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A Personal View

expressed by Diana Stancu

"...it is not only lives that we are trying to protect from terrorists, but our democracy too..."

Technology itself cannot guarantee security, but security without the support of technology is equally impossible. But, does the terrorist threat justify the restriction of our rights to privacy? Privacy is generally associated with the protection of the integrity, autonomy and private life of the individual. Basically, it's about people's right to choose how they want to live their lives, and which things they want to keep private. Privacy is considered to be a basic human right and is the essence of Article 12 of the Universal Declaration of Human Rights.

What makes the protection of privacy difficult is the fact that, nowadays, privacy is competing with other values in society, such as our entitlement to security or the desire for convenience. Our privacy and freedom have been compromised by the technologies we have created – screening, surveillance, data collection, communication – to protect us. Biometric identifiers (face, iris, fingerprints) are already incorporated into passports and ID cards and are used for authenticating the claimed identity of those people crossing borders, and in combating document and visa fraud. Yet in the future, albeit doubted by many, the use of RFID may be the standard for identification purposes, whereby the device only works if the chip is presented in tandem with the person one wants to authenticate. Until now, only members of certain night clubs have agreed to be marked like cattle in this way, in order to spend less time paying for their drinks at the bar. So, do people comply with these measures because they have no choice or because personal convenience matters to them more than protecting their privacy?

Civil aviation security measures and the associated technologies deployed are designed to reassure and to guarantee safety. It is also true that, on the one hand, individuals want their privacy when travelling to be strictly preserved, yet on the other hand, they expect airplane boarding controls to be effective, rapid, and respectful. Should security measures become too easy-going, the risk of our suffering a terrorist attack would become very high; such an attack would be very costly socially and economically, and devastating in terms of the loss of human life and property. However, having excessive security could paralyse the air transport industry and deter people from flying, let alone compromise individual privacy.

Many individuals are not concerned about technologies that infringe upon their privacy because they feel they have nothing to hide. Others fear that such exposure will result in a loss of privacy that is nigh on impossible to regain once it is gone. Even the most law-abiding citizen may find himself in a situation where he wouldn't want to be watched or traced.

The level of acceptance of civil security measures will naturally vary significantly from one State to another, depending on its experience with terrorism. For that reason, in times of an emergency or in its aftermath, individuals are much more accepting of the measures, constraints and restraints related to aviation security, even if these measures seem to infringe on civil freedoms, as demonstrated by the increased security measures in the United States following the 9/11 terrorist attacks.

Passenger data collection through the Passenger Name Record (PNR); watch-lists and the No-fly List; the revealing screening technologies such as backscatter X-Ray and intrusive CCTV monitoring and surveillance are some examples of controversial security measures. Should such deployments fail to respect our individual freedoms, they risk being rejected by society, the result being a degradation and weakening of the security they are designed to provide. Hence, a risk-based management approach to security should also focus on people – as customers and passengers - and on the rule of ethics and morals rather than simply finding and implementing the right security measures and technology. Human science should not lag behind security solutions.

Homo hominis lupus. Man is a wolf to man. Should we really be driven by what Plautus alleged centuries ago? Or, should we remember that we are living in a society based on fundamental principles with guaranteed freedoms and rights and act accordingly? It is true that today terrorists are innovative, well-trained and skilled at seeking out and exploiting the weaknesses in our civil aviation security systems. But, in our pursuit of terrorists, should we override civil freedoms? I consider we should bear in mind that it is not only lives that we are trying to protect from terrorists, but our democracy too.

Although there is some truth to the motto that security is the most important of all freedoms, should this freedom be given precedence over all others? Is security the foremost freedom? Will civil aviation security professionals be able to find the proper balance? Or, as an alternative, will freedom and privacy, the founding principles of a democratic regime, be reduced to simple and negotiable rights too?

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