

# Cell site location information helps digital fencing against COVID-19 pandemic

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Taiwan's digital fencing technologies have attracted international attention, but not always for the right reasons. In this respect, concerns have arisen as to privacy protection and the due process of law enforcement. However, in a special hearing called upon by the Legislative Yuan (Taiwan Congress) on 9 April 2020, the Ministry of Justice provided its official response to legislators' enquiries, outlining that the use of Big Data, including cell site location information (CSLI), is helping the country to fight COVID-19 subject to authorisation under the Communicable Disease Control Act and the due process provided for in the Personal Data Protection Act.

The location of a cell phone, whether stationary or moving, can be tracked through CSLI or global positioning system data. 'CSLI', also referred to as 'cell phone location tracking', refers to the information that cell phones convey to nearby cell towers. Since February 2020, Taiwan has swiftly adopted the 'digital fence' system, whereby the location of anyone required to undergo home quarantine is monitored via their phone's cellular signal. Venturing away from home triggers the alert system, resulting in calls and messages being sent to the confinee to ascertain their whereabouts. Anyone caught breaching their quarantine can be fined up to NT\$1 million (approximately \$33,334).

This approach seems less intrusive than other options and has been an efficient tool for containing the virus. The health surveillance and protective quarantine is being taken seriously; all licensed mobile operators in Taiwan are cooperating and the National Communications Commission has given its consent.

However, deploying these technologies on such a large scale without undertaking testing has incited criticism that law enforcement departments are bypassing the Communication Security and Surveillance Act. The Ministry of Justice clarified that the digital fence is not designed for criminal investigations and that the act therefore does not apply at this critical moment. At the special hearing, the government stated for the record that the surveillance executed under the digital fence system will be discontinued as soon as the COVID-19 pandemic ends.

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