KENYA'S OPEN GOVERNMENT PARTNERSHIP (OGP)

5th NATIONAL ACTION PLAN
2023-2027

Embracing Open Government for a Safe, Secure, Inclusive and Sustainable Future.

Open Government Partnership

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INTRODUCTION BY NATIONAL GOVERNMENT

The Government of Kenya takes immense pride in its ongoing commitment to the principles and objectives of the Open Government Partnership (OGP). As a testament to our dedication to transparency, accountability, and citizen engagement, we are honored to serve as the Lead Co-Chair for the OGP Steering Committee from 2023 to 2024. Kenya's journey with the OGP, which began in 2011, has been marked by significant milestones, and we remain resolute in our mission to promote open governance.

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KENYA'S VISION FOR OPEN GOVERNANCE

Our determination to open up government processes speaks to our unwavering belief in true citizen engagement, which is a cornerstone of co-creating government policies and actions. We understand that good governance, rooted in transparency and accountability, cannot be achieved through isolated efforts but requires a comprehensive approach that strengthens our governance systems in real-time.

The challenges we face today, including the erosion of trust in government, threats to multilateralism, economic uncertainties, climate crises, and rapid technological advancements birthed by emerging technologies such as Artificial Intelligence, necessitate innovative, inclusive, and resilient solutions. Within this context, Kenya presents its fifth National Action Plan (NAP V), aligning our priorities with the core principles of the OGP.

Kenya's Commitment and Principles in Action:

Our National Action Plan V reflects a renewed commitment to fostering openness, responsiveness, and accountability within our government. It builds upon the successes and lessons learned from previous action plans while addressing the evolving challenges of our time.

Improving Public Service Delivery:

Our commitment to improving public service delivery is inextricably tied to the OGP value of transparency. We recognize that trust in government is built when citizens have access to accurate and timely data and information about government operations and responsiveness to their priorities.

Strengthening Oversight & Accountability:

The OGP value of accountability is at the heart of our efforts to strengthen oversight. We will continue to deepen mechanisms for public scrutiny, reinforcing the idea that accountability is not a public relations stunt but a tangible commitment. The NAP outlines our actions to strengthen accountability and protect the rights of people to amplify incidences of wastage, corruption, and maladministration without fear. This aligns with HE. President William Ruto's commitment to strengthening independent institutions, including the police and judiciary, to carry out investigations and bring perpetrators to justice within the confines of the rule of law while protecting witnesses and whistleblowers.
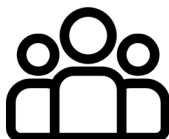
Promoting Citizen Engagement and Civic Space:

Active citizen engagement is central to OGP's principles, and Kenya fully embraces this value. In NAP V, we are committed to expanding and protecting civic space, including media freedoms. We will articulate platforms for citizen consultations, involve marginalized communities in decision-making processes, and support initiatives that strengthen access to information for evidence-based engagement with the different arms and levels of Government. This ensures that citizens are partners in governance, co-creating policies that reflect their needs and aspirations while safeguarding foundational principles of citizens' rights. Our NAP continues to reflect the engagement of multiple stakeholders, including Parliament, Sub-National Governments, Private Sector, Civil Society, Academia and independent institutions. This franchise model remains the organizing principle of our MultiStakeholder Forum (MSF).

Leveraging Technology and Innovation:

OGP values the role of technology and innovation in enhancing service delivery and responsiveness. In NAP V, we will leverage technology as an enabler for transparency and engagement including reforms around technology access, addressing the digital divide, and new and emerging challenges around artificial intelligence, such as safety and security. We aim to ensure an inclusive digital future that embraces innovation, making services accessible, efficient, and responsive to citizen needs.

Strengthening Open Governance Mechanisms:

We recognize the importance of institutionalising the Open Government within our governance systems. In NAP V, we will work towards further institutionalisation of OGP principles and practices, ensuring that they become an integral part of our country's DNA.

This report will serve as a comprehensive assessment of our progress in promoting open governance with parliamentary oversight. Furthermore, we are committed to embedding a culture of open government across government agencies and extending our regional outreach efforts through international collaboration with other normative frameworks

OGP: A Catalyst for Trust and Equality

We firmly believe that the Open Government Partnership (OGP) is the best-placed network and mechanism for restoring public trust in democracy, equality, and inclusivity in access to public services and development dividends. OGP's principles and practices align with our vision of rebuilding trust between the government and its citizens.

In this regard, we would like to thank the Network for Kenya's re-election into the steering committee and Election by the Steering Committee as Lead Co-Chair for 2023 - 2024. As Co-Chair, Kenya is eager to step into this leadership role and work closely with the OGP network to deepen its impact at all levels. We are dedicated to supporting the implementation of the OGP's strategic areas while leveraging our strengths in collaboration with civil society, creativity, and technological innovation.

Kenya's National Action Plan V is not just a document but a testament to our commitment to the principles of the Open Government Partnership. We invite all domestically and globally, to join us on this journey of co-creating good governance, transparency, and accountability. Together, we can build a resilient and inclusive future that serves the best interests of our citizens and the global community

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INTRODUCTION BY SUB-NATIONAL GOVERNMENTS (OGP LOCAL)

In recent years, local governments have become a focus of partnerships and collaboration through the increasing recognition that it is at the local level where much-needed societal outcomes can be fulfilled more meaningfully with the right support. There is also a higher need for more effective and responsive governments at the local level, especially with the provision of public goods and services due to the closer proximity to the people. Many of the challenges faced at the local level are global challenges, which is why local governments in Kenya have joined over 100 local government members of the Open Government Partnership to explore local solutions with global colleagues benefitting from peer exchanges, mentorships, research/knowledge products and convened learning spaces.

