



HOUSE OF FISCAL WISDOM

GLOBAL COMMISSION ON FINANCING DEVELOPMENT

PROJECT TERRA · POLICY BRIEF

Sovereignty on Loan

*Infrastructure, Financing and Fiscal Governance
of Data Centres in Dakar, Senegal*

TECHNOLOGY GOVERNANCE WORKING GROUP

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AUTHORSHIP

This policy brief is a publication of the House of Fiscal Wisdom. It was conceived, researched and written by Lyla Latif (PhD), Director and Principal Investigator of the House of Fiscal Wisdom, who was responsible for the conceptualisation, methodology, analysis, writing and editing of the text. Contributions are recorded in accordance with the Contributor Roles Taxonomy (CRediT), adopted as ANSI/NISO Z39.104-2022.

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METHOD AND CURRENCY

The brief rests on a desk review of certification registers, operator announcements, statutes, official statements and investigative reporting. Sources were last accessed on 22 September 2026. Where published figures conflict, the brief reports each figure with its source rather than choosing between them.

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Abbreviations

ADIE	Agence de l'Informatique de l'État, predecessor of Sénégal Numérique SA
ARTP	Autorité de Régulation des Télécommunications et des Postes
BRVM	Bourse Régionale des Valeurs Mobilières
CDP	Commission de Protection des Données Personnelles
CFCE	Contribution Forfaitaire à la Charge de l'Employeur
CFA franc (FCFA)	Franc de la Communauté Financière Africaine, the currency of the West African Economic and Monetary Union
CRSE	Commission de Régulation du Secteur de l'Énergie
DGD	Direction Générale des Douanes
ECOWAS	Economic Community of West African States
IMF	International Monetary Fund
IT	Information technology
kWh	Kilowatt hour
MW	Megawatt
PUE	Power usage effectiveness, the ratio of total facility energy to IT equipment energy
SLA	Service level agreement
Tbit/s	Terabits per second
ZES	Zone Économique Spéciale (special economic zone)

Executive Summary

Senegal does not lack data centres. The Dakar region hosts at least six operational or announced facilities, four of which hold Uptime Institute Tier III certification for both design and constructed facility, and the state's own flagship, the Diamniadio National Data Centre, has stood since June 2021. What Senegal lacks is the governance, energy economics, fiscal transparency and statutory framework that would turn physical capacity into sovereign control over data.

The brief makes four findings. First, the national data centre is underused: the presidential instruction of 2021 to migrate all state data into it has not been executed, and investigative reporting in May 2025 found that only the Ministry of Health had substantially moved its systems, while identity and transport data remained with hosts in Malaysia and France. Secondly, the public record gives cost figures for that facility ranging from 10 billion to 83 billion FCFA, and neither the lender's terms nor any tied procurement clause has been disclosed, in a country whose Court of Auditors has found undisclosed borrowing of roughly 25% of GDP between 2019 and 2024. Thirdly, every facility draws on a grid in which heavy fuel oil produced about 79% of electricity in 2022, so that localisation carries some of the highest energy costs on the continent and transfers them to public budgets. Fourthly, localisation rests on an instruction rather than a statute, and the governing data protection law dates from 2008.

The brief recommends a published national hosting capacity audit, full disclosure of the financing of the Diamniadio facility and its reconciliation within the post audit debt review, a revised data protection statute with localisation rules graded by sensitivity, independent certification and a published service level for the national facility, supplier diversification, and a data centre tax regime whose reliefs are conditional, time limited and recorded as tax expenditure. The criticism is of execution and disclosure, not of the objective of data sovereignty, which remains legitimate and necessary.

1 Introduction and Scope

This brief examines the data centres of the Dakar region of Senegal as fiscal and legal objects. It asks what hosting capacity exists, who owns and finances it, on what energy it runs, under what law data are held in it, and how the tax system treats it. The inquiry follows the approach set out in *Governing Public Money*, which treats public infrastructure as a fiscal commitment whose legitimacy depends on disclosure and use rather than on its inauguration.¹

Senegal is an instructive case for three reasons. It was among the first African states to announce a programme of full repatriation of state data into a national facility, a choice that one commentator described as a complete replication of a model requiring all servers to sit within national borders.² It is a landing point for five international submarine cable systems on the Atlantic seaboard. And it is managing a sovereign debt crisis caused by borrowing that was not reported, which makes the financing of digital infrastructure a matter of public finance accountability rather than of technology policy alone.

