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Presentation

**Data Governance in Emerging Economies to Achieve the
Sustainable Development Goals (SDGS)**

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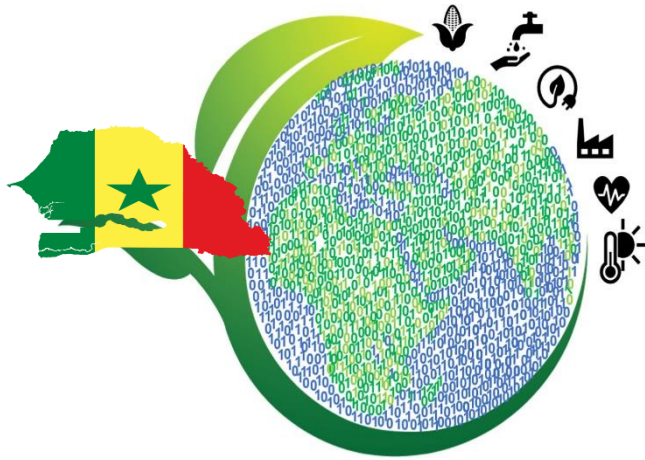
DATA GOVERNANCE IN EMERGING ECONOMIES TO ACHIEVE THE SUSTAINABLE DEVELOPMENT GOALS (SDGs)

Shaping Data Sharing Policies in the Agricultural and the Financial services sectors in
Senegal

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Background



- The data economy has great potential for emerging economies to achieve the Sustainable Development Goals (SDGs)
- Leveraging this potential depends on how the framing of data-sharing policies occurs
- The digitalization (at a different pace) of two sectors critical for the Senegalese economy, **agriculture** and **financial services**, is a data-sharing enabler that allows for the evaluation of existing policies



Agriculture and Financial services as priority sectors in the Senegalese Digital Strategy (2016-2015)

Agricultural sector

- **Overall objective:** digitalizing the agricultural sector in order to boost productivity
- **Tools:** business models that facilitate: access to information on prices, the quality of soils, reliable data on the weather, new agricultural technics/innovations, etc.
- **Role of data:** access and data sharing as an important tool in the process of digitization, etc.

Financial services sector

- **Overall objective:** development of e-commerce and financial services for financial inclusion
- **Tools:** speed internet penetration, telecommunication services, interoperability of platforms that offer financial services, development of the mobile banking/money market (OM, Wave)
- **Role of data:** interoperability and access to data are of paramount importance



SDG as an overarching objective of the Senegal Digital Strategy

→ SDGs bring together the project's approach and the Senegal Digital Strategy

- SDGs as an underlying objective of the Senegal Digital strategy: relevance with the approach of the project
- Digitalization of the key sectors of the economy (agriculture and financial services) would help achieve the SDGs



Overview of the legal framework dealing with data sharing

A data governance strategy in construction...

- **Law/policy on the information society (LOSI) 2008: key principles:**
 - ✓ Creation of an enabling environment for the digital economy that is conducive to “investment, sustainable growth and sustainable development”
 - ✓ Need of a legal framework that “balances” innovation, access to data and protection of individual rights such as the right to privacy
 - ✓ Strong focus on the protection of privacy and personal data
 - No reference to Public Sector Information (PSI)
 - No reference to non-personal data
- **Senegal Digital Strategy 2016-2025**
 - ✓ Open and affordable access to network and digital services
 - ✓ Digitalizing the administration
 - ✓ Promoting an innovative digital industry
 - ✓ **Digitalizing priority sectors of the economy** (e.g. agriculture and financial services)
 - Lack of guidance principles on data sharing



Overview of the legal framework dealing with data sharing

Fragmented (horizontal) rules applicable to data sharing...

- **Personal data:**
 - Data protection law is strongly privacy oriented
 - Heavy administrative formalities when collecting and processing personal data (mandatory authorization, etc.)
 - B2B sharing of personal data possible in principle: requirement of consent, proportionality and security → importance of contract law
 - International data sharing subject to authorization by the regulatory authority (CDP)
- **Public Sector Information (PSI):**
 - Decentralized approach when collecting and processing PSI (ministries and ANSD)
 - Lack of clarity in the modalities of access to PSI: Open access PSI, restrictive access
- **Non-personal data is not addressed**



Interfacing the legal framework with the two sectors

Data sharing and the agricultural sector:

→ NO sector-specific data governance framework

BUT:

- Development of different business models that rely on personal data and PSI in digitalizing agriculture
- Private actors are dynamic in the process of digitalizing the agricultural sector
- Public actors are also very dynamic in the process of digitalizing the agricultural sector

STILL:

- Behavioral market failures remain (digital divide, digital illiteracy, trust)
- Issue of compliance with data protection law
- Lack of clarity of principles on sharing PSI



Interfacing the legal framework with the two sectors

Data sharing in the financial services sector

- NO sector-specific data governance framework
- Very dynamic market of telecommunication services and related services:
 - Leverage potential and impact on data sharing in the financial services sector
 - Usage of mobile data infrastructure (SSO) for digital financial services
 - Enhanced competition in the connected services (e.g. mobile money business) due to interoperability rules in the telecommunication sector
- Very dynamic financial services sector (vast diversification of products and services, lowering of prices, etc.)

BUT:

- High regulatory burdens (administrative requirements) under the Data Protection Law
- Traditional rules of the banking system (central bank) cannot cope with innovative business models in the financial services sector (hampering (financial) innovation or causing financial stability risks)



Interfaces with climate change

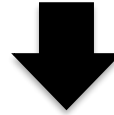
Interdependence of SDGs:

- **Close link** between digitalizing the agricultural sector, the financial services sector and mitigating the effects of climate change:
- Privately ordered business models in the agriculture directly contribute to combatting the effects of climate change
 - Innovative financial services indirectly contribute to the process of digitalizing the agricultural sector (access to capital, financial inclusion, etc.)
 - No policy related mentioning of the intersection of the different SDGs



Looking forward...

Designing legal data governance frameworks and actively shaping sustainable markets



Need to design open data governance frameworks (“data commons”) going beyond general policy orientations of regulating the (digital) economy :

- Clear rules on already existing frameworks re sharing of personal data and PSI
- Non-personal data needs to be addressed
- Reflect on the need of “data ecosystems” (all actors in data value creation, cross-sectorial data)
- Provide for the right technological prerequisites (interoperability, data standards)
- Coherence of overlapping regulatory frameworks (access provisions, IPRs, privacy rules, administrative rules)
- Privacy protection and innovation should go hand in hand (privacy as enabler of market driven solutions)





Thank You!

