

Somalia Data Protection Authority (DPA)

Official Guidance on Automated Decision-Making & Profiling

Status: Official Guidance

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Foreword

Automated decision-making systems can significantly affect individuals' rights. This guidance establishes safeguards to ensure fairness, transparency, and accountability when organizations deploy automated systems that have legal or similarly significant effects on individuals.

Legal Basis

This guidance is issued pursuant to the transparency, fairness, and accountability obligations under the Somalia Data Protection Act No. 005 (2023).

1.1 Definition

Automated decision-making refers to decisions made solely by automated means that have legal or significant effects on individuals.

Examples include:

- Credit scoring
- Eligibility determinations
- Profiling for services or benefits
- Automated fraud detection

1.2 Legal Safeguards

Organizations using automated decision-making must ensure:

- Transparency about the use of automation
- A valid lawful basis for processing
- Fairness and non-discrimination
- Accuracy of data and algorithms
- Proportionate and risk-based deployment

1.3 Rights of Individuals

Individuals have the right to:

- Be informed about the existence of automated decision-making
- Request meaningful information about the logic involved
- Object to automated decisions (where applicable)
- Request meaningful human intervention and the opportunity to express their point of view and contest the decision

Organizations must ensure that individuals are provided with clear procedures for exercising these rights.

1.4 Risk Management

Organizations must:

- Conduct Data Protection Impact Assessments (DPIAs) for automated systems, particularly where high risk is identified
- Test systems for bias and discriminatory outcomes
- Monitor decision outcomes regularly
- Document decision logic and system criteria
- Maintain records sufficient to demonstrate compliance

High-risk automated systems may require consultation with the Somalia Data Protection Authority.

1.5 Prohibited Practices

Automated processing that results in unlawful discrimination, unjustified exclusion, or unfair treatment is prohibited.

Organizations must not deploy automated systems that produce disproportionate or discriminatory effects.

Revision History

- Version 1.0 – Initial publication (2025)

Disclaimer

This guidance is issued to assist organizations in interpreting and applying the Somalia Data Protection Act No. 005 (2023). It does not replace the Act and does not create new legal obligations beyond those set out in law.

