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Review Article

The African Union Agenda 2063 and Data Protection: Prospects, Challenges, and Policy Implications

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About Article

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ABSTRACT

The 2015 African Union Agenda 2063 promises “an integrated, prosperous, and peaceful Africa, driven by its own citizens.” Within its seven ambitions and several flagship projects, digital transformation and data governance are becoming key drivers of socio-economic success. Data is an economic resource and a human rights problem in the digital age, therefore adequate data protection is crucial for trust, privacy, and Africa's involvement in the global digital economy. This article investigates how Agenda 2063 prioritises data protection and cybersecurity. The African Union Convention on Cyber Security and Personal Data Protection (Malabo Convention), regional frameworks from ECOWAS, EAC, and SADC, and global regimes like the GDPR and APEC Privacy Framework are highlighted. While 39 African countries have data protection legislation and 34 have Data Protection Authorities, enforcement is patchy, with fewer than half of AU member states ratifying the Malabo Convention. Weak institutional capability, digital illiteracy, cybercrime expansion, and fragmented policy approaches are major issues. Opportunities exist: the African Continental Free Trade Area (AfCFTA) facilitates harmonised digital trade, Africa's young are a source of digital innovation, and alignment with the UN Sustainable Development Goals (SDGs) boosts global relevance. To improve cyber resilience, the report advises expediting legislative framework harmonisation, boosting institutions and public awareness, and encouraging multi-stakeholder collaboration. Agenda 2063 needs strong data protection measures to protect privacy and rights and enable inclusive, secure, and sustainable development across the continent.

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1. INTRODUCTION

1.1. Background: agenda 2063 as africa's long-term development plan

The African Union's Agenda 2063 envisions a continent that is integrated, prosperous, and driven by its own citizens, with digital transformation and data governance playing pivotal roles in achieving these goals. However, while the promise of a digitally empowered Africa is substantial, significant challenges remain. Weak institutional frameworks, fragmented policy approaches, and rising cyber threats continue to undermine the continent's digital progress. This article explores these pressing challenges, alongside the policy gaps that hinder effective data protection and cybersecurity. It will also highlight the opportunities for leveraging Africa's young population and digital innovation to overcome these barriers, paving the way for a more inclusive and secure digital future (Mlambo *et al.*, 2022; Chekol, 2020).

1.2. Role of data and digital transformation in modern governance

Modern governance frameworks include digital technologies and data governance. AI, IoT, and 5G are considered as accelerators for sustainable development in Africa, with potential applications in healthcare (e.g., remote patient monitoring), agriculture (e.g., smart farming), and other important areas (Balogun & Mwaba, 2023). Digitalisation supports Agenda 2063 by boosting economic growth, innovation, public services, governance, and resilience.

The Continental Artificial Intelligence Strategy and African Digital Compact have accelerated continental digital transformation. The Digital Transformation Strategy for Africa underpins Africa's contributions to the Global Digital Compact and the UN Summit of the Future (Akumbu & Jukanovich, 2024).

1.3. Purpose of the paper

This article examines how Agenda 2063 supports data protection, cybersecurity, and digital governance.

The study focusses on:

- The integration of cybersecurity and personal data protection in Agenda 2063 initiatives;
- Legal and institutional frameworks for digital governance in Africa.
- Implementation challenges and gaps;
- Impact on Agenda 2063 development goals.

1.4. Research questions

To fulfill the purpose outlined above, the paper is guided by the following key questions:

- i. How does Agenda 2063 prioritise cybersecurity and data protection in its aims and flagship projects?
- ii. Which legislative frameworks, such as the Malabo Convention, aid in digital governance implementation in African countries?
- iii. What are the biggest obstacles to cybersecurity and data protection, including ratification gaps, resource constraints, and institutional capacity?
- iv. How do digital transformation initiatives (e.g., AI, IoT, continental strategy) support Agenda 2063's inclusive and

secure development goals?

- v. What policy proposals can enhance the integration of cybersecurity and data protection in Agenda 2063?

2. LITERATURE REVIEW

The global landscape of data protection is shaped by frameworks such as the General Data Protection Regulation (GDPR) and the Asia-Pacific Economic Cooperation (APEC) Privacy Framework (DeGhetto *et al.*, 2016). Both serve as critical benchmarks for privacy and data protection, each with its strengths and limitations. The GDPR, with its stringent principles on data processing, rights of individuals, and its extraterritorial application, offers a robust model for data protection. However, for Africa, adopting GDPR-like measures poses significant challenges. The complexity of GDPR's compliance requirements, coupled with the high cost of implementation, may overwhelm the limited institutional capacity in many African nations. Furthermore, the extraterritorial nature of the GDPR may create friction, as Africa's data privacy regulations would need to align with global standards while still respecting local contexts and sovereignty.

