

Data Sovereignty in Africa

Background

Africa's digital transformation is accelerating. The African Union's Digital Transformation Strategy places digitalisation at the centre of the continent's development agenda[1]. In 2025, Global System for Mobile Communications Association estimated 416 million mobile internet users in Africa, equivalent to a mobile internet penetration rate of 28 per cent, while the International Telecommunication Union put overall internet use on the continent at about 36 per cent of the population[2][3]. The Africa Data Centres Association estimates that Africa still accounts for only 0.6 per cent of global data-centre capacity[7]. Public trackers reported 43–44 African countries with data protection laws by early 2026, depending on methodology, and 38 fully operational data protection authorities[14][15]. The governance challenge is therefore no longer only about connectivity; it is also about who governs, stores, secures, and derives value from African data.

For purposes of this brief, **data sovereignty** means the right and practical ability of a State to govern data generated within its jurisdiction through its own laws, institutions, technical controls, and economic policy choices[4][5]. It has four interconnected dimensions: legal jurisdiction, institutional control, economic sovereignty, and security/confidentiality[4][5][8].

Why it matters now

Weak data sovereignty arrangements expose African countries to five linked risks: compromised statistical integrity; weaker policy autonomy; continued digital extractivism; weaker protection of personal data and related rights; and exposure of sensitive information to foreign legal process[6][8][9][10][24]. The Malabo Convention entered into force on 8 June 2023 and had 20 ratifications/deposits as of 2 February 2026[6].

Five pillar framework for action

- Legal and regulatory architecture: assert jurisdiction over nationally generated data, classify data by sensitivity, and regulate cross-border transfers with clear safeguards[5][11][13].
- Institutional strengthening: equip data protection authorities, national statistical offices, and government coordination units with the legal mandate and technical capability to enforce the rules[15][16][24].
- Sovereign data infrastructure: expand domestic and regional hosting capacity, reform cloud procurement, and keep key technical controls, especially encryption governance, under sovereign control[7][23].
- Continental cooperation: use the AfCFTA Digital Trade Protocol and related annexes to support interoperable intra-African data flows while preserving policy space for sensitive and sovereign data[11][12][13].
- Human capital and civic engagement: train officials, grow specialist talent, and strengthen public awareness of data rights and governance obligations[5][24].

Call to action

Africa is home to close to 1.6 billion people, and the data generated by public authorities, private companies, and households is now a strategic asset [25]. Treating data sovereignty as a governance priority is therefore essential to statistical integrity, public trust, economic value creation, and strategic autonomy. ECA can support member States through technical advisory services, knowledge products, capacity development, and open-source data tools designed for African statistical systems[24].

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