The brief is the West African companion to the Project TERRA research reports on Kenya and Tanzania, and it applies the same questions so that the three jurisdictions can be compared.³ It is a desk review. No operator or public authority in Senegal was interviewed, and the absence of published operating data for most facilities is recorded as a finding rather than filled with estimates.

2 The Data Centre Estate in Dakar

2.1 The Facilities

Table 1 consolidates what can be verified from the Uptime Institute certification register, operator announcements and trade reporting. Specifications are given only where a source publishes them.

Facility	Operator and ownership	Location	Status	Certification	Published specifications
Diamniadio National Data Centre	Sénégal Numérique SA (formerly ADIE), state owned; designed and built with Huawei	Parc des Technologies Numériques, Diamniadio	Operational since 22 June 2021	Tier III claimed; not on the Uptime register; described as pending in May 2025	About 1,000 m ² technical space; 1.4 MW; two 250 m ² halls with four containment modules of 18 racks each; 1,000 TB storage; 30,000 litres diesel reserve
Data Center Sonatel Rufisque	Sonatel, listed on the BRVM, Orange group as reference shareholder	Route de Rufisque	Operational since 22 June 2017	Uptime Tier III, design and constructed facility	2,200 m ² building with three 250 m ² server halls; investment of nearly 10 billion FCFA

¹ Lyla Latif, *Governing Public Money: Law, Policies, Political Economy* (Tale House Publishers 2026).

² ‘Senegal builds national data centre in partnership with Huawei’ *The Africa Report* <https://www.theafricareport.com/101896/senegal-builds-national-data-centre-in-partnership-with-huawei/> accessed 22 September 2026.

³ House of Fiscal Wisdom, *The Unmeasured Grid: Infrastructure, Environmental Impact and Taxation of Data Centres in Kenya* (Project TERRA Research Report, House of Fiscal Wisdom 2026); House of Fiscal Wisdom, *Grounding the Cloud: The Material, Environmental and Fiscal Governance of Data Centres in Tanzania* (Project TERRA Research Report, House of Fiscal Wisdom 2026).

Facility	Operator and ownership	Location	Status	Certification	Published specifications
Senelec Datacenter Diamniadio	Senelec, state electricity utility	Diamniadio	Operational, captive use	Uptime Tier III, design and constructed facility	Not published
Douanes BdM Data-center	Direction Générale des Douanes, state	Dakar	Operational, captive use	Uptime Tier III, design and constructed facility	Not published
Tigo Senegal Dakar DC, Phase 1A	Built under Millicom; the Senegalese operator later traded as Free and now falls within Axian's Yas group	Dakar	Operational	Uptime Tier III, design and constructed facility	Not published
PAIX Dakar	PAIX Data Centres, private, carrier neutral	Les Mamelles, Dakar	Ground broken January 2025; scheduled for 2026	Not yet certified	1.2 MW critical load; 918 m ² white space

Table 1. Data centre facilities in the Dakar region, as at September 2026.⁴

The technical specifications of the national facility come from its own director, as reported in an investigation published in May 2025.⁵ The storage figure, the diesel reserve and the generator configuration were reported at the inauguration.⁶

2.2 What the Inventory Shows

Two features of the inventory bear directly on policy. The first is that the revenue administration already operates certified infrastructure of its own. The Customs data centre means that the institution holding some of the most sensitive fiscal data in the country has both the reason and the technical means to remain outside the national facility, and the same is true of Senelec. A migration policy that ignores these captive facilities will meet resistance that is institutional rather than obstructive.

The second is that the frequent description of Diamniadio as the largest data centre in West Africa is not supported by the evidence. On the state's own specifications of about 1,000 m² of technical space and 1.4 MW, it is smaller than the 2,200 m² Sonatel facility commissioned four years earlier, a point the May 2025 investigation made expressly.⁷ Scale claims of this kind matter because they are used to justify both the borrowing and the migration mandate.

A third feature is an absence. For four of the six facilities no installed load, floor area, utilisation or energy source is published. The state cannot plan a sovereign cloud on capacity it cannot count, a gap to which the recommendations return.

