

#AdLegal

CONCEPT NOTE



**THE AFRICA BIG TECH
ACCOUNTABILITY SUMMIT 2026
Kampala, Uganda**

30-31 JULY 2026

THEME:
**Big Tech, Data Governance, and
Competition Policy in Africa's
Digital Economy**



ABOUT THE SUMMIT SERIES

THE AFRICA BIG TECH ACCOUNTABILITY SUMMIT (BTA SUMMIT) is an annual gathering convened by **#AdLegal International** that addresses the growing challenges posed by technology giants such as Google, Apple, Meta, Amazon, Microsoft, OpenAI, and others. While these companies drive innovation, connectivity, and digital growth, they have also been implicated in widespread breaches including data privacy violations, anti-competitive practices, monopolistic behaviour, misuse of artificial intelligence, tax avoidance, misinformation and disinformation campaigns, and the erosion of consumer rights. Africa, like the rest of the world, is not immune to these risks, and the Summit seeks to confront these issues head-on, advancing dialogue, accountability, collaboration, and policy action.

The Summit seeks to dismantle the notion that African nations are powerless to demand accountability or impose sanctions. It provides a platform to critically examine Big Tech's footprint on the Africa continent, foster policy development, influence legal and regulatory practice, energize advocacy, and strengthen enforcement actions.

By convening leaders, practitioners, policymakers, and advocates, the BTA Summit drives collective action towards a future where Africa asserts its voice, protects its people, and shapes the standards of digital governance.

THE FIRST AFRICA BIG TECH ACCOUNTABILITY SUMMIT (BTA SUMMIT) 2026 (SEASON 1)

Theme: *Big Tech, Data Governance, and Competition Policy in Africa's Digital Economy.*

Background and Context:

The inaugural BTA Summit 2026 will focus squarely on data protection and competition in African digital markets. Recent investigations and concluded cases against Big Tech across the continent demonstrate that these two areas of law have been the primary avenues through which African regulators have held Big Tech accountable.

For many years, enforcement in these domains was marked by regulatory hesitation, fragmented approaches, limited institutional capacity, and an uncritical deference to innovation narratives largely shaped outside the continent. This Summit seeks to move beyond past constraints by creating a dedicated platform to examine enforcement experiences, share comparative litigation insights, explore mechanisms for regional cooperation, and advance regulatory frameworks that are balanced, proportionate, and tailored to Africa's digital realities.

By focusing on data protection and competition, the Summit will generate actionable insights, promote harmonisation, and chart a path for effective, predictable, and sustainable regulation of digital markets that protects citizens, empowers businesses, and fosters innovation in Africa.

In some African jurisdictions regulators and courts are no longer passive observers. They have actively held global platforms to account in line with data protection and competition violations. Among these include;

Nigeria

Nigeria has emerged as a continental leader in coordinated digital enforcement.

FCCPC & NDPC v. Meta Platforms Inc. & WhatsApp LLC

Following a 38-month joint investigation (May 2021–December 2023), Nigerian regulators found Meta and WhatsApp liable for abuse of dominance and unlawful exploitation of personal data, imposing binding corrective orders and a US\$220 million administrative fine.

Meta & WhatsApp Appealed and on 25 April 2025, the Competition and Consumer Protection Tribunal upheld the core findings and penalties, reinforcing the legitimacy of assertive enforcement against Big Tech.

Consent Judgment (Federal High Court, 3 November 2025)

The dispute was ultimately resolved through a consent judgment in which Meta withdrew its judicial review application, undertook enhanced compliance measures, and paid US\$32 million in remedial fees and costs.

Femi Falana, SAN v. Meta

The Court affirmed that global platforms owe a heightened duty of care where foreseeable harm arises from dissemination of inaccurate or harmful information, particularly involving sensitive personal data. The decision reinforces the principle that scale and technological sophistication increase—not reduce—regulatory responsibility.



Uganda

AdLegal v. Meta LLC & WhatsApp LLC

In the decision arising from the complaint filed by AdLegal International, the regulator held WhatsApp LLC and Meta Platforms Inc. accountable and ordered them to cease any unlawful processing and sharing of personal data of Ugandan data subjects that was not compliant with Uganda's data protection framework, particularly regarding transparency and cross-border data transfers. They were further directed to regularize their operations within Uganda's jurisdiction, including complying with registration requirements, instituting adequate data protection safeguards, and aligning their data processing practices with Uganda's national data protection law.

Frank Ssekamwa & Others v. Google LLC

In a precedent-setting decision announced on 18 July 2025, Uganda's Personal Data Protection Office found Google in violation of the Data Protection and Privacy Act for operating without registration and transferring data outside Uganda without adequate safeguards.



