

Toward Data Protection laws and code of conduct in Kurdistan region government

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Abstract: *Kurdistan Region Government is a s a developing region in Iraq. Since 1992, Kurdistan parliament has reported numerous standards and regulation in diverse ranges aside from Information advances and PC set of accepted rules laws. KRG has separated from Iraq influenced by hacking their touchy data and digital unlawful acts since war 2003. In Kurdistan Region there are numerous web gives the vast majority of them upheld by private segment and they don't have any significant bearing PC laws and set of accepted rules to keep the costumers from information lost, protection rupture and digital law violations. This paper will examine every one of the cases related PC law break in broad daylight and private divisions of KRG (Kurdistan Region Government) organizations. The study will propose a standard guidelines and regulation for all web suppliers keeping in mind the end goal to minimize hacking and digital law violations. Moreover, of that the examination will propose the how it can apply the PC laws and regulation and the results of abusing these laws for individual and establishments. This study due of development private sectors and there are many Internet providers In Iraq and KRG without clear law to apply for all providers regarding data privacy and protections. There are numerous cases in Iraq and Kurdistan Region Government identified with Information Technology This paper will overview law experts and mastery in laws. This will bolster the lawful prerequisites required for applying the PC Law in KRGs governments.*

Keywords: *Data Protection Law, Cyber Crime, Computer Law, Code of conduct, KRG.*

1. Introduction

The idea of 'information assurance' was produced right around four decades prior with a specific end goal to give legitimate assurance to people against the wrong utilization of data innovation for preparing data identifying with them. It was not intended to keep the preparing of such data or to constrain the utilization of data innovation in essence. Rather, it was intended to give shields at whatever point data innovation would be utilized for handling data identifying with people. This was in light of the early conviction that the broad utilization of data innovation for this reason could have extensive impacts for the rights and hobbies of people [1]. As it were, information security spoke the truth the rights and hobbies of people and - regardless of the wording utilized - not essentially about the information identifying with those people. Regardless, the idea was concocted at a point in time when the universal utilization of data innovation was still in its initial days. That is very distinctive now and the potential effect of such utilization is - because of the Internet and cell phones - now surrounding us, each moment of consistently, both in our own and in our expert lives. This circumstance is liable to build significantly promote later on. 'data protection' is more extensive than 'privacy assurance' on the grounds that it likewise concerns other key rights and opportunities, and a wide range of information paying little mind to their relationship with protection, and in the meantime more constrained on the grounds that it simply concerns the handling of individual data, with different parts of security insurance being dismissed [2]. The principal genuine universal discourse of information insurance law took place in 1968 at the United

Nations International Conference on Human Rights. In the over 25 years since that gathering, information assurance, protection, and "reasonable data practices" have pulled in across the board universal and residential level headed discussion and administrative activity, especially in Europe. The German condition of Hesse sanctioned the first information insurance statute in 1970; Sweden followed in 1973 with the first national statute.' Today, Austria, France, Germany, Ireland, Luxembourg, Sweden, and the United Kingdom, among different nations, have wide statutes that give a general arrangement of protection rights relevant to both open and private sectors [3]. Therefore, to the general right of security, the non-acknowledgment of it as an essential human right is not astounding. In a nation where the singular's flexibility of expression is adequately not ensured, the perfect thought that a person should be free from superfluous interruption and snooping from the state is a extravagance. In a nation that claims to hold fast to Islamic instructing as its major religion, this recommendation is not by any stretch of the imagination satisfactory. Leaving religious concerns Aside, the fact of the matter is that numerous in the business are of the perspective that having stringent information insurance law would be adverse to the largely industry's necessities and intrigues. Moreover, different laws pertinent to information security exist and they give the base security needed by the business without unduly repressing their development [4]. in 2011 the Presidential Council affirmed the Iraqi Informatics Crimes Law,³ distributed as the Information Technology Crimes (ITC) Act in an English dialect draft.⁴ The ITC Act, which has had a first perusing in Iraqi Parliament . The extensively worded ITC Act announces that it "goes for giving

