

THE ENGINE ROOM

Digital ID in Ethiopian refugee camps: A case study

<https://www.digitalid.theengineroom.org>

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Introduction

In 2019 The Engine Room worked with in-country researchers to explore digital ID systems in five regions. The goal of this project was to better understand the true effect that digital ID systems have on the local populations that operate within them.

Our research in Ethiopia consisted of four in-depth interviews with key informants in UNHCR and partner organisations as well as interviews and focus group discussions with 25 refugees in Histas and Jewi camps. This primary research was conducted between March and April 2019. All quotations from refugees and key informants come from in-person interviews and discussions during this period in Ethiopia. Additionally, while writing the research outputs (in November and December of 2019), we reached out to UNHCR's Division of Programme Support and Management for global report comments, which we have included here. More information on the methodology can be found in the global report.¹

This project aims to understand the lived experiences of individuals, not to reflect representative samples of each population. We cannot necessarily extrapolate one person's experience to the norm – though there are times when every person interviewed experienced an aspect of a system the same way – but each experience gives us insight into how a diverse range of people is impacted by digital infrastructure and protocols.

The digital ID system

Ethiopia hosts more than 900,000² refugees from Eritrea, Somalia, Sudan, South Sudan and Yemen in 27 camps and 10 settlement areas across the country. In these camps, the United Nations High Commissioner for Refugees (UNHCR) carries out an ongoing registration process to enrol refugees in their digital ID system. Prior to this, Ethiopia's Agency for Refugee and Returnee Affairs (ARRA) was, according to a UNHCR informant, documenting refugee data in spreadsheets.

For biometric registration, comprehensive information – including educational and occupational history, the locations and names of family members, 10 fingerprints, iris scans and photographs – is gathered along with each person's camp residency (house number, block and zone). For children aged five and over, only fingerprints and a photograph are taken. The UNHCR Registration Official in Addis Ababa told us that approximately 500,000 had been registered at the time of our research in April 2019.

¹ The Engine Room. (2020). Understanding the lived effects of digital ID: A multi-country report.

² United Nations High Commissioner for Refugees. (2019). *Ethiopia: Global Focus—2018 Year-end Report*. http://reporting.unhcr.org/node/5738#_ga=2.265964234.418983153.1571232719-1703704718.1553874537

We were told that after registering, refugees receive a certificate with basic personal data, such as name, age and marital status, and those above 14 years old receive a physical ID card, which is valid for three years. The card itself does not hold any digital data (i.e., there is no digital chip in the card). As with UNHCR's registration services in all areas where they provide humanitarian assistance, one of the purposes of the digital ID system they oversee in Ethiopia is to provide refugees living in camps hosted by the nation with an identification card. UNHCR estimates that in the last decade more than 70,000 refugee children have been born in Ethiopia without birth certificates, and an additional 42,900 children are unaccompanied or separated from their families.³ The registration process is also intended to address issues of protection for these children, ensuring that they have access to education and basic social services.

Additionally, biometric registration is commonly used in humanitarian contexts as an approach against 'double counting'⁴ – that is, when the same person registers multiple times, which can complicate planning and logistics. In Ethiopia, however, a UNHCR informant told us that of more than 500,000 refugees registered for digital ID, fewer than 500 double registrations (less than 0.1%) have been found. This low figure indicates that double counting is not a significant problem in this population, although UNHCR may still be expected by donors to report exact numbers.

A key informant reported that UNHCR is in the process of creating a universal database that can be accessed by relevant UNHCR offices around the world. As described to us, their goal is to make it possible for UNHCR staff to verify that someone who arrives in Greece, for example, was registered in Ethiopia prior to arrival. The consequences of this move to a centralised database could be significant for refugees concerned that they are treated differently depending on their country of origin.⁵

Additionally, a UNHCR informant reported that a memorandum of understanding between UNHCR and the Ethiopian government requires information gathered through this registration process to be shared directly with the Ethiopian government. Comments from UNHCR's registration officer based in Addis Ababa indicated that the existing agreement in place leaves no space for in-country staff to adjust what data is collected or how, based upon what they are seeing in real time.

