DATA PROTECTION AND DIGITAL RISKS IN HUMANITARIAN ACTION

Protection Conference 2018
Bangkok, 30 May 2018

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CONTENT

- **I.** What are we talking about? (ICRC lead – ex by DNDHI)
- **II.** Why should humanitarian actors care? (joint ICRC – DNDHI)
- **III.** What resources, tool, applicable framework do humanitarian actors have access to? (ICRC lead with DNDHI on tools)
- **IV**. What else can be done? DNDHI lead
- **V.** Conclusion and… Questions?

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Let's get the terms straight:

What is Personal Data Protection?

What are Digital Technologies?

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Personal data protection

- Refers to the **fundamental rights of individuals**: right to data protection derives from the right to privacy
- **Package** that includes general principles, controller obligations and rights of individuals (data subjects)
- The scope is the protection of **personal data** when these are being processed

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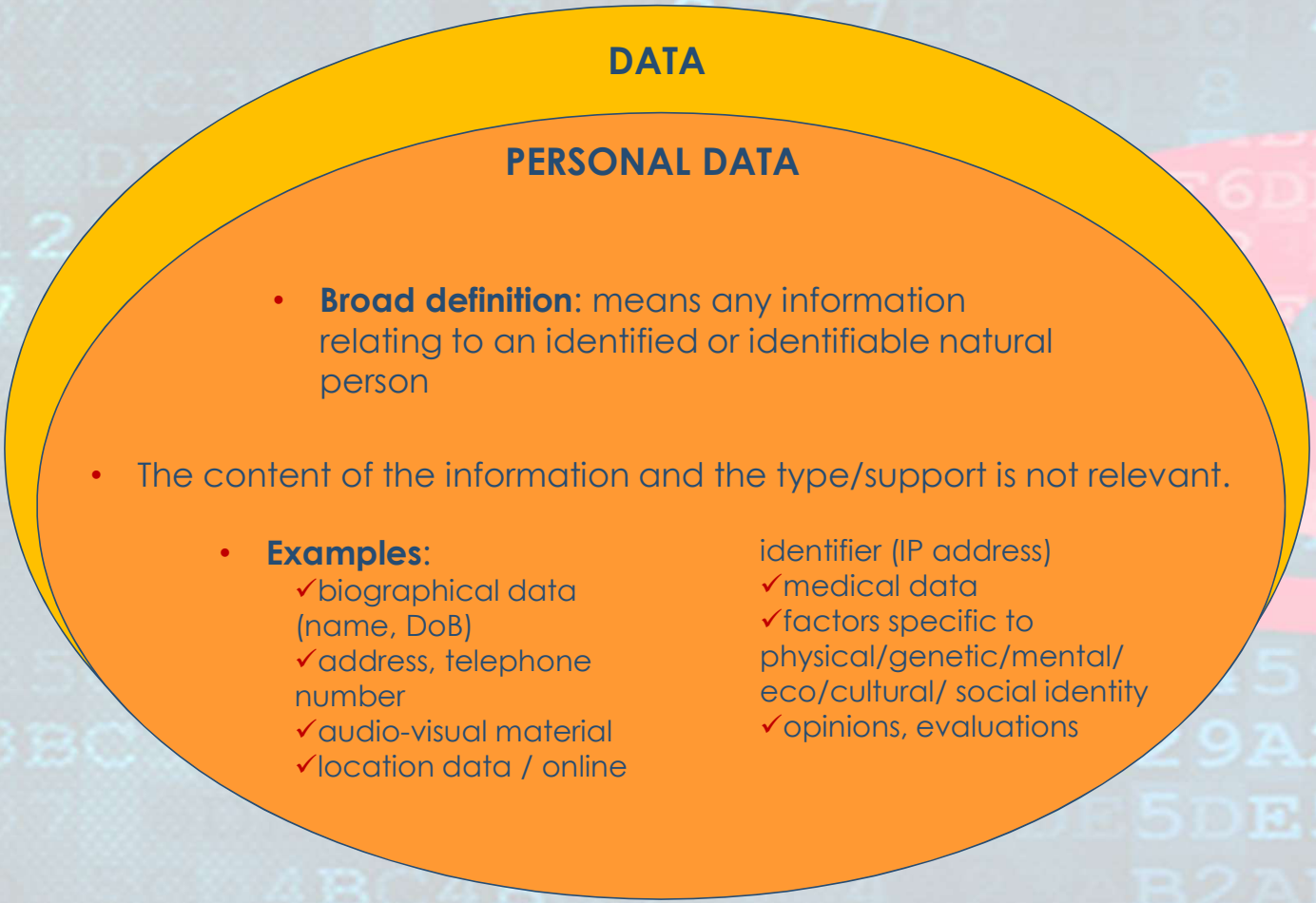
The concept of personal data