Kenya has four County Governments that are members of OGP Local: Elgeyo Marakwet, Makueni, Nandi, and Nairobi counties. Their action plans have featured commitments to reforms related to open procurement/contracting, health service delivery, civic engagement, inclusion of marginalized groups, citizen oversight, youth engagement, participation of women and persons with disabilities, water, fiscal openness, and anticorruption. The counties have made and continue to make progress in implementing reforms for more effective, transparent, and accountable governance.

Most recently, in September 2023, Nandi County won an award in the digital technologies category, for promoting transparency and active citizenship participation in county affairs during the 2023 OGP Awards Ceremony held in Estonia from 5-8 September. The Nandi Data Desk provides a centralized platform for tracking and comparing the county's performance in different sectors, from ward to county level. This allows citizens to monitor the county's performance and hold the government accountable.

Overall, the four counties have reported, through their committed reform in OGP Local, improved public participation and informed citizenry on matters of development priorities, strengthened oversight on public development projects, increased engagement of Women, Youth, and Persons in governance at the local level, and an increased understanding of citizenry that governments are accountable to them.

As we advance, more County governments have expressed an interest in joining the Partnership. There is notably increasing political will and buy-in at the local level to enhance participatory government and expand government partnerships to achieve robust and meaningful societal outcomes. It will be critical to the success of the objectives of OGP Local Members in Kenya to make open government central to government functions, continue sharing of successes and challenges for peer learning, and continue thematic ambition on critical drivers of change at the grassroots level.

Foreword:
H.E. PRESIDENT WILLIAM RUTO

Our vision, as outlined in Chapter 5 of the Kenya Kwanza Manifesto under "Good Governance: A Transparent and Accountable Government," envisions Kenya as a prosperous and equitable nation, where every person is empowered to participate in shaping the policies that impact their lives.

Kenya's journey with the Open Government Partnership began in 2011, and since then, we have made significant strides in opening up government. Whether through open data, beneficial ownership, improving access to information and justice, or inspiring subnational governments in Kenya and other countries to join this formidable movement of reformers, we are committed to building a world that places the needs and aspirations of citizens at its core.

That said, we recognize that the world is changing rapidly, and the challenges we face are more complex than those seen in any recent age. We live in a time when trust in institutions is waning, demographic shifts are reshaping our societies, and we are confronted with multiple, interconnected, and accelerating crises. These challenges— including the impact of climate change, economic uncertainties, and the rapid advancement of technology— require governments to be more inclusive, responsive, and resilient than ever before.

Moreover, with democracy under threat and many living under autocratic regimes, we must stand firm in our commitment to democratic values. The Open Government Partnership (OGP), with its multistakeholder approach and core values, provides the best platform to safeguard and protect these principles.

In line with these commitments, I am proud to introduce our 5th National Action Plan 2023–2027, which seeks to raise our ambition on openness with new commitment areas such as climate action and digital governance. The National Action Plan also commits to the first-ever State of Openness Report, which will serve as a vital tool in assessing our progress, highlighting our successes, and identifying areas where we can do better. This commitment symbolizes our dedication to building a government that is not only responsive to the needs of its citizens but also actively involves them in the governance process. I extend my heartfelt congratulations to the Open Government Partnership (OGP) for its new ten-year strategy, which arrives at a time of great need and promise.

This bold vision emphasizes the importance ofdeepening open government's impact at all levels, enhancing public trust, and addressing global challenges such as inequality and the ethical use of technology. The introduction of the OGP Challenge within this strategy is particularly inspiring, as it encourages member countries to elevate their ambitions for openness and transparency, fostering an environment of continuous innovation and progress. It is fitting that this new strategy aligns seamlessly with the timing of Kenya's 5th National Action Plan (NAP 5). This synergy empowers us to leverage the strategy's focus areas as we work towards our own ambitious goals over the next four years. Kenya is honored to be recognized as a champion within the OGP community, and we are committed to leading by example. Our role in the OGP Steering Committee has been one of active engagement, and

now, as Lead Co-Chair for 2023-2024, we are eager to further our contributions. We will collaborate closely with all OGP members to ensure that the principles of open government become even more deeply embedded in our governance systems.

I, therefore, warmly invite and encourage other countries and subnational governments to join this Partnership. The challenges we face today are global, and they require collective action grounded in the values of openness, transparency, and accountability. It is the only path forward, where we can move with confidence, knowing that it is only through collaboration that we can build a resilient, transparent, and inclusive future where we can achieve the Sustainable Development Goals, Agenda 2063, Kenya Vision 2030, and leave no one behind

H.E. William Ruto, PhD, EGH, CGH
President, Republic of Kenya

Foreword:
PRIME CABINET SECRETARY

In the pursuit of a brighter future for Kenya, our nation stands at the crossroads of diplomacy and governance, guided by the principles embedded within the Kenya Kwanza Manifesto. This vision for a prosperous and equitable nation echoes through every facet of our government's actions, from domestic affairs to international relations.

The Kenya Kwanza Manifesto, with its emphasis on unity, equity, and the empowerment of every Kenyan citizen, serves as our guiding light, weaving a tapestry of policies and practices that not only bolster our foreign policy but also embody the principles of open government, reshaping and re-imagining public diplomacy.

Regional Diplomacy and Global Leadership:

In pursuing regional stability and cooperation, Kenya has emerged as a trusted mediator and peacekeeper in East Africa. Our commitment to open government reinforces our credibility in regional leadership and promotes transparency and collaboration among our neighbouring nations. Furthermore, Kenya now plays a significant global role as the current co-chair of the Open Government Partnership (OGP), a testament to our commitment to transparency and accountability on the global stage.

