

## THE CENTRE FOR HUMANITARIAN DATA

### GUIDANCE NOTE SERIES

### DATA RESPONSIBILITY IN HUMANITARIAN ACTION

# NOTE #3: DATA RESPONSIBILITY IN PUBLIC-PRIVATE PARTNERSHIPS

#### KEY TAKEAWAYS:

- Public-private partnerships (PPPs) in the humanitarian sector increasingly involve the use of information and communications technologies (ICTs) and data. The most common types of PPPs in this domain involve financial contributions, provision of technology, in-kind technical advisory support, joint technology development, and data sharing and collaboration.
- Data responsibility entails the safe, ethical, and effective management of data. This is often overlooked or insufficiently reflected in the design of partnerships between humanitarian organisations and the private sector.
- Existing frameworks for collaboration with the private sector should be enhanced with additional considerations and practical measures to uphold data responsibility in partnerships focused on ICTs and data.
- Common challenges related to responsible data management in PPPs include reputational risk, effectiveness of technology, data sensitivity and use, uncertainty about new data sources, intellectual property, and dependency and deference.
- Five steps for improving data responsibility are to develop shared goals, conduct robust due diligence, perform a risk-benefit assessment, structure partnerships through appropriate agreements, and design technology responsibly.

## PUBLIC-PRIVATE PARTNERSHIPS IN HUMANITARIAN ACTION

Humanitarian organisations regularly partner with the private sector initiatives that increasingly relate directly or indirectly to information and communications technologies (ICTs)<sup>1</sup> and data. Such public-private partnerships (PPPs)<sup>2</sup> offer humanitarians access to new areas of expertise and technologies with the potential to improve the efficiency and speed of response. For the private sector, humanitarian partnerships offer access to new markets and contribute toward corporate social responsibility objectives, among other benefits.<sup>3</sup> Alongside these expected benefits, however, these partnerships present a range of distinct risks related to data management.

<sup>1</sup> ICTs are defined by the United Nations Development Program as “information-handling tools – a varied set of goods, applications and services that are used to produce, store, process, distribute and exchange information.” Source: UNDP, Information Communications Technology for Development, available here: [http://web.undp.org/evaluation/documents/essentials\\_5.pdf](http://web.undp.org/evaluation/documents/essentials_5.pdf)

<sup>2</sup> While there is no single definition of PPPs, this note considers all types of partnerships between humanitarian actors and commercial private sector partners, as described in the OCHA - DHL Deutsche Post report “Combining Capabilities”. Available here: <https://reliefweb.int/sites/reliefweb.int/files/resources/ocha-dpdl-group-ppp-report.pdf>

<sup>3</sup> For more on the private sector incentives to engage in humanitarian response, see: <https://www.unocha.org/es/themes/engagement-private-sector>

While public and private sector actors have held a number of convenings and events on this topic, there is still no common understanding around the requirements for data responsibility in PPPs.<sup>4</sup> *Data responsibility* entails the principles, practices and tools for the safe, ethical and effective management of data.<sup>5</sup> This note provides an overview of the common challenges to partnerships related to ICTs and data in the humanitarian sector and offers a set of recommendations to help both humanitarian organisations and the private sector manage them more effectively.

“We must recognise that the private sector is in many respects more advanced and experienced, and definitely faster when it comes to these issues. We need the support of the private sector to accelerate our progress and take advantage of new sources of data. This is especially true when we consider the potential risks that arise with increased collection and sharing of data.”

- Ursula Mueller, Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator<sup>6</sup>

## COMMON TYPES OF PARTNERSHIPS RELATED TO ICTS AND DATA

The Connecting Business Initiative summarises the state of public-private partnerships as follows: “Despite a former tendency for aid agencies to view businesses as prospective donors, their greatest direct contribution has come in the form of new technologies and other innovations as well as the sharing of technical expertise. Entire elements of humanitarian action, including cash transfers, telecommunications and logistics, have been transformed as businesses have become increasingly involved.”<sup>7</sup>

There are five common types of partnerships with the private sector related to ICTs and data:



**Financial contribution:** The transfer of funds from a private sector entity to humanitarian organisations for specific deliverables, or the direct sponsorship of an event or other humanitarian activity by the private sector<sup>8</sup>