⁴ Compiled from Uptime Institute, 'Uptime Institute Awards: Senegal' <https://uptimeinstitute.com/uptime-institute-awards/country/id/SN>; 'Datacenter national : le Sénégal affirme sa souveraineté numérique' *CIO Mag* <https://cio-mag.com/datacenter-national-le-senegal-affirme-sa-souverainete-numerique/>; 'Sonatel inaugurates Tier 3+ data centre near Dakar' *Telecompaper* (22 June 2017) <https://www.telecompaper.com/news/sonatel-inaugurates-tier-3-data-centre-near-dakar--1200972>; 'PAIX Data Centres breaks ground on facility in Dakar, Senegal' *DatacenterDynamics* (23 January 2025) <https://www.datacenterdynamics.com/en/news/paix-data-centres-breaks-ground-on-facility-in-dakar-senegal/>; 'Axian Telecom rebrands across all markets as Yas' *Telecompaper* <https://www.telecompaper.com/news/axian-telecom-rebrands-across-all-markets-as-yas--1582727>; all accessed 22 September 2026.

⁵ 'Souveraineté numérique du Sénégal : le vrai, le faux, le flou du Datacenter de Diamniadio (Enquête)' *DPI Africa* (28 May 2025) <https://dpi.africa/senegals-digital-sovereignty-the-facts-the-falsehoods-the-blur-of-the-diamniadio-data-center-survey/> accessed 22 September 2026.

⁶ *CIO Mag* (n 4).

⁷ *DPI Africa* (n 5).

3 Connectivity and Power

Dakar is well connected by sea but poorly served by its grid, and the second fact governs the economics of every facility in Table 1.

3.1 Submarine Cables and Landing Control

Senegal is served by five international submarine systems: SAT-3/WASC, ACE, Atlantis-2, SHARE and 2Africa. SHARE is a 720 km link from Dakar to Praia in Cabo Verde with a design capacity of 16 Tbit/s, built by Huawei Marine and completed in January 2022.⁸ Meta's 2Africa system, some 45,000 km long and connecting 33 countries, landed in Dakar on 31 October 2023, with Sonatel as landing party and Alcatel Submarine Networks as installer.⁹ PAIX has also cited MainOne among the systems serving Dakar.¹⁰

Sonatel controls the principal landing stations. Control of landing gives the incumbent a structural advantage in colocation and in the price of cross connects, which is the advantage a carrier neutral entrant such as PAIX is designed to erode. Whether the coastal state derives any revenue from the passage and landing of cables through its territorial sea is a separate question which Project TERRA is examining across the Atlantic and Indian Ocean coasts.

3.2 Vendor Concentration across Layers

The Chinese role extends across layers of state infrastructure. Huawei designed and built the national data centre and Huawei Marine built one of the five international cables.¹¹ The concentration of a single vendor group in both the storage and transit layers of state data is a sovereignty question which the rhetoric of repatriation in 2021 did not resolve. The data were relocated physically, while hardware, firmware and maintenance dependencies remained external.

3.3 Electricity Supply and the Cost of Hosting

Senegal had 1,789 MW of installed generating capacity in 2022, of which about 70.7% was heavy fuel oil thermal plant. Thermal sources produced about 79% of electricity and renewables about 21%, and reliance on imported fuel oil gives the country some of the highest electricity costs in Africa, supported by subsidies that are a large and volatile burden on the budget.¹² The residential tariff stood at 109.39 FCFA (USD 0.199) per kWh in June 2025.¹³ Published high voltage tariffs for commercial consumers were not located and should be obtained from the CRSE.

⁸ 'SHARE' Submarine Networks <https://www.submarinenetworks.com/en/systems/euro-africa/share> accessed 22 September 2026.

⁹ 'Senegal: Meta's 2Africa subsea cable lands in Dakar' *We Are Tech Africa* <https://www.waretech.africa/en/fils-uk/news/tech/senegal-metas-2africa-subsea-cable-lands-in-dakar> accessed 22 September 2026.

¹⁰ *DatacenterDynamics* (n 4).

¹¹ *DPI Africa* (n 5); *Submarine Networks* (n 8).

¹² Natural Resource Governance Institute, *Senegal's Gas-to-Power Ambitions: Securing Scale and Sustainability* (July 2024) https://resourcegovernance.org/sites/default/files/2024-07/Senegal-Gas-to-Power-Ambitions_Securing-Scale-Sustainability.pdf accessed 22 September 2026.