Open Government that Delivers Equality in Service Delivery:

Our dedication to open government principles extends to the core of our domestic and international efforts. We believe that an open government is the cornerstone of delivering equality in service delivery. Within the National Action Plan 5 (NAP 5), key areas such as Beneficial Ownership, Open Contracting, Data for Development, Access to Information, Justice, Climate Action, Government Performance, and Delivery converge to create a more equitable and accountable government.

OGP Resiliency and Spread of Open Government Principles Globally:

Kenya's active engagement with a multitude of global organisations, including but not limited to the African Union, United Nations, OECD, Development Partners, and Bilateral organisations, underscores our unwavering commitment to addressing the most pressing global challenges. As we stand at the forefront of these efforts, we are driven by a profound dedication to promoting OGP Resiliency and disseminating open government principles regionally and globally.

Within the framework of our National Action Plan (NAP), we articulate a bold vision to strengthen the Open Government Partnership (OGP) within our borders and across the African continent and the world. Our aim is to strengthen OGP and enhance the participation of both national and subnational governments with real action and results for citizens. We firmly believe that OGP is a powerful instrument capable of delivering tangible benefits of better and improvedd services while bolstering public trust in government, especially in an era marked by the resurgence of authoritarianism and unconstitutional government changes.

Our conviction in the transformative potential of transparency and accountability transcends geographical boundaries. We are resolute in our determination to serve as global champions of these essential values. In a world where challenges and opportunities alike are increasingly interconnected, Kenya stands ready to inspire and collaborate with nations around the globe, all in the pursuit of an open, accountable, and just world.

In our unwavering dedication to these principles, I am thrilled to introduce a groundbreaking initiative as part of NAP V—a pioneering State Openness Report. This report represents a significant milestone in our ongoing efforts to evaluate and enhance our progress in promoting open government initiatives. It will serve as a comprehensive assessment, shedding light on our achievements while reinforcing our steadfast commitment to transparency, accountability, and citizen engagement.

As we navigate the complex terrain of international diplomacy, we do so with the unwavering belief that an open government that fosters multi-stakeholder collaboration is the best defense of democracy.

H.E (DR) Musalia Mudavadi

Prime Cabinet Secretary and Cabinet Secretary for Foreign Affairs Republic of Kenya.

Foreword: PARLIAMENT OF KENYA.

The Open Government Partnership (OGP) seeks to foster a culture of openness in government. OGP provides a platform for member states to empower their citizenry and advance the democratic ideals of open and participatory governance. This way, open governments enjoy better service delivery scores by their citizens. Parliament remains a key catalyst and enabler of Open Government.

The Declaration on Parliamentary Openness, formally endorsed in September 2012 by the Commonwealth Parliamentary Association, the Organization for Security and Cooperation in Europe's Parliamentary Assembly, and the First Summit of Legislative Presidents of the Americas, is actively embraced by the Parliament of Kenya. By aligning with the Commonwealth Parliamentary Association, Kenya's Parliament commits to the principles outlined in the Declaration. This Declaration serves as a catalyst for action, extending its reach to national, sub-national, and transnational legislative bodies. It establishes a platform for meaningful dialogue between parliamentary institutions and monitoring organizations, fostering collaboration to promote government and parliamentary transparency. The overarching goal is to fortify open governance, thereby contributing to the advancement of democracy.

The Parliament of Kenya expresses outright support for the Open Government Partnership (OGP) and proudly associates itself with Kenya's Global Co-Chair role. As an institution, we acknowledge that we exist in an epoch that has experienced remarkable technological advancements and immense need for transparency, accountability, and citizen participation in governance processes. The Open Government Partnership principles are essential in championing more democratic societies worldwide. Further, open governance promotes public trust in government, and entrenches the need for civic awareness. As a key requirement, OGP emphasizes citizen participation as a fundamental aspect in balancing the governance equation. Inclusion in governance processes consequently empowers citizens and builds trust and legitimacy of government decisions. In this regard, Parliament has made great strides in enhancing parliamentary transparency and openness.

Since inception of the OGP in Kenya in 2011 and in compliance with the Constitution of Kenya 2010, great efforts to enhance public participation, facilitate access to parliamentary information and accountability of the performance of the institution have been made. Notably, in March 2023, Parliament achieved another key milestone on Open Government by establishing the first ever

Parliamentary Caucus on OGP. Parliamentary Committees charged with oversight of fiscal transparency have been key actors in this Caucus as well.

In undertaking its role, Article 118 of the Constitution of Kenya is the guiding light in the need for openness in Parliament. This institution ought to conduct its business openly and facilitate public participation and involvement in the legislative processes. The Parliamentary Service Commission Strategic Plan, 2019-2030, echoes the spirit behind Article 118 by recognizing "Public Trust" as a key strategic pillar. The vision of the Parliamentary Service Commission to be "a democratic and people centered Parliament" also accentuates the need for open government. This has been echoed throughout Kenya's National Action Plan V (NAP V).

Cognizant of OGP's 2023–2028 Strategy to make open government central to how all levels and branches of government function and deliver on their priorities, the OGP Parliamentary Caucus presents a great opportunity for more robust and intentional involvement of the country's leadership in deepening OGP values and commitments in Parliament, especially in the implementation of NAP V. The "buy-in" of legislatures is a core pillar of the gains and progress made through open government. Parliament's contribution to the partnership includes legislative oversight, political support and good will, as well as building cross-party inter-linkages, among others. We look forward to working together with the other Arms of Government to ensure that the goals of the 5th Action Plan are realised and will actively provide oversight, approve budgets and legislate accordingly to make this a reality.

We are confident that by further embracing Open Government Partnership principles, there will be a new breath of transparency in dealing with emerging global issues such as the role of technology in governance, public debt and climate change. Participating in OGP, indicates our commitment to ensuring that the two Houses of Parliament are developing in tandem with best global practices and fully cement Kenya's role as an open government partner.