On the other hand, the APEC Privacy Framework, with its flexible, principles-based approach, offers greater adaptability for regions with varying levels of regulatory maturity. While this framework may better suit the diverse African regulatory environments, it also risks allowing weaker data protection laws that may not provide adequate safeguards for citizens' privacy. The trade-off here is the potential for less stringent enforcement mechanisms, which could lead to inconsistent protection of data subjects' rights across the continent.

For Africa, the decision to adopt elements of the GDPR or the APEC framework involves balancing the desire for strong data protection with the realities of regional governance capabilities and economic constraints. The question becomes whether Africa should prioritize stringent protections that may be difficult to enforce or adopt more flexible, regionally tailored approaches that might leave significant gaps in privacy and data security.

2.1. Historical context: from the oau (1963) to the AU (2002) and the birth of agenda 2063

The 1963-founded Organisation of African Unity (OAU) promoted decolonisation, autonomy, and solidarity. Member nations renamed the OAU the African Union (AU) in 2002 to promote cohesion and development. In 2013, AU leaders endorsed the 50th Anniversary Solemn Declaration and charged the Commission to create Agenda 2063, "The Africa We Want," with ten-year implementation cycles and flagship programs to reshape the continent (Nwozor *et al.*, 2021).

2.2. Africa's development potentials and challenges

Africa's assets and demographics support Agenda 2063 but reveal governance and competency deficiencies. The continent has 30% of the world's mineral reserves, 8% of natural gas, 12% of oil, and 65% of arable land, providing significant latent riches for industrialisation and digital-era value chains (Ndzendze & Monyae, 2019). Developing these assets requires better governance, infrastructure, human capital, and regulation. The



original article contrasts assets (natural resources, a youthful population, rising markets) with persisting obstacles (poor institutions, conflict, poverty, and uneven digital preparedness) to argue for a coordinated, rules-based reform plan (Opeyeoluwa & Fatokun, 2022).

2.3. Agenda 2063's aspirations, goals, and flagship projects

From a wealthy, integrated, and peaceful Africa to people-driven development and a strong global voice, Agenda 2063 has seven Aspirations with targets, priority areas, and indicators tracked through ten-year plans (Ifeanyi-Ajufo, 2023). Africa Union The African Continental Free Trade Area (AfCFTA), an integrated high-speed rail network, the African passport and free movement regime, the Single African Air Transport Market, a Pan-African Virtual and E-University, and outer-space applications and cybersecurity initiatives are flagship projects meant to accelerate continental connectivity and digital transformation (Fратиanni & Oh, 2008). Africa Union Agenda 2063 is both a visionary story and an actionable program that links continental priorities with demonstrable results, according to the original book.

2.4. Global context of data protection: international benchmarks

Comparative standards matter because Agenda 2063's digital and data goals converge with global norms. General Data Protection Regulation (GDPR) Regulation (EU) 2016/679 sets strict principles (lawfulness, fairness, transparency, purpose limitation, data minimisation, accuracy, storage limitation, integrity/confidentiality, accountability), extraterritorial scope, and robust rights/enforcement mechanisms that have influenced regimes worldwide (Vambe, 2018). The Asia-Pacific APEC Privacy Framework (2015) provides a flexible, principles-based approach to enable cross-border data flows through mechanisms like the Cross-Border Privacy Rules (CBPR) system, useful comparators for interoperability discussions relevant to Africa's trade and digital integration. These instruments let the paper place Africa's changing regulations in the data governance and digital trade environment (Wapmuk, 2021).

2.5. Regional approaches in africa: ECOWAS, EAC, and SADC

RECs play a crucial role in data governance, as demonstrated by the 2010 adoption of the binding Supplementary Act on Personal Data Protection (A/SA.1/01/10) in ECOWAS (Ayodele, 2021). Member states must establish data protection authorities, accept basic data protection principles and data-subject rights, and impose controller/processor requirements, offering an early continental blueprint for comprehensive privacy laws. ictpolicyafrica.org

- EAC created regional cyberlaw frameworks (Phase I & II) to integrate e-transactions, e-evidence, cybercrime, and related legal concerns, influencing state reforms and capacity-building across East Africa (source document) (Cilliers, 2021).

