



GPA

Global Privacy Assembly

Working Group on the Role of Personal Data Protection in International Development Aid, International Humanitarian Aid and Crisis Management

Report – July 2023

**Federal Data Protection and Information
Commissioner (FDPIC), Switzerland**

**Supervisory Commission for Personal Information
(CCIN), Monaco**

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Executive Summary

In its third year of existence, the Working Group on the Role of Personal Data Protection in International Development Aid, International Humanitarian Aid and Crisis management (“the WG AID”) has focused its energy on adapting its work plan 2023 in line with GPA's [strategic priorities](#) - specifically those relating to the advancement of privacy protection worldwide-, analysing the questionnaire, updating the geographical and thematic mapping of relevant actors and the strengthening of relations with other international bodies and networks that advance data protection and privacy issues.

In conformity with the objectives of [the Resolution on the Role of Personal Data Protection in International Development Assistance, International Humanitarian Assistance and Crisis Management](#) (“The Resolution”), the members of the WG AID have pursued the following general goals:

- to respond to the request for cooperation from relevant parties to develop guidelines and share best practices in privacy and data protection relating to international development assistance and international humanitarian action;
- to develop an advocacy and engagement strategy with relevant stakeholders.

In order to achieve these two goals, the WG AID has pursued the following activities:

- Establish sustained contacts with the relevant actors, both at bilateral and multilateral levels and thus maximise the reach of the GPA's voice by strengthening the relations with the actors of international development aid, for instance International Non-Governmental Organisations (INGOs);
- Promote and facilitate, for the recipient countries benefiting from these activities that do not have legislation on data protection and privacy, their integration into the global data protection and privacy community.

This has included various activities such as the updating of the mapping of international development assistance and international humanitarian assistance as well as the identification of the recipient countries benefiting from these activities that do not have legislation on data protection and privacy.

The WG AID focused its efforts on:

- More precise targeting of the questionnaire mailings for greater effectiveness;
- Analysis of questionnaire responses;
- The promotion of the GPA and the WG AID.

The responses to the questionnaire revealed that the WG AID had been identified as a pool of expertise in this field.

The WG AID has furthermore strengthened its presence with relevant actors at bilateral and multilateral levels and has thus maximized the reach of the GPA's voice.

All these actions have been undertaken to contribute to building a global privacy community committed to high standards of protection for individuals, particularly for those who are beneficiaries of international development or humanitarian aid programmes and are particularly vulnerable.

Introduction

The WG AID was established by the [Resolution](#) during the 42nd GPA. It is consistent with initiatives introduced at the 2011 Conference in Mexico City on [Data Protection and Major Natural Disasters](#), and in 2015 in Amsterdam on [Privacy and International Humanitarian Action](#). This resolution promotes the objectives of the policy strategy of the GPA – specifically those relating to the advancement of privacy protection worldwide, the strengthening of relations with other international bodies and networks that advance data protection and privacy issues, including through agreements with observer bodies, as well as human rights and social protection and democratic rights.

The WG AID is composed of the following members:

- Argentina, Agencia de Acceso a la Información Pública (**AAIP**)
- Association francophone des Autorités de protection des données personnelles (**AFAPDP**)
- Benin, Commission Nationale de l'Informatique et des Libertés (**CNIL**)
- Burkina Faso, Commission de l'Informatique et des libertés (**CIL**)
- Côte d'Ivoire, Telecommunications/ICT Regulatory Body (**ARTCI**)
- Council of Europe, Consultative Committee of the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (**T-PD**)
- Council of Europe, **DP Commissioner CoE**
- Croatia, Data Protection Agency (**AZOP**)
- **EDPS**
- Gabon, Commission Nationale pour la Protection des Données à Caractère Personnel (**CNPDCP**)
- Georgia, Personal Data Protection Service (**PDPS**)
- Germany, Bundesbeauftragte für den Datenschutz und die Informationsfreiheit (**BfDI**)
- Gibraltar, Data Protection Commissioner (**GRA**)
- International Committee of the Red Cross (**ICRC**)
- International Organization for Migration (**IOM**)
- Jersey, Office of the Information Commissioner (**JOIC**)
- Kenya, Office of the Data Protection Commissioner (**ODPC**)
- **Luxembourg, National Commission for Data Protection (CNPD)**
- Mexico, Instituto Nacional de Transparencia, Acceso a la Información y Protección de Datos Personales (**INAI**)
- Principauté de Monaco, Commission de contrôle des informations nominatives (**CCIN**) – **Co-Chair**
- Portugal, Comissão Nacional de Protecção de Dados (**CNPD**)
- Senegal, Commission de Protection des Données Personnelles (**CDP**)
- Switzerland, Federal Data Protection and Information Commissioner (**FDPIC**) - **Chair**
- New Zealand, Office of the Privacy Commissioner (**OPC**)
- UK, Information Commissioner's Office (**ICO**)
- United Nations High Commissioner for Refugees (**UNHCR**)

The composition of the WG AID reflects the geographical diversity of the GPA.

In 2023, the WG as a whole, met two times (January and June) by videoconference.

During these meetings, the WG AID has:

- Adopted its Work Plan 2023 (see [Annex 1](#));
- Updated the geographical and thematic mapping of relevant actors and current programmes which has also allowed to identify the recipient countries benefiting from these activities that do not have legislation on data protection and privacy (See [Annex 2](#));
- Continued its work to improve the dissemination of the questionnaire on the personal data protection practices of relevant actors;
- Closed the consultation period for the questionnaire on the personal data protection practices of relevant actors;
- Validated the questionnaire analysis report (see [Annex 3](#)).

Some members of the WG AID also met in Monaco in March 2023 in order to carry out an initial analysis of the responses received.

Working Group Activities

In conformity with the objectives of the Resolution, the members of the WG AID have set themselves the following general goals:

- to respond to the request for cooperation from relevant parties to develop guidelines and share best practices in privacy and data protection relating to international development assistance and international humanitarian action;
- to develop an advocacy and engagement strategy with relevant stakeholders.

In order to achieve these two goals, the WG AID decided to implement the following activities:

- Continue to refine its understanding of international development aid, international humanitarian aid and crisis management;
- Establish sustained contacts with the relevant actors, both at bilateral and multilateral levels and thus maximise the reach of the GPA's voice by strengthening the relations with the actors of international development aid;
- In collaboration with other relevant Working Groups of the GPA, produce documents and advocacy tools for better consideration of data protection and privacy in relevant activities;
- Promote and facilitate, for the recipient countries benefiting from these activities that do not have legislation on data protection and privacy, their integration into the global data protection and privacy community.

In 2023, the WG AID as a whole, met two times by videoconference and conducted the following activities:

1. **Adoption of its Work Plan 2023-2024** (see [Annex 1](#))
2. **Updated the Geographical and Thematic Mapping of Relevant Actors** (see [Annex 2](#))

From an operational standpoint, the purpose of this mapping is to identify a series of relevant actors, in terms of development aid and humanitarian aid.

Fifty-six (56) countries that do not yet have data protection legislation in place as of July 10th 2023 were identified. Nevertheless, a growing number of countries have draft legislation, including Pakistan, Jordan and Djibouti. Seventeen countries (17) have passed legislation between mid-2022 and July 2023 (Rwanda, Zimbabwe, Sri Lanka, The British Virgin Islands, Belize, Mongolia, Belarus, Ecuador, Saudi Arabia, The United Arab Emirates, Oman, Indonesia, Cuba, Swaziland, Laos and Tanzania).

