

Analysis of the Current Situation and Existing Problems of Privacy Protection in My Country's Express Industry

—Take the Case of YTO Express Information Leakage as an Example

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ABSTRACT

In the great backdrop of the current Internet era, with the rapid development of e-commerce industries such as online shopping, the express service industry has also begun to enter thousands of households. But at the same time, it has also brought about the repeated occurrence of illegal and criminal cases caused by the leakage of consumers' personal information by express companies, which seriously endangered the personal and property safety of consumers. Based on the analysis of typical cases of "Yuantong Express", the reasons for the leakage of consumer information in the express service industry are discussed from multiple angles. Finally, discuss the root of the problem from the current perfection of relevant laws and regulations in China, the internal and external supervision and management mechanisms of express companies, and citizens' awareness of their own legal rights protection.

Keywords: Express industry, National legislation, Enterprise Management Mechanism, Citizen rights awareness.

1. INTRODUCTION

In recent years, privacy leaks in my country's express delivery industry have frequently occurred. Among them, the news about 400,000 pieces of personal information leaked by a ghost within YTO has attracted much attention. [1] YTO Express responded to this that the investigation found that two accounts of affiliated outlets in Hebei Province had non-information information about the outlet's waybill. It is suspected that an individual employee of a franchise network colluded with an external criminal, and used the employee account and illegal third-party tools to steal the waybill information, resulting in information leakage. The leaked data information includes the sender (receiver) name, phone number, address, etc. Information, the relevant suspect was arrested in accordance with the law in September. YTO Express also stated that YTO Express will attach great importance to the information security of the express delivery industry after this case.

Since 2016, 70 large domestic express logistics companies have jointly established a "blacklist" query system for express logistics, which blacklists 12 types of violations such as theft of express mail, leakage of customer information, and reselling of customer information. [2] Among them, the disclosure of personal information is mainly through the following methods: (1) intentional behavior of individuals, whose purpose is to obtain commercial value; (2) theft by network hackers; (3) some criminals steal people at will Discarded express parcels and directly obtain personal information in them.

2. ANALYSIS OF THE CURRENT SITUATION OF PERSONAL INFORMATION SECURITY

2.1. CURRENT STATE OF NATIONAL LEGISLATION

Regarding the incident of this privacy leak, relevant departments in Shanghai interviewed YTO Company and

ordered YTO Company to seriously deal with employee violations of laws and disciplines, achieve symmetrical information, timely disclosure, and positive response, and speed up the establishment of a management system for express waybill data. The Shanghai Cyberspace Administration also stated that in the next phase, it will continue to deepen the comprehensive management of the network ecosystem in accordance with the Cyber security Law, crack down on all types of violations, effectively safeguard the interests of the people, and create a good network environment for economic and social development. Although the criminals were eventually captured and brought to justice, there are currently no specific legal measures that can effectively curb the occurrence of such incidents. Obviously, when the personal information of consumers is damaged, in the absence of special legislation for the protection of personal information in the country, the relevant departments often impose relatively light penalties on enterprises, and it is difficult to collect evidence, and it is difficult to produce evidence. Consumers are in a weak position compared with enterprises.

But relying on industry self-discipline is far from enough. "In addition to relying on the standardized management of enterprises and platforms, the most important thing for industry regulations is to increase the cost of violations and use legal means to punish criminals. However, the current laws and regulations on the protection of personal privacy of citizens in China are not sound, although in the "China The Civil Code of the People's Republic has further strengthened the protection of privacy and personal information, but in the provisions of Article 1034, it only defines the definition of personal information and Article 1035. It clarifies the principles that personal information should follow, and there are no specific relevant penalties, leaving a certain space for the next step of formulating personal privacy and information protection. The newly revised "Consumer Rights Protection Law" has been implemented since 2014. What deserves our most attention is that the law clarifies for the first time that consumers have the right to protection of personal information. Article 14 of it stipulates: "When consumers buy, use goods and receive services, they shall enjoy their personal dignity and respect their national customs and habits. The right to enjoy the right to protect personal information in accordance with the law. "But it only shows that we need to pay attention to the protection of consumers' legal rights, and did not mention specific legal interpretations and related measures, which are not enough to bring the deterrence due to the law to express delivery companies, and the effectiveness of laws and regulations is too low[2].

Regarding not only increasing penalties for corporate employees who leak citizen information, but also severely cracking down on the entire industry chain that participates in and implements illegal information transactions, and the government's supervision and

management efforts have also played an important role. Nowadays, the government's administrative work The staff have a lax attitude in the execution of official duties, supervision is not in place, and law enforcement is lax. To a certain extent, they have condoned the illegal activities of lawbreakers and provided opportunities for lawbreakers.

