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**Introductory Statement
to the Parallel Panel Session
"Privacy
and the Use of Radio-Frequency Identification Technology"**

**26th International Conference
on Privacy and Personal Data Protection
14-16 September 2004
Wroclaw, Poland**

The Baja Beach Club in Barcelona offers his customers to have a VeriChip RFID-device of the size of a rice grain implanted in their arm or hand. This would enable them to pay their drinks with the wave of the hand without having to carry a wallet or credit card. The director of the club is quoted thus: "I know many people who want to implant it. At the moment almost everybody takes piercings, tattoos or silicone." He goes on saying: "The objective of this technology is to take a system of identification to a world-wide level that annuls the necessity to carry an identity card or credit card. The VeriChip which we will implant at our Club will not only be for this Club, it is also useful for any other company that makes use of this technology."

Two initial thoughts come to mind when reading this statement: On the one hand one could argue it is up to the individual if he or she decides voluntarily to have an RFID-chip implanted in their body. On the other hand if this technology becomes "trendy" such as tattoos or piercings or especially if it becomes part of a worldwide infrastructure of identification in the private or public sector (e.g. when crossing a border) there is no free decision possible for the data subject. In such a scenario finally everybody would have to accept a chip under his or her skin.

This sounds still somewhat far away and science-fiction like. But is it really that far away? For the time being other applications of RFID technology are more widespread and economically more important, especially the logistics applications.

This area prompted Privacy and Data Protection Commissioners at their 25th International Conference in Sydney 2003 to discuss the privacy risks of this technology and eventually to adopt a resolution addressing the issues involved. In the meantime – as one can see in the Baja Beach Club example – time has moved on and the technology has rapidly developed and spread. In the United States consumer groups have called for a "RFID Right to Know Act" or even a "RFID Bill of Rights" and some state legislatures (e.g. California) have started discussions on such legislative proposals.

So it is worth looking at recent technical and legal developments against the backdrop of the resolution adopted by the Privacy and Data Protection Commissioners last year to find out whether privacy considerations have been taken up by manufacturers and deploying companies. Furthermore consumer protection considerations have emerged alongside with privacy issues.