3. **Further dissemination of the questionnaire on the personal data protection practices of relevant actors and analysis of the results**

In view of the low response rate when the questionnaire was first sent out in 2022, the WG AID members decided to continue disseminating and promoting the questionnaire, in particular at the following meetings:

- The AFAPDP conference on October 3, 2022 in Tunisia
- The open and closed sessions of the GPA 2022, held in Turkey (online participation);
- The Symposium on Cybersecurity and Data Protection in Humanitarian Action held on November 8, 2022 in Luxembourg;
- The DPO - Certification in Humanitarian Action course held in Geneva in December 2022

These various meetings enabled us to identify contacts interested in the WG AID's activities, and to send out a new, more targeted questionnaire, aimed in particular at INGOs such as Doctors Without Borders and Terre des Hommes. This last mailing doubled the number of usable responses.

4. Analysis of the questionnaire

At a physical meeting of a small number of IDA WG members (AFAPDP, Benin, UNHCR, Luxembourg, Monaco and Switzerland) in Monaco in March 2023, the results were analysed and a [report](#) was drafted and adopted in July 2023.

Several observations were made:

- The response rate to the questionnaire was fairly low (18%), and a lack of geographical representativeness was noted among respondents.
- All respondents process personal data in different categories, depending on their uses/needs.
- The issue of personal data protection is taken seriously by all respondents, who either have a policy in place or are in the process of adopting one. What's more, security measures are implemented by a large majority.
- The questionnaire enabled the WG AID to identify specific needs
- The Working Group has been identified as a pool of expertise by the organisations contacted.

A number of respondents also expressed a desire to know the results of the survey and any follow-up action planned. To this end, this report will be sent to respondents in order to capitalise on this initial contact.

5. Promotion of the work of the GPA and the WG AID

The chair and some members of the WG AID participated in various meetings, conferences and training relevant to the objectives of the WG AID with external stakeholders in order to maintain and explore possible synergies (such as [DigitHarium](#), the [Humanitarian Data and](#)

[Trust Initiative](#), the [World Bank Group](#), the [International Organisation of la Francophonie](#), the UN Special Rapporteur on the right to privacy (Dr. Ana Brian Nougrères).

The following activities were carried out, in particular:

- GPA Online participation: panel during the open session and presentation during the closed session.
- Participation of several members in the Symposium on Cybersecurity and Data Protection in Humanitarian Action in Luxembourg co-organised by the International Committee of the Red Cross (ICRC) and the Commission Nationale pour la Protection des Données (CNPD) on 8 November 2022.
- Participation by the chair of the WG AID in the "Workshop on Responsible Data Sharing between Humanitarian Organizations and Donors" with the ICRC and the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) on 15 November 2022 in Berne.
- Continuation of the work initiated in 2015 with the ICRC by participating virtually in the [Data Protection Officer in Humanitarian Action certification course with the University of Maastricht](#). Two members of the AID WG also attended and contributed to the session held in Geneva from 12 to 16 December 2022. Regular contributions to courses are envisaged.
- Some members of the WG AID participated in the careful review of the third version of [the manual on data protection in humanitarian action](#), which focuses on new themes such as data protection by design.
- The WG AID participated in the second edition of the [Privacy Symposium](#) held in Venice in April 2023, which aims to promote international dialogue, cooperation and knowledge sharing on data protection regulations, compliance and emerging technologies. Participation in this conference provided an opportunity to consolidate contact with the United Nations Special Rapporteur on the Right to Privacy (Dr. Ana Brian Nougrères), who is interested in the work of the WG AID and is considering possible synergies.
- Participation in the scientific committee of the Symposium on Cybersecurity and Data Protection in Humanitarian Action, to be held in Luxembourg in 2024.
- Online participation in the Asia Pacific Privacy Authorities (APPA) meeting on 6 June 2023 to present the work of the WG AID and to launch a call for participation from authorities in the Asia-Pacific region that are under-represented in the WG AID.

N.B All the working documents were drafted in French and then translated into English thanks to la Commission de contrôle des informations nominatives monégasque (CCIN) and the Association francophone des autorités de protection des données personnelles (AFAPDP). The English versions were then reviewed by the Gibraltar and Jersey authorities.

Work Plan 2024-2025

The work of the WG AID will focus on the advancement of privacy protection worldwide, the promotion of high data protection standards as stated in the GPA strategic priorities 2019-2021 which have been reaffirmed in the [Resolution on the Assembly's Strategic Direction \(2021-23\)](#) and looking forward to the next resolution on the topic. It will also work towards maximising the GPA's voice and influence by strengthening relations with other international bodies and networks.

To this end, the WG AID intends to focus essentially on the following objectives:

- Adapt its Work Plan on the basis of the forthcoming resolution on the strategic direction of the Assembly 2023-2025;
- Based on the questionnaire analysis report:
 - establish a list of specific contact points for these actors within data protection authorities (DPAs);
 - produce presentations to raise awareness of data protection in development aid;
 - imagine or present a case study;
 - identify training opportunities and facilitate access to them for the relevant players.
- Maintaining and exploring possible synergies with other WGs and external stakeholders, in particular INGOs that have requested it. The WG AID has already been asked by an international organisation to carefully review its guidelines on data protection and privacy.
- Continue to promote the work of the GPA and the WG AID by actively participating in various meetings, conferences, training related to the objectives of the WG AID with external stakeholders in order to maintain and continue to explore possible synergies;

The Work Plan 2024-2025 will be discussed and adopted at the next meeting of the WG AID, which should be held in the last quarter of 2023.

Conclusion

Despite a low response rate to the questionnaire, the WG AID is pleased with the interest shown in its work by the respondents, particularly the INGOs. The WG AID has been identified as a pool of expertise by the organisations contacted. This is reflected in the number of invitations to participate in various events (conferences, workshops, etc.) at both national and international levels. The report analysing the questionnaire also identified specific needs that will enable the WG AID to target its future activities more effectively.

By continuing to pave the way to respond to the request for cooperation from relevant parties to develop guidelines and share best practices in privacy and data protection relating to international development assistance and international humanitarian action, the WG AID is contributing to the implementation of the GPA's strategic priorities and policy.

Annexes

Annex 1



GPA

Global Privacy Assembly

Work plan 2023 - 2024 of the Working Group on the Role of Personal Data Protection in International Development Aid, International Humanitarian Aid and Crisis management

Context

The Global Privacy Assembly (“GPA”) has the ambition to *“occupy an important place at a time when privacy is high on public agendas”* and to *“become a vehicle for effective regulatory cooperation and influence on the direction of policy on privacy and data protection globally”*¹.

In the context of the implementation of the United Nations' Agenda 2030 (known as “**Agenda 2030**”) for sustainable development, the members of the GPA have noted in the **Resolution on the Role of Personal Data Protection in International Development Aid, International Humanitarian Aid and Crisis** (hereafter “**the Resolution**”) that *“there have been increases in international development assistance and international humanitarian aid, the number of stakeholders, and the complexity of the implementation of these programmes”*; that there is a need for *“greater accountability, transparency and effectiveness from development assistance agencies”*; and the increase of *“the processing of personal data [which] takes place in the context of the implementation of numerous international development aid programmes, in international humanitarian aid and in crisis management, particularly in the field of civil registration system and identification, on which 12 of the 17 sustainable development objectives are based”*².

The closed session of the GPA there resolved to *“contribute, at its level, to the achievement of the Agenda 2030, by identifying and engaging relevant stakeholders in international development aid in order to achieve its longer-term strategic goal of a “global regulatory environment with high, clear and consistent standards of data protection”*.

To this end, it has set up a Working Group on the Role of Personal Data Protection in International Development Aid, International Humanitarian Aid and Crisis management (hereafter “**the Working Group**” or “**the WG AID**”).

