

Dear Member of the Legislative Assembly,

Rights concerns with Covid certification

We are writing to you as groups tasked with the protection of rights and equality to ask you to oppose plans for mandatory domestic Covid certification in Northern Ireland.

We have always supported proportionate measures that protect public health. However, domestic Covid-status certification schemes sacrifice equality, privacy and liberty, with no public health benefit. A mandatory Covid pass scheme would lead Northern Ireland towards a two-tier, checkpoint society.

We urge you to oppose mandatory domestic Covid passes for the following reasons.

First, there is no evidence base that domestic Covid pass schemes benefit public health. The only parliamentary committee in the UK to analyse Covid passes in detail, the Public Administration and Constitutional Affairs Committee (PACAC), concluded that there is “no justification for them in the science and none in logic”. The UK Government’s own Covid certification review in July concluded that Covid passes would be “disproportionate” and should not be mandated. The Scottish government’s 70 page review of Covid certification evidence found no evidence at all that two months of their vaccine passport scheme had made any material difference to public health. The Welsh government’s Technical Advisory Cell also warned a Covid pass scheme may have no net benefit and could “backfire”. In the Republic of Ireland Michael McNamara, an Independent TD, recently questioned the scientific rationale for Covid passes in the Dáil and pressed the Irish government to provide him with any “shred of evidence” that they had reduced transmission of the virus – none was given. There is no justification for a divisive and discriminatory move to impose Covid certification.

Second, we are concerned that domestic Covid passes can have a harmful discriminatory impact. Internal health passes would socially and economically exclude thousands of disproportionately marginalised people. The requirement to show a Covid pass puts up a barrier to social inclusion for older people and poorer people who are less likely to have smart phones. Covid pass enforcement via ‘spot-checking’, as we have seen in Wales and Scotland, is a tactic that results in discriminatory selection and punishment whereby people of colour tend to be disproportionately targeted.

Furthermore, vaccine uptake is lower among young people; ethnic minority groups and migrants, particularly black and Asian people; some religious groups; some disabled people;

and pregnant or breastfeeding women, where hesitancy is particularly high. We believe support rather than more social barriers is important to foster inclusive public health policies.

Third, mandatory Covid certification schemes are harmful to jobs and workers' rights. Many thousands of people who work in night-time industries, events, or who attend conferences face being questioned about their personal medical choices and many risk losing their jobs if they decline or delay vaccination, or refuse to show a pass. The effect is likely to spillover to other sectors, reversing long-held protections for employees' medical privacy.

Fourth, mandatory Covid certification can have a counter-productive effect. A significant study from the London School of Hygiene and Tropical Medicine found that Covid passports would cause many people, particularly those in marginalised groups, to reject vaccination. Far from encouraging uptake, coercive measures harden uncertainty, breed distrust and deepen alienation. Furthermore, they can instil a false sense of security that leads to a decline in other important behaviours such as hand-washing and ventilation.

Finally, Covid certification is intrusive and, in absence of a strong evidence base, may breach Article 8 privacy rights protected by the Human Rights Act. As such, the Welsh Covid pass scheme is now subject to a legal challenge by Big Brother Watch. Covid passes would lead to a checkpoint society and we are concerned that, particularly without strict pre-defined time-limits, the purposes of such passes could expand and endure beyond the pandemic.

There are far more proportionate, effective and inclusive measures than excluding healthy people without the correct papers from society. Free and fair access to vaccines and healthcare; the provision of accessible information; adequate self-isolation support; an improved contact tracing system; and proportionate safety measures are all needed to protect public health.

It is vital that lawmakers protect human rights and equality as well as public health at this critical time. As such, we urge you to oppose domestic mandatory Covid certification in the forthcoming vote.

Yours faithfully,

Big Brother Watch

Liberty

Manifesto Club

medConfidential

Open Rights Group

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