NATIONAL IDENTITY CARDS:

A STEP TOWARDS "BETTER" GOVERNANCE??

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BY WAY OF AN INTRODUCTION

Some five millennia ago, the ancient civilisation of Babylon had a problem at hand - how to identify the numerous slaves that thronged the capital of the empire? Lee Hon Kuan[1], says, they solved that problem - *by tattooing or branding the face or back of hands of the slaves.* This took place in Babylon, which produced the first code of civil law. We live in a society which thrives on countless civil laws, and therefore, the very thought of having a centralized identification does not come as a surprise. Thus, the scheme of national identification has a strong foothold and backing up in history.

Though India's population has passed the one billion mark, it does not have a national identification (ID) document scheme till date. The Indian citizen has a paper-based document known as the ration card, which serves as an identification and for claiming other government benefits. Due to the lack of proper ID, India faces the problem of identifying and tracking illegal immigrants, of counterfeit identification, travel documents, bogus voting and inaccurate voting rosters during each election. Hence, the introduction of smart card-based national ID documents is natural in such an environment. *However, there are certain pragmatic problems and bottlenecks in the adoption of the scheme*, which shall be discussed in detail subsequently.

Different countries have adopted this scheme as their nationwide agenda and many are considering the implications. However, the context in which these cards can be utilized remains strictly the exclusive decision of the country depending upon the need and scenario prevalent. The type of card, its function, and its integrity vary enormously.

The use of sectoral (specific purpose) cards for health or social security is widespread, and most countries that do not have a national universal card have a health or social security card (in Australia, the Medicare Card, in the United States, the Social Security number), or traditional paper documents of identity. The reverse is also true. In Sweden, while there exists a ubiquitous national number, there is no single official identity card.[2] Generally speaking, particularly in advanced societies, the key element of the card is its number.[3]

An analysis of identity cards around the world reveals a number of interesting patterns. The most significant of these is that virtually no common law country has such a card, nor does the economic or political development of a country necessarily determine whether it has a card. Neither Mexico nor Bangladesh has an ID card.[4] Generally speaking, however, the vast majority of developing countries have either an ID card system or a document system, often based on regional rather than national authorization.[5] In many countries, identification documents are being replaced by plastic cards, which are seen as more durable and harder to forge. Card technology companies are well organized to conduct effective promotion of their product, and companies have moved into the remotest regions of the world. Many Asian and African nations are replacing old

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[1] Director, at the security marketing and ID card Global Major Gemplus.

[2] S. Davies, <u>A Case of Mistaken Identity</u>, Report to the Ontario Privacy and Information Commissioner, February, 1996.

[3] This is because the number is used as an administrative mechanism for a variety of purposes. In many countries the number is used as a general reference to link the card holders activities in many areas.

[4] And, until 1996, India had no card (even now, the card, strictly speaking, is a voter registration card rather than a national ID card).

[5] Op. cit. 2.

documents with magnetic stripe or bar coded cards.[6] The change from one form of ID to another is invariably accompanied by a change to the nature and content of data on the document.

After the aforementioned brief prologue, we shall now move on to a critical conceptualization as well as a cross-cultural analysis of the scheme of national identification, thereby contextualizing the said debate.

RESEARCH METHODOLOGY

The kind of research methodology adopted for the purposes of this paper is a judicious combination of both primary and secondary types. The researchers essentially seek to carry out research in the *field of governance* related to arena of the scheme of national identity cards proposed by the government, thereby ascertaining the tenability of the same. We intend to delve into the intricacies and subtle nuances pertaining to the pragmatic application of the scheme, and the practical difficulties that might be encountered in effectively implementing the said programme at the grass root level. The paper commences by critically conceptualising and contextualizing the implications of such an identification system.

The researchers have done an extensive as well as an intensive survey of literature dealing with the subject, and also tangentially hinging upon. The doctrinal part of research extended to various books written on the relevant issues, documentaries, journals, publications, govt. data and the like. The matter available on the Internet proved to be of immense worth, and was accordingly utilized for the said purpose.

A substantial portion of the paper has been focused at drawing a cross-country perspective in order to scrutinize the intricacies arising out of a similar scheme in other nations, besides analysing the success or failure of the same.

DEFINING THE PARAMETERS: AN OVERVIEW

A national ID card can be broadly defined as a nationwide, all purpose identification document for the citizens issued by the government. In his book *The Limits of Privacy*, Amilai Etzioni--an enthusiast for national ID and other forms of round-the-clock surveillance of innocent people--defines national ID cards as "*domestic passport-like documents that citizens of many countries, including democracies, are required to have with them at all times.*"

It might be broadly asserted that such a card has the following three characteristics:

1) All citizens and residents "of a given jurisdiction" *must* have it.

2) All who have it must carry it, and present it upon request by authorities.[7]

3) Finally, the card must be linked to a database with other information about the person.

ID cards are established for a variety of reasons. Race, politics and religion were often at the heart of older ID systems. The threat of insurgents or political extremists, and the exercise of religious discrimination have been all too common as motivation for the establishment of ID systems which would force enemies of the State into registration, or make them vulnerable in the open without proper documents. In Pakistan, the cards are

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[6] To cite a few instances, it would be pertinent to note that the South African Passbook is being replaced by a card. The UK drivers license has also been replaced by a photo ID card from 1996.

[7] It needs to be noted that presenting such identification is required even when there is no specific evidence that a crime has been committed or a regulation violated.

used to enforce a quota system. In China, they are used as a tool of social engineering. In the United Kingdom, current proposals for a national ID card are fuelled by the need to develop a document which is acceptable to other European countries, as well as a belief that the scheme might help fight crime. In Australia, the purpose of the proposed card was to fight tax evasion, and, in New Zealand, to establish Social Welfare entitlement. The Dutch card has the dual purpose of helping to improve government administrative efficiency, while playing a key role in dismantling border controls.[8] At the heart of such plans is a parallel increase in police powers. Even in democratic nations, police retain the right to demand ID on pain of detention.

In recent years, ID cards have been linked to national registration systems, which in turn form the basis of government administration. In such systems - for example Spain, Portugal, Thailand and Singapore - the ID card becomes merely one visible component of a much larger system. With the advent of magnetic stripes and microprocessor technology, these cards can also become an interface for receipt of government services. Thus the cards become a fusion of a service technology, and a means of identification. This dual function was expressed well by one Philippines Senator in the introduction to her 1991 ID card Bill as *an integrated relationship between the citizen and his government.*[9]

Kinds of ID cards: An Appraisal
Broadly expressed, there are three different forms of ID card systems[10]:
>   1. Stand Alone Documents;
>   2. Registration Systems; and
>   3. Integrated Systems

Stand Alone ID documents are issued in primitive conditions, or in environments, which are subject to sudden economic or political change. Often, areas under military rule or emergency law will issue on the spot ID cards which are, essentially, internal passports. Their principle purpose is to establish that a person is authorized to live in a region. The majority of ID systems have a *support register* which contains parallel information to that on the card. This register is often maintained by a regional or municipal authority. In a minority of countries, this is a national system.[11]

Virtually all card systems established in the past ten years are *Integrated Systems*. They have been designed to form the basis of general government administration. The card number is, in effect, a national registration number used as a common identifier for many government agencies. It is interesting to note that residents of countries, which have ID documents or papers, often refer to these in the English as ICs or Identity cards.