¹ <http://globalprivacyassembly.org/wp-content/uploads/2019/10/Resolution-on-the-Conference-Strategic-Direction-2019-2021-FINAL.pdf>

² <https://globalprivacyassembly.org/wp-content/uploads/2020/10/FINAL-GPA-Resolution-International-Aid-EN.pdf>

OBJECTIVES

In line with the objectives of the Resolution, the members of the Working Group have set themselves the following general objectives:

- **to respond to the request for cooperation** from relevant parties to develop guidelines and share best practices in privacy and data protection relating to international development assistance and international humanitarian action;
- **to develop an advocacy and engagement strategy** with relevant stakeholders.

In order to achieve these two objectives, the Working Group must implement activities in order to:

- A.** Refine the understanding of international development aid, international humanitarian aid and crisis management;
- B.** Establish sustained contact with the relevant actors, both at bilateral and multilateral levels and thus maximise the reach of the GPA's voice by strengthening the relations with the actors of international development aid;
- C.** In collaboration with other relevant Working Groups of the GPA, produce documents and advocacy tools for better consideration of data protection and privacy in relevant activities;
- D.** Promote and facilitate, for the recipient countries benefiting from these activities that do not have legislation on data protection and privacy, their integration into the global data protection and privacy community.

PROPOSED WORK PLAN AND TIMETABLE

2023	<p>Analyse the responses to the questionnaire in order to identify the issues to which the working group should respond as a priority and the opportunities for interaction between the GPA and the operators (A) and produce a synthesis.</p> <p>Promote the work of the GPA and this Working Group, in particular to international organisations, humanitarian organisations as well as NGO in order to facilitate the exchange of information (A and C).</p> <p><i>For instance, pursue the work with the International Committee of the Red Cross (“ICRC”), hearing the Special Rapporteur on the right to privacy, Dr Ana Brian Nougrères on UN development activities, HDTI, MSF etc.</i></p> <p>Explore synergies with other WG of the GPA and other data protection networks (B, C and D).</p> <p>Keep the mapping up to date (A, B et D).</p> <p>Start producing standard data protection awareness presentations (PPT) for field officers (C).</p> <p><i>For example, create a list of contacts and applicable laws.</i></p>
2024	<p>Keep the mapping up to date (A, B et D).</p> <p>Promote the work of the GPA and this Working Group, in particular to international organisations and humanitarian organisations in order to facilitate the exchange of information (A and C).</p> <p>Explore synergies with other WG of the GPA and other data protection networks (B, C and D).</p> <p>Produce guidelines for the operators in charge of the execution of the programmes (C).</p> <p>Organise a workshop/webinar bringing together the data protection community and development actors to discuss data protection issues and promote data protection in development aid (A and B).</p> <p><i>For example, organise a thematic/practical exchange with a stakeholder or stakeholders and the WG AID member authorities.</i></p>

Annex 2



Working Group on the Role of Personal Data Protection in International Development Aid, International Humanitarian Aid and Crisis management

Mapping of International Development Aid and International Humanitarian Aid

July 2023 Version

In accordance with the work plan adopted by the working group on 26 January 2021, this document aims to:

- Refine the understanding of international development aid, international humanitarian aid and crisis management (objective A);
- Identify recipient countries benefiting from these activities that do not have legislation on data protection and privacy (objective D).

From an operational standpoint, the purpose of this mapping is to identify a series of relevant actors, in terms of development aid and humanitarian aid. Indeed, the 2021 work plan of the GT provides for the mailing of a questionnaire to said actors in order to better assess the practices in terms of personal data protection in the implementation of their programs/projects (see questionnaire).

1. A wide range of actors

The research carried out by the working group revealed the complexity for an outsider to develop a concise overview of development assistance and humanitarian aid, as there are so many entities involved. The competencies of those development agencies and humanitarian organisations may furthermore come into collision.

It was decided to separate the main actors in the field of development into broad categories.

On the one hand, the main donors who do not intervene in the field in the implementation of programmes (in blue), and on the other hand the international organisations and operators (in yellow) who ensure this implementation.

N.B.: this distinction may be somewhat superficial, as some actors may have the dual role of "funder" and "operator" through, for example, internal agencies responsible for implementation.

In order to facilitate the reading of the document, bilateral cooperation and the work of civil society organisations (NGOs or other private entities) have not been taken into account.

Finally, the humanitarian actors whose action comprises specific aspects, are the subjects of a different classification (in green).

Development Agencies/DFIs
Argentina - White Helmets Commission (Comisión Cascos Blancos)
Austria - Austrian Development Agency – ADA; The Austrian Development Cooperation; Austria Wirtschaftsservice Gesellschaft (aws)
Azerbaijan - Azerbaijan International Development Agency
Belgium - Belgian Policy Plan for Development Cooperation; Belgian Technical Cooperation - BTC/CTB [nl]
Brazil - Agência Brasileira de Cooperação
Canada - Global Affairs
Chile - Agencia de Cooperación Internacional de Chile (AGCI)
China - China International Development Cooperation Agency (CIDCA)
Czech Republic - Czech Development Agency (CzDA)
Denmark - Danish International Development Agency (DANIDA)
Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)
Egypt - Egyptian Agency for Partnership for Development
European Union - Directorate-General for International Partnerships
Finland - Department for International Development Cooperation (FINNIDA)
France - Agence française de développement
Iran - Organization for Investment, Economic, and Technical Assistance of Iran
Ireland - Irish Aid
Israel -Israel's Agency for International Development Cooperation
Italy – Italian Development Cooperation
Japan - Japan International Cooperation Agency (JICA)
Korea - Korea International Cooperation Agency (KOICA)
Kuwait - Kuwait Fund for Arab Economic Development
Liechtenstein - Liechtensteinische Entwicklungsdienst
Luxemburg - Lux Development
Mexico – AMEXCID
NEPAD (African Union)
Netherlands - The Netherlands Foreign Trade and Development Agency (NFTDA)
New Zealand - New Zealand Agency for International Development (NZAid)
Norway - Norwegian Agency for Development Cooperation (NORAD)
Pakistan - Pakistan Technical Assistance Programme
Palestine - Palestinian International Cooperation Agency (PICA)
Poland - The Development Co-operation Department
Portugal – IPAD
Portugal - Camões - Instituto da Cooperação e da Língua
Republic of China (Taiwan) - International Cooperation and Development Fund (ICDF)
Romania - Assistance for Development (AOD)
Russia - Rossotrudnichestvo (RU)
Saudi Arabia - Saudi Fund for Development (SFD)

Slovakia - Slovak Aid
South Africa - Development Bank of Southern Africa (DBSA)
Spain - Spanish Agency for International Development Cooperation (AECID)
Sweden - Swedish International Development Cooperation Agency (Sida)
Switzerland - Swiss Agency for Development and Cooperation (SDC)
Taiwan - International Cooperation and Development Fund (Taiwan ICDF)
Thailand - Thailand International Cooperation Agency (TICA)
Turkey - Turkish Cooperation and Coordination Agency (TİKA)
United Kingdom - Foreign, Commonwealth and Development Office (FCDO)
United States - United States Agency for International Development (USAID), the Inter-American Foundation (IAF), Millennium Challenge Corporation (MCC), and the African Development Foundation (ADF)

Financial Institutions
ADB Asian Development Bank
AFDB African Development Bank
Black Sea Development Bank
CEB Council of Europe Development Bank
Central African Central Banks Association
EBRD European Bank for Reconstruction and Development
EDFI (European network of DFIs)
EIB European Investment Bank
IDB Inter-American Development
International Bank for Reconstruction and Development (World bank)
Islamic Development Bank
West African Development Bank
World Bank (Group)

International Organisations
African Union
Commonwealth
Council of Europe
European Union
ICRC
Organisation internationale de la Francophonie
Organization of American States
UN System (cf. un_system_chart.pdf)

Humanitarian
CICR

UN system (HCR, IOM, WHO, WFP, OCHA, UNICEF...)
MSF
MDM
Première urgence
Secours populaire
Action contre la faim
Danish refugee Council
Norwegian refugee Council
OXFAM
ECHO (UE)
Save the Children
Plan International
Handicap International
Secours Islamique
Care
Solidarités International
ACTED
PRM (US)
International Medical Corps
International Rescue Committe
GAVI
Terre des Hommes
Global Fund

2. A wide range of topics

The main lines of action in terms of development aid (non-exhaustive):

- Education
- Health
- Nutrition, agriculture and access to drinking water
- Governance (including e-governance) and rule of law
- Infrastructures (including digital infrastructures)
- Migrations
- Environment/Ecology/Climate change
- Gender equality
- Economic development/Growth/Private sector
-

The main lines of action in terms of humanitarian aid (non-exhaustive):

- Shelter/habitat
- Health/Hygiene
- Food assistance
- Forced displacements of population/Migrations

- Restoration of family links
- Education
- Victim support (sexual abuses, tortures...)
- Other?

