

 BRIEFING NOTE No. 150

Digital geopolitics in Africa: Moving from strategy to action

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October 2022

In Africa, access to the internet and digital technologies is growing, but it still lags behind the global average. Africa's digital economy is projected to reach \$180 billion by 2030, while digital transformation should also contribute to the realisation of the African Continental Free Trade Area (AfCFTA), thereby spurring further growth. While this will create immense social, economic and political opportunities, there are risks to a growing digitalisation without adequate regulation at the national, continental and global levels. The choices that Africa makes in this area will have major implications for the type of digital economy that emerges on the continent.

This briefing note argues that implementing policies and expanding Africa's contribution to global digital governance will be essential to ensure the continent can harness the benefits of digital transformation, while also shaping global norms. African countries are at varying levels of developing policies and regulations that govern digital technologies, while the AU is developing a series of strategies and policies that address key issues of digital governance, including for instance data and sectoral topics such as education and cybersecurity.

Questions around the protection, use and sharing of citizens' data, the taxation of global tech companies, the use of surveillance technologies and the regulation of artificial intelligence will all have major implications for the economy and society. The collective exclusion of communities from digital technologies or services, and the possibility of reinforcing social biases in some digital innovations, have multifaceted impacts on Africa.

Introduction

Africa's global positioning has been slowly changing in the past two decades owing to both endogenous (for example, economic growth, and a more assertive stance of African countries) and exogenous factors (multipolarity and a drive for critical minerals). In recent years, African countries have worked bilaterally and collectively through the African Union (AU) and bilaterally to leverage these developments. The AU is increasingly taking a key role in coordinating continental responses to global challenges ranging from peace and security, climate change, COVID-19 and global financial governance, albeit with varying degrees of success to date. Considering the growing relevance of digital affairs in all aspects of global relations, the AU, in coordination with its members, can also play a role in shaping Africa's position in global digital geopolitics. **For Africa to avoid becoming a pawn of digital geopolitics, it will have to proactively step up technological innovation and respond to challenges, while shaping the global discourse on internet and data governance.**

Many African member states have elaborated their own strategies and policies on digital transformation, but there is a great degree of variation in terms of the digital preparedness and needs of different African countries (Abimbola et al. 2021). The AU is actively elaborating a number of continental digital strategies and policy documents. Most notably, it developed the Digital Transformation Strategy (DTS) together with a wide variety of other African and multilateral actors, laying out an overarching strategy for Africa's digital transformation (AU n.d.). More recently, the AU has adopted a [Data Policy Framework](#), a Digital ID Framework and a Digital Education Strategy. Strategies on cybersecurity, artificial intelligence (AI), health, agriculture and e-commerce are also in the works, although the level of advancement in the different areas varies. In parallel, negotiations are getting underway around the digital trade protocol of the African Continental Free Trade Area (AfCFTA).

If the AU and its member states want to take control of their digital future, they will need to move beyond simply adopting digital strategies and policies and

move towards implementation. They also need to work together to ensure that advances are made on issues of common concern such as data protection and sharing, digital education or AI governance. **Digital transformation is a global agenda and hence continental advancements on digital governance should have a global angle.** Continental harmonisation should be complemented with global action to **influence global norms on digital governances. Partnerships with external actors should also be pursued in line with common objectives set out in existing policies or common positions.** This will require political leadership and communication at the top level of the AU and active engagement by African states with AU processes. We thus argue that the 'digital agenda' needs policy implementation at the national level, high-level political investment at the continental level, and global engagement on standard setting.

This briefing note will look first at the global and geopolitical relevance of digital governance, and why building a common African approach to digital transformation matters. Second, it turns to what the AU is already doing on this front, with specific focus on the new AU Data Policy Framework. It discusses Africa's current engagement in digital governance at global multilateral fora in Section 3 and it proposes ideas for what the AU and its members can do moving forward in Section 4.