Fortunately, in the new refugee law adopted by the Ethiopian government in 2019,⁶ Article 44 addresses refugee data privacy, barring the disclosure of information to the authorities in

³ United Nations High Commissioner for Refugees. (2018). *Comprehensive refugee response framework: The Ethiopia model*. <http://www.globalcrf.org/wp-content/uploads/2018/12/UNHCR-CS-Ethiopia-screen.pdf>

⁴ The Engine Room and Oxfam. (2018). *Biometrics in the Humanitarian Sector*. <https://www.theengineroom.org/wp-content/uploads/2018/05/Oxfam-Report-May2018.pdf>

⁵ See, for example, Court calls Canada's treatment of 'safe country refugees' unconstitutional, by Nicholas Keung (2019, March 22) in *The Star*. Available at: <https://outline.com/AWgeJx>

⁶ See *Ethiopia: Proclamation No. 1110/2019*, by Ethiopian National Authorities. Available at: <https://www.refworld.org/docid/44e04ed14.html>

refugees' country of origin.⁷ This protection is critical because many of these refugees were forcibly displaced due to conflict in their home countries and could be targets of further persecution. Although Article 44 is not comprehensive, it is a critical first step in ensuring the safety of people who are threatened by their governments. Outside of the refugee law, Ethiopia has not passed data protection legislation that applies to the whole country, so it is not clear how they manage information about refugees that does not fall within the Refugee Proclamation.

Lived experiences

The interviews and focus groups that were conducted in Ethiopia in March-April 2019 provide insight on the lived experiences of refugees interacting with this system. Since there is very little research on people's experiences with digital ID systems, this qualitative data is useful for understanding the reality for some individuals. **It is critical to understand that all refugees do not have one unified experience. Some of the experiences described in this case study may contradict official reports or UNHCR and ARRA guidelines.** We aim for these learnings to become part of the broader discussion on digital ID solutions in humanitarian contexts.

Awareness and understanding

Among refugees we spoke to, those going through biometric registration perceived the associated data collection as a necessary step towards accessing basic services, and, therefore, many appreciated receiving an identification card. For refugees who have been able to move out of camps, the ID card allows them to get a driving license and bank account, both of which are particularly helpful for those wishing to integrate into Ethiopian society and/or needing to provide for themselves and their families. UNHCR has guidance⁸ on communicating with refugees communities about registration, and several interviewees reported that authorities made announcements block by block of the benefits of digital ID. Others said they heard of the benefits from fellow refugees.

Many refugees we spoke to saw getting an ID card as a good development because it gives them access to the services, mobility and safety they lacked. Our research team noted the relief that people display upon receiving their cards but was careful to point out that refugees do not see any alternative to giving their personal data if they want to receive assistance.

Awareness of the need and use for biometric data is another story, however. Interviewees had very low levels of awareness about what the system itself was doing and what would be done with their data. We found that most people were aware of why their fingerprints are taken, but there was very little awareness of the purpose of iris scans. As one refugee said, "It is scary to ask

⁷ Note that UNHCR follows a Policy on the Protection of Personal Data of Persons of Concern to UNHCR.

⁸ UNHCR. Communicating with communities on registration. *Guidance on registration and identity management*. <https://www.unhcr.org/registration-guidance/chapter4/>

these questions [about the purpose of iris scans]. I am scared to go into the offices and ask questions. I would've been happy if I was able to ask, but I am fearful".

When comprehensive biometric registration began, some refugees heard that if their irises were scanned and fingerprints taken, they would subsequently be unable to leave the country. One UNHCR staff interviewee noted that some people, especially refugees from Yemen, did not turn up for registration in the beginning and said this may have been due to iris scans. We were told that UNHCR made the decision to cut assistance to these individuals until they registered. This decision led to an increase in registration numbers.

Within the camps, misinformation amid a background of uncertainty appears to leave people fearful of what might happen to both their data and themselves. For example, there are (unsubstantiated) rumours of people disappearing from Histas Camp. While these rumours are not connected to biometrics, they give a sense of the uncertainty within the camp. Coupled with the lack of awareness about what biometric data is used for, uncertainty like this could easily lead to rumours of data being used against refugees. Misinformation and rumour-spreading within refugee camps is not a new problem, though the consequences could be severe.⁹

Lack of informed consent

Ensuring that people are informed about the purpose of the system and the consequences of gathering personal data is part of the informed consent process required by UNHCR policy,¹⁰ but we came across very few examples of informed consent being obtained. Unfortunately, 24 of the 25 refugees interviewed in Histas Camp and Jewi Camp said they were not informed about what their data would be used for, and 15 of the 16 who had already completed biometric registration said they were not asked for consent before their biometric data was collected.

