



**ACHPR/Res.620 (LXXXI) 2024:
GUIDELINES ON PROMOTING AND
HARNESSING DATA ACCESS AS A TOOL
FOR ADVANCING HUMAN RIGHTS AND
SUSTAINABLE DEVELOPMENT IN THE
DIGITAL AGE**

Juliet Nanfuka | Background on Resolution 620
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GOVERNMENT OF UGANDA

**MINISTRY OF LOCAL
GOVERNMENT**

RECORDS STORAGE BOX

**NOT TO BE USED FOR ANY
OTHER PURPOSE**

**CO
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BER**

► Origins of Resolution 620



The Resolution emerged from the 81st Ordinary Session (2024) in The Gambia. It established a clear mandate for its Member States to advance data access as a key part of data governance.



It recognises and integrates African Commission on Human and Peoples' Rights (ACHPR) 's **Model Law on Access to Information for Africa**, the **Guidelines on Access to Information and Elections in Africa**, the **Declaration of Principles on Freedom of Expression and Access to Information in Africa**, **African Union Convention on Cyber Security and Personal Data Protection**, and the **African Union Data Policy Framework**.



► The Concern The Resolution Addresses



There is no tailored guidance for African governments on harnessing data access as a tool for advancing human rights and sustainable development.



Resolution 620 emerges from growing recognition of data's potential in Africa's digital transformation



► Resolution 620: Sets Standards



It identifies a need to establish appropriate normative standards for data collection and deployment that go beyond traditional "access to information" models to create a human rights-based framework.



It seeks to resolve the lack of coherence across legal instruments, and to rectify conflicting provisions in existing laws—such as Official Secrets Acts or cybersecurity laws—that may negatively impact the right of access to data.

Resolution 620 and the Media

From a media perspective, the draft guidelines introduce several key elements **designed to facilitate and protect journalists' access to both public and platform-held data for investigative and public interest purposes.**



► Foundation of Resolution 620



Access to digital platform data - Addresses the power imbalances between large platforms and African stakeholders.



During electoral periods, election management bodies are tasked with facilitating relationships between journalists and platforms to enable access to election data and timely responses to data-driven disinformation.

► Foundation of Resolution 620 (Continued)



The guidelines expand the traditional definition of information to ensure journalists can access the raw material necessary for modern data journalism ie high value data



Data as Information! States must ensure that existing access to information laws are understood to encompass "data" and "datasets" as forms of information subject to the right of access.

► Foundation of Resolution 620 (Continued)



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► Safeguarding the Journalistic Process



Investigative Mandate: Data is an **indispensable tool for public accountability** and must be accessible to journalists for investigating matters of public interest and holding power to account.



The guidelines acknowledge that information may be withheld if its release would **reveal confidential communications** between a journalist and their sources.



States are encouraged to facilitate innovative sharing models, such as **data pools** to promote equitable access and public value.

► Key Principles Of Resolution 620



Data for Public Value

Data should serve to support policies, services, or interventions **that improve societal well-being, transparency, and accountability**. Data should contribute to the Sustainable Development Goals (SDGs) and Agenda 2063: The Africa We Want



Maximum Disclosure

Openness should be the default position for public data. This also applies to private data where appropriate or relevant. Information should be accessible unless there is clear and demonstrable harm in releasing it.



Data Justice and Equity

Data initiatives must be designed to address **structural inequalities and ensure that marginalised and vulnerable communities have equitable access to data**, the governance of data including participatory governance and community data ownership, and the benefits derived from its use.

► Key Principles Of Resolution 620



Transparency, Accountability, and Ethical Use

Data collection, processing, and use must be transparent and accountable. **Ethical principles must be embedded in all data initiatives**, with clear mechanisms to address biases in data and automated decision-making. All entities handling data are accountable for responsible management, transparent decision-making, and mechanisms for redress.



Data for Public Accountability

Data is an indispensable tool for public accountability. To this end, governments and private entities must ensure that **data is accessible to researchers, civil society watchdogs, and journalists for the purpose of investigating matters of public interest**, holding power to account, and fostering a well-informed public discourse.



Data Justice and Equity

Systems for data collection, storage and dissemination must be built **with proactive disclosure features, accessibility standards and interoperability by default**, as well as security provisions

► Scope And Application

Data protection and access to data are **not incompatible imperatives**. Advancing them together requires reference, when necessary, to considerations of proportionality, necessity and legitimate purpose such as public interest.

