# DIGITAL IDENTITY: PRIORITIZING HUMAN RIGHTS

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# Lessons learned

Digital infrastructure

Data is the new currency, and we cannot afford to design any news program without this major consideration in mind.

- India
- Estonian cards
- Cambridge Analytica scandal

Duty of care?

# Governance

1. Ensure a defined and restricted scope of use for the digital ID program, provided for in the law
2. Make enrollment and use of the digital ID voluntary
3. Create independent and well-designed mechanisms for grievance and redress
4. Ensure inclusion at the enrollment stage, and no exclusion during implementation, due to technology or infrastructural capacity gaps

# Data protection and privacy

1. Limit the purpose for which these data are collected and used. Put in place proper measures to prevent user profiling based on the data volunteered
2. Grant individuals rights related to their own data, such as accuracy, rectification, and opt-out
3. Institute robust data protection frameworks to which digital ID programs are subject
4. Minimize the amount of and type of data governments and associated service providers collect
5. Restrict lawful interception and monitoring of digital ID use and implement measures for accountability

# Cybersecurity

1. Institute capable foundational technology infrastructure
2. Ensure that data collection and storage are not centralized
3. Separate the functions of identification and authentication and avoid creating transaction logs for authentication
4. Institute "privacy by design" principles in the program

# Cybersecurity (cont.)

5. Ensure that national ID programs are based on models for secure communications, including providing end-to-end encrypted traffic as far as possible
6. Provide transparency in terms of disclosure of cybersecurity policies
7. Provide a legal and policy framework that incentivizes reporting and disclosure of vulnerabilities
8. Take steps to notify affected parties in case of breach of data

# Notes

- Many recently established digital ID programs use biometrics as foundational authenticator
    - These are absolute qualities that are unchangeable; at risk of abuse – once it's compromised, there's no going back
- We should not conflate SDG16.9's "*legal* identity," with "digital identity"
- Inclusiveness
    - India

# Extension of use?

- Limitation of purpose of government-issued ID
- Extension can perpetuate patterns of surveillance – CA and advertisers (political in this case, commercial as well)
- Crucial to consider data protection at every level, every step
  - Conceptualization
  - Implementation
  - Continuation

# Possible solutions

- Integrating human rights every step of the way per UN norms
  - “As with every major technology development, design and engineering choices reflect public policy considerations, and should be guided by respect for human rights.” SR FoE David Kaye A/HRC/35/22
- Human rights impact assessments
- Continuous stakeholder engagement – including the user

# What’s next?

- RightsCon 2018 (Toronto, May 16-18, 2018)
- Digital identity paper is open for comment still