TERMS OF REFERENCE (ToR)
for the
Nairobi Symposium on Cybersecurity and Data Protection in Humanitarian Action

Type of contract: Consultancy
Duration: August – December 2024 (5 months)
Location: Nairobi, Kenya

1. BACKGROUND

1.1 Symposium on Cybersecurity and Data Protection in Humanitarian Action

The rise of new digital technologies has transformed humanitarian action. New technologies have facilitated several aspects of humanitarian work by bringing increased efficiency and reduced costs, such as by facilitating faster economic assistance and increased autonomy through digital cash transfers, or by allowing for life-saving information to be shared to a broader, hard-to-reach public via social media. However, they also generate novel risks affecting both people living through crises and the organizations that aim at supporting them. This can come through the increased surveillance risk they often engender, the pervasiveness of misinformation, disinformation and hate speech, with potentially lethal real-life consequences, and the possibility of exclusion due to digital divides. In other words, they can erode the dignity, integrity, and security of the affected populations. In parallel to this digital transformation of humanitarian dynamics, the tech industry is increasingly present in humanitarian contexts as service providers for both affected populations and humanitarian organizations.

These evolutions necessitate improved frames of reference to identify and analyse risks and benefits, as well as new partnerships to better supplement the expertise, authority, and competence on these issues. Some initiatives are starting to emerge to help the humanitarian sector navigate the complexity of these challenges, including the publication of the Handbook on Data Protection in Humanitarian Action, the development of a training and certification programme for Data Protection Officers in Humanitarian Action, the DigitHarium initiative, and specific research and development activities aimed at pushing state-of-the-art technology where necessary. Yet in this fast-evolving space, new technologies and technology areas continue to emerge and to manifest their relevance for humanitarian action, and the implications of deploying them are often difficult to understand, let alone anticipate.

In November 2022, the International Committee of the Red Cross (ICRC) opened its Delegation for Cyberspace and Global Cyber Hub in Luxembourg to be more deliberate about how to address specific issues identified vis-à-vis its capacity to continue delivering on its humanitarian mandate in adherence to its Fundamental Principles, in an increasingly digital and connected world. Together with the Directorate for Development Cooperation and Humanitarian Affairs of the Luxembourg Ministry of Foreign and European Affairs, the Luxembourg Data Protection Authority (CNPD), the Luxembourg House of Cybersecurity, the University of Luxembourg, the Luxembourg Red Cross, the ICRC organized two Symposia on Cybersecurity and Data Protection in Humanitarian Action in Luxembourg, respectively in November 2022 and in January 2024 as an attempt to reflect on the impact of the digital transformation of the humanitarian action with representatives from humanitarian organizations, governments, data protection authorities, cyber security agencies, the private sector, civil society and academia.

1.2 Reflections rooted in the African regional context

Africa has emerged as the fastest-growing digital environment characterized by a rapid proliferation of digital technological innovations, mobile phone adoption, and e-commerce platforms. As digitalization becomes part of our daily lives, the continent continues to be affected by challenges of data protection, cybercrimes/security, harmful information, and the use of digital space for incitement to violence. The continent also grapples with many crises as a result of armed conflict and other situations of violence, natural disasters *inter alia*, where many humanitarian actors operate. In this context, the need to enhance effectiveness around humanitarian action demands innovation, technologies, and digitalization. However, cyber threats targeted at humanitarian actors, and their impacts on the affected

populations as well as humanitarian actors, including dialogue around preventive and remedial actions in Africa have not been sufficiently explored.

On the regulatory front, in 2014, the African Union (AU) adopted the [African Union Convention on Cyber Security and Personal Data Protection (the Malabo Convention](). This convention came into force in June 2023 after having been ratified by 15 countries. In 2024, the African Union Peace and Security Council issued the [Common African Position on the Application of International Law to the Use of Information and Communication Technologies in the Cyberspace](), an instrument that was negotiated and adopted by 55 AU member states. The developments demonstrated Africa's interest and determination in ensuring cyber security, adequate protection of personal data, and the creation of a safe cyberspace.

2. OBJECTIVE

Against the above background, the ICRC, the Kenya Red Cross Society (KRCS) and the Office of the Data Protection Commissioner (ODPC), with the support of the Directorate for Development Cooperation and Humanitarian Affairs of the Luxembourg Ministry of Foreign and European Affairs, will jointly organize the Symposium on Cybersecurity and Data Protection in Humanitarian Action, focusing specifically on Africa. Kenya, as the host state of regional hubs for numerous humanitarian organizations, is the prime location for these discussions. The event is scheduled to take place at the ICRC Regional Delegation Office in Lower Kabete, Nairobi, Kenya from **November 26-28, 2024.**

Building on the outcomes of the two previous editions held in Luxembourg, the Nairobi regional Symposium aims at bringing together and leveraging the experience, expertise, and ideas of key stakeholders from the public, private and humanitarian sector, as well as civil society and academia in the region, to identify – and, if possible, anticipate – challenges and areas of concern in the use of technology in humanitarian operations in the region, and to find, together, possible ways of navigating them.

In addition, the Nairobi regional Symposium offers a great opportunity to:

- **Position the ICRC as a neutral convener** by bringing together relevant stakeholders from the region to discuss cybersecurity and data protection through humanitarian and conflict lens.
- **Enhance institutional understanding of the regional dynamics:** Leverage the regional perspectives that emerge from the discussions to deepen the institutional understanding of protection work in the digital sphere and inform our technology choices to be aligned with the principles of humanity, impartiality, neutrality, and independence.
- Support the institutional goals of **remaining a knowledge leader** and providing credible information through solid research and documentation of the discussions.
- **Facilitate global exchange of ideas:** encourage the network of experts established at the Nairobi regional Symposium to share their regional insights and diverse perspectives at the biennial Luxembourg-based Symposium, which has a global focus.

