

Joint Research Centre (JRC)

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Biometrics in Border Management – Grand Challenges for Security, Identity and Privacy

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Biometric identity – the next challenge for non-proliferation

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Policy and Technology: Process, Debate and Consideration

- Designing complex technological systems often involves extensive research, consultation, testing, and implementation plans.
- Policy development also requires extensive research, consultation, and monitoring.

E-Borders as Complex Technology Policies

- Little debate has taken place about border transformations.
- Technologies being deployed are amongst the most complex and costly systems to date.

Key Challenges 1: Jurisdiction

- Legal jurisdiction often ends and begins at borders.
- Or more simply put: No where are you more powerless than outside a border.

Key Challenges 2: Political Dynamics

- The political dynamics surrounding borders is markedly different from those affecting domestic affairs.
- Put more simply: Everyone wants to be tough on foreigners. Even systems that watch citizens are less scrutinised.

Key Challenges 3: Scope Creep

- Many policy regimes that are first applied to specific populations are tested and verified there for possible larger applications.
- Simply: What applies to foreigners one day will soon apply to citizens.

Key Challenges 4: Policy Analysis

- Policy review on specific policies of high political momentum tends to be limited.
- Result: These policies are poorly considered, often based on little study, debate, and deliberation resulting in faulty systems and choices.

What we have seen

- Policies driven by poorly considered international processes e.g. ICAO, U.S. drive for passenger data.
- Problematic processes without adequate review, e.g. biometrics in passports, biometrics at borders, RFID, data mining, watchlists.

A possible solution: Privacy as a Design Requirement?

- On biometrics, governments would be compelled to ask what is the most effective deployment: fingerprint images or templates? Facial recognition? Iris? The privacy-friendlier solution may be the ideal one.
- On passenger data collection, we should be able to identify the purpose of the collection (by governments) to then decide what is the appropriate source and amount of information.
- Watchlists would be reduced and relevant.

Privacy matters

- Because rights don't often apply to non-citizens at borders, new policies and technologies have not been put through the appropriate processes.
- The 'collect all' and 'profile everywhere' is leading to a 'checkpoint society' that could become more of a choke-point society as these systems start to fail to live up to political dreams.
- ?Perhaps it is best that we take a universal approach?

Privacy matters

QUESTION: Well, ... I mean, they, the Brazilians, had enacted a rather stringent response.

MR. BOUCHER: They had a very strict requirement, one that we felt was impeding travel, and we made that clear.

- Richard Boucher, DOS Spokesman, September 29, 2004

Privacy matters

“We welcome other countries moving to this kind of system. We fully expect that other countries will adopt similar procedures.”

- Under Secretary for Border and Transportation Security

“We are in favor of these border measures generally. If there was such a requirement we would inform our citizens and it would be up to the traveller to decide.”

- U.S. Mission to the EU

Most recently, responding to the EU process...

"Not only do we support these measures, we applaud them," said Russ Knocke, a Department of Homeland Security spokesman. "Measures like fingerprint and passenger data collection can disrupt the ability of terrorists to move easily across international borders. They also serve to protect American citizens travelling overseas."

Summary

- Border management is highly complex arena.
- Governments are not assessing their options carefully while they make grandiose statements.
- We are radically transforming our border processes without adequate deliberation.
- Privacy by design may actually end up with workable solutions.
- Many interests are at play in this complicated game.

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