



Surveillance – implications for a post COVID-19 future

Yuval Noah Harari took the opportunity in last weekend's Financial Times to write an essay on modern surveillance methods, perhaps justifiable in the fight against COVID-19 but which might remain as permanent features of life afterwards. Harari argues that in order to halt the epidemic entire populations are required to comply with certain guidelines. This involves the government monitoring people and punishing transgressors. Fifty years ago, the KGB had no way of following 240 million Soviet citizens 24-hours a day; but this is no longer the case. Already in China the authorities are monitoring individuals' smart phones, making use of hundreds of millions of face-recognising cameras and obliging individuals to check and report their body temperatures. This way, the Chinese authorities can identify suspected carriers, track their movements and identify their contacts. Israel is using similar technology, originally designed to track terror suspects.

Surveillance technology is advancing incredibly fast and a biometric bracelet monitoring heartbeat and body temperature might not be so far away and, together with technology already available, enable the authorities to know what news media you follow, who makes you angry and who you laugh at. Imagine, asks Harari, such technology in hands of the North Korean regime.

Harari's concern is that rules making this kind of extreme surveillance legal, have the habit of outliving the emergency they were designed to meet. His example is Israel's state of emergency declared during its 1948 War of Independence which has never been declared over. Hilariously, in terms of that state of emergency, special

regulations for the making of puddings were introduced. Even more hilariously, they were only abolished in 2011.

All of this means that civil society will need to be extremely vigilant and activist to ensure that all the invasions of privacy that will inevitably be inflicted on society in order to defeat COVID-19 do not outlive the pandemic and become the norm. This will involve litigation to return us to our old freedoms and rights and this can only be successfully achieved if that litigation establishes a general law of privacy, which the UK at present does not have.

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