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Regional Report

Biometrics and Digital Identity in Africa



Greater Internet Freedom

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Acknowledgments

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Executive Summary

This report focuses on the African region and is part of multi-region research seeking to identify and compare the state of biometrics and digital identity threats, usage, and impact in Africa, the Balkans, Central Asia, Latin America and the Caribbean, and South and Southeast Asia.

This regional report summarises the findings of country studies on biometrics and digital identity (BDI) programmes in seven African countries. These include Angola, the Central African Republic (CAR), the Democratic Republic of Congo (DRC), Mozambique, Uganda, Tanzania, and Zimbabwe (*focus countries*). The country studies investigated the status of BDI programs and the perspectives of local participants regarding various aspects, including program accessibility, stakeholder involvement, access to vital services, electoral processes, telecommunications, and the influence on independent journalism.

The report identified five key trends from the implementation of BDI programmes in the focus countries. These include growing investments in biometric digital identification programmes; an increased collection of personal data; heightened apprehension due to risks to individual privacy; weak legal and institutional frameworks for data protection and civil registration; and the exclusion of key stakeholders in the development and implementation of BDI programmes.

The report details key recommendations to various stakeholders. It calls upon:

- **Governments:** to adopt and implement comprehensive privacy and data protection policies and laws that align with international human rights standards. Further, provide for privacy principles, data protection impact assessments, the regulation of the collection and processing of personal data, independent oversight mechanisms, and effective remedies for data breach.
- **Civil society:** to create public awareness, conduct education campaigns and develop educational materials on the benefits and risks of BDI systems such as discrimination, privacy violations, surveillance, and the misuse of data, especially targeting minority and marginalized groups.

- **Business community:** to develop and implement BDI systems that incorporate privacy and security by design and are inclusive and accessible to all segments of the population including minority and marginalized groups.
- **Media:** to investigate, document, and report the experiences of users of BDI programmes to inform and educate the public on their purpose, benefits, risks, challenges, successes, and impact.
- **Academia:** to conduct extensive research on the effectiveness of legal and policy frameworks for BDI systems to identify gaps and make recommendations to ensure they are inclusive and rights-respecting.
- **The public/users of BDI programmes:** to learn about the benefits and risks of BDI programmes to enable them to make informed decisions on whether to support or oppose such programmes.

Introduction

The right to legal identity is recognized under various regional and international instruments. Article 6 of the Universal Declaration of Human Rights (UDHR) recognizes that “everyone has the right to recognition everywhere as a person before the law.”¹ Likewise, Article 16 of the International Covenant on Civil and Political Rights (ICCPR), guarantees the right to “recognition everywhere as a person before the law”, while Article 24(2) recognises the right to registration at birth.²

The Convention on the Rights of the Child (CRC) in Article 7 provides the rights of children after birth to a name, a nationality and, as far as possible, to know and be cared for by his or her parents. Article 8 of the CRC requires State Parties to undertake to respect the rights of children to preserve their identity, including nationality, name, and family relations as recognized by law without unlawful interference.³

Similarly, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in Article 9 states that “women have the same rights as men to acquire, change or retain their nationality” and that State Parties shall grant women equal rights with men concerning the nationality of their children.⁴ The Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW) in Article 29 states that children of migrant workers have a right to “a name, to the registration of birth and to a nationality.”⁵

At the regional level, the African Charter on Human and Peoples’ Rights (the Banjul Charter) in Article 22 provides for the right of all people “to their economic, social and cultural development with due regard to their freedom and identity and in the equal

¹ Universal Declaration of Human Rights <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

² International Covenant on Civil and Political Rights <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>.

³ Convention on the Rights of the Child (CRC) <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>.

⁴ Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>.

⁵ International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-rights-all-migrant-workers>.

enjoyment of the common heritage of mankind.”⁶ Further, Article 6 of the African Charter on the Rights and Welfare of the Child provides for the rights of children to registration and a name at birth, and to acquire a nationality.⁷ The Protocol to the African Charter on the Rights of Women in Africa (the Maputo Protocol) in Article 4 requires State Parties to ensure that men and women enjoy equal rights to “their own identity and other documents.”⁸

Further, Target 16.9 of the Sustainable Development Goals calls for the provision of legal identity for all, including free birth registration by 2030.⁹ Addressing this target has been the rallying call behind the World Bank Group’s Identification for Development (ID4D) Initiative, which continues to advance the digital identity mission across the globe.¹⁰

Globally, there is a widespread acknowledgment that business enterprises also bear the responsibility to uphold human rights. To this end, Principle 11 of the United Nations Guiding Principles on Business and Human Rights highlights the responsibility of businesses to respect human rights and calls on businesses to avoid complicity in any violations of human rights and to address the adverse human rights impacts with which they are involved.¹¹

Critically, the right to legal identity and nationality is enshrined in the national constitutions of the focus countries under review and forms part of states' obligations under international human rights law. Legal identity is typically established through the issuance of credentials or documents such as birth certificates, national identity cards, passports, driver’s licenses, and other documents recognized as proof of legal

⁶ African Charter on Human and Peoples’ Rights <https://www.african-court.org/wpafc/wp-content/uploads/2020/04/AFRICAN-BANJUL-CHARTER-ON-HUMAN-AND-PEOPLES-RIGHTS.pdf>.

⁷ African Charter on the Rights and Welfare of the Child <http://hrlibrary.umn.edu/africa/afchild.htm>.

⁸ Protocol to the African Charter on the Rights of Women in Africa (the Maputo Protocol) <https://www.ohchr.org/sites/default/files/Documents/Issues/Women/WG/ProtocolontheRightsofWomen.pdf>.

⁹ SDG 16: Target 16.9: Indicator 16.9.1: Definitions, Metadata, Trends, Differentials, and challenges https://unece.org/fileadmin/DAM/pau/icpd/UNFPA-UNECE_meeting_2016/5_Indicator_16.9.1_EECARO.pdf.

¹⁰ SDG target focusing on identification critical to supporting achievement of post-2015 development goals <https://blogs.worldbank.org/digital-development/sdg-target-focusing-identification-critical-supporting-achievement-post-2015-development-goals#:~:text=Last%20year%2C%20the%20World%20Bank%20Group%20launched%20the,building%20new%20alliances%20and%20reshaping%20existing%20development%20strategies>.

