



MAXIMISING PUBLIC AWARENESS FOR PARTICIPATORY DATA GOVERNANCE IN AFRICAN COUNTRIES

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CONTENTS

Acknowledgment	I
Executive Summary	2
Introduction	3
Public Participation In Data Governance	4
The Role Of Public Awareness In Fostering Participation	8
Why Public Awareness On Data Governance Issues Is Low	9
Addressing Constraints To Public Awareness And Participation	10
Conclusion	12
References	13
Appendices	15

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EXECUTIVE SUMMARY

This research report examined some of the various ways of improving public awareness so that citizens can play a more active role in developing data governance strategies for more responsible use of data in Africa's emerging data driven economy. The report findings show that as data subjects, citizens are very important stakeholders and as such, their participation is necessary for effective data governance. However, citizen participation in data governance issues is low in African countries. While there are few isolated good examples of participatory data governance in African countries such as Kenya and South Africa, there is a lot more to be done especially on leveraging public awareness for more public participation. Some of the factors identified that limit the level of public awareness and participation in data governance on the African continent include lack of strategic direction by policymakers, limited understanding of stakeholders' responsibilities, low data and digital literacy levels, negative public perception on public policy development, low evidence-based research, and slow-paced regional leadership on data governance issues.

To address these challenges, there is an urgent need to mainstream awareness campaigns into national digital and data governance strategic plans; ensure peer-learning among state and non-state actors and facilitate multi-stakeholder collaborations. The findings of this report will be useful for policy makers (regional, sub-regional and national policymakers), civil society groups, private sector actors, and those seeking to draw on the opportunities in public awareness to strengthen democratic and people-backed data governance in African countries.



1. INTRODUCTION

A major argument for advocating for a participatory approach in developing Africa's data policies and systems stems from the underlying drivers and principles guiding data governance. These principles cut across several themes such as human and digital rights protection, transparency and accountability, that are geared towards engendering greater confidence in the data ecosystem, for more purposeful development outcomes.¹ In view of this, it is impossible for policy makers to effectively protect citizens' data rights without extensive collaboration with, and input from the people being protected. But how can the public be active in data policy processes and systems or hold responsible parties accountable if they are not fully aware of their rights and responsibilities?

What this suggests is that public engagement and awareness is required to enable citizens to actively participate in shaping what affects their lives and in this case, this includes data policies.² Such engagement extends beyond passive attendance of citizen representatives at public fora, or issuance of public notices by regulators on new data regulations just to tick a box (Phamodi, Singh, & Power, 2021). Rather, it requires the public to be fully empowered and capable of contributing to decision making in building effective data governance. However, the conversation on citizen empowerment for data governance cannot even begin if the public has rather limited understanding of the risks surrounding data use for instance. Or in the case of online data, how can Africa's digitally excluded population actively participate in governing digital data? Such excluded population are left powerless as to how data is being utilized. They are also unable to make significant contributions as the mode of public participation in policy making evolves, with the use of social media channels or virtual townhall meetings.

Although measurable indicators for assessing public participation or public awareness on data governance issues on the continent remain scarce, it is obvious that there is a growing need to explore contextually feasible ways to ensure that the citizenry can contribute to designing reliable and trustworthy data policy solutions that can propel inclusive data driven transformation for good in the African region.

To this end, the major objective of this report is to identify how public awareness can be leveraged as a tool for ensuring more active public participation in data governance processes in Africa. Using a combination of desk research, case studies and surveys completed by relevant stakeholders, the study evaluates the barriers to expanding public awareness and public participation in data governance in Africa, and the opportunities for addressing these barriers.

The report is divided into six sections. The first section introduces the context of the study while the second section provides an overview of the state of public participation in data governance in African countries. Section three highlights the importance of public awareness in empowering citizens, followed by section four which highlights the various challenges restricting the level of citizen awareness/participation within the African context. The fifth section identifies some specific ways public awareness can be used to improve public participation in data governance and how these identified ways can be mainstreamed into current and new efforts at ensuring effective data governance in African countries. Section six concludes the discussions.