This failure to follow UNHCR's informed consent guidance was confirmed by an interviewee from a partner organisation who described a rushed process with photographs sometimes taken as people talked. Moreover, we witnessed registration processes where informed consent for biometric data was not obtained. Again, this failure goes against UNHCR policy, which likely indicates a need for better training or enforcement in the field, or at the very least, dedicated consideration of policy operationalisation that leaves refugees feeling respected and not fearful when it comes to their rights and biometric data.

People also said that they had been told explicitly that not giving fingerprints meant their assistance would be cut. Informed consent requires voluntariness and willingness, but these vital

⁹ For examples of the consequences of misinformation and rumours, see *Refugees misdirected: How information, misinformation, and rumors shape refugees' access to fundamental rights*, by Melissa Carlson et al in *Virginia Journal of International Law* (57(3)). Available at: <https://scholarship.law.berkeley.edu/cgi/viewcontent.cgi?article=4039&context=facpubs>

¹⁰ United Nations High Commissioner for Refugees. (2018). Chapter 5.2 Registration as an Identity Management Process. *Guidance on Registration and Identity Management*. <https://www.unhcr.org/registration-guidance/chapter5/registration>

steps are missing when refugees view giving personal data as a necessary step towards accessing basic needs such as food and shelter. One refugee told us, “Of course they didn’t ask for my consent”, indicating that the lack of informed consent did not come as a surprise. Indicating that this power dynamic and lack of agency are nothing new, another noted, “As a refugee, we do not have much say. You do as you are told”.

UNHCR and government staff we spoke to noted that they had not yet seen anyone refuse to provide fingerprints. This is largely unsurprising given that refusing to provide fingerprints is effectively understood as a rejection of assistance.

Registration barriers

Most people completed comprehensive biometric registration without incident, but several problem cases appeared in our interviews. For example, in one case a woman did not have proof of her divorce, which took place back in Eritrea: “I do not have an ID. I have to prove that I am not married and I am now struggling to get that proof. The children I had from my husband are being processed, but my other child and I have been unable. The fact that I haven’t proved my divorce is holding back our process.” UNHCR has since told us that this problem would not be a barrier to registration.

Some individuals were not in a fit condition to provide accurate answers upon their arrival in Ethiopia. One person described misunderstanding ‘place of birth’ as ‘arrived from’, which meant the system categorised them as being born in Ethiopia, instead of having arrived from a different part of Ethiopia. As a result of this data error, the system does not recognise this individual as a refugee from outside the country, leaving them unable to receive assistance, though UNHCR disputes this claim.

People we spoke to noted great difficulty in correcting small data entry errors, such as spelling mistakes and date of birth errors. These inconsistencies created issues further down the line, in some cases causing assistance to be halted.

A community mobiliser described reluctance among some Christian refugees to show up for comprehensive biometric registration because they believed their data would go to the Illuminati.¹¹ Community leaders were able to convince them that the Illuminati only seek wealthy people and would not be interested in people without money, and the Agency for Refugee and Returnees Affairs (ARRA), the Ethiopian government office that works with UNHCR, informed the group that they would not receive food if they did not register. Since then, more Christians have been registering.

Grievance reporting

We observed a litigation desk, where a lawyer is available to give information about problems or resolving errors. In addition, there were civil society representatives, notably from the Norwegian

¹¹ ‘Illuminati’ refers to a conspiracy theory that a secret society rules world affairs.

Refugee Council, providing support to people needing to alter their information. Small changes can happen then and there, but more significant changes (e.g., changing someone's age from 20 years old to 16 years old) must happen through court. In one camp, there was a 'mobile court' staffed by a judge who comes from the city to hear court cases on an on-demand basis together with people from the government.

Additionally, we observed that most of these help desks were run by men. Only one was run by a woman. This gender disparity creates a potentially intimidating environment for women seeking to report their problems and could act as a deterrent, especially given the cultural norms of many refugees living in Ethiopia.

If people refuse to give their fingerprints, they are sent to the litigation desk where someone further explains why their fingerprints are needed and discusses the refusal with them. Crucially, if the individual continues to refuse, they are told that this is being done under their own risk because, to quote a UNHCR informant, "they might risk losing assistance" as a direct consequence.

Civil society

A 2009 law severely restricted civil society in Ethiopia, but in 2019 the new government relaxed prohibitions.¹² While there are still some limitations, opportunities for civil society have opened up. Generally speaking, Ethiopian civil society is so far focusing on traditional human rights issues such as torture and forced disappearance. Similar to many other countries in the region, digital issues are not a priority.