- **Broad definition**: means any information relating to an identified or identifiable natural person

- The content of the information and the type/support is not relevant.

- **Examples**:
  - ✓biographical data (name, DoB)
  - ✓address, telephone number
  - ✓audio-visual material
  - ✓location data / online identifier (IP address)
  - ✓medical data
  - ✓factors specific to physical/genetic/mental/ eco/cultural/ social identity
  - ✓opinions, evaluations

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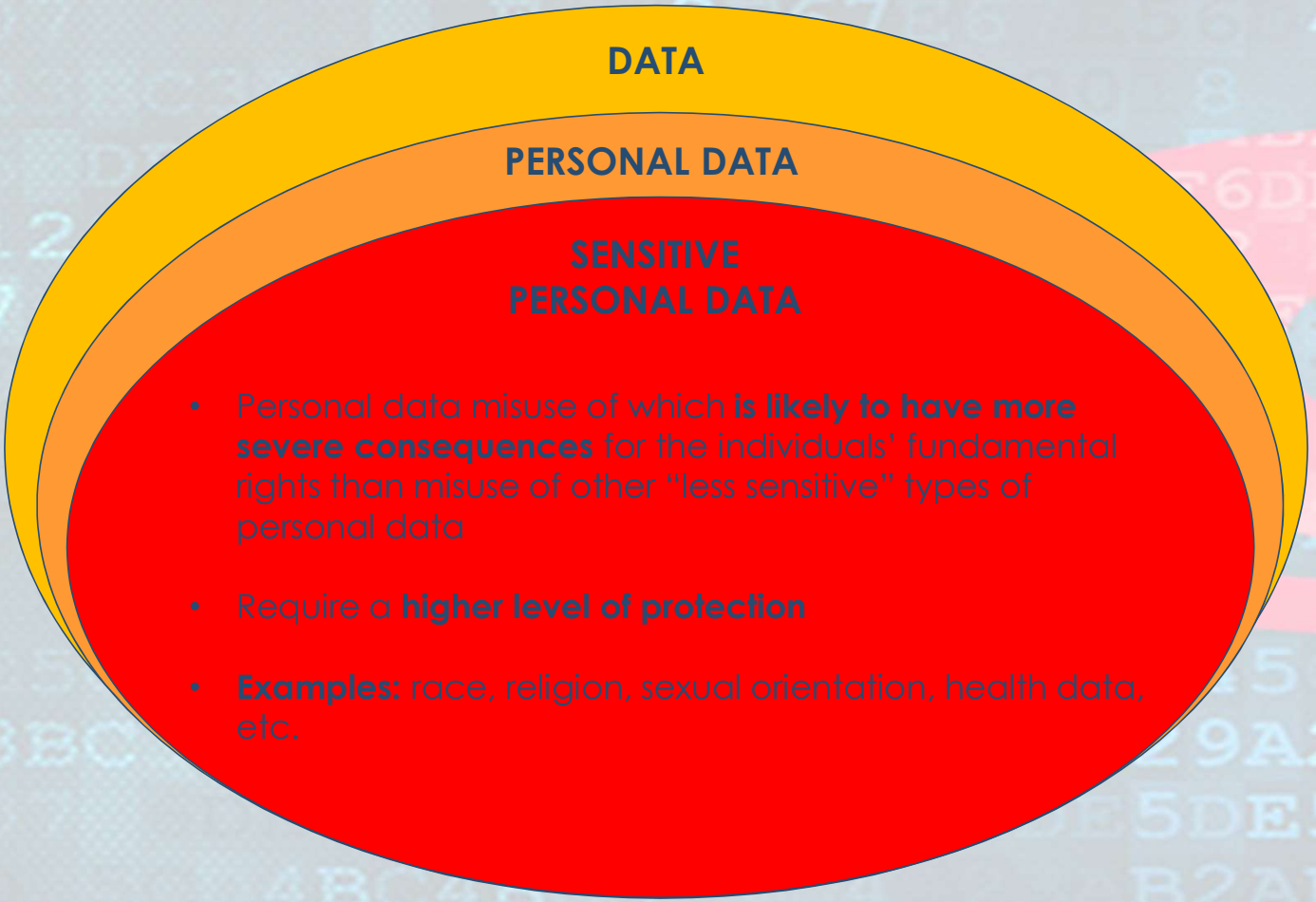
The concept of personal data