Nota Bene: The importance of digital technology in the development agenda has been identified and recognised since the early 2000s. The objective is to encourage the use of technology to improve the living conditions of all and to achieve the goals in question. In this sense, the projects implemented as part of international development aid and humanitarian aid can potentially rely on digital technologies requiring the use of personal data.

3. Regional Distribution of official development assistance by Individual Donors (States) and Multilateral Agencies

Region	Percentage
Sub-Saharan Africa	38,83
South and Central Asia	19,94
Other Asia and Oceania	10,15
Middle East and North Africa	16,37
Europe	6,59
Latin America and Caribbean	8,12
Total	100,00

Source: OECD

4. Indicative list of countries that do not yet have data protection legislation (as of July 10th 2023) = 56

Name of the country	Level of protection
Afghanistan	No law
Bangladesh	Draft Law
Bolivia	Draft law
Brunei	Draft law
Burma	No law
Burundi	No law
Cambodia	Draft law
Cameroon	Pre-draft Law
Central African Republic	No law
Comoros	No law
Djibouti	draft law
Dominica	No law
El Salvador	Draft law
Eritrea	No law

Ethiopia	Draft law
Fiji	No law
Gambia	No law
Grenada	No law
Guatemala	No law
Guinea-Bissau	No law
Haiti	No law
Honduras	Draft law
Iran	Draft law
Iraq	No law
Jordan	Draft law
Kiribati	No law
Kuwait	No law
Liberia	No law
Libya	No law
Malawi	Draft law
Maldives	No law
Marshall Islands	No law
Micronesia	No law
Mozambique	No law
Namibia	Draft law
Nauru	No law
North Korea	No law
Pakistan	Draft law
Palau	No law
Palestine	No law
Papua New Guinea	No law
Puerto Rico	No law
Saint Kitts and Nevis	No law
Solomon Islands	No law
Samoa	No law
Sierra Leone	No law
Somalia	No law
South Sudan	Draft law
Sudan	No law
Suriname	Draft law
Syria	No law
Timor Leste	No law
Tonga	No law
Tuvalu	No law
Vanuatu	No law
Venezuela	No law

5. Indicative list of countries which have recently adopted a data protection legislation (as of July 10th 2023) = 17

Belize	Law
Belarus	Law
British Virgin Islands	Law
Cuba	Law
Ecuador	Law
Indonesia	Law (20.9.22)
Laos	Law
Mongolia	Law (January 22)
Oman	Law
Rwanda	Law (October 2021)
Saudi Arabia	Law
Sri Lanka	Law (March 2022)
Swaziland	Law
Tanzania	Law (October 2022)
United Arab Emirates	Law
Zambia	Law
Zimbabwe	Law

6. Examples of potentially data-intensive projects

Agence française de développement :

Digital Identity Nigeria (€100,000,000)

PAAMG: Support project for the implementation of generalized health insurance Comoros (€16,000,000)

New technologies and digital innovation for health and epidemiological surveillance (€300,000)

World Bank:

Mexico National Digital Identity System to Facilitate Inclusion (US\$225,000,000)

Haiti Digital Acceleration Project (US\$60 000 000)

Madagascar Digital Governance and Identification Management System Project- PRODIGY (US\$140 000 000)

Swiss Agency for Development and Cooperation:

Civil Registry System Reform Project in Tajikistan (CRR) (4 040 000 CHF)



GPA

Global Privacy Assembly

Working Group on the Role of Personal Data Protection in International Development Aid, International Humanitarian Aid and Crisis Management

Questionnaire Analysis Report, July 2023

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Summary of the results

- The response rate to the questionnaire was fairly low (18%), and a lack of geographical representativeness was noted among respondents.
- All respondents process personal data in different categories, depending on their uses/needs.
- The issue of personal data protection is taken seriously by all respondents, who either have a policy in place or are in the process of adopting one. What's more, security measures are implemented by a large majority.
- The questionnaire identified specific needs.
- The Working Group has been identified as a pool of expertise by the organisations contacted.

Methodology

The questionnaire was sent out for the first time on February 25, 2022, followed by several reminders during the year's various exchanges and meetings. The last response was received on March 20, 2023.

The questionnaire was sent to 25 development agencies, 9 financial institutions, 21 international organisations (IOs) and 23 non-governmental organisations (NGOs), making a total of 78 entities.

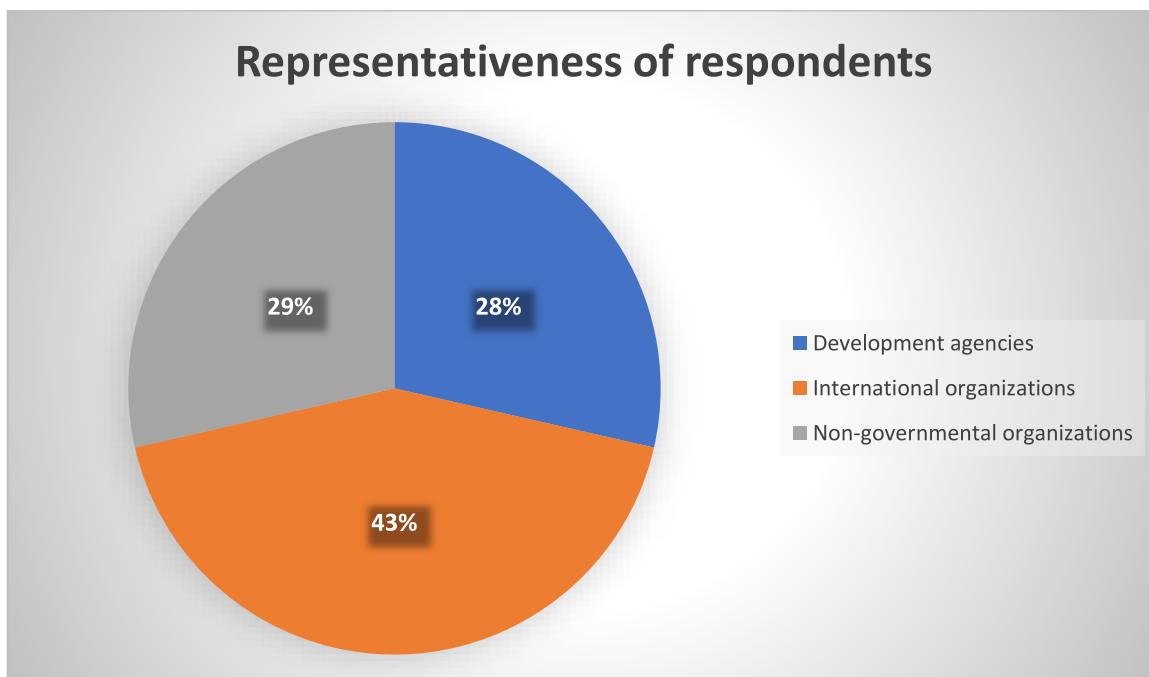
It was transmitted in English and French.

