

The corona crisis calls for careful action and democratic debate



Message to Parliament

The coronavirus claims human lives, inflicts serious health damage and currently largely shuts down society. To ease the lockdown, the government is considering the possible use of two types of apps. With a 'health app' citizens can monitor their symptoms and be guided remotely. A 'tracking and tracing app' contributes to source and contact tracing, such as the GGD normally performs.

Social parties and experts have expressed concerns about the reliability and effectiveness of such corona apps. In addition, the development and deployment of these apps is encountering serious objections of principle with regard to public values and human rights. These objections call for political deliberation. In recent years, the Rathenau Instituut has conducted research into the responsible use of AI and apps, including in the medical domain. On the basis of this research, the Rathenau Instituut submitted this message with five considerations to the Lower House of Parliament for the hearing on the corona apps.

The coronavirus takes a drastic toll on Dutch society - in human lives, in health damage, in prosperity and in social contact. The crisis presents the Netherlands, and other countries, with the challenge of protecting public health, limiting economic damage and making society as a whole resilient: how can Dutch society respond quickly and adequately to this virus outbreak? And how can we restart society safely and with respect for public values and human rights?

As part of the approach, the government is exploring the development of two corona apps to, at least in part, phase out the lockdown and move to a new normal situation. In that situation, new outbreaks of the coronavirus must be prevented. The question at the hearing is whether, and to what extent, the proposed apps can contribute to this.

In answering this question, particular attention should be paid to the conditions prevailing in the medical field, public values and human rights, and to maintaining the trust and cooperation of citizens. This is apparent from research conducted by the Rathenau Instituut. Various civil society organisations and experts also call for these aspects to be kept clearly in mind. In developing these corona apps, the government has made it clear that it will protect privacy.

The Rathenau Instituut provides the House of Representatives with five considerations to inform the parliamentary debate:

1. Strengthen public health infrastructure.
2. Assess the use of corona apps in the context of public health: not as the core of the solution, but as a single policy option.
3. Take the time to examine the corona apps carefully, paying attention to all relevant aspects.
4. Build knowledge on the corona apps, and other policy options, to guide international and European policy development.
5. Act in such a way that citizens maintain confidence in the government's approach in tackling the corona crisis.

1. Strengthen public health infrastructure

In order to effectively tackle the coronavirus, a structural strengthening of the public health infrastructure will be needed. We will also need to have the means to both combat the coronavirus and organise regular care in six months' time, in one year's time, and perhaps in two years' time. This means that, among other things, more IC beds, IC personnel, protective equipment, testing capacity and GGD capacity will be needed structurally. This reinforced infrastructure forms the foundation of a resilient society and deserves priority. It is crucial to prevent this infrastructure from falling short in the event of a future outbreak, and to rebuild it as a matter of urgency. It is important for the Lower House of Parliament to monitor the government's efforts closely.

2. Assess the use of corona apps in the context of public health: not as the core of the solution, but as a single policy option

In order to reduce the virus and revitalise society, it is important to complement the public health infrastructure with a combination of innovations and measures. Think of innovations such as new medical treatments, and measures such as refined social distancing standards, and more elaborate authorisations of mayors.

Apps can be part of this package - but that's not an inevitable choice. Apps are not the core of the solution, but are a policy option that can be considered alongside and in conjunction with other policy options. It is about choosing the combination of innovations and measures that is effective in relation to public health, while at the same time not putting pressure on human and fundamental rights and maintaining public confidence. The package must be proportionate. In view of the objections that have been expressed with regard to the apps, the question is whether these apps meet the requirement of proportionality. The House of Representatives may also ask the Cabinet about the proportionality of the final approach.

3. Take the time to examine the corona apps carefully, paying attention to all relevant aspects

Because there is a possibility that apps simplify and improve contact research and patient monitoring, it is important to investigate these apps. It is important to take time for that research to do justice to the relevant technical, social, ethical, and legal aspects. The history of digital innovations shows that care is required and that difficult issues always arise. How do you deal with employers who want to see employees' app results? How do you ensure that the data collection is actually anonymous? Moreover, new digital applications almost always face practical implementation problems - this will also apply to the corona apps.

Research by the Rathenau Instituut shows that AI innovations are often technically imperfect and lack judgement due to unreliable measurements or limited algorithms. In the case of the corona app, the limitations of the bluetooth signal have already been pointed out. Realism is in order: a reliable and safe app is not easy to develop.

Moreover, our research shows that successful e-health apps meet specific requirements. For example, that there is a care relationship between a patient and a doctor. For corona apps, too, it is necessary to find out under what conditions citizens trust and use the apps. Frameworks are needed for conducting and evaluating experiments with the apps. Who will collect and analyse the data? Who will determine whether the performance of the apps is sufficient? Answering all these questions will take time. In the midst of a very far-reaching crisis, it is still necessary to think and act carefully, involving citizens, experts and representatives of the people. The Lower

House of Parliament can ask the Cabinet about the frameworks for the development of the apps, and ask to be involved in the evaluation of the apps.

4. Build knowledge on the corona apps, and other policy options, to guide international and European policy development

At European level, the development of apps is also being considered, or coordinated. It is important that, by having the apps studied, the government builds up sufficient expertise to guide this European coordination. International agreements must also be made about the significance of immunity and vaccination. When will people be able to move freely again?

But there is also another interest at stake. Precisely in the corona crisis, democratic and autocratic ideas and solutions are diametrically opposed. The cabinet is committed to public values and puts the importance of human and democratic rights of citizens first. It is crucial that Europe succeeds in providing a proportionate and democratic response to this virus, which reinforces our shared public values. The Lower House may ask the Cabinet to provide insight into developments at international and European level.

5. Act in such a way that citizens maintain confidence in the government's approach in tackling the corona crisis

In the fight against an epidemic, human behaviour is central, and the citizen plays an important role. For example, citizens are expected to keep their distance, regularly wash their hands, cough in the elbow and only go out to do their shopping. This requires a lot from citizens, and from mutual solidarity in society. That is why it is essential that citizens maintain confidence in government, the knowledge and advice of experts, and technology.

Undermining that trust puts the success of any approach at stake. Much has been learned and more has been unlearned in recent weeks. Citizens are the social capital with which the Netherlands is tackling the corona crisis. Like our health, that social capital is also vulnerable. Apps only make sense if they really help citizens, support their good habits and do not create a false sense of security.

Underlying publications of the Rathenau Instituut

[Valuable digitalisation - How local government can play the 'technology game' in the public's interest](#)

[Directed digitalisation – Working towards a digital transition focused on people and values – The Dutch approach](#)

[Health at the centre – Responsible data sharing in the digital society](#)

[This is how we put AI into practice based on European Values](#)

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