THE DATA AND THE VIRUS
REPORT #8

After changes in the disclosure of COVID-19 data, Supreme Court Justice Alexandre de Morais demands presentation of accumulated numbers. São Paulo Court of Justice (TJ-SP) states that monitoring cell phones to combat the new Coronavirus does not violate privacy. IBM, Amazon and Microsoft are no longer providing facial recognition technology to the United States police. Google Maps, Facebook, University of São Paulo and Federal University of Paraná invest in maps that show where the infected people are. You stay on top of this and other news in the eighth report of the project "The Data and the Virus".

Tribunal de Justiça de São Paulo afirma que monitoramento de celulares durante pandemia não viola privacidade

What you need to know...

- Judges state that the monitoring does not collect enough data to be detrimental to the privacy of the citizens of São Paulo.
- Monitoring tool aims to identify places with agglomerations and, therefore, a higher probability of contagion of the new Coronavirus.
- According to the rapporteur of the case, Judge Getúlio Evaristo dos Santos Neto, the data are all anonymous and confidential.
- Government officials would only have data from the most affected regions, without further details from cell phone users.

On Monday, June 8, the judges of the São Paulo Court of Justice decided that monitoring data from cell phones to combat the new Coronavirus does not constitute an invasion of privacy.

The decision was 20 votes in favor and 4 against and, with that, the Special Body of the São Paulo Court of Justice denied the writ of mandamus against the cooperation agreement that was established between the state government and telephone operators for monitoring cell phones of ''paulistas'' during the quarantine.

The agreement allows the government to receive information on the displacement of citizens. In this way, it will be possible to trace more assertively regions where there are agglomerations of people and, consequently, a greater risk of contagion by COVID-19.

According to Judge Getúlio Evaristo dos Santos Neto, the data do not harm individual rights because they are anonymous and confidential, without posing a risk to the privacy of the citizens of the region.

The judge also said: "It is reasonable to conclude that personal data are not used, but only anonymised ones, regarding the number of connections to the operators' Base Radio Stations, and only to determine the regions with the greatest movement of people".

São Paulo uses a tool called SIMI - Intelligent Monitoring System, adopted as an essential platform for controlling social isolation rates and defining the strategy to prevent and combat the new Coronavirus pandemic through the IPT - Institute for Technological Research.

The system works as follows: SIMI uses as a base the number of cell phones connected to the antennas of the telephone operators. Then, only statistical data are sent to the Brazilian Association of Telecommunications Resources (ABR) and consolidated in the Technological Research Institute - IPT, which visualizes and analyzes such information in a Big Data software. In this way, government officials can understand the isolation rates in municipalities and neighborhoods.

During the hearing in the process, the State Attorney General presented technical elements to demonstrate that the system makes it impossible for users' personal information to be accessed by the authorities, thus guaranteeing the privacy of the population.

"This decision recognizes that the monitoring by the State of São Paulo has been carried out within the constitutional and infraconstitutional limits, avoiding the interruption of the use of a tool of great importance to combat the spread of COVID-19", concluded Claudio Dias, attorney Assistant state.

Justice Alexandre de Moraes, of the Supreme Court, orders the government to release accumulated data from COVID-19

What you need to know...

> - Site about the new Coronavirus went offline and came back with a new method of making data about the pandemic available
> - Rede Sustentabilidade, PSol and PCdoB (all political parties) filed a lawsuit calling for government transparency in relation to the publication of data
> - Minister Alexandre de Morais ordered the accumulated data to be released on the website again
> - Ministry of Health reported that all data will be available on the website, but in a new format to bring more clarity on COVID-19 numbers

On Monday, June 8, the Justice of the Supreme Federal Court Alexandre de Moraes ordered the Ministry of Health to resume the release of the accumulated data on COVID-19, after a controversy involving the presentation of data on the evolution of the virus by the government.

The measure was taken after changes were made to the presentation of the new Coronavirus data on the Ministry of Health website. Until June 4, the federal government released daily data on new

confirmed cases and deaths, as well as the consolidated total of cases and deaths since the beginning of the pandemic. From June 5, it changed. After going offline, the content returned with a new presentation, without the accumulated data.

The injunction granted by Moraes complies with the lawsuit presented by the Rede Sustentabilidade, PSol and PCdoB parties against the "statistical manipulation by the Bolsonaro government (...) The retention of this extremely important information makes it impossible to monitor the progress of COVID-19 in Brazil, in addition to delaying the correct implementation of public health policy for disease control and prevention ", argues the lawsuit.

"[I decide] to order the Minister of Health to maintain, in its entirety, the daily dissemination of epidemiological data related to the pandemic (Covid-19), including on the Ministry of Health website and with the cumulative numbers of occurrences, exactly as performed until the last day of June 4", wrote Moraes in the [decision](#), in addition to giving the Attorney General's Office (AGU) a 48-hour deadline to provide the necessary information.