**Provision of technology:** The free or subsidised (‘pro bono’ or ‘low bono’) offering of commercial hardware or software for use by humanitarian organisations<sup>9</sup>



**In-kind technical advisory support:** The secondment of technical experts to support humanitarian organisations to leverage ICTs and data in new ways<sup>10</sup>



**Joint technology development:** Private sector in-kind support to collaborative development of bespoke ICT solutions with humanitarian organisations<sup>11</sup>



**Public-private data collaboration:** Making privately held data or insights available to humanitarian organisations or as a public good<sup>12</sup>

<sup>4</sup> The Centre for Humanitarian Data, in collaboration with Wilton Park, convened an event on Data Responsibility in Humanitarian Action: From Principle to Practice in May 2019 to advance discussions around the responsible and safe sharing of data about crisis-affected people. Read more about the outcomes of this event, including three areas for collective action with data responsibility, here: <https://centre.humdata.org/three-areas-for-collective-action-with-data-responsibility/>. In June 2019, Leiden University’s Centre for Innovation, in partnership with OCHA and NYU Govlab, hosted the Data Responsibility Exchange focussed on public-private partnerships in the humanitarian sector. In September and December 2019, the Tilburg Institute for Law, Technology and Society convened different groups of experts to discuss PPPs as part of an ongoing collaboration with ICRC.

<sup>5</sup> See also the working draft OCHA Data Responsibility Guidelines: <https://centre.humdata.org/wp-content/uploads/2019/03/OCHA-DR-Guidelines-working-draft-032019.pdf>

<sup>6</sup> See the full remarks of the Assistant Secretary-General at the High-level UN General Assembly side event on Partnering with the Private Sector: How Data Can Improve Humanitarian Response, here: <https://reliefweb.int/report/world/remarks-assistant-secretary-general-humanitarian-affairs-and-deputy-emergency-relief-0>

<sup>7</sup> OCHA’s Connecting Business initiative (CBI) currently supports 13 local business networks with over 500 private sector entities, combined: <https://www.unocha.org/es/themes/engagement-private-sector>. See also the United Nations Office for the Coordination of Humanitarian Affairs, “The Business Case: A Study of Private Sector Engagement in Humanitarian Action”. Available here: [https://www.unocha.org/sites/unocha/files/PSS-BusinessCase-FINAL\\_O.pdf](https://www.unocha.org/sites/unocha/files/PSS-BusinessCase-FINAL_O.pdf)

<sup>8</sup> For example: <https://www.unocha.org/es/themes/engagement-private-sector/how-private-sector-helps-emergencies>

<sup>9</sup> For example: <https://www.devex.com/news/can-the-un-s-centre-for-humanitarian-data-stand-out-92435>

<sup>10</sup> For example: [https://services.google.com/fh/files/misc/accelerating\\_social\\_good\\_with\\_artificial\\_intelligence\\_google\\_ai\\_impact\\_challenge.pdf](https://services.google.com/fh/files/misc/accelerating_social_good_with_artificial_intelligence_google_ai_impact_challenge.pdf)

<sup>11</sup> For example: <https://reliefweb.int/report/lebanon/2019-food-assistance-refugees-lebanon-lifeline-hope>

<sup>12</sup> For example: <https://datacollaboratives.org/explorer.html>

## FOUNDATIONS FOR PRINCIPLED PARTNERSHIP

A variety of frameworks promote principled partnerships for humanitarian response (see the list below). Similarly, many humanitarian organisations have processes in place for conducting due diligence before establishing new partnerships.

### Existing Guidance on Public-Private Partnerships

The following frameworks and principles are useful to reference in assessing prospective private sector technology partners.

- [UN Secretary-General’s High Level Panel on Digital Cooperation](#)
- [Principles of the United Nations Global Compact](#)
- [GSMA Big Data for Social Good Initiative Sustainable Business Models Report](#)
- [World Economic Forum Principles on Public-Private Cooperation in Humanitarian Cash Payments](#)
- [The World Economic Forum and OCHA Guiding Principles for Public-Private Collaboration for Humanitarian Action](#)
- [The UN Secretary-General’s Guidelines on Cooperation between the United Nations and the Business Sector](#)

While these frameworks provide a strong foundation for developing partnerships centered around ICTs and data, they can fall short in addressing issues specifically related to data responsibility. The requirements for the safe, ethical and effective management of data in PPPs are not well understood and thus not consistently acknowledged or promoted through these mechanisms.<sup>13</sup>

## CHALLENGES RELATED TO DATA RESPONSIBILITY IN PUBLIC-PRIVATE PARTNERSHIPS

The five types of partnerships identified above are characterised by a common set of issues related to data responsibility. Six challenges are reputational risk, inappropriate technology, data sensitivity and use, uncertainty about new data sources, intellectual property, and dependency and deference.