Rt. Hon. (Dr.) Moses M. Wetang'ula, EGH, MP
Speaker of the National Assembly

Rt Hon Amason Jeffah Kingi, EGH
Speaker of the Senate

Foreword:
BY THE JUDICIARY

We congratulate the Government of Kenya for its appointment as Chair of the Open Government Partnership. The responsibility demonstrates Kenya's commitment to the Open Government Partnership.

A majority of Kenyans, for an array of reasons, including socio-economic, legal, and political factors, are unable to access justice. The indigent remai unaware of their legal rights, lack knowledge of the court system, or simply experience unending frustrations while seeking justice. Generally, many Kenyans cannot afford the high cost of legal services. In 2019, the Hague Institute for Innovation of Law Justice Index estimated that a Kenyan needs at least USD 80 to access civil court. This is a modest cost considering that court fees are assessed on a case-to-case basis and dependent on the nature and value of the claim. Due to the rising cost of living and poverty, the cost of accessing justice may be unattainable.

During the previous national action plan, Kenya made some strides in its quest to enhance access to justice. Firstly, the Judiciary Fund was operationalised 12 years after its inception. Secondly, there was an increment of Kshs 3 billion towards the annual budget of the Judiciary. Thirdly, the World Justice Project Rule of Law Index 2023 acknowledged that Kenya had made significant strides in promoting access to civil

justice reforms. Finally, a number of initiatives involving co-creation and co-implementation between civil society and government were implemented.

In the NAPV, the commitment to access to justice seeks to enhance grassroots justice through a localized, people-centred approach. In November 2023, the Honourable Chief Justice Martha Koome launched the innovative and bold blueprint for social transformation through access to justice. The commitment integrates the blueprint by focusing on building financial sustainability for people-centred approaches such as alternative justice systems, court-annexed mediation, community-based paralegalism and operationalization of the Legal Aid Fund. The commitment builds on the National Action Plan IV's milestones. In the period of the plan, we hope to achieve increased financing for the Judiciary and the National Legal Aid Service to strengthen efforts towards access to justice.

The commitment implementation will be undertaken by both the Government and CSO members of the cluster group. At the same time, the commitment will seek to localise its implementation through the direct engagement of communities and local actors.

Foreword:
PS FOREIGN AFFAIRS & OGP GOVERNMENT CONVENER

I am honoured to present the forward for National Action Plan V for Kenya within the Open Government Partnership (OGP), outlining our dedication to open government practices and our commitment to shaping more inclusive, accountable, and transparent governance.

Kenya's journey towards open government commenced with the adoption of a new Constitution in 2010, a pivotal moment that enshrined principles of transparency and accountability within the heart of our government. Since then, we have embarked on a transformative path, marked by significant strides through various initiatives. Notably, we have successfully developed Four National Action Plans and welcomed four Sub-National Governments into the OGP Local Programme, namely Elgeyo Marakwet, Makueni, Nandi, and Nairobi City County.

As a vital member of the OGP steering committee, Kenya has played a pivotal role in expanding OGP's influence across the African continent. This expansion includes facilitating connections and actions through the Africa Peer Review Mechanism (APRM) and pioneering the County Peer Review Mechanism.

Our unwavering commitment to a multi-stakeholder approach has culminated in the establishment of a dynamic high-level multistakeholder mechanism. This mechanism brings together representatives from the Judiciary, Parliament, Executive, Civil Society, and Independent Commissions, fostering a diverse and inclusive Multi-stakeholder Forum (MSF). This forum has proven to be an effective platform for dialogue and collaboration, ensuring equal participation from Civil Society. In parallel, we have initiated the first-ever Parliamentary Caucus of Open Government, a significant step towards enhancing oversight on OGP commitments and open government practices. This networked governance mechanism provides a solid foundation for the forthcoming National Action Plan V.

In alignment with H.E. President William Ruto's vision for an equitable, cohesive, and inclusive society, NAP V will introduce several groundbreaking innovations. Among them is the institutionalization of open governance across all State Organs and agencies, a development that will be rigorously monitored and amplified through an Annual State of Openness Report. Additionally, we are dedicated to promoting digital inclusion to ensure that every citizen has equal access to government services and information in the digital age.

On the international stage, Kenya remains unwavering in its commitment to nurturing open government initiatives that facilitate the realization of the Sustainable Development

Goals, Africa's Agenda 2063, and the Paris Climate Declaration. NAP V reflects our ambition to reform global governance mechanisms encompassing finance, climate, and technology, especially in the era of Artificial Intelligence. These reforms aim to enhance transparency and accountability within these transformative areas.

Kenya's leadership comes at a crucial juncture as the world grapples with democratic backsliding, systemic challenges such as climate change, conflict, inequality, and a global pandemic. Authoritarian and populist leaders have sought to stifle civil society, propagate disinformation and misinformation online, and undermine human rights. Corruption often underpins these efforts, exacerbating the challenges faced by societies.

In this context, OGP embodies a beacon of hope. The OGP community continuously innovates, focusing on making governments more open, responsive, and accountable, serving as a safeguard against entrenched power and closed governments.

Now, with the launch of National Action Plan V for Kenya within the OGP framework, we seize the opportunity to align our efforts with the new 5-year strategy of OGP. This strategy has been developed through the most comprehensive community engagement process in the Partnership's history, involving thousands of people from across the world. The result is a renewed vision for OGP as a more political, values-based partnership rooted in specific actions, innovations, and ideas for creating more open and democratic governments that fulfill citizens' expectations.