The Afghan *Tazkira* is a sixteen-page booklet, but is often referred to as a card. Likewise, in Poland, where the form of ID is a passport-like booklet called 'Dowod osobisty' (or, literally, personal evidence), and which is translated universally as a card.

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[8] S. Davies, 1996, <u>Big Brother</u>, Pan Books, London, , p. 124
[9] Senator Shahani, Explanatory Note to Bill 1685 establishing a National Registration Card System.
[10] Report of Privacy International, August 24, 1996.
[11] Even countries such as France and Germany have no national ID card register. Moreover, Germany has constitutional limitations on the establishment of any national number.

A CROSS-COUNTRY ANALYSIS: FACTS AND FIGURES[12]

Countries with no ID card	US, Australia, Ireland, New Zealand.
Countries with voluntary ID cards	Austria, Denmark, Finland, France, Greece (you must have the card but carrying it is not compulsory), Iceland, Italy (though you must carry some form of identification), Japan (adopted in late 2003; in the first year only 250,000 Japanese signed up for it), Norway, Sweden, Switzerland.
Countries with mandatory ID cards	Belgium, Germany, Hong Kong, Luxembourg, Netherlands (as of 1/1/05 carrying is compulsory), Malaysia, Portugal, Spain, Turkey

Now, it would be pertinent to have a bird's eye view on some of the significant nations of the world in which the said scheme of National ID cards has been implemented and the related nuances, which have been elucidated upon as follows:

Britain
On 11 November 2003, the Home Secretary announced plans for a compulsory national identity cards scheme. The scheme is to be phased in over a number of years and will include basic personal information and biometric identifiers. These unique biometric identifiers (such as iris pattern or fingerprints) will help prevent people's identities being stolen and also will securely confirm a person's identity when a card is checked. The introduction of the first identity cards will, on current plans, start from 2008.

The Identity Cards Bill was introduced to Parliament on November 29, 2004. On May 17 2005, Prime Minister Tony Blair unveiled plans to shake up Britain's welfare state, tackle terrorism and introduce Britain's first national ID card since World War II. Blair, addressing the opening session of the new Parliament, said "I urge other parties to think carefully before opposing what is necessary for *our security, to combat fraud, to tackle illegal immigration and which the new technology makes the obvious policy for security in the times in which we live."[13]*

Registration will require every one of Britain's 60 million population to go to a government office for a personal interview and to give a fingerprint, facial scan, and whatever other biometric identifier they decide upon. The Bill currently calls for a £ 2,500 fine if you refuse to register and two years in prison if you refuse to pay that fine. The Bill also lists a £1,000 fine every time you fail to notify the government of a change in your personal details, and another £2,500 if you fail to turn up for enrollment.

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[12] Lecture delivered at the University of Edinburgh on January 19, 2005, titled <u>Identifying Risks: National Identity Cards</u>, by Wendy M. Grossman. She is a freelance writer, a member of the External Advisory Board of the AHRB Research Centre for Studies in Intellectual Property and Technology Law, and author of the books '*Net Wars*' (NYU Press 1998) and 'From Anarchy to Power: the Net Comes of Age' (NYU Press, 2001).

[13] Published in the Washington Post, The Associated Press, May 18, 2005.

<u>*Canada*</u>
A big advantage of a uniform national ID card system is the *synergy effect*, that is, the concentration of identification functions into one nationwide document. Instead of having to deal with a multitude of different identification documents, some of which are of questionable security, government agencies and private entities would be able to demand a single, instantly recognizable identification document.[14]

In line with the aforementioned synergy effect, a national ID card could also replace identification documents that are currently used in the private sector, but that are issued by the government for other purposes - e.g., driver's licenses, health cards, and social insurance numbers. It is likely that private entities would switch to asking customers for their national ID card for identification and age verification, rather than dealing with a multitude of different identification documents such as driver's licenses, health cards or birth certificates. Another important use of national ID cards is to authenticate a person's entitlement to government services. Services such as welfare payments and health could be made dependent on the presentation of an ID card. In addition, voter registries could be based on national ID cards.[15]

AFRICA: *A Developing World Perspective*

<u>*Nigeria*[16]</u>
The identity card scheme was initiated in 1978, but failed to take off even though successive regimes spent hundreds of millions of dollars on controversial contracts amid allegations of corruption.

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[14] Following is an excerpt from an address by Denis Oderre, Minister of Citizenship and Immigration, concerning conflicting issues of national security and individual privacy:
In the aftermath of the terrorist attacks in the United States on September 11, 2001, identity has taken on new prominence in countries around the world. Canada has been no different. Canadians have come to see the ability to establish identity as an important element of personal and collective security. And while the new focus on a positive proof of identity is partially rooted in the aftermath of the terrorist attacks, other forces are at play. Identity theft is seen as a serious and growing problem in Canada. Yet, as we sit here today, there is no specific crime of identity theft in the Criminal Code. Governments, individuals and corporations are all witnesses of increases in identity fraud that pose threats to privacy, financial security and the integrity of publicly funded services. For example, in 2001, almost 12,000 people in Canada were victims of identity fraud. The Canadian Council of Better Business Bureaus estimates that identity theft costs $2.5 billion a year to consumers, banks, credit card firms, stores and other businesses. The biggest threat to individual privacy is to have one's identity stolen and used by someone else. Our citizens are right to demand the tools to protect what is uniquely theirs: their identity. This convergence of risks and vulnerabilities has individuals, corporations and governments in Canada thinking about identity in a very different way than they did even five years ago. There is an implicit, if not explicit, expectation that governments need to look at current practices and systems of establishing identity and evaluate their effectiveness. This is where the need for a public debate on a national identity card fits. I do not propose a national ID card as an obvious quick fix; but, given that it is a tool used in many countries around the world to protect their citizens, I propose that we engage Canadians in a dialogue.
[15] Estimates as regards the costs range from at least 1.5 billion dollars to 5 billion dollars, with some estimates going as high as 9 billion dollars. Factors determining the actual costs will be, amongst others, whether the card is mandatory or voluntary, what security features it includes (e.g., biometrics, smart chip), and in what intervals it would have to be renewed.
[16] Source: www.irinnews.org, (last visited on May 25th 2005)

At Lagos, on 18 Feb 2003, Nigeria started a two-week exercise on Tuesday to register an estimated 60 million adults aged at least 18 years so as to give them national identity cards. The exercise involved more than 240,000 officials at 60,000 registration centres nationwide who took photographs and fingerprints of every eligible adult, who were subsequently to be issued with identity cards.[17] President Olusegun Obasanjo's government, elected in 1999, initially wanted the cards to be used to identify voters in coming general elections. However, the plan was shelved after vigorous opposition by influential pressure groups from the country's mainly Muslim north. Some of the groups said the mostly illiterate masses of the region would be confused by the use of the identity cards to the advantage of the more literate and mainly Christian south. But critics of this argument contend that the plan's detractors were afraid the identity cards would unmask the inflation of population figures in the region during previous national censuses.