The Justice added: "The constitutional consecration of publicity and transparency corresponds to the State's obligation to provide the necessary information to society. Access to information is a real instrumental guarantee for the full exercise of the democratic principle ".

On the same day, the Ministry of Health [reported](#) that the data will always be released at 6 pm, Brasília time. "If we can solve the technical problems, we can receive all the data, as agreed, until 4 pm in Brasília, and disclose everything until 6 pm," said executive secretary Élcio Franco.

Franco also stated that the new model of cases and deaths by date of occurrence will be better for controlling the pandemic: "At first, we had been working with the notification date, but it undermines the analysis. Our intention is to work with the date of the death. As we manage to establish the system with data from states and municipalities, we will be able to verify the curve with its real evolution ".

Eduardo Macário, director of the Department of Health Analysis and Disease Surveillance [said](#) that the data on deaths that happened in previous days, but were only confirmed by COVID-19 later, will also be included in the data, but added to the date of death.

"We trust that any current confusion can be resolved and that the Brazilian government and the states can continue to provide data in a coherent, transparent way to their own citizens so that this pandemic can come to an end as soon as possible," said in a press conference executive director of the World Health Organization (WHO) Health Emergencies Program.

Universities and technology giants create contagion maps to collaborate in the fight against COVID-19

What you need to know...

> - Facebook has made available a map that informs regions of contagion of the new Coronavirus and geolocation data of its users.
> - Google Maps has tools to inform users about peak times for public transport, agglomerations and inspection sites in the fight against COVID-19.
> - Ministry of Health removes zip code data from DataSUS and hinders virus mapping project.
> - Ministry of Health states that data removal was necessary because the data is sensitive and easily identifiable.

In 2020, the world evolved the equivalent of decades due to the new Coronavirus pandemic. In addition to the various Contact Tracing applications spread across different countries, data maps are also a reality on the most diverse platforms.

Among the giants that are [using data](#) to map Coronavirus cases is Facebook. In partnership with universities and researchers, the brand began to disseminate data and provide aggregated information on user movements. The initiative is called "Data for Good", created in 2017, and aims to compile information related to emergencies to save lives.

According to Alex Pompe, Facebook's research manager, the social network does not have direct access to the data collected, being just a collaborative point of information transmission. He said, in an interview with the G1 website: "We use our reach to provide access to users. The research is done on the websites of partner universities ".

The tool relies on information from the University of Maryland research group, Johns Hopkins University and the Massachusetts Institute of Technology (MIT), the latter two to understand access to preventive measures, such as wearing masks, and public behavior regarding social distancing.

Pompe stated: "The objective is to try to understand the extent of the presence of COVID-19 in the population in order to relax the isolation measures''.

In addition, Facebook also discloses the movement data of social network users who have the application on their cell phones and have the location feature enabled.

To avoid problems in relation to privacy, some measures were taken, such as, for example, not revealing data from points where there are less than 3 users, as well as information about neighborhoods or residences.

Another giant that is working with [data and geolocation](#) is Google. Google Maps users now have information about peak transit times as well as information about opening hours.

In a [blog post](#) for the company, o diretor de produtos do Maps, Ramesh Nagarajan, afirmou: Having this information before and during your trip is critical for both essential workers who need to safely navigate to work and will become more important for everyone as countries around the world begin to reopen.

The company executive also said that Maps is producing driving alerts to notify users of COVID-19 checkpoints and restrictions along the way. "You'll see an alert on the directions screen and after starting navigation if your route is impacted by these restrictions", he added.

The tool will be powered by data from local governments, but Google also has partnerships that provide useful data for users. In addition, citizens themselves can feed the base, reporting on agglomerations, on-board security and vehicle accessibility.

Among the Brazilian Universities with projects for mapping the new Coronavirus is the Public Space and the Right to the City Laboratory (LabCidade) of FAU-USP (Faculty of Architecture and Urbanism of the University of São Paulo). The institution created a map capable of locating the addresses where the cases of hospitalization caused by the virus are in 15 municipalities in the metropolitan region of São Paulo.

In an [interview](#) with UOL website, the coordinator of LabCidade and professor at FAU-USP Raquel Rolnik stated that the objective of the map is "to provide a territorial reading of the epidemic so that specific coping strategies can be put into practice, considering that COVID-19 is not evenly distributed throughout the territory and, therefore, homogeneous strategies do not work ".

The data collected to feed the map are those of the Department of Informatics of the Unified Health System - DataSUS and, in it, are recorded cases of people hospitalized due to the virus as well as severe acute respiratory syndrome, including the zip code of the hospitalized person.