1. What's at stake?

Digital technologies are transforming the economy and society. Digital innovations are likely to have a major impact on the productive capacity of industry across the world. The so-called fourth industrial revolution (4IR) is gradually integrating not only large amounts of data into industry, but a host of new technologies such as AI, robotics and gene editing, thereby beginning to shrink the boundaries between the digital and physical worlds. Similarly e-commerce is transforming the ways we buy and sell goods and services, while other e-services ranging from online education, e-health to digital finance are transforming wider social and economic interactions. COVID-19

marked a notable uptick in e-commerce and e-services across the world.

At the same time, the internet is the source of many new threats with organised disinformation campaigns and cyber attacks by state and non-state actors. Moreover, unregulated extraction of data by tech companies threatens the privacy of users. All of this showcases the imperative of digital governance, and security aspects therein.

The superiority in digital innovation and the ability to set global digital standards have now become geopolitical issues due to the increasing impact of digitalisation on the global economy and state sovereignty. This threatens to split the world into competing power blocs with differing conceptions of how to manage the generation, extraction, utilisation and flow of data, as well as innovation and oversight over digital infrastructure (O'Hara and Hall 2018). For example, while the United States (US) prefers an open data flow that favours digital companies, the European Union (EU) stresses the importance of data regulation to curtail spillover effects on individual privacy and other rights. China, on the other hand, prefers a data governance system that stresses state sovereignty and prefers strong government oversight over data flows.

In this context, Africa is faced with difficult choices. Its growing digital economy is projected to reach 180 billion by 2030 (Buckholtz and Oloo 2020). Despite a big urban-rural divide in access, digital technologies and the internet are increasingly driving innovation and social change across the continent. From facilitating entrepreneurship and business to enabling socio-political mobilisation and action, digital technologies are changing social interactions and economic organisation - in Africa as much as elsewhere. However, much is needed to ensure that Africa is not left behind by major global shifts, and to secure technologies that can help pursue the 4IR.

While a certain amount of innovation and digital transformation can emerge in unregulated contexts, regulatory uncertainty can be a major impediment to investment and undermine public policy objectives in Africa. Furthermore, the very small size of many

African economies and the regulatory differences between neighbouring countries can make it difficult for entrepreneurs to achieve scale and operate across borders. Digital solutions, including e-payments and digitalisation of customs processes, will play an essential role in unlocking trade in Africa, but adoption of these technologies varies greatly between countries. Much work will need to be done in order to align regulations between African countries, including harmonising data rules (Lemma et al. 2022).

Digital regulation can help unleash the potential of digital transformation for Africa's development and it is also needed to keep abuse in check and ensure security. The latter is notably important when it comes to regulating the growing power of a limited number of tech companies, the use of personal data, or fighting the spread of disinformation and cyber crimes. It also includes strengthening fiscal oversight to prevent the big tech giants, and others, from circumventing the local tax systems in Africa.

A number of scholars have warned against a pattern of predatory and extractive practices in the digital space that repeat the colonial exploitation of the past in Africa. One report touches on seven different types of digital extractivism taking place in Africa today, including the extraction of digital labour, mineral resources and of course African users' data (Iyer et al. 2021). Birhane specifically tackles the question of algorithmic colonialism whereby technological solutions and AI are taken as value free, silver bullets to complex social issues in Africa without context or scrutiny; while AI 'solutions' could, in fact, perpetuate existing social biases including racism (Birhane 2020).

More specifically, digital colonialism in Africa can be explained in three ways. First, there is the risk of constant surveillance of Africans by state and profit-seeking entities to a point that people's values are attached to their data generation capabilities. This is not unique to Africa, and has become popularly known as 'surveillance capitalism' following the work of Shoshana Zuboff (2020). Of particular concern for Africa is the continent's lack of representation, or misrepresentation in international media and online content as well as the lack of diversity among the staff at big tech companies that monopolise the space. For

example, Google has been accused of dismissing issues raised by its ethical team (Metz 2021), harbouring a hostile environment for minorities among its staff and running AI systems that could reinforce racial bias (Hao 2020). Second, the data that is generated at scale is then monetised by global tech companies with little local return. Third, the AI generated 'solutions' and digital technologies that are imported to Africa wholesale, dwarf innovation and undermine existing local systems - leaving the continent overly dependent on imported technology and services (Birhane 2020).