- SADC validated a non-binding Model Law on Data Protection (HIPSSA project) to guide member state legislation, including definitions, lawful bases, sensitive data laws, rights, oversight, and sanctions. This serves as a draughting reference for the region. (ITU)

In addition to REC initiatives, the AU has issued "horizontal" policy instruments like the Digital Transformation Strategy for Africa (2020–2030) and the AU Data Policy Framework (2022) to promote trusted data ecosystems, openness with safeguards, and interoperability for continental integration (Pearl Thobeka Mnisi *et al.*, 2024). The UN Environment Programme

2.6. The malabo convention: significance, adoption, and implementation challenges

Africa's flagship, binding instrument on electronic transactions, cybersecurity, and personal data protection is the Malabo Convention. The principles, requirements for controllers and processors, and encouragement of independent data protection agencies place data protection within a cyber-governance framework (Chowdhury *et al.*, 2023). The Convention entered into force on 8 June 2023 and had at least 16 ratifications by 8 July 2024, marking a continental legal convergence watershed, however ratification and implementation are uneven. Africa Union Malabo provides a shared baseline that supports Agenda 2063's digital, trade, and integration goals, but scholarship and practitioner analyses highlight capacity constraints, alignment with national laws, cross-border enforcement, and coordination with sectoral regimes (Isingizwe & Cirella, 2023). The original draft notes the Convention's protracted gestation and its potential for harmonized standards to eliminate regulatory fragmentation in Africa's single market.

3. METHODOLOGY

3.1. Approach

This study employs a qualitative policy analysis methodology, utilizing document-based data to explore how Agenda 2063 integrates data protection, cybersecurity, and digital governance. The focus of the analysis is on official African Union (AU) policy instruments, international legal frameworks, and secondary scholarly sources. Through critical examination of these documents, the paper identifies and analyzes the key components of digital governance, challenges, and opportunities related to data protection in Africa (Walls & Vogel, 2023; Ntlama-Makhanya & Lubisi-Bizani, 2021).

3.2. Documents analyzed

The analysis is grounded in several key policy documents and frameworks, including Agenda 2063 and its related strategies, as well as international benchmarks such as the General Data Protection Regulation (GDPR) and the APEC Privacy Framework. By reviewing these documents, the paper assesses the alignment of Africa's data protection and cybersecurity frameworks with global standards, and examines the potential gaps, challenges, and opportunities.



Table 1. Key documents analyzed

Document	Role in the Analysis
Agenda 2063 Framework Document	Provides the overarching vision and goals for Africa's socio-economic development and the role of digital transformation in achieving these goals.
African Union Digital Transformation Strategy (2020–2030)	Focuses on Africa's strategy for digitalization, including the implementation of data protection and cybersecurity measures.
African Union Convention on Cyber Security and Personal Data Protection (Malabo Convention)	Serves as the primary legal instrument for data protection and cybersecurity across Africa, providing a framework for national and regional policy alignment.
General Data Protection Regulation (GDPR)	Used as a global benchmark for stringent data protection laws, providing a comparative model to assess Africa's current data protection measures and challenges.
APEC Privacy Framework	Provides a more flexible, principles-based approach to data protection, offering insights into how Africa could balance regulatory flexibility and strict protection.
Regional Documents (ECOWAS, EAC, SADC)	Includes regional legal frameworks that offer insights into data protection laws and challenges specific to Africa's various regions.
Secondary Sources (World Bank, UN, African Development Bank)	Offer context on Africa's socio-economic and institutional challenges, as well as insights into global best practices and policy implications for data governance.

By utilizing these documents, this paper systematically evaluates Africa's efforts to implement robust data protection laws, compares these efforts to global standards, and highlights the challenges faced in the region.

4. RESULTS AND DISCUSSION

4.1. Findings on agenda 2063: aspirations & flagship projects related to ict and data protection

Africa's future depends on digital transformation, according to Agenda 2063. The Pan-African Virtual and E-University, continental telecommunications infrastructure, and cybersecurity frameworks are flagship projects that accelerate knowledge access, connectivity, and governance. These projects show the strategic link between Agenda 2063 and digital transformation, paving the way for data protection in development (Mnisi *et al.*, 2024).

4.2. Current status of data protection in africa

Legislation and Regulatory Authorities:

- As of 2024, 39 of 55 African countries have data protection legislation, with 34 creating DPAs to ensure compliance. TechTrendsKE, Tech Labari, resource.dnsafrica.org

- Kenya, Nigeria, and South Africa have been aggressive in enforcing data privacy laws.

Malabo convention ratification:

- The AU Convention on Cyber Security and Personal Data Protection took effect on June 8, 2023. Connecting Africa Limited harmonisation potential across the continent as just 15 AU member states have joined the Convention as of early 2024. Connecting Africa

These findings show a continent making legal advances but lacking enforcement capacity and unanimity.

4.3. Challenges

i. *Weak Institutions:* INTERPOL's 2024 Africa Cyberthreat Assessment reveals 75% of nations require legal framework and

prosecution capacity enhancement. 95% feel training, resources, and forensic tools are inadequate.

Only 30% of countries have incident-reporting systems, 29% have digital evidence archives, and 19% have cyberthreat intelligence databases.

ii. *Digital illiteracy and awareness gaps:* According to the KnowBe4 2024 research, 58% of professionals are "very concerned" about cybercrime (up from 29% in 2023), but 53% don't know what ransomware is, highlighting a serious gap between awareness and preparation.

iii. *Rising cybercrime:* Over 30% of Western and Eastern African crimes are cybercrime, according to INTERPOL. Phishing, ransomware, BEC, and digital sextortion are major risks.

