

## AU DATA POLICY FRAMEWORK

# The Gambia National Workshop Capacity Development and Consultation Workshop on National Data Governance Framework: UNDESA

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# Agenda 2063 & DTS

- **Data utilisation** is one of the key drivers in accelerating the attainment of **Agenda 2063**, and the Sustainable Development Goals (SDGs)
- The absence of **good data** being one of the key challenges to assessing progress being made to achieve the underlying targets
- African Union's **Digital Transformational Strategy (DTS)** aims to build a secure Digital single market by 2030 in line with the African Continental Free Trade Area
- The **DTS** serves as the master plan to guide Africa's digital agenda up to 2030



# Scope and Objectives of the DPF

- Collaborate on data governance issues in order to achieve the **common goals of sustainable development** across the continent.
- Inform and assist AU member states in **domesticating continental policy**.
- Enable flow of data across borders while considering **protection of rights, mitigate risks** and consideration of member-state interests.
- Create trust mechanisms for **data sharing** among member states while respecting sovereignty.
- **Maximise the benefits of datafication of the economy** and society, including a single digital market.
- Ensure that data is used for the benefit of society in a **sustainable** manner
- Utilise data in novel ways to promote public value, particularly for decision making, planning, monitoring, and evaluation in the public sector.



# Guiding Principles of the Framework

Cooperation: Member states to work together to exchange data and ensure data system interoperability.

Integration: Framework for promoting intra-African data flows and removing unnecessary legal barriers to data flows, subject to only the necessary measures (e.g. human rights or data protection).

Fairness and Inclusiveness: To address inequalities, states must provide opportunities and benefits to all Africans.

Trust, safety and accountability: States must promote trustworthy data environments that are safe and secure, accountable to data subjects, and ethical and secure by design.

Sovereignty: DPF supports member states in maintaining oversight over their data and encourages collaboration for self-management capacity building.

Comprehensive and forward looking: DPF to enable investment and innovation by developing infrastructure, enhancing human capacity, and harmonizing laws and regulations.

Integrity and Justice: Member states must ensure that data collection, processing, and use are fair and legal, as well as non-discriminatory and pro-human rights.



# Data policy framework issues

**Data Definition:** Providing specificity and detail on the types of data to be regulated and to what extent, in order to maximise benefit for different role players in data policy implementation. This should be done with the value and nature of data in mind.

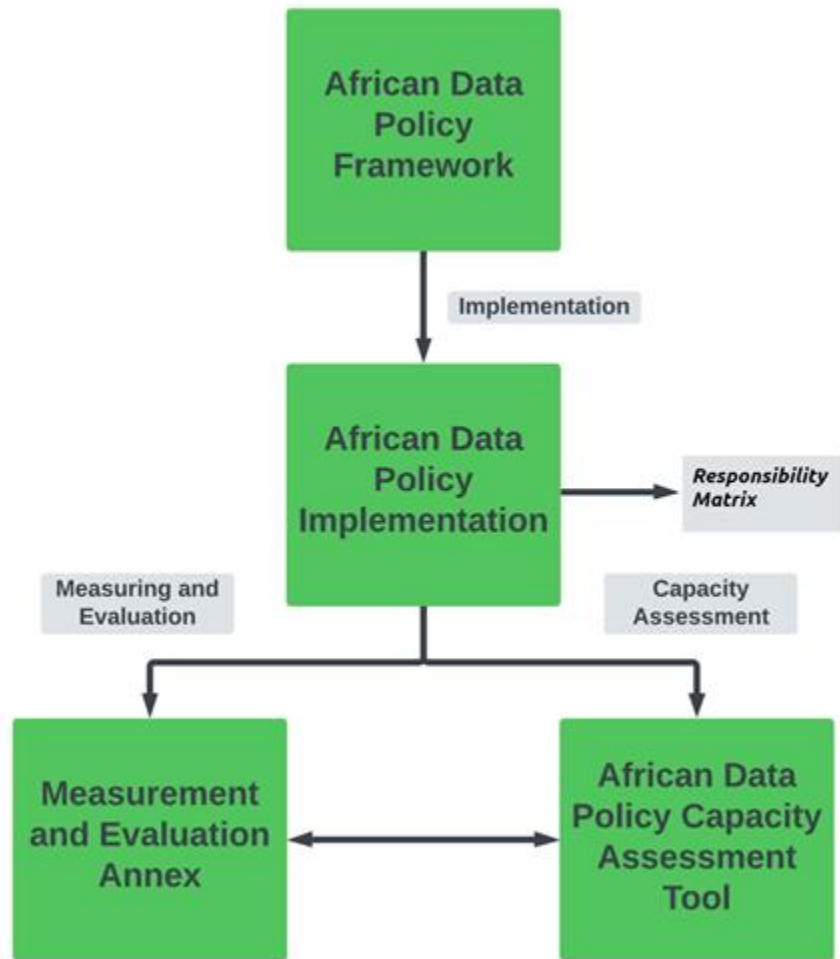
**Continental Coordination:** Providing mechanisms and priorities for coordination within the continent to strengthen Africa's position in global governance and to support domestication

