168.1.3 :3058	www.efeotech.com :80	/images/space.gif		FIN, 304
74	Ju...	192.168.1.3 :3059	www.efeotech.com :80	/images/arrow_small.gif		FIN, 304
75	Ju...	192.168.1.3 :3058	www.efeotech.com :80	/images/award_tucows_4ratel...		FIN, 304
76	Ju...	192.168.1.3 :3060	www.etherdetect.com...	/images/logo_ms.gif	628	FIN, 200
77	Ju...	192.168.1.3 :3061	www.etherdetect.com...	/images/logo_ibm.gif	1217	FIN, 200
78	Ju...	192.168.1.3 :3059	www.efeotech.com :80	/images/award_FileHungry_5s...		FIN, 304
79	Ju...	192.168.1.3 :3058	www.efeotech.com :80	/images/award_softwareseeke...		FIN, 304
80	Ju...	192.168.1.3 :3061	www.etherdetect.com...	/images/logo_mit.gif	259	FIN, 200
81	Ju...	192.168.1.3 :3060	www.etherdetect.com...	/images/logo_ms.gif		Requested
82	Ju...	192.168.1.3 :3059	www.efeotech.com :80	/images/award_webaward2002e...		FIN, 304
83	Ju...	192.168.1.3 :3058	www.efeotech.com :80	/images/ed_small.gif	24269	FIN, 200
84	Ju...	192.168.1.3 :3061	www.etherdetect.com...	/images/logo_cornell.gif	2027	FIN, 200
85	Ju...	192.168.1.3 :3059	www.efeotech.com :80	/images/flag_detail.gif	1026	FIN, 200
86	Ju...	192.168.1.3 :3061	www.etherdetect.com...	/images/logo_reuters.gif	1822	FIN, 200
87	Ju...	192.168.1.3 :3059	www.efeotech.com :80	/images/flag_demo.gif	1013	FIN, 200
88	T...	192.168.1.3 :3060	www.efeotech.com :80	/images/flag_demo.gif	1013	FIN, 200

HTTP Request Header

GET /images/logo_ibm.gif HTTP/1.1
Accept: */*
Referer: http://www.efeotech.com/
Accept-Language: zh-cn
Accept-Encoding: gzip, deflate
User-Agent: Mozilla/4.0 (compatible; MSIE 6.0; Windows NT 5.1)
Host: www.etherdetect.com
Connection: Keep-Alive

HTTP Response Header

HTTP/1.1 200 OK
Date: Sat, 07 Jun 2003 13:32:07 GMT
Server: Apache/1.3.27
Last-Modified: Mon, 14 Apr 2003 14:11:33 GMT
ETag: "bdae-4c1-3e9ac195"
Accept-Ranges: bytes
Content-Length: 1217
Keep-Alive: timeout=5, max=100

Ready Buffer: 3% URLs: 95 Packets: 393



Case study 3: smart ID card

- The implementation of the new Thai national ID card is claimed to be the largest IC chip ID card project in the world combining smart national ID cards with fingerprint information using Match-on-Card.
- The biometric solution is developed by Precise Biometrics and the project aims to roll out 64 million ID cards to Thai citizens.



About smart cards

- Smart cards were launched first in the Muslim-majority provinces bordering Malaysia -- Yala, Pattani and Narathiwat.
- According to former Prime Minister Thaksin Shinawatra, who pushed for the urgent issuance of the card, this was a way to curb the violence and insurgency crisis that loomed in these provinces since it was believed that militants were abusing dual citizenship to escape across Thailand's border with Malaysia after committing attacks.
- By rationalizing on national security, the issuance of smart cards in the South escaped criticisms, particularly with respect to privacy violation.



EDITORIAL: Smart cards must come with laws

Online privacy in Thailand: public/strategic awareness (Year 1)
Pirongrong Ramasoota

- *The government has to explain its haste in introducing identification cards and guarantee that privacy is respected* Thailand is one of a handful of countries toying with the idea of issuing smart ID cards to its citizens.

This initiative has been hailed by bureaucrats as a major step forward, enabling the government to cut red tape and improve public services in line with its ambitious e-government concept.

One example of the new public services made possible by smart ID cards is instantaneous verification of personal data, which will make filling out forms and other time-consuming paperwork a thing of the past.

From an administrative standpoint, smart ID cards improve efficiency while keeping costs low.



EDITORIAL: Smart cards must come

Online privacy in Thailand: public/strategic awareness (Year 1)
Pirongrong Ramasoota

with laws

- Civil-libertarians are already balking at the idea of smart ID cards, saying that the possible violations of personal privacy and deprivation of civil liberties are too high a price to pay for convenience.

To show its good faith, the Thaksin administration must pass legislation protecting personal data that will provide adequate safeguards against violation of personal privacy.

The government should also launch a public-awareness campaign to educate people about their right to privacy before imposing mandatory smart ID cards.

