



RIGHT2KNOW

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Right 2 Know Campaign submission to ICASA

The Right2know campaign opposes the proposal by ICASA to tie the biometric data of South Africans to their SIM cards. Civil society including Right2Know has consistently challenged the surveillance agenda associated with RICA; after it was shown that this has been abused many times by state agents and private security agencies, the High Court ruled that parliament should amend RICA to protect citizens' privacy. Thus it is astonishing that ICASA proposes a dramatic move in the opposite direction.

What this means in practice is that fingerprint mapping, facial recognition, retina scans and other biometric data could all be tied to a person's SIM card – and by extension their phone number. The stated intention is to hamper “identity theft” – fraud achieved by controlling someone's credentials. This is primarily used for unauthorised access to people's bank accounts. The convenience of telephone banking benefits the banks and their customers, who are only a subset of telephone users. Why then should the privacy of all telephone users be compromised? By imposing a burden of biometric regulation of SIMs onto cellular companies, a cost would be generated which will be passed on to all telephone users. Given that many banks already collect biometric data of their customers, it would be fairer (as well as safer) if the burden of assigning trusted status to certain SIMs falls on the banks and their customers. In other words, after doing a SIM swap, a bank customer would have to present the new SIM to the bank so that their telephone number was now associated, in the bank's records, with the IMEI number of that SIM. This could hamper identity theft without compromising the rights of the public at large.

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