Response rate

22 entities responded to the questionnaire. Of these 22 responses, 14 were usable.

The respondents are all located in Europe or North America. 4 are development agencies, 6 are IOs and 4 are NGOs.

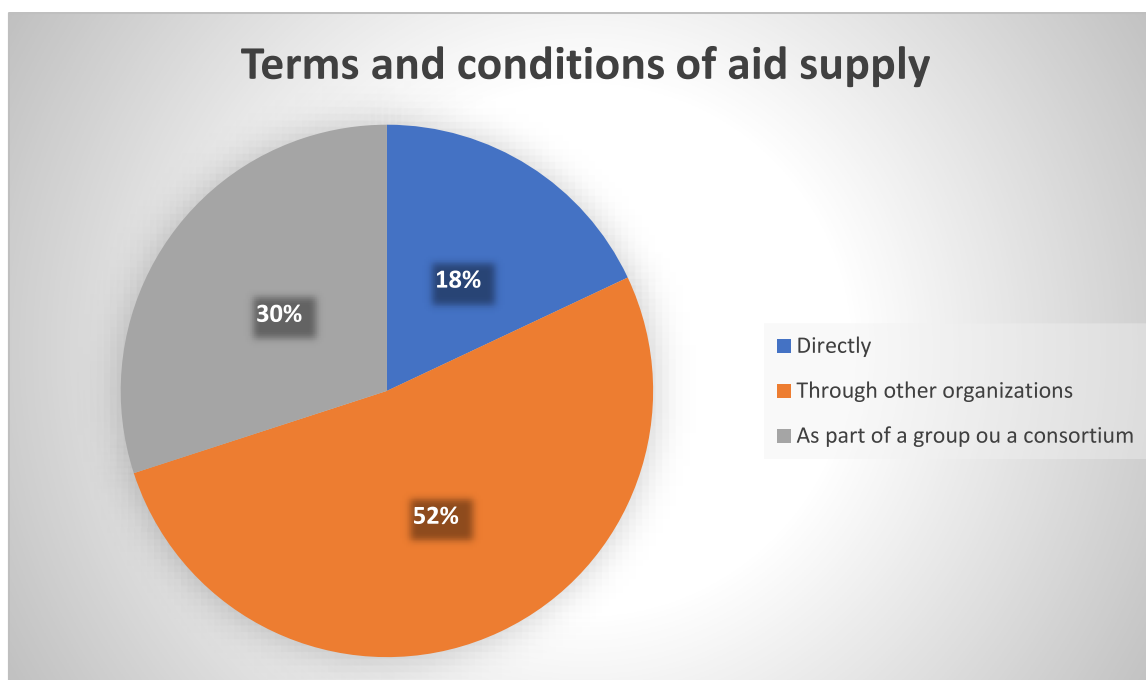
No financial institution responded.



Results

Do you provide aid directly to individuals?

A minority of respondents provide help directly to the people concerned. The vast majority act through other organisations (52%) or as part of a group or consortium (30%).



Are you aware of any data protection regulation applying to your organisation?

All the international organisations stated that they were not subject to national or regional laws. However, one of these organisations indicated that it had developed an internal data protection policy, and another stated that it was in the process of developing such a policy.

The other respondents (development agencies and NGOs) stated that they were subject to the local legislation of either their principal place of business or the country in which they operate.

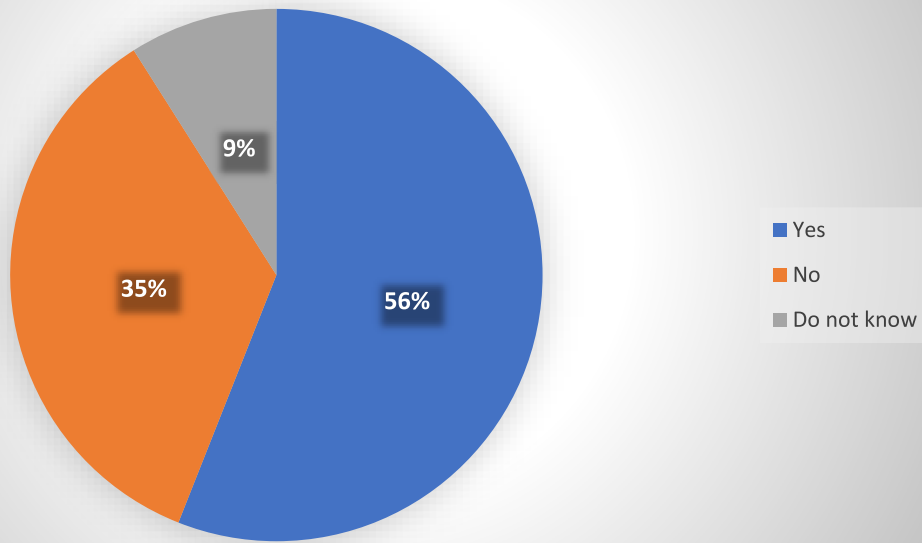
As part of the implementation of your programs, do you have any internal data protection procedure in place?

All respondents indicated that they had an internal policy (13 respondents), or were in the process of drafting such a document (1 respondent).

Do you collect/process/store personal data of individuals receiving aid?

8 of the entities surveyed indicated that they collect, process and store personal data on the people to whom assistance is given. 5 stated that they do not collect any personal data. Only one respondent was unable to answer.

Data collection, processing and retention



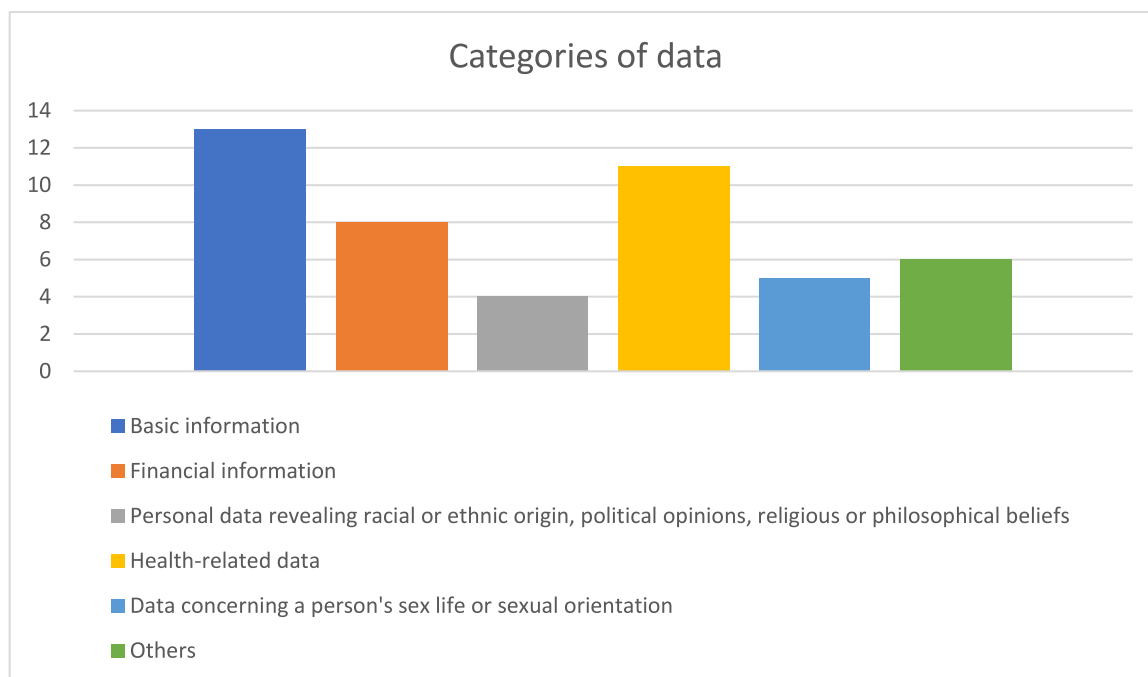
Do you collect personal data directly from the individuals themselves?