¹¹ United Nations Guiding Principles on Business and Human Rights https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf.

identity under national law.¹² Most of these documents also capture biometric information such as an individual's facial image, facial features, and fingerprints, together with personal information such as their name, date of birth, place of birth, gender, nationality, and other relevant demographic details.

These official documents, therefore, serve as proof of identity to ensure the accurate identification of the individual while also providing a basis for the verification and authentication of the individual's particulars against biometric information stored in the government database when such an individual presents the identification document. In addition, these documents are usually required by law enforcement, immigration, and border control agents, and are also needed to access government, financial, telecommunication, health, utilities, and social services, amongst others.

In several countries, legal identity documents have largely been developed from paper-based systems, which are prone to inefficiencies, fraud, identity theft, insecurity, and bureaucracy. To address these challenges, countries have been moving towards electronic or digital systems, which are touted as being more modern, secure, streamlined, and efficient for the delivery of services.

Around the world, it is estimated that 850 million people lack legal identification, of which 500 million are from Sub-Saharan Africa.¹³ Digital Identity (ID) systems are increasingly being promoted as part of digital transformation efforts by governments to digitize and automate their processes, increase transparency, reduce bureaucracy, and enhance the efficiency of the delivery and reach of government services in a user-centric manner. Digital IDs are therefore being seen as central to these efforts as they can enable the storage of biometric and personal data in digital format that is linked to an individual's legal identity, and facilitate the secure, accurate, and reliable identification, verification, and authentication of an individual's identity and their convenient access to e-government services.

¹² United Nations Strategy for Legal Identity for All <https://unstats.un.org/legal-identity-agenda/documents/UN-Strategy-for-LIA.pdf>.

¹³ Making Everyone Count: How Identification Could Transform the Lives of Millions of Africans <https://www.worldbank.org/en/news/opinion/2017/05/24/making-everyone-count-how-identification-could-transform-the-lives-of-millions-of-africans>.

However, the rapid adoption of biometric and digital identification systems is not without its drawbacks. The new drives by governments to conduct mass biometric registration of the public using digital formats presents new privacy and cybersecurity risks owing to their collection of personal and sensitive data and their storage in centralized databases in the absence of adequate legal and policy frameworks. They also create a risk of discrimination and exclusion of key stakeholders in the design, development, and implementation of the programmes. Furthermore, these new systems are implemented at a significant cost to taxpayers in countries that have limited digital infrastructure.

This report highlights the findings of seven country-level studies seeking to identify and compare the state of biometrics and digital identity threats, usage, and impact in Angola, the Central African Republic (CAR), the Democratic Republic of Congo (DRC), Mozambique, Uganda, Tanzania, and Zimbabwe.

Methodology

The country-level research reports that form the basis of this Africa regional report covered diverse BDI topics and sought to answer various research questions as highlighted in Table 1 below. This country-level research was informed by a gap analysis that was conducted by the author of this report (*see Annexures below*). The gap analysis identified BDI topics and areas that have (i) received extensive coverage in previous studies, (ii) have not been adequately explored in previous studies, or (iii) have never been explored in previous studies. The gap analysis supported GIF Partners and Independent Researchers to focus their efforts on addressing the most critical and unexplored aspects of BDI Programmes in the African region.

The country reports relied on a variety of primary and secondary data collection methods. Desktop research included a literature review of various information sources, including the review of relevant laws, policies, studies, reports, and media content on BDI programmes in the focus countries. Some of the country researchers deployed questionnaires and conducted key informant interviews with local stakeholders whose feedback provided comprehensive insights on the research

topics. The country reports have subsequently been analyzed and form the basis of the findings of this report and its recommendations.

Table 1: Summary of Africa Country Report Topics and Questions

Country	Research Topic	Research Questions
Angola	Citizens' Access to Identity Documentation in Angola	What challenges do Angolans face when obtaining biometric identification documents?
Central African Republic (CAR)	Rebuilding Identification and Stakeholder Engagement in the Central African Republic (CAR)	How can stakeholders in the CAR be engaged in the implementation of foundational ID systems?
Democratic Republic of Congo (DRC)	BDI Access to Essential Services	Are young people able to access biometric identification in the DRC?
Mozambique	Biometric Elections in Mozambique	How has Mozambique integrated biometrics into its voter registration processes?
Uganda	Impact of Biometric Digital Identify Programs on Independent Journalism in Uganda	How has the implementation of biometric and digital identity programs affected media freedom and access to information in Uganda?
Tanzania	eCitizenry in the Digital Economy: Locating the Right to Privacy in Tanzania	Does Tanzania's legal framework influence telecoms to respect the right to privacy?
Zimbabwe	Biometrics and Digital ID (BDI) in Zimbabwe	What are the BDI developments in Zimbabwe from 2020 to date? What are the core challenges impeding the adoption of digital ID in Zimbabwe?

Glossary

Biometrics: Biometric identifiers are the distinctive, measurable characteristics used to label and describe individuals. Biometric identifiers are often categorized as physiological or behavioral characteristics. Physiological characteristics relate to the shape of the body and include fingerprints, face recognition, DNA, palm print, and iris

recognition. Behavioral characteristics relate to a pattern of behavior of a person such as their gait, signature, mouse movement, and typing rhythm.

Biometric Identification: This refers to the use of a human's unique physical or behavioral characteristics to establish their identity in digital and offline environments. Biometric identification involves comparing an individual's captured biometric data against a stored database of biometric templates to verify/authenticate their identity.

Civil Registration: This is defined as the continuous, permanent, compulsory, and universal recording of the occurrence and characteristics of vital events about the population, as provided through decree or regulation per the legal requirement in each country. Civil registration is primarily carried out to establish legal documents as required by the law.¹⁴

Digital Identity: This refers to a set of electronically or digitally captured and stored attributes such as biometric data and personal information and/or credentials such as tokens or cryptographic keys that uniquely identify a person. The term "digital identity" is used to refer to a person's digital identity, while "digital ID" refers to a digital identity credential or system.¹⁵

Digital Identification (ID) System: This refers to an identification system that uses digital technology throughout the identity lifecycle, including for data capture, validation, storage, and transfer; credential management; and for the verification and authentication of the digital identities of individuals. The older or traditional identification systems differ from digital ID systems in that they are paper-based, non-biometric, and require physical presence and manual verification of identity.