¹ [CSIS \(2019\) Data Governance Principles for the Global Digital Economy; UN \(2020\) Data Strategy of the Secretary-General for Action by Everyone, Everywhere with Insight, Impact and Integrity](#)

² [OECD \(2021\) Recommendation of the Council on Enhancing Access to and Sharing of Data](#)

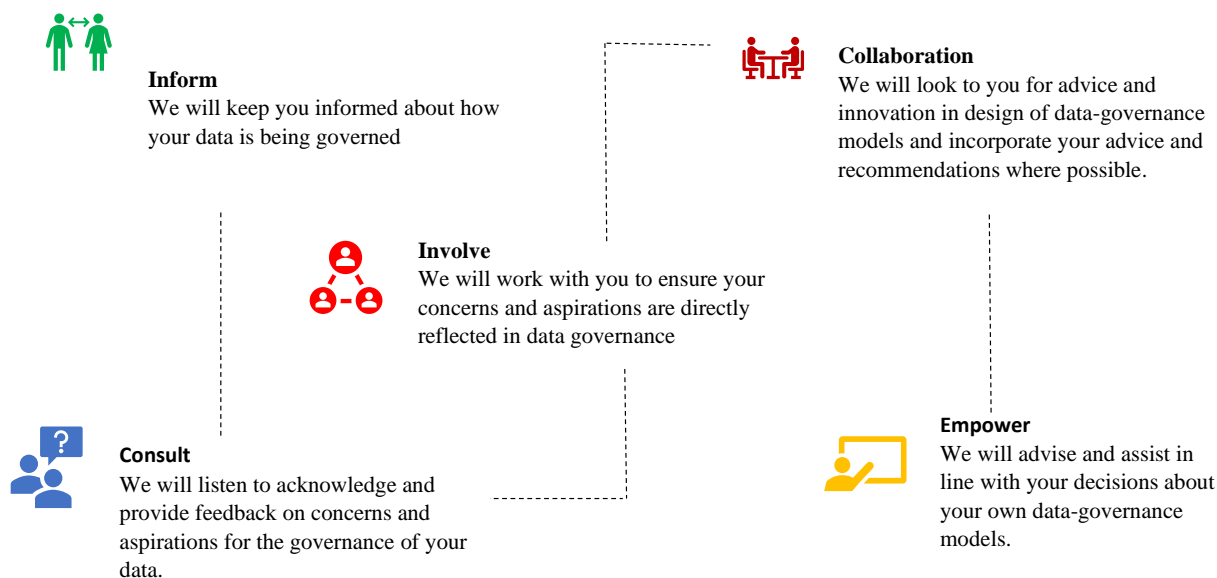
2. PUBLIC PARTICIPATION IN DATA GOVERNANCE

2.1 What Does Public Participation Look Like?

Public participation is the engagement of the public in influencing decisions that affect their lives (Masango, 2001). Public participation in data governance deals with seeking and utilising public feedback on data policies through transparent processes (Gurumurthy, Bharthur, & Chami, 2017). It focuses on people-driven data governance regimes and how public consultations and maximisation of such consultations yield effective data governance. This involves the public's ability to influence how their data is being collected, processed or shared. Public participation also takes the form of government keeping the public informed on how data is being governed, governments' willingness to listen, acknowledge, and provide feedback on concerns and aspirations regarding data governance. It includes empowering the public to advise and assist with decisions on data governance models, collaborating with the public in designing innovative data governance initiatives, and involving the public to ensure their concerns and aspirations are directly reflected in how data is regulated. The role of public participation in developing digital frameworks has also been found to be important in ensuring enterprise, expertise and cooperation (Gurumurthy, Bharthur, & Chami, 2017). This importance is underscored not only by digitally accessible tools but increased digital literacy among publics.

Ada Lovelace Institute, an organisation that seeks to ensure that data and artificial intelligence work for people and society has identified five features of public participation in data governance.³ The features include informing, consulting, involving, collaborating, and empowering people.

Figure 1: Framework for public participation



Source: Adapted from Ada Lovelace Institute

- Information provided to the public on data issues should be clear, easy to understand, accessible, meaningful, and complete. This means that the public should be able to understand the rationale for data use; the person(s) or entities responsible for such use; the kind of data used; safety precautions taken to protect data and the possible impacts of such data use.

