

Ban Facial Recognition Europe

EVIDENCE OF VIOLATIONS

Cases assembled by the campaign for the permanent ban of Facial Recognition used for identification and profiling in all of Europe.



The following cases of implementation of Facial Recognition technology in Europe are evidence collected for a legal complaint against European institutions.

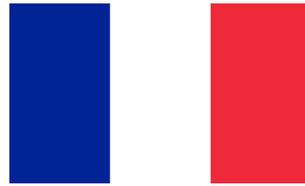
These uses of Facial Recognition technology in Europe led to abuses of fundamental rights, lack of accountability, and misspending of public funds for several years.

European institutions are responsible for not enacting a clear legal framework concerning Facial Recognition technology and not enforcing actions for violations of existing regulations.

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Ban-Facial-Recognition.EU

FRANCE



As of 2020

The French police already use Facial Recognition to identify people in public spaces. They use photos of people stored in the prior criminal records database TAJ (the "Traitement des antécédents judiciaires"). There are more than 18 million records of individuals in this database with more than 8 million photos. The use of Facial Recognition in this database in France has been allowed since 2012 and is currently being challenged in front of national courts.

<https://www.laquadrature.net/2020/08/07/nous-attaquons-la-reconnaissance-faciale-dans-le-taj/>

<https://www.cnil.fr/fr/taj-traitement-dantedecedents-judiciaires>

October 2019

France is poised to become the first European country to use Facial Recognition technology to give citizens a digital identity - whether they want it or not. Saying that he wants to make the state more efficient, President Emmanuel Macron is pushing through plans to roll out an ID program based on Facial Recognition called Alicem as part of his government.

<https://www.bloomberg.com/news/articles/2019-10-03/french-liberte-tested-by-nationwide-facial-recognition-id-plan>

July 2019

The Provence-Alpes-Côte d'Azur (PACA) regional authority asked France's data protection authority, the CNIL, for permission to use a Facial Recognition system to manage entry at Ampère high-school in Marseille. This "trial" was intended to be a year-long experiment and was also carried out at another school in the same region (the Lycée les Eucalyptus in Nice). This use was designed to increase the security of both students and staff and to quicken the time it takes for students to enter the school premises. These attempts of using Facial Recognition in the two French schools were stopped by a lawsuit in 2020.

<https://ai-regulation.com/first-decision-ever-of-a-french-court-applying-gdpr-to-facial-recognition/>

Since 2012

"PARAFE" is a program for automated border gates already installed in various stations and airports in France. The gates use Facial Recognition technology to verify the user's identity against the data stored in the chip in their biometric passport. The program was developed by the French company Thales.

<https://en.wikipedia.org/wiki/PARAFE>

<https://www.thalesgroup.com/en/markets/digital-identity-and-security/government/customer-cases/smart-gates-paris>

GERMANY



January 2020

Germany's Interior Minister, Horst Seehofer, planned to use automatic Facial Recognition at 134 railway stations and 14 airports, according to a news report published on 3 January 2020. This provoked an outrage in the German media, leading to the plans being put on hold.

August 2017 - July 2018

The interior ministry tested Facial Recognition cameras as early as 2018 at the Berlin-Südkreuz train station. The result was that 80% of the people were correctly identified. After the 2018 tests, Interior Minister Seehofer said that Facial Recognition systems would “make police work even more efficient, thus improving security for citizens”.

<https://www.euractiv.com/section/data-protection/news/german-ministers-plan-to-expand-automatic-facial-recognition-meets-fierce-criticism>

CZECH REPUBLIC



November 2019

Prague police have asked the municipality for a green light to activate automatic facial recognition cameras at six locations.

The media recently informed that in the autumn of 2020 police representatives announced that they had bought top recognition software from Cogniware.

<https://english.radio.cz/prague-police-seek-okay-test-facial-recognition-camera-system-raising-privacy-8114937>

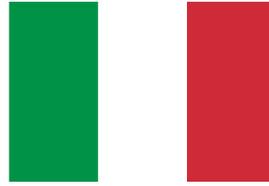
November 2019

The Czech data protection authority has ruled that processing of data using facial recognition technology on a construction site was legal in very specific circumstances.