There is a problem of consistency in the answers, making the results unusable, although it is worth noting that the majority of respondents (9) collect data directly from the people concerned.

What categories of personal data do you collect?

Responses vary according to respondents' sector of activity. However, basic information (identity, date of birth, addresses, family life, etc.) and financial information are the most commonly collected (28% and 17% respectively).

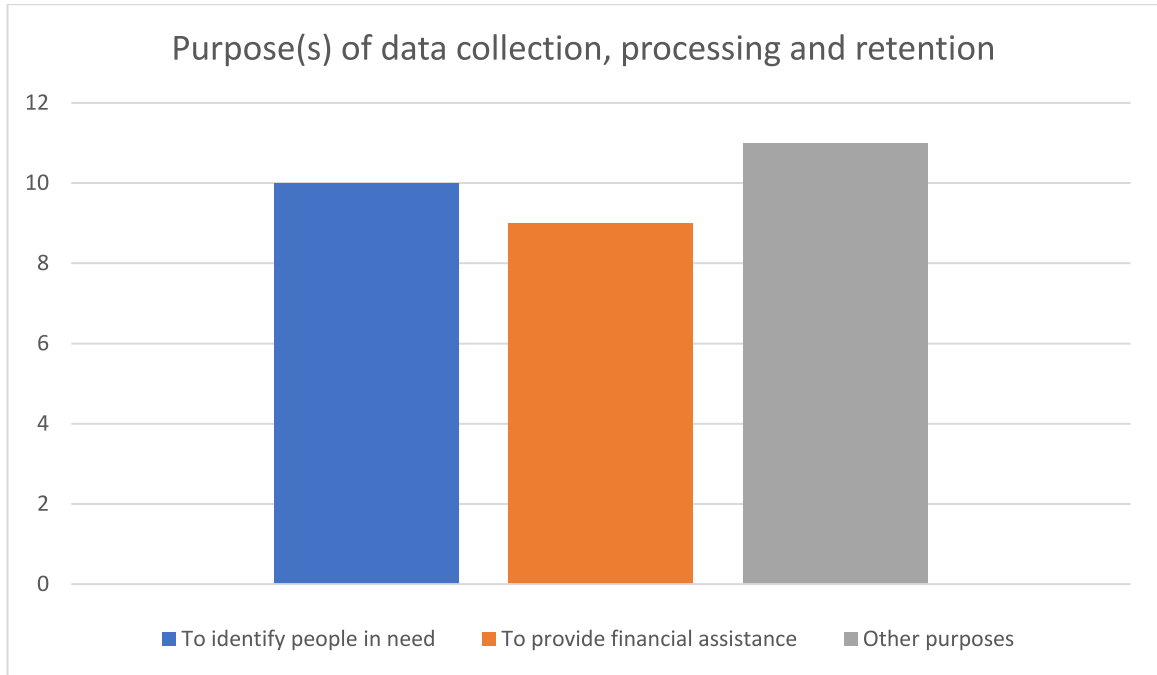
Among other data, one respondent indicated biometric data.



For which purposes do you collect/process/store the personal data?

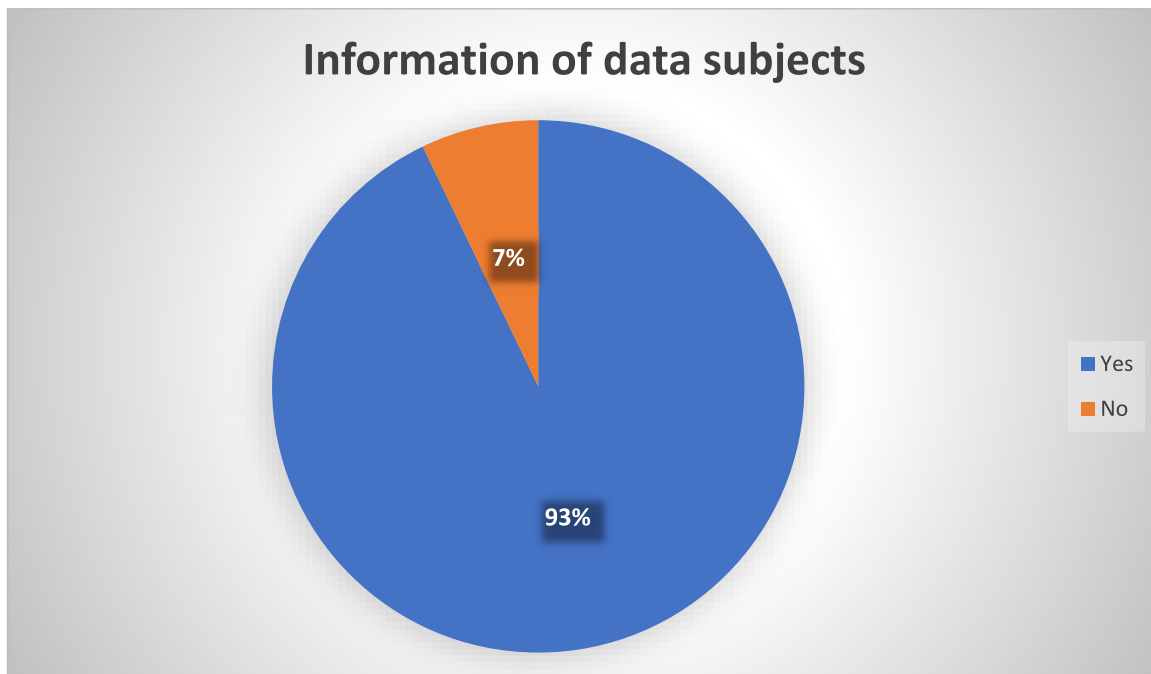
Most respondents indicated that they collect, process and store data in order to identify people in need (10) and provide financial assistance (9). However, they also indicated that data could be collected for other purposes (11). These purposes include:

- providing protection and assistance;
- finding solutions for people under their jurisdiction, including identity management, determining the status of these people, monitoring protection and implementing procedures relating to the best interests of the person;
- the use of aggregated data for research, statistics, reports...;
- setting up feedback mechanisms, safeguarding the well-being of beneficiaries and evaluating programs;
- on a case-by-case basis, to meet transparency obligations imposed by donors, for audit and control purposes, in reports (e.g. project evaluations, monitoring).



