Passport to Freedom

Ross Welcome to Renegade Inc. Government temporary measures are rarely temporary. In this age of surveillance very few people know that travel passports were once meant to be temporary. But World War One brought in harsh restrictions on the freedom of movement. So what are the consequences to immunity or vaccine passports? And will these temporary measures become the norm as we gradually forget that freedom is a natural condition?

Ross David Nolan, welcome to Renegade Inc.

David Nolan Thank you very much. Great to be with you.

Ross David, explain to us what a vaccination immunity passport is and how it works?

David Nolan Right. Well, there's a couple of names for them. The one that's being used most at the moment is Covid Status Certification. This is being widely used by the British government's immunity certificate, immunity passport. And this is with not just regards to travel, but these could certainly be used within the domestic setting as well. So not only on paper could they be used, but what it looks like is that this is being driven towards digital use. It's very simple. What they do is it will show whether you have a) been inoculated against Covid-19, b) whether you have received one of the various tests that is available to see if you have Covid-19 such as a lateral flow test (Lamp) and the very controversial, and not so accurate., RT PCR test. And the other one that is available is to show that if you have the antibodies present after having Covid-19 disease.

Ross And when you mentioned that it would be used not just for international travel, but it will also be used for domestic use, give us an example of the domestic use that it would be used for?

David Nolan What it could purportedly be used for is to gain entry into very simple parts of society, such as entering a bar, a cafe, a restaurant, a theatre, other large scale event venues such as at soccer stadiums, for example.

Ross Which of the countries have implemented these passports today and has that worked?

David Nolan We're just beginning to see a roll out from some countries. The biggest one that we should mention is China. We have a couple of EU nations who really are on the cusp of implementing this right now. Iceland would be will be one of those names. Outside the European Union, one nation that is getting a lot of attention right now is Israel. They have their digital free pass, which is part of their society now, and that is in place for six months. This is what their premier, Benjamin Netanyahu says. But I feel that it could be in Israel and in other nations. I mean, the whole premise of an immunity certificates is not just six months, but possibly, actually, quite a lot longer.

Video clip The Israeli green pass is basically if you get vaccinated, you've got the second shot, two weeks have passed, you're granted with the green pass, or if you're recovered from Covid-19, basically it means that you can enter all sorts of of the places that are part of the

green pass programme, like gyms, like swimming pools, like certain restaurants, hotels. You have two ways to get a green pass. One is with an app and the other one is with just a paper. You can print it. I mean you have a barcode on it. I would say that there are two issues with the green pass. First, is a technological, technical issue. It was developed very quickly in like a couple of months by the Israeli health ministry. And so it does have some malfunctions and bugs. The first day the app crashed and many people didn't get the green pass they tried to have. And the second issue, is after you get the green pass. Everybody has a green pass and that's great. But now you need to supervise all the places that will check if the people want to get in have a green pass. And that was the big problem, I think in Israel. You can see like restaurants and places need to have the green pass showed in the entrance to just let people in. And that was a part of the problem. The method why they did it got a lot of criticism from technical experts here in Israel, because basically the app, the way to verify you have a green pass is just with short animation of people walking. This is my green pass. I don't know if you can see it. When I get into a place where they require me to show the green pass, I just need to show it. I need to show my I.D. Technical experts already show that it's really easy to forge this animation and you can just get it, just develop an app in one hour that shows this animation and you can get in. The Ministry of Health says they are aware of that, but they wanted to do it as a symbol that is as fast as possible. Basically, you have fears that it's going to have private privacy issues and technical issues and leaks. We don't have an indication that something of that already happened or it will, but a lot of people are fearing that it will happen eventually.

Ross So where are we on the track of these passports in the UK for domestic use? Where are we on the timeline and how quickly can they be implemented? And what are the downsides if they are implemented at a domestic level?

David Nolan Well, where we are right now, for example, with the British government, they have said that they have not just yet begun a review into Covid status certification. But recently on March the 15th, the Cabinet Office have issued a white paper for the public to feed back into regarding their thoughts and opinions on Covid status certification. So we're certainly getting there in that regard.