¹³ 'Senegal electricity prices' *GlobalPetrolPrices.com* https://www.globalpetrolprices.com/Senegal/electricity_prices/ accessed 22 September 2026.

The annual electricity cost of a facility is its IT load multiplied by its power usage effectiveness, by the 8,760 hours in a year and by the tariff:

$$C = P_{IT} \times PUE \times 8,760 \times t$$

By way of illustration only, a 1.4 MW IT load at a PUE of 1.6 and 109 FCFA per kWh would consume about 19.6 million kWh and cost about 2.1 billion FCFA a year. The PUE is an assumption for a facility in a hot coastal climate, since no Dakar operator publishes its PUE, and the tariff is the residential rate. The figure is an order of magnitude which metered data must replace, but it shows that energy, rather than floor space, is the variable that decides whether localisation is affordable. It also shows why the diesel reserve at Diamniadio is a recurring fiscal exposure as well as a resilience measure.

The gas to power programme, with 721 MW under construction, will lower the cost of generation but ties the growth of hosting to a fossil pathway that sits uneasily with the target under the Just Energy Transition Partnership of 40% renewable capacity by 2030.¹⁴

4 The Legal and Regulatory Framework

Senegal's data localisation policy rests on a presidential instruction rather than a statute, and the governing data protection law is eighteen years old.

4.1 The Data Protection Statute of 2008

The core instrument is Law No 2008-12 of 25 January 2008 on the protection of personal data, which established the Commission de Protection des Données Personnelles.¹⁵ It conditions cross border transfer on an adequate level of protection in the receiving state but imposes no general obligation to store data in Senegal. It was drafted before cloud hosting, hyperscale colocation and machine learning were ordinary features of public administration. A revision was announced in 2020.¹⁶ This review found no replacement statute in force, and the position should be confirmed against the texts published by the CDP.¹⁷

¹⁴ Natural Resource Governance Institute (n 12).

¹⁵ Loi n° 2008-12 du 25 janvier 2008 portant sur la protection des données à caractère personnel (Senegal) https://natlex.ilo.org/dyn/natlex2/r/natlex/fe/details?p3_isn=85279 accessed 22 September 2026.

¹⁶ 'Le Sénégal va réviser la loi sur la protection des données personnelles' CIPESA (January 2020) <https://cipesa.org/2020/01/le-senegal-va-reviser-la-loi-sur-la-protection-des-donnees-personnelles/> accessed 22 September 2026.

¹⁷ Commission de Protection des Données Personnelles, 'Textes législatifs' <https://www.cdp.sn/legislation/textes-legislatifs> accessed 22 September 2026.

4.2 Localisation by Presidential Instruction

The localisation requirement derives from the instruction that President Macky Sall gave at the inauguration of the Diamniadio facility, directing the government to migrate all state data and platforms to it and to repatriate national data hosted abroad.¹⁸ An instruction of this kind binds the administration politically, but it creates no enforceable duty, no sanction, no classification of data by sensitivity and no remedy for citizens whose data remain abroad.

The evidence of non compliance is specific. In May 2025 biometric identity data were reported to be held in Malaysia under a contract with Iris Corporation Berhad, and passenger data of the Train Express Régional to be held by RATP in Paris. The same investigation found that the Presidency, the National Assembly and the Ministry of Finance had not migrated.¹⁹

4.3 The New Deal Technologique

The policy layer changed in February 2025 with the launch of the New Deal Technologique, a strategy of 12 programmes and 50 priority projects costed at 1,105 billion FCFA for 2025 to 2034. It makes a sovereign cloud a central objective and targets the dematerialisation of 90% of administrative procedures by 2034.²⁰ A strategy of that ambition cannot rest on a 2008 statute and an unexecuted instruction.

Dematerialising 90% of procedures moves tax, land, health and identity records into hosted systems. Consolidating fiscal data in this way, without proportionality limits and independent oversight, expands the state's visibility over citizens faster than it expands their protection.²¹ A sovereign cloud without a modern data protection statute is sovereign for the state but not for the data subject.

4.4 Sectoral Regulation

Regulatory responsibility is divided. The ARTP licenses network operators, which brings Sonatel and Yas within its reach, but this review found no licensing, registration or reporting regime specific to data centres. Facilities operated by the Customs and by Senelec sit outside any external reporting duty. The state therefore has no statutory means of knowing its own national hosting capacity, its energy draw or its utilisation.