Dominican Republic [18]

This small nation has a special ID cards in use. It is called as Cedula Personal de Identidad. These ID cards note multiple shades of skin color: trigueño (white), indio in three shades: indio, indio claro, indio oscuro, moreno and negro/a (rarely used). The use of these terms as official racial categories politicizes differences in personal appearance. The Dominican Republic identifies with a Hispanic tradition and has a long-standing tradition of "antihaitianismo" and anti-French attitudes.[19]

Egypt[20]

Egypt, interestingly, has a scheme of ID cards in which religious affiliation is noted, including Muslim, Coptic, Catholic or Orthodox Christians. Coptic Orthodox Christians are estimated to make up 6 to 12% of Egypt's 60 million population. In 1997 human rights activist Mamdouh Naklah filed suit-seeking removal of the religious affiliation category from government identification cards. Naklah challenged the constitutionality of a 1994 decree by the Minister of Interior governing the issuance of new identification cards. In March 1998, the court referred the case to the State Commissioner's Office, which had not issued an opinion by the end of the period covered by this report.[21]

Ethiopia[22]

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[17] "*We are going to use the national identity card scheme as a reliable comprehensive data base to plan for the present and future generations,*" thus said the Minister of Information Jerry Gana, and added "*It will also be very useful in our fight against crimes and to detect aliens in our midst.*"

[18] Source: Prevent Genocide International, http://www.privacyinternational.org/issues/idcard/uk/id-card-review-1204.pdf (last visited on May 31st, 2005).

[19] As a matter of fact, Haiti occupied the Dominican Republic from 1822 to 1844. A century later massacres of thousands of persons of Haitian background were committed in October 1937.

[20] Op. cit. 16.

[21] From the U.S. Dept. of State, International Religious Freedom Report, 26th October 2001.

[22] Op. cit.16.

A poor country like Ethiopiahas also resorted to the use of ID cards. They are known as Special Cards for Ethiopians on Eritrean origin. These cards note ethnicity. Ethnic Groups include Oromo (40%), Amhara and Tigrean (32%), Sidamo (9%), Shakella (6%), Somali (6%), Afar (4%), Gurage (2%), other (1%). Special Cards were issued for Ethiopians of Eritrean origin. Its worth mentioning that during the 1998 war with Eritrea the government claimed that Ethiopian citizens of Eritrean origin who registered to vote in the 1993 Eritrean Independence Referendum had forfeited their citizenship. Mass deportations were conducted.

The Indian scenario: The World is not Enough!!

There are very comprehensive plans being made for a massive 'citizen database' to be owned and operated by the state. For some reason (intra-governmental) this could not be done in sync with the recently conducted census, but census data will no doubt be used for building this database. This exercise will climax in various schemes, either NISHAN (National Identification System Home Affairs Network) or the INDIA Card, by which all citizens will have to carry identity cards containing identifying photographs, all relevant information (including legal records) about them, and biometric data (data about their body measurements, handprints etc.)

The Union Ministry of Home Affairs has commissioned Tata Consultancy Services (TCS), a software consultancy multinational based in India, to do a feasibility study for the National ID card scheme. The TCS report suggests that the whole exercise be made market friendly, and that the state actually make money out of it by selling information that it gathers about citizens to corporate bodies. This will no doubt be seen as a model mechanism of 'self-reliant' state control.

The other proposal – the INDIA Card Scheme – is put forward by a private Bangalore based company[23] which no doubt will be a major player in terms of making a bid for actually executing this scheme on an India-wide basis. In fact, the first instance of a comprehensive national computerised identity card system has been tried out in Thailand where it is now in operation. Pakistan has had a '*shanaqti card*' (Identity Card) system for decades. All Pakistani citizens must carry the photo ID card that also states their religion. The hated 'passes' in Apartheid era South Africa were basically ID Cards that also mentioned 'race'. The genocide in Rwanda was facilitated by the recently introduced Identity Card system that helped distinguish between Hutus and Tutsis.

The researchers would now attempt to delve into a comparative analysis of the pros and cons of the said scheme of national ID card, its potential advantages and shortcomings, by way of a critical contextualization. We also intend to explicate upon the intricacies and subtle nuances pertaining to the pragmatic application of the scheme and the practical difficulties that might be encountered in effectively implementing the said programme at the grass root level, obviously in the Indian context.

ANALYSIS OF PROS AND CONTRAS: A FINE BALANCE?

Before embarking upon a critical weighing of the merits and demerits of the National ID Cards, it would be worthwhile to conceptualise one of the key elements in civil liberties of citizens, namely, the right to privacy. Thereafter, we seek to analyse the impacts and implications of the scheme on the aforesaid right in thorough detail.

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[23] Shonkh Technologies International Ltd.

In order to weigh the preponderance of probabilities in favour of and against the proposed scheme of national ID cards, it is incumbent on us to delve into the rationale behind it, and then evaluate the outcome of the same. So, the pertinent question would be "What is the purpose of any identification card?" An appropriate reply would run thus: In its essence, an identity card, or any system of identification, confirms that the carrier of the card is the person who he or she says she is. The more interesting question of course is who is doing the asking and for what purpose. In our modern lives, to access a range of public and private services and products, we need to be able to identify ourselves. Identity cards or other systems, satisfy these needs.

Yet, one hallmark of a free and democratic society is that citizens are, by and large, free to go about their daily lives unencumbered by the state or without need to identify to the state what they are up to. National ID cards, by their very nature, fundamentally threaten this state of affairs.

The comments that follow presume that a national identification card will be mandatory. While some, including Alan Dershowitz, have suggested that a card be voluntary, there is no reasonable basis to conclude that in practical terms it will be truly voluntary. Just as the Social Insurance Number has been used for ubiquitous purposes that are unauthorized, a national ID card will become a standard for identification. Those who do not possess a card will be refused access to services and entitlements. Thus, it is reasonable to conclude that a national ID card will either be legally required or will become a requirement for most services in the private sector which will in effect make it a mandatory requirement.