Ross And when you talk about the digital aspect of this, is it possible that other elements of social profile might be used on that digital passport for further vetting?

David Nolan It's quite possible, yes. I mean, this brings us into data collection, not only mission creep, but also a feature or the possibility of function creep that Covid-19 vaccine passports, whatever we would like to call them, they could actually be extended or added on into their use, essentially become a back door for digital identification or digital I.D. within society. And especially with regards to privacy and data, I mean, as soon as you get one of these apps and it goes onto your smartphone mobile device, rest assured that data which will be linked to your health record, it will be data mined, absolutely. And it looks like that it will go back to Silicon Valley as a result. And it may be shared or distributed to other third parties who we may know not much about at all.

Robin Tillbrook (Lawyers for Liberty) Lawyers for Liberty are a group of lawyers who are concerned about what's happening, about the liberties of our country. And the idea of it is that it's a sort of referral agency whereby we can put people who have got liberty issues, in touch

with lawyers who are really interested in helping. We obviously have got very involved with what's happening with the undermining of our liberties over lock down. One of the issues that's coming up now is the question about vaccine passports. Where we are at the moment is that the government is talking about vaccine passports. Only today we've we've heard that the government is talking about making it compulsory for people working, for instance, in care homes, in the NHS, no doubt in various other things where they are working in contact with people, that they are going to be required to to have a vaccine. That raises huge issues about human rights, about our constitutional rights. As far as the data that would back up any vaccine passports are concerned, first of all, we're talking about government having the data and perhaps using it for enforcement measures, which you wouldn't necessarily think that they were going to use it for. They have a bit of a track record of, I think, we would call it mission creep. So data's extracted from people for what is said to be a very good reason and later you find it's being used for purposes that were never previously discussed and that they're refusing to get rid of the data that's now wrongly held and being wrongly applied. In terms of whether a vaccine passport could be used to control movements in England, the British government obviously is talking about having vaccine passports and one of the worries is that might lead on to denying us access to public space, to public buildings and lead to places of entertainment and so on. One of our concerns with Lawyers for Liberty, is that the government has been changing the regulations without any oversight by parliament, or indeed any real role by parliament. And since lockdown occurred this time last year, we've had on average a change to the regulations every four and a half days. So it's very hard to predict what the rules might be in four and a half days time let alone four and a half weeks. So we've got a very risky situation in terms of our civil rights, that actually something draconian might be rammed through without any chance to object about it.

Ross This two-tier system that you're talking about, which The New York Times calls immunoprivilege for some, i.e., they can access the things that they were always able to access - whether it be football stadiums, cafes and all the rest of it. And then on the other side, people who can't access those things. Creating that two-tier system, what is the fallout from it and how do you begin to sell it to the public, because it seems to me an awful lot of people are going very, very hard for the digital identity and immunity and a lot of people are absolutely terrified by it?

David Nolan The Covid-19 vaccine passports, I mean the idea of them, they are incompatible with our civil liberties and human rights. And I mean, this will not only help bring us into a two tiered society, I believe that it will fractalize society. What we had prior to March of 2020 and the beginning of lockdown, it wasn't perfect. We had issues. But what digital health passes, Covid-19 immunity certificates and passports look set to do if, and I stress if, they are implemented, is act like a can of petrol that we will throw on the fire of the already existing social inequities within our society. I mean, they definitely have the capacity and the range to further consecrate those issues. I would go so far as even saying that if the British government were to implement these draconian measures, it could be one of, if not the worst, decisions a government has ever made. It could actually lead us to some form of civil unrest.

Ross Alexis Hancock, welcome to Renegade Inc.

Alexis Hancock Thank you for having me.

Ross Alexis, in that first half, we heard a very sort of high level overview of what a vax immunity passport looks like with the pros, the clear cons. When it comes to civil liberties that we touched on, your organisation, the Electronic Frontier Foundation, your sort of raison d'être, the reason why you're out, is to defend civil liberties in a digital world. Just explain how that mission dovetails into the immunity passport debate.