legitimate security to the lawful utilization of the PC equipment and the web," and influences people in general division, the media, organizations, money, and common society. Its im- settlement, be that as it may, is to barely characterize lawful practices online and enable powers to confine unwelcome discourse and feedback. To be sure, the law's Purpose provision alludes to "incredible causalities" delivered on "organizations and people," executed by PC and web clients, that "debilitate the national security and national sway, debilitate the trust in the new advancements," and "undermine the human inventiveness." [5]. These announcements go against Iraqis' expanding inclination for electronic media. A late review dispatched by IREX noticed that 33% of Iraqis utilize their cellular telephone to get news and data and 28% utilization the web for news.⁵ Facebook clients and bloggers⁶ have blasted exponentially in the most recent 12 months. Restraint of exhibits in the Kurdistan Region pushed individuals off the roads and on the web. Today, Facebook pages exist on each subject of enthusiasm to a strong common society, including the proposed ITC Act.⁷ Telecom administrators are pushing for 3G systems. Be that as it may, with this Act on the books and no training about digital laws accessible to them, a large number of youngsters could wind up confronting jail sentences or more regrettable for their remarks on Facebook discussions. The risks are genuine. Candid diary ist Hadi al-Mahdi cautioned of dangers on his Facebook page before his death on September 8, 2011[5]. Therefore , I need to show the Kurdistan Region Government the important of this issue because in KRG parliament there is no any Data Protection law to protect privacy of Kurdistan region government citizen , because , these Act endeavours to reinforce protection and security by confining the ways privately owned businesses in Kurdistan Region handle and offer client data. It recognizes defilement by expanding punishments for the individuals who focus on general society area and government information. Be that as it may, the law (still in draft structure) has hazardous ramifications for admiration of common freedoms, activists, municipal performing artists, and the press. Moreover, the criminal authorizations it proposes are fiercely unbalanced in both degree and seriousness. Given its to a great degree wide and ambiguous wording, the law efficiently needs clarity and lawful assurance. The remainder of this paper is organized as follows, Section 2 is Literature Review of some work related of this work , Section Three is showing the importance of apply data protection Act in Kurdistan Region government with proposed a framework for applying it. Section four shows recommendations about data privacy and personal data protection in Iraq and KRG , finally we have conclude these suggestions.

2. Literature Review :

2.1 Cyber Crime in Iraq and KRG:

A cybercrime is characterized as any unapproved movement did by a PC. Yet, associations contrast on where cybercrimes happen. It was portrays the cybercrime as any unlawful movement utilizing a data association as a way through which it is practiced [6]. Cybercrime assaults can be as unsafe to a populace foundation as assaults by hoodlums. While [7] alludes

to the requirement for battling PC unlawful acts, digital terrorism and information fighting on parallel channels. Advancement of a proficient security checks for each sort of assault are obliged to control conceivable dangers. With a 64 % yearly increment in digital assaults, cybercrime assumes an imperative part in deferring development of e-exchange [8]. For instance, theft in United States has brought on impressive misfortunes in the motion pictures industry, and it has undermined the business presence. We saw that the rate of theft in Iraq is the top in the Middle East. The money related expense of cybercrimes on firms varies generally, depending by which scrutinize you refer to.

Ministry of Planning in Iraqi reported that, the principle some piece of cybercrime cases in Iraq is utilizing social locales for the most part the Facebook in 2013. There are a few cases utilizing other social locales for instance Twitter, Zoo, and Badoo. The digital wrongdoing cases utilizing Facebook for 2013 are represented in Figure 1 which is as per the following: 78 instances of abducts, 55 instances of dangers, and 47 instances of hacking individual data, for example, photographs sent and fake profiles, 39 instances of assaults and 17 cases were accounted for medications, and 15 cases conceivable suicide. As can be watched, the regular cases are grabs. The accompanying normal cases are close to home data hacking, though youthful enchantment next. It can be commented that hijacks are the real issue for social site and great consideration ought to be taken, subsequent to such site are basic between youngsters group [9].

