

For Immediate Release

Experts call for privacy precautions in use of personal data for fighting COVID-19 **Group of privacy experts releases set of principles for any data gathering or location tracking measures brought into force in Canada**

April 15, 2020 — Today a group of privacy experts and civil society organizations released a [set of principles](#) for protecting the rights and privacy of people in Canada throughout the fight against COVID-19. The principles come at a critical time, with Google and Apple committing to tracking COVID-19 exposure through cell phone operating systems; Alberta having announced plans to use cell phone tracking to monitor quarantine compliance during COVID-19; and Prime Minister Justin Trudeau confirming that ‘all options are on the table.’

The principles call for caution and restraint in any rollout of new emergency measures, such as data collection from telecom companies or location tracking to monitor the spread of the virus or enforce quarantines. They urge the government to prioritize other measures to keep people safe and in their homes first, and favour voluntary data sharing solutions, as has been proposed in the UK, over any non-voluntary data collection.

OpenMedia Executive Director Laura Tribe said “The use of data will be critical in the fight against COVID-19, but we cannot resort to draconian surveillance without oversight or accountability. People in Canada are rightly concerned about how any kind of data tracking or surveillance powers brought in to tackle this emergency would impact our rights. There may be great pressure to adopt extraordinary measures in response to this situation, but the government must consider the cost to our privacy, values and human rights. How our government treats its citizens in this time of emergency will be one of the greatest tests of our democracy.”

Tim McSorley, National Coordinator at the International Civil Liberties Monitoring Group said "Canada is facing an unprecedented health crisis that requires unprecedented action to flatten the curve and stop the spread of COVID-19. In their pursuit of this important goal, we urge Canadian officials at all levels to use restraint around surveillance activities that infringe on our most fundamental rights, including privacy, freedom of assembly and freedom of movement. As we have seen in other contexts, particularly the so-called War on Terror, in times of crisis new surveillance powers that are meant to be targeted and temporary can become widespread and permanent. Any powers must explicitly contain time-limits and public oversight, and it is crucial that any health-related surveillance be kept separate from law enforcement and intelligence activities."

The letter urges the government of Canada to follow these seven principles when considering any kind of enhanced digital surveillance or data collection:

1. Prioritize approaches which do not require any surveillance or data gathering to encourage people to stay at home;
2. Due process for adopting any new powers;
3. Favour consent in any data sharing initiatives;
4. Put strict limits on data collection and retention;

5. Put strict limits on use and disclosure;
6. Oversight, transparency and accountability;
7. Any surveillance efforts related to COVID-19 must not fall under the domain of security, law enforcement or intelligence agencies.

The full letter is available at https://openmedia.org/protect_rights_through_covid19/

Several tech companies have put forward proposals to various levels of government in Canada for various apps and tracking tools. Toronto Mayor John Tory claimed that the city was collecting cell phone location data for this purpose, but has since retracted the claim. Alberta Premier Jason Kenney stated that the government will be “strictly enforcing quarantine orders to ensure compliance, including using technology like smartphone apps”.

Unfortunately, there is a history of emergency legislation implemented in response to crises remaining in place long after the initial event is over. The September 11, 2001 attacks in the U.S. have left a decades-long legacy of draconian surveillance measures, which continue to impact human rights today. If the government decides new means of data collection will help address the pandemic, it must demonstrate to the public that it will be transparent, proportional, and time-limited, and that the data won't be misused for any other purposes.

About OpenMedia

OpenMedia works to keep the Internet open, affordable, and surveillance-free. We create community-driven campaigns to engage, educate, and empower people to safeguard the Internet.

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Contact

Laura Tribe
Executive Director, OpenMedia
1 (888) 441-2640 ext. 2
laura@openmedia.org