

Power of humanity

Council of Delegates of the International
Red Cross and Red Crescent Movement

22–23 June 2022, Geneva



EN

CD/22/DRX.X
Original: English
Draft

COUNCIL OF DELEGATES

OF THE INTERNATIONAL RED CROSS AND RED CRESCENT MOVEMENT

Geneve, 22- 23 June 2022

Safeguarding Humanitarian Data

Draft zero resolution

**Document prepared by
the International Committee of the Red Cross
with the endorsement of the Restoring Family Links Leadership Platform**

Geneva, March 2022

DRAFT RESOLUTION

Safeguarding Humanitarian Data

The Council of Delegates,

shocked by and deeply concerned about the recent breach of personal data entrusted to the International Committee of the Red Cross (ICRC) and National Red Cross and Red Crescent Societies,

concerned that unauthorized access to or extraction of data being processed (for example, collected, stored or transferred) by impartial humanitarian organizations undermines their work and may create significant risks for the dignity and safety of people affected by armed conflict, disasters and other emergencies,

stressing that such actions are unacceptable, not reconcilable with the letter and spirit of international humanitarian law and contrary to the long-standing international consensus on the importance of impartial humanitarian action,

reaffirming that the ability of impartial humanitarian organizations to process personal data and sensitive non-personal data (humanitarian data) is critical to and an integral part of their ability to deliver humanitarian activities, such as providing medical care and humanitarian relief, protecting detainees and civilians, including particularly vulnerable groups such as migrants and children, and tracing people and reuniting families,

recognizing that it is of the foremost importance for people to be able to trust humanitarian organizations with their personal data and that their data be protected, and *recalling* that personal data protection is closely related to the safeguarding of people's privacy and dignity and their safety,

highlighting the trust that States and other actors involved in armed conflict, natural disasters and other emergencies place in the impartiality of humanitarian organizations and their work, and that this trust is a precondition and essential for these organizations to carry out their mandates and activities,

recalling the commitment of the International Red Cross and Red Crescent Movement (Movement) to its Fundamental Principles, and *recognizing* that Movement components process data as part of the mandates and roles entrusted to them under international humanitarian law, the Statutes of the Movement and resolutions adopted by the International Conference of the Red Cross and Red Crescent, with due consideration for data protection frameworks and principles, such as those in the *Handbook on Data Protection in Humanitarian Action* and the *Restoring Family Links Code of Conduct on Data Protection*, and for protection frameworks, such as those in the *Professional Standards for Protection Work*,

recalling also Resolution 4, "Restoring Family Links while respecting privacy, including as it relates to personal data protection", adopted by the 33rd International Conference of the Red Cross and Red Crescent,

1. *emphasizes* that the digital transformation of humanitarian organizations' activities, including the processing of humanitarian data, entails an important responsibility for these organizations to adopt cyber security measures and data protection practices to

mitigate the risk of data breaches, so that the people whose data is being processed, the organization and its staff and volunteers are protected from any harm that may result from such breaches, and to prepare and implement contingency and response measures should a data breach occur;

2. *recognizes* that whenever a humanitarian organization processes humanitarian data, it should do so solely for purposes that are compatible with its exclusively humanitarian mandate and in compliance with applicable law and relevant data protection frameworks and principles;
3. *also recognizes* that it is essential that States and other actors respect the humanitarian purpose of such data processing;
4. *further recognizes* that the abuse of personal data being processed by humanitarian organizations may result in violations of privacy obligations that are set out in national, regional and international legal frameworks, and may result in serious violations of people's fundamental rights;
5. *expresses concern* that harmful cyber operations, including data breaches, may erode trust in impartial humanitarian organizations and, given this trust is essential to their ability to operate, that data breaches may therefore jeopardize their access to people in need, the safety of their staff and their operations, and ultimately exacerbate the humanitarian situation of people affected by armed conflict, natural disasters and other emergencies;
6. *also expresses concern* about cyber operations that disrupt the work of impartial humanitarian organizations and disinformation that undermines trust in their activities and puts their staff at risk;
7. *reaffirms* the fundamental importance of the obligation under international humanitarian law of all parties to armed conflicts to allow and facilitate impartial humanitarian activities during armed conflict and to respect and protect humanitarian activities and personnel;
8. *emphasizes* that during armed conflict, natural disasters and other emergencies, impartial humanitarian organizations' activities must be respected and protected online as well as offline;
9. *encourages* the ICRC, Movement components and other humanitarian organizations, States and experts to research and develop measures to protect a neutral, independent and impartial humanitarian space in the digital sphere;
10. *also encourages* the ICRC to continue researching the technical feasibility of a digital emblem – namely, a distinctive emblem or sign to identify the data and digital infrastructure of organizations and entities entitled to display the distinctive emblems recognized under international humanitarian law and to indicate, where applicable, their legal protection – and to assess the benefits of such a sign or emblem, and to coordinate with the International Federation of Red Cross and Red Crescent Societies (IFRC) and National Societies and to consult with States and other experts to this effect;
11. *commits* Movement components and *calls on* other humanitarian organizations to take appropriate steps, within the scope of their respective capacities and operational needs, to enhance their ability to ensure appropriate and strong levels of data security when processing data, to apply best practices in data governance for all humanitarian

data, to comply with applicable law and personal data protection frameworks, and to implement relevant standards and good practices in the processing of personal data, taking into consideration the *Handbook on Data Protection in Humanitarian Action*;

12. *invites* the ICRC and the IFRC to report to the 2023 Council of Delegates on the data security and personal data protection measures taken by Movement components;
13. *calls on* States and other actors to respect and protect impartial humanitarian organizations online as they do offline, including by safeguarding them from harmful cyber and information operations of any kind, and *also calls on* States to ensure that actors under their influence respect humanitarian organizations and their data, and to take all feasible measures to protect individuals whose data has been breached;
14. *further calls on* States and other actors – in particular, expert communities, researchers and the private sector – to work with and support humanitarian organizations to develop or acquire the necessary tools and infrastructure to ensure the security and protection of their humanitarian data;
15. *considers* addressing the security and protection of humanitarian data at the 34th International Conference of the Red Cross and Red Crescent.