Please Leave Me Alone!! Is there a Constitutional Basis?

In its most elementary form, privacy can be defined as "an individual's right to be left alone". As per the Black's Law Dictionary, "*privacy is the right of an individual to withhold himself and his property from public scrutiny and unwarranted publicity*" but, viewing broadly, these definitions are only a start towards the difficult task of pinning down privacy as a concept. The right to privacy is implicit in the right to life and liberty guaranteed to the citizens of India by Article 21 of the Constitution. The Apex Court has stated in the R.R.Gopal's[24] case that-"*a citizen has the right to safeguard the privacy of his own, his family, marriage, procreation, motherhood, childbearing and education among others. None can publish anything concerning the above matters without his consent—whether truthful or otherwise and whether laudatory or critical. If he does so, he would be violating the right to privacy of the person concerned and would be liable in action for damages*".

In this context, it is incumbent and pertinent to point out the observation of J. Peters of the California Supreme Court in 1971[25]--- "*Extended family relationships, primary group networks, and rigid communal mores served to expose on individual's every deviation*

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[24] *R. Rajagopal* v. *State of Tamil Nadu*, AIR 1995 SC 264.
[25] *Briscoe* v. *Reades Digest Asso'n*, 4 Cal 3d 529.

from the norm and to straightjacket him in a vise of backyard gossip, which threatened to deprive man of the right of scratching where it itches".

Thus, we see that the privacy concept means many things: a generalized feeling about a "*right to be left alone*"; it is a constitutional right against some kind of governmental interference in our lives, and it is a growing and increasingly complex body of tort law. This intermingling of crisis, information, control and unfreedom is what has threatened privacy rights in the recent past more than anything else. We need to take some concrete legislative action before we lose control of our over doings of bringing a crisis under control. It would be indeed naïve to sacrifice one's privacy on the pretext of maintenance of national security or promotion of social welfare, when there is no guarantee against misuse of such information being collected by the government.

Benefits: Perspectives and Insights
The advantages that would accrue by successful implementation of the scheme may be enumerated as follows:

- *Tackle illegal working and immigration abuse*

Today, our government faces a similar set of problems on hundreds of kilometers over its thirteen border states - how to identify the illegal immigrants who stealthily mingle with the local population and claim to be citizens of the country. This is not just a problem of numbers - it has other serious dimensions as well. Tapan Sikdar, Minister of State for the north-eastern region and small scale industry, quoted a predecessor in a different regime about the large scale infiltration from Bangladesh along the West Bengal and Assam border. He added that infiltration had changed the demographic balance in these regions with one particular community growing by 38 percent in the 1981-1991 decade, as against the decennial growth of 24 percent in other parts of the country.[26] Similar problems of illegal immigration are endemic in other border states such as Gujarat, Rajasthan, the Uttar Pradesh-Nepal border, and the western India coastline. This is threatening our security, especially the terrorists who attacked Parliament in December 2001.[27]

- *The prevention and detection of crime and terrorism*

India has been the victim of terrorism since fifteen long years and the problem is only aggravating with time. Hence, there is a huge drive to gear up the implementation of these cards. Support along these lines for the introduction of cards is also predicated on the assumption that they will establish a means of improving public order by making people aware that they are being in some way observed. Sometimes, cards are proposed as a means of reducing the opportunity of crime. Moreover, the factors on which the issuance of these cards would depend, shall inevitably include the background of the person, furthering the cause of counterthrust to terrorism.

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[26] Convergence Plus Journal, June 13, 2005, From national ID to global citizenry, by Rajendra Prabhu.
[27] The immigration issue is a principle motivation behind ID card proposals in continental Europe, the United States and some smaller developing nations.

- *Prevent identity theft and fraud*

Since, the ID cards are going to be authentic source of person's identification, it shall bring about a substantial reduction in identity theft. Identity theft is seen as a serious and growing problem. Yet, there is no specific crime of identity theft in the Criminal Code. Governments, individuals and corporations are all witnesses of increases in identity fraud that pose threats to privacy, financial security and the integrity of publicly funded services. For example, in 2001, almost 12,000 people in Canada were victims of identity fraud.[28] The Canadian Council of Better Business Bureaus estimates that identity theft costs $2.5 billion a year to consumers, banks, credit card firms, stores and other businesses. The biggest threat to individual privacy is to have one's identity stolen and used by someone else. There is an implicit, if not explicit, expectation that governments need to look at current practices and systems of establishing identity and evaluate their effectiveness. And ID cards should solve the purpose.

- *Prevent fraudulent access to public services*

Another striking advantage of the national ID cards is that it forbids any public service being entitled to the antisocial, fraudulent and undeserving people. This is because the issuance of ID cards will take place only to people having a clean and unalloyed background.

The other advantages may be cited as follows:

- *Enable easier and more convenient access to services.*
- *Allows verification of cards with consent of holder.*
- *Creates new offences - fraudulent use of a card, possession of false ID, unauthorised disclosure of information by administrators of the scheme.*
- *Establishes National Identity Scheme Commissioner to review operation of the scheme - annual report to the Home Secretary laid before Parliament.*
- *To facilitate international travel;*
- *To replace many documents with a single card;*
- *For voting purposes, etc.*

Unearthing the flip side

The aforementioned benefits might not be realized due to pragmatic problems as enunciated hereunder:

- *Will not be effective in preventing terrorism[29]*

Any self-respecting terrorist will get himself an ID card. The World Trade Centre terrorists had valid identification documents: driver's licenses, passports, and so on. Moreover, ID cards have not stopped terrorist action in Spain or the many other places that have them in place. What matters there is not identity but intention: if you intend to commit a single terrorist act and die at the end of it, you have no need to hide your identity. One may even want it known so you get the credit afterwards. An April 2004

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[28] The number would certainly be larger in India.
[29] Discussed in greater detail, later in the paper.

report by Privacy International concluded there was no evidence to support the claim that identity cards help prevent terrorism.

- *Will not be effective in preventing identity theft*

The problem here is that more valuable an identity document is, the greater the motive to create forgeries. The assumption here is that because the card will have biometric identifiers on it, it will be impossible for someone else to steal the card and the identity attached with it. What this overlooks is that the key element of this entire scheme is the database and the most important identifier on the card is that unique number by which an individual is known. To do serious damage to someone's identity you will not necessarily need to steal the card and try to use it to impersonate them; it is likely that you will be able to do plenty of damage by just stealing the number.[30] As a matter of fact, Recent inquiries in Australia[31], Canada[32] and the United States[33] indicate that widespread abuse of computerized information is occurring.

