

Data protection in anti-trafficking action: legal/political documents

- OSCE/ODIHR Handbook on National Referral Mechanisms. Warsaw 2004
- CoE Convention (ETS No. 197) Art. 11
- CoE Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS No. 108)

Why privacy rights?

- Preventing stigma
- Access to labour market
- Social inclusion
- Preventing harassment by authorities and communities
- Gaining back control about her/his own life
- Having a life that is not connected to the trafficking crime


Data Politics

- Data is the new oil
- Data is the new border control
- Data is used for surveillance: ‚Dataveillance‘
- Data gives voices, names and identity to marginalized groups
- Data is an integral part of identification measures of trafficked persons/access to support structures

Privacy challenges in anti-trafficking interventions

- Access to counselling centres by providing personal data
- Return programmes facilitated by exchanging personal data
- Global data collection activities:
 - Few 'official cases' <— > huge estimations
 - Increasing pressure on NGOs to provide personal data
 - How to provide figures/information without challenging the privacy rights of trafficked persons?

Data protection challenges for anti-trafficking service providers



Data subject: precondition for free and informed consent. Right to rectify, access her/his file, withdraw consent

Data processor: detailed definition of the purpose, including time frame

What does dataACT do?

- Joint initiative of KOK- German NGO network against human trafficking and La Strada International;
- Bringing together data protection activists with the anti-trafficking community;
- Consultations with anti-trafficking service providers on data collection & storage during case management and counselling;
- Advising NGO service providers on the rights for trafficked persons as data subjects;
- Developing data protection standards for NGO service providers;
- Examining concepts and IT solutions for anonymous data collection tools.

dataACT recommendation

- Transforming ,identification procedures‘ into ,access to counselling and justice‘ (low-threshold, de-centralised and anonymous first contact counselling) and a ,victim-centred approach‘ into an ,agency-centred approach‘;
- Strengthening data protection/privacy rights/confidentiality obligations of counsellors;
- Developing independent/non-commercial and secure IT systems (no clouds);
- Applying ,privacy by design‘ and ,privacy impact assesement‘ (PIA) procedures;
- Opening dialogue with all anti-trafficking stakeholders on what data /information is needed to better address trafficking;
- Forming alliances with data protection authorities and data protection activists.

dataACT

data protection in anti-trafficking action

More information:

www.dataact-project.org

Project partners:

www.kok-gegen-menschenhandel.de

www.lastradainternational.org