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General Principles of Data Protection

- Fairness and lawfulness of processing
- Legal bases
- Purpose limitation
- Proportionality
- Data minimization
- Data quality
- Data retention

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Data subject rights

- Transparency / Information
- Access
- Correction
- Erasure
- Objection / withdrawal of consent

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Controller obligations

- Technical and organizational measures
  - Data Protection by design / default
  - Impact assessments (DPIAs)
  - Procedures and attribution of responsibilities (access rights, training,…)
  - Data processing and data sharing agreements
  - Record keeping
  - Data security
  - …
- Accountability

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Components of ICT

The term information and communications technology (ICT) is generally accepted to mean all technologies that, combined, allow people and organizations to interact in the digital world.

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Threats

Gaps

Solution

Technology and data tools **empower** current activities

Faster

Farther

Finer detail

Needs Assessment

and **enable** new ones

Mobile connectivity hubs

Cash based transfer

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There are opportunities and risks…

Any ideas of what those risks could be?

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Digital technologies and their associated risks?

- Intrusion in the private sphere of individuals
- Digital profiling
- Digital surveillance
- Propaganda online/weaponisation of information
- Cyber attacks
- Decision-making against individuals based on Meta-data, Big data, Algorithm…
- Digital exclusion
- Above all: the users including beneficiaries and humanitarians, states and others…

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https://youtu.be/4iUSraX4Cmk

Mobile messaging apps

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Messaging Apps – Specificities and risks

- Digital proximity, inclusion v. bias
- Sense of security, lack of awareness (informed consent)
- Metadata generation, data collection and possibility of further processing
- Poor security measures, link with security of device (third party access (legal or illegal))
- One-way v. two-way
- Data subjects rights: provision of required information on processing done through app, opting out options?
- Data minimization (incl. data retention, (by provider or chat history)), data quality?
- Importance of DPIAs

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https://youtu.be/zudjklgBFus

Data analytics

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Data analytics – Specificities and risks

- Identifying patterns / individuals or categories of individuals
- Legal basis, purpose specification and compatible further processing, processing scenarios?
- Fairness of processing: transparency?
- Data minimization, data retention and compatible further processing?
- Exercise of data subject rights?
- Accuracy of data, representativeness, bias?
- Sensitivity of data output and data security implications
- Anonymization? (reverse engineering, community risks)
- Stakeholder and data flow mapping as part of DPIAs is key

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https://youtu.be/FP7aNKcnpQg

Biometrics

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Biometrics – Specificities and risks

- Uniquely identifying unmodifiable data, efficiency, sensitive data (identity theft, technological development)
- Legal basis: consent; other possible basis?
- Reliability
- Function creep, interest of third parties in data, data security
- Ethical issues (cultural sensitivity, beneficiaries' perception)
- DPIAs

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https://youtu.be/FfHVagVaK4w

Cash transfer programming

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Cash Transfer Programming – Specificities and risks

- Legal basis: consent, informed and free? (complexity, vulnerability and alternatives)
- Personal data collected and generated are often more extensive than that gathered in conventional aid in kind - Metadata
- Involvement of commercial third parties: potential complexity of risk analysis (reporting, data sharing, surveillance, security, out-sourcing,…),
- Financial inclusion vs. exclusion
- Stakeholder and data flow mapping as part of DPIAs is key

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- Threats
- Gaps
- Solution

Intrusion

Digital Security

Weaponization

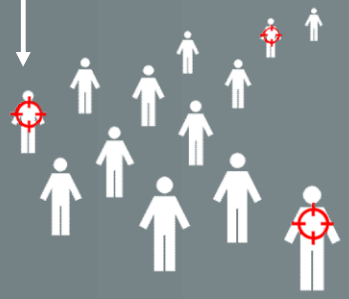
Digital Communication Strategies

Unintended Harm

Benefits

Risks Risks

Risks Risks



Data Protection

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What do you think these are?

