

Letter from global CSOs to the World Bank

We, the undersigned civil society organizations and individuals, urge the World Bank and other international organizations to take immediate steps to cease activities that promote harmful models of digital identification systems (digital ID).

The signatories of this letter are located in different countries, work with diverse communities, and bring a wide range of expertise. Among this group, there are many shared concerns and similar experiences documenting the harmful impacts associated with digital ID. Many new or upgraded systems are arbitrarily de-linked from legal status, use digitized biometric data, and rely on a 'single source of truth' model in conjunction with multiple public and private services. It is well-documented that these digital ID systems raise human rights concerns. These will affect every person and community, and should be a matter of broad public concern.

Mounting evidence collected by civil society organizations and independent researchers and experts establishes that digital ID systems regularly have a harmful impact on human rights. Researchers at NYU Law School highlighted these findings in a recent report on how the World Bank and its Identification for Development (ID4D) Initiative support and fund a development agenda around digital ID. Although ID4D has shown a willingness to engage with civil society, this dialogue has not led to meaningful changes in policy or practice. Critically, compelling evidence from countries such as India and the Dominican Republic has not triggered adjustments in the Bank's approach to supporting national governments that are building or upgrading digital ID systems. The World Bank continues funding the rollout of these programs, as in the Philippines, with new systems on the horizon, as in Mexico.

Both international organizations and industry actors, alongside the national governments deploying them, are promoting the rapid proliferation of such systems, while consistently disregarding the chronic underinvestment in context-based baseline studies, in cost-benefit analyses that cover the costs of potential human rights harms, or in comprehensive human rights due diligence process to include impact assessment. Civil society and independent experts are given little opportunity to raise necessary critiques, design adequate safeguards, and propose alternative means of solving challenges. This is at a time when many governments are closing civic space and intentionally silencing critical voices, both online and offline, and increasingly using digital surveillance as part of a repressive toolkit. It is therefore of grave concern that powerful actors like the World Bank, other international organizations, and private sector technology companies support the uptake of systems that enable surveillance, exclusion, and discrimination against vulnerable and marginalized communities.

In order to break this harmful cycle, we call on the World Bank and its donors to take the following actions:

1. Invite and fund an independent, rights-based assessment of the World Bank's role in supporting digital ID systems globally: This assessment should look not only at outputs, but also at human-rights outcomes. This evaluation could be done through an existing mechanism, such as the Independent Evaluation Group (IEG), through a program evaluation funded by an external donor, or through a separate process. We encourage the review to consider the current and potential role of the Inspection Panel and judicial and other oversight and remedial mechanisms available to those adversely affected communities. This must be a rights-based review that is independent, resourced, and empowered to make concrete recommendations. It must be inclusive and participatory, listening to both CSOs and affected populations. The results of this evaluation must be open to public consultation, with the final results and report made public and delivered to the World Bank's Leadership by or before the World Bank's Fall meetings of 2023, and there must be a concrete accountability framework in place to ensure that the World Bank is listening to these recommendations and taking actions to implement them. Any necessary measures to avoid identifying or further exposing affected persons to harm or reprisal and to maintain their anonymity should be taken.

2. Assess existing evidence and cease activities that heighten the risk of human rights violations: It is essential that the advice, diagnostics, investments and technical support offered by the World Bank has a firm evidence-base, particularly when it comes to these systems' impact on human rights. To support this, there should be a temporary moratorium on the World Bank requiring or investing in the roll-out of new or revised ID systems, until the review of existing evidence is conducted and published. Following such a review, diagnostics, environmental and social frameworks, and procurement frameworks used to determine future engagements should center human rights obligations, as current models are too often compiled by insiders and do not adequately address the full range of human rights concerns. In order to render these frameworks fit-for-purpose, it is necessary to critically engage with key aspects of ID systems, for example biometrics-based and single-source-of-truth systems, particularly where privacy protections are weak or there is a heightened risk of exclusion.

3. Enforce greater transparency about activities of the World Bank regarding digital ID: This includes the advice, support, and funding given to client governments. It is not clear how existing normative frameworks, such as the Principles on Identification for Sustainable Development, are used, what enforcement mechanisms are in place to ensure compliance, and under what circumstances red lines are drawn due to human

rights-related risks or evidence of actual violations. Not only will clearer rules of engagement allow civil society to access information about decision-making processes, they will help to ensure that the Bank does not support or legitimize potentially harmful systems. It is thus essential to have, firstly, transparency in how the World Bank makes decisions relating to recommendations and funding and, secondly, to ensure there is accountability for human rights compliance in that decision-making process.

4. Create opportunities for sustained, high-level engagement with civil society and other experts: Given the cross-sectoral support given to digital ID projects across the Bank's operations, these engagements must include senior directors at the World Bank, members of the High-Level Advisory Council for the ID4D Initiative, as well as influential donors and a diverse, intersectional cross-section of civil society actors. Opportunities for dialogue should have representation from the communities affected by digital ID, including those who have traditionally been excluded from such spaces, and allocate sufficient time and resources to engage in meaningful debate.