5 Financing and the Fiscal Regime

The cost of the national data centre cannot be established from the public record, and that uncertainty has to be read against a sovereign debt crisis caused by undisclosed borrowing.

¹⁸ 'Senegal to migrate all government data and applications to new government data center' *DatacenterDynamics* <https://www.datacenterdynamics.com/en/news/senegal-to-migrate-all-government-data-and-applications-to-new-government-data-center/> accessed 22 September 2026; 'Le Sénégal se dote d'un Data center de type tiers 3' *Financial Afrik* (22 June 2021) <https://www.financialafrik.com/2021/06/22/le-senegal-se-dote-dun-data-center-de-type-tiers-3/> accessed 22 September 2026.

¹⁹ *DPI Africa* (n 5).

²⁰ 'Décryptage : Sénégal, le "New Deal Technologique" en quatre points essentiels' *Africa Check* <https://africacheck.org/fr/fact-checks/fiches-dinformation/decryptagesenegal-new-deal-technologique-4-points/>; 'Senegal refocuses digital strategy on sovereign cloud and AI' *Tech In Africa* <https://www.techinafrica.com/senegal-refocuses-digital-strategy-on-sovereign-cloud-and-ai/>; both accessed 22 September 2026.

²¹ Lyla Latif, 'Digital Tax Surveillance: Allowing an All-Seeing State' (2025) *Tax Notes International*.

5.1 The Cost of the National Data Centre

Source	Reported cost	Financing stated
<i>CIO Mag</i> and <i>Osiris</i> , June 2021	10 billion FCFA	Not stated
<i>DatacenterDynamics</i>	46 billion FCFA, converted in the article as USD 18.2 million, a conversion that is arithmetically wrong; at 2021 exchange rates 46 billion FCFA is roughly USD 80 million	Chinese loan
<i>Sikafinance</i> , June 2021	83 billion FCFA (USD 150 million)	Not stated

Table 2. Published cost figures for the Diamniadio National Data Centre.²²

The spread is more than eightfold. The likeliest explanation is that the lowest figure covers the building while the higher figures include equipment, the departmental fibre backbone and other components of a wider package financed from China, but no public document separates them. The lender, interest rate, grace period, maturity, security and any clause tying procurement to the vendor have not been disclosed. An asset whose price varies eightfold across official and semi official accounts displays a procurement red flag whether or not any irregularity is later proved, because the variance itself defeats audit after the event.²³

5.2 The Debt Context

Senegal's Court of Auditors found that the state contracted undisclosed loans equivalent to about 25% of GDP between 2019 and 2024, putting public debt at the end of 2023 near 99% of GDP against a reported 74%. The IMF suspended a USD 1.8 billion facility in 2024, and questions about its own oversight across five years of missions remain open.²⁴ Infrastructure loans contracted within the audited period, including the loan behind the national data centre, belong within the scope of the debt reconciliation. Digital sovereignty financed by undisclosed external debt exchanges one form of dependence for another.

5.3 Tax Treatment of Data Centre Operators

Senegal has no tax regime specific to data centres. A private operator is subject to corporate income tax at the standard rate of 30%, to value added tax at 18% on hosting and colocation services, and to customs duties under the ECOWAS common external tariff on imported servers, cooling plant and power equipment.²⁵

An operator located in a designated special economic zone under Law No 2017-06 of 6 January 2017 may obtain a 50% reduction in the rate of corporate tax, exemption from customs duties and import VAT, exemption from the CFCE payroll levy, from property contributions and from the local economic contribution, and a 25 year lease renewable once, subject to conditions on turnover, exports, investment and employment.²⁶ The in-

²² *CIO Mag* (n 4); 'Incursion au Data center de Diamniadio' *Osiris* <https://www.osiris.sn/Incursion-au-Data-center-de.html>; *DatacenterDynamics* (n 18); 'Le Sénégal va inaugurer son data center de 83 milliards FCFA à Diamniadio' *Sikafinance* https://www.sikafinance.com/marches/le-senegal-va-inaugurer-son-data-center-de-83-milliards-fcfa-a-diamniadio_28791; all accessed 22 September 2026.

