

RECOMMENDATION 7 OF 20

CONTINENTAL

Act within 100 days · by early January 2027

Publish every government agreement with large technology firms, using one African standard

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IN BRIEF

- African governments sign agreements with large technology firms, and the terms are rarely made public.
- An AU standard should set what every government must publish about each deal: the data shared, the money, how long it runs, how it ends, and any settled fines.
- Kenya goes first, because its law already says that the details of a public contract must be published when it is signed.

Why this matters

A September 2026 investigation found at least 12 documented agreements or projects since 2023 between Kenya's government and Meta, Microsoft, Google, Amazon, TikTok and Starlink. Most of the terms are unpublished. The investigation found no evidence that the risks to personal data were assessed. In August 2026, Amazon Web Services signed a memorandum of understanding with Konza Technopolis. Citizens and members of Parliament cannot judge deals they cannot read.

Secrecy also covers enforcement. Nigeria's data protection commission fined Meta \$32.8 million in February 2025. A settlement adopted by the Federal High Court in November 2025 set the fine aside, and Meta paid only the commission's legal fees. A standard must therefore cover settlements as well as contracts.

The parts of a continental standard already exist. The AU's Executive Council endorsed a Data Policy Framework in February 2022. In December 2025 the AU Commission began the final review of a Continental Open Data Strategy with member states. Sixteen African countries are active members of the Open Government Partnership (OGP). In it, governments publish plans to be more open. Each of these countries has a ready way to sign up to the standard.

Sources for this section (7)

- [Business Day: inside Kenya's hidden deals with big technology firms](#)
- [The Elephant: the Amazon Web Services agreement with Konza Technopolis](#)
- [Premium Times: how Nigeria's fine against Meta was written off](#)
- [AU: review of the Continental Open Data Strategy, December 2025](#)
- [Open Government Partnership: member countries](#)
- [UN: co-chairs' summary of the first Global Dialogue](#)
- [Centre for Law and Democracy, RTI Rating: Kenya's Access to Information Act](#)

Four levels of action

1 What Africa asks of the world

Africa asks Microsoft, Google, Meta, Amazon, TikTok and Starlink to accept that every deal with an African government will be published. Only a few, clearly defined trade secrets would be blacked out. The firms should drop secrecy clauses when deals come up for renewal. The governments of the countries where these firms are based should support this.

WHO Microsoft, Google, Meta, Amazon, TikTok and Starlink, and the governments that host them

WHEN The second UN Global Dialogue on governing artificial intelligence (AI), New York, 3 and 4 May 2027

2 What the African Union does

The AU Commission adopts a disclosure standard as an annex to the Continental Open Data Strategy. Smart Africa, the alliance of African governments for digital development, supplies a one-page summary form for each agreement. The form covers data, money, duration, how the deal ends, terms for workers, and any settlements.

WHO The AU Commission, with Smart Africa

WHEN Draft by March 2027, then to AU decision-making bodies

3 What regional groups do

OGP members in each region adopt the standard first, through their national action plans. In West Africa these are Nigeria, Ghana, Senegal, Côte d'Ivoire and Benin. Kenya leads in East Africa; South Africa, Zambia and Malawi in southern Africa; and Morocco and Tunisia in the north. Burkina Faso is suspended from the AU but remains an active OGP member, so it can commit this way. Mali and Niger have no route until their suspension ends.

WHO OGP contact points in member governments

WHEN Commitments announced by June 2027

4 Which country goes first, and why

Kenya goes first. Its Access to Information Act of 2016 already requires public bodies to publish contract details when they sign. Its OGP commitment promises a public website for procurement data by December 2026. Journalists have already mapped the agreements.

WHO Kenya's Ministry of Information, Communications and the Digital Economy, with the Attorney General

WHEN All agreements since 2020 published by early January 2027

Before another country can do this

- ☒ A law on access to information that requires public bodies to publish without being asked.
- ☒ A data protection authority able to review data terms.
- ☒ An Attorney General willing to override confidentiality clauses when agreements are renewed.
- ☒ One central list of agreements across all ministries.

What does not carry over from the first country

- Kenya's legal duty to publish contracts when they are signed.
- Investigative reporting that has already listed the agreements.
- Kenyan court rulings that claim the power to hear cases about Meta's outsourced content moderation.