Raquel tells the publication that, even with the details on the map, it is still not possible to access the total number of cases, because not all cases seen in hospitals are registered - as is the case of people who do not need hospitalization or those who do not provide the zip code at the time of registration.

In the last week, the zip code data were [removed](#) from DataSUS, making it impossible for the tool to function. "The removal of zip code data from DataSUS totally compromises the possibility of doing this type of analysis. It is essential that this data is disclosed ", warned the coordinator of LabCidade.

Despite this, the group remains working with the map alongside the Pólis institute. "We continue our work now looking to make crossings that allow us to advance the explanations about the concentrations of cases."

The Ministry of Health stated to the publication that the CEP was characterized as sensitive data, facilitating the identification of the individual, and, in compliance with the General Data Protection

Law - LGPD (Law No. 13.709 / 2018), it was withdrawn. "This action contributes to guaranteeing and preserving the citizen's privacy (...) The Ministry of Health reinforces that the platform is being improved and suggestions can be evaluated. Finally, in order to collaborate with the research, the Ministry, through DataSUS, will study a way to create geographical identifications respecting the privacy and intimacy of the citizen. The Ministry will work on this solution in the coming days, considering the importance of the work carried out by the academic and scientific community ", he concluded.

On the subject, Camille Moura, research coordinator at Open Knowledge Brasil made a [thread](#) on Twitter. In it, the specialist talks about the importance of data in research, but highlights its fragility, since, it makes it easy to identify an individual.

"It is difficult to think of how the zip code can serve to identify a person when we think of Av. Paulista. But most Brazilians do not live at Av. Paulista. In fact, most Brazilians do not live in a city like São Paulo, but in smaller cities, with smaller streets and fewer people. In these cases, a small set of data (even anonymized) is enough to identify people very easily ", he warned.

Camille also wrote that, in fact, the use of zip code data can be of great value for academic research, but it is necessary to maintain transparency and caution. "The risk of exposure is very high and the state should not assume that risk", she concluded.

IBM, Amazon and Microsoft cancel supply of facial recognition technology to US police

What you need to know...

- Demonstrations in the United States take on a large proportion and police take advantage of various technologies to identify protesters.
- IBM decides to veto the use of facial recognition technology for police use in the United States.
- Amazon also canceled the partnership with the department, believing that a law is still needed to guarantee the safety of the use of facial recognition for citizens.
- Microsoft, finally, followed what was decided by its competitors, and informed that it will only provide the technology again when there is regulation based on human rights, in order to avoid excesses on the part of the country's police.

The protests that started after George Floyd's [death](#) in the United States - and in many parts of the world - are in full swing. Thousands of people follow the streets to combat racism and also to end violent policing.

As we brought in [report #7](#), under the allegation of combating the violence of the demonstrations, some cities - including Minneapolis - are starting to resort to digital contact tracing. Minnesota Public Safety Commissioner John Harrington said during a [news conference](#) that the technology is

being used to understand the profile of the protesters and whether they are also part of an organization.

As the news spread around the world, two major facial recognition technology providers [announced](#) that, in light of recent protests against police brutality and racial injustice, they would be disabling or suspending the sale of the technology to the police.

IBM was the first to speak out. In an [open letter](#) to Congress, the company's CEO Arvind Krishna announced that, in the name of racial justice, the company would end the research, development and sale of any facial recognition technology to the government.

''IBM firmly opposes and will not condone uses of any technology, including facial recognition technology offered by other vendors, for mass surveillance, racial profiling, violations of basic human rights and freedoms, or any purpose which is not consistent with our values and Principles of Trust and Transparency. We believe now is the time to begin a national dialogue on whether and how facial recognition technology should be employed by domestic law enforcement agencies.''

Amazon has also spoken out and will suspend its facial recognition technology for police use for a year. The company also stressed that the recent protests serve as a pause for reflection on the damage that can be caused to communities when the police use the tool in the wrong way and in excess.

The company also said that it believes that the US Congress will make the necessary changes to regulations so that the use of facial recognition is safe for all citizens and hopes that the year of pause will serve for all necessary adjustments.

According to a [publication](#) by the Electronic Frontier Foundation (EFF), IBM and Amazon admitting the damage this technology can cause is a warning to lawmakers, as it raises doubts as to whether it is really possible for this technology to be implemented and regulated with responsibility. "Congress, states and cities must take advantage of the momentary suspension, during which the police will not be able to acquire the use of technology from both companies, to create permanent bans.

Last Thursday, June 11, it was Microsoft's turn to speak. Following its competitors, the brand also decided to ban the police from using its facial recognition tools, due to the absence of government regulation.

In an [interview](#) with the Washington Post, Microsoft President Brad Smith said, "We will not sell facial recognition technology to US police departments until we have a national, human rights-based law that should govern that technology."

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PRESS

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