Update to *Privacy and Missing Persons after Natural Disasters*

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The purpose of this document is to provide information on documents, events, and updates relevant to the subject of privacy and missing persons after natural disasters. This document will be revised from time to time, but there can be no assurance that the information here is current or complete. Readers are encouraged to send additional information and links to bob@bobgellman.com.

Website

The Missing Persons Community of Interest (MPCI) maintains a website at [http://www.mpcionline.org/](http://www.mpcionline.org/) that contains information about MPCI as well as numerous documents about MPCI and documents from its participating. The documents are at [http://www.mpcionline.org/?page_id=10](http://www.mpcionline.org/?page_id=10). Some of the documents at the MPCI website are included below.

Documents


The New Zealand Privacy Commissioner issued the Code to provide agencies with broader discretion to collect, use and disclose personal information in the rare event of a major disaster that has triggered a state of national emergency. The code facilitates the disclosure of personal information to public sector agencies to assist in the government response to a national emergency. The code promotes the vital interests of individuals in national emergencies by, for example, facilitating the sharing of information to help identify individuals caught up in the emergency, to assist individuals to obtain essential services and to coordinate the management of the emergency.

Following the Christchurch earthquake in 2011, the NZ Privacy Commissioner issued a temporary code on information sharing. Because that code proved to be useful and practical, The Commissioner decided that it was important to have a code that would be triggered without delay if a national emergency were declared in future.

This report focuses on protecting people caught up in armed conflict and other situations of violence. It reflects shared thinking and common agreement among humanitarian and human rights actors on minimum but essential elements, as well as principles and good practices required to ensure that their protection work is as safe and effective as possible. The focus on the 2013 Fordham report was on missing persons after natural disasters, a separate but related activity. Natural disasters do not present as much policy complexity as armed conflicts, but there are many areas of overlap. Of particular note in the ICRC report is Chapter 6 on Managing Sensitive Protection Information.

3. Canada: Privacy Emergency Kit (May 2013)

The Office of the Privacy Commissioner of Canada, together with the provincial privacy offices in Canada, published a Privacy Emergency Kit to help organizations enhance the timeliness and content of communications during an emergency while giving people confidence that their personal information will be handled appropriately. It contains:

- Frequently Asked Questions about Emergencies and Legal Authorities for Sharing Personal Information
- Before an Emergency: A Checklist for Appropriate Handling of Personal Information
- During an Emergency: A Checklist for Appropriate Handling of Personal Information
- After an Emergency: A Checklist for Appropriate Handling of Personal Information
- Privacy in the Time of a Pandemic: Fact Sheet for Employees (October 2009)
- Privacy in the Time of a Pandemic: Guidance for Employers (October 2009)


The purpose of this document is to help members of the Missing Persons Community of Interest (MPCI) to develop functional privacy practices for the processing of personal information about missing persons following natural disasters.

This publication provides joint doctrine for planning, executing, and assessing foreign humanitarian assistance operations.


Events

1. Updates to Fordham Report


2. EPIC Recommends Privacy Protections for Natural Disaster Survivors

In comments to the National Institutes of Health, an agency component of the US Department of Health and Human Services, EPIC urged the agency to safeguard personally identifiable information following natural disasters. The agency proposes to use the "People Locator" system and related mobile app ReUnite to reunite "family and friends who are separated during a disaster." The People Locator system allows third parties to enter highly sensitive information about each missing or located individual, which in turn is accessed by the public, including an individual's name, location, date of birth, race, religion, health status, address, and photographs. EPIC recommended that the agency: (1) limit data collection to relevant information; (2) protect the system's security by implementing data access control and establishing data quality standards; (3) define a record retention and disposal schedule; (4) establish guidelines, which adhere to the Fair Information Practices, for disclosures to third parties.


NIH: Lost Person Finder https://lpf.nlm.nih.gov/

3. Computers, Privacy, and Data Protection Conference 2014

At the January 2014 Computers, Privacy, and Data Protection Conference in Brussels, Belgium, there was a panel on Privacy and Missing Persons Following Disasters. The panel was on January 22. Participants were Joel Reidenberg, Fordham University School of Law (US); Robert Gellman, Privacy and Information Privacy Consultant (US); Romain Bircher, International Committee for the Red Cross (CH); Christopher Mikkelson, Refugees United (DK); Hiroshi Miyashita, Chuo University (JP); Tim Schwartz, Missing Persons Community of Interest (US); Nigel Snoad, Google (UK). A video of the panel is available at https://www.youtube.com/watch?v=3DzrqvyooV0.
4. Office of the Australian Information Commissioner, Consultation on missing persons rules (December 2013).