Legal Identity: This is defined as the basic characteristics of an individual's identity. e.g., name, sex, place, and date of birth conferred through registration and the issuance of a certificate by an authorized civil registration authority following the occurrence of birth. It is often linked to the civil registration system to ensure a holistic

¹⁴ United Nations Legal Identity Agenda <https://unstats.un.org/legal-identity-agenda/>.

¹⁵ Practitioner's Guide

[https://id4d.worldbank.org/guide/glossary#:~:text=Digital%20identification%20\(ID\)%20system,Public%2DPrivate%20Cooperation%20report](https://id4d.worldbank.org/guide/glossary#:~:text=Digital%20identification%20(ID)%20system,Public%2DPrivate%20Cooperation%20report).

approach to legal identity from birth to death. Legal identity is retired by the issuance of a death certificate by the civil registration authority upon registration of death. In the absence of birth registration, legal identity may be conferred by a legally recognized identification authority.¹⁶

¹⁶ United Nations Legal Identity Agenda <https://unstats.un.org/legal-identity-agenda/>.

Results: Digital ID Landscape

This section provides an overview of the digital ID landscape in the focus countries and highlights the key findings from the country-level reports.

Angola

Angola has an estimated population of 34 million people and does not have a consolidated digital identity system. The national ID - *bilhete de identidade* - required for all above 10 years for USD 0.14, was introduced in 1999 to replace the outdated paper-based system and later upgraded to an electronic ID programme in 2008.¹⁷ The National Directorate for Identity, Registration, and Notary Affairs (NDIRNA) is responsible for document certification and the provision of official documents. Since 2020, the government has conducted campaigns for mass registration and issuance of identity cards.¹⁸ The government also planned to issue biometric passports and in May 2023 signed a ten-year USD 139 million contract with a Hungarian-based company, ANY Security Printing Company, for the new passports.

The right to privacy is protected under Article 32 of the country's constitution and elaborated in Law 22/11 on the Protection of Personal Data.¹⁹ As of 2017, only 28% of the population had access to the biometric national identity card. Access to registration is hampered by various challenges including poor implementation, dispersed population with limited citizen information on record, absence of countrywide ICT and communication infrastructure, and high costs associated with obtaining prerequisite documents for registration, which affect poor and rural populations.²⁰

¹⁷ Angola National ID Card Case Study

<https://www.hidglobal.com/documents/angola-national-id-card-case-study>.

¹⁸ AllAfrica, 'Angola: 2 Million Registered for National Identity Card,'

<https://allafrica.com/stories/202101060405.html>.

¹⁹ Data Guidance, 'Angola - Data Protection Overview,' <https://www.dataguidance.com/notes/angola-dataprotection-overview>.

²⁰ World Bank, 'The State of Identification Systems in Africa,'

<https://documents1.worldbank.org/curated/en/298651503551191964/pdf/119065-WP-ID4D-country-profiles-report-final-PUBLIC.pdf>.

Central African Republic (CAR)

The country has an estimated population of 5.74 million people to which birth certificates and national ID cards are issued. However, the 2013 conflict in the country affected civil registration processes with the destruction of the country's card production facilities and an estimated 60-80% of identity and identity-related records.²¹ The Ministry of Interior is responsible for the issuance of national IDs and since 2014 to date, individuals have been issued a *récépissé*, a provisional ID permit with a photo of the ID applicant, but without fingerprint features, which must be renewed.²²

In 2016, the government entered a public-private-partnership (PPP) agreement with Centrafrique Carte System (CCS) for the development of identification documents and later revoked the agreement and contracted Al Madina, a Lebanese company for the same in 2019. Citizens and stakeholders remain concerned by the efforts of the state to rebuild the identification systems, including the ongoing centralized decision-making processes, limited transparency and accountability, the role of foreign companies, loss of sovereignty, and the high cost of identity documents.²³

Democratic Republic of Congo (DRC)

With a population of 111.86 million, DRC is the fourth most populous country in Africa.²⁴ The country is yet to issue a national ID and citizens continue to use paper voter IDs with no security features.²⁵ The government announced the National

²¹ ID4D, 'Country Diagnostic – CAR,'

<https://documents1.worldbank.org/curated/en/917381634623050532/pdf/ID4D-Country-Diagnostic-CentralAfrican-Republic.pdf>.

²² ID4D, 'Country Diagnostic – CAR,'

<https://documents1.worldbank.org/curated/en/917381634623050532/pdf/ID4D-Country-Diagnostic-CentralAfrican-Republic.pdf>.

²³ Jeune Afrique, 'Central African Republic: the identity document market at the heart of a conflict between government, police and civil society,' <https://www.jeuneafrique.com/809210/societe/centrafrique-le-marche-des-documents-didentite-au-coeur-dun-conflit-entre-gouvernement-policiers-et-societe-civile/>.

²⁴ World Bank, 'DRC - Overview,' <https://www.worldbank.org/en/country/drc/overview>; Five Takeaways from Democratic Republic of the Congo's IMF Program <https://www.imf.org/en/News/Articles/2019/12/20/na122019five-takeaways-from-the-democratic-republic-of-the-congos-imf-program>.

²⁵ The State of Identification Systems in Africa, World Bank,

<https://documents1.worldbank.org/curated/en/298651503551191964/pdf/119065-WP-ID4D-country-profiles-report-final-PUBLIC.pdf>.