South Africa

Competition Commission: Media and Digital Platforms Market Inquiry

Initiated in October 2023 and concluded in November 2025, the Inquiry found that Google, Meta, Microsoft, TikTok, X, and leading AI firms dominate critical digital gateways—search, social media, and AI—raising systemic concerns about competition, media sustainability, and information access.



Kenya

Public Petition No. 41 of 2023 (TikTok Ban Petition)

A public petition (Public Petition No. 41 of 2023) was submitted to Kenya's Parliament calling for TikTok to be banned in the country. Kenya's Parliament found TikTok not fully compliant with data protection laws, particularly regarding data hosting abroad, age-verification, and consent mechanisms. The resulting directives to the Office of the Data Protection Commissioner signal a shift toward proactive platform oversight.



COMESA Competition & Consumer Commission (Regional Enforcement)

AdLegal International complaint against Meta Platforms Inc. & Meta Platforms Ireland Ltd.

Following a complaint by AdLegal International on **5 January 2026**, the COMESA Competition & Consumer Commission found a prima facie case against Meta Platforms Inc. and Meta Platforms Ireland Limited over the October 2025 WhatsApp Business Terms. The amendments allegedly exclude third-party AI chatbot providers in the COMESA region from accessing the WhatsApp Business platform while favoring Meta's own AI service. In a historic move, on **17 February 2026**, the Commission issued a formal Notice of Investigation into the conduct.

The case could significantly shape Africa's growing AI market by influencing platform access, competition standards, and opportunities for local AI innovators.

THE PIVOT:

From the existing and completed investigations, enforcement actions, and judicial decisions across Africa, a consistent pattern of recurring arguments and counter-arguments has emerged. These engagements reveal not only a growing assertiveness by African regulators, but also structural gaps, friction points, and unresolved tensions in the regulation of digital markets. Africa Big Tech Accountability Summit seeks to address by fostering a harmonised middle ground that delivers regulatory clarity, coordinated enforcement, and predictable compliance frameworks—balancing accountability and innovation, safeguarding digital rights, promoting fair competition, and enabling sustainable digital growth for both African markets and global technology platforms.

Below are the common arguments:

Issue Area	Big Tech Argument	African Regulators' Argument
Jurisdiction	<p>“We Are Not Established in This Jurisdiction”.</p> <p>Big Tech firms argue that because their parent companies, servers, or decision-making hubs are located outside the country, local regulators lack jurisdiction.</p>	<p>Jurisdiction is effects-based: targeting users, extracting value, or causing harm locally triggers the law regardless of server location.</p>
Extraterritorial Reach	<p>National laws cannot apply to global platforms operating abroad.</p>	<p>Data protection and competition laws apply where local data subjects and markets are affected. Digital conduct cannot evade domestic law.</p>
Role of Platform	<p>“We Are Just an Intermediary / Neutral Platform”</p> <p>Big Tech claim they merely host or transmit third-party content and therefore should not bear responsibility for data misuse, harmful content, or competition distortions.</p>	<p>Platforms curate, rank, target, and monetise content and data; algorithmic control makes them active economic actors.</p>
User Consent	<p>Users consented by accepting Terms of Service and Privacy Policies.</p>	<p>Consent must be informed, specific, and freely given; take-it-or-leave-it consent is invalid in contexts of power imbalance.</p>
Lawful Basis for Processing	<p>Data processing is necessary to provide free services.</p>	<p>Free services do not justify excessive or unrelated data extraction; necessity is narrowly construed under the law.</p>

Issue Area	Big Tech Argument	African Regulators' Argument
Global Compliance	We already comply with GDPR or global best practices.	Local law governs local users; global standards do not displace domestic legal obligations.
Market Power	We are not dominant; users can switch platforms easily.	Dominance is assessed through data control, network effects, gatekeeping, and ecosystem lock-in—not theoretical switching.
Proof of Harm	No individual harm or data breach has been proven.	Risk-based regulation allows intervention before irreversible harm occurs.
Regulatory Fragmentation	“National Regulation Should Wait for Regional or Global Rules” Platforms urge restraint, claiming that national enforcement creates fragmentation and should await EU / AU frameworks, or global digital governance.	Rejected on grounds that delay benefits dominant incumbents, harmonization cannot precede enforcement experience, and that rights violations occur now.
Exit Threats	Strict enforcement may force service withdrawal.	Access to markets is conditional on compliance; economic power cannot be leveraged to avoid regulation.
Proportionality of Penalties	Fines and remedies are excessive and punitive.	Penalties must be deterrent and reflect duration, gravity, and scale of infringement to prevent repeat violations

CHALLENGES

Big Tech Accountability in the data protection and Competition arena in Africa is compounded by several persistent pain points as highlighted below:

