

The State of Data Privacy Laws in Africa Where are we now?

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African Data Privacy Systems

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graph TD; A((African Data Privacy Systems)) --- B[Data privacy policies & laws]; A --- C[Institutions  
(DPAs/Law enforcement/ Courts/Tribunals,etc)]; A --- D[Enforcement]; A --- E[Research  
(Privacy and data protection in Africa:  
an international bibliography project)];
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Data privacy policies & laws

Institutions

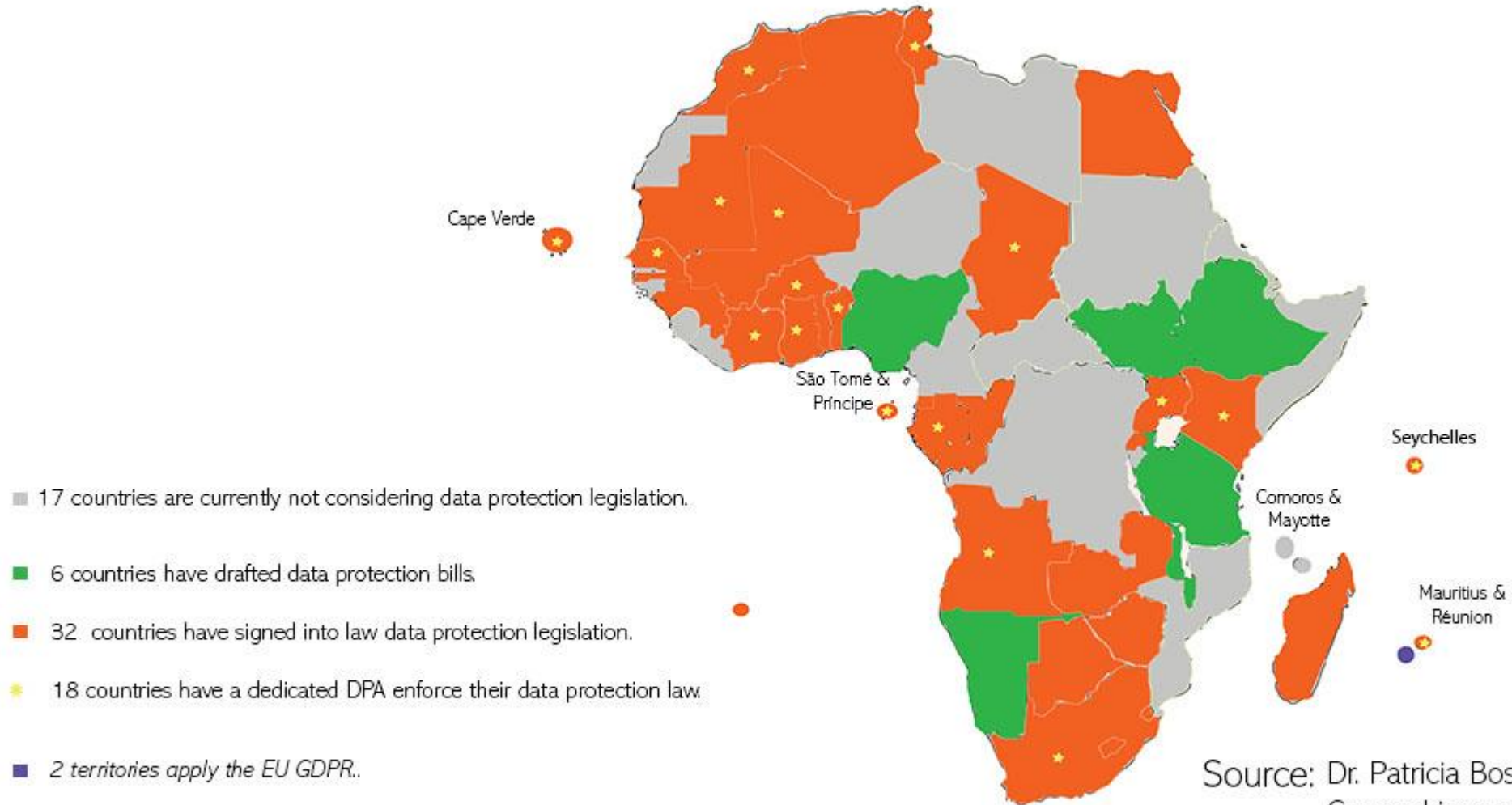
(DPAs/Law enforcement/ Courts/Tribunals,etc)

Enforcement

Research

(Privacy and data protection in Africa:
an international bibliography project)