Alexis Hancock Well, most of the solutions we have seen have been digital propositions so not just being available on paper, but being available through an application on your phone. So that intersects with what we are concerned about, where different solutions that we have seen are offering different types of technical solutions around the vaccine passport scenario. So what we want to focus on is making sure that this is being ethically done, that this is being done with a user's privacy in mind and not necessarily being done only with the business mindset of being able to get people and customers back going and spending money again, but also preserving the consumers privacy.

Ross What have you seen so far that are the downsides to the digital passport? What are the things that cause you most alarm and most concern?

Alexis Hancock Well, the thing that cause me most alarm is the fact that a lot of the solutions that we have seen are outside of the doctor-consumer relationship, so therefore not covered by privacy laws that apply to medical records because this wouldn't typically be a medical record. This would be outside of that. So proving that you've been vaccinated in an airport or at a different venue or maybe even going into your place of employment. This is being expanded, this context proving that you're vaccinated. And they're setting up digital systems with private companies most times. And being left up to private companies to trust them to protect consumer data is not something that I feel that should just be left up to them. But also the other concerns that come out of that is, you know, these data sets around being vaccinated can be easily correlated with other sets of data that you may have online already. And we don't want that to happen either. And since data privacy laws differ from country to country, we're particularly worried about that. Also, the second thing is efficacy and the illusion of efficacy. We still don't know enough about these vaccines, about how Covid is spread after you get them. Do you spread it?, how effective it is for herd immunity? We're not there yet. It's not as established as something as like having a yellow card where you have that initiated and established by the WHO and you are travelling from airport to airport with a piece of paper. But if you have a digital passport saying that you've been vaccinated from Covid, we don't want to give people a false sense of that if this is over if it's not actually over yet. So that is another concern that we have as well. We're looking to health experts to guide us on that. But we don't want to roll out a permanent solution for a situation that we hope is temporary.

Ross Do you think that governments around the world, with the headlong rush to get this sorted and get economies back on track, as they say - build back better, I think, is the phrase that most people are using (quite how they all got to know that all at once, amazing). But do you worry about that headlong rush to getting everything back, and also the headlong rush for private companies desire for profit, that where those two things intersect, ultimately, the public lose out?

Alexis Hancock I believe so. I would say that focusing on the, let's say, opening things back up or opening up better or focusing on the solutions that private companies are coming up with, I believe that they are being opportunistic when it comes to presenting their solutions to governments and different airlines around the world, more so than thinking about the consumer themselves. A lot of people are saying that they're thinking about privacy. A lot of solutions I haven't seen haven't been really been transparent about how they're preserving privacy and the technicality behind it and the technology that they're using. So I'm very worried about that rush into opening the economy when we don't know yet how different vaccines are going to be effective in the long run. And I don't think we should establish and test these new systems of vaccine passports during a pandemic. This is not the time to test our technology. This is a time to spread access and get people the access that they need and the health care that they need and be set up for success later rather than rushing them back in, get vaccinated, prove they've been vaccinated and get them back spending money or wherever you want them to be again and placement in society. You should not be focused more so on the consumer spending. We should be focused on everyone's health during this time. People have every right to be concerned if their vaccine data, their health data, is being stored within databases of private companies and databases that get syndicated across other people's, you know, actual databases in their health systems. And they're worried about the same issues that we're worried about now. We have private companies and social media companies that have privacy scandals that almost seems like it's on a daily basis. There's always a data breach somewhere, right? And people are worried about that. And some have come to the conclusion like, sure, I'll show that I've been vaccinated, but not everyone has that same luxury in society to move freely. And they have every right to be worried if they're forced to have a digital solution for vaccine proof or immunisation proof. And that would create even more vaccine hesitation. And that's definitely something I've been thinking about. So I would say that's a proper conclusion.