Who else is ready

COUNTRY	WHY	SOURCE
Nigeria	It has run the Nigeria Open Contracting Portal since 2017, and faces questions over the Meta settlement.	Source
Ghana	It has been an OGP member since 2011 and passed a Right to Information Act in 2019.	Source
Senegal	It is an active OGP member, and its communications minister co-chaired a working group at the first UN Global Dialogue on AI in July 2026.	Source
South Africa	It is an active OGP member, and Microsoft, Amazon Web Services and Google all run cloud centres there.	Source

Has this worked before?

Guinea began publishing its mining contracts in 2011 and wrote publication into its mining code, revised in 2013. It built a public website with the Natural Resource Governance Institute. Investors who pointed to confidentiality clauses were told that the law now required disclosure. The mining minister reported that publication raised investor confidence and helped the government compare later contracts. [Source](#)

Natural Resource Governance Institute: how Guinea met the contract transparency challenge

First steps

- 1** **AFRICAN UNION** the AU Commission's digital directorate and Smart Africa send a draft standard and summary form to member states by March 2027.
- 2** **REGIONAL GROUPS** OGP contact points in Nigeria, Ghana, Senegal and South Africa add the standard to their next action plans, announced by June 2027.

Who acts, and with what

WHO LEADS	The AU Commission, with Kenya as the first country
INSTRUMENT	An AU disclosure standard, adopted in each country by regulation, law or OGP commitment
HOW PROGRESS IS CHECKED	Kenya's register online by early January 2027, and three more countries committed by June 2027
SIGNAL TO CHANGE COURSE	Agreements continue to be signed without being published
WHAT STANDS IN THE WAY	Confidentiality clauses must be challenged at renewal and overridden by law, as Guinea did for mining. Ministries may fear embarrassment over weak terms. Firms may threaten to leave.
COST AND MONEY	Governments pay for legal review and a web page, which has not been costed. No outside money is needed. Guinea built its mining-contract website with technical help from the Natural Resource Governance Institute.

Who else contributes

WHO	CONTRIBUTION
Kenya's digital ministry and Attorney General	Publish the first register and test the summary form
Smart Africa	Keeps the common summary form up to date
Data protection authorities	Review data terms and publish settlements
Parliamentary committees	Examine the registers

WHO

CONTRIBUTION

Civil society groups

Analyse the terms and publish plain summaries

What each audience can do

AU and regional bodies

WHAT YOU CAN DO

Adopt the standard and the summary form

WHAT YOU GAIN

Figures that can be compared, for joint bargaining

Governments

WHAT YOU CAN DO

Publish a register and commit through OGP

WHAT YOU GAIN

Stronger terms in future deals

NGOs and civil society

WHAT YOU CAN DO

Analyse the terms and explain them to the public

WHAT YOU GAIN

Public trust in digital policy

Researchers and media

WHAT YOU CAN DO

Compare terms across countries

WHAT YOU GAIN

Evidence for joint bargaining

Young people and citizens

WHAT YOU CAN DO

Ask your representatives what has been signed

WHAT YOU GAIN

Digital rights that people understand

The briefings behind this

Sector · Strong inference

AI and technology

The UN has set up new bodies on artificial intelligence and funded none of them, while Africa's real limits are electricity and buyers who will commit to paying.

[Open the briefing](#)

Words used on this page

African Union (AU)

The organisation of 55 African states, based in Addis Ababa. Its heads of state meet each February. It can suspend members after a coup. [Glossary](#) · [Source: au.int](#)

Memorandum of understanding

A written agreement setting out what two parties intend to do. It is often not legally binding and may carry no money. [Glossary](#)

Data protection law

A law that sets rules on collecting, storing and sharing personal information, usually enforced by a national regulator. [AI and technology briefing](#) · [Glossary](#)

African Union Commission

The African Union's secretariat. It prepares decisions for heads of state and carries them out. [Glossary](#)

Open Government Partnership

A global partnership in which governments and citizens agree and publish commitments to make government more open. [Glossary](#)

UN AI panel and Global Dialogue

Two UN processes on AI agreed in 2025: a scientific panel that reports on AI's risks and uses, and a yearly meeting of governments on how to govern it. A proposed UN fund would pay for AI skills in poorer countries. [AI and technology briefing](#) · [Glossary](#) · [Source: un.org](#)

Annex

A set of extra terms attached to an agreement. Both sides must accept it, and it then has the same force as the main text. [Glossary](#)

Smart Africa

An alliance of African governments to put digital technology at the centre of development. It began with seven countries, and all AU heads of state endorsed its founding manifesto in January 2014. [Our recommendation on this](#) · [AI and technology briefing](#) · [Glossary](#) · [Source: smartafrica.org](#)