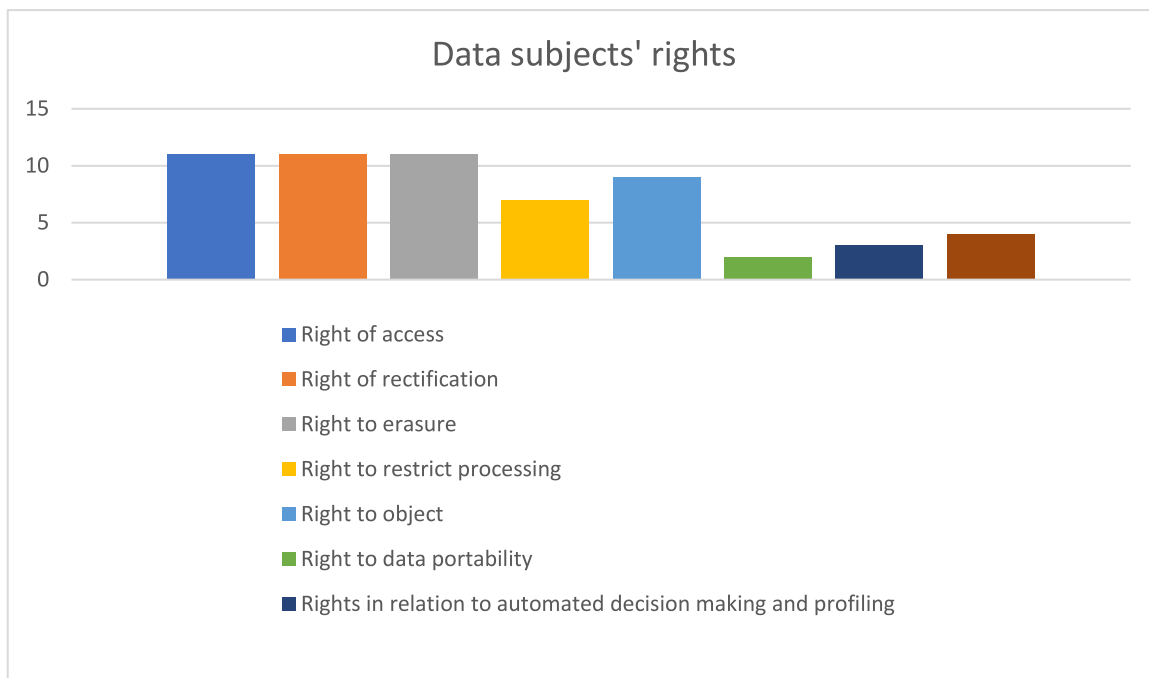
Do you provide individuals with any information about the collection, processing and retention of personal data?

With the exception of one respondent, all the other entities surveyed inform data subjects of their rights.



What are the rights of the persons concerned?

Most respondents (11) allow data subjects to access, rectify and delete their data. These three rights are followed by the right to object (9) and the right to restrict processing (7). Very few respondents (2) offer the right to portability.

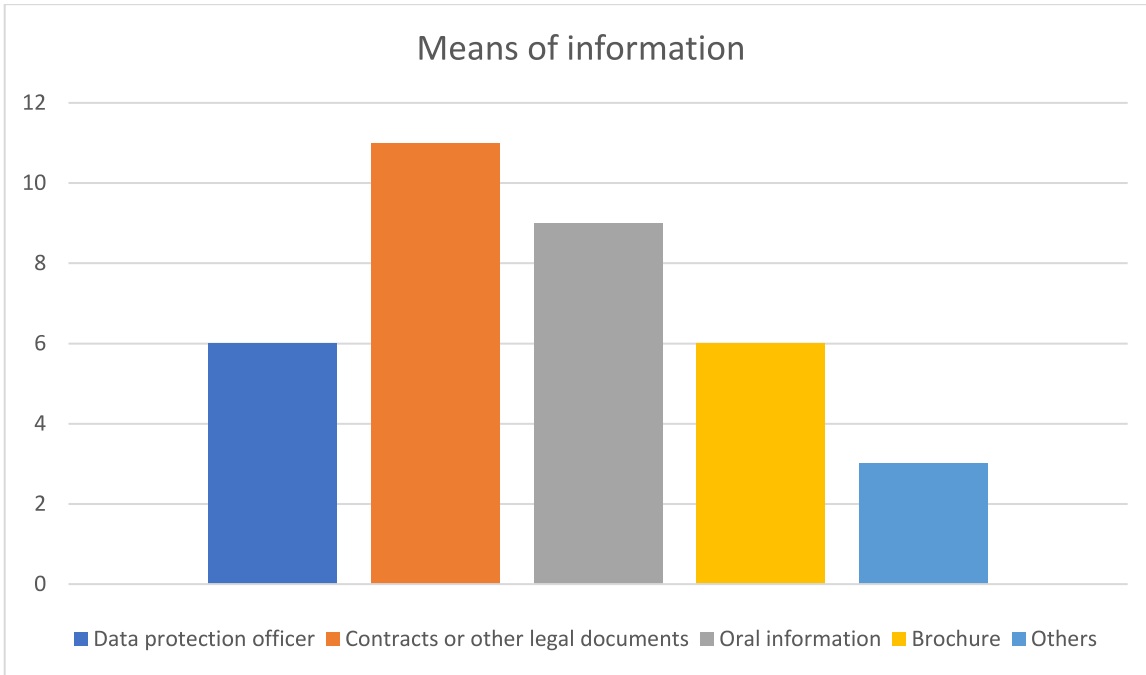


How do you inform the people concerned about their rights?

Data subjects are informed in a variety of ways. The most frequently used are contracts or other legal documents (11), in particular by means of a privacy policy, oral information (9), and equally, brochures and the appointment of a data protection officer (6).

None of the respondents reported using video equipment.

Other means include the website's privacy policy, a telephone hotline and a form.

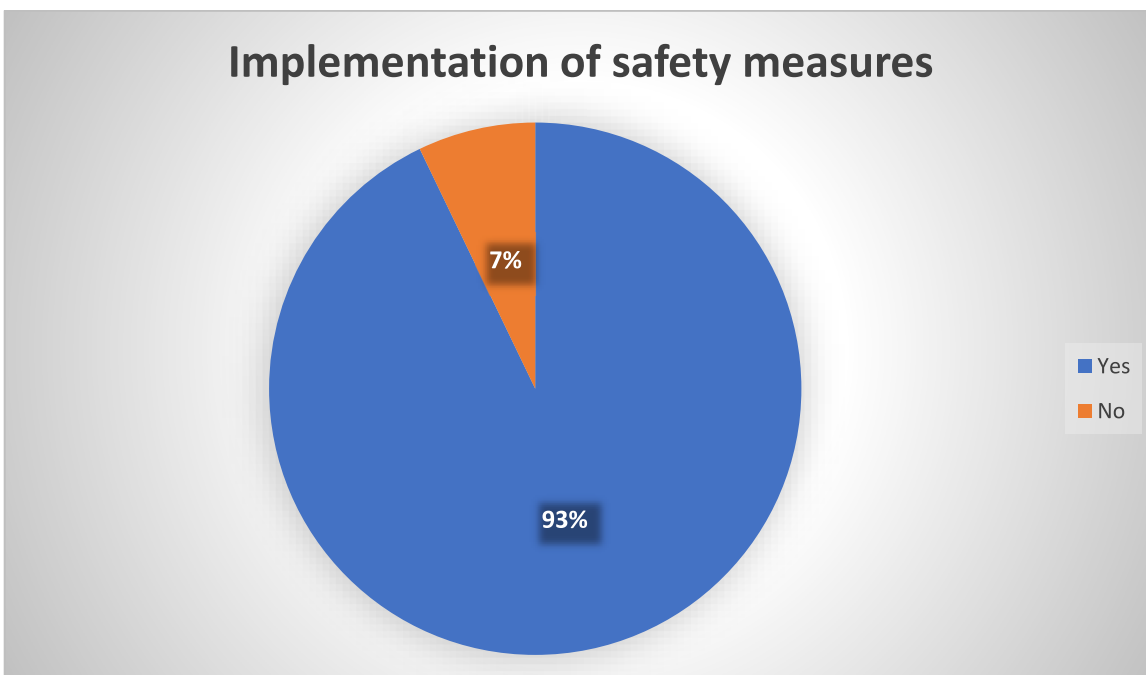


How long do you retain the personal data you collect?

Only one of the respondents answered that information is kept indefinitely. The others indicated retention periods depending on the legislative and operational context. Most, however, stressed that data was kept for as long as necessary to achieve the purpose for which it was collected, and that aggregated data was kept for statistical and historical purposes.

Has your organisation put into place some security measures to protect the personal data?

With the exception of one respondent, all surveyed entities have security measures in place.