2.2 Informatics Crimes Law of Iraq and KRG:

In October 2011, ARTICLE 19 broke down the Draft Informatics Crimes Law of Iraq ("Draft Law") that surveys the Draft Law's consistence with Iraq's commitments under universal human rights law. ARTICLE 19 discovers the Draft Law in a far-reaching way defective from an opportunity of expression point of view; and if embraced, it will fundamentally undermine the privilege to flexibility of expression and opportunity of data in the nation. ARTICLE 19 suggests that the Iraqi Council of Representatives reject the Draft Law in its sum. The Draft Law is hazardous at its origin; the reasons of the Draft Law refer to various negative outcomes of the "data upheaval" without recognizing the positive part innovation performs in today's general public, not in particular in upgrading the delight in basic human rights. The Draft Law gives no sureties to one side to flexibility of expression or opportunity of data. This law did not approved but Iraqi Governments because there is many incorporates any expression that intends to encourage critical discussion of these systems and is a flagrant attempt to limit the right of people in Iraq to engage in political speech [10]. This very good lessons for KRG government to establish a proper Act of conduct security breaches these law.

2.3 Data Protection rules:

Data protection rules it needed in Iraq and KRG especially because the increase of Internet users in government and users. This will increase the potential hacking.. In Q1 2015, Kaspersky Lab's document antivirus modules distinguished 253,560,227 special noxious and conceivably undesirable articles . Kaspersky Lab ascertained the rate of item clients on whose PCs the document antivirus had been activated amid the quarter. These insights mirror the level of PC contamination in

diverse nations. we can see that Iraq is number 9 . this is stand out Anti infection item envision other Anti infection measurements about Iraq and KRG [11] as it is shows up in table1.

	Country*	% of unique users **
1	Vietnam	60.68%
2	Bangladesh	60.20%
3	Mongolia	57.28%
4	Yemen	55.91%
5	Somalia	55.64%
6	Nepal	55.01%
7	Afghanistan	54.91%
8	Algeria	54.83%
9	Iraq	54.38%
10	Cambodia	52.70%

Table 1 highest levels of computer infection

These worldwide patterns are reflected in Iraq, where, in spite of low Internet penetration,[12] there are more than 2.3 million Facebook clients. This speaks to about 8% of the populace, which is higher than Iraq's Internet entrance assesses however incorporates Iraqis signing on abroad and at open destinations like Internet cafes. [13] The "gures climb when portable use is considered: one 2011 across the country study of 2,900 Iraqis found that 16% utilized their telephone to send a notice to a social network. [14] Facebook's development bend in Iraq is especially steep, with more than 700,000 clients joining the site in 2012. More than 40% of Iraq's Facebook clients are somewhere around 18 and 24 years of age. Iraqis between the ages of 25 and 34 are the second-biggest age gathering to get to the long-range informal communication site, and almost three quarters of all Iraqi clients are men [15].

Data Protection In accordance with this directive, Member States shall protect the fundamental rights and freedoms of natural persons and in particular their right to privacy with respect to the processing of personal data. At this stage, we have to comprehend the essentialness of three of the definitions in the Act: information, individual information and preparing. These are between connected; taken together, they characterize the extent of the Act. Everybody in charge of utilizing information needs to take after strict standards called 'information assurance standards'. They must verify the data is: utilized decently and legitimately ,utilized for constrained, particularly expressed purposes , utilized as a part of a way that is satisfactory, pertinent and not unreasonable ,precise , kept for no more than is completely important ,took care of as per individuals' information insurance rights ,kept sheltered and secure [16].

3. KRG Need to activate data protection Act:

3.1 Data in KRG:

In Iraq generally and KRG especially we focus on , the daily data that in KRG ministries and directories is duplicate, for instance if citizen need to has a driven license or need to renew it is house it need him to hard copy most of the time these four documents (Identification card, Citizenship card , Address proven ID, Food Form) . Almost every KRG and Iraq government citizen case need these document to process their cases. So all these document will be duplicated and it have

potential thread to leak these information because some time the said your document has been lost and need to apply more 4 documents again. This cases is true for all private company in KRG . why this because in KRG government there is no unique database and network that can manage a unique data for citizens .