While many scholars agree on the potential of 4IR to allow Africa to 'leapfrog', this is unlikely to occur in the absence of basic physical and social infrastructure such as reliable and broad-based connectivity, skilled labour, et cetera (Traoré et al. 2022). There are also major questions about how to do so in a manner that does not exacerbate inequalities (Fox and Signé 2022). This suggests that government policies should focus not only on creating enabling conditions for industrialisation and digital transformation but also on policies and initiatives that mitigate and address the negative spillover effects of 4IR including inequality and disenfranchisement.

Against these risks, governance of digital space is critical to ensure the protection and rights of African users, and to guarantee Africa benefits from the economic and political value-adds of digital transformation. Developing and defending a shared approach to digital questions, particularly around data - which is the driving force of the digital economy and has major consequences for state sovereignty and human rights - is a key aspect of digital governance.

2. What is the AU doing?

Working together with many other organisations, the AU has already developed the Digital Transformation Strategy (DTS). A number of further strategies were called for by African Heads of State in order to operationalise the DTS in critical sectors; Digital Industry, Digital Trade and Financial Services, Digital Government, Digital Education, Digital Health, Digital Agriculture. Moreover, a framework for Digital ID was

adopted by the AU Executive Committee in February 2022 and African education ministers recently adopted the AU Digital Education Strategy (September 2022). The recently adopted Data Policy Framework is also an important step towards developing a common approach to data for the continent, which has cross-cutting implications for sector specific digital policies of the AU. There are also a host of other strategies and policies, including on agriculture, e-commerce, cybersecurity and AI in the pipeline.

The DTS lays out an overarching strategy for Africa's digital transformation, even if it arguably has a more developmentalist and less political framing of digital transformation (Domingo and Tadesse 2022). It lays out a developmental vision with regard to digital transformation, but also emphasises African ownership in this emerging area from the beginning. It emphasises that Africa needs to be: "a producer and not only a consumer in the global economy." It is noteworthy that the strategy focused on industrialisation, reflecting Africa's continuous aspiration to achieve economic transformation through industrialisation. However, the strategy falls short of addressing any of the difficult political questions - such as digital sovereignty - that surround the digital space in favour of a positive vision of the digital transformation Africa wants. It also does not touch on the importance of Africa's global positioning on digital topics, despite the fact that decisions at the global level can have a strong impact on its own (including industrial) development. This avoidance of a more political vision may be tactical, as Africa wants and needs to work with multiple international partners at this stage in its digital development to bridge the basic digital infrastructure and regulatory gaps it faces. However, this may also make it more difficult to come to joint positions on digital affairs in relation to international partners, or at multilateral fora.

Amongst the goals laid out in the DTS are building a Digital Single Market (DSM) in Africa by 2030. The DSM is the digital dimension of the AfCFTA, which entails creating harmonised rules and regulations that can help to build a common African space for innovation and e-trade. To arrive at this goal, regulations and standards need to be harmonised

across regions and eventually the entire continent; internet connectivity should be safe, secure and accessible to large segments of populations. There is also a need to develop digital skills, while e-identity can play a role in facilitating transactions across the African DSM by facilitating verification. The DSM aspires to offer one market for e-commerce, even if negotiating the modalities of this will be a long and tumultuous journey. But ultimately it should allow for the sharing of data between all member countries, thereby not only driving the online digital economy, but also fuelling the development of new technologies and also the digital transformation of industry, agriculture and services.

