

# **BIG BROTHER WATCH**

**Big Brother Watch briefing  
for Report Stage of the  
Procurement Bill**

**25<sup>th</sup> November 2022**

## **About Big Brother Watch**

Big Brother Watch is a civil liberties and privacy campaigning organisation, fighting for a free future. We're determined to reclaim our privacy and defend freedoms at this time of enormous technological change.

We're a fiercely independent, non-partisan and non-profit group who work to roll back the surveillance state and protect rights in parliament, the media or the courts if we have to. We publish unique investigations and pursue powerful public campaigns. We work relentlessly to inform, amplify and empower the public voice so we can collectively reclaim our privacy, defend our civil liberties and protect freedoms for the future.

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## **INTRODUCTION**

We welcome the opportunity to provide this briefing to the House of Lords ahead of the commencement of Report Stage of the Procurement Bill on 28<sup>th</sup> November 2022.

Senior parliamentarians have laid an amendment to the Procurement Bill which seeks to instigate the removal of technology and surveillance equipment where the provider has been involved in significant human rights abuses. We urge Peers to support this amendment.

### **New Clause**

#### **After Clause 61**

LORD ALTON OF LIVERPOOL

LORD BLENCATHRA

LORD FOX

LORD COAKER

Insert the following new Clause—

#### **“ Timeline for removal of suppliers**

(1) Within 6 months of the passing of this Act, the Secretary of State must publish a timeline for the removal of physical technology or surveillance equipment from the Government’s procurement supply chain where the Secretary of State is satisfied there is established evidence that a provider has been involved in—

- (a) modern slavery,
- (b) genocide, or
- (c) crimes against humanity.

(2) The Secretary of State must lay the timeline before Parliament.”

In the Green Paper ‘Transforming Public Procurement’, the Government set out key principles for public procurement in the UK: value for money, public good, transparency, integrity, equal treatment and non-discrimination.<sup>1</sup> In particular, the Green Paper stated that ‘public good’ should support the delivery of strategic national security priorities, public safety and ethics. Consistent with international

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<sup>1</sup>Green Paper: Transforming public procurement – GOV.UK, 6<sup>th</sup> December 2021:  
<https://www.gov.uk/government/consultations/green-paper-transforming-public-procurement>

practice, the Green Paper further emphasised that “public procurement is regularly leveraged to achieve social and environmental value beyond the primary benefit of the specific goods, services and capital”.

Accordingly, Big Brother Watch believes that the Procurement Bill is a key opportunity to ensure that public sector procurement promotes high ethical and security standards in the UK and internationally.

High ethical and security standards are paramount when sourcing technology and surveillance equipment, given their vast reach. The Government has announced its intention to be the of “the toughest regimes in the world for telecoms security” and has already taken important steps to ensure this, through the removal of Chinese state-owned firm Huawei from 5G networks.<sup>2</sup> Surveillance technology can pose risks to national security through hacking or security ‘back doors’. **These risks are magnified when suppliers are embedded in deeply unethical practices.**

**This amendment represents a vital step towards ensuring that the procurement of technology meets high ethical standards. It seeks to target companies involved in the most serious violations of rights – those that should have no place in the UK’s public sector.**

### **The case for removing Hikvision and Dahua from the supply chain**

Hikvision and Dahua are Chinese state-owned surveillance companies. Both companies provide technology that is central to the regime of ethnic persecution of the Uyghur population in Xinjiang and both hold contracts to build and operate surveillance systems in the region.<sup>3</sup> The Foreign Affairs Committee’s report on the UK’s responsibility to act on atrocities in Xinjiang, Never Again, concluded that **these companies were involved in “technology-enabled human rights abuses” and should be banned in the UK.**<sup>4</sup>

<sup>2</sup>Huawei to be removed from UK 5G networks by 2027 – GOV.UK, 14<sup>th</sup> July 2020: <https://www.gov.uk/government/news/huawei-to-be-removed-from-uk-5g-networks-by-2027>

<sup>3</sup>Hikvision, Xinjiang, Uyghurs & Human Rights Abuses – IPVM, Conor Healy, 17<sup>th</sup> May 2022: <https://s.ipvm.com/uploads/eab3/fcde/Hikvision%20IPVM%20White%20Paper.pdf>; Dahua Operates China Police Surveillance – Charles Rollet, IPVM, 14<sup>th</sup> April 2021: <https://ipvm.com/reports/dahua-police>

<sup>4</sup> Never Again: The UK’s Responsibility to Act on Atrocities in Xinjiang and Beyond, Second Report of Session 2021–22 – Foreign Affairs Committee, 29<sup>th</sup> June 2021, HC 198: <https://committees.parliament.uk/publications/6624/documents/71430/default/>

On 24<sup>th</sup> November 2022, the Government announced it will be removing surveillance equipment manufactured by Chinese state-owned companies from “sensitive sites” within Government departments, in recognition of the risk they pose to national security.<sup>5</sup> This is an important first step, but the entirety of the public sector must be afforded the same protections. The national security risk posed by these companies, which has been acknowledged, also applies to the police stations, hospitals, council buildings and schools, where their technologies are widely used.