- Many African countries **lack comprehensive, modern data protection and Competition laws** that clearly define obligations and enforcement powers over Big Tech.
- Even where laws exist, **regulatory bodies often lack the resources and expertise** to enforce them effectively.
- Africa lacks **a unifying, overarching regional framework** equivalent to instruments such as the GDPR, resulting in divergent standards, inconsistent compliance expectations, and the absence of a common baseline for data protection and competition enforcement across the continent which poses a significant challenge for Big Tech platforms operating across multiple African jurisdictions even where they attempt in good faith to align their operations with local laws.
- Big Tech firms typically host data and operate infrastructure outside Africa, **making enforcement of local laws harder**. Platforms sometimes resist cooperation on the basis that national laws don't apply to offshore operations.
- In several countries, **multiple agencies share jurisdiction** over digital markets, data protection, competition, and telecommunications, leading to unclear mandates or duplicated oversight. This can slow enforcement and diminish regulatory clarity.
- **Sentimental bias** toward innovation, where fear of “scaring away investment” has delayed or diluted enforcement.
- **Fragmented legal frameworks**, with national laws operating in silos despite inherently regional and global digital markets.

OBJECTIVES:

The Africa Big Tech Accountability Summit 2026 seeks to achieve the following objectives:

- Examine African enforcement experience in data protection and competition law involving Big Tech.
- Identify regulatory, institutional, and legal gaps inhibiting effective oversight.
- Promote regional coordination and harmonization, including the role of RECs such as COMESA, EAC, SADC, and ECOWAS.
- Develop Africa-appropriate policy and enforcement models that balance accountability and innovation.
- Strengthen the capacity of regulators, judges, and practitioners to handle complex digital cases.
- Facilitate the development of a shared continental reference framework for data protection and competition, to serve as a common baseline that reduces divergent standards and promotes consistency in enforcement across African jurisdictions.
- Enhance regulatory certainty and compliance predictability for Big Tech operating across Africa, by clarifying expectations, aligning cross-border obligations, and supporting good-faith compliance efforts while safeguarding African digital rights and markets.

PANEL DISCUSSIONS, KEYNOTE SPEECHES & SPECIAL SESSIONS

DAY 1: DATA PROTECTION

Keynote Address:

“Whose Data, Whose Law? Jurisdiction, Extraterritoriality, and Enforcement Against Offshore Big Tech Platforms in Africa”

Session 1 : Regulator Experience (Panel Discussion)

Topic: “Inside the Investigation Room: How African Data Protection Authorities Took On Big Tech”

Participating Institutions: Data Protection Authorities from African jurisdictions that have taken concrete enforcement action against Big Tech for violations of data protection and privacy laws. These include regulators from Nigeria, Uganda, Kenya, and South Africa, among others. The participating authorities will share first-hand enforcement experience, including how investigations were initiated and conducted, approaches to inter-agency and cross-border coordination, and the enforcement tools and remedies ultimately deployed within their respective legal frameworks.

Session 2: Big Tech Platform Experience (Panel Discussion)

Topic: “Navigating African Data Protection Enforcement: Big Tech Perspectives on Compliance, Investigations, and Cross-Border Operations”

Participating Institutions: Big Tech companies that have been subject to data protection investigations or enforcement actions in African jurisdictions will share their experience engaging with African regulators. The discussion will examine the practical challenges of complying with multiple and divergent national data protection regimes, responding to investigations while operating offshore data infrastructure, managing regulatory expectations across jurisdictions, lessons learned from African enforcement actions, and offer recommendations for clearer, more predictable, and proportionate data protection frameworks that support both accountability and innovation.

Session 3: Regulatory Overlaps (Panel Discussion)

Topic: “Regulatory Overlaps and Turf Wars: When Too Many Agencies Regulate the Same Platform”

This session will examine how overlapping mandates among data protection authorities, telecommunications regulators, consumer protection agencies, and competition authorities have created regulatory friction in enforcing Big Tech Data protection accountability. It will explore how duplicated oversight has undermined enforcement effectiveness and slowed investigations.

Session 4: Civil Society & Public Interest (Panel Discussion)

Topic: “Advocacy as an Enforcement Trigger: How Civil Society and Public Interest Litigation Drive Big Tech Data Protection Accountability in Africa”

This session will explore the role of civil society organisations and public interest litigators in advancing data protection enforcement against Big Tech in Africa. It will examine how complaints, regulatory advocacy, investigative reporting, and strategic litigation have triggered investigations, shaped regulatory priorities, and expanded the interpretation of data protection laws.