5. Increase funding and resources for baseline studies and contextual analysis, cost-benefit studies, and independent rights-based assessments and evaluations: All too often, the harmful effects of digital ID systems are the result of investments in systems that either ignore or intentionally exploit political, social, and economic dynamics. Funding and resources must be allocated to human rights-based assessments, prior to, during, and following the deployment of new or upgraded systems. These must be conducted by independent experts, and should not be led or designed by ID4D or other teams within the World Bank, given their conflicted role as advisor and funder to national governments.

These recommendations are directed chiefly to the World Bank due to the significant and influential role that it has played in promoting digital ID systems. However, most of these recommendations apply equally to UN bodies; private foundations such as the Bill & Melinda Gates Foundation and Omidyar Network; donors such as the United Kingdom, Australia, and France; and the private sector. All of these actors have played a key role in promoting digital ID systems and can make a meaningful contribution to change.

For any of these processes to work, however, they must come with real consequences. While safeguards are necessary, there may simply be environments where human rights risks are too high, or where evidence-based policymaking, civil society engagement, rule of law, and rights-based assessments are simply not possible. In such cases, the Bank and other funders

should heed the evidence and decline to support new or upgraded digital ID systems. For too long, the emphasis has been on the development promises of digital ID systems, but it is past time to reckon with their vast potential for abuse and exploitation.

Signatories

Privacy International

Digital Welfare State and Human Rights Project, Center for Human Rights and Global Justice (NYU Law)

Access Now

Dr Eve Hayes de Kalaf, Research Fellow, Institute of Commonwealth Studies, School of Advanced Study, University of London.

Unwanted Witness

Anna Aloys Henga - Legal and Human Rights Centre

Jean Drèze, Visiting Professor, Department of Economics, Ranchi University

Paradigm Initiative

Initiative for Social and Economic Rights (ISER)

Reetika Khera, Professor (Economics), Department of Humanities and Social Sciences, Indian Institute of Technology Delhi

Philip Alston, John Norton Pomeroy Professor of Law, New York University School of Law

Haki na Sheria Initiative

Ria Singh Sawhney, Lawyer and Researcher

Suman Gupta, Professor of Literature and Cultural History, The Open University UK

Global Data Justice Project, Tilburg Institute for Law, Technology and Society (TILT), Tilburg University

Temple University Institute for Law, Innovation & Technology (iLIT)

Jake Okechukwu Effoduh, Chief Counsel, Africa-Canada AI & Data Innovation Consortium (ACADIC), York University

Black Sash

Richard Banégas, Professor of Political Science at Sciences Po Paris, Co-Director of the Social Life of Identity Documents in Africa

Spaces for Change

Keren Weitzberg, Senior Lecturer, School of Politics and International Relations, Queen Mary University London

Marielle Debos, Associate Professor in Political Science, University of Paris Nanterre

Sunita Sheel, Heal, Ethics and Law Institute of FMES

Vidhayak Trust, Pune, Maharashtra

Jaap van der Straaten, CEO of the Civil Registration Centre for Development—CRC4D

Health Equity and Policy Initiative (HEAPI)

Internet Freedom Foundation

Asociación de Tecnología, Educación, Desarrollo, Investigación y Comunicación (TEDIC)

Digital Rights Foundation

Digital Empowerment Foundation

Surveillance, Tech & Immigration Policing Project at the Immigrant Defense Project

Privacy Mode

Yesha Tshering Paul, The Centre for Internet and Society

Nanjala Nyabola, Independent writer and researcher

Foundation for Media Alternatives

Red en Defensa de los Derechos Digitales (R3D)

Derechos Digitales

SMEX

Amanda Hammar, Professor of African Studies, University of Copenhagen

Shruti Trikanad, The Centre for Internet & Society

Dr Margie Cheesman, King's College London

Silvia Masiero, Associate Professor, University of Oslo

Francesca Feruglio, International Network for Economic, Social and Cultural Rights

Article 21 Trust

Nachiket Udupa

Asociación por los Derechos Civiles (ADC)

Rethink Aadhaar

Sonal Raghuvanshi, Researcher, Centre for Financial Accountability

Swati Narayan, Activist, Right to Food Campaign, India

Nikhil Pahwa

Rajendran Narayanan, Assistant Professor, Azim Premji University

Centre for Financial Accountability India

Tarek Alghorani - Journalist & human rights defender

Kehinde Adegboyega, Human Rights Journalists Network Nigeria

Srinivas Kodali

Santosh Sigdel, Chairperson, Digital Rights Nepal

Digital Rights Nepal

Srikanth Lakshmanan, CashlessConsumer

Usuarios Digitales

UBUNTEAM

Arzak Khan Innovation For Change (I4C)

Tech for Good Asia

comun.al, Laboratorio de resiliencia digital

Harry Sufehmi, Masyarakat Anti Fitnah Indonesia (MAFINDO)

Joshua Wise

JCA-NET(Japan)

Body & Data, Nepal

Yasah Musa, The Nubian Rights Forum

Taiwan Association for Human Rights (TAHR)

Statewatch

Resurj

Data4Revolution

Phil Booth, Coordinator, medConfidential (National Coordinator, NO2ID, 2004-2011)