Biometric Identification System (SNIB) in 2017²⁶ and the National Population and National Identity Registry in 2019, but both of these were not operationalized then due to funding and infrastructure challenges.²⁷ More recently in 2022, the country adopted Decree No. 22/07 establishing an integrated population management system to be managed by the National Office for Population Identification (ONIP) which was established in 2013.²⁸

To safeguard individuals' personal data, the DRC ratified the African Union Convention on Cybersecurity and Personal Data Protection (Malabo Convention) and adopted various laws to protect personal data such as Law No. 20/017 on information and communication technologies and the Digital Code. An eight-year USD 428 million biometric ID project²⁹ will be implemented as a public-private partnership with various biometric identity providers from 2023. However, there are key concerns regarding the roll-out of the new identity system, namely the potential barriers to access, especially for young people, which are aggravated by political instability, corruption, and armed conflict over the country's rich mineral resources.³⁰

Mozambique

According to the World Bank, 60% of Mozambique's 32 million population lack official civil identification, which is a significant barrier to accessing essential services, especially for women.³¹ Accessing the ID is a challenge for many and stakeholders

²⁶ Democratic Republic of Congo Digital Economy Assessment

<https://thedocs.worldbank.org/en/doc/61714f214ed04bcd6e9623ad0e215897-0400012021/related/DRC-DE4A-EN-Final.pdf>.

²⁷ Democratic Republic of Congo to launch biometric population register by 2020,

<https://www.biometricupdate.com/201909/democratic-republic-of-congo-to-launch-biometric-population-register-by-2020>.

²⁸ Décret n° 22/ 07 du 02 mars 2022 portant création d'un fichier général de la population en République Démocratique du Congo (Decree No. 22/07 of 2 March 2022),

https://www.ilo.org/dyn/natlex/natlex4.detail?p_isn=114407&p_lang=en.

²⁹ Thales, Idemia, Veridos reportedly jostle for mega biometric ID card contract in DR Congo,'

<https://www.biometricupdate.com/202302/thales-idemia-veridos-reportedly-jostle-for-mega-biometric-id-card-contract-in-dr-congo>.

³⁰ World Bank, 'Project Information Document - DRC Transport and Connectivity Support Project (P161877),'

<https://documents1.worldbank.org/curated/en/099825005152223936/pdf/P16187701fe9880d0ab8708199bae14aa3.pdf>.

³¹ World Bank Supports Mozambique's Efforts towards Access to Identification and Digital Transformation

<https://www.worldbank.org/en/news/press-release/2021/10/22/world-bank-supports-mozambique-s-efforts-towards-access-to-identification-and-digital-transformation>.

have lamented the level of corruption, bureaucracy, and delays in card issuance.³² The country's national ID - *bilhete de identidade* - has been issued since 1980 to adults and children for USD 4.99 and USD 2.50 respectively. The country was selected as a pilot country under the UN Legal Identity Agenda for support to improve population registration and the national identity database.³³

In 2021, the World Bank approved a five-year USD 150 million project to, among others, increase “access to legal identification, digital public services, and digital business opportunities.”³⁴ The country introduced biometric technologies for voter registration and voter management in 2008 which were upgraded in 2018 and have since captured details of 6.8 million voters. During the 2023/2024 electoral cycle, at least 1.4 million people were excluded from the biometric voter register owing to various human and technical challenges that have affected stakeholder confidence and trust in the biometric electoral process.

Tanzania

The country introduced a biometric national identity programme to register its 61.7 million population in 2013.³⁵ So far, the National Identification Authority (NIDA) has registered 20.13 million people, and since 2016 has issued 10.7 million national ID cards.³⁶ The Registration and Identification of Persons Act (RIPA) requires the collection of biometric information and the issuance of a unique 20-digit national identification number (NIN) to individuals.³⁷

³² Club of Mozambique, 'Mozambique: Users denounce corruption in issuing of ID cards,'

<https://clubofmozambique.com/news/mozambique-users-denounce-corruption-in-issuing-of-id-cards-231839/>.

³³ UNDP, 'Having a legal identity is fundamental to human rights,' <https://www.undp.org/africa/blog/having-legal-identity-fundamental-human-rights>.

³⁴ The World Bank, 'Mozambique Digital Governance & Economy - Project Information Document (PID),'

<https://documents1.worldbank.org/curated/en/566401624978714983/pdf/Project-Information-Document-Mozambique-Digital-Governance-Economy-P172350.pdf>.

³⁵ Kapiyo V, 'Towards Effective Biometrics and Digital Identity Systems in Africa,'

<https://cipesa.org/2022/12/towards-an-effective-biometrics-and-digital-identity-system-in-africa/>.

³⁶ See: World Bank, 'Tanzania: Overview,' <https://www.worldbank.org/en/country/tanzania/overview>; The Citizen, 'Tanzania lays the groundwork for issuing universal ID,'

<https://www.thecitizen.co.tz/tanzania/news/national/tanzania-lays-the-groundwork-for-issuing-universal-id-4251776>.

³⁷ NIDA, 'Tanzania's Digital ID Ecosystem Roadmap,' https://www.id4africa.com/2018_event/Presentations/PS2/1-2-2_Tanzania_Alphonse_Malibiche.pdf.

Biometric data is also collected for voter registration, which database is also used to support registration and issuance of national IDs.³⁸ Further, the 2020 Electronic and Postal Communications Act (EPOCA) (SIM Card Registration) Regulations provide for mandatory biometric SIM card registration. Subscribers are required to provide their national ID card or passport and fingerprint data, which is verified on the NIDA database. Positively, the country adopted a Personal Data Protection Act in May 2023, but concerns about privacy and cybersecurity risks remain in light of the various biometric data collection programmes.

Uganda

The country introduced biometric national identity cards in 2014 to register its 45.85 million population for USD 64 million. The National Identification and Registration Authority (NIRA)³⁹ is responsible for the registration system which is set for an upgrade to collect additional biometric data by 2024.⁴⁰ The biometric ID card has been distributed to 26 million individuals at no cost, and it is used to access essential services. However, a portion of the population is experiencing exclusion from these services because they lack the card, particularly finance and telecommunications services.⁴¹

Biometric data collection for the registration of voters began in 2001 and was later upgraded with the Biometric Voter Verification System (BVVS) in 2016. Despite the country adopting its Data Protection and Privacy Act in 2019,⁴² stakeholders, especially journalists, remain concerned by the potential for the state's use of biometric data collection programmes to facilitate mass and indiscriminate

³⁸ The Citizen, 'NEC ready to share database with Nida,' <https://www.thecitizen.co.tz/tanzania/news/national/necready-to-share-database-with-nida-2551538>.