The inspection authority of the Office for Personal Data Protection carried out an inspection investigating processing of personal data related to the use of facial recognition technology (FaceID) for identifying workers present on construction site.

<https://www.lexology.com/library/detail.aspx?g=63ba2d65-9b5c-41e4-b83a-1948d644d319>

ITALY



June 2020

The municipality of Como, Italy, purchased a facial recognition system, which was bought, installed, and tested for months with little transparency and despite the lack of a clear legal framework. The experiment in the city of Como was stopped by a measure of the Italian Data Protection Authority thanks also to a timely journalistic investigation. Yet, other cities have already announced the installation of similar technologies, such as Turin and Udine.

<https://privacyinternational.org/case-study/4166/how-facial-recognition-spreading-italy-case-como>

<https://www.wired.it/internet/regole/2020/06/09/riconoscimento-facciale-como/>

November 2017

Italian police has acquired a facial recognition system. The Ministry of the Interior commissioned Parsec 3.26 to provide software for the “Automatic Image Recognition System (SARI)” which, if we want to be more precise, is a system for facial recognition. The SARI system acquired by the scientific police has proved to be immediately biased and covered by a veil of extreme secrecy.

<https://medium.com/@ORARiccardo/italian-police-has-acquired-a-facial-recognition-system-a54016211ff2>

<https://www.wired.it/attualita/tech/2019/04/03/sari-riconoscimento-facciale-stranieri/>

NETHERLANDS



As of 2020

The Dutch police maintain a facial recognition database that currently offers information on 1.4 million individuals. Facial recognition uses are introduced in the public space under the guise of a pilot or, especially in smart city contexts, "Living Lab", sidestepping regulatory requirements and frustrating civic engagement.

<https://www.vice.com/nl/article/8xzydz/gezichtsherkenning-op-de-nederlandse-straten-moeten-we-dat-willen>

In the Netherlands, the use of facial recognition is on the rise in public spaces. Its use is already documented in supermarkets, at the airport and at soccer stadiums:

<https://www.rtlnieuws.nl/nieuws/nederland/artikel/4941596/gezichtsherkenning-biometrie-alphen-jumbo-privacy>

<https://www.amsterdam.nl/wonen-leefomgeving/innovatie/de-digitale-stad/digitale-perimeter/>

<https://www.volkskrant.nl/kijkverder/v/2020/de-stand-van-gezichtsherkenning-in-nederland~v91028/>

GREECE



March 2020

The Greek watchdog filed a request for opinion to the Greek DPA regarding a so-called "smart policing" contract of the HP. This contract aims at developing smart devices with integrated software enabling facial recognition and automated fingerprint identification of individuals during police stops. The Hellenic Police signed a €4 million contract in the spring of 2019 with Intracom Telecom, a global telecommunication systems and solutions vendor, for a smart policing project. No data protection impact assessment was taken out before the contract was signed, nor was the relevant data protection authority contacted.

<https://edri.org/our-work/facial-recognition-homo-digitalis-calls-on-greek-dpa-to-speak-up/>

<https://algorithmwatch.org/en/story/greek-police-live-facial-recognition>

POLAND



March 2020

Poland's mandatory Facial Recognition-based app was used to enforce quarantine. It sent the police to the home of anyone that fails to share a selfie on the app within 20 minutes of an alert.

<https://www.politico.eu/article/poland-coronavirus-app-offers-playbook-for-other-governments/>

SCOTLAND



February 2020

Police in Scotland said it hoped to use live Facial Recognition software by 2026, but later put the plans on hold. The technology can scan crowds of people and cross-reference faces with police databases.

<https://www.bbc.com/news/uk-scotland-51449166>

SWEDEN



August 2019

Facial Recognition was in use by high-school students in Sweden to keep track of attendance in the Skelleftea municipality. The trial, which took place in autumn 2018, had been so successful that the local authority was considering extending it. However, Sweden judges and data protection authorities blocked the experimentation of Facial Recognition in schools.