²³ Lyla Latif, *Red Flags in Government Contracts* (House of Fiscal Wisdom 2026).

²⁴ 'Senegal's hidden debt sparks questions about IMF's oversight' *Bretton Woods Project* (December 2025) <https://www.brettonwoodsproject.org/2025/12/senegals-hidden-debt-sparks-questions-about-imfs-oversight/> accessed 22 September 2026.

²⁵ Code général des impôts, Loi n° 2012-31 du 31 décembre 2012 (Senegal), as amended; ECOWAS Common External Tariff.

²⁶ Loi n° 2017-06 du 6 janvier 2017 portant sur les zones économiques spéciales (Senegal) https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=108445; 'Les Zones Economiques Spéciales Intégrées du Sénégal (ZESI) : conditions d'accès' *Audi Fisc* <https://audi-fisc.com/en/les-zones-economiques-speciales-integrees-du-senegal-zesi-conditions-dacces/>; both accessed 22 September 2026.

tegrated industrial park at Diamniadio is one of the four zones. Secondary sources report more generous terms for priority sectors in that park, including a full exemption in the initial years, and the operative approval decrees should be consulted before any of these terms is relied upon.²⁷

5.4 Zone Incentives as Tax Expenditure

The zone regime was designed for export manufacturing. A data centre that sells hosting to Senegalese ministries and banks is not an exporter in any meaningful sense, and granting it zone status converts a domestic service into a tax expenditure without any test of whether the incentive changed the investment decision. The Kenyan and Tanzanian reports found the same pattern of incentive stacking, in which relief attaches to location rather than to outcome.²⁸ Senegal's annual tax expenditure report should record every approval, the revenue forgone and the capacity delivered, so that the cost of the sovereign cloud appears in the budget rather than in forgone revenue that no one reports.

6 Risks and Gaps

The principal risk is a stranded public asset: a facility financed by a loan whose debt service continues while its intended tenants stay elsewhere.

Utilisation. Apart from the Ministry of Health, which had migrated about 80% of its systems by May 2025, the main institutions of state had not moved, and no occupancy, rack utilisation or revenue figures for the facility have been published.²⁹ Institutions resist migration for rational reasons, including their own certified facilities, contractual ties to foreign hosts and doubts about service levels at a site whose certification was reported as pending. Without a service level agreement and a published price schedule, the national facility competes with Sonatel on neither price nor assurance.

Vendor dependence. The involvement of Huawei in the national facility and of Huawei Marine in the SHARE cable places design, equipment and maintenance knowledge for two layers of state infrastructure with one foreign supplier group. The risk is less one of espionage, which is asserted more often than it is demonstrated, than one of dependence. Spare parts, firmware and technical support become a recurring external obligation priced in a currency Senegal does not issue, and exposed to the export controls of third states. A supplier subject to sanctions can interrupt the operation of a data centre without any act of the host state, which is why technological restriction is properly analysed as a form of unilateral coercive measure.³⁰

Energy. With close to four fifths of electricity generated from imported fuel oil, the running cost of localisation moves with the oil price and with the electricity subsidy, itself a volatile budget line. Diesel autonomy converts every grid failure into an unbudgeted purchase of fuel.

²⁷ 'Zones franchises et régimes spéciaux au Sénégal : Guide 2026' *Africarrières* <https://africarrieres.com/senegal/fr/guide/employeur-entreprise/zones-franches> accessed 22 September 2026.

²⁸ House of Fiscal Wisdom, *The Unmeasured Grid* (n 3); House of Fiscal Wisdom, *Grounding the Cloud* (n 3).

²⁹ *DPI Africa* (n 5).

³⁰ Lyla Latif, 'Technological Coercion as the New Frontier of Unilateral Coercive Measures' in Alena Douhan (ed), volume on unilateral coercive measures (forthcoming).

Fiscal transparency. An undisclosed loan behind a facility of uncertain cost, operated by a state company that publishes no utilisation data, fits the pattern of off budget commitment that produced the debt misreporting revealed in 2024 and 2025.

Rights. Localisation without a modern data protection statute strengthens the state's control over data without strengthening the rights of the people to whom the data relate. The first systems to migrate were those of the health ministry, which hold records of maternal care and social assistance in which women are disproportionately represented, so the absence of statutory protection falls unevenly.