As we move forward with National Action Plan V, we are committed to integrating the principles and goals of this new OGP strategy into our work. We will persist in collaborating with civil society, citizens, and government partners to implement ambitious and measurable open government actions. Our ultimate goal is to contribute to a more inclusive culture of democratic governance that enhances civil space and digital inclusion, ensures necessary global reforms around finance, and safeguards the planet from resource-intensive development. This approach prioritizes transparency, accountability, citizen engagement, and digital equity, placing them at the forefront of our efforts.

In alignment with OGP's new strategy, we will steadfastly address the pressing challenges of our time, from climate change to inequality, while steadfastly defending and reinforcing democracy as a cornerstone of our domestic and foreign policy.

Sincerely

Dr. Korir Singoei, CBS.
Principal Secretary, Foreign Affairs

Foreword:
CIVIL SOCIETY

A decade down the line, Kenya remains a cA decade down the line, Kenya remains a committed member of the Open Government Partnership (OGP), a global platform that brings together both government and nongovernmental actors, including Civil Society Organizations (CSOs), to facilitate multistakeholder engagement toward open, accountable, transparent and responsive governance. Kenya's commitment is manifested in its sustained engagement in the space despite many challenges that stalked the initiative, particularly during the formative years. It has not only worked to overcome them, but it has also responded proactively to open up new frontiers for the initiative. It is a fact borne out by the country's journey throughout its lifetime as an OGP member.

Further, Kenya has seen its growth in the space, with the 7th of September 2023 marking Kenya's transition into the OGP steering committee as co-chair. This not only challenges Kenya to have a forward-looking fifth National Action Plan (NAP V) that advances the 5 transformative strategic goals of the Partnership but also be strategic in coming up with commitments and milestones that further democratic values, especially during times of anxious democratic decline across the world. NAP V, also capsules emerging issues in the spheres of governance, including the role that artificial intelligence and technology play in governance, climate change and an eroded public trust, especially in democracies.

Consistent with the overall spirit of the OGP, accountability and transparent governance still form the centrepiece of NAP V, with various legislative and structural developments being made, especially around the spheres of beneficial ownership. These developments, which have been championed through OGP over the years, would prove crucial in a strategic and innovative fight for transparency and accountability, especially in governance. Meaningful public participation still continues to shape the narrative and progress towards achieving it since it has morphed from thin paper to thick action, as Kenyans welcomed national legislation that seeks to lay out a legal framework for meaningful public participation. In as much as the Bill has not been passed into law, it is a step in the right direction as an amplification of the spirit of OGP.

Civil Society Organizations continue to be elemental actors, especially in ensuring a participatory OGP process. Their continued co-creation and co-implementation with the government are essential in providing diverse solutions and approaches to democratic governance as envisioned in countries. CSOs also play a crucial role in advocating for accountability in government processes and continue to champion the principles of transparency and public participation as key tenets of democracy and not an afterthought. Consequently, these roles played by CSOs have an intrinsic need for collaboration and peer learning among civil societies in space. For the OGP dream to be realized,

partnerships need to be stitched among the CSOs, especially in resource mobilization and curation of spaces within the CSOs that facilitate peer learning and engagement with the public.

This rich plethora and mesh of interrelated dynamics will almost certainly shape and be shaped by NAP V. Being cognizant of the present context, but also alive to the past and looking forward to building a bold and better future, NAP V speaks directly to the issues that are essential for citizen-centric governance. The commitments therein seek to mainstream accountability, inclusion, transparency and openness in the country's political, economic and social governance fabric, alive to the fact that these will be key in winning back public trust.

It cannot be repudiated that the very foundation of OGP which is a close collaboration between the government and civil society has provided the country with not only a platform to learn from each other but has also seen a bud of stronger and more ambitious policies, and a more vibrant citizenry, especially in pushing for accountability and reforms. The global scope and reach have served to engender and entrench peer learning and sharing, a factor that has enriched global interconnectedness.

As we move forward, and as strategically intended under NAP V, CSOs will remain key partners and remain fully committed to supporting and working with the other actors to ensure the full realization and entrenchment of NAP V and Kenya's Agenda as Co-Chair. CSOs in the OGP space will also seek to include diverse players in the non-governmental space, affirming OGP as an effective tool for shaping good and publicly responsive governance

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Steph Muchai
Civil Society Member
OGP Global Steering Committee

Caroline Gaita
Executive Director
Mzalendo Trust | OGP Civil Society Convener

01
CLIMATE ACTION

Country: Kenya

1

Number and Name of the Commitment:

Climate Action

Brief Description of the Commitment:

The Commitment seeks to Promote participatory development and transparent, accountable use of Sustainable Climate Solutions, involving citizens and communities."

Commitment Lead:

Office of the Climate Envoy, Executive Office of the President and Ministry of Environment, Climate Change and Forestry

Supporting Stakeholders:

Government

- Ministry of Environment, Climate Change and Forestry.
- Office of the First Lady [Mama Doing Good]
- Ministry of Foreign and Diaspora Affairs

Civil Society Other Actors

- Development Gateway
- AON
- Namati – Kenya
- Transparency International Kenya
- Akina Mama wa Afrika
- Global Partnership for Sustainable Development Data
- FEMNET
- WFD - KENYA
- CREAW
- CEMIRIDE
- CRAWN Trust

Other Actors (Parliament, Private Sector, etc.)

Whenever relevant, please indicate the role and involvement of parliament or legislative department, and other actors such as the private sector for the success of the commitment. If they have not been previously engaged, mention how they will be engaged during and/or after the adoption of the plan.

