

HIPSSA Project

Support for Harmonization of the ICT Policies
in Sub-Sahara Africa,
Workshop with Data Protection Stakeholders
Kigali, July 2013

PRESENTATION ON DATA PROTECTION POLICY/INTERNATIONAL PERSPECTIVES

ZIAKA DEO GRATIAS,
Legal Expert on Data Protection



Summary of the Content

- **Introduction: current situation and need of Data protection policy**
- **Objectives/Goals of data protection policy**
- **Definitions**
- **Guiding principles on the scope of the policy**
- **Data protection policies**
- **Cross border transfer of personal Data**
- **National implementation**
- **International cooperation**
- **Role and structure**
- **Questionnaire**

introduction

- ICT policy within the frame of Rwandan vision 2020
- National Assessment report out come
- Need of Data protection policy and legal framework

Objectives of data protection policy

- To protect the fundamental rights and freedoms of natural persons, and in particular their right to privacy with respect to the processing of data.
- To protect personal data in commercial activities
- To protect electronic government (eGov) activities

Definitions

- Data controller or controller
- Data subject
- Personal data or personal information
- Processing or processing of personal data
- Data Protection Commission or Commission

Guiding principles on the scope of the policy

- Sensitive data
- Non Sensitive data
- Exception to the policy principles
- Minimum standard

Policies for the protection of personal data

- Collection limitation
- Data Quality
- Purpose Specification
- Use Limitation
- Security Safeguards
- Openness
- Individual Participation
- Accountability



Committed to connecting the world



Cross border transfer of Personal data

- Taking into account the implications of transborder transfer of personal data to countries for processing
- Promoting all reasonable and appropriate steps to ensure that transborder flows of personal data, are uninterrupted and secure
- Transferring personal data across border except if the country where personal data has to be transfer does not have appropriate legislation on data protection
- Avoiding developing laws, policies and practices in the name of the protection of privacy and individual liberties, which would create obstacles to transborder flows of personal data that would exceed requirements for such protection.

National implementation

- Adoption of appropriate legislation;
- encouraging and supporting self-regulation, whether in the form of codes of conduct or otherwise;
- providing reasonable means for individuals to exercise their rights;
- providing adequate sanctions and remedies in case of failures to comply with legislated measures for the protection of personal data
- ensuring no unfair discrimination against data subjects.

International cooperation

- Rwanda shall make known to other countries details of the observance of the principles of protection of personal data as set forth in Policy statements
- EAC and AU member countries should also ensure that procedures for transborder flows of personal data and for the protection of privacy and individual liberties are simple and compatible with those of other EAC and AU regional considerations and other international commitments.
- Rwanda shall Establish procedures to facilitate information exchange with other countries and
- mutual assistance in the procedural and investigative matters involved.

Role and structure

- Role of Government
- Role of the Data Protection Commission
- Role of industry
- Role of data subjects



Thank You

Questions/ Discussion

ZIAKA DEO GRATIAS

Law Drafter Consultant

Mob 1: +250 78 354 22 76

Mob 2: +250 73 854 22 76

E-mail: gratiasziaka@gmail.com



Committed to connecting the world