In the US, where there is no national ID card but there *is* a national identifying number known as the Social Security Number, *identity theft* is the fastest growing crime. This reminds us of Mark Twain, who in *Pudd'nhead Wilson* took a good pot-shot at the old adage when he said, "*Keep* all your eggs in one basket – and then watch that basket", but when you have all your eggs in one identity card you have no back-up you can use if it is lost, stolen, or compromised.

- *Will not be effective in cutting down crime/ Creates new crimes.*

Even police spokesmen, who publicly support the ID card privately, admit they would rather have the funds to hire the 10,000 more policemen or however many it is that the country could afford with the vast sum of money the national ID card and database will cost. It is hard to see how the ID card can help cut crime. We hear more about the difficulties of catching and convicting criminals than we do about the difficulty of identifying suspects. If anything, it will increase crime because of the new crimes the bill creates, mostly relating to failure to register or report changes in personal details. *Hence, embarking on a cost-benefit analysis would inevitably lead to a conclusion against having such a scheme in a country like India, because it is highly unlikely that it may stand to serve the very purpose it is formulated for.*

- *Will not improve national security.*

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[30] Take the instance of credit cards. Just around the time that banks started adding holograms and smart chips, everyone started using the cards on the Internet, where the "card" is just a 16-digit number with a four-digit expiration date and, more recently, a four-digit security code.

[31] The Independent Commission against Corruption concluded an investigation in 1993, and concluded that abuse of personal information amongst government information users was endemic and epidemic. ICAC, Report on unauthorized release of government information, Vol. 1 3, 1992 Sydney

[32] The Krever Commission in 1980 investigated the abuse of patient health record confidentiality by private investigators, and concluded that the practice was widespread. For an explanation of the methods adopted by the Commission to uncover these practices, see the Federal Privacy of Medical Information Act , S Rept 96-832 Part 1, 96th Congress, March 19th 1980, pp 24-26.

[33] Investigation by the Office of the Inspector General of corruption involving computerized files held by the US Social Security Administration. cited in United States Congress, Office of Technology Assessment, Protecting Privacy in Computerized Medical Information US Government Printing Office, Washington DC, 1993.

It is for the same reasons; it won't cut down on terrorism: terrorists will have identity cards. Most people in airports, where a lot of national security concerns are currently focused, have carefully authenticated ID with them already: their passports.

- *Will require entire population to report for interviews and facial/fingerprint scans.*

100 billion people would basically mean a helluva queue. The government answer to this is that the cards will roll out slowly. You will be enrolled in the system when you renew your passport or driving license, or if you decide voluntarily you want a card. Nonetheless, it will take a longer appointment to get the new biometric passport than it has in the past. Details are not yet available about how rigorous background checking will be. If it is not rigorous, then there is no point to the exercise, while if it is rigorous it will be time-consuming and slow.

- *Will arm the state to be much more intrusive of individual privacy, the inevitable Big Brother Syndrome*

Lately there has been a weary, cynical argument cropping up that the register does not matter because we have no privacy left anyway; actually, the government already has all this information. But there is a big difference between knowing that information is out there if someone really wants to find it and giving them carte blanche to abuse it if they want to. Burglars can find my house and if they have the patience they can watch, figure out the times when I'm not there and what's worth stealing, and make a plan to break in. But we don't pass a law saying burglary is legal and require every householder to hang a copy of the key in a convenient location outside the front door. Similarly, it is our right to decide what information the government should have about us, and what they may do with it. They work for us, not the other way around. In Germany, which has had ID cards going all the way back to Bismarck's time, there are extremely stringent laws limiting how and when government departments may share data – safeguards the Indian government is not proposing – and these give the Germans a confidence that their privacy is not being abused.

- *Fundamentally changes the relationship between citizen and state.*

The card allows, for the first time, government and law enforcement to demand as of right that you prove who you are. Until now, at least in the Commonwealth countries, there has been a deep-rooted belief that part of being free in a free society is not having to do that. There is another argument in favour of ID cards that you hear a lot. **"If you have nothing to hide, you have nothing to fear."** There are lots of things we keep private even if we don't fear repercussions if they become known. Nothing terribly bad would happen if people knew the details of my finances; yet we don't send bank statements on the backs of postcards. Quite apart from all those objections, there is another whole set of technical objections. One has to do with the error rate in government databases, which is substantial. The idea that you could change your address one time via a form submitted to one authority and have the change percolate through all the government departments you do business with is seductive, especially to MPs who are faced with surgeries full of people who are frustrated, exhausted, and confused from their dealings with government departments. But consider the converse:

Under the present system if your records contain errors in one place they may be correct in another. If the central database has it wrong, it will be wrong everywhere. We might look for an example of this sort of problem to the credit scoring agencies, which are notorious for data errors with consequences to real people's lives.

A second set of technical objections revolves around the biometric identifiers. Of course the police have used fingerprints for more than a century and DNA profiling, too, is well established. But we are talking about vastly more complicated systems that will have to be used on the fly in all sorts of conditions.

Another big problem in biometrics is testing. Testing is expensive because you have to work with human subjects, and there are no standard protocols for such tests, making it difficult to compare test results between laboratories and products. In addition, the bigger the database gets the greater the numbers of false positives and negatives are going to be.[34]

Drastic Intrusions Into Privacy

Governments are under considerable obligation to make a case for justification knowing that a constitutional value like privacy will be compromised by a law, policy or program of government. Though the shifting or expanding purposes (as aforementioned) makes a proper assessment of the proposal, both with respect to privacy and justification, very difficult, nevertheless, we will attempt to do so as follows:

1. Loss of Anonymity

A hallmark of a free and democratic society is the ability to go about one's business without interference or interruption from the state. Today, by and large, we are very much free to do as we please unencumbered by the state. National ID cards threaten this precept. In the worst-case scenario, they will allow the state to require citizens to produce ID on demand for no reason at all. At best, the state will seek to limit itself to specific uses (with ever new uses always demanding — and likely receiving — new access) and to curb inevitable abuses. But the threat of having one's daily activities continually recorded is not posed just by state apparatus.[35]

2. *Data matching*

One of the benefits of a prior era in which there was not the current capacity for electronic information management was that citizens had a series of discrete relationships with various agencies of the state. Various governmental authorities — health, tax, motor vehicle, employment insurance, etc. — each had their own discrete file and records regarding their particular responsibilities and the various citizens they serviced. Each of us had, if not a personal relationship, an individualized relationship with each agency. From an autonomy point of view, this was good. The state was not able to build super files on citizens that contained data respecting all aspects of their various relationships

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[34] To quote an example, British airports process 134 million people a year. An error rate of only a tenth of a percent means 13,400 mistakes a year.