- Enzi Ijayo Africa Initiative.
- IBM Research
- Amini
- United Nations Development Program
- Accelerator Lab
- United Nations Environment Program (Word Environment Situation Room)
- Intergovernmental Authority in Development (IGAD)
- Parliament

Period Covered

2023-2027

Problem Definition

The Policy area to be addressed is Climate Change Adaptation, Removals and Mitigation (ARM)

Climate change stands as humanity's paramount challenge, casting an ominous shadow over life on Earth. Urgent, global cooperation is vital to curtail emissions and mitigate greenhouse gas concentrations in the atmosphere. The recent 6th Assessment Report (AR6) from the Intergovernmental Panel on Climate Change (IPCC) underscores that humanity is off-course in the pursuit of the 1.5°C limit set by the Paris Agreement. AR6 sounds like a clarion call, advocating for a 43% reduction in global emissions within this decade to avert catastrophic repercussions.

Within this global context, Kenya, nestled within the African continent, faces a multifaceted quandary in its quest for a cleaner energy transition, particularly within households. The predicament is marked by the gross impact of Climate change: Extreme Weather Events, Agricultural Losses, and Loss of Biodiversity due to changing temperatures and precipitation patterns can lead to habitat loss and migration of species, threatening biodiversity to lay ground for loss and damage; and indoor air pollution stemming from the use of traditional biomass fuels, exacerbating health woes, while heavy reliance on these fuels contributes to deforestation, exacts a high time and labour toll for cooking, and inflicts soaring energy costs upon households. These tribulations not only imperil the health and well-being of Kenyan households, with women and children bearing a disproportionate burden, but also foster environmental degradation, unsustainable resource utilization, and economic conundrums.

The African continent, possesses a staggering 40 percent of the world's renewable energy resources. However, only a meager fraction, approximately $60 billion or a mere two percent of the US$3 trillion in renewable energy investments of the last decade, has flowed into Africa. Africa's natural endowments are equally staggering, from the immense carbon-absorbing prowess of the Congo Basin rainforest to the invaluable ecosystem services rendered by savannahs, Miombo woodlands, peatlands, mangroves, coastal regions (such as Mikoko Pamoja in Kenya), and coral reefs.

Countries like Kenya, with their abundant resources, stand to gain immensely from global carbon markets. Yet, these mechanisms, often voluntary in nature, remain shrouded in opacity, inaccessibility, and inequality, particularly for developing nations.

In Kenya, communities emerge as key players in carbon offset initiatives, offering communities the promise of additional income and resources for development. However, the obscurity surrounding financial flows and the prevailing inequities within voluntary carbon markets form formidable barriers, hindering African nations and communities from fully harnessing the potential of the carbon economy. Recognizing Africa's pivotal role in reducing global carbon emissions and ensuring that the ensuing proceeds and benefits rightfully find their way to communities becomes an urgent imperative.

Open Government Principles and concerted actions hold the promise of forging a path for Kenya and other African nations. Such principles can provide the scaffolding for creating an enabling environment, whereby enacted policies not only facilitate the necessary investments to unlock these abundant resources for meeting climate commitments but also extend co-benefits to communities. In this way, Kenya can play a meaningful role in the global decarbonization effort, forging a sustainable path toward a cleaner, more equitable future.

40%
of world's renewable energy resources in Africa

2%
of renewable energy investments of the last decade.

Challenges:

- Climate conversations are technical and exclusionary to communities most impacted by climate, furthermore, Capacity and resources pose a significant challenge, as many communities may lack the means to actively participate in policymaking. Ensuring comprehensive representation across all community segments can be complex, given that certain groups might face barriers to access and influence in decision-making processes.

- Resistance to change is another obstacle. Bureaucratic structures, entrenched topdown decision-making practices, and established interests that are comfortable with the existing system are likely to oppose any deviations and maintain the status quo.

- Additionally, challenges are evident in the context of carbon markets and transparency. Enforcing transparency in these markets, which are predominantly voluntary, can prove difficult. Effective engagement may be required with stakeholders operating beyond national borders. Furthermore, there is the possibility that market participants or buyers may choose to opt-out and engage with other countries that offer more favorable terms for carbon credits, even if these terms are perceived as unfair.

- The transition to clean energy and the extraction of green minerals are contentious issues, often controlled by influential corporations and countries vying for supremacy in the evolving technological landscape. These power dynamics can complicate efforts to implement sustainable climate solutions in these domains. The focus on transition to clean energy has largely been skewed towards the urgency to transition with no focus on the impacts of transition to affected communities and efforts to minimize harm

Opportunities:

- Actively involving citizens and communities in climate policymaking empowers them to take ownership of climate solutions. This fosters enthusiasm for more effective and context-specific solutions while building their capacity to engage effectively in climate policymaking

- Shifting towards bottom-up participation ensures that climate policies become more inclusive and reflective of local needs and priorities, aligning them better with unique community challenges and opportunities.

- Emphasizing transparency and accountability in the use of climate solutions builds trust among stakeholders, fosters cooperation, and ensures efficient and ethical resource utilization.

Commitment Description

Kenya finds itself at a critical juncture in its ongoing battle against climate change, a looming threat that jeopardizes its sustainable development goals and the hard-earned progress it has made. As the economic powerhouse of East Africa, Kenya's prosperity is intricately tied to sectors highly susceptible to climate variations, such as rainfed agriculture, tourism, and natural resources.

The economic repercussions of climate change are acutely felt on an annual basis, siphoning off an estimated 3-4% of Kenya's GDP. While international aid has been forthcoming, it has proven insufficient in bridging the growing chasm in climate finance. To illustrate, in 2018, Kenya received approximately $2.4 billion as financial support for its National Climate Change Action Plan (NCCAP), a mere fraction of what is required to meet its National Determined Contribution (NDC) targets

Kenya stands out in Africa as a trailblazer, having enacted the Climate Change Act of 2016 immediately following the Paris Agreement. Complementing this legislation is the National Climate Change Action Plan (NCCAP) for the period 2018-2022, charting a clear course towards a sustainable and resilient future. This multifaceted strategy is designed to expedite adaptation to the changing climate by concentrating on safeguarding vulnerable sectors and communities. Key priorities encompass afforestation and reforestation initiatives, leveraging the vital role of trees as carbon sinks. The plans aim to rejuvenate degraded landscapes, ensuring ecological stability and mitigating climate-related perils like droughts and floods. The plan also advocates for climate-smart agriculture to bolster resilience and curtail emissions. Furthermore, it explores the potential of geothermal energy as the linchpin of a just energy transition.

