



International Organization for Migration (IOM)
The UN Migration Agency

OFFICE OF THE INSPECTOR GENERAL

Management Response and Actions Migrants Personal Data Protection and Security Audit File No. 3P201907

The IOM Office of the Inspector General (OIG) conducted an internal audit of the process for Migrants Personal Data Protection and Security from 18 September to 2 October 2019 at IOM Headquarters and field visits in the following country offices: 30 November to 12 December 2019 in South Sudan, 20 to 31 January 2020 in Tanzania, and 9 to 12 March 2020 in Greece.

The audit assessed the adequacy and effectiveness of IOM's policies, procedures, systems, and internal controls around migrants' personal data protection and security, as well as its relevance with external requirements/expectations; and to ascertain IOM's compliance and controls' effectiveness for the data protection policies on processing and securing migrants' personal data. The audit covered the review of transactions from January 2018 to June 2019. The results of the audit are public and can be accessed through IOM's global website¹.

The OIG assessed the Office as *partially effective*, and raised 12 audit findings and recommendations, of which 9 were high priority. As of the date this summary is publicly available, the management is in the process of implementation of action plans, with a note that additional funding requested has not been made available, so as for the recommendations to be effectively implemented.

Management Response and Actions to the Open Recommendation of Internal Audit Report of 3P201907 – Migrants Personal Data Protection and Security

Finding No. 1 Absence of clear roles and responsibilities and limited resources affecting the execution of a comprehensive data protection and privacy programme

Implementation on-going

For the time being, the Institutional Law and Programme Support Division has not received any additional funding to be able to implement any of the recommendations, despite a MIRAC proposal for a fully-fledged Data Protection and Privacy Programme and a submission to the Internal Governance Framework.

Concerning this specific recommendation and given the existing limited resources: (1) and (4) have not been implemented. (2) and (3): the Senior Legal Officer (Data Protection and Data Governance) has been recruited and it has been assessed that solely this one position is not sufficient for fulfilling the Institutional Law and Programme Support Division mandate in addressing data protection-related issues.

¹https://www.iom.int/sites/default/files/about-iom/audit/3p201907-migrants_personal_data_protection_and_security.pdf



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Finding No. 2 Outdated Data Protection Principles and Data Protection Manual

Implementation on-going

For the time being, Institutional Law and Programme Support Division has not received any additional funding to be able to implement any of the recommendations, despite a MIRAC proposal for a fully-fledged Data Protection and Privacy Programme and a submission to the IGF.

Concerning this specific recommendation and given the existing limited resources: (1), (2), (3) have not been implemented. (4) even though a thorough assessment has not been conducted, the need to expand the coverage of the current policy is becoming more and more apparent given the increase in the requests for legal advice received by Institutional Law and Programme Support Division on protection of personal data of staff (especially health data, given the current COVID-19 pandemic), consultants and vendors (especially given the upcoming EU Data Protection pillar assessment on data protection that will also look into data protection in procurement processes).

Finding No. 3 Impact of General Data Protection Regulations to IOM Operations (For the Record)

Implementation on-going

For the time being, Institutional Law and Programme Support Division has not received any additional funding to be able to implement any of the recommendations, despite a MIRAC proposal for a fully-fledged Data Protection and Privacy Programme and a submission to the Internal Governance Framework.

Concerning this specific recommendation and given the existing limited resources: The Institutional Law and Programme Support Division continues to engage with other UN System Organizations in the high-level consultations with the EC and also continues to provide advice and guide IOM Missions accordingly. There is a need to update existing guiding materials (external and internal briefing documents on the GDPR and this is part of the work of Institutional Law and Programme Support Division for 2021 on data protection.

Finding No. 4 Managing privacy risks at all levels of the organization needs to be enhanced

Implementation on-going

For the time being, Institutional Law and Programme Support Division has not received any additional funding to be able to implement any of the recommendations, despite a MIRAC proposal for a fully-fledged Data Protection and Privacy Programme and a submission to the Internal Governance Framework.

Concerning this specific recommendation and given the existing limited resources: Institutional Law and Programme Support Division has not implemented this recommendation, however, it continues to advise IOM and guide Missions, where it deems necessary, to conduct a risk-benefit assessment using the template developed by Institutional Law and Programme Support Division (with the Chief Risk Officer comments as well) prior to collecting personal data or prior to sharing personal data.



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Finding No. 5 Improvement in monitoring and enforcement of compliance with data protection programme

Implementation on-going

For the time being, Institutional Law and Programme Support Division has not received any additional funding to be able to implement any of the recommendations, despite a MIRAC proposal for a fully-fledged Data Protection and Privacy Programme and a submission to the Internal Governance Framework.

Concerning this specific recommendation and given the existing limited resources: The Institutional Law and Programme Support Division has not implemented this specific recommendation concerning monitoring and oversight as substantial resources need to be dedicated to it.

Finding No. 7 Limited number of data protection trainings conducted

Implementation on-going

For the time being, Institutional Law and Programme Support Division has not received any additional funding to be able to implement any of the recommendations, despite a MIRAC proposal for a fully-fledged Data Protection and Privacy Programme and a submission to the Internal Governance Framework.

Concerning this specific recommendation and given the existing limited resources: Even though no concrete training plan has been developed yet, Institutional Law and Programme Support Division continues to deliver data protection trainings and webinars on an ad hoc basis to IOM Offices worldwide. In addition, and in collaboration with Resettlement and Movement Management, an IOM Data Protection Principles online training has been developed and included on iLearn. It is currently being translated in French and Spanish, and, once this is done, the intention is to make a request for this online training to become mandatory.

Finding No. 8 Inadequate policies and procedures on data sharing with third parties

Implementation on-going

For the time being, Institutional Law and Programme Support Division has not received any additional funding to be able to implement any of the recommendations, despite a MIRAC proposal for a fully-fledged Data Protection and Privacy Programme and a submission to the Internal Governance Framework.

Concerning this specific recommendation and given the existing limited resources: even though none of the four recommendations has been achieved in full, Institutional Law and Programme Support Division continues to mitigate risks by reminding IOM Offices of the requirement to sign data sharing agreements every time personal data is being shared with a third party, as well as to conduct a risk-benefit assessment, as needed.



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Finding No. 9 Policy on retention and destruction of personal data needs to be reviewed and reinforced

Implementation on-going

For the time being, Institutional Law and Programme Support Division has not received any additional funding to be able to implement any of the recommendations, despite a MIRAC proposal for a fully-fledged Data Protection and Privacy Programme and a submission to the Internal Governance Framework.

Concerning this specific recommendation and given the existing limited resources: Institutional Law and Programme Support Division has not implemented this recommendation, as it requires substantial resources to be able to do such holistic review into retention.

Finding No. 10 Security in processing migrants' personal data needs to be reviewed and enhanced

Implementation on-going

For the time being, Institutional Law and Programme Support Division has not received any additional funding to be able to implement any of the recommendations, despite a MIRAC proposal for a fully-fledged Data Protection and Privacy Programme and a submission to the Internal Governance Framework.

Concerning this specific recommendation and given the existing limited resources: Institutional Law and Programme Support Division has not implemented this specific recommendation pertaining primarily on data security, as it requires substantial resources.

OIG - Internal Audit Comment:

OIG Internal Audit notes with some concern the funding difficulties that may impede the implementation of the recommendations, and urges the Legal Counsel Office senior management to continue advocating for adequate funding in order to enable management action plans regarding an effective migrants personal data protection and security process.