³ [Ada Lovelace Institute: Participatory Data Stewardship.](#)

- Consultation needs to be effective. In terms of building people-backed data governance policies, the public should be engaged at the policy formation stage and not later, and given sufficient information to enable them make relevant contributions to the policy development process. The outcome of such consultations should be properly documented for increased transparency, and careful consideration should be given to the inputs received.
- Involvement of the public in data policy making is particularly important as it promotes a sense of belonging and ownership. Oftentimes, depending on the level of data and digital literacy, involving the public in drawing up policies would require engaging both strategic stakeholders and the general public. This process might take a longer time as it requires both categories of stakeholders to be carried along on important aspects of deliberation.
- Collaboration includes active deliberation among right-holders and duty-bearers in the data governance ecosystem. Ideally, this involves scoping and aligning data values and data sharing; co-designing frameworks that will guide such values and evaluating the impacts of such frameworks through participatory approaches.
- Empowerment means that inclusive processes are developed in such a way that full and active managerial powers in decision-making on data governance issues are vested in the public. This includes how data is shared, governed and used.

When engaging the public in setting data governance policies, this ordinarily done throughout the different stages of the policy cycle, depending on local context. This could be right from the point of envisioning what a country's data governance agenda could look like, to developing and responding to data policy proposals, up to the point of implementation.

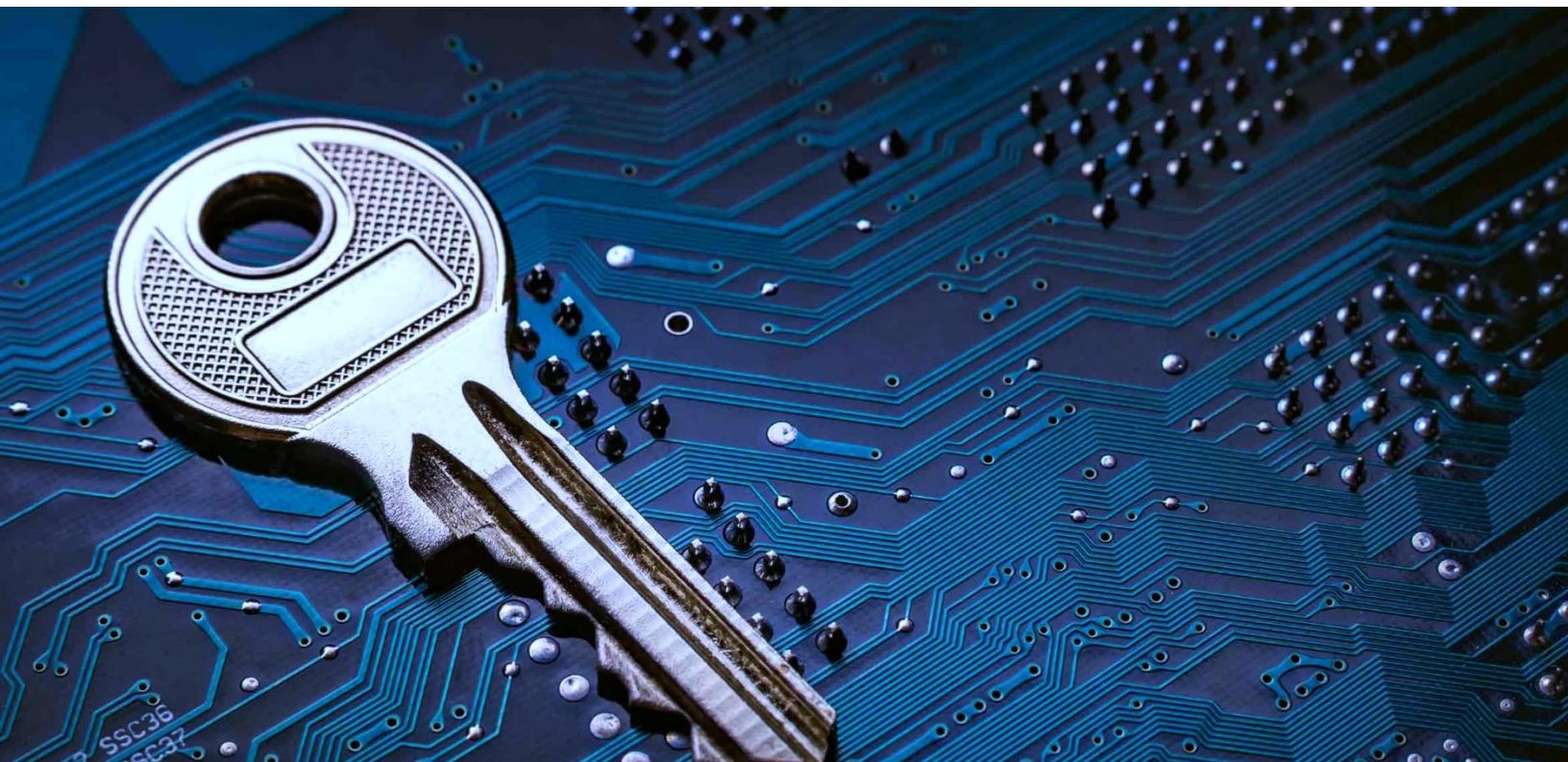
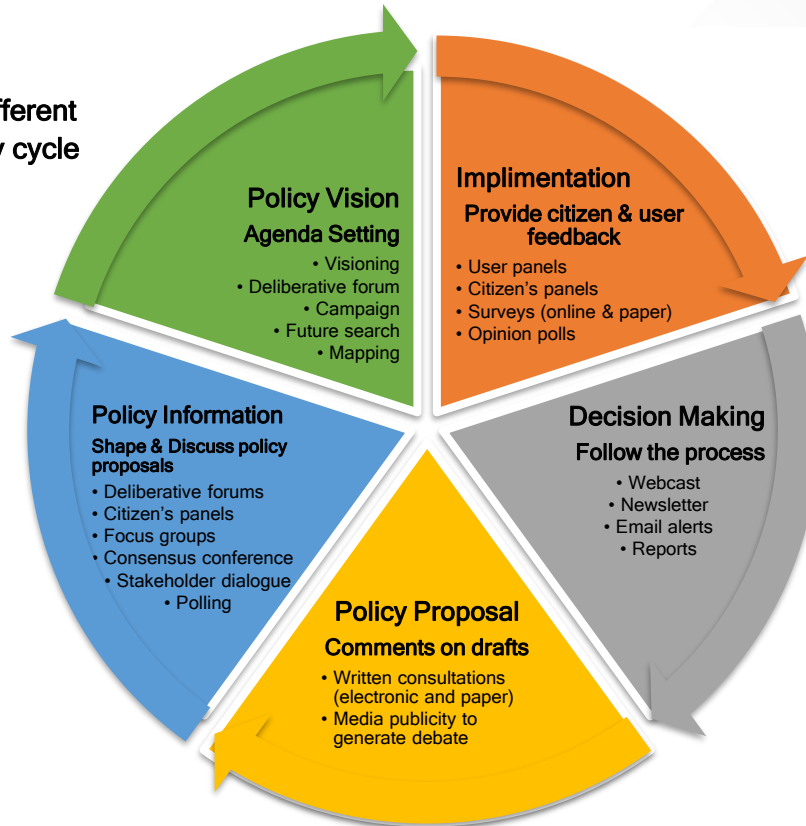