- Smart card (microchip) card covering areas such as biometrics, civil registration, health, education, taxation, finance, driver's license, etc. (since 2005)



- The information on the card includes:
 - the card holder's name,
 - addresses,
 - date of birth,
 - religion,
 - nationality,
 - blood type, allergies and medical conditions,
 - biometric images (fingerprints, face and iris),
 - parents' names,
 - marital status,
 - social security,
 - health insurance or healthcare scheme,
 - driving license details,
 - taxation data



สํคยอกวิวัฒนาการบัตรประชาชนไทย



รูป ๑ พ.ศ. ๒๔๘๖

รูป ๖ พ.ศ. ๒๕๕๓



รูป ๒ พ.ศ. ๒๕๐๖



รูป ๕ พ.ศ. ๒๕๔๘



รูป ๓ พ.ศ. ๒๕๓๑



รูป ๔ พ.ศ. ๒๕๓๓

roisara.com

Evolution of national ID cards in Thailand (1913-2005)

U.S.



SEARCH TIME.COM



U.S.

ADD TIME NEWS

NEWSLETTERS

Main The Page Politics Swampland Real Clear Politics White House Photo Blog Videos

Peddling Big Brother

By PHILIP ELMER-DEWITT/WASHINGTON; JOHN DUNN/SYDNEY AND NARUNART PRAPANYA/BANGKOK Monday, Jun. 24, 1991

Print Reprints digg it Twitter LinkedIn
Email Buzz up! Facebook MORE...

As a newcomer to the world of computers, the government of Thailand was surprised and flattered last summer when it won a prize for being a "hero of the information age" from the Smithsonian Institution and Computerworld magazine. The award, which focused world attention on the Interior Ministry's efforts to computerize the country's social services, proved to be a mixed blessing. Technocrats may admire systems like Bangkok's, which by 2006 will have stored vital data on 65 million Thais in a single, integrated computer network. But civil libertarians are appalled. Simon Davies, an Australian expert on such technology for the watchdog group Privacy International, says Bangkok's prizewinning program is, potentially, "one of the most repressive surveillance systems the world has ever seen."



Internet

Thailand's population data-base system -- the largest of its kind -- has become a symbol for an alarming trend. Even as Western nations place new limits on what they

Most Popular »

Full List »

MOST EMAILED

1. The CIA's Silent War in Pakistan
2. Sex Sells. Here's Why We Buy
3. China's New Deal: Modernizing the Middle Kingdom
4. Iran's Spending Spree in Afghanistan
5. The Meaning of Michelle Obama
6. Why We Should Listen to Peter Schiff's Bad News
7. Even Stanford Grads Are Hurting in the Downturn
8. Are Medical Residents Worked Too Hard?
9. Iran's Missile Test: A Message to Obama
10. Eminem's *Relapse*: Back to His Old Tricks

Video

More Videos »

Time.com on Digg

POPULAR TODAY



Privacy in Thai laws

- Constitutional guarantee in the section on protection of rights and liberties of citizens
- No comprehensive national law
- Existing laws contain no direct stipulations about violation of “privacy” per se as abuses have typically been framed in terms of trespass, defamation, or breach of trust or confidence instead.
- A section in the freedom of official information law (passed in 1997) addressed protection of personal data kept in government files

- III. Research results
 - Privacy and online privacy in Thai law
 - Constitution 2007
 - Section on personal data in Freedom of Official Information Act (FOI law) 1997
 - Other laws related to online data and communication
 - Electronic Commerce Act 2001
 - Computer Related Offences Act 2007
 - Draft Personal Data Protection Act

Constitution 2007

Physical Privacy	Information Privacy	Communication Privacy
<p>Article 32: the right and liberty in life and person</p> <p>Article 33: the liberty of dwellings</p> <p>Article 34: the liberty of travelling and making choice of residence</p> <p>Article 35: A person's family rights, dignity, reputation, or the right of privacy. The right to be protected from illegal exploitation of personal information</p>	<p>Article 56: the right to get access to public information in possession of a State agency</p>	<p>Article 36: the liberty of communication without censorship, detention or disclosure of communication between persons</p> <p>Article 45: the liberty to express opinion, speeches, write, print, publicize and make expression by other means</p>

Official Information Act 1997

Physical Privacy	Information Privacy
<p>Chapter 2 Information Not Subject to Disclosure</p> <p>Article 15 (4): the disclosure thereof will endanger the life or safety of any person</p>	<p>Chapter 2 Information Not Subject to Disclosure</p> <p>Article 14: Official information which may jeopardize the Royal Institution shall not be disclosed</p> <p>Article 15(5): a medical report or personal information the disclosure of which will unreasonably encroach upon the right of privacy</p> <p>Article 16: measures to protect official information</p> <p>Article 17: in the case where a State official is of the opinion that the disclosure of any official information may affect the interests of a person, the State official shall notify such person to present an objection within the specified period</p>



Information Privacy (cont.)

Chapter 3 Personal Information

Article 23: procedure of State agency to process personal information e.g. providing for a personal information system only insofar as it is relevant to and necessary

Article 24: A State agency shall not disclose personal information in its control to other State agencies or other persons without prior or immediate consent given in writing by the person who is the subject

Article 25: a person shall have the right to get access to personal information relating to him.