Each of these challenges is based on actual examples of public-private partnerships with a data component. Given the sensitivity of these cases, the sub-sections below describe the individual challenges in general terms. The matrix below indicates which challenges are most common for either humanitarians, private sector partners, or both, in the partnership types listed above.

Common data responsibility challenges in different types of public-private partnerships						
	Reputational risk	Inappropriate technology	Data sensitivity and use	Uncertainty about new data sources	Intellectual property	Dependency and deference
 Financial contributions	Concerns for humanitarians				Concerns for humanitarians	Concerns for humanitarians
 Provision of technology	Concerns for private sector	Concerns for humanitarians	Concerns for humanitarians	Concerns for humanitarians		Concerns for humanitarians
 In-kind technical advisory support	Concerns for both	Concerns for private sector	Concerns for humanitarians		Concerns for both	Concerns for humanitarians
 Joint technology development	Concerns for both	Concerns for both	Concerns for humanitarians	Concerns for humanitarians	Concerns for both	Concerns for both
 Public-private data collaboration	Concerns for both	Concerns for both	Concerns for both	Concerns for both	Concerns for both	Concerns for humanitarians

Concerns for humanitarians
  Concerns for private sector
  Concerns for both

<sup>13</sup> See the European Parliament Study on Technological Innovation for Humanitarian Assistance, available here: [http://www.europarl.europa.eu/RegData/etudes/STUD/2019/634411/EPRS\\_STU\(2019\)634411\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2019/634411/EPRS_STU(2019)634411_EN.pdf)

## REPUTATIONAL RISK

Reputational risk can arise for a variety of reasons, including concerns that sensitive data may be shared with third-party private sector actors, or that data is not stored securely. For humanitarians, reputational damage can occur if a private sector partner has been associated with human rights infringements in a past project, or is perceived to be ‘whitewashing’ by collaborating with a humanitarian partner. This can lead to restrictions in access and erosion of trust with affected populations, which could undermine the ability of humanitarian organisations to deliver assistance.

## INAPPROPRIATE TECHNOLOGY

Most off-the-shelf ICTs will not fully meet the requirements of a crisis situation. Humanitarian actors may not have the in-house expertise needed to determine whether a solution is appropriate for a particular context. Further, humanitarian data may be insufficient or incomplete for the analytical capabilities offered by private sector tools. This uncertainty around the requirements for effectively deploying and using a particular tool may deter the private sector from engaging in a partnership. A related concern for both parties will be to maintain an adequate level of data security to prevent harm and ensure robust protection of the systems and data involved in the partnership.

## DATA SENSITIVITY AND USE

Private sector partners and their humanitarian counterparts may have different perspectives on the sensitivity of data being managed. For humanitarians, data is considered sensitive based on the likelihood and severity of potential harm that its exposure or misuse may cause to affected people, humanitarian staff or the organisation in a given context. For example, the locations of medical facilities may be considered highly sensitive in an active conflict situation, whereas they can be publicly shared in a typical natural disaster response. For the private sector, concerns about data sensitivity often relate to the proprietary nature or value of data. Failure to establish a common understanding of data sensitivity and responsible use at the outset of a partnership can lead to inappropriate disclosure of data or the use of data or insights for purposes beyond the specified goals of the collaboration.

## UNCERTAINTY ABOUT NEW DATA SOURCES

Humanitarian organisations may partner with the private sector to access new data streams such as call detail records, social media content, or high resolution satellite imagery. While these new data sources can be used to generate information that is relevant to humanitarian response, humanitarians may lack a clear understanding of what insights these data sources can provide and how to utilise them responsibly. Humanitarian organisations often struggle to articulate a clear question or topic of analysis, and may also lack the analytics expertise to fully take advantage of these new sources as part of their ongoing response operations. The limited familiarity with private sector data sources and their potential use can cause hesitation to rely on insights generated from such data. Similarly, private sector partners may not fully understand humanitarian contexts in which their data could be used. Together, these challenges can lead to reticence and an underutilisation of private sector data.