**Domestic institutional Capacity:** Nationally assigning obligations, responsibilities, and powers to institutional actors can establish a consistent domestic environment for data communities to conduct data activities.

**Domestic Collaboration:** The focus is on ensuring policy alignment, identifying multi-stakeholder participants, and enhancing successful domestication mechanisms.

**Policy Support:** Implementable standards and solutions aim to improve domestic data quality, control, access, interoperability, processing, protection, and security, fostering a data economy growth.

**Clarity:** Ensuring clarity which facilitates compliance does not have unintended restriction but can serve as a foundation for cross-border (and cross-silo) coordination



# Vision

***The Data Policy Framework envisions the transformative potential of data to empower African countries; improve people's lives; safeguard collective interests; protect (digital) rights; and drive equitable socio-economic development.***

Practically the process seeks to translate this vision into a framework which will when implemented:

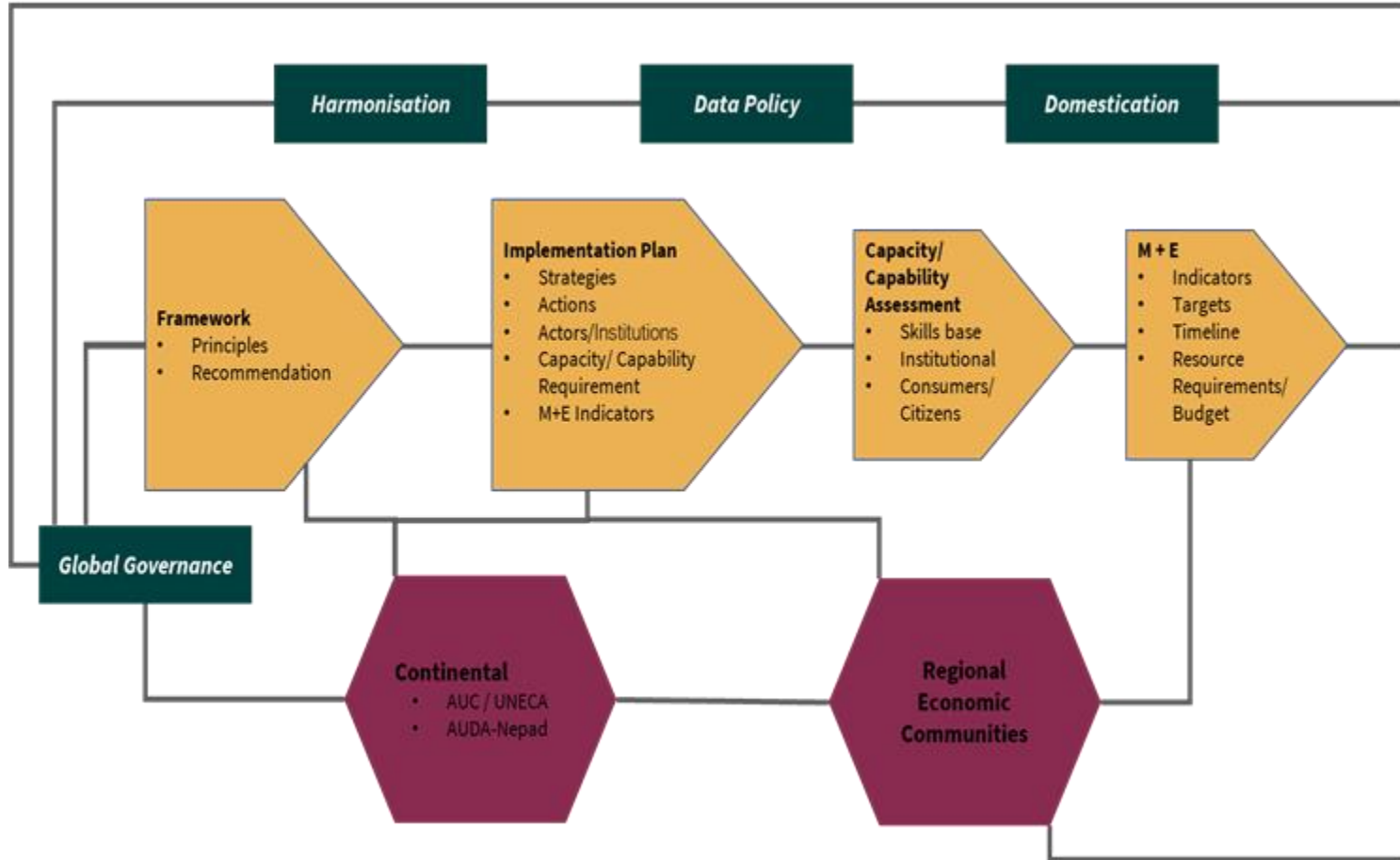
empower Africans to exercise their rights through the promotion of trusted, safe and secure data systems integrated on the basis of common standards and practices;

create, coordinate and capacitate governance institutions to regulate, as necessary, the ever-changing data landscape and to increase the productive and innovative use of data to provide solutions and create new opportunities while mitigating risk;

ensure that data can flow across borders as freely as possible while achieving an equitable distribution of benefits and addressing risks related to human rights and national security.

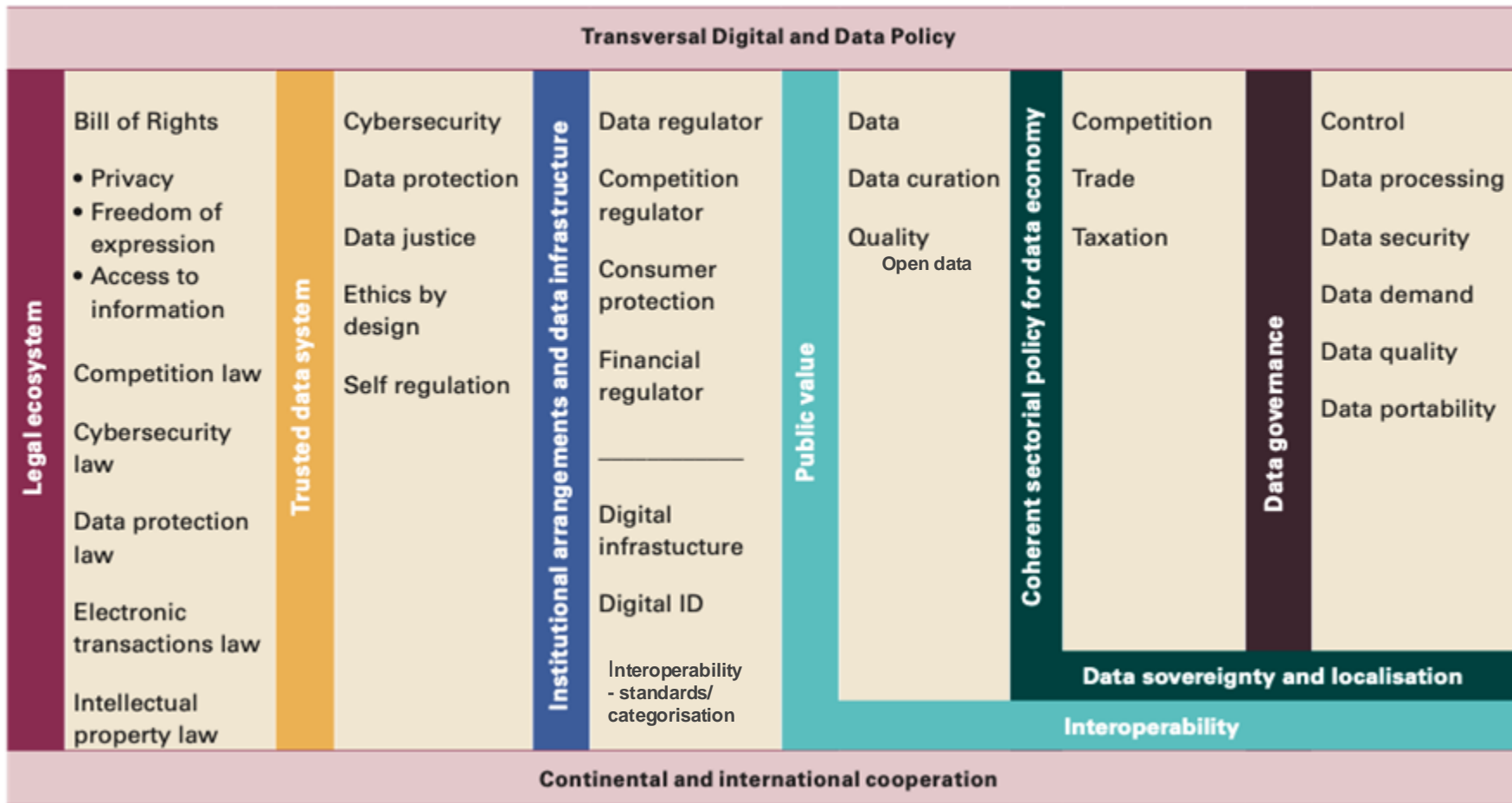


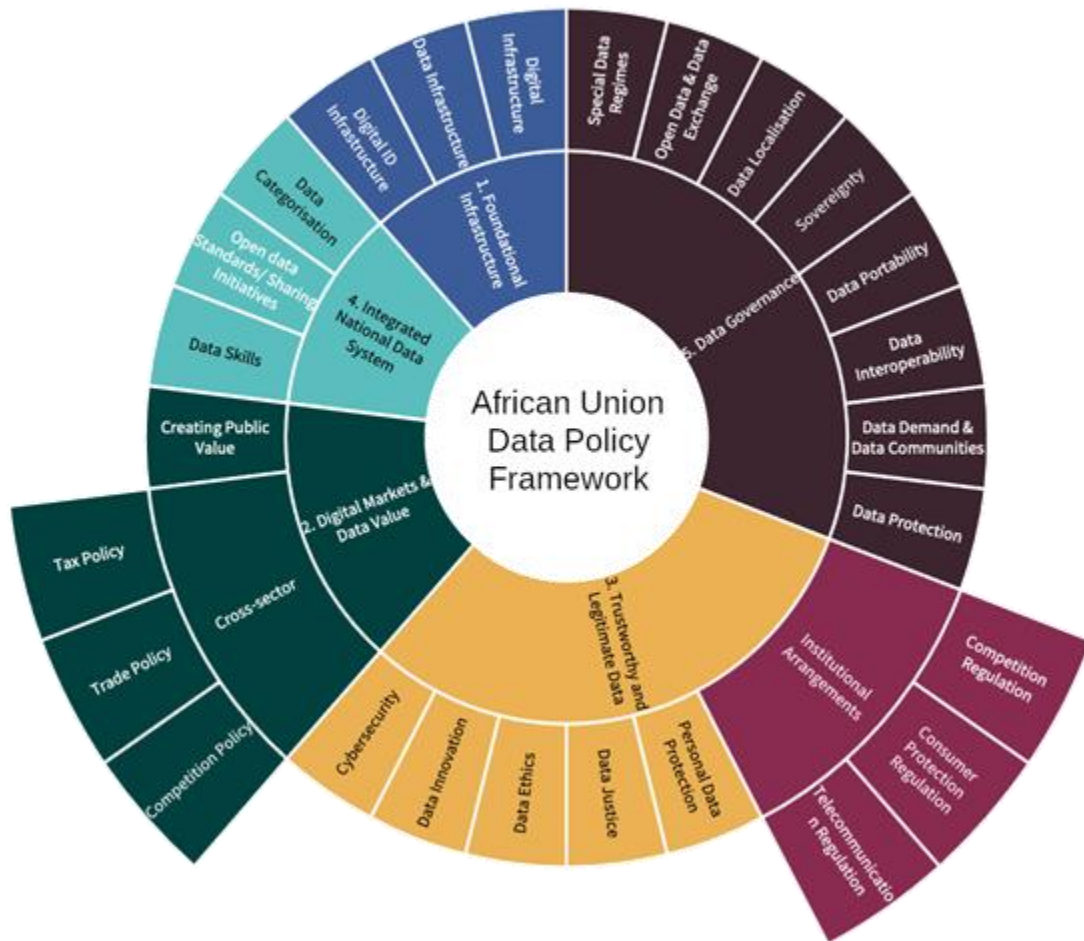
# DPF Process





# Enabling Data Policy Framework





# **HIGH-LEVEL FINDINGS OF GAMBIA'S DATA LANDSCAPE ASSESSMENT**



**Increasing technological development:** Currently The Gambia's foundational infrastructure is not adequate to meet basic requirements of data economy - broadband/Internet, data warehousing capacity, digital ID, financial payment systems.

**Data governance:** With the rise of mobile networks, IoT applications, and platformisation, cloud services there is a pressing need for comprehensive guidelines to manage data responsibly, ensure security, and protect privacy rights.

**Integration and Accessibility:** There is a noted lack of coordinated and accessible data systems, which impacts the efficiency of service delivery and the general transparency needed for public trust.

**Transversal policy including data security:** There is a need for a transversal policy for coordination between different agencies including telecoms companies, financial and data regulators.

There are concerns over data security, especially regarding how data is shared and stored. There is a recurring theme of needing a legal framework to prevent misuse and ensure that personal data is not exploited or mishandled.



# Foundational Infrastructure

Digital  
Infrastructure

Data Infrastructure

Digital ID  
Infrastructure

1. Foundational  
Infrastructure



# Gambia's internet use and access

- The population's use of the internet is 37%.
- The number of individuals owning cell phones in the population is 81%.
- The literacy rate is 51%.
- Active mobile subscribers in 2021 were 2.7 million (2,637,032).
- Active internet subscriptions in 2020 were 1,833,452.

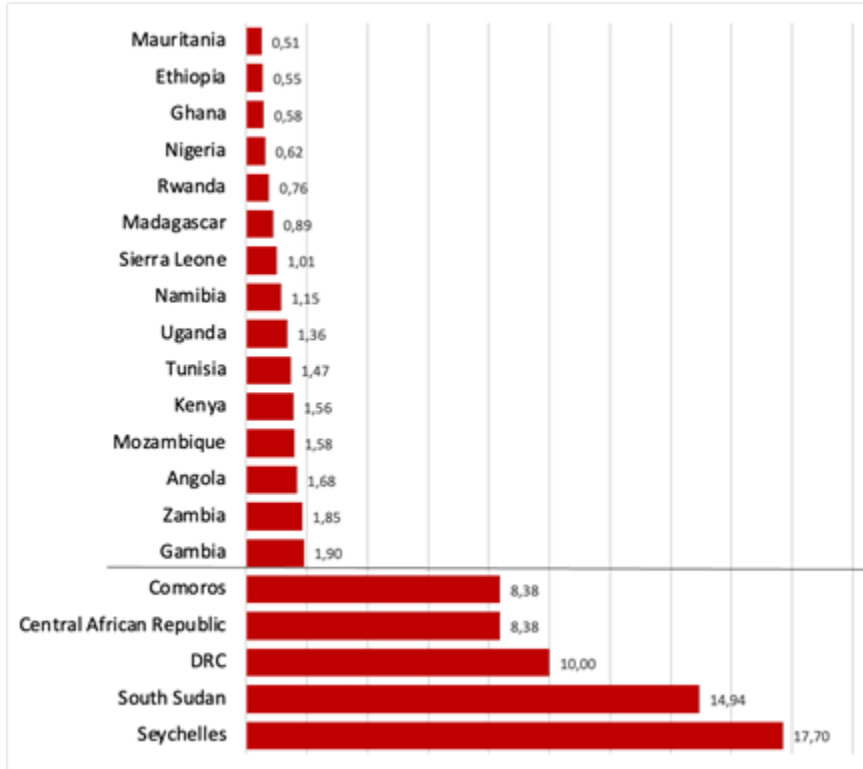
(Source: MoCDE)





# Mobile broadband pricing trends

Research ICT Africa's (RIA) Africa Mobile Pricing (RAMP) Index is a database that comprises of lowest data and voice/SMS basket prices collected quarterly for each mobile operator in Africa where the information is available



- The chart depicts the top fifteen performers and bottom performers on the RIA RAMP Pricing Index.
- In the third quarter of 2024, Mauritania and Ethiopia ranked 1st and 2nd respectively among 44 countries in the RIA RAMP Index. Meanwhile, South Sudan and Seychelles were bottom performers ranked 44th and 45th, respectively.
- The Gambia ranked 15th out of 45 countries in Q3 2024, however this does not necessarily translate to affordable data amongst the wider populace.
- Scores do not correlate with broadband penetration - Ethiopia despite low price, poor internet penetration, Nigeria underperforming while Ghana most improved of After Access survey countries.



# Status of Gambia's digital and data infrastructure

- Digital divide (urban/rural) - uneven connectivity/ and poorer
- Gender divide (demand side constraints, educational, income affect not only access but use)
- The number of international submarine cables is 1 (ACE—cable), contributing to high data costs due to lack of competition + tax burden.
- High cost of mobile devices.
- No national data centre and share capacity outside of country.
- Digital ID system in the pipeline
- Financial payment systems?

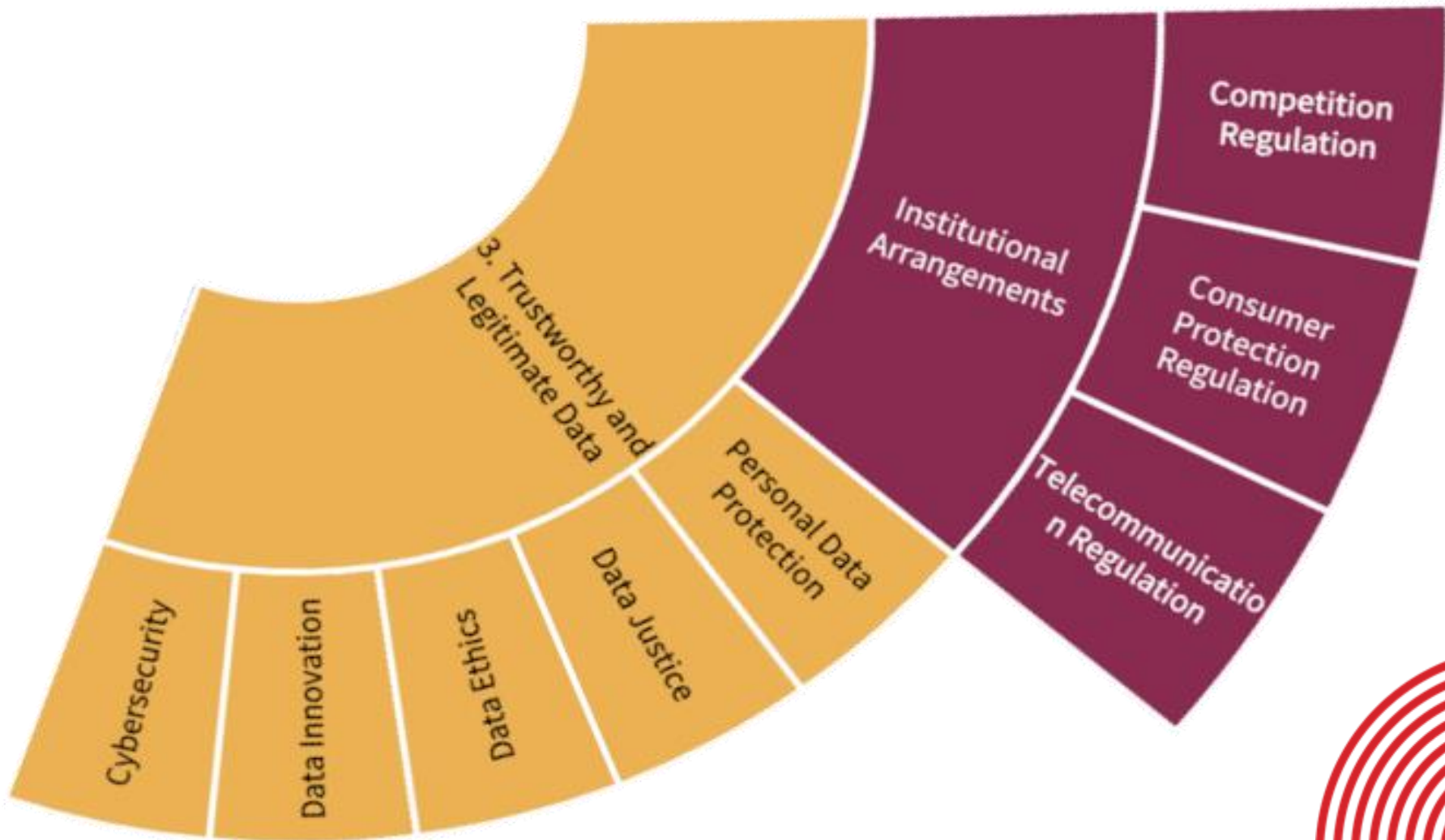


# Gambia' status of datafication and digitalisation

- Digitisation still nascent, public data undigitalised
- Urban/rural divide in connectivity + infrastructural gaps
- Challenges:
  - Low levels of digital literacy/education
- Policy Recommendations:
  - Develop and enhance national broadband infrastructure to reduce costs and improve accessibility.
  - Invest in a national data centre to bolster data security and processing capabilities.
  - Invest in digital technologies and tools



**Creating a trustworthy and  
legitimate data ecosystem**



# Data Governance Regulatory Framework

- Constitution Art.23 - Right to Privacy
- Data Protection and Privacy Bill
- Information and Communication Act 2009
  - Part XIII - Processing of Personal Data and Protection of Privacy
- Cybercrime Bill 2023
- Public Utilities & Regulatory Act (PURA) Act 2001
- Draft Communications Bill 2024 (Intended to repeal ICT Act, 2009)
- Data Protection and Privacy, Policy and Strategy 2019
- Competition Act 2007



# Data Governance Framework

- ICT for Development (ICT4D) Policy (2018-2028)
- National Data Protection and Privacy Policy (2019)
- National Cybersecurity Policy
- Government Cloud Policy 2023
- Government Email Policy 2023
- National Digital Addressing Policy 2023
- E-Government Strategy (2021-2024)
- National Cybersecurity Strategy (2022-2026)
- Government Cloud Strategy 2023
- Government Open Data Strategy 2024





# Data Governance Framework

- Information and Communications Act, 2009 (Section 137-160 contains provisions on data protection)
  - Principles
  - Interception of communications
  - Measures to ensure privacy of communications
  - Security of information and communication services
  - Storage of traffic data
  - Data for identification of subscribers
  - Maintenance of subscribers lists, et al

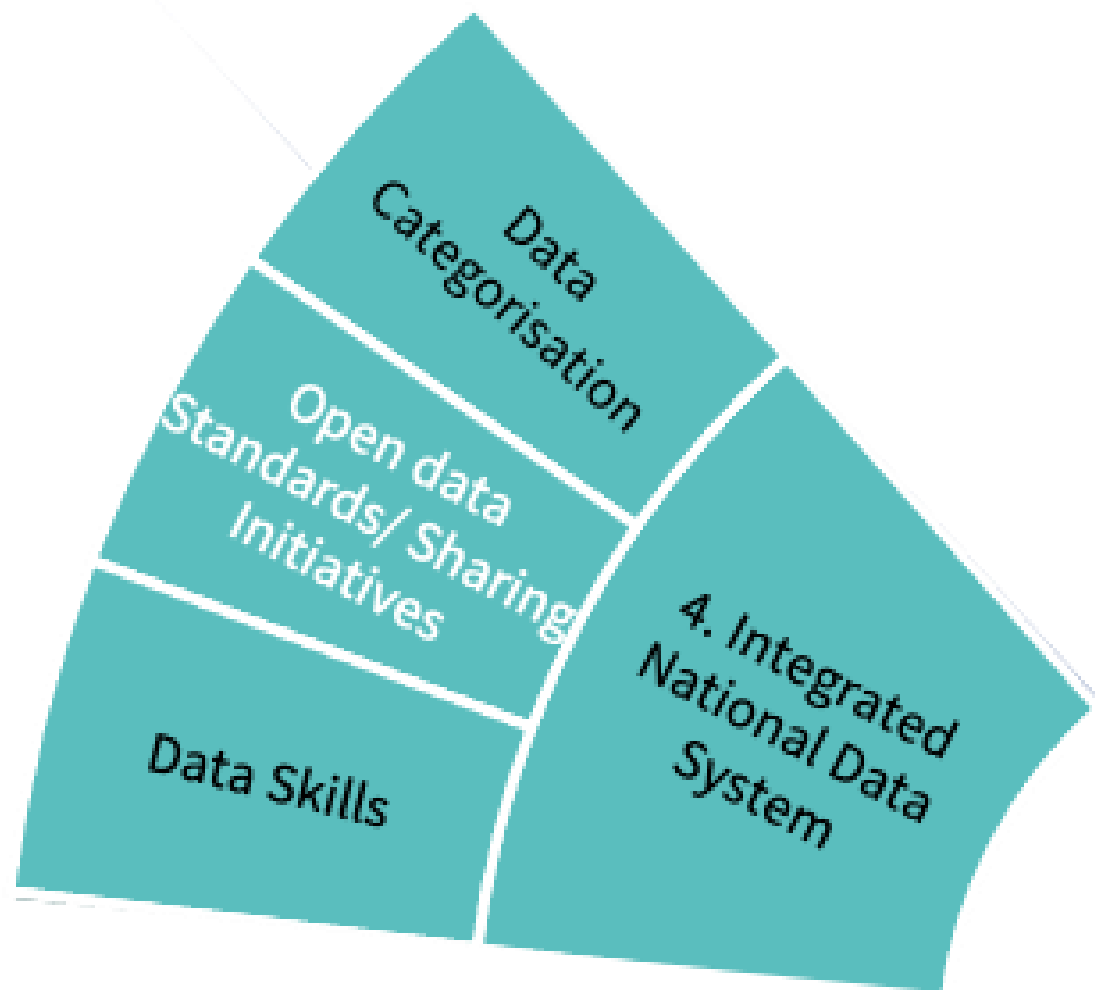


# Preconditions Data Governance

- **Data Protection**
  - The Gambia has yet to enact a Data Protection Act.
  - Data Protection Commissioner not appointed yet.
- **Cybersecurity**
  - The Gambia has yet to enact a Cybercrime law.
  - Regulator not appointed yet.
- **Policy Implementation Gaps**

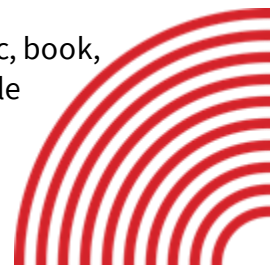


# **Integrated National Data Systems**



# Relevant existing policy, law, regulation in The Gambia

- Recovery Focused National Development Plan
- The Gambia ICT4D 2018-2028 Plan
- The Gambia e-government strategy 2020 to 2024
- The Gambia Government Cloud Strategy 2023
  
- **Cloud Policy**
  - outlines GoTG's objectives, guidelines, and requirements for G-cloud adoption, including cloud governance, data protection, security, interoperability and procurement
  - E-government Strategy 2020-2024
    - Open data - development of an open data sharing portal and ensuring there is open access to digital, scientific and cultural information is proposed. **Open data and cloud adoption are closely linked and often go hand in hand.** Cloud computing provides an ideal infrastructure and platform for hosting, managing, and distributing open data.
  
- **Access to Information 2021**
  - provides for the right to access public records and information held by public authorities or by persons providing services for them and for the procedures to connect to them
    - "information" includes any original or copy of documentary material irrespective of its physical characteristics, such as records, correspondence, fact, opinion, advice, memorandum, data, statistic, book, drawing, plan, map, diagram, photograph, audio or visual record, and any other tangible or intangible material, regardless of the form or medium in which it is held, in the possession or under the control of the information holder to whom a request has been made under this Act



# Data Governance





# Gambia's status of datafication and digitalisation

## Findings:

- Data systems across government and private sectors are not interoperable.
- Manual data collection methods predominate, leading to inefficiencies.

## Challenges:

- Siloed data systems restrict effective data sharing and utilisation.
- Outdated methods limit real-time data access and utility.
- Challenges related to data collection, quality, accessibility, accuracy and completeness of data (low digital literacy (awareness), limited access to devices and infrastructure, limited digital skills)

## Policy Recommendations:

- Implement a national data integration framework to ensure interoperability. There is a need for common data standards and protocols, categorisation and classification)
- Modernise data collection methods to enhance efficiency and accuracy.



**Thank you**

**Research ICT Africa's work on The Gambia Data Policy  
is made possible by GIZ.**