³⁹ National Identification and Registration Authority <https://www.nira.go.ug/home>.

⁴⁰ Uganda's Military Demands Citizen's DNA For Digital Identity Rollout <https://rairfoundation.com/ugandas-military-demands-citizens-dna-for-digital-identity-rollout/>.

⁴¹ Uganda Set to Deploy DNA Recognition 'Smart Digital' Biometric ID <https://www.visiontimes.com/2022/08/12/uganda-dna-biometric-id-social-credit.html>.

⁴² Data Protection and Privacy Act, 2019, <https://ict.go.ug/wp-content/uploads/2019/03/Data-Protection-and-Privacy-Act-2019.pdf>.

surveillance by state agencies, which poses a significant threat to the freedom and independence of the media, and independent journalism specifically, in the country.⁴³

Zimbabwe

National IDs have been issued in the country since 1976 as required under the National Registration Act to persons above 16 years old. Since 2010, the country's 16 million population has been issued with a plastic card that contains an individual's biometric data, personal information, and a unique 11/12-digit number assigned at birth.⁴⁴ The government also introduced a biometric e-passport in December 2021⁴⁵ and conducted biometric registration of civil servants in 2020 leading to the elimination of 10,000 ghost workers.⁴⁶ It also approved the migration of the civil registry database to a new national biometric database for the production of official documents such as e-passports, national identity cards, and birth certificates in May 2021.⁴⁷

In February 2021, the government commissioned a National Data Centre developed with assistance from the Chinese government to be used to centralize and digitize government services.⁴⁸ In 2017, the country's election management body, Zimbabwe Electoral Commission (ZEC) launched a national biometric voter registration which captured details of six million people ahead of the August 2023 general election.⁴⁹ In 2021, Japan donated cybersecurity equipment worth USD 3.6 million to the police force to tackle cybercrime.⁵⁰ Despite adopting a Cyber and Data Protection Act in

⁴³ Towards Effective Biometrics and Digital Identity Systems in Africa <https://cipesa.org/2022/12/towards-an-effective-biometrics-and-digital-identity-system-in-africa/>.

⁴⁴ Zimbabwe: RG's Office Rolls Out Mobile Registration <https://citizenshiprightsafrika.org/zimbabwe-rgs-office-rolls-out-mobile-registration/>.

⁴⁵ Zimbabwe Introduces Electronic Passports Amid Huge Backlog of Travel Documents, <https://www.voazimbabwe.com/a/zimbabwe-electronic-passports/6354553.html>.

⁴⁶ Govt Dumps 10,000 Ghost Workers, <https://www.voazimbabwe.com/a/zimbabwe-government-eliminated-10000-ghost-workers/5706811.html>.

⁴⁷ Passports: Good news for Diasporans, <https://www.herald.co.zw/passports-good-news-for-diasporans/>.

⁴⁸ National Data Center in Zimbabwe opens, <https://www.datacenterdynamics.com/en/news/national-data-center-zimbabwe-opens/#:~:text=Zimbabwean%20President%20Emmerson%20Mnangagwa%20officially,percent'%20complete%20in%20early%2020219>.

⁴⁹ Zimbabwe Records 6 Million Registered Voters for 2023 Elections <https://bnn.network/breaking-news/zimbabwe-records-6-million-registered-voters-for-2023-elections/>.

⁵⁰ Japan donates cyber equipment to police, <https://www.newsday.co.zw/local-news/article/18221/japan-donates-cyber-equipment-to-police>.

2020,⁵¹ there are concerns by stakeholders over growing state surveillance, low levels of civil registration, poor management of personal data, and infrastructure challenges, particularly in rural areas.

Analysis: Emerging Trends

This section presents the emerging trends and highlights key findings from the country reports in the focus countries.

Growing Investments in Biometric Digital Identification Programmes

The adoption of biometric digital identification systems to collect and process personal data is on the rise across the focus countries, in varying degrees. The systems are being deployed to aid the issuance of official documentation such as birth certificates, national identity cards, passports, voter's cards, and driver's licenses. The programmes are becoming increasingly popular due to the benefits they offer, such as enhanced security compared to paper-based systems; the ability to ensure accurate and reliable identification of persons; and their potential to reduce fraud and identity theft as they are less likely to be counterfeited, lost, or stolen.

Further, biometric digital identification programmes have gained prominence in the agenda of governments largely due to the influence of development institutions who see them as critical to ensure legal identity for all. A few examples of these institutions include the UN Legal Identity Agenda Task Force,⁵² the World Bank Group's Identification for Development (ID4D) Initiative,⁵³ the World Economic Forum,⁵⁴ and development partners. Further, vendors of biometric technologies and digital identity technologies are also aggressively shaping the identification landscape in the focus

⁵¹ Cyber and Data Protection Act (chapter 12:07), https://www.law.co.zw/download/cyber-and-data-protection-act-chapter-1207/?wpdmml=12581&refresh=64b93004c58d81689858052&ind=1680800570883&filename=Act%205%20of%202021%20Data%20Protection%20Act_Watermarked.pdf; The Data Protection Act [Chapter 11:22], https://www.veritaszim.net/sites/veritas_d/files/Data%20Protection%20Act%205%20of%202021.pdf.

⁵² UN Legal Identity Agenda Task Force <https://unstats.un.org/legal-identity-agenda/UNLIATF/#:~:text=UN%20LIA%20TF%20aims%20to,in%20legal%20identity%20for%20all>.

⁵³ The ID4D Initiative <https://id4d.worldbank.org/about-us>.

⁵⁴ Re-imagining Digital ID, https://www3.weforum.org/docs/WEF_Reimagining_Digital_ID_2023.pdf.

countries, leveraging their products and services, technical capabilities, and economic (cost-benefit) considerations, amongst others.

In addition, BDI initiatives are increasingly being integrated into national digital transformation policies and programmes coupled with enhanced investments in digital infrastructure. These programmes are seen as the new frontier to enhance the efficiency of legal identity provision and to facilitate the delivery, transparency, and convenient public access to e-government services and programmes. Digital IDs are also used to enroll people for voting and to access financial, telecommunications, travel, education, and health care services.

