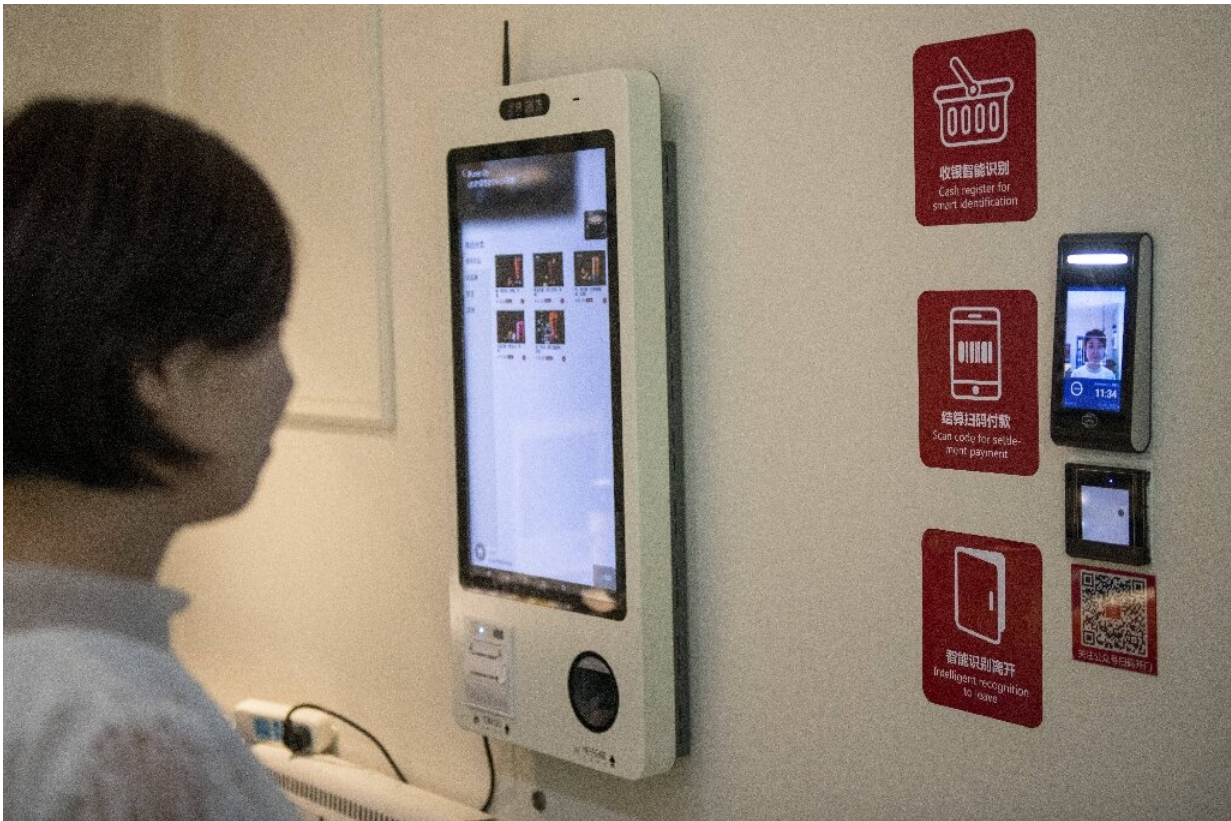


# China facial-recognition case puts Big Brother on trial

January 8 2020, by Kelly Wang

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Facial-recognition technology has become embedded in China, from airports to hotels, e-commerce sites and even public toilets, but a law

professor had enough when asked to scan his face at a safari park.

Guo Bing took the wildlife park to court, raising the temperature in a growing debate about privacy and abuse of personal data in an increasingly digitised society.

China's government has thrown its support behind companies that develop facial recognition and artificial intelligence for commerce and security, part of a drive to become a world leader in advanced technologies.

Surveys have indicated a broad public willingness to surrender some privacy in exchange for the safety and convenience that technology can bring.

But that's changing as the collection of biometric data such as fingerprints and facial scans mounts.

Domestic media have called Guo's suit against the Hangzhou Safari Park in eastern China, filed in October, the first of its kind in the country, and the public reaction has exposed fears that technology is outpacing legal safeguards.

Online posts regarding the case on the popular Weibo platform have garnered more than 100 million views, with many users calling for a ban on collecting such data.

The sentiment stems in part from the rampant abuse of personal data in China, ranging from outright financial fraud to the common leaking of mobile phone numbers to phishing operations.



China is constructing a massive high-tech surveillance state marked by ubiquitous security cameras

## Deal with the devil

In a recent article posted online that generated wide discussion in China, Lao Dongyan, a [law professor](#) at prestigious Tsinghua University in Beijing, called abuse of facial recognition data "a deal with the devil".

"The wanton promotion of [facial-recognition](#) technology will open Pandora's box. The price we pay will be not only our privacy, but also the security we strive for," Lao wrote.

Guo, a professor at Zhejiang Sci-Tech University in Hangzhou, said in his civil complaint that collection of data like facial scans, "if leaked, illegally provided or abused, will easily endanger consumers' personal and property safety".

A hearing date is yet to be announced. Guo could not be reached for comment.

A newspaper published by the Ministry of Science and Technology said the safari park's "rash and rough attitude showed indifference" to public sensitivities. Laws must be used to prevent "overreach", it added.

On December 30, the government issued a directive specifying a range of practices related to the collection and use of personal information via mobile phone apps that it considered to be unlawful.

China still lacks a specific set of laws governing personal data. Legislation is now being formulated, but it remains unclear when it could be introduced.

China is constructing a massive high-tech surveillance state marked by ubiquitous security cameras, which authorities say is necessary to fight crime and ensure public safety.





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Devising laws that may infringe on this drive is a delicate matter and unlikely to lead to [significant changes](#), say experts.

"There could be symbolic moves like setting up a privacy or data protection officer in companies, but nothing substantial," said Beijing Normal University law professor Liu Deliang, founder of the Asia-Pacific Institute for Cyber-Law Studies.

Lokman Tsui, a communications professor at Chinese University of Hong Kong, says the government could opt for tough laws that target the abuse of such data, rather than its collection.

"It would be relatively easy for the government to crack down on the

processing or selling of data on the one hand, while still being able to practise government surveillance on the other hand," he told AFP.

## **Brave new world**

Despite headlines about the brave new Chinese world of high tech, experts say China actually continues to lag far behind the US in advancement but excels in scaling up technologies for wide commercial use.

It has the world's largest population of mobile internet users—more than 850 million—which operates as a valuable testing ground for consumer viability.

Facial recognition is now used to pay bills, take attendance in some schools, streamline security in public transit and punish jaywalkers.

Restrooms at some tourist attractions even require a facial scan in order to receive toilet paper to curb over-consumption.

But the China Consumers Association in November 2018 released a report stating that more than 90 percent of mobile apps were suspected of excessively collecting personal information, and 10 percent excessively amassing biometric data.

Concerns have grown after recent state media reports said thousands of pieces of facial data were sold online for as little as 10 yuan (\$1.40) each, and after the government last month began implementing a new requirement that consumers provide a facial scan to register for mobile phone services.

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