## INTELLECTUAL PROPERTY

Intellectual property issues can create tension at the design stage of a partnership, as well as toward the finalisation of the partnership if the rights are not clearly defined at the outset. Private sector and humanitarian organisations have different requirements and expectations in this regard, which may be at odds with an effective and sustainable partnership. The release of proprietary and competitive information that will endanger the company’s market position is a common concern from the private sector perspective. Concerns also arise around ownership of humanitarian data managed or generated through a partnership, particularly when the private sector actor could use such data for non-humanitarian purposes (e.g. if data about household expenditure in a refugee setting is used by the private sector for marketing of commercial products or services).

## DEPENDENCY AND DEFERENCE

The power differential between humanitarian organisations and technology companies can cause dependency on the private sector partner, as well as deference to private sector experts in decisions regarding the design and implementation of a partnership. This dependency is especially problematic in situations where private sector partners initially offer an ICT product for free or at low cost and then start charging a fee at a later stage. Lock-in or dependency on a single tool, service or partner can also undermine the sustainability and effectiveness of humanitarian operations in the long term. In some cases, humanitarians may even make concessions regarding control and management of jointly developed products and their underlying data.

Deference to private sector experts on matters related to the handling of beneficiary or other sensitive data may lead to greater exposure or risk than humanitarian organisations would normally accept. For example, technical experts from the private sector may offer major gains in efficiency and targeting of assistance through the use of advanced data analytics, requiring access to more granular beneficiary data. Humanitarians may be tempted to grant such access without fully understanding the implications (e.g. the likelihood of both the expected benefits as well as the related risks).

## FIVE STEPS FOR IMPROVING DATA RESPONSIBILITY IN PUBLIC-PRIVATE PARTNERSHIPS

The challenges described above create reticence risk resulting in lost opportunities to improve humanitarian response. Humanitarian and private sector organisations can consider the following steps to ensure successful partnerships that take data responsibility into account.

### 1. Develop shared goals

When designing partnerships, both parties should ask the following questions:

- What issues and current problem areas should we address together to meet a specific humanitarian need?
- How can we create shared value?
- How can we be unique and set the collaboration apart?
- What existing work could the partnership support?
- Which capabilities and commitments are required from the different parties to achieve these goals?

### 2. Conduct robust due diligence

Humanitarian organisations should use a vetting procedure<sup>14</sup> to assess the private sector company's past and current partnerships, values, affiliations, and reputation. This should include the impact of fines or other regulatory issues previously encountered by the private sector entity, affiliations with groups that do not uphold the humanitarian principles, and other potentially damaging factors. Building on the existing frameworks and processes mentioned above, organisations can ensure that key considerations for data responsibility are included in standard due diligence practice. Transparency regarding due diligence criteria and processes can help prevent reputational damage by demonstrating a commitment to a robust review of new partners. Private sector actors may also conduct due diligence when partnering with new or unfamiliar humanitarian organisations.

### 3. Perform a risk-benefit assessment

The expected benefits and potential risks of a partnership need to be defined and balanced against one another.<sup>15</sup> Doing this can help humanitarian organisations and the private sector to clarify expectations and to jointly design measures that will maximise benefits and minimise risks. Publicly communicating the outcomes of a risk-benefit assessment can help build trust and improve public perception of the partnership. It is equally important to communicate about the ways in which data — especially beneficiary or other sensitive data — will be handled under the partnership.