[35] As with the SIN card, the private sector will seek to use the card--and lobby hard--to have the legal right to do so.

with different arms of the state. Technology and the impetus for information and cost control has altered this hydra to the detriment of citizen autonomy and independence. A national ID card prepares the infrastructure that makes data matching irresistible. And there will be many, many who want to know what we are each all about.[36]

Thus, we see that as it is with any proposal by government, though there may be negative civil liberties impacts, a government may justify overriding fundamental freedoms if there is a demonstrated public interest. But the government must be able to actively demonstrate that a particular measure, here national ID cards, will overcome a significant national problem. To this date, no comprehensive proposal has been made with details of a national ID card system nor has there been any justification for the need for a system.

On Terrorism: A Scourge on Humanity??!!
Establishing a relationship between ID cards and anti-terrorism is extremely problematic. No government has set out a clear framework to demonstrate how the terrorist threat might be reduced, nor has any government provided empirical evidence to assist research in this field. While the connection is constantly made through rhetoric, few details have emerged to show how in practice the threat of terrorism can be minimised through an ID card.
The UK Home Secretary, David Blunkett, has argued that the government's proposed card system will be more effective than other national ID systems in preventing terrorism because it will use "fool proof" biometric facilities operating on a clean database (BBC. 2004) This line of reasoning is superficially convincing, but with further analysis it proves to be false.
Ministers have suggested four ways by which a biometric ID system may deter terrorism:
- A central database of biometric identifiers will detect whether a person is using multiple identities.
- A process of comprehensive "biographical footprint checking" will help determine whether a person is using a false identity.
- A comprehensive vetting of card applicants might detect those people who have a background that is indicative of a terrorist profile.
- The existence of a compulsory identity card will expose those terrorists in the UK who have not registered.

Taken at face value, these claims assume the following circumstances:
- *The target terrorists will be entitled to an identity card.*
- *The target terrorists will apply for an identity card.*
- *Target terrorists who are entitled and motivated to apply will do so using their true identity.*
- *Measures will be in place to detect suspected persons who are living in the UK without an identity card.*
- *Data matching systems will reveal information that relates to a suspect.*

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[36] As it has been said: "Build it and they will come"?

A Survey of terrorist target countries with ID systems

The London-based *World Markets Research Centre* recently produced a comprehensive report that assessed the risk of terrorism in 186 countries (WMRC). Five criteria were used: motivation of terrorists, the presence of terror groups, the scale and frequency of past attacks, efficacy of the groups in carrying out attacks, and prevention - how many attacks have been thwarted by the country. The report does not suggest that the ranking of a country will be influenced by the existence of an ID card.

There is no known correlation between the extent of terrorism and the presence of an identity system. Following table[37] indicates the 25 countries that have suffered most from terrorist attacks since 1986. This list can then be compared with available data on the existence of identity cards.

	No. of attacks	deaths	ID card	Biometric
Afghanistan	4	34	yes	no
Algeria	41	280	yes	no
Argentina	2	129	yes	no
Bangladesh	5	49	yes	no
Cambodia	8	37	yes	yes
Colombia	90	400	yes	no
Egypt	22	115	yes	yes
France	31	37	yes	no
India	46	520	no	no
Indonesia	14	250	yes	no
Israel	227	-	yes	yes
Kenya	3	267	yes	no
Morocco	-	-	yes	no
Nigeria	2	171	yes	yes
Pakistan	68	420	yes	yes
Palestine	240	-	yes	no
Peru	31	40	yes	yes
Philippines	38	113	no	no
Russia	32	620	yes	yes
Saudi Arabia	10	30	no	no
Spain	51	250	yes	yes
Sri Lanka	27	440	yes	no
Turkey	57	85	yes	no
Uganda	12	42	no	no
United States	13	3650	no	no

Eighty per cent of these countries have long-standing identity card systems, a third of which contain a biometric such as a fingerprint. While it is impossible to claim that

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[37] Data obtained from the US State Department and from the Israel based *International Policy Institute for Counter-terrorism* (IPICT 2004)

terrorist incidents have been thwarted as a result of an ID card, the above data establishes that the cards are unable to eliminate terrorist incidents.

The Modus Operandi of terrorists

An identification system that has the potential to prevent or detect terrorists must have functionality that takes into account the activities and circumstances of terrorists. It is therefore essential to review the key methods used by terrorists to enter a country or to operate within its borders.

Five keywords generally apply to the character of modern terrorism: mobility, flexibility, invisibility, tenacity and audacity. Any study of the modus operandi of terrorists will highlight skills in exploiting weaknesses and loopholes, manipulating administrative procedures and circumventing vetting systems. This is demonstrated with great clarity in the use by terrorists of tourist visas.

It is worth noting that all visa applications are matched against a number of databases of known and suspected terrorists. However the data provided to consular officials – as noted below – is often false or misleading. US consular officials were thus unable to detect a terrorist connection to any of the 19 9/11 hijackers.

Practical considerations in combating terrorism through ID cards
There is significant – perhaps overwhelming – potential for terrorists to circumvent the proposed identity measures. *These include:*

- *Use of tourist visas.*

There are 90 million crossings into the UK each year. 25 million people visit as tourists, half of them from outside the European Economic Area. The Home Secretary has already stated that these visitors cannot be comprehensively vetted to determine identity and background. All but one of the hijackers involved in the US attacks had entered the country on tourist visas.

- *Masquerading as an "outlier".*

Biometrics vendors are familiar with the problem of "outliers", those people who are physically unable to provide meaningful biometric data. A small percentage of the population cannot provide fingerprints. A larger number are unable to provide an iris scan, either because of a defective focusing mechanism or absence of an iris. This population substantially weakens the security of a biometric card, and provides opportunities for terrorists to impersonate an outlier by using forged medical documentation.

- *Acquiring false identity.*

The effectiveness of an ID system in combating terrorism depends largely on ensuring that an applicant's true identity and background is known. While this is possible to investigate within the UK, the government has been unable to explain how such scrutiny could be accomplished in overseas countries. It is a relatively simple matter for a terrorist to assume a clean and legitimate identity of another person. The UK immigration authorities would be unable to determine whether the applicant was genuine.

- *Failure to match identities with watch-lists.*

Evidence to *The National Commission on Terrorist Attacks Upon the United States* (the *9/11 Commission*) has demonstrated that terrorists frequently escape detection and are

often absent from the watch-list databases that are relied on by immigration authorities. This is certainly the case with new recruits, but is even more prevalent when a terrorist provides false information to authorities.

- ***Spoofing identity.***

Far from providing a "foolproof" means of identity checking, iris cameras and fingerprinting technologies are vulnerable to spoofing. German researchers recently established that even high quality "live" iris cameras can be fooled by merely holding a print of another person's iris in front of a camera. Forged iris patterns can be printed on a contact lens.