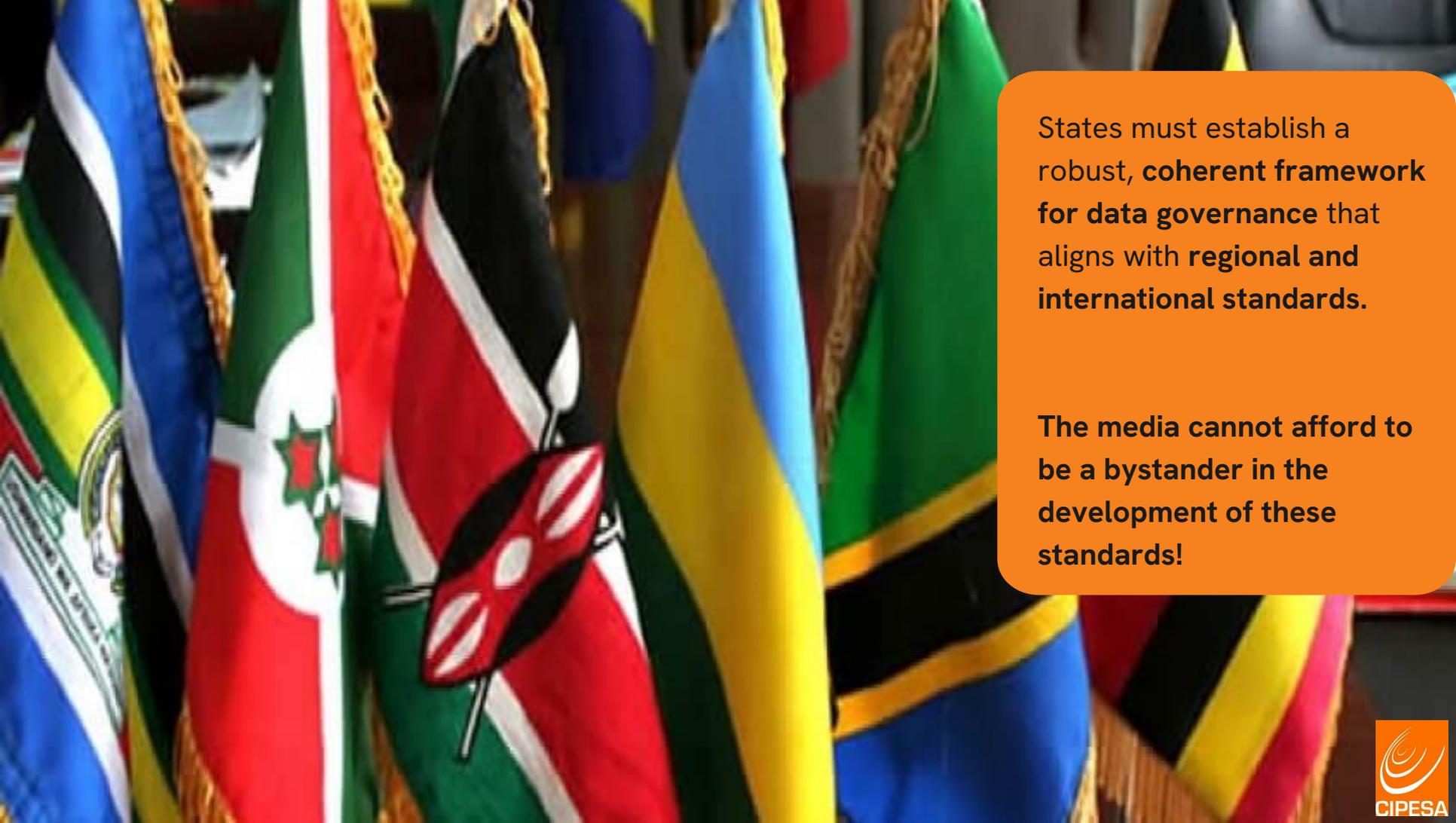
This ensures the application of the least restrictive limitations on the right to privacy and the right to access information. Balancing data access with interests in intellectual property and national security concerns entails a similar approach.



► Scope And Application

The Guidelines come in a time where AI is highlighting the importance of data governance as never before, and implementation should accordingly align with global instruments such as UNESCO's Recommendation on the Ethics of Artificial Intelligence.





States must establish a robust, **coherent framework for data governance** that aligns with **regional and international standards**.

The media cannot afford to be a bystander in the development of these standards!

► Draft 4 Guidelines: Resolution 620



Find the guidelines here ([link](#))





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