



Press Release

CNDP continues to fulfill its mission as a digital trusted third party.

Rabat, 12 May 2020.

The current health crisis management has required, and is still requiring the implementation of a variety of mechanisms for personal data protection in both private and public sectors.

CNDP is a good-governance national institution, which takes part of the mechanisms established in Morocco under the aegis of His Majesty King Mohammed VI (may God assist Him), to contribute to the protection of citizens' private life, in accordance with article 24 of the Kingdom's Constitution.

The management of the COVID-19 pandemic required several organizational and deliberative actions in terms of personal data protection:

- Reducing processing deadlines, particularly for all urgent cases affecting the management of the pandemic.
- Management of teleworking in customer relations domain.
- Temperature taking prior to workplaces or public buildings access
- Exceptional provisions for remote bank account management,
- Various applications for the follow-up of quarantine non-respect,
- Etc.

Further measures are in the process of finalization:

- Data Protection Impact Assessment (DPIA).
- Telemedicine platforms.
- Mail management (virtual platform and others).
- Etc

Pandemic management has raised health risk management, as well as economic activity maintaining to the forefront.

Therefore, it is essential to control health risks induced by controlled mobility during quarantine period and by mobility whose health consequences must be understood, at best, during the coming post-quarantine. In this way, different currently deployed mechanisms complement and reinforce each other, without replacing each other. Various authorities contribute, such as Ministry of Health, Ministry of Interior (DGSN), or jointly Ministry of Health and Ministry of Interior, etc...

On April 27, 2020, CNDP was consulted to decide on WIQAYTNA application, whose purpose is to support the health management of the Covid-19 epidemic spread, and its compliance with Law 09-08 related to the protection of individuals with regard to their personal data processing.

In its statement of 16 April 2020, CNDP published essential recommendations for the implementation of such an application.

Since the beginning of the crisis, CNDP has implemented various monitoring mechanisms to ensure that its decisions are well founded:

- By following the reflections, alerts and recommendations at the international level (including those of the Europe Council 108 Convention Committee and those of international partners who have helped CNDP to access certain technological information)
- By following the observations, concerns and recommendations of our fellow citizens at the national level.
- By listening to national and international technical experts on this issue.
- By carrying out its own reflections and work.

Therefore, CNDP continues to play its role as a trusted third party to ensure the protection of personal data in general, as well as that of citizens within the digital ecosystem in particular.

Concerning the application WIQAYTNA, CNDP has closely worked with the project team in charge of implementing it, and in particular, the working group dedicated to the protection of personal data. Intense meetings were held between 27 April 2020 and 10 May 2020 to examine this matter.

The National Commission, meeting exceptionally on Sunday, May 10, 2020 at 11:00 am, decided, on the basis of clearly identified hypotheses, to approve the application WIQAYTNA. A detailed report will be published in this regard. In addition, CNDP has decided to set up a mechanism to verify, over time, that the initial assumptions are respected, and that will allow for their re-examination if they are no longer valid.

CNDP considers that compliance with Law 09-08 is based on the fact that the application WIQAYTNA is intended to be deployed according to the following assumptions :

- Volunteer basis use only.
- Health system support, in particular to rationalize the attribution of resources, in order to strengthen the screening policy and public information.
- Health authorities control of alert calculation algorithm parameters.
- Use of " tracing" without a tracking mechanism.
- User information.

- Data access restricted to authorized persons only.
- Commitment not to use data for purposes other than those authorized.
- Commitment to destroy collected and generated data at the end of health emergency state, except those that can be used, in an anonymized and regulatory manner, for scientific research purposes.
- Declaration of non-use of black box.
- Commitment to make the code accessible for audit and verification purposes

CNDP thanks WIQAYTNA project team for its spirit of "Privacy by Design", and its dedication and commitment expressed to the respect of personal data and privacy of our fellow citizens, during various working sessions.

As regularly announced, CNDP remains at the authorities' disposal, as well as that of the citizens, to strengthen digital confidence needed to encourage society's digitalization, and to support health risk management, as well as maintaining economic life without violating privacy.

Therefore, as conferred by article 42 of law 09-08, CNDP has decided to set up 2 ad-hoc committees:

- An ad-hoc committee "**Digital Confidence and Ethics Strategy**", which will be composed of experts and figures from the digital world. As stated in the end of 2019, 2020 is the year in which medical data protection is prioritized. Bioethical issues in digital environments are on the agenda of this committee.
- An ad-hoc committee "**Operational Digital Confidence**", which will be composed of national experts who will advise and guide CNDP, in a citizen-oriented way, in the organization of the control and verification missions conferred on it by Law 09- 08 (article 30). Their first mission will concern the WIQAYTNA application.

CNDP has agreed with the project team to remain on joint standby in order to circumscribe any risks that may affect privacy or that may arise unexpectedly. Appropriate corrective measures will be taken as required.

CNDP:

- Notes with satisfaction the growing interest of our environment in the issues of personal data protection.
- Remains attentive to take corrective action in its operation.
- Maintains its commitment to support the deployment of personal data protection concepts in accordance with international standards and the law 09-08.