PANEL DISCUSSIONS, KEYNOTE SPEECHES & SPECIAL SESSIONS

DAY 2: COMPETITION

Keynote Address:

“Big Tech and Market Power in Africa: Why Competition Law Has Become Inevitable”

Session 1 : Regulator and Platform reflections (Panel Discussion)

Topic: “Big Tech Competition Enforcement in Africa: Regulator and Big Tech Platform Reflections”

This session brings together competition regulators and Big Tech platforms that have been involved in investigations or enforcement actions in African jurisdictions, including Nigeria and South Africa. Representatives from platforms such as Meta, Google, Microsoft, Booking.com, and OpenAI will join regulators to share first-hand experiences of engaging in African competition investigations. The discussion will explore the practical challenges, lessons learned from investigations, and strategies for addressing cross-border and platform-specific market power. Participants will also provide recommendations for creating clearer, more predictable, and effective competition frameworks that balance accountability, innovation, and regional market realities.

Session 2: Regional Competition Enforcement (Panel Discussion)

Topic: “One Platform, Many Markets: The Case for Regional Competition Enforcement in Africa”

This session will examine the challenges of regulating Big Tech platforms that operate across multiple African markets, where reliance on purely national competition authorities is often insufficient. It will explore the role of regional economic communities such as COMESA and ECOWAS in enabling coordinated enforcement against anti-competitive conduct, cross-border mergers, and abuse of market dominance by digital platforms.

Session 3: Big Tech Operation in African Digital Markets (Panel Discussion)

Topic: “Gatekeeping and Abuse of Dominance by Big Tech Platforms”

This discussion will focus on how dominant platforms leverage control over data, digital infrastructure, and distribution channels to restrict competition. Panelists will examine enforcement approaches, remedies for unfair practices, and methods to ensure smaller firms and consumers can compete fairly in African digital markets.

Session 4: Civil Society & Public Interest (Panel Discussion)

Topic: “Advocacy as an Enforcement Trigger: How Civil Society and Public Interest Litigation Drive Big Tech Competition Accountability in Africa”

This session will explore the role of civil society organisations and public interest litigators in advancing competition enforcement against Big Tech in Africa. It will examine how complaints, regulatory advocacy, investigative reporting, and strategic litigation have triggered investigations, shaped regulatory priorities, and expanded the interpretation of competition laws in line with digital markets.

TARGET AUDIENCE

The Summit is designed for stakeholders who are central to the regulation, oversight, and operation of digital markets in Africa:

- **Regulators:** Data Protection Authorities, Competition Commissions, Telecom and ICT regulators, and other relevant oversight bodies
- **Big Tech Platforms:** Companies operating in African markets, including Google, Apple, Meta, Amazon, Microsoft, OpenAI, and others
- **Policymakers and Legislators:** Government officials involved in digital economy, law reform, and policy development
- **Civil Society & Advocacy Groups:** NGOs, media, and public interest organizations driving accountability
- **Academia & Researchers:** Experts studying digital markets, platform economics, and regulatory frameworks
- **Professionals:** Lawyers, in-house counsel, and law firms specializing in data protection, privacy, competition law, digital markets, and technology regulation.
- **Investors and Business Associations:** Stakeholders seeking clarity on enforcement and regulatory predictability in Africa.

TARGET PARTNERS

To ensure the Summit delivers practical impact and credibility, the following categories of partners are envisaged:

- Regulatory Partners
- Big Tech Platforms
- Law firms
- Telecom Companies
- Tech Companies
- Civil Society & Advocacy Partners
- Media Partners
- Academic Partners
- Multinational bodies
- Government institutions

DATE

The Summit will take place from **30 to 31 July 2026**

VENUE

The Summit will take place in Kampala, Uganda, at **Mestil Hotel and Residences.**

HOW TO PARTNER

Co-Convenor

- Co-Leads overall organization and execution of the Summit
- Invites and coordinates speakers, moderators, and panelists
- Oversees stakeholder outreach and engagement
- Gains opportunities to participate as speakers and moderators
- Receives branding and visibility across all Summit materials, sessions, and communications
- Provides financial support to enable successful delivery of the Summit

Strategic Partner

- Collaborates on Summit content, sessions, and outreach to target stakeholders
- Supports shaping thought leadership and actionable outcomes from the Summit
- Gains opportunities to participate as speakers and moderators
- Receives branding and visibility across all Summit materials, sessions, and communications
- Provides financial support to enable successful delivery of the Summit

Sponsor

- Provides financial support to enable execution of the Summit
- Benefits include branding, visibility, and association with promoting African digital market accountability
- Gains opportunities to participate as speakers and moderators
- Can sponsor specific sessions for targeted branding and engagement

Supporting Institution

- Offers institutional legitimacy or endorsement
- May provide logistical, research, or advocacy support
- Amplifies the Summit through networks, publications, or policy influence

CONTACT DETAILS

For partnership opportunities, sponsorship, or general inquiries, please contact us:

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Visit the Summit Website

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