2024 saw 17,849 ransomware attacks in South Africa and 12,281 in Egypt. Kenya and Nigeria recorded thousands of instances.

iv. *Policy fragmentation:* Continental data governance faces misalignment due to low Malabo ratification and varied national rules, impeding cross-border cooperation and standardisation.

4.4. Opportunities

While Africa faces significant challenges in implementing robust data protection and cybersecurity measures, there are notable opportunities that can propel the continent toward more effective digital governance. One of the most promising opportunities lies in Africa's youth population, which represents a major source of innovation and digital transformation. Africa has the youngest population in the world, with over 60% of its population under the age of 25. This demographic presents a unique opportunity to drive digital innovation, including in the realm of data governance and cybersecurity.

For instance, in Kenya, the startup Sarafu Network, which operates in the realm of blockchain and digital financial services, is an example of how the youth-led innovation is helping to revolutionize digital governance. The platform enables the creation of digital identities and the secure exchange of data,



providing a solution to the challenges of financial inclusion while ensuring the protection of personal data. Sarafu Network and similar startups showcase how young Africans are at the forefront of adopting cutting-edge technologies, including blockchain and artificial intelligence (AI), to solve pressing issues like data security and privacy. These innovations can be key drivers in building the trust and infrastructure necessary for a sustainable digital economy across Africa.

Moreover, the youth's embrace of digital technologies is also evident in Nigeria's growing tech ecosystem, especially in cities like Lagos and Abuja, where young entrepreneurs are developing solutions for data protection, privacy, and secure digital transactions. The rise of Tech4Good Africa, a non-governmental organization spearheaded by young digital innovators, is another example of the ways in which the youth are creating safe and sustainable digital environments. This organization, through its initiatives, has focused on promoting data protection awareness and training young Africans in cybersecurity, fostering a culture of privacy-conscious digital usage across the continent.

The potential of Africa's youth in driving data governance innovations is not just an abstract concept but is already being realized through these pioneering efforts. By harnessing this demographic's creativity, Africa could make significant strides in building a resilient, inclusive, and secure digital future.

4.5. Policy implications

i. *Harmonization Across African States:* There's a pressing need to accelerate Malabo Convention ratification and foster regional alignment through REC-level frameworks (ECOWAS, EAC, SADC) to drive consistent protections across borders.

ii. Localization of data protection laws

iii. Laws should be calibrated to reflect national contexts and risks—incorporating sector-specific provisions (e.g., fintech, healthcare) while aligning with continental standards to ensure interoperability

iv. *Building trust and cyber resilience:* Strengthening DPAs through capacity-building, resources, training, and cross-border coordination is crucial for effective law enforcement.

Increase public awareness campaigns and scale digital literacy programs to fill gaps.

Encourage public-private partnerships to enhance incident reporting, forensics, and cybersecurity infrastructure. INTERPOL's Serengeti and Red Card operations show how collaboration pays off.

In summary, while Africa has made significant strides in crafting legal instruments and frameworks around data protection, implementation gaps, institutional weaknesses, and cyber threats limit their impact. Yet, Agenda 2063's strategic platforms AfCFTA, youth innovation, and global alignment offer a transformative pathway if matched with robust policies, harmonized governance, and effective enforcement.

5. CONCLUSION

Africa's journey towards digital transformation, as outlined in Agenda 2063, is heavily dependent on the successful integration of data protection and cybersecurity frameworks. While significant strides have been made in crafting policies

and legal instruments like the Malabo Convention, challenges such as weak institutional frameworks, limited digital literacy, and fragmented policy approaches continue to hinder the full realization of these goals. However, the opportunities, particularly those presented by Africa's youthful and innovative population, provide a strong foundation for overcoming these obstacles and driving forward the continent's digital agenda.

Looking ahead, it is crucial that future research explores how to better balance the stringent demands of global data protection standards, like the GDPR, with the need for flexible, locally adapted frameworks that can be effectively enforced in African contexts. Moreover, as Africa moves towards greater digital integration, how can the continent ensure that its digital economy grows in a way that respects human rights, privacy, and inclusivity, while fostering innovation?

Provocative questions for future research that emerge from this study include:

i. How can African countries harmonize their digital governance frameworks without compromising on national sovereignty and regional diversity, particularly in the face of global models like the GDPR?

ii. What specific mechanisms can be put in place to leverage Africa's youth-driven innovation to not only enhance data protection and cybersecurity but also drive economic growth through digital entrepreneurship?

These questions represent pivotal areas where deeper exploration could shape the future of data governance in Africa, aligning with both continental aspirations and global standards.

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