- Regulatory framework?
- Resources available?
- Tools?

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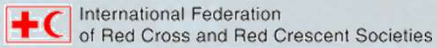
Existing regulatory framework

- Treaties
- National legislation
- Legal status of organization
  - Institutional frameworks



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The ICRC institutional framework

- **ICRC's legal status, privileges and immunities**
- **ICRC Rules on Personal Data Protection** (24 February 2015)
  - https://www.icrc.org/en/document/data-protection
- **Data Protection Office** (July 2015)
- **ICRC Data Protection Commission** (December 2015)
- **Data Protection Action Plan** (ongoing)
- **Code of Conduct on RFL with NS** (November 2015)

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UNGA resolution on data protection

Guidelines for the Regulation of Computerized Personal Data Files **General Assembly resolution 45/95 of 14 December 1990**

Application of the Guidelines to personal data files kept by governmental international organizations:

- An authority statutorily competent to supervise the observance of these guidelines is to be designated.
- A derogation from these principles may be specifically provided for when the purpose of the file is the protection of human rights and fundamental freedoms of the individual concerned or humanitarian assistance (humanitarian clause).

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Some resources on Data protection and humanitarian action

- **Privacy International report** (October 2013): Aiding Surveillance: An exploration of how development and humanitarian aid initiatives are enabling surveillance in developing countries

- **International Conference of Data Protection and Privacy Commissioners** (Amsterdam, 27 October 2015): Resolution on Privacy and International Humanitarian Action: Specific privacy and security risks are identified

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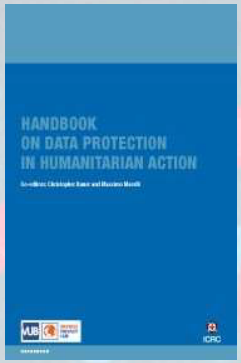
Some resources on Data protection and humanitarian action

- **Handbook on Data Protection and Humanitarian Action (ICRC – BPH)** (June 2017): provides guidance to the humanitarian sector in the area of data protection, with particular focus on new technologies



- **Humanitarian Futures for Messaging Apps** (January 2017): provides insight into how to make use of the messaging apps opportunities but also the risks

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Tools

YOU & YOUR TEAM

Basic Digital Hygiene

- Software updates
- Credentials and account management
- Encrypted storage and communications
- Privacy/anonymity online
- Accessing the internet
- Mobile Devices
- While traveling

Resources

Tactical Tech Collaborative

- Security in a box
- Me and my shadow

Electronic Frontier Foundation

- Surveillance Self-Defense Toolkit

Privacytools.io

YOUR PROGRAMS

Threat Modeling

- Identify and rank assets
- Map processes and systems
- Introduce threat scenarios (adverse events)
- Identify vulnerabilities (weak points)
- Understand impact
- Develop mitigation measures

Resources

- Tactical Tech Collaborative: Holistic Security Manual
- EIST Security to Go
- Internews – Safe Journo Guide
- SimLab Context Analysis
- UNGP/UNDP: A Guide to Data Innovation
- HIF: Field Guide for Humanitarian Innovation (June 2018)