Figure 2: Public engagement in the policy cycle

Engagement at different points in the policy cycle



Source: Adapted from The Involve Foundation

2.2 Current State of Public Participation in Data Governance Processes

Currently in some African countries, there are notable gaps in the level of public engagement in developing data governance frameworks. A recent global study on data governance attributes by Aaronson et al., 2021 which included seven African countries – Cote d'Ivoire, Ethiopia, Kenya, Morocco, Nigeria, South Africa, and Uganda, highlights some of these gaps. One of the attributes of data governance which the study evaluates, is on public feedback and participation as shown in figure 3.

Figure 3: Assessment of participation attribute in data governance strategies in African countries

Country	Public consultation on personal data protection	Public consultation on public data	Expert advisory body on data ethics	Expert advisory body on data driven change and impact on society
Côte d'Ivoire	Absent	Present	Present	Absent
Ethiopia	Present	Absent	Absent	Absent
Kenya	Present	Absent	Absent	Absent
Nigeria	Present	Present	Absent	Absent
Morocco	Absent	Absent	Absent	Absent
South Africa	Present	Present	Absent	Absent
Uganda	Absent	Absent	Absent	Absent

Present ■
Absent ■

Source: Digital Trade and Data Governance Hub

While the above performance is not a final conclusion of the effectiveness of data governance in the highlighted countries, neither does it assess how effective the existing participation processes are, it does present a picture that suggests that African governments do not seek adequate public input in developing data governance policies and in instances where they do, these inputs are not necessarily used to frame policy outputs.

Another study by the African Declaration on Internet Rights and Freedoms Coalition (AfDec) on data legislative processes in eight African countries also indicates a trend of minimal inclusion of the public in these processes.⁴ For example, in Ethiopia, it appears that much of the work that went into the first two versions of the Draft Personal Data Protection Proclamation released in 2009 and 2020, was undertaken behind closed doors. The AfDec study notes that the most recent draft was only made available to a few groups and not the wider public, restricting public consultations. In Uganda, while there were public consultations prior to enacting the Data Protection and Privacy Act, 2019, the consultations seemed to lack wide representation. In total, only 34 stakeholders responded to the call for consultations; and responses from civil society organizations representing marginalised groups was evidently missing.