2.2. MANAGEMENT DEFECTS IN MY COUNTRY'S EXPRESS INDUSTRY

Regarding business management, governments of all countries attach great importance to and vigorously support the development of their own logistics industry, and formulate various laws, regulations and standards to regulate their market competition order, and point out the direction for the development of the logistics industry. However, to satisfy globalized or regionalized logistics services, national legislation alone is far from enough. The scale of enterprises must be expanded and management models must be constantly innovated. [3]The United States is the world's largest and most mature express delivery market, dating back to the second half of the nineteenth century. In the 1990s, although the core business of the express delivery market was still parcel delivery, it began to gradually transform to an integrated logistics service provider integrating logistics, information flow and capital flow, and to new areas through strategic mergers and acquisitions[3]. As the times change, they continue to expand their business scope, innovate express delivery service models, and improve operational efficiency at the same time.

With the rapid development of my country's economy and the gradual expansion of the social market, different types of express delivery SMEs as an emerging industry have shown vigor and vitality. However, the current express market is highly competitive, and the leakage of users' personal information is not limited to YTO Express. Many companies do not hesitate to obtain profits through illegal means of buying and selling personal information to maintain their survival. The emergence of this phenomenon has exposed the low level of penalties for the purchase and sale of personal information in my country's laws, the irregular management of small and medium-sized enterprises, and the inadequate implementation of industry management standards, which directly lead to the loss of consumer interests when business disputes occur; the professional quality of staff is not uniform, The quality of service is poor, and the sense of responsibility is weak; there are many blind spots in the information technology of enterprises, which also provide a platform for network hackers to commit crimes. The business goal of a large number of companies in society is to maximize profits, and improving the level of consumer personal information protection often requires a lot of manpower and material resources. For the sake of corporate interests, most companies will choose to reduce

operating costs. This brings hidden dangers to consumers' personal information security.

2.3. CITIZENS' AWARENESS OF RIGHTS IS WEAK

Citizens are the most basic members of a society and a country, and the overall level of legal awareness of citizens directly affects and reflects the degree of the rule of law in a country. With the gradual improvement of my country's socialist rule of law, the overall level of citizens' legal awareness has been greatly improved, but overall they have not yet reached the requirements of a society ruled by law. Many citizens are still in the stage of passively accepting the obligations stipulated by the law, unable to flexibly use the law to protect their legal rights, and their awareness of legal rights protection is relatively weak. Although the new Consumer Rights Protection Law gives consumers the right to protect the security of their personal information, it does not specifically specify the relevant legal procedures for rights protection, and the operability is not strong. Many consumers have also given up on their rights due to the high cost of rights protection. Safeguarding their own legitimate rights and interests. In many cases, due to the influence of traditional ideas and concepts, or the interference of some negative news reports, the distrust of the current judicial system is generated. Citizens are more inclined to choose "acquaintances for trust", violent relief, etc., or choose private Force relief is also unwilling to use the weapon of law to defend its rights through litigation[5].

3. CONSUMER'S PERSONAL INFORMATION PROTECTION STRATEGY

3.1. STRENGTHEN NATIONAL MANAGEMENT

As an emerging service industry in today's society, the express delivery industry is not limited to the traditional express delivery business. It can be seen from the revision of some laws and regulations in China that the relevant legislation on the express delivery industry in China is constantly improving, but there are still problems such as low legal effect and lack of systemicity in the law enforcement process in the real society. In contrast, the United States established the legal protection basis for the privacy rights of the people as early as the 19th century, and was the country with the earliest theoretical research and systematic legislation on privacy rights. Although the terms of privacy are not used in the legal provisions, it is clear that these protections are aimed at government interference, and privacy is one of the important interests protected by these provisions. The establishment of the right to privacy in the Constitution originated from an abortion right issue that has long been concerned by the American society, and finally the state government's ban

on abortion was abolished based on the protection of the people's right to privacy. Since then, the Federal Supreme Court has officially clarified that the right to privacy is a basic right guaranteed by the constitution, opening up a new field of the concept of privacy in the constitution, involving many aspects of personal life, and finally making the United States a privacy legislation. The most developed country.

Therefore, China needs to speed up the legislative process and introduce relevant laws, regulations and policies. Draw lessons from the laws and regulations of many countries on the protection of privacy, based on the current national conditions of the socialist country's legal system, and ultimately achieve a balance between the protection of personal information personal information exchange and create a favorable environment for the development of the information society and economy[4]. On the basis of the current relevant laws and regulations, protect personal information from many aspects, restrict the operation and management of enterprises, and safeguard the majority social citizens' personal privacy rights. When companies or individuals violate the law, they must have laws to follow to avoid blindness in law enforcement and provide protection for the legitimate rights and interests of consumers. Give full play to the role of government supervision, urge express delivery companies to operate in compliance with the law, and stabilize social order. Strengthen the publicity and education of citizens' awareness of the legal system and rights protection, popularize legal knowledge into the work of school education, and create a legal social atmosphere in which everyone values personal information security.