3.2 The challenges of Data Protection Act in KRG:

The main Challenge Is to have network infra structure in all KRG ministries and directories .Intranet and internet to connect the KRG government inside and outside also . frail information transfers base was further harmed in the result of the 2003 war. Most Internet clients have relied on upon excessive VSAT, microwave connections and Wi" hotspots from privately owned businesses, the vast majority of which are unlicensed. The US military sent its own "bre optic links, which were later exchanged to the Iraqi government. Altered remote administrations are offered by remote nearby circle (WLL) and overall interoperability for microwave access (WiMAX) authorized operators.[17] Moreover, some privately owned businesses give Internet administrations through links rented from other private "rms, yet memberships are exceptionally constrained because of the high cost of these administrations. Therefore, broadband infiltration in the nation was unimportant in 2010.In 2011, the Iraq Telecommunications and Post Organization, the officeholder "xed administrator, declared two "bre-to-the-home (FTTH) access system ventures in Iraq. There is no nitty gritty information or late populace statistics, yet as indicated by evaluations Internet infiltration is around only 5%. [18] Internet entrance is to a great extent packed in urban ranges and fluctuates generously in view of the locale. It is accepted to be higher in Iraqi Kurdistan, where administrations are somewhat better. Among the key explanations behind Iraq's absence of rapid Internet integration is the unlucky deficiency of a dependable spine interfacing the nation to the outside world.

3.3 Ideas to Apply Data Protection Act in KRG:

The simplest idea is to make every directorate have intranet and could be exchange information of all cases. Therefore , that we could remove the duplication and each directorate will have central database then the ministries can collect these database and make it unique record So the whole personal information should be saved in one central database and other ministries if need request for it for verification.. if this happen it is easy to apply the data protection act and define some code of conduct for KRG governments. So the idea controlling the data from button to up from small offices to the ministries this will solve the problem of leak data and hacking or minimize the cyber crime.

Our data protection principle could be as follows:

- The information ought to be prepared decently and legally and may not be handled unless the information controller can fulfill one of the conditions for preparing set out in the Act.
- Information ought to be acquired just for indicated and legal purposes.
- Information ought to be satisfactory, significant and not over the top.
- Information ought to be exact and, where important, stayed up with the latest.

- e) Information ought not be kept longer than is important for the reasons for which it is prepared.
- f) Information ought to be prepared as per the privileges of the information subject under the Act.
- g) Fitting specialized and hierarchical measures ought to be taken against unapproved or unlawful handling of individual information and against unintentional misfortune or devastation of, or harm to, individual information.
- h) Information ought not be exchanged to a nation or region outside the European Economic Area unless that nation or region guarantees a sufficient level of assurance for the rights and flexibilities of information subjects in connection to the handling of individual information.

Moreover There is stronger legal protection for more sensitive information, such as:

1. ethnic background
2. political opinions
3. religious beliefs
4. health
5. sexual health
6. criminal records

The figure 1 below shows the proposed system that can data protection can be applied in single directorate of KRG government.

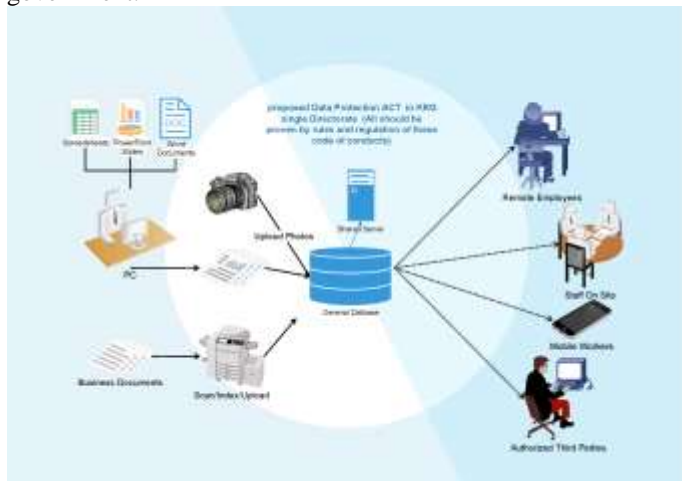


Figure 1 Proposed Data protection Act Single directorate in KRG government

When any organization or government asks for personal data should be proven by data protection, as it is shows in Figure 2