In addition, based on feedback from key informants consulted during our study, we observe that for countries where public participation is somewhat being used to strengthen data governance, public awareness often plays a key role. The typical ways countries like South Africa and Kenya support public participation in developing data governance policies are through strategic public awareness initiatives such as sharing information in local languages, collaboration with stakeholders and transparency in seeking and utilising of public feedback as depicted in figures 4 and 5. However, based on responses from stakeholders consulted in Egypt, Democratic Republic of Congo, Mozambique, Rwanda, and Benin, similar commitments to public awareness campaigns or processes seem to be lacking.

Respondents from Tanzania, Uganda, Nigeria, Democratic Republic of Congo, Rwanda and Benin, also note that data governance is primarily government led through regulations, suggesting that policy outputs on data governance are developed and adopted mainly by policy makers without sufficient public input or contributions from non-government stakeholder groups. The implication here is that data policies and regulations in such instances may not have the desired impact on the economy for different reasons. For instance, it risks being “one-sided” which could lead to omitting key provisions or important sections in the data policies that could benefit the masses or adopting processes that are not practical.

Figure 4 - South Africa: actions to enhance public participation in data governance

In South Africa, the most recent strategic reports of the Information Regulator all have a specific programme on education and communication. This programme is further divided into two sub-programmes:

a. Education and Public Awareness: This is responsible for public education, awareness, and stakeholder engagement.

b. Communication and Media Relations: This is responsible for liaison with the media and communication of the Information Regulator’s programmes.

Some of the specific ways these sub-programmes have been implemented especially between 2021-2022 include carrying out four targeted awareness campaigns, publication of four media statements and carrying out a combined total of 31 media interviews in broadcast, print and online media. The Information Regulator’s activities on public awareness is supported by a dedicated project on public awareness which is managed by a Public Awareness Manager. The Manager’s role includes developing educational materials, facilitating education programmes, coordinating awareness campaigns and other awareness-raising activities on behalf of the Information Regulator.

Source: Information Regulator’s Annual Report (2020); Annual Performance Plan (2021); Strategic Plan (2021).

⁴ APC (2021): [Privacy and personal data protection in Africa: A rights-based survey of legislation in eight countries](#)

Figure 5 - Kenya: Public participation in national identity card system

The Huduma Namba is a national identity card (ID) system by the Kenyan National Integrated Identity Management System introduced by the Kenyan government in 2018. The ID system requires collection of personal information into a national population database, and the ID was to serve several purposes including access to public services. In a recent court case though, three organisations including the Kenyan Human Rights Commission successfully challenged the constitutional validity of the ID system. The major contention against the ID system was the exclusion of millions of Kenyan residents from accessing public services while also giving the government overreaching and unchecked access to personal information of the Kenyan public. The Court found that the ID system rollout did not conform with the Kenyan Constitution and Data Protection Act, on carrying out thorough human rights impact assessment before such roll out (King'ori, 2022). Various civil society actors launched public awareness initiatives that ranged from using mass media to sensitize the Kenyan public on the perceived danger of the Huduma Namba while they also collaborated across sectors to share important information of the ID system. This provides an example of how public awareness can spur active citizen involvement in policy outcomes on data related issues.

Source: (Huduma Namba, 2021)

It is apparent that overall, public contribution in data governance is low in African countries, and this is mainly due to lack of awareness of data rights and the role of the public in formulating and envisioning a strategic agenda for the data ecosystem.⁵



⁵ [Open Government Partnership \(2021\): Data Protection in Africa: A Look at OGP Member Progress](#); [CSEA \(2021\): Strengthening Data Governance in Africa](#)

4. WHY PUBLIC AWARENESS ON DATA GOVERNANCE ISSUES IS LOW

Various factors inhibit the use of public awareness in fostering data governance in African countries. Based on consultations with stakeholders, we outline some of the reasons for low public awareness:

4.1 Lack of strategic direction and transparency by policymakers

In nine of the countries surveyed, respondents opined that there was no defined national strategy on how to spread awareness on national data policies or disseminate critical information with respect to data governance to both strategic stakeholders and the public. This is partly due to the fact that the data protection authorities (DPAs) in these countries are either yet to fully take off or do not have sufficient technical expertise, capacity or vision to effectively engage the public. As such, there are no clear metrics for initiating or monitoring progress in pushing for public engagement.