The Government has previously stated: “The forthcoming Public Procurement Bill will further strengthen the ability of public sector bodies to disqualify suppliers from bidding for contracts where they have a history of misconduct, including forced labour or modern slavery” and that the Government was working to “enable commercial teams to more effectively exercise their discretion to exclude suppliers linked with modern slavery and human rights violations.” This statement was repeated in response to a written parliamentary question on the use of “Chinese-made surveillance cameras” in the public sector in February of this year.<sup>6</sup> **Whilst modern slavery is referenced in the Procurement Bill, other serious human rights violations are not. There is no simple mechanism by which suppliers linked with serious human rights violations such as Hikvision can be rejected under this Bill.**

The Scottish Government, responding to pressure from MSPs and civil society, have committed to “phasing out” Hikvision cameras,<sup>7</sup> while Edinburgh City Council plans to remove existing cameras.<sup>8</sup> The US has already banned Hikvision and Dahua due to national security concerns.<sup>9</sup> Additionally, the European Parliament has voted to remove Hikvision cameras from its buildings, citing “an unacceptable risk that Hikvision, through its operations in Xinjiang, is

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<sup>5</sup>Security Update on Surveillance Equipment – Written Statement, 24<sup>th</sup> November 2022, UIN HCWS386: <https://questions-statements.parliament.uk/written-statements/detail/2022-11-24/hcws386>

<sup>6</sup>Written question: Lord Alton to Baroness Trafford, answered 22<sup>nd</sup> February 2022, UIN HL6066: <https://questions-statements.parliament.uk/written-questions/detail/2022-02-08/hl6066>

<sup>7</sup>‘Dangerous’ Chinese CCTV cameras to be phased out in Scotland – Marck McLaughlin, the Times, 21<sup>st</sup> November 2022: <https://www.thetimes.co.uk/article/dangerous-chinese-cctv-cameras-to-be-phased-out-in-scotland-ntnh29m96>

<sup>8</sup>Edinburgh council to tear down CCTV cameras linked to Chinese human rights abuse – Jacob Farr, Edinburgh Live, 28<sup>th</sup> October 2022: <https://www.edinburghlive.co.uk/news/edinburgh-news/edinburgh-council-tear-down-cctv-25381201>

<sup>9</sup> Congress passes bill banning new FCC equipment authorizations for Hikvision, Dahua and others – Joel Griffin, Security Info Watch, 29<sup>th</sup> October 2021: <https://www.securityinfowatch.com/video-surveillance/article/21243600/congress-passes-bill-banning-new-fcc-equipment-authorizations-for-hikvision-dahua-and-others>

contributing to serious human rights abuses".<sup>10</sup> In Denmark, the Capital Region Hovedstaden has discontinued the use of Hikvision cameras.<sup>11</sup>

Big Brother Watch's research has found that Hikvision and Dahua are widely used across the UK's public sector.

- **61% of our public bodies use Chinese-made CCTV (Hikvision or Dahua)**
- More than 10% of public bodies using this CCTV had advanced CCTV capabilities, including thermal scanning or facial detection
- 63% of schools, 66% of colleges and 54% of universities use Chinese-made CCTV
- 35% of police forces use Hikvision cameras
- 60% of NHS trusts use Chinese-made CCTV
- 73% of local authorities use Chinese-made CCTV<sup>12</sup>

## **CONCLUSION**

**The Procurement Bill is a key opportunity to remove Hikvision and Dahua from the public sector, where they pose significant ethical and security concerns.**

**We urge peers to support the new Clause to the Procurement Bill, which would require the Government to remove companies from its procurement supply chain where there is evidence of their involvement with modern slavery, genocide or crimes against humanity.**

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<sup>10</sup> EU Parliament Removes Hikvision, Citing Human Rights Abuses – Charles Rollet, IPVM, 29<sup>th</sup> April 2021: <https://ipvm.com/reports/hik-eu>

<sup>11</sup> Danish Capital Region Bans Hikvision Purchases, Calls "Critical Threat To Security" – Charles Rollet, IPVM, 28<sup>th</sup> September 2022: <https://ipvm.com/reports/danish-capital?code=1>

<sup>12</sup> Who's Watching You? The dominance of Chinese state-owned surveillance in the UK – Big Brother Watch, 7<sup>th</sup> February 2022, p. 8-9: [https://bigbrotherwatch.org.uk/wp-content/uploads/2022/02/Whos-Watching-You\\_The-dominance-of-Chinese-state-owned-CCTV-in-the-UK-17746.pdf](https://bigbrotherwatch.org.uk/wp-content/uploads/2022/02/Whos-Watching-You_The-dominance-of-Chinese-state-owned-CCTV-in-the-UK-17746.pdf)