Countries are increasingly seeking to leverage the availability of digital infrastructure and increased access to digital devices and Internet connectivity to meet the growing demand for government services and leapfrog their development through modern and efficient systems.⁵⁵

Increased Collection of Personal Data

The roll-out of biometric digital identification programmes in several countries signals a growing appetite by governments for personal information such as biometric data. Each of the focus countries is either developing or implementing biometric data collection programmes and databases for civil registration, SIM-card registration, and the issuance of national identity cards, voter's cards, passports, and driver's licenses, amongst other identification documents.

These programmes require individuals to provide more personal and sensitive personal information than previous traditional identification systems. Some of the information collected and processed includes biographical information such as names, dates of birth, place of birth, gender, postal, physical, or residential addresses, telephone numbers, and email addresses; and biometric data such as fingerprints, facial scans, and signatures. Other countries are expanding their biometric data capture to also include Deoxyribonucleic Acid (DNA) data. For example, Uganda is

⁵⁵ Brief on Digital Identity <https://thedocs.worldbank.org/en/doc/413731434485267151-0190022015/render/BriefonDigitalIdentity.pdf>.

proposing to capture DNA information in its new digital ID cards in 2024.⁵⁶ The collection of DNA data was found to be excessive, intrusive, and unnecessary by the High Court of Kenya.⁵⁷

In addition to the requirement to present physical official documents such as birth certificates, national identity cards, or passports at the time of registration, the personal information contained on them is also collected directly, or copies are made. In Zimbabwe, proof of residence or an affidavit confirming the same is required during voter registration.⁵⁸ Once the information is collected, it may be accessed by or shared with different government bodies or private entities. For example, in Tanzania, mobile subscribers are required to provide their NIDA identity card or number or passports and thereafter have their fingerprints verified electronically on the NIDA database before the registration of their SIM cards by telecommunications providers.⁵⁹

Heightened Apprehension Due to Risks to Individual Privacy

Across several countries, stakeholders have raised concerns about the increased risk posed by BDI programmes to the privacy rights of individuals. Various issues undermine privacy rights and could be a barrier to the adoption of digital IDs, particularly in Tanzania, Uganda, and Zimbabwe. These country reports detail the following issues:

- **Appetite for Surveillance:** These three governments have a keen appetite for actively engaging in surveillance activities. Surveillance typically involves monitoring and collecting data on individuals and their activities. Notably, data collection never takes place in a neutral environment, and

⁵⁶ Museveni wants Ugandans' palm prints, DNA details captured 'to eliminate crime' <https://www.africanews.com/2018/02/28/museveni-wants-ugandans-palm-prints-dna-details-captured-to-eliminate-crime/>; Ugandans to Have DNA, Biometric Data Captured in New Electronic National ID Cards <https://www.tuko.co.ke/world/africa/454795-ugandans-have-dna-biometric-data-captured-new-electronic-national-id-cards/>.

⁵⁷ *Nubian Rights Foundation & Ors. v. Attorney General of Kenya & Ors.* [2020] eKLR.

⁵⁸ How to register as a voter <https://www.zec.org.zw/how-to-register-as-a-voter/>.

⁵⁹ Electronic and Postal Communications (Sim Card Registration) [https://www.tcra.go.tz/uploads/documents/sw-1619088062-The%20Electronic%20and%20Postal%20Communications%20\(SIM%20Card%20Registration\)%20Regulations.%202020.pdf](https://www.tcra.go.tz/uploads/documents/sw-1619088062-The%20Electronic%20and%20Postal%20Communications%20(SIM%20Card%20Registration)%20Regulations.%202020.pdf).

the collection of massive datasets for BDI purposes has the potential to be repurposed and used to track and trace individuals.

- **Lack of Discipline in Data Use:** These three governments have demonstrated a lack of restraint or control in how they utilize data collected from their citizens and resident foreigners. These governments utilize personal data for purposes beyond what it was originally intended for, intruding on individuals' privacy.

Further, most of the biometric databases in these countries were developed in the past decade before the enactment of comprehensive data protection laws, meaning they may not be compliant with best practices in personal data protection. Moreover, digital systems could be vulnerable to cyber-attacks, data breaches, and hacking which could affect delivery and access to services.

In addition, existing practices such as requirements for data sharing across government bodies, disproportionate information disclosures, and the linkage or centralization of biometric databases in the absence of adequate safeguards provide fertile ground for mass or targeted surveillance through sophisticated means. This has been reported by journalists in Uganda. Such actions could further compromise other rights such as freedom of expression, media, movement, association, and assembly, and consequently shrink civic space and hinder political participation.

Notably, private sector businesses such as vendors of BDI systems and telecommunications companies continue to play a critical role in the design and development of systems to collect and process biometric data. However, where they fail to implement best practices, refuse to be transparent and accountable, or misuse the data in their custody, it could result in massive data breaches that compromise the privacy of individuals.

Weak Legal and Institutional Frameworks for Data Protection and Civil Registration

In some of the countries under review, the legal and institutional frameworks for civil registration are outdated and do not cater to the new BDI systems. This is the case in

the CAR and Mozambique, whose laws were last updated in 1964 and 1967, respectively. Civil registration laws in Angola, DRC, Tanzania, and Uganda were last amended almost a decade ago and may still not be optimized for new BDI programmes. Concerning privacy, CAR, and Mozambique do not have standalone and comprehensive privacy laws. Further, privacy and data protection laws in Tanzania, Uganda, and Zimbabwe are yet to be fully operationalized, as the countries have not yet established independent data protection authorities.

As a result, the ongoing biometric data collection processes are not subject to independent oversight. This risks entrenching weaknesses rolled over from legacy systems, promoting inconsistencies in the application of international and regional digital identification and biometric standards and best practices, and hindering the protection of privacy rights. It is also noteworthy that the oversight institutions face challenges such as insufficient budgetary allocations, capacity gaps, and limited skilled human resources to effectively discharge their mandates, including outreach and awareness to the public and stakeholder engagement. Lastly, the implementation of privacy policies, standards, and principles such as prior informed consent, data minimization, privacy-by-design, and purpose limitation in BDI programmes is weak.