Furthermore, where such strategies exist, the process of gathering and incorporating public feedback are rather opaque, with no clear process on how these inputs are utilised and incorporated into final policy outputs. In most instances, seeking public input in data policy making in the African context is often perfunctory and not always a deliberate effort.

4.2 Limited understanding of specific functions of various stakeholders in the data governance ecosystem

In many instances that lead to the development of data policies in African countries, there is limited information on who is responsible for what. Actions are often limited to just government, and do not really accommodate meaningful engagement from non-government agencies, private actors, or the public. This shows that engagements with stakeholders occurs in silos without multi-disciplinary and multi-stakeholder perspectives.

4.3 Low data and digital literacy levels

Accessible educational resources on data governance are low (Pisa & Nwankwo, 2021), especially in local languages. These low levels are seen in how most data policies require certain level of formal education to understand them (CIPIT, 2021).

4.4 Negative public perception on public policy development

The prevailing nature of the relationship between the government and the public often determines the perception of the public on public policy development. The public tend to be more involved with actively shaping public policy not only when the opportunities are available but also when there have been demonstrations or active efforts in the past to achieve this. Unfortunately, such precedence is relatively uncommon in the region.

4.5 Low evidence-based research output

There is scarce evidence-based research to guide decision making on the constantly evolving data governance issues in Africa.⁶ This is because the study of data governance in Africa, especially as it relates to digital optimisation and transformation is still at an early stage, due to the novelty of data governance and dynamic challenges associated with data use. What currently exists has limited focus on related areas such as data protection, data security, information integrity, and communication surveillance.

4.6 Slow-paced regional leadership on awareness on data governance issues

Although regional initiatives on data related issues have been ongoing for a while, these initiatives so far, have not been matched with comprehensive standard-setting on the role of awareness-raising.

The above challenges notwithstanding, there is scope for turning these constraints into opportunities for improved public participation, by ascribing specific roles for enhanced public awareness in data governance systems.

5. ADDRESSING CONSTRAINTS TO PUBLIC AWARENESS AND PARTICIPATION

In light of the challenges highlighted above, the following suggestions highlight specific ways to improve public awareness and encourage a more participatory data governance environment in African countries.

5.1 Mainstreaming public awareness and education into national strategy

It is necessary to have a clear overarching objective, set of principles and agenda guiding data governance. These objectives and agenda should be clearly set out, disseminated for public input and published after considering the various input provided. The national strategy should also have embedded in it, a concrete roadmap and measurement metrics, that guides how public awareness and active citizen participation would be pursued throughout the data governance process. Such roadmap would entail stakeholders' commitment and roles in increasing public awareness, providing a step-by-step guide of how these commitments will be fulfilled.

Driving public awareness is an intricate undertaking that requires deliberate, dedicated and specialised efforts. To this end, having a specialised programme spearheaded by an autonomous DPA, might be helpful in championing and monitoring progress. This can allow for more focused, measurable and impactful programmes that are solely dedicated to promoting public awareness and people-driven data governance.

5.2 Maximising multi-stakeholder collaborations

Multi-stakeholder collaborations that drive inclusion, representation and legitimacy are required to develop and operationalise effective data governance systems. However, maximising inputs from diverse groups with different backgrounds is difficult. This difficulty is evidenced by the need for extensive and distinct digital literacy, digital rights education, capacity and human resources development across

⁶ [CSEA \(2021\): Strengthening Data Governance in Africa](#)

various segments of the population. Designing and implementing impactful awareness campaigns requires partnerships between network of civil society groups, government agencies like DPAs, data aggregators, and all relevant stakeholders.

5.3 Capacity building

- *Provision of easily accessible informative resources to the public*

Improved awareness on data governance is dependent on easily accessible informative resources. These resources can be delivered in local languages to reach more audiences through multimedia platforms, an engaging and educative manner, while also paying attention to various geographical, historical and cultural sensitivities. Some of the general information could include simplified explanation of data governance concepts, principles, trends, stakeholder responsibilities, among others.

- *Carrying out digital literacy and online security training*

This involves projects that target the general public with educative materials on understanding digital tools, their uses, potential privacy threats, and how to use these tools to stay safe and prevent undue privacy threats.

