



PRESS RELEASE: National Identification and Registration Bill (NIDS)- Why the undue haste ? Personal freedoms are at risk. Delay passage of the Bill

Open Letter to the Government of Jamaica

November 7, 2017: The Jamaica Coalition for a Healthy Society (JCHS) expresses its grave concerns about the undue haste with which the Government is proceeding with the passage of the National Identification and Registration Bill (NIDS). At the last sitting of the Senate on Friday, November 3, 2017, the Leader of Government Business, Senator Kamina Johnson-Smith effectively declared that the Bill must be passed at the Senate's next sitting on Friday, November 10, 2017.

Certain aspects of the proposed NIDS system appear to be intrusive, invasive and irrelevant:

- *Intrusive* because it seeks to collect unnecessary information of citizens 'social, economic and general activities' according to the Bill's preamble,
- *Invasive* because it demands personal information that are beyond the norm e.g. finger print and possibly retina scan, vein pattern of the hand, foot print, toe print, palm prints and blood type,
- *Irrelevant* because the disclosure of the demanded biometric and demographic information (e.g. employment, religion, profession, occupation) is unnecessary to facilitate business and easy access to services. The relevance must be justified by the Government before the passage of the legislation.

Further, a national database collecting all the personal identification and demographic details of all citizens will be by its very nature a prime target for security breaches and abuse, even with the best of protective measures.

Unlike existing forms of identification (e.g. driver's licence, voter's ID, passport) which provide an incentive for ownership NIDS is being imposed under threat of punishment. Anyone who does not enroll after three years of

the NIDS implementation can be fined the sum of \$100,000.00 or be subjected to other forms of punishment such as community work.

The Government has claimed that the NIDS is necessary to fulfill a ‘human right to identity’. To that end Article 6 of the Universal Declaration of Human Rights (UDHR) was cited as a justification for NIDS. Article 6 in fact states that ‘everyone has the right to recognition everywhere as a person before the law’. This indicates that identity is inalienable (you are born with it) and is not dependent on any document or registration system. The NIDS creates an opposite effect. If persons do not enroll, the NIDS will unjustifiably hinder citizens from exercising existing rights and freedoms (with certain exceptions) upon pain of punishment. It is therefore arguable that the NIDS will enable the State to contravene Article 6 of UDHR.

The public has been informed that the NIDS system is being funded by a US\$68 million dollar loan (approximately J\$8.7 billion) from the Inter-American Development Bank. The public has however not been informed that Western democracies such as England and Australia have rejected similar systems. The basis for the rejection by these countries needs to be openly discussed before current and future Jamaican citizens are made to repay a debt the benefits of which are highly questionable.

Whilst we are convinced that this is not the intention of the Government, the fact is that NIDS in its current form paves the way for State over-reach and totalitarianism. More time and better public consultations are critical. The debate on NIDS in the Senate must be suspended until satisfactory nationwide public consultations have been held.

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