3. STRUCTURE AND TOPICS OF THE REGIONAL NAIROBI SYMPOSIUM

3.1 Structure

- **26 November 2024:** Hackathon

- **27 November 2024:** Opening session, closed-door expert working groups, with focused discussions covering pressing challenges for the humanitarian sector in the area of cybersecurity and data protection.

- **28 November 2024:** Closed-door working groups (continued), wrap-up panel discussions and closing session.

3.2 Topics identified relevant to the regional context

Track 1: Data Protection in Humanitarian Action

Working Session 1: Data Protection standards for humanitarian organizations and partners
Working Session 2: Data protection by design and biometrics in humanitarian action
Working Session 3: Interoperability
Track 2: Emerging risks and new technologies in humanitarian action
Working Session 1: Safeguarding humanitarian organizations from digital threats: Navigating the risks of hacking and surveillance
Working Session 2: Addressing the impact of Misinformation, Disinformation and Hate Speech (MDH) on civilians and humanitarians
Working Session 3: Humanitarian principles and ethical considerations of the use of Artificial Intelligence in Humanitarian Action

3.3 Speaking roles of a working session

For a meaningful conversation to happen and the objectives identified for each session achieved, there are several speaking roles required for each working session:

- One **chair**: the role of a Chair implies a stronger focus on institutional representation, mainly played by one of the co-organizers.
- One **rapporteur**: this person actively participates in the discussions, and then presents the main findings during one of the high-level panels on the last day of the Symposium (28 November 2024). These panels have been designed also to give the opportunity for all the participants to understand the discussions that took place in the different working sessions, where they did not participate. There are all together 6 working sessions for two days – which means each participant can attend maximum 3 sessions.
- One **moderator**: the Moderator's tasks include but not limited to introducing the subject, guiding the flow of the discussion, encouraging diverse viewpoints, and ensuring the questions identified in the briefing paper are addressed.
- Three to four **nudgers**: they will work together with the moderator and present particular angles of the problem in the course of the session to add depth and structure to the discussion, as well as maintain the thread and flow of the conversation.

4. MAIN DUTIES AND RESPONSIBILITIES

4.1 Partnership management
- ICRC internal working relationship: work closely with the core team in Nairobi delegation including communications, finance and logistics to make sure responsibilities and tasks are clearly defined and followed through according to the work plan. Coordinate with the support team (LUM, DPO, GVA) to address any identified needs in a timely manner.
- External working relationship: schedule regular meetings with co-organizers (staff representatives from KRCS and ODPC) to ensure alignment.

4.2 Stakeholder management
- Identify key regional stakeholders/experts from national societies, civil society organizations, humanitarian organizations including UN agencies, data protection authorities, governments, and private sector based on existing network and a thorough desk research.
- Send out formal invitations and coordinate working group calls with identified experts to communicate the concept of the Symposium and agree on the procedure to jointly develop a detailed briefing paper for each working session.
- Inform rapporteurs of each working session and the panel moderators about their responsibilities and assist the organization of the panel discussions as needed.
- Assign at least one notetaker for each working session.

4.3 Develop briefing papers for the six working sessions jointly with the identified experts

- Conduct preliminary research on the selected topic with the help of ICRC internal experts and produce six draft briefing papers that follow the structure of:
  - i. Objectives of the working session
  - ii. Background information on this topic
  - iii. Guiding questions for the discussion
  - iv. Additional reading materials
- Gather expert contributions through interviews/workshops/written contributions adhering to the outline.
- Integrate the contributions from the experts into a final collection of coherent briefing papers.
- Liaise with the communications department at the delegation for language editing and editorial layout and publish them on the event website, as well as distribute the briefing papers with the confirmed Symposium participants.

4.4 Communication and promotion
Pre-Symposium planning
- Work together with the communications department of the Delegation and relevant stakeholders to create a communication plan including social media and press releases.
- Create a Symposium website with registration capacities.
- Design Symposium promotional materials based on the needs and capacity.

Post-Symposium follow ups
- Gather feedback from participants and organize feedback session within the co-organizing team.
- Send thank-you email to participants and post-conference materials such as recordings.
- Gather notes from notetakers of each working session and prepare a final report of the Nairobi regional Symposium.

5 INDICATIVE TIMELINE

	Jul	Aug	Sep	Oct	Nov	Dec
Consultant recruitment and onboarding	x					
Identify key regional stakeholders/experts		x				
Send out formal invitation		x				
Briefing paper development		x	x			
Briefing paper finalization and distribution				x		
Communication plan & promotional materials			x	x		
Website set up and launch			x			
Final check with speakers & D-Day					x	
Follow up messages to participants					x	
Gather notes and produce the final report						x

6 REQUIRED EXPERTISE AND EXPERIENCE
- Proven track record of planning and executing large-scale conferences or events involving multiple stakeholders.
- Advanced stakeholder communication and project management skills.
- Knowledge in the areas of data protection, cyber policy, international humanitarian law and humanitarian action, with a degree in international relations, public policy, humanitarian affairs, security studies, law, or a related field.
- Excellent written and oral communication skills in English.
- Highly organized with a keen eye for detail.

- Understanding of the challenges and opportunities brought by the increasing digital footprint of the humanitarian sector, particularly in the African regional context is a strong asset.
- Understanding of the mandate and modus operandi of the ICRC and the Movement is an asset.
- Established network within the humanitarian sector for sourcing regional experts is an asset.