- *Tailoring awareness campaigns to different audience, including targeted trainings for different stakeholder groups*

In addition to general capacity building for the wider public and broad categories of stakeholders, targeted trainings are required to improve the knowledge systems of individual stakeholder groups particularly those that have strategic responsibilities/roles in ensuring effective data governance systems. For example, a specialised training designed for judicial officers in African countries, on comparative developments in enforcing data governance laws, could spark the needed conversations to bring national judiciaries up to task on new and ever-evolving challenges in the datasphere.

- *Developing a peer-learning system for African stakeholders*

A peer and dialogic approach could help identify successful public awareness strategies and opportunities to empower the public for more active participation in the data governance process. This responsibility might suit regional institutions the best in that they have the existing forum to host African countries for such interactive and peer-learning systems. Other transnational institutions taking leadership on similar issues, such as Smart Africa and the Network of African Data Protection Authorities, as well as digital/data rights advocacy coalitions, can contribute to a regional collaborative learning effort.

5.4 Promote public data sharing

African governments can commit to more open access to public data for increased accessibility of information. This could create greater interest, awareness and trust in the public space, regarding how

governments utilises data.⁷ Stakeholders can ensure that governments give stewardship of data kept in trust for the public. It would also support research into the multi-dimensional impacts of data and strategies for maximizing its benefits. A research-focused data policy-oriented periodical or journal could be beneficial for instigating public debate and engagement on emerging data governance trends. Such periodical or journal may be housed in a specialised academic institution or think tank, with wider collaborations through workshops and policy dialogues for example, to identify practical ways to leverage findings or outcomes from research undertaken.

6. CONCLUSION

One of the roles of public awareness in participatory data governance is to ensure human-centred data policies. In highlighting this role, this research report identifies ways of maximising public awareness for a more inclusive data governance process in selected African countries. In most of the African countries assessed, public participation in data governance is low and one of the reasons for this is that there is hardly any public awareness on data governance-related issues. Deliberate actions are therefore required to help improve public awareness on data governance within the African context. In addition, beyond advocating to increased public awareness, it is important to note that putting data governance in the hands of the data subject – the public, is a continuous, deliberate and committed effort.

⁷ Sierra Leone is an example of how to use open data platforms for awareness for government feedback. <https://opendatasl.gov.sl>

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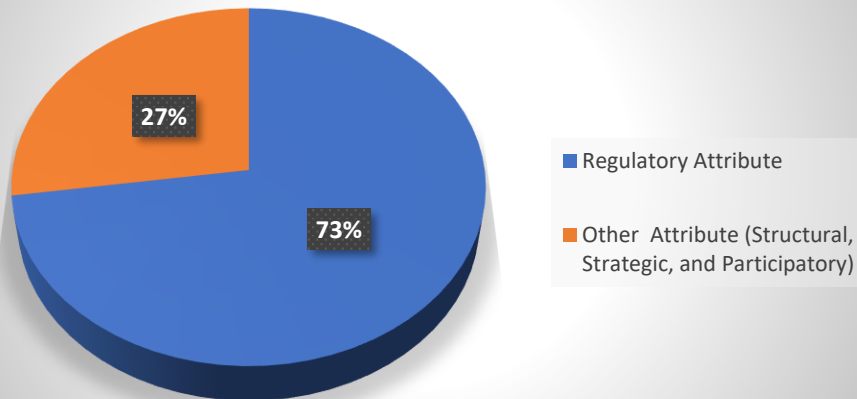
APPENDICES

1. Stakeholder distribution

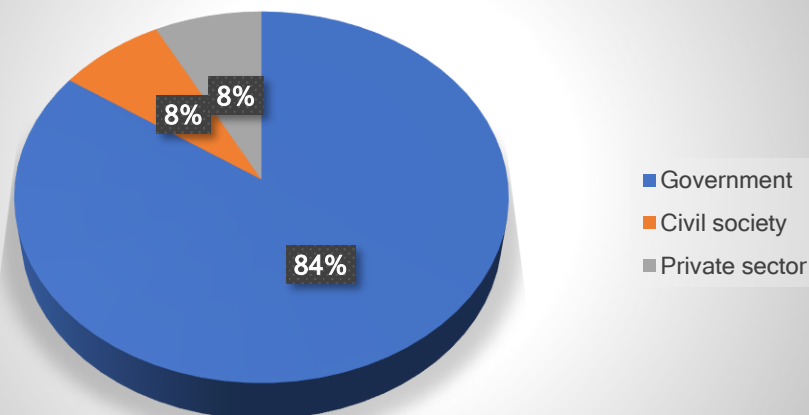
A total of 13 stakeholders were consulted from North, East, West and Southern Africa through surveys for the research report.

