

**Report: Panel on data governance at the AI for Africa conference convened by the African Union and South Africa as host of the G20 in 2025, with the support of UNESCO. Cape Town, South Africa. 30 September – 1 October.**

Panellist Prof Guy Berger, voluntary convenor of the African Alliance for Access to Data, set out the progress in evolving Guidelines for African governments following Resolution 620, with the audience showing high interest in the process.

The professor noted the current imbalance in Africa between provision for data access on one hand and data protection on the other - in terms of the existence of relevant laws and regulatory agencies.

Using African media stakeholders as an example, Berger pointed out how difficult it is for journalists on the continent to access government information, let alone data.

In addition, he signalled global geographical imbalances around access to platform data holdings. While researchers had access in the EU and North America, this was largely not the case in Africa.

The lag in opening up African data was a fundamental obstacle on the development of AI for African purposes, Berger argued.

“African governments want AI, but they need to realise that requires changing opaque state information and interrupting the status quo where businesses treat data as if it were a purely private affair.”

The professor referred to data governance frameworks covering issues around data flows, pointing out that this consideration was different to opening up “access”. Many data flows were closed, and besides, “access does not necessarily require a transfer of data as such – only the results of processing it on site”.

He mentioned examples of private-public voluntary data sharing around Africa, highlighting the room for voluntary actions in addition to regulatory changes.

Berger further mentioned that working with Research ICT Africa, he had developed developed guidelines for access for researchers and start-ups for the G20. It envisaged a system of tiered Application Programme Interfaces (APIs) that could facilitate free access for these groups and paid access for large corporates.

“All this is why Resolution 620 of the African Commission on Human and Peoples’ Rights is a cutting edge statement,” noted Berger.

The Resolution interprets the right to information as encompassing a right to data – balanced with the right to privacy and protection of personal information. It elaborates that the right to access data is applicable to both public and private sectors, and it urges that (non-personal) data should be available by default.

Berger described the [content of draft Guidelines](#) to implement 620, that are emerging from extensive pan-African consultations.

He explained that the reference document considers fundamental African standards, offers working definitions to governments, and proposes general measures to states to assess the fitness for purpose of their data governance regimes in the age of AI.

He mentioned sections on legal measures which include regulation of data markets in Africa, and sections on attention to specific data fields like research data, health, environmental and elections data.

The draft Guidelines also cover measures for public bodies, such as prioritisation of high value data sets, national statistics offices, and data advisory councils, said the professor. A second version was in consultative circulation, and a third version is in the pipeline.