



25TH EACO CONGRESS AND 28TH ANNUAL ASSEMBLIES BUJUMBURA - 2023

Importance of Data Protection in the Connected World

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30TH JUNE 2023

OUTLINE



- Connected digital world**
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- Legal Frameworks at the National Level (Kenya)**
- Safeguarding Personal Data in the Connected World**
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THE CONNECTED WORLD

Increased reliance on connectivity, smart devices, and data-driven decision-making



REPUBLIC OF KENYA



State of IoT—Spring 2023"

- Shows number of global IoT connections grew by 18% in 2022 to 14.3 billion active IoT endpoints.
- In 2023, it is expected the global number of connected IoT devices will grow another 16%, to 16.7 billion active endpoints.

IMPACT OF A CONNECTED WORLD

Positive

- ❖ Increased Digital Trade
- ❖ Increased Innovations
- ❖ Improved Business Processes
- ❖ Increased Economic Opportunities
- ❖ Increased Job opportunities
- ❖ Access to information and Services
- ❖ Global Collaboration



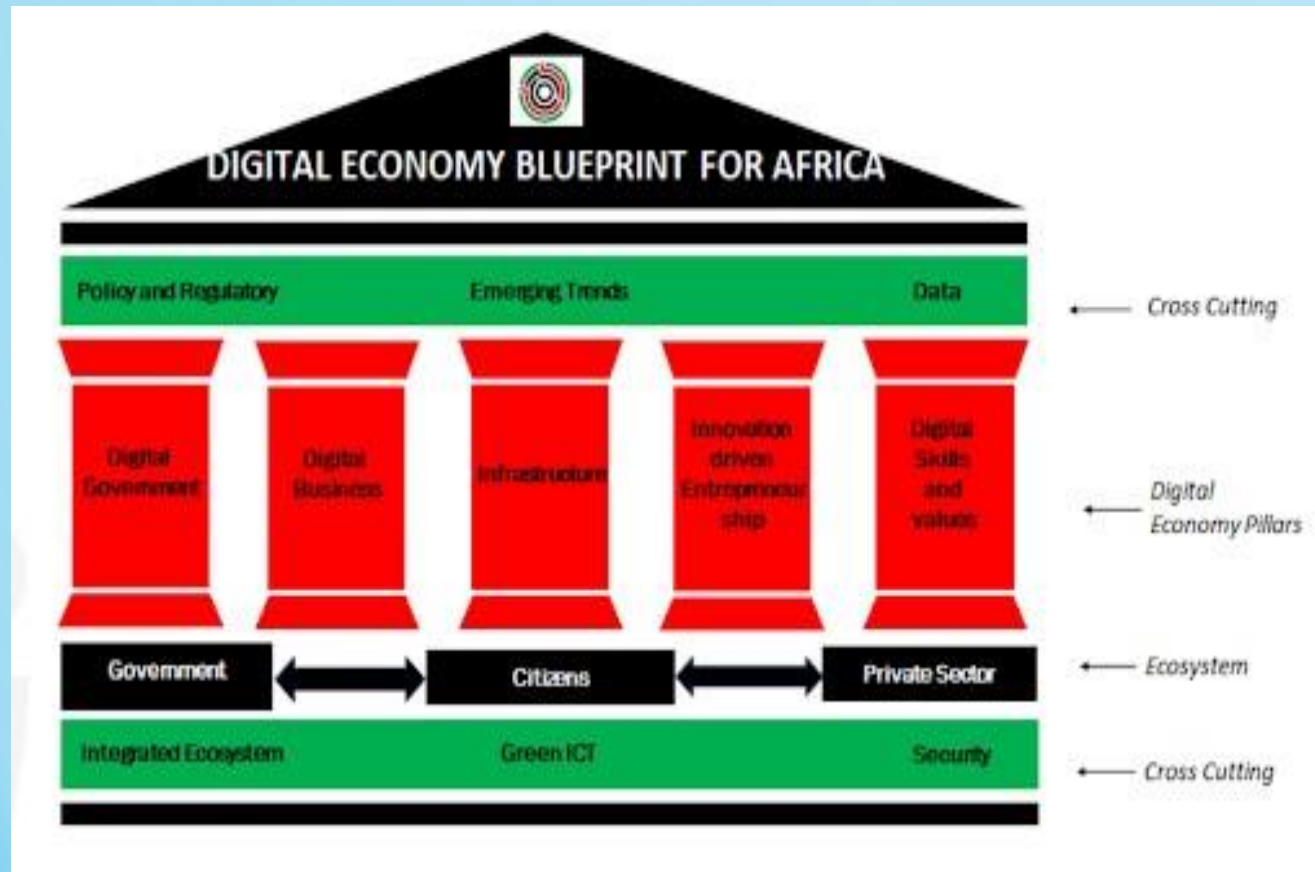
Negative

- ❖ Increased cyber crimes
- ❖ Misinformation
- ❖ Privacy Concerns
- ❖ Surveillance capitalism
- ❖ Digital Divide

CONNECTED WORLD AND THE DIGITAL ECONOMY



- Economic activities emanating from online connections and transactions through the use of smart devices



The Digital Economy has significant potential to leapfrog African Nation's Economy.

It offers increased opportunities if matter such as infrastructure gaps, digital literacy and data protection are addressed

IMPORTANCE OF PERSONAL DATA PROTECTION



- ❖ The Right to Privacy is acknowledged as a basic human right under the Universal Declaration of Human Rights, and espoused in many Constitutions the world over
- ❖ Personal Data is a valuable asset in the digital economy
- ❖ Personal data is key element of digital trade
- ❖ Promotion of trust

LEGAL FRAMEWORKS TO SAFEGUARD PERSONAL DATA



International Level

Universal Declaration of Human Rights (UDHR)

Convention 108-
28 January 1981

General Data Protection Regulation GDPR-
May 25th 2018

Regional Level

African Union Convention on Cyber Security and Personal Data Protection

African Union Data Policy Framework.-
Adopted by the AU Executive Council in February 2022

Africa 36 out of 54 Africa countries have data protection Laws and/or regulations

LEGAL FRAMEWORK AT A NATIONAL LEVEL –KENYA (DATA PROTECTION ACT,2019)



- **Constitution of Kenya 2010:** Article 31 (c) and (d) on the safeguarding of the right to privacy and Article 46 on consumer protection
- Kenya enacted the **Data Protection Act, 2019** in November, 2019
- The **Office of the Data Protection Commissioner** was established in November, 2020

Mandate of the Office

- Regulate the processing of personal data;
- Ensure that the processing of personal data of a data subject is guided by the principles set out in section 25 of the Act;
- Protect the privacy of individuals;
- Establish the legal and institutional mechanism to protect personal data;
- Provide data subjects with rights and remedies to protect their personal data from processing that is not in accordance with the Act.

SAFEGUARDING PERSONAL DATA IN THE CONNECTED WORLD



- Compliance with Data Protection Laws

**Principals of Data Protection
(sec 25)**

Rights of the Data Subject

Lawful Basis of Processing Data

Data Transfer

Data Protection Impact Assessment

Data Protection by Design and by Default

WAY FORWARD



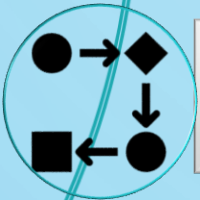
The right of the data subject is paramount



Promoting personal data protection by design and by default



Enhancing Digital Literacy



Promotion of ethical data governance and responsible innovation



Promotion of Self regulation



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Thank you