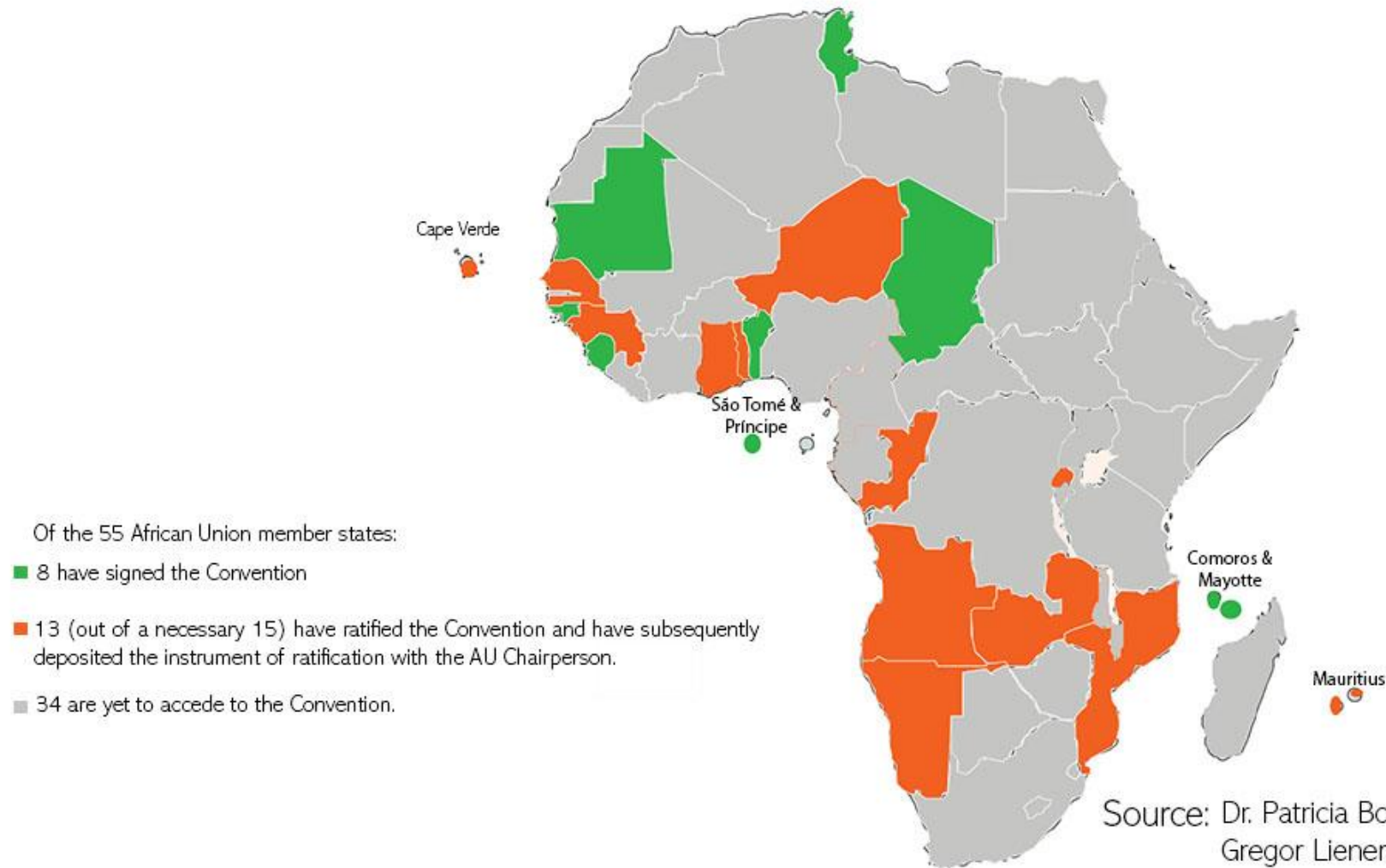
National Data privacy policies/laws across Africa



Source: Dr. Patricia Boshe, University of Passau, 2022
Gregor Lienemann, University of Passau, 2022

Regional data privacy policy in Africa

The Malabo Convention



Institutions & Enforcement

A. DPAs

- Models vs independence
- Capacity
- International cooperation (Association of DPAs)

B. Role of Courts/Tribunals

- Shapping data protection laws
- Dispute resolution
- Civil remedies/criminal sanctions

C. Law enforcement agencies (e.g police)

- Criminal investigation/prosecution
- Non – compliance of enforcement orders

Emerging issues

- A. Is there a distinct African perspective on privacy/data protection?
 - Culture?
 - Context relevance?
 - Public emergencies like Covid 19 Pandemic?
 - Emerging technologies (Artificial intelligence; cloud computing; Big Data analytics; IoT; ect)?
 - Initiatives?
- B. How relevant are African data privacy initiatives (e.g Malabo Convention, etc) in influencing “A” above?
 - Law reform?
 - International harmonisation?
- C. Law on the book vs law in action?
- D. Two decades of data privacy: progress or regression?

An international bibliography project

A. Aims

- The overall aim of IBP is to provide a state of research on data privacy in Africa over the period of two decades since 2001
- IBP builds upon an earlier work Makulilo, A., *Privacy and data protection in Africa: a state of the art*, IDPL, Oxford, 2012
- Provide a quick reference and a starting point for new research in the field of data privacy in Africa

B. Methodology

- Mainly qualitative research
- Includes six variables (Type of research/publication; themes, type of methodology; spacial coverage; authorship; timeliness)

C. Final output

- Book