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Threats

Gaps

Solution

Systemic Gaps

Evidence

Process

Capacity

Threats

Gaps

Solution

How DNDH helps

KEY SERVICES

Risk Audits

Guidance & Tools

Workshops & trainings

Case Studies

INTERDISCIPLINARY TEAM

Network & Information Security

Computer Science

Digital Forensics

Evidence-based Design

Data Ethics

Legal and Regulatory Protection

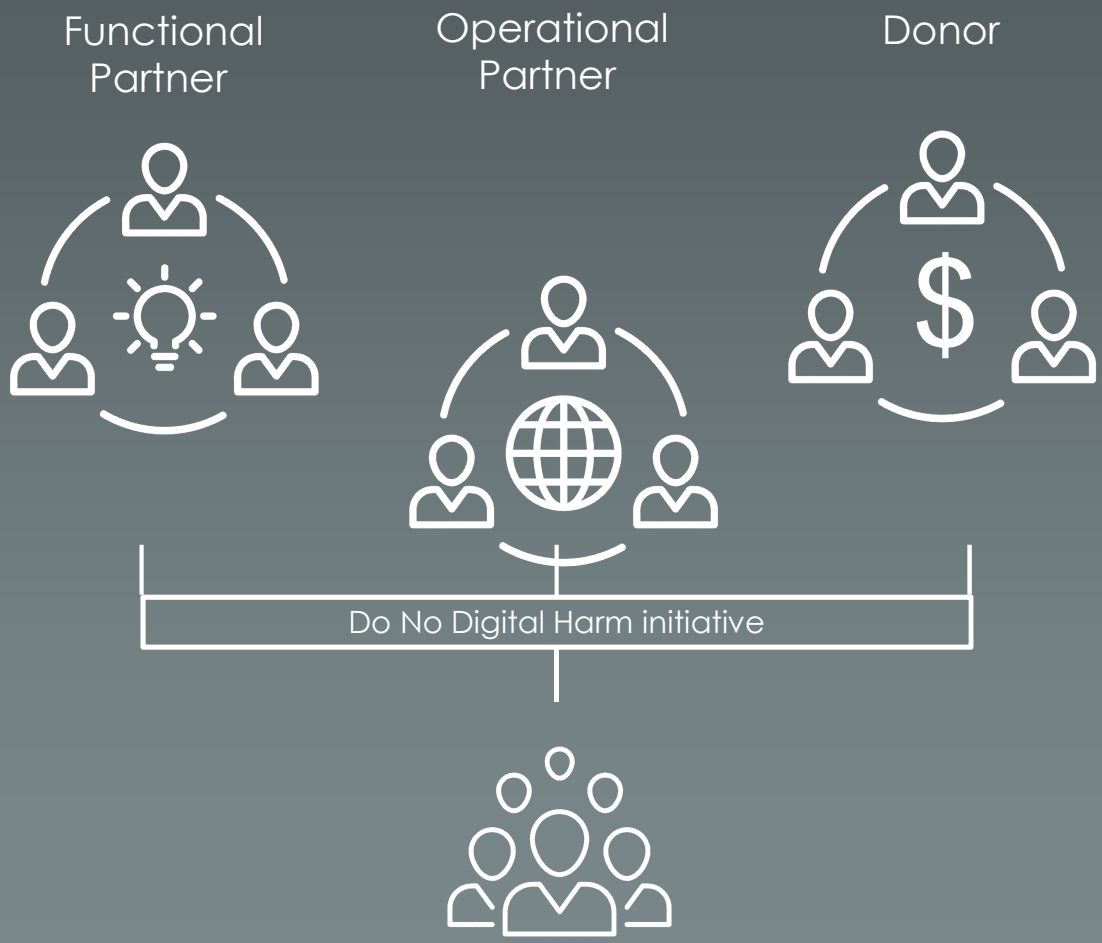
Human Rights

Complex Systems Thinking

Humanitarian Operations

- Threats
- Gaps
- Solution

Providing Digitally Responsible Aid



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- Threats
- Gaps
- Solution

Join DNDH to provide Digitally Responsible Aid

Navigate to DNDH.org
Email us at email@DRA.world

Iconography by
shashank singh
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Ivan Colic
Mangsaabguru

CONCLUSION

- Respecting the **rights and the dignity** of people you aim at protecting and assisting
- Increasing **awareness and understanding about the potential risks** (and opportunities) associated to digital technologies
- Ensuring **DO NO HARM** principle in providing protection and assistance to beneficiaries in the digital age
- Reinforcing **proper practices around data management**, **data security**, with a focus on new technologies
- **Enhancing trust** (strengthen confidentiality as a working method)

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