Exclusion of Key Stakeholders in the Development and Implementation of BDI Programmes

The findings from the focus countries indicate that BDI programmes are increasingly excluding key stakeholders at critical stages of design and implementation for various reasons. Across the countries, civil registration levels are low, especially in CAR, DRC, and Mozambique, where a significant population does not have access to legal identification documentation. The lack of foundational documents denies individuals the ability to register for BDI programmes and access to essential services such as health, financial, telecommunications, and social services and limits their participation in electoral processes.

These challenges are exacerbated by bureaucratic civil registration processes, limited digital infrastructure, lack of electricity, long travel distances to registration centers,

limited public awareness, low digital literacy, ongoing conflicts, and the high cost of accessing documentation. As has been witnessed in the focus countries, the groups most affected are children, youth, women, elderly, minorities, and marginalized groups, including indigent and rural communities.

In addition, the experiences in CAR and DRC evidence the limited public participation and engagement of governments and BDI vendors with civil society, academia, media, youth, and other relevant stakeholders. Governments do not always provide meaningful access to information or invest in public awareness around BDI programmes. This makes it difficult for the public and media to engage in meaningful discourse or hold governments and businesses accountable for their roles in such programmes. When they attempt to hold governments and businesses to account, as in the case of Uganda, there is often backlash in the form of threats, intimidation, arrests, surveillance, and attacks which could also lead to self-censorship and have a chilling effect on freedom of expression, independent journalism, and the media.

Conclusion and Recommendations

The findings from the focus countries show an increase in the adoption by governments of BDI programmes ostensibly to address the lack of legal identity documentation, while at the same time seeking to deploy BDI technologies to leapfrog and enhance the delivery and access to essential services. While these goals are noble, countries must remain alive to the potential risks presented by these technologies, and put in place adequate administrative, policy, legal, institutional, and practical measures to protect and promote human rights in the development and implementation of BDI programmes.

In that regard, this report highlights the following recommendations to various stakeholders including governments, civil society, the business community, the media, academia, and the public.

Governments

We urge governments to:

- Adopt and implement comprehensive privacy and data protection policies and laws that align with international human rights standards. This requires:
 - General: Providing for privacy principles, impact assessment, regulation of collection and processing of personal data, independent oversight, and effective remedies.
 - Country-Specific Recommendations:
 - Mozambique should develop a data protection law or domesticate the African Union Convention on Cyber Security and Personal Data Protection.
 - DRC should operationalize its data protection law.
 - Tanzania should establish the Personal Data Protection Commission.
 - The governments of Tanzania, Uganda, and Zimbabwe should respectively review the ongoing BDI programmes to ensure that they comply with the principles of personal data protection.
- Enhance the efficiency of civil registration systems to promote access to legal identity documents in a continuous, mandatory, and confidential manner.
 - Country-Specific Recommendations: This requires the governments of Angola, CAR, DRC, Mozambique, and Zimbabwe to:
 - Eliminate bureaucracy, adopt human rights-based approaches, invest in relevant digital and physical infrastructure, decentralize services, and remove barriers faced by the indigent, rural communities, minority, and marginalized groups.
- Promote continuous communication, public participation, and engagement with civil society, academia, media, and other relevant stakeholders to get feedback and address their concerns to improve the design, development, and implementation of BDI systems.
- Tackle corruption and promote transparency and accountability in the planning, procurement, design, development, and implementation of BDI programmes. This requires:

- General: Providing comprehensive access to information on the programmes to all stakeholders.
- Review and update outdated civil registration laws to ensure they are rights-respecting and in line with international human rights standards.
- Promote ethical and responsible practices in the collection and processing of personal data and the development and implementation of BDI systems. This requires:
 - General: An immediate cease and desist by governments from engaging in function creep, i.e., expanding and using BDI programs beyond their original purposes and scope.
- Build human resource and technical capacity of officials in the responsible handling of personal data.
- Develop and implement digital literacy and awareness programs targeting the public including young people and marginalized groups on the benefits and risks of BDI systems.

Civil Society

Civil society is urged to:

- Create public awareness, conduct education campaigns, and develop educational materials on the benefits and risks of BDI systems such as discrimination, privacy violation, surveillance, and the misuse of personal data, especially targeting minority and marginalized groups.
- Advocate for policy and legislative reform to overhaul the outdated civil registration laws. Further:
 - Country-Specific Recommendations:
 - CSOs in the CAR, DRC, and Mozambique to advocate for the development of new, rights-respecting frameworks for BDI systems.
 - CSOs in CAR and Mozambique to advocate for the enactment of privacy and data protection laws.

- CSOs in DRC and Tanzania to advocate for the implementation of privacy and data protection laws.
- Engage with and hold accountable governments, businesses, and other relevant stakeholders for their roles and actions in the development and implementation of BDI programmes.
- Support individuals and groups affected by BDI programmes including journalists, minorities, and marginalized groups through capacity building, legal aid, assistance, counseling, and advocacy to claim their rights.
- Continuously monitor and report on the concerns and risks arising from the implementation of BDI programmes, including to UN treaty body mechanisms, the African Commission on Human and Peoples' Rights, and Regional Economic Communities.
- Build strategic alliances and partnerships with other stakeholders, including the media, academia, and the technical community to advocate for the implementation of foundational ID systems and national BDI systems that are rights-respecting, secure and inclusive.

Business Community

The business community is urged to:

- Develop and implement BDI systems that incorporate privacy and security by design and are inclusive and accessible to all segments of the population including minority and marginalized groups.
- Be transparent and accountable and adopt ethical and responsible practices in the collection and processing of personal data and the development and implementation of BDI systems.
- Engage with civil society, academia, media, and other relevant stakeholders to get feedback and address their concerns to improve BDI systems.
- Comply with the UN Guiding Principles on Business and Human Rights, including conducting due diligence, respecting human rights, addressing human rights risks, monitoring and evaluation, and stakeholder engagement.