- ***Identity dodging.***

Government Ministers have said on numerous occasions that people will not be required to carry the identity card. It appears therefore that the production of a card will depend largely on goodwill. If asked to attend a police station at a later date to establish identity, a terrorist need do no more than fail to show up. The task of tracking and identifying terrorists through an identity system is daunting.

The Home Affairs Committee has observed: *In the nature of things it is not possible to know how many people are illegally present in the UK. It is arguable that a compulsory national identity card scheme might 'flush out' significant numbers of such people — although it might be that some would continue to lead an underground existence, lacking a card, working illegally and therefore statistically invisible.(HAC)*

Much play is made of the need to properly identify who is living in the UK, who is seeking asylum, and who is granted the right to live here (around 130,000 people a year). But this is just the tip of the iceberg. According to the Home Office report *Control of Immigration: Statistics United Kingdom 2002* there were 89.3 million international arrivals from outside the Common Travel Area in 2001 There are, for example, just over 25 million tourist visitors each year to the UK. In 2000, over 1.4 million applications for temporary residence were granted. 369,000 students were admitted to the UK. It is not possible to apply a uniform standard of identity and biographical checking for these entrants. Obviously, things can only go worse for India.

Can it be therefore argued that the ID card is really effective for purposes of anti-terrorism?

<u>*OTHER MISCELLANEOUS PROBLEMS: A LICENSE TO KILL*</u>??

In addition to the concerns outlined above, there are other problems with a proposed national ID card. These include:

- *Foundation Documents*

  Building a system of national ID cards would require the registration of all individuals by relying on "foundational" documents. Thus, a birth certificate is required to obtain a passport for example. Yet, it is well known that the reliability of foundational documents themselves is suspect. Creating a foolproof identity card based on less than reliable base documents would be foolhardy.

- *Information Security*

The Committee is again aware of the concerns about the security of data given the ability of hackers to access supposedly high security government databases currently. Placing so much information in one database makes it all the more valuable and creates even greater incentives to steal such information.

- *Reliability of Biometric Technology*

Biometric technology is still in its infancy and is fallible. The least problematic Biometric method - iris scanning (and who is happy about having laser eye scans regularly? Not me, for sure) - shows at best a 4% error rate. Quite low, you think? Well, with 90m ID checks each year at passport entry points alone (let alone all the new places where you'd have your ID checked), this means nearly *250,000 mistakes every day*. Again, how many of these need to be terrorists? Still just the one.[38]

- *Cost-ineffectiveness*

Some have suggested that a national ID card proposal will cost up to $7 billion in Canada. The Privacy Commissioner of Canada estimates that a national ID card infrastructure would cost between 3 and 5 billion dollars. No one can possibly estimate with any accuracy the actual costs of such a system at this point in the debate. However, we can be certain that it would be very, very costly.

In UK, for example, the consultation document estimated the costs of these options at a whopping £1.318 billion for plain plastic cards and £3.145 billion for the "sophisticated" smart cards. Some back-of-the-envelope researches reveal that even the plain plastic card would cost each driver and passport holder about £22 just to recover the set-up costs. That would make the sophisticates at least £60 – and that's without running costs. Privacy International predicted the real cost would be closer to £100. In 2003, the *Sunday Times* published a leaked memo admitting that ID cards were in fact going to cost each of us over 16 nearly £40. This is for the all-singing, all-dancing smart card. The latest official figures, from May 2004, give costs to individuals of: £73 for a new ten-year biometric passport (beginning in 2007); £69 for a new ten-year biometric driving licence; £35 for a ten-year ID card. Estimates for the cost of the overall system are now up to £6 billion, and that's without including the cost of biometric readers all over the place – in hospitals, schools, doctors' offices, post offices, bank, etc.

Governments do spend such quantities of money. However, the public can reasonably expect considerable value in expending such large public funds. To be blunt, there would little value in creating a national ID card system at present yet considerable cost in terms of privacy.

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[38] Germany's Data Protection Officer Peter Schaar took the occasion of the presentation of the first progress report since he took office in December of 2003 to criticize the German government's plans to include biometric features in passports this autumn as premature. Biometrics, he warned, would often not be able to fulfill expectations. Scientific studies and application tests have shown, he explained, that biometrics often does not work as reliably as required for blanket use.

CASE STUDY OF THE NATIONAL CAPITAL: EXPLORING THE CONTOURS[39]

A city like Delhi, on the first glance, does not fit into a picture where we have tight mesh of surveillance; say for example, surveillance cameras at every bus stop, as is the case, of the City in London, or much of lower Manhattan. Certainly, this is a gross exaggeration of imagination that people (in Indian cities) are invisible (or inaudible, or untraceable) to the instrument of information gathering, or the matrix, or whatever one may like to call it, that connects all the government, corporate and civic agencies that have an interest in keeping an eye on things?

However innocuous the scheme of ID cards seem, it carries with it grave implications. Apart from the fact that in India pogroms (the Anti-Sikh pogrom of 1984, for instance) have sometimes been administered with the help of electoral registers, and computerised ID card systems would make such exercises that much simpler and more efficient, there are other serious implications of a regime of national identity cards. Today, the plethora of information about the citizens of this country is scattered very widely in countless data banks viz. police records, medical records, electoral registers, taxation records, etc. Their collation in a single database may prove to have devastating consequences. If everyone is issued a NISHAN card, the entries in one set of data can influence other, unrelated parameters. Let a hypothetical example be floated: a centralised electoral roll could register whether or not someone has voted in any electoral exercise. If 'not voting' were ever to be rendered a disqualifying factor in any other circumstance – applying for a passport, a phone, a gas connection, a job – then a person who has not voted, his behaviour would show up, every time he did any of those other things. His objective record as a non-active citizen may influence the decision of his recruiters in an interview he has appeared for and may render the whole of his expectations totally unfathomable, which is a serious emotional setback for the youth of the country.

The application of this scheme may legitimize the huge invasion of privacy. We consider another very practical situation. Suppose a person, who needs to rent the house is HIV positive, and his medical records register that on his card. New regulations stipulate that all landlords have to have prospective tenants cross-checked at the local police station. They ask for his NISHAN card, which, of course reveals that he is HIV positive. The landlord, (perhaps the whole neighbourhood) and the police station know that he is HIV positive, he does not get to be the tenant they choose.