Despite contributing less than 0.1% of global greenhouse gas emissions, Kenya has emerged as a champion of climate action. Recently, it hosted the inaugural Africa Climate Summit in Nairobi, Kenya, under the auspices of H.E. President William Ruto and the African Union Committee of African Heads of State on Climate Change (CAHOSCC). This summit galvanized action on various fronts, including a just energy transition, global financial reforms aligned with climate action, the development of green minerals, and the creation of green jobs. Kenya has made significant strides toward a future characterized by significantly reduced carbon emissions by aiming for a 32% reduction by 2030, implementing a total ban on singleuse plastic bags, and formulating policies centered around a circular economy.

Proposed Solutions

There is a need to:

Foster Multi -Stakeholder Collaboration for Sustainable Climate Solutions

Enhance Transparency in Climate Finance

Promote Afforestation and Reforestation to improve water resources, carbon sequestration potential and resilience.

Enable Equitable, Safe and clean Energy Transition of communities, especially women for better environmental and health outcomes.

Strengthen Climate Resilience through actionable Early Warning Systems.

Desired Results

The implementation of this commitment is expected to foster significant community engagement within the climate change policymaking process. By actively involving citizens and communities in the development and execution of sustainable climate solutions, policies will become more inclusive and aligned with local needs and priorities. This shift towards bottom-up participation is anticipated to empower communities and enhance the effectiveness of climate initiatives, ensuring they are better tailored to specific on-theground challenges and opportunities.

There will be a strong emphasis on transparency and accountability in the utilization of climate solutions, ensuring that resources allocated to climate projects are used efficiently and ethically. Consequently, this will lead to the establishment of improved monitoring and evaluation mechanisms, mitigating the risks associated with corruption and the mismanagement of funds. Enhanced transparency in the implementation process can instill trust among stakeholders and beneficiaries, which is pivotal for the success of any climate policy. This approach is also geared towards promoting long-term sustainability, moving away from short-term fixes towards strategies that not only address immediate

climate challenges but also contribute to the resilience of communities and ecosystems in the future.

Furthermore, active engagement of citizens and communities in decision-making processes is expected to cultivate a sense of ownership and responsibility for climate solutions. This empowerment can lead to the adoption of more sustainable climate action and practices at the local level, such as the incorporation of environmentally friendly agricultural techniques or community-based conservation efforts. It nurtures a sense of ownership and responsibility among communities, making them active participants in climate action.

Lastly, the active participation of communities in policy design and implementation will promote local ownership, responsibility, and agency. As a result, policies are more likely to directly address the actual needs of beneficiaries, increasing the likelihood of achieving positive and tangible outcomes for those affected by climate change. This approach will build resilience capacity, empower first responders to crises arising from climate shocks, and facilitate better decision-making for climate action

Commitment Analysis

How will the commitment promote transparency?	The commitment through a mulstitakeholder effort ensures that climate actions and policies are community-led and address their priorities. By ensuring transparency, especially on locally led climate action, citizen will have access to data around energy transition, afforestation and health outcomes as issues that matter to them most.
How will commitment help foster accountability?	The involvement of citizens, including building technology platforms that foster transparency around these priorities will ensure accountability across agencies. By leveraging on geospatial data etc, the commitment will foster transparent monitoring accessible by all.
How will commitment improve citizen participation in defining, implementing, and monitoring solutions?	The commitment is about ensuring locally led climate action and that climate solutions are locally led in a multistakeholder and transparent manner. This action in itself lends to the possibilities of engagement of citizens all through the cycle.

Commitment Planning

1

Milestone:

Establish and sustain a multistakeholder Climate Action Working Group, including government representatives, private sector leaders, and civil society organisations, to collaboratively accelerate and monitor climate initiatives

Expected Output:

Establish and launch of an inclusive and vibrant multistakeholder Climate Action Working Group actively participating cocreating climate solutions.

Stakeholders:

Lead: Office of the Climate Envoy

Government:	**CSO's:**	**Others:**
• Ministry of Environment, Climate Change and Forestry	• CAPA • Enzi Ijayo	• Global Carbon Removal Partnership • Action Lab • UNDP

Completion Date: March 2024

2

Milestone:

Design a robust tracking system for community related payments, including those linked to carbon credit-based development projects. This system will ensure transparent and accountable fund traceability, supporting climate-related initiatives and facilitating sustainable development and carbon reduction efforts

Expected Output:

Implementation of a transparent tracking system for community payments, ensuring equitable distribution of funds to minorities and indigenous communities

Stakeholders:

Lead: Office of the Climate Envoy

Government:	**CSO's:**	**Others:**
• State Department of Foreign Affairs • Kenya Water Towers Agency • Mama Doing Good	• IPF • CEMI • RIDE	• Action Lab • IBM Research • Amini • Koko Networks • Northern RangeLands Trust (NRT)

Completion Date: March 2024

3

Milestone:

Develop an open and accessible platform to track the progress of afforestation initiatives within the Country's Water Towers region. This platform monitors resource allocation and public engagement, ensuring transparency and effectiveness in our afforestation efforts.

Expected Output:

Launch of an open platform tracking afforestation progress, including the participation and benefits local communities.