Ross Let me put it to you, because it's what the tech lot would say. But, Alexis, come on, we've got block time. You don't need to worry about anything. Yeah, we have the occasional mishap with data. And yes, we're not going to sell your data to health care companies because, you know, it's all in the Ts and Cs so don't worry about that. But block chain will solve everything because we're we're holier than thou. So there's the silver bullet.

Alexis Hancock Yes. Block chain is a solution looking for a problem most times. And I get very concerned when people use block chain as a silver bullet. In this case, block chains main, I would say, cells are being a decentralised public ledger, and you're able to create records on the block chain and have immutability on these records, right? And, at first they proposed - they, as in different coalitions and different organisations that were interested and digitising Covid data - wanted to have block chain for testing data. And testing data was very variable especially here in the States where different tests were being deployed from county to county. Different tests came up with different times for different people with different privileges. Some people could afford to be able to access the 15 minute rapid test. Others got test results in two to three days, maybe a week, even up until now. And having such a volatile data and sensitive data on a block chain would mean that once that record is on what we call block chain or a decentralised, distributed public ledger, it would be hard to change that data on the block chain because that's the whole purpose of having a record on there, is that immutability or the ability to not change that record, right? So, I wouldn't suggest using health data, something that's sensitive and volatile, to put on a block chain. I do not believe

that is a proper solution for privacy. I do believe people who are interested in block chain were interested in the anti-forgery aspects of it. And once again, that's more so the business side of concern, more so the consumers side of concern. So being able to prevent forgery of vaccine proof would probably be assisted by a block chain. But the fact that you're not able to actually really delete this data or change this data once it's on a block chain ledger, that would be a really high concern for a consumer. So I definitely am wary when I hear block chain in these digital passport solutions and I get worried that people are being more opportunistic than they are really thinking about user privacy.

Ross Passports, originally, were a temporary war measure, and it was the First World War that brought, actually, restrictions on freedom of movement. Turns out that we now think that passports are totally normal. They weren't. Actually, freedom of movement was totally normal. Are there any parallels that we can be drawn about a citizen's passport and the fact that that was meant to be temporary after the First World War and the fact now that we see it as second nature? Can we draw a parallel between that and what's happening with the Covid passport?

Alexis Hancock I definitely would. I would say that's a great parallel to draw, actually, because another conversation I'm often having is the fact that being vaccinated and this whole situation with the pandemic, with Covid-19 in particular, could come to a pass, right? And whether or not there would three more pandemics are not, hopefully not. But I do imagine if these visual systems are put in place, they'll try to create permanent solutions out of temporary situations. And I do not want it where people are having to prove that they're vaccinated and having it normalised in situations that they previously weren't. We'll be creating a digital fence, essentially, around our lives. That's this closing in. And also the fact that, as you said, the passport, originally, wasn't a permanent measure. Right now, I don't want to create a permanent system from Covid data on to citizens everywhere. We have variable laws from country to country about travel restrictions already, and I don't want to add another layer of issues and problems for countries that are still struggling to even get supply of the vaccine themselves due to the fact that poorer countries were limited from access and being able to buy from the various companies that created the vaccine, right? So I don't want to create even more restrictions for people to be able to move freely around the world and be able to go move for different opportunities and better opportunities elsewhere if they didn't get the Covid vaccine. There should be measures in place because not everyone can get the vaccine right now. Children can't get the vaccine at the moment, at least here in the United States and there are still trials going forward about that. I don't want to create a permanent visual system of our data, and our health data outside the context of our medical providers. And I don't want to create where we're going, not only proving that we're vaccinated when we get on a flight, but proving that we're vaccinated just to get a cup of coffee. I don't want a future like that. And I think we should be very careful about creating that because it could be a next step to something that we are very much here. We're concerned about the EFF is national ID databases. We don't want to create a precursor for something like that because they've already seen the consequences of such systems. And we don't want to create a precursor to having a digitised national ID database for travel and for simply moving venue to venue domestically.

Ross Alexis Hancock from the Electronic Frontier Foundation, thank you very much for your time.

Alexis Hancock Thank you.