A countervailing consideration must be recorded. Repatriation of state data from foreign hosts is a legitimate objective with a long pedigree in African thought on economic sovereignty. The argument that small states should simply buy cloud services from hyperscale providers ignores the jurisdictional exposure created by extraterritorial statutes such as the United States CLOUD Act, which permits American authorities to compel providers to disclose data stored abroad.³¹ The criticism in this brief is of execution and disclosure, not of the objective.

7 Conclusion

Senegal's experience shows that data sovereignty is secured less by construction than by governance. The state has certified hosting capacity in several hands, international cable connectivity that few West African states can match, and a policy commitment to a sovereign cloud that has survived a change of government. What it does not yet have is knowledge of its own estate, disclosure of what that estate cost and on what terms, a law that tells ministries which data must remain in the country, or a tax regime that asks what the public receives for the revenue it forgoes. Each of these gaps can be closed by the state itself, and none of them requires new borrowing.

The comparison with Kenya and Tanzania points in the same direction. In all three jurisdictions the fiscal treatment of data centres has been settled by the location of the building rather than by the public value of the service, and in all three the energy cost of hosting falls on a grid and a budget that were not designed to carry it. Senegal differs in one respect that matters: it has already paid for a national facility. The question is therefore no longer whether to build, but whether the state will govern what it has built with the seriousness it brought to the inauguration. The recommendations that follow are ordered on that premise, beginning with measures that require only disclosure and ending with those that require legislation and fiscal reform.

³¹ Clarifying Lawful Overseas Use of Data Act, Pub L No 115-141, div V, 132 Stat 1213 (2018).

8 Recommendations

The state should know what it owns and what it owes before it builds a sovereign cloud on top of it. Seven measures follow from the analysis.

8.1 A National Hosting Capacity Audit

The Ministry of Communication and the Digital Economy, with the ARTP and the CRSE, should compile for every facility in the country its installed IT load in MW, white space in m², certified tier, measured PUE, rack occupancy and energy source. The audit should include captive public facilities such as those of the Customs and Senelec, and it should be published annually.

8.2 Disclosure of the Financing of the National Facility

The Ministry of Finance should publish the loan agreement or a term sheet stating the lender, principal, rate, maturity, grace period and any tied procurement or security clause, together with an audited statement of the total project cost. The loan should be reconciled within the debt review that followed the report of the Court of Auditors.

8.3 Statutory Localisation Graded by Sensitivity

A revised data protection law should replace the 2021 instruction with a rule that requires storage in Senegal for classified, identity, tax and health data, permits storage abroad for other public data subject to adequacy and contractual safeguards, and gives the CDP power to audit compliance. Existing foreign hosting contracts, including those for biometric identity data, should carry a dated migration schedule.

8.4 A National Facility that Competes on Assurance

Sénégal Numérique SA should complete independent Tier III certification, publish a service level agreement and a price schedule, and report utilisation and revenue in its annual accounts. Ministries should be permitted to remain with a certified alternative where the national facility cannot meet the required service level, so that migration is driven by quality rather than by decree.

8.5 Supplier Diversification and Secured Maintenance

Future procurement for the sovereign cloud should require open standards, escrow of firmware and configuration, maintenance capability located in Senegal and at least two qualified vendors for each critical layer.

8.6 A Costed and Conditional Data Centre Tax Regime

Rather than extending the special economic zone regime by default, the Finance Law should establish a data centre regime whose relief is tied to verified outcomes such as the share of renewable power, a PUE below a stated threshold and carrier neutral access. Relief should be time limited and reviewed, and every approval should be recorded in the annual tax expenditure report with the revenue forgone.

8.7 Hosting Growth Linked to Renewable Supply

New facilities above a stated load should contract renewable power or install captive solar generation with storage, so that growth in hosting neither deepens dependence on fuel oil nor locks the country into the gas pathway.

Sovereignty on Loan

Infrastructure, Financing and Fiscal Governance of Data Centres in Dakar, Senegal

Senegal built a national data centre to bring its data home. Five years on, most of the state's data have not moved, the cost of the facility cannot be established from the public record, and the grid that powers it runs mainly on imported fuel oil. This brief sets out what hosting capacity exists in Dakar, who financed it, how it is taxed and governed, and what the state must disclose and legislate before a sovereign cloud can be sovereign in more than name.



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