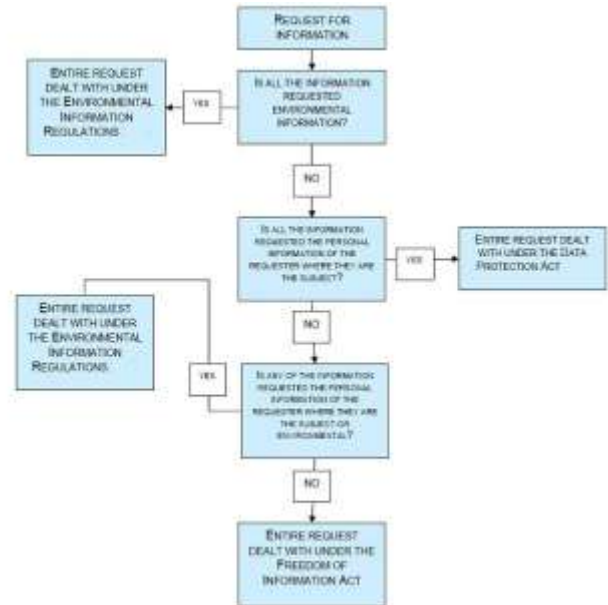


Figure 2 Request Personal Information

This simple proposal of Data Protection Act for KRG government it need many draft laws in order to be accepted in the KRG parliament , but this save Personal data for the Kurdistan citizen and save time about 4 hours for each paper work for the government and the citizen.

4. Recommendations

The Iraqi Constitution and the Joint Declaration on Freedom of Expression and the Internet ought to be the establishments for any proposed enactment controlling the Web .Internet regulation and administration are key issues that are being talked about at the global and provincial levels. The multi-layered and decentralized structure of the Internet calls for inventive methodologies in planning and executing arrangements, enactment and regulations. Iraq's way to deal with digital regulations ought to be a piece of the worldwide level headed discussion on Internet administration, furthermore, the nation's pioneers need to make arrangements that are in accordance with global measures. Iraq is not the just country tending to issues identified with Internet arrangement furthermore, regulation; pioneers can look to universal gauges, models and assets that address on-line the right to speak freely and regulation. The Internet is intrinsically one of a kind. Laws that manage other media can't be adequately connected to this medium, and endeavoring to do as such dangers crucial rights. Administrative methodologies should be planned uniquely for the Internet and ought to improve opportunity of expression. Iraq ought to put 1% of oil incomes in adding to an comprehensive, information based economy. The Internet and online networking ought to be considered drivers for development in building up a computerized economy and data society. Person to person communication and the Internet are key to e-government programs, instruction changes, business activities and social incorporation. The Communications and Media Commission right now does not have the fairness and freedom needed of a controller. It is likewise in critical need of a CEO, a post that has been empty following 2008. Parliament needs to choose a qualified CEO and guarantee that the

commission goes about as unbiased controller. The Communications and Media Commission needs to advance an expansive construct examination in light of Internet improvement in Iraq and create approaches for the Internet and race scope that regard the Constitution and consent to global guidelines on flexibility of expression. This incorporates morals rules for utilizing online networking. The Ministry of Communications is at present settling on administrative choices. This is a long way from perfect, as the service additionally regulates the state-claimed Post and Telecom Corporation, which gives Internet administrations.

5. Conclusion

In this paper we have discussed how the data protection law is very important for Iraq and Kurdistan Region. This study shows the affect of cyber crime during the last 10 years and how is a significant threat to our society. I have explain the rules and laws regards the information technology in Iraq then in KRG because it is region inside Iraq in some political cases is has different rules . the paper discussed how the internet users increased rapidly in KRG this is increase the potential of hacking of personal data . More over it proposed a simple infrastructure of data protection act in ministries and directories and office in our country then for private sector also . it can be applied from button office to top into ministers this is because in our there is no any network or very poor net infrastructure for internet . it may possible to have many draft of this data protection Act for Kurdistan Region Government to apply to parliament but we can start from this point and these fact about our Privacy of information of our citizen .

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