The entire gamut of situations that might crop up is simply too large to ignore. Assuming that the Indian Constitution does not recognise the Right to Privacy as a fundamental right, then on the implementation of this scheme, the state will have an unbound and unrestricted freedom to manipulate enormous chunks of data about citizens (needless to mention that the card would invariably contain important and vital data of the citizens enrolling for the same) we just cannot put away the plight of people who will not get the cards (perhaps they are emigrants or refugees – the Bangladeshi rickshaw puller, the Afghan auto rickshaw driver) will now have to face considerable police harassment at day-to-day levels because they will not be able to produce their cards when they are stopped on the streets.

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[39]Extracts from paper on Everyday Surveillance: ID cards, cameras and database of ditties by Shuddhabrata Sengupta in Politics of Information.

Jammu & Kashmir and other border areas are the places where the concept of ID cards is prevalent, where one can be stopped routinely and asked to produce them. Jammu & Kashmir has the distinction, incidentally, of being the one state of the Indian Union where there is also no mobile telephony (its noteworthy as to how the Bharti Telecom Ads on Television speak of "Himachal to Kanyakumari" and not the customarily alliterative, "Kashmir to Kanyakumari"), where long distance telephony is curtailed, and where Internet access has recently been redefined in the direction of non-existence following rising tension on the India-Pakistan Line of Control and the international border.

Admittedly the scenario entertained on ground in cities like Delhi and Mumbai is different, but only to a degree. In Mumbai, for example, there already exists a police scheme by which someone has to produce a passport, or an identity card to surf in cyber cafés[40], and there are serious proposals to extend this scheme to Delhi as well inorder to protect minors from accessing unsavoury web sites, and in the interests of national security (atleast this is what the general public is told). Apart from this, some segments of the population in Delhi, such as rag pickers, are now being issued identification cards that they must carry with them all times.[41]

Typically, there is unanimously no problem in nailing high-tech interventions in the area of surveillance with the purpose of keeping a watch on potential terrorists and other labeled criminals. For example, a Prisoner Identification and Tracking System is already being implemented as a pilot project at the Cherrapalli prison in Hyderabad, Andhra Pradesh. The 150-acre prison houses over 3,000 inmates, and is the first prison in the country to experiment with this technology.[42]

It is not unlikely that a very large number of people in cities will get caught in the crossfire between the huge arrays of data produced by 'citizen databases' and surveillance technologies.

BY WAY OF AN EPILOGUE

Any consultation on any proposal is most effective when there are adequate details to properly assess a proposal. The proposed national ID card suffers from this defect. Considering the merits of an ID card in the abstract is an imperfect exercise.

First, there would be various negative privacy problems posed by a national ID card. *Second*, the objectives for a national ID card are not clear, let alone pressing and substantial unless pitched at such an abstract level ("national security") to be rendered meaningless. *Third,* it is far from clear how a national ID card would achieve such speculative objectives. *Fourth and finally,* there are other plausible alternatives to achieve the purported objectives of an ID card system.

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[40] Leslie D'Monte, Stop Cyber Surfer, where's your ID? in Zdnet India (available on www.zdnetindia. com/news/features/stories/22533.html, last visited on 26 May 2005).

[41] Identity cards are only one element in the apparatus of surveillance. Even more crucial are the sweeping powers of a battery of legal instruments like the Prevention of Terrorism Act (POTA)

[42] http://www.tradeport.org/ts/countries/india/isa/isar0019.html (last visited on 26 May 2005).

While a link between identity cards and anti-terrorism is frequently suggested, the connection appears to be largely intuitive. Almost no empirical research has been undertaken to clearly establish how identity tokens can be used as a means of preventing terrorism. The presence of an identity card is not recognised by analysts as a meaningful or significant component in anti-terrorism strategies. Five criteria are generally used to assess and benchmark the level of terrorist threat within a particular country: motivation of terrorists, the presence of terror groups, the scale and frequency of past attacks, efficacy of the groups in carrying out attacks, and prevention - how many attacks have been thwarted by the country.

At a theoretical level, a national identity card as outlined by the UK government could only assist anti-terrorism efforts if it was used by a terrorist who was eligible and willing to register for one, if the person was using their true identity, and if intelligence data could be connected to that identity. Only a small fraction of the ninety million crossings into the UK each year are supported by comprehensive security and identity checks.
The scheme is, thus, not as nice as it seems to be. There are certain practical realities that need to be explored. Our country is culturally, socially and economically different from the countries that are harbinger of the newest of technological ideas. Application of any of these schemes should not follow a conveyor belt and blinded approach, and must be tried, tested and trusted in a contextual framework.

REFERENCES

- ➢ (IPICT 2004) International Policy Institute for Counter-terrorism.
- ➢ "A National Identity Card for Canada? An Interim Report of the Standing Committee on Citizenship and Immigration, Joe Fontana, M.P., Chair, October 2003 at 26.
- ➢ "Blair Shelves ID Card amid Fears of Public Outcry", Marie Woolf, The Independent-UK at
- ➢ "Submission on National Identity Card Proposal", Canadian Bar Association, October 2003 at 20-21, citing Minister Coderre's comments (37th Parliament, 2nd Session, Hansard, Number 059, Thursday, February 13, 2003.)
- ➢ A sampling of these include: Office of the Information and Privacy Commissioner for British Columbia, February 17, 2003, Privacy Commissioner of Canada, March 18, 2003 and September 18, 2003, Information and Privacy Commissioner/Ontario, February 10, 2003.
- ➢ Citizenship and Immigration Canada at http://www.cic.gc.ca/english/pr-card
- ➢ Davies, S. Reckless ID card plan will destroy nation's freedom, Daily Telegraph, 29 September 2001
- ➢ For a comprehensive report on identity theft, its causes and proposed solutions, see Identity Theft: The Need for Better Consumer Protection, a report by the Public Interest Advocacy Centre, P. Lawson, J Lawford, authors, Ottawa, 2003.
- ➢ Groom, B and Burns, J Blunkett puts the case for identity cards; Financial Times, September 23 2001
- ➢ Home Office; Identity Cards: A Consultation. 2002
  http://www.totse.com/en/privacy/privacy/idconslt.html

http://news.independent.co.uk/politics/story.jsp?story=452722.

➢ http://www.liguedesdroits.ca/documents/surveillance/memoire_carteID_LDL_eng
.pdf.
http://www.privacyinternational.org/issues/idcard/pi-can-submission-10-03.htm).

➢ Privacy Commissioner of Canada, Annual Report, 1999-2000 at
http://www.privcom.gc.ca/information/ar/02_04_08_e.asp.

➢ Report of General Accounting Office on Using Biometrics for Border Security
(http://www.gao.gov/new.items/d03174.pdf); also see the submission of La
Ligue des Droits et Libertes:

➢ S. Davies, *A case of Mistaken Identity,* Report to the Ontario Privacy and
Information Commissioner, 1996.

➢ Submission of Privacy International to the Standing Committee on Citizenship
and Immigration, October 4, 2003: