

Terms of Reference

Researcher, Lead Author – Personal Data Protection, Nigeria Report 2017

Position: Researcher, Lead Author (Independent Consultancy Contract)

Publication: Personal Data Protection in Nigeria

Duration: 2 (Two) months

Organisations: The World Wide Web Foundation, in partnership with Paradigm Initiative

Apply by: Friday, June 23, 2017

Apply to: jobs@webfoundation.org

Apply with subject line: Personal Data Protection Research - Nigeria

Background

Personal data is seen as "the new oil of the Internet and the new currency of the digital world" (Kuneva, 2009). Capturing our online activities - from shopping to socialising, entertainment to information searching and gathering – it has created an unprecedented number of data points. Once mined or breached, they reveal intimate details about income, race, ethnicity, religion, etc. This has led to a blurring of the distinction between what data is public or personal, throwing into question user privacy and personal data rights.

At the nexus of this equation is the control and use of personal data.

1. **Control:** Privacy is the ability to limit personal information that is put in the public domain. With regards to data protection, the concept of control is seen as remedy to challenges posed by technologies that process - collect, use, store, transfer, disclose and destroy - personal data.
2. **Use:** Relying on personal information to make a decision or an assessment regarding an individual (such as through the employment of algorithms, artificial intelligence, etc.) or a group of individuals (BigData, Data mining, socio-economic/racial profiling). The dissemination and disclosure of personal data also falls under this definition of use.

The current policy context creates a complex situation for personal data.

- There is a lack of public interest and trust in government's ability to protect personal data.
- When laws are enacted, they do not adequately address complex but important matters such as cross-border data transfers.
- Government oversight on intrusive surveillance and regulatory bodies has been lacking, leading to challenges around protecting personal data rights.

- There is often that lack of balance between safeguarding data privacy while at the same time protecting national security and stimulating the growth of economic and industrial interests which rely on citizens' data for commercial purposes, with a bias usually towards security and commercial interests rather than privacy.

Currently, the approach by governments and companies to deal with personal data has been typically to secure the consent of the individual at the time of collection of information and then assume responsibility to protect the anonymity of this data and to delete it when no longer needed (WEF, 2013). However, changes in technologies, the increased use of surveillance, and the lack of comprehensive data protection laws have meant that individuals have not been adequately protected from risks to their personal data and, in turn, their privacy. There is an asymmetry of power that exists today whereby entities hold or have access to individuals' personal information when these same individuals are unaware and cannot control its use.

Duties and Responsibilities

Working under the guidance of the Steering team, the researcher will undertake an assessment of the personal data protection ecosystem in Nigeria. More specifically, you will be contractually responsible for undertaking national-level activities and producing agreed deliverables. These include:

- Undertaking a desk review of existing literature, research and reports from personal data protection-related initiatives, laws and regulatory frameworks, to broadly capture the data landscape of stakeholders, relationships, and processes in the country;
- Clearly defining what data is being captured in the country and online, by which institutions and platforms and for which purposes;
- Conducting surveys, interviews and focus group discussions as relevant and required, in order to capture detailed and precise perspectives of stakeholders;
- Liaising on an ongoing basis with the Steering Team to ensure that adherence to the overall research methodology;
- Producing a baseline assessment of the national personal data protection ecosystem, including a detailed and exhaustive mapping of the various components of the ecosystem in the country, identification of the systemic challenges and gaps that hamper adequate protection of users, and recommendations for follow-up actions.

Time duration and travel

The assignment will have a duration of up to 2 months, July and August. You will be requested to travel across Lagos and Abuja for interviews. You are required to attend regular online calls with Steering group for project management purposes. A launch of the report is scheduled during a National Forum. You are required to present a report of your research. In-country travel occurring in the context of this assignment must be factored in your financial offer.

Competencies

Functional Competencies:

- Be based in Nigeria
- Demonstrate excellent writing skills, and strong communications and presentation skills;
- Demonstrate substantive and technical knowledge of Nigeria's government institutions and bodies as well as its institutional landscape;
- Demonstrate the ability to produce high quality results following the research handbook and providing strong desk research and web search skills;
- Demonstrate an understanding of personal data protection and experience ;
- Demonstrate leadership, team building and coordination skills;
- Good interpersonal and teamwork skills and proven ability to work in a multi-cultural setting and teams with diversity of background and skills;
- Excellent understanding of digital rights and strong analytical skills;
- Demonstrate organizational and planning skills, and ability to meet deadlines and to manage multiple tasks effectively and efficiently;
- Provide feedback and advice; respond positively to critical feedback and differing points of view;
- Understanding of the evolving nature of digital rights.
- Demonstrate technology awareness especially ability to use virtual collaboration tools

Qualifications

Education:

- Masters (or equivalent degree/experience) in Law, Policy, Technology, economics, international relations, informatics or a related field is mandatory.

Experience:

- Minimum 5 years of experience in socio-economic analysis and research;
- Knowledge and experience of national and global policies on personal data protection;
- Demonstrate excellent analytical, writing and editing skills;
- Experience in developing complex knowledge products and flagship reports.

Applicants are requested to submit their CV and their **financial proposal** for the entire duration of the assignment (lump-sum financial proposal to **jobs@webfoundation.org** by **FRIDAY JUNE 23, 2017**. Together with the CV and the financial proposal, applicants are requested to submit a short written piece (max 500 words), describing their understanding of the Personal Data Protection ecosystem in Nigeria.