<sup>14</sup> See for example the United Nations Global Pulse Due Diligence Tool for Working with Prospective Technology Partners: <https://www.unglobalpulse.org/policy/due-diligence/>

<sup>15</sup> UN Global Pulse has developed a helpful Risks, Harms and Benefits Assessment Tool, available here: <https://www.unglobalpulse.org/policy/risk-assessment/>

#### 4. Structure partnerships through appropriate agreements

The level to which partnerships should be formalised, as opposed to keeping arrangements informal and flexible, is often not clear or consistently applied across engagements. Creating an overarching partnership agreement (e.g. through a Memorandum of Understanding) as well as more specific data sharing or data transfer agreements can help clarify expectations.<sup>16</sup>

When formalising the overall partnership agreement, parties should consult their designated legal, technical, and risk management focal points and consider the following issues:

- a. Overall goals of the partnership in concrete terms, with related commitments (activities, outputs, and key results) for both parties
- b. Intellectual property restrictions regarding the future use of technology or insights developed between the humanitarian and private sector partner
- c. Mutual responsibilities for data management throughout the partnership, including considerations for data sensitivity, data security and ownership, and retention and destruction of data<sup>17</sup>

#### 5. Design technology responsibly

Collaborative and iterative design or adaptation of technology can help ensure that tools and platforms are fit for purpose in different response contexts. Organisations should allow for testing and refinement of solutions in safe ‘sandbox’ environments before deploying them in the field, and where appropriate they should ensure a user-centered approach to how solutions are designed.<sup>18</sup> Tools should always be designed with privacy and data protection in mind. Humanitarian and private sector actors can benefit from positioning such responsible, value-sensitive design of technology as a core component of partnerships.<sup>19</sup> This can help draw attention, build trust, and even attract additional investment.

Contact the Centre at [centrehumdata@un.org](mailto:centrehumdata@un.org) to share case studies of successful partnerships in this space.

COLLABORATORS: WORLD ECONOMIC FORUM; CONNECTING BUSINESS INITIATIVE

The **Centre for Humanitarian Data**, together with key partners, is publishing a series of Guidance Notes on Data Responsibility in Humanitarian Action over the course of 2019 and 2020. The Guidance Note Series follows the publication of the **working draft OCHA Data Responsibility Guidelines** in March 2019. Through the series, the Centre aims to provide additional guidance on specific issues, processes and tools for data responsibility in practice. This series is made possible with the generous support of the European Union Civil Protection and Humanitarian Aid Operations (DG ECHO). This guidance note was prepared in collaboration with Karen Smith of the Connecting Business Initiative and William Hoffman of the World Economic Forum. The Centre thanks Leiden University’s Centre for Innovation and the Tilburg Institute for Law, Technology and Society for their contributions.



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<sup>16</sup> For more information specifically on the mechanisms for data sharing partnerships, see here: [http://www3.weforum.org/docs/WEF\\_Data\\_Collaboration\\_for\\_the\\_Common\\_Good.pdf](http://www3.weforum.org/docs/WEF_Data_Collaboration_for_the_Common_Good.pdf). The Contracts for Data Collaboration project have compiled a repository of agreements for data-focused PPPs, available here: <https://contractsfordatacollaboration.org>. The Centre for Humanitarian Data is developing different templates for data sharing governance instruments, which are available upon request. Other initiatives designed to facilitate different types of partnerships around ICTs and data include the OPAL Project (<https://www.opalproject.org/>), and the GovLab Data Collaboratives Repository (<http://datacollaboratives.org/>).

<sup>17</sup> Note that while data security measures are part of the solution, a different set-up of a PPP (where less data is moving around, for example) can offer an alternative route. The GovLab at NYU have developed a helpful typology of such ‘data collaboratives’: <https://datacollaboratives.org>.

<sup>18</sup> “A user-centred approach is a creative problem-solving approach used to design products, services and programmes across a wide range of sectors that puts the needs and experiences of intended end-users at the centre of the design process and engages the users throughout this process.” Sofya Bourne (2019), User-Centred Design and Humanitarian Adaptiveness, Available here: [https://www.alnap.org/system/files/content/resource/files/main/ALNAP\\_Adaptiveness\\_UCD%20final.pdf](https://www.alnap.org/system/files/content/resource/files/main/ALNAP_Adaptiveness_UCD%20final.pdf)

<sup>19</sup> See for example this recent report by the Overseas Development Institute, p. 27 <https://www.odi.org/sites/odi.org.uk/files/resource-documents/12581.pdf>. For more information about ICT and Value Sensitive Design, see for example this paper by prof. Van den Hoven of TU Delft: [https://link.springer.com/content/pdf/10.1007%2F978-0-387-72381-5\\_8.pdf](https://link.springer.com/content/pdf/10.1007%2F978-0-387-72381-5_8.pdf)