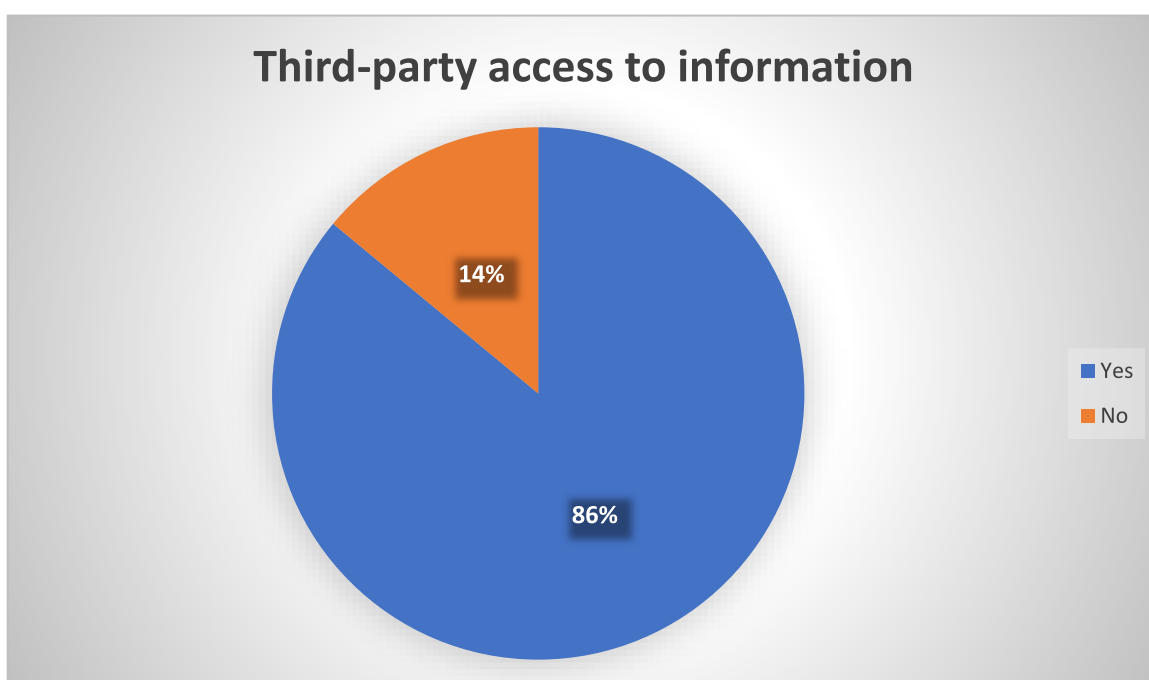


Do any third parties have access to this data?

A very large majority (86%) of respondents indicated that third parties could access the data collected.

These accesses are used for various purposes:

- provision of humanitarian assistance;
- cooperation with donors, partners and service providers;
- litigation management;
- internal and external audits;
- research.



Who are those third parties?

A large majority of respondents said that other agencies could access the data (11). In some cases, the national government of the jurisdiction where aid is provided (4) may be a recipient, as well as donors (3) and the national government where the entity is based (2).

None of the respondents responded with the national police force of the country in which they are based, or the country in which the aid is provided.

On the other hand, 5 of the respondents specified that other third parties could access the data, depending on the nature of the entity and its missions, as well as the context in which the aid is provided. Requests for access are dealt with on a case-by-case basis.

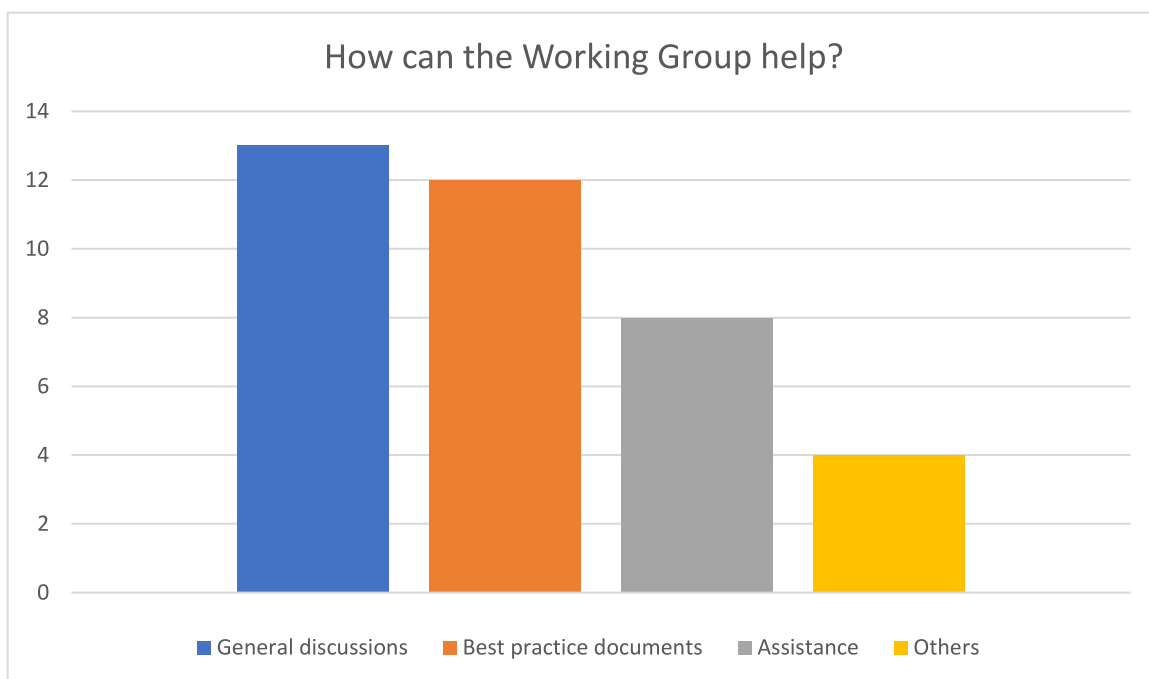
Can processors have access to beneficiaries' personal data?

None of the respondents have complete control over the data they collect, since with the exception of one who was unable to answer, all the others indicated that their subcontractors may have access to said data.

How can the Working Group help you?

Respondents all indicated an interest in contact with the Working Group. Their needs included general discussions (13), best practice documents (12) and assistance (8).

The Working Group is also seen as a useful entry point for obtaining contacts and communicating with data protection authorities.



Conclusions and next steps

The Working Group AID has drawn several conclusions from the answers to this questionnaire:

- The **low response rate** shows that the Global Privacy Assembly (GPA) is probably not sufficiently identified by many development and humanitarian aid actors. Without prejudging whether this lack of awareness is accompanied by a relative indifference to the protection of personal data, the Working Group sees this as an opportunity to get closer to these players in order to strengthen the voice and influence of the GPA.
- Beyond the simple responses received, the questionnaire was an **effective tool for making contact with many relevant actors**, and helped raise awareness of the Working Group AID, now identified as a pool of expertise for these organisations. In addition, the organisations that responded said they **appreciated the Working Group's approach**, particularly the NGOs.
- A number of respondents also expressed a desire to **know the results of the survey and the follow-up action planned**. To this end, this report will be forwarded to respondents.
- The questionnaire revealed that **personal data are important working tools for organisations in the targeted sectors**. This finding reinforces the conviction of the importance of the Working Group and of maintaining dialogue with the relevant players, given the sensitive nature of their work, in a benevolent approach.
- Among respondents, the Working Group was pleased to **note a good degree of maturity and awareness** in terms of personal data protection. This is evidenced in particular by the data protection policies already in place or being drafted by all respondents.
- Finally, the questionnaire **identified the needs of certain organisations**, in particular NGOs, in order to better guide the Working Group's actions in the coming years:
 - establish a list of specific contact points for these actors within DPAs;
 - produce presentations to raise awareness of data protection in development aid;
 - imagine or present a case study;
 - identify training opportunities and facilitate access to them for the relevant players.