3.2. IMPROVE THE MANAGEMENT MECHANISM OF EXPRESS DELIVERY COMPANIES AND SECURITY MANAGEMENT OF ELECTRONIC INFORMATION

A large part of consumer personal information leakage incidents is due to the irregular management mode of express delivery companies. To solve the problem of personal information protection in the express delivery industry, it is important to improve the internal management mechanism of the enterprise, but the most important object of management is the most critical[3]. All employees of the enterprise must consciously abide by the corporate rules and regulations. And FedEx is a typical industry model. It is one of the largest express delivery companies in the world. It has been selected as one of the "100 best employers by Fortune" magazine for many years. FedEx has more than 240,000 employees worldwide and manages with such a large workforce from different cultural backgrounds, the company has always adhered to the management principle of "employee-service-profit". The company believes that

the development of employees is the key to the success of the company, and employees are the most important resource. This virtuous cycle has created a win-win situation among employees, customers and the company. The company manages its employees under the guidance of this business philosophy, provides employees with a good working environment, allows every employee to integrate into the company's corporate culture and the entire team, and makes them love their work. Realizing self-worth at work, providing customers with high-quality services, and achieving "mission must be achieved" are the main reasons why the company can successfully become the world's largest international air express company. This management model is very worthy of our learning and reference. By formulating long-term development goals for employees, providing employees with a "lifelong learning environment", providing each employee with a series of targeted training programs, allowing them to maximize their own value. Encourage communication and communication between employees and corporate management, formulate corresponding incentive policies for employees, and provide a broad space for personal development, so as to achieve a mutually beneficial and win-win situation.

At the same time, courier companies should also improve the technology of express information protection and strengthen the information network security of express users. They should build a network architecture that meets national information security requirements, and they should build a network architecture that meets national information security requirements, which can effectively prevent, monitor, and block external networks. attack and destruction, ensure the security of information and data, and reduce the risk of users' private information being leaked. For the management of express orders, a centralized storage location shall be determined, and the express orders shall be collected regularly for unified storage. Satisfy global logistics needs and continuously innovate express delivery management model, many companies have taken corresponding measures to deal with the issue of customer information leakage, and have achieved some results. Some courier companies have adopted a new express delivery mode called "Privacy Express". Compared with traditional Express delivery, privacy Express hides the user's key private information and saves customers' personal information in the form of QR codes or barcodes. To reduce the leakage of personal information on the courier list, which is more conducive to protecting the privacy of citizens. However, there are also some problems. For example, the privacy of the face-to-face order requires the courier to scan the code before viewing the user information. This objectively increases the workload of the courier and reduces the delivery efficiency of express outlets to a certain extent. The investment in equipment is also an expense. Therefore, we still need to continuously improve the express

delivery mode to protect the security of personal information as much as possible.

To strengthen the industry norm courier industry is particularly important, so that the industry can regulate the courier industry, the protection of consumers' personal information more specific and more targeted, more operational, management should give full play to the role of the express industry associations, establish a self-disciplined management and restraint mechanism, ensure that industry standards are higher than national laws, regulate the behavior of express delivery companies, and protect the legitimate rights and interests of consumers. On the basis of complying with relevant national laws and regulations, following the development trend of the express delivery industry, rationally designate industry norms for the future strategic goals of express delivery companies, implement express delivery industry management standards, and effectively restrict and manage the operation of the express delivery market. Establish a consumer personal information protection and supervision mechanism to meet today's consumer demand for personal information protection, and protect the legitimate rights and interests of consumers through supervision inside and outside the industry.

3.3. IMPROVE CITIZENS' AWARENESS OF PERSONAL INFORMATION PROTECTION

At this stage, Chinese citizens' awareness of personal information protection has increased, but overall, the awareness of legal rights protection needs to be improved. In a social atmosphere where the country vigorously promotes the protection of personal information, we, as citizens of a socialist legal system, need to pay more attention to the protection of personal information, and consciously learn relevant legal knowledge such as the right to privacy and related legal protection systems for the protection of personal information, etc. Etc.; change outdated concepts, cultivate legal awareness, make full use of television, the Internet and other media to strengthen the understanding of personal information protection, and expand your horizons. For individual consumers retained the express orders, shall keep, do not arbitrarily throw away. Personal information on the express delivery list that may reveal our privacy should be handled in a timely manner. Use tearing up or smearing to prevent criminals from using personal information and avoid personal information leakage; once personal information is violated, you must have the courage to exercise your right to report and know how to use legal weapons to protect your rights and interests. In daily life, when consumers' own legitimate rights and interests are infringed, they can seek help from consumer associations or file a lawsuit to the court to protect their rights.

4.CONCLUSION

In summary, with the rapid development of information globalization, e-commerce has become the mainstream of economy and trade in this century. Under its impetus, the express delivery industry has ushered in a good historical opportunity and has provided many conveniences for our lives, but while people are enjoying the happiness brought by online shopping, they also put their personal information at risk of an "unprotected state", and the leakage of personal information hides huge social harm[6]. In response to the current express industry, there are many problems such as the country's lack of uniformity of personal information protection legislation, fierce industry competition, and market chaos. The country, the express delivery industry and citizens should work together in a division of labor and work together to promote the protection of personal information security and the sound monitoring and development of the express delivery industry.

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