Civil society has a unique opportunity in Ethiopia, however. Unlike in many host countries, refugees in Ethiopia are allowed to settle outside of camps. In January 2019, Ethiopia passed a law that gives almost one million refugees the right to work and live outside of camps (Bhalla, 2019),¹³ a refugee integration step that has been hailed as one of the most progressive refugee policies in Africa.¹⁴ This move can enable refugees to engage with civil society organisations addressing human rights.

As we observed both in person and through research, the Ethiopian government seems friendly towards refugees, which means that engaging with the government could be a viable advocacy strategy for civil society with enough resources. Civil society in Ethiopia may tread lightly as they determine exactly how supportive the new government is of both their work and refugee rights.

¹² Freedom House. (2019). Ethiopia: Civil Society Proclamation Advances Essential Freedoms. <https://freedomhouse.org/article/ethiopia-civil-society-proclamation-advances-essential-freedoms>

¹³ Bhalla, N. (2019). Ethiopia allows almost 1 million refugees to leave camps and work. *Reuters*. <https://www.reuters.com/article/us-ethiopia-refugees-rights-idUSKCN1PB2QH>

¹⁴ Kiunguyu, K. (2019). Ethiopia is pioneering refugee integration. *This Is Africa*. <https://thisisafrica.me/politics-and-society/ethiopia-pioneering-refugee-integration/>

According to a UNHCR informant, the Ethiopian government is planning a national digital ID system based on BIMS, which makes the findings in this report even more vital for local civil society. Local populations can learn from refugee experiences with digital ID and advocate for better systems and appropriate protections.

Conclusions and recommendations

Lack of understanding around various aspects of the registration process and failure to obtain informed consent were the most significant problems we found, and both feed into registration barriers and the limitations of grievance reporting. We encourage UNHCR to reconsider the conditions under which they gather biometric data from refugees – at the very least, providing strong checks for ensuring that their informed consent policy is followed in the field.¹⁵ Critically, each person going through the registration process should understand what biometric data is being collected and how it will be used.

UNHCR's official policy on informed consent notwithstanding, the bigger issue is whether or not refugees are in a position to give meaningful, informed consent. The power asymmetry at play in humanitarian contexts means that people who are dependent on refugee agencies for basic services have extremely low expectations of how their rights should or could be respected. The lack of power these refugees experience and the rights violations that led them to rely on humanitarian assistance for basic needs are in some ways further compounded by the way their data is gathered.

The refugees we interviewed did not feel able to assert their right to privacy or their right to know how their data is used. The most vulnerable people we spoke to noted that thinking about their data rights was of very little concern to them in the face of much more visible and pressing needs, such as shelter, access to water and physical safety. After listening to refugee stories, hearing them ask for help with more rations and discovering that visible groups nearby had not received food because they did not have IDs, it became clear to us that people who are hungry, or even starving, are not in a position to give informed consent.

The Engine Room is committed to further exploring fundamental problems with informed consent and to supporting civil society to establish more responsible processes for working with biometric data of vulnerable groups. We urge civil society, researchers, decision makers and developers of digital ID systems and processes to consider and push for alternatives that take power dynamics into account and maintain the dignity and rights of refugees. This could happen in multiple ways, such as improving grievance reporting processes to identify priorities,

¹⁵ UNHCR has inspected the success of biometrics in the field before. A report in Kenya shows staff are fully trained on Standard Operation Procedure and a communication plan was successful in raising awareness about processes and rights among refugees in one camp. See Joint Inspection of the Biometrics Identification System for Food Distribution in Kenya, by UNHCR and World Food Programme (2015). <https://documents.wfp.org/stellent/groups/public/documents/reports/wfp277842.pdf>

developing meaningful alternative processes for those who might not feel comfortable providing biometric data and, internally, rethinking information management processes.

Finding ways to recognise the agency and dignity of refugees would, in the long-term, strengthen trust between those receiving assistance and humanitarian organisations, open up more possibilities for feedback loops that would strengthen programming and the provision of assistance, and ultimately meet core humanitarian goals of respecting dignity.

Finally, as civil society opportunities open up, we hope to see groups further incorporate refugee rights into their work and engage refugees directly on these issues to be sure their voices are heard and they play a role in developing solutions. In particular, encouraging the government to expand their commitment to refugee data protection can support secure, responsible data collection processes with the potential to increase opportunities for this population. This support might, in turn, help to protect the privacy of all Ethiopians as the government considers its national digital ID plans.