More work has been done in some of these areas than in others. As mentioned above, a strategy has already been elaborated in the area of digital education, championed by the African Union Commission (AUC) Education Commissioner. On the other hand, despite a strong focus on industry in the DTS, there is still much work to be done both at the regional and at the national level to truly take advantage of 4IR in Africa. Some initial work has already been carried out to think about an African approach to AI, which will be an essential element of the digital transformation of industry. Yet, industrialisation in many African countries is lagging behind and policymakers are in many cases behind the times when it comes to 4IR. For example, the concept note for the African Union Summit on Industrialisation and economic diversification in November 2022, contains only sporadic references to 4IR technologies (AU 2022a). Transforming Africa's industry will not only require strategies, but also strong links between policymakers and industry, and real support to digitalisation and industrialisation, such as through digital industrial hubs (Traoré et al. 2022).

The recently adopted AU Data Policy Framework is an incremental step towards developing a common approach to data governance, including in relation to specific sectors covered in the DTS. The Framework lays a comprehensive strategy for how countries should manage data in a way that promotes innovation while protecting the basic freedoms of citizens and enhancing social justice. It also addresses contentious issues, such as data sovereignty, data

localisation, and the unilateral imposition of taxes on digital companies, which a number of African countries have recently implemented.

Data sovereignty, for many countries, entails rules on data localisation. This may entail strict restrictions on all data, restrictions on data considered sensitive, or conditional regimes, whereby data is shared under certain conditions (for instance, General Data Protection Regulation [GDPR]). About half of African countries have no form of cross-border data flow restrictions, while 26 have adopted conditional flow regimes, whereby data flows are permitted subject to certain conditions, such as contractual safeguards, prior authorisation, or adequacy decisions by authorities (Kugler 2022). The Framework points to the need to balance between strict sovereignty concerns and the need for cross-border sharing as a driver for innovation and growth. While it does not clearly develop a single idea of how African countries should approach data sovereignty, it certainly provides pointers towards a common approach that would both drive innovation and growth, whilst also protecting consumers.

The Framework is interesting for its emphasis on data justice: a concept that goes beyond respect for individual rights to include collective needs and vulnerabilities. This is, for example, distinct from the EU's GDPR which takes a more individualist approach to rights. In advocating for data justice or applying a social justice lens to digital governance, the framework underlines the importance of addressing elements of second-generation social and economic rights in relation to data availability, accessibility, usability and integrity, in addition to preserving first generation rights - such as privacy, freedom of expression and access to information. In so doing, the framework puts forward an original and holistic vision for data governance where the purpose of data governance is to: "move beyond only negative compliance regulation to positive enabling regulation that will create an environment for African states and citizens to participate effectively in the digital economy" (AU 2022b: 8).

The Framework also makes a clear appeal for a coordinated approach - rather than the current

fragmented one - to the taxation of digital multinationals. There is a clear argument in favour of taxation of multilaterals on the value they create based on the data of African users. Yet, the Framework suggests that instead of the current approach, where a number of countries are adopting their own unilateral approaches, that African countries should work at the regional and international level to address taxation related to data: “This is so an optimised data ecosystem for Africa balances revenue mobilisation and the need to avoid distortions to local markets and the global tax system” (AU 2022b: VI).

The DTS, the Data Policy Framework and the other thematic policies mentioned are necessary in light of global and continental digital trends. Harmonisation of data governance across countries is also necessary for the effective implementation of Africa’s flagship initiative, the AfCFTA, and its digital trade protocol, around which regional consultations have already started.

Nonetheless, the vision of the DTS, the conceptual innovations of the Data Policy Framework or the availability of sectoral digital policies will mean something only if these policies are implemented and tested by AU member states. How far African states go in this regard is yet to be seen and is likely to take time given the AU’s ‘crisis of implementation’ (Kegame 2017). Policy implementation by member states tends to be a lot slower than the rate of continental policy formulation. The intergovernmental [Smart Africa Alliance](#), made up of 32 African states, may be part of the solution as it works on building its implementing capacity, but there should be strong political direction and coordination, including with the private sector, civil society, academia and others, in order for this to work.

In the case of the digital agenda, a further complicating factor for implementation is likely to come from the fact that the push for these digital policies partly comes from development actors and the AU’s international partners (van der Spuy 2021) The EU, the World Bank and development agencies incentivise and support digital policy formulation processes as digital affairs become a salient issue in their development and political agendas vis-à-vis the

AU and Africa. While this often provides the momentum for the actual production of the policies, and in some cases even for their adoption, these policies will only be implemented and valuable if they are owned by AU member states and relevant African institutions.

3. Africa in digital global affairs

As discussed above, the AU’s efforts at developing a common approach to digital transformation are taking place against a turbulent geopolitical backdrop. The Russian invasion of Ukraine has only added to growing geopolitical divisions, momentarily displacing the more fundamental rift between the US and China. On the digital front, these divisions have been apparent in the evolving decoupling of the US and China and by US efforts to push partners to similarly give up Chinese technologies, notably Huawei’s 5G technology. These divisions have also played out at multilateral fora, where the US has continued to be the leading proponent of a largely unregulated internet, while China and Russia have sought to promote models of greater state control.

Domestically, many African countries have tried to engage multiple external actors without necessarily adopting a clear position on contentious questions around digital governance. Currently, much of Africa’s telecom and digital infrastructure is supplied by Chinese companies, while American platforms dominate many areas of the digital economy, such as software, social media and cloud computing. The US has announced various initiatives aimed at offering an alternative to China on infrastructure, such as the Blue Dot Network under President Trump or Build Back Better World under Biden, but it remains to be seen what will be delivered. The EU has focused on popularising its normative innovations such as the GDPR, and recently launched the Global Gateway Connectivity Strategy, which includes a strong focus on infrastructure investments, including on digital infrastructure. EU member states also recently created the [Digital for Development \(D4D\) Hub](#), which aims to bring EU and member state resources together to

jointly fund digital initiatives across Africa. All of this remains relatively untested.

At the global level, a number of multilateral platforms play a role in digital governance and norms setting. These include the International Telecommunication Union (ITU) and the Internet Governance Forum (IGF). The ITU is a United Nations (UN) agency with a mandate to inform and set global standards on telecommunications and digital infrastructure management, while the IGF is a space for dialogue among multiple stakeholders, but whose outputs are not binding. Other fora such as the World Trade Organization (WTO) and [World Intellectual Property Organization \(WIPO\)](#) are also relevant multilateral organisations, where the governance of sectoral issues such as digital trade and intellectual property rights are negotiated. In addition, digital topics are increasingly coming up in a range of other fora, from the General Assembly to the Human Rights Council.

Until now, African countries - and least developed countries more broadly - have largely been norm takers rather than norm makers. Africa's participation in global fora governing internet and telecommunications has been limited, with the exception of Kenya, Senegal and Rwanda, which have shown interest and consistent engagement in various forums (Calandro et al. 2014). Reasons for this vary from financial constraints to the remoteness of these institutions, to frustration around the set up of institutions such as the IGF or the Internet Corporation for Assigned Names and Numbers (ICANN), where the tangible value of deliberations and the influence of African states are questionable (Calandro et al. 2014).

Similarly, Africa's participation in WTO exchanges on e-governance has been limited due to scepticism by African states on their ability to weigh in on such technical negotiations and defend their interests when they lack the basic digital infrastructure and regulatory mechanisms that the more advanced countries have (Pittet 2022). The lack of advanced experience in the digital economy and the technological base for digital innovations distracts most African countries from identifying national interests on complex matters and engaging in negotiations with the more developed

countries and regions represented in the WTO (Pittet 2022).

While African states could, in theory, overcome some of the challenges around lack of resources or influence by pooling resources among themselves, leveraging their position and forming blocks, the more structural barriers are not easy to overcome. Firstly, African countries are at different phases of digital transformation and the diversity in exposure and experience, but also interests and needs may not easily align. Secondly, even if a few countries were to align their positions and contributions - their ability to engage in highly technical and granular aspects of digitalisation will inevitably be limited when they do not have the level of technology, the human resources and the experience to engage on an equal level in discussions at these platforms.

Furthermore, many of these platforms are multi-stakeholder in their membership and include states and non-state actors like big multinational companies. Their participation has merits in terms of inclusivity, but it also creates an additional power dynamic (Calandro et al. 2014). The capital worth and global political influence of many of these companies is far greater than that of many African countries - let alone African private sector actors. And they leverage their knowledge, financial and political resources to influence negotiations that impact their business models and profits.

Formulating Common African Positions (CAPs) would, in theory, help guide Africa's global presence in digital governance. It would also help align the partnerships of African countries or the AU with global actors. In practice, however, formulating CAPs is a cumbersome process in a continent with 55 countries, which have diverse and, at times, diverging interests, and are at varying levels of digital transformation. At times, national interests might clash with continental objectives. For example, there were [some questions](#) on the compatibility of Kenya's free trade agreement with the US which was negotiated in 2020 with the goal of creating a common market under the AfCFTA (Schneidman and Dawson 2020) Local stakeholders within a country might also have competing interests

among themselves and vis-à-vis continental objectives.

However, the series of joint strategies and policies adopted by the AU and its member states can provide the basis for identifying common positions and formulating CAPs. based on previously agreed principles and policies or common denominators. These can be a useful tool for both collective negotiation at multilateral fora, and for streamlining also bilateral partnerships between African countries and EU, the US and China, which have shown interest in strengthening their partnerships with Africa. The viability of CAPs would undoubtedly depend on how widely shared digital interests or concerns are among AU's member states. But negotiations towards common positions should be preceded by exchanges, experience sharing among AU member states so that they can identify common goals, learn from each others' experiences and pull resources. This dialogue and exchange should go beyond state actors, and should bring in African universities and think tanks, as well as non-state regional initiatives, and the private sector - all of which are critical in boosting knowledge production, dissemination of best practices and carrying out joint actions. It will also add value to the emerging scholarship, norms and public dialogue on digital governance at the global level.

Ultimately, developing strong policies for Africa's own domestic digital development will be the first step in allowing Africa to play a stronger role in global digital governance. Yet, given the increasingly complex geopolitical context, Africa should not neglect its global positioning lest it be forced to align with one or other global power. Establishing clear positions on selected issues of notable importance, such as on data governance, will be essential to shape the global digital order in a way that favours social justice and anti-discrimination.

4. What is necessary moving forward?

Digital transformation in Africa cannot be led from the top down alone, and it is ultimately innovators that

will drive forward Africa's digital journey. Yet, as we have seen, the AU has increasingly been stepping up its efforts to develop continental strategies and policies, which could play a role in building Africa's digital economy and increasing Africa's hand on the global stage. By taking steps towards regional integration, African digital innovators should have increased opportunities to grow their businesses, while continental e-services such e-health, e-education and e-finance can benefit the whole population, offering new opportunities for human development. At the same stage, by developing a more united stance on topics such as data governance, Africa, by way of the AU, can begin to play a role in setting global digital norms, defending its own positions on the global stage and differentiating itself from the great powers.

There is a long journey ahead for Africa to arrive at common positions in the digital space. The Digital Single Market is promising, but remains arguably aspirational as progress has been slow. Yet, constructive steps can be taken to move the continent towards achieving this aspiration. There are constructive steps that the AU and its member states can take to begin to close the gap between the dream and the reality by beginning to follow through on some of the work the AU has been doing.

Firstly, at the level of the AU, widening the buy-in of the digital agenda across AU organs, institutions and departments of the AUC is needed. This ensures the AU is better able to communicate and advocate for policy implementation by member states. Ongoing efforts by the AUC to develop strategies and policy frameworks on digital issues demonstrate that the AU would like to play a normative role on digital governance as it does on other continental issues.

For the AU to play a proactive role in this regard, digital transformation must be seen as a multifaceted issue which has political, economic, social and other implications for the continent. And the AU's digital strategies and policy frameworks must be owned by various departments of the AUC. One way of doing this is for the various departments of the AUC and other AU organs to analyse the impacts of digital transformation on their areas of work and mandate.

The development of sectoral digital strategies is a positive step in this regard and buy-in of the AUC leadership is essential to drive implementation.

As these strategies move from adoption to implementation, AUC Commissioners and other staff - often working together with technical support from international partners - will need to ensure vertical buy-in and also provide technical assistance when needed. But such efforts need to be informed by political economy dynamics *within* member states.

Tasking the AUC to drive implementation will inevitably require human and financial reinforcement of the AUC's division for Information Society in the Department for Infrastructure and Energy, which has the mandate on connectivity and digital integration. Currently the division has a limited number of staff members that are directly working on digital policy, and much of the financing for these roles depends on European support. But laying the foundation for digital governance in Africa, strategically guiding Africa's digital partnerships with external actors and influencing multilateral discussions would require a substantial level of investment from the AU and its member states.

In the long term, the AU would also benefit from drawing on a wider circle of African experts and private sector actors to strengthen its external expertise and networks. This could include drawing on existing structures, including the African Business Council, but also establishing an advisory committee of external experts which can advise the AU and its member states as they develop and implement digital transformation strategies that are informed by the latest technological, political, and economic developments. Engaging Africa's private sector will be necessary as digital ecosystems from countries such as Senegal, Nigeria, Kenya, Egypt, Rwanda and South Africa grow and become relevant internationally.

Secondly, the AU and its member states will need to work together to avoid these strategies and frameworks becoming documents with no practical bearing. This requires that member states recognise the increasing importance of digital transformation, not just as a catalyst for development, but also as a

political currency. While AU member states are at very different levels of developing their own national digital strategies or of mainstreaming digital governance in other national agendas, they should not overlook their collective digital needs, vulnerabilities and long-term objectives (Abimbola et al. 2021).

The AU's latest Data Policy Framework does a good job of charting ways through which African states can harness digital technologies and data. It also identifies concepts and action points for the consideration of member states. Adopting a common approach to data, as advocated by the Framework, has major potential economic, developmental and political advantages to be gained as it facilitates cross border trade and services, economies of scale as well as innovation. Ensuring implementation will primarily require that these policies are in sync with the needs, interests and ambitions of member states. Involving member states in developing the implementation plan for the Framework will also be critical to ensuring buy-in. The implementation plan will likely begin with a few more digitally advanced states and can be scaled up. A realistic implementation plan and vigorous follow up will be vital to avoid the fate of the AU Convention on Cyber Security and Personal Data Protection (Malabo Convention) (AU 2014), adopted by 55 African Heads of State at the Ordinary Assembly of the AU in 2014, but that has still not gone into force, having been signed by only 14 states (AU 2022c).

Regional groupings can be an ideal intermediary between the strategies at the AUC level and implementation at the national level. Regional initiatives coordinated by the regional economic communities or by the intergovernmental Smart Africa Alliance will all be vital to building an African DSM, particularly when it comes to building infrastructure. The increasing centrality of digitalisation in development policies, development cooperation and geopolitics is likely to inspire various initiatives, platforms and institutions in the next few years. While this could be valuable, the risk of fragmentation, duplication and issues of coordination and overlapping institutional mandates - which tend to accompany emerging policy domains - should be pre-emptively and deliberately addressed.

Thirdly, Africa's engagement on digital policies should take a global scope. Digital transformation is a global phenomena and the rules that govern the digital economy tend to be made by global powers. More active engagement in global norm-setting on digital governance - through CAPs, alliance making or international public diplomacy - is an important step in ensuring the continent benefits from digital transformation rather than becoming its casualty.

At the institutional level, and as recommended in the AU's Data Policy Framework, African countries should work together to harmonise their approaches and influence global sectoral standards. African states, with the leadership of the AUC, should begin to come up with more CAPs and resolutions on key aspects of digital affairs that carry more political weight. These could be a basis for negotiations on e-commerce, intellectual property rights, privacy, commercial data, et cetera at the ITU, the WTO, WIPO or other multilateral fora where digital norms are shaped. While aligning positions of all member states and adopting CAPs is difficult, alliances among a few like-minded countries could be a starting point.

Africa cannot afford to be a spectator and a nominal participant in global norm setting if indeed the objective is to capitalise on digital transformation and also change Africa's economic and political position in the world. Lack of engagement in these global institutions can affect Africa's own digital trade aspirations under the AfCFTA, or how much the continent can benefit from its own data as the continent is subject to global principles and regulations whether or not it contributes to them.

The notion of data justice, which the Data Policy Framework sets as a policy framing for the continent's approach to data governance, can, for example, apply to global debates on data management, the regulation of tech companies and ethical concerns behind big data and AI. For example, the fact that a justice-oriented approach to data management accords equal importance to the needs and vulnerabilities of groups and communities - as it does to that of individuals - allows for identification of biases in relation to group identities based on race, age, gender, socio-economic background, language et cetera. These are essential

considerations when it comes to the exploitation of big data, AI and machine learning where there is an emerging scholarship that cautions the risk of perpetuating existing biases and power asymmetries with the wholesale adaptation of these technologies without sufficient scrutiny.

Africa's emphasis on justice and equity or on collective identities, rights and vulnerabilities in data management is arguably a cross-cutting theme in Africa's contributions to global issues ranging from international law, transitional justice, UN reform, climate change et cetera. Africa's emphasis on data justice - if amplified in its digital partnerships and international relations - can help frame the global conversation on data governance that the EU is also trying to shape with regulations including GDPR, the Digital Services Act, the Digital Markets Act and the AI Act, which is still under discussion.

To conclude, this briefing note discussed Africa's attention to continental data governance and its role in global norm setting. But, the need to also expand digital infrastructure, bridge the digital divide in terms of access to the internet and digital tools, and boost digital literacy and innovation in Africa should not be understated. Progress in digital infrastructure and governance can be achieved through political investment on the topic and by diversifying political and development partners and seeking partnerships with the private sector actors both at national and continental levels. This should be pursued without losing autonomy, being overly reliant on one partner and equally importantly, without losing the need to treat digital infrastructure as a public good. Digital advancement at the continental level will certainly boost the continent's global standing but countries in Africa and the AU would need to put serious effort into seizing the benefits, including by expanding their presence in multilateral fora and contributing to emerging norms on digital governance.

Acknowledgements

This paper is part of the Charter Project Africa, a pan-African effort focused on the commitments in the African Charter on Democracy, Elections and Governance (ACDEG), which promotes the use of technology to amplify citizen voices and open spaces of collaboration between citizens, civic initiatives and African Union policymakers, at the national, regional and continental levels with an emphasis on digital formats. It receives funding from the European Union.

This publication is co-funded by the European Union. Its contents are the sole responsibility of ECDPM and do not necessarily reflect the views of the European Union.

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In addition to structural support by ECDPM’s institutional partners: Austria, Belgium, Denmark, Estonia, Finland, Ireland, Luxembourg, The Netherlands and Sweden, this publication also benefits from a contribution by the European Union for the Charter Project Africa.



**Co-funded by
the European Union**

ISSN1571-7577