Media

The media is urged to:

- Investigate, document, and report on the experiences of people with BDI programmes to inform and educate the public on their purpose, benefits, risks, challenges, successes, and impact.
- Promote public debate on BDI programmes by providing platforms for sharing perspectives, giving the public a voice, and encouraging discourse.
- Hold governments and businesses accountable for their actions concerning the development and implementation of BDI programmes to promote transparency and accountability.
- Partner with media unions and civil society organizations to:
 - Provide legal aid and assistance.
 - Build the capacity of journalists on digital security skills, tools, and practices to counter and protect themselves from cyber incidents and threats such as hacking, surveillance, and communication interception.
- Practise collaborative journalism to enable the publication of stories anonymously or through other journalists or media houses.

Academia

The academia is urged to:

- Conduct extensive research on the effectiveness of legal and policy frameworks for BDI systems to identify gaps and make recommendations to ensure they are inclusive and rights-respecting.
- Document the experiences of different countries in Africa with biometric digital identity programmes to create an understanding of the challenges, opportunities, emerging technologies, best practices, and advance rights-respecting innovations.
- Engage and collaborate with other stakeholders in research to ensure their diverse needs are considered, and that studies are responsive to their lived experiences.

- Disseminate research findings widely to inform policy decisions and improve the design and implementation of BDI programmes across Africa.

The Public/ID Users

The public/ID users are urged to:

- Learn about the benefits and risks of biometric digital identity programmes to enable them to make informed decisions on whether to support or oppose such programmes.
- Engage in debates and discussions on BDI programmes by participating in meetings, and online discussions and engaging with various stakeholders.
- Demand for transparency and accountability of governments and businesses that are developing and implementing BDI programmes, including by making access to information requests, engaging oversight bodies, and public interest litigation.
- Be aware of their privacy rights and take steps to protect their privacy and security, including reporting breaches to relevant bodies.
- Engage with relevant bodies to acquire official documents to ensure access to services.

Annexures

Annex I: Gap Analysis

	GIF - AFRICA FOCUS COUNTRIES						
Digital Identity Topics	Angola	Central African Republic	Democratic Republic of Congo	Mozambique	Tanzania	Uganda	Zimbabwe
Litigation	Red	Red	Red	Red	Red	Yellow	Red
Sustainable development goals (SDGs)	Red	Red	Red	Red	Red	Red	Red
Socio-economic rights	Red	Red	Red	Red	Yellow	Yellow	Red
Elections	Red	Red	Red	Yellow	Yellow	Yellow	Yellow
Digital economy/ transformation	Yellow	Red	Red	Yellow	Yellow	Yellow	Red
Technology (design, standards, interoperability, neutrality, accuracy, and sustainability; biometrics; and SIM registration)	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow
Digital inclusion	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow
Inclusion (Universal coverage and accessibility including marginalized groups)	Red	Yellow	Yellow	Yellow	Yellow	Green	Yellow
Governance, institutional arrangements, and oversight	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow
Human rights (privacy, non-discrimination, security, surveillance, and terrorism)	Red	Red	Yellow	Yellow	Green	Green	Green
Legal and policy frameworks	Yellow	Yellow	Yellow	Yellow	Green	Green	Green
Civil registration / legal identity	Yellow	Yellow	Yellow	Green	Green	Green	Green

Key

Highlighted area in yellow	Shows that the topic has low coverage in the reviewed studies
Highlighted area in green	Shows that the topic has received higher coverage in the reviewed studies
Highlighted area in red	Shows that the topic has not been covered in the reviewed studies

Annex II: Country Status

Country	Digital ID System/Card	Digital ID Law	Cybercrime laws	Data Protection Law/Policy	AU Convention on Cybersecurity and Personal Data Protection
Angola	Yes, plastic card	No	Yes	Yes	Ratified February 2020; Deposited May 2020
Central African Republic	Yes, plastic card	No	No	No	Not yet
Democratic Republic of Congo	No, Paper ID	No	No	No	Not yet
Mozambique	No, Plastic card	No	Yes	No	Ratified December 2019; Deposited January 2020
Tanzania	Yes	Yes	Yes	Yes	Not yet
Uganda	Yes	Yes	Yes	Yes	Not yet
Zimbabwe	No, Plastic card	No	Yes	Yes	Not yet

Annex III: Relevant Instruments and Documents

REFERENCE & PURPOSE					
No.	Title/Link	Author	Type of Publication	Summary	Key Topics Covered
1	United Nations' Agenda For Sustainable Development (2015)	UN	Agenda	Provides SDGs	Legal Identity
2	African Union Convention on Cyber Security And Personal Data Protection	AU	Instrument	Convention on cybersecurity and personal data	Cybersecurity, privacy
3	The Digital Transformation Strategy for Africa (2020-2030)	AU	Strategy	Digital transformation strategy	Digital transformation
4	AU Data Policy Framework	AU	Policy	Data policy framework	Data privacy
5	Agreement Establishing The African Continental Free Trade Area	AU	Instrument	Free trade agreement	Trade
6	Report of the Special Rapporteur on Extreme Poverty and Human Rights, Olivier De Schutter	UN	Report	Addresses digital ID and exclusion	Social protection
7	Right to Privacy	UN	Report	Addresses privacy protection and use of health-related data.	Privacy
8	Racial Discrimination and Emerging Digital Technologies: A Human Rights Analysis	UN	Report	Privacy, racial discrimination and emerging technologies	Privacy
9	Report of the Special Rapporteur on the Right to Privacy	UN	Report	Covers security, surveillance, gender, and health	Privacy
10	UN Principles for Responsible Digital Payments	UN/Better than cash alliance	Report	Digital payments, digital id, women	Privacy
11	Global Strategy on Digital Health 2020-2025	WHO	Strategy	Digital health	Health
12	United Nations Strategy for Legal Identity For All	UN	Strategy	Legal identity	Legal Identity
13	Principles and Recommendations For A Vital Statistics System	UN	Policy	Vital statistics	Vital statistics
14	African Charter on Human And Peoples' Rights	AU	Instrument	Human rights	Human rights
15	The Smart Africa Trust Alliance Declaration, La Déclaration de l'Alliance de Confiance de Smart Africa	Smart Africa Alliance	Declaration	Establishment of Smart Africa Trust Alliance (SATA) to promote open standards and interoperability for cross-border digital frameworks and systems.	Digital ID, Trade