Stakeholder sector	Number
Government	1
Academia	4
Media and journalism	1
Private sector	1
Civil society and data governance-focused organisations	6

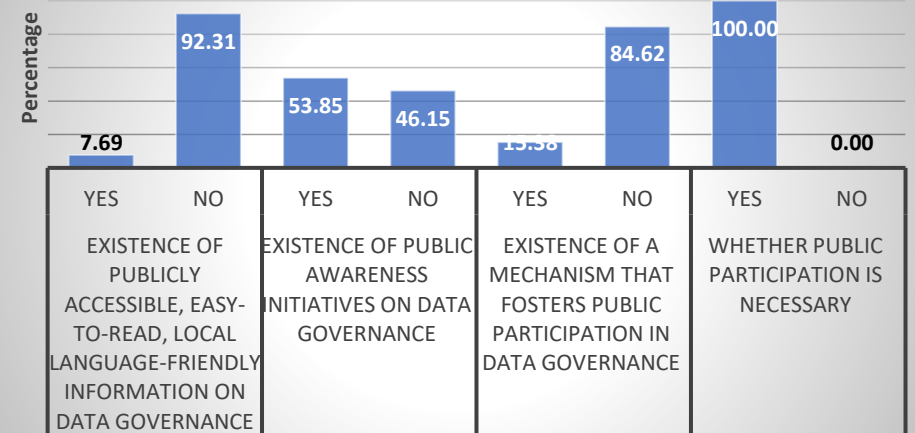
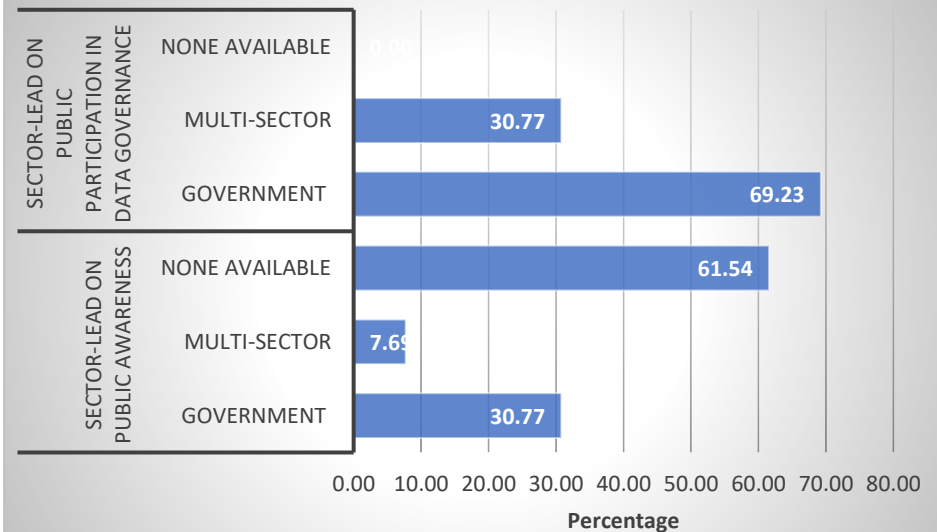
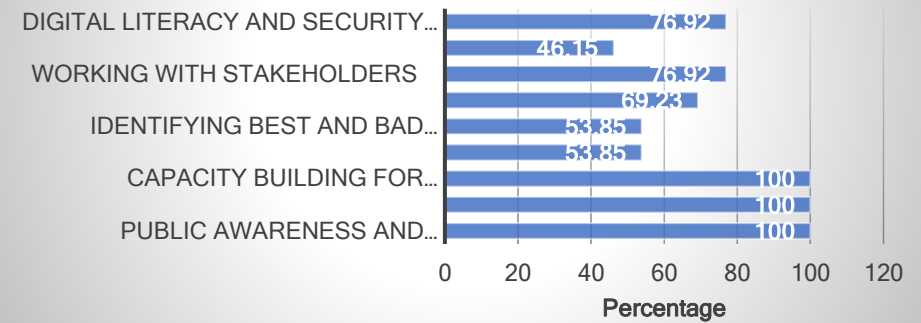
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Lead on Data Governance



Ways of achieving and improving public awareness in public participation



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