Protection of personal information online

- 1) Electronic Commerce Act 2001
- 2) Computer Related Offences Act 2007
- 3) Draft Personal data Protection Act



Recent development of draft protection legislation in Thailand

- In August 2006, the Cabinet agreed in principle to enact the data protection law and forwarded the law to parliament for a reading. Unfortunately, this process was abruptly halted after the 19 September 2006 coup.
- On 6 October 2009, during the Democrat-led administration of prime minister Abhisit Vejjajiva, the Cabinet agreed in principle to forward both draft laws for House reading. The next step will be to appoint commissioners for the reading of the draft law. With other legislative priorities and constant political crisis in the past few years, the draft law was still kept in the waiting list and has not yet made it to the House Commission's reading within this administration.

Recent development of draft protection legislation in Thailand

- In August 2012, the Thai Cabinet under the Puea Thai-led administration of current Prime Minister Yingluck Shinawatra approved the draft Data Protection Act (Draft Act) in principle.
- The Draft Act would establish a Committee on Data Protection to regulate policies, standards, and guidelines regarding the protection of personal data. The Committee would further establish a Personal Data Inspection Board, which would specifically be responsible for examining and considering personal data disputes.



Recent development of draft protection legislation in Thailand

- The Draft Act would apply only to individuals and the private sector. It would not have authority over government agencies, which are subject to the Official Information Act, entities using and/or disclosing personal data for the purposes of mass communications or for literary purposes, or any entities processing personal data for their own personal interests, so long as they do not disclose or share such personal data with others.



Thai draft law on data protection

- The draft law contains the following sections and topics.
- Section 1 – Data Protection Commission
- Section 2 – Data protection principles and guidelines which are divided into five sub-sections as follows:
 - General guidelines
 - Collection of personal data
 - Use and disclosure of personal data
 - Storage and correction of personal data
 - Controller of personal data for business and commercial purposes

Thai draft on data protection

- Section 3 – Rights of data subjects (owner of personal data)
- Section 4 – Complaints-handling, investigation, and appeals
- Section 5 – Promotional measures of data protection
- Section 6 – Penalty and legal sanctions

- IV. Research results
 - Dialogue with leaders of civil society related to online privacy
 - Foundation for Consumers
 - Institute of Consumer Protection in Telecommunications
 - Thai Netizen Network
 - Campaign for Popular Media Reform
 - Siam Intelligence Unit
 - Freedom against Censorship Thailand



Siam Intelligence Unit



Freedom Against
Censorship
Thailand



Campaign for
Popular Media
Reform



Foundation for
Consumers



Thai Netizen
Network



Institute for Consumer
Protection in
Telecommunications



Main topics of privacy concern expressed by leaders of civil society

- Lack of privacy law
- Lack of regulatory oversight and concern on privacy-related issues
- Lack of consumer awareness to pressure private sector (service providers) to be more responsible for privacy protection
- Lack of public awareness on privacy-encroaching practices esp. during volatile emergency period
- Lack of NGO or civic entity advocating on privacy



Main topics of privacy concern expressed by leaders of civil society

- Dominance of political monitoring on online communication
- Technical default in online applications that disregards privacy e.g. social media and GPS (global positioning system)
- How convenience of information society overrides privacy
- Technicality of online privacy problem, making it oblivious when compared to other more pressing issues

Approach towards creating privacy awareness, according to civic leaders

- Begin with case studies (stories) of privacy violation to make it easier for social understanding
 - Focusing on damage and impacts
 - Making it relevant and comprehensible to lay persons
- Campaign for social awareness in privacy requires cooperation from all sides, incl. political will from government and policy-makers



Conclusion: way forward

- Overcoming the challenge in elevating privacy as public issue. The challenge is particularly considering that
 - Privacy is an inherent social value;
 - Thai society is undergoing a deep political divide and a “climate of fear” in which privacy is instrumental to curbing dissidence, yet oblivious as issue for social concern

Conclusion: way forward

- Tapping from real life high-impact stories of the privacy-affected in Thai society and drawing on the lessons from the overseas
- Training of the trainers – civil society and academia – as potential privacy advocates
- International support will be a major boost as budding ICTs-related government agencies, private sectors, and academia are trying to grapple with the issue of balancing privacy with other public interests in a long-standing surveillance state.

New development: Children ID Card



- The Identity Card Act of 2011 requires Thai people to have ID cards from the age of 7
- Previously, the minimum age of ID card holders was 15.
- Starting on 10/7/2011
- This law affects about 8 million Thai children aged from 7 to 14
- Main intent is to differentiate Thai children from those of illegal immigrants from neighboring countries of whom more than 4 million are residing as labor in different parts of Thailand.

- Aims: the ID cards would distinguish Thais from foreign children and they could be presented to claim health services and used as health security cards
- Validity: Children's ID cards will be valid for eight years and afterwards holders must seek another ID card when they reach their normal ID card age of 15



strict screening

Provincial authorities are taking steps to ensure the new ID cards for children are not issued to the offspring of foreign migrant workers.

- Thank you for your attention