<https://www.bbc.com/news/technology-49489154>

EUROPEAN BORDERS



The ***SPIRIT*** is a European funded project to scrape social media images of faces to build a database for Facial Recognition analysis. Five law enforcement-related stakeholders participate in this research project: the Hellenic Police (GR), the West Midlands Police (UK), the Police and Crime Commissioner for Thames Valley (UK), the Serbian Ministry of Interior (RS), and the Police Academy in Szczytno (PL). According to the sparse and nontransparent website, the project aims to use tools, such as face extraction and matching, to correlate information from social media data similar to the model of the U.S. company Clearview AI. According to freedom of information requests, trials were planned for 2020 and 2021.

The ***iBorderCtrl*** is a European funded research project on the Hungarian, Greek, and Latvian borders. The project planned to use automated analysis of biometric data to predict evidence of deception among those looking to enter the European Union as “lie detectors” for refugees. The project came to an end in August 2019.

<https://edri.org/blog-ban-biometric-mass-surveillance/>

The ***Prum System*** is an EU-wide initiative connecting DNA, fingerprint, and vehicle registration databases for mutual searching. Ten European member states, led by Austria, call to expand the Prum System and create a network of national police facial recognition databases and interconnect such databases to every member of state with networks of police facial databases spanning the whole of Europe and the U.S.

<https://theintercept.com/2020/02/21/eu-facial-recognition-database/>

The “***EU security-industrial complex***” leads to the promotion, defense, and use of “securitisation” technologies. The agencies Europol and Frontex already use advanced biometric technology to survey borders and profile travellers.

<https://edri.org/blog-ban-biometric-mass-surveillance/>

EUROPEAN EXPORT



Amnesty International found that three companies based in France, Sweden and the Netherlands sold digital surveillance systems, such as facial recognition technology and network cameras, to key players of the Chinese mass surveillance apparatus. In some cases, the export was directly for use in China's indiscriminate mass surveillance programmes, with the risk of being used against Uyghurs and other predominantly Muslim ethnic groups throughout the country.

Amnesty's investigation identified the sale of three different types of digital surveillance technologies to Chinese state:

Morpho, which is now part of Idemia, a French multinational, was awarded a contract to supply facial recognition equipment directly to the Shanghai Public Security Bureau in 2015.

Axis Communications, a Swedish company, even boasts on its website of its involvement in expanding the Chinese surveillance state. Axis develops and markets network cameras, which specialize in security surveillance and remote monitoring.

Noldus Information Technology, a Dutch company, sold emotion recognition systems to public security and law enforcement-related institutions in China. The company's "FaceReader" software is used for automated analysis of facial expressions that convey anger, happiness, sadness, surprise and disgust.

<https://www.amnesty.org/en/latest/news/2020/09/eu-surveillance-sales-china-human-rights-abusers/>

FOREIGN COUNTRIES AND COMPANIES



The scraping of social media and the brokerage of datasets goes beyond borders, with companies and state actors interested in harvesting, scanning images, and building databases of biometric data of European citizens.

This is already happening with Clearview AI, an American company that scrapes images from social networks, and with FindFace, a face recognition technology developed by the Russian company NtechLab.

<https://www.nytimes.com/2020/01/18/technology/clearview-privacy-facial-recognition.html>

<https://www.forbes.com/sites/thomasbrewster/2020/01/29/findface-rolls-out-huge-facial-recognition-surveillance-in-moscow-russia/>

The use of these tools goes beyond Europe with foreign entities that are allowed to use Facial Recognition technology on European citizens. Clearview AI, Amazon, Facebook, Google, and Apple also assemble huge databases of biometric facial data of European citizens and use it to train their artificial intelligence without transparency and accountability. Products such as Ring of Amazon, Apple Face ID, Google Lens, and Facebook facial recognition features should be forbidden to use on all European citizens.