Stakeholders:

Government:	CSO's:	Others:
• Kenya Water Towers Agency	-	• Action Lab • Space Ai

Completion Date: August 2024

4

Milestone:

Track accessibility and impact of clean cooking technologies and initiatives for a just energy transition, which improve better health outcomes for women, youth, and children through collaborative efforts among the Government, Private Sector, and Civil Society

Expected Output:

Collaborative efforts resulting in improved accessibility and impact of clean cooking technologies, particularly benefiting women, youth, and children in local

Stakeholders:

Government:	CSO's:	Others:
• Mama Doing Good	-	• Koko Networks

Completion Date: December 2024

5

Milestone:

Operationalize a progressive open data platform for early warning systems and climate information services, providing realtime access to climate data e.g., weather information. This platform will empower stakeholders to take proactive measures that safeguard lives, livelihoods, and assets in response to climate-related risks.

Expected Output:

Operationalized open data platform for early warning systems and climate information services, and integration of traditional and indigenous knowledge with modern technologies ensuring communities, including those in climate risk areas, have near real-time access to crucial climate data.

Stakeholders:

Government:
- State Department of Environment
- Kenya Meteorological Society
- State Department of Water.

CSO's:
- CAPA
- Enzi Ijayo

Others:
- UNEP – World Environment Situation Room
- Action LAB

Completion Date: June 2026

02

DIGITAL GOVERNANCE

Country: Kenya

2

Number and Name of the Commitment:
Digital Governance

Brief Description of the Commitment:
The Commitment seeks to promote ethical, safe, inclusive, responsible and human rights-centered digital transformation and services to citizens through meaningful participation. The commitment aims to establish inclusive, safe, and responsible secure digital transformation mechanisms, develop public trust through policy, and safeguard human rights and freedoms in the provision of digital services.

Commitment Lead:
Ministry of ICT and Digital Economy
Executive Office of the President

Supporting Stakeholders:

Government
- Konza Technopolis
- ICT Authority
- Cabinet Affairs office
- Ministry of Foreign Affairs
- APNAC -Kenya Chapter
- Commission on Administrative Justice
- (CAJ) |Ombudsman

Civil Society Other Actors
- Development Gateway,
- Paradigm Initiative,
- Pollicy, KICTANet,
- CIPIT- Strathmore University
- International
- Centre for Not-for-Profit Law, Lawyers Hub,
- Katiba Institute, Local
- Development Research
- Institute. Mzalendo
- Trust, ARTICLE 19,
- CEMIRIDE

Other Actors (Parliament, Private Sector, etc.)
- National Assembly and
- Senate (ICT
- committee), Microsoft,
- IBM Research,
- Amazon, GIZ Digital
- Transformation Centre,
- UNDP ACTLab, CAJ,
- Hans Seidel
- Foundation, Oxfam

Period Covered:
2023-2027

Problem Definition

The commitment primarily aims to address exclusion in digital services and the digital divide. This policy problem is of significant relevance to the Kenyan national context because, as services continue to transition into the digital realm, there is a looming risk that certain segments of the population may be left behind. This digital exclusion could perpetuate historical inequalities and further marginalize vulnerable groups within the country.

As of January 2023, there were 17.86 million internet users in Kenya with internet penetration at 32.7 percent. Kenya has 10.55 million social media equating to 19.3 per cent of the total population. Also, the country recorded 63.94 million cellular mobile connections equivalent to 117.2 percent of the total population. There are also 32.1 million feature phones and 30.7 smartphones. As part of digital transformation efforts, the government has launched 5,000 services on its eCitizen platform, with an ambition of 12,000 by the end of 2023. While these digital systems are complimented by in-person services, the rapid pace of change of technology, means that those who require services enabled by technology will not be assured of good quality or efficient services.

The commitment, therefore, aims to address the issue of exclusion of a majority of people, especially women, youth, persons with disability and marginalized communities from Kenya's ongoing digital transformation journey, which is particularly relevant to the country as services become increasingly digital. This exclusion could further limit their access to digital services and exacerbate existing opportunity disparities. The issue is taking place nationwide and has likely persisted as digital transformation efforts have not always factored in their needs and the digital divide. It is crucial to address this ongoing problem to ensure equitable participation in the digital age while reducing historical inequalities.

17.86M
internet users in Kenya as at January 2023

32.7%
Internet penetration among Kenyans

30.7M
Total number of Kenyans who own a smartphone

1. What are the causes of the problem?

Kenya grapples with several challenges on its path toward achieving inclusive digital governance. The existing policy environment lacks a strong focus on inclusivity, impeding equitable access of citizens to digital opportunities and services, particularly within a technologically advanced service delivery framework. This issue is exacerbated by the fragmented approach policy implementation and in the design, adoption, and utilization of technology, along with a limited capacity on the understanding and implementation of digital technologies as enablers for development.

Moreover, rising cyber threats and the impact of emerging technologies such as Artificial Intelligence (AI) raise valid concerns related to safety and security, and could potentially impact public trust in digital systems. Furthermore, existing governance structures at both the national, regional and global levels grapple with the task of adapting to the fast pace of technological change. Decision-makers are also stuck to traditional, linear thinking on policy and decision-making matters, which may not align with the disruptive non-linear forces of innovation or becoming too engrossed in immediate concerns, which may hinder their ability to strategically address the transformative dynamics shaping our future. Also, while access to the internet and digital devices is increasing, the country has a growing digital divide that could widen digital exclusion

Commitment Description

In 2022, the Kenyan Government initiated a 10-year digital master plan with the goal of enhancing citizen access through digital technologies. This encompassed various initiatives like fiber connectivity, ICT hubs, free Wi-Fi, and digital skills training. Simultaneously, the government undertook the digitization of 12,000 services to boost efficiency and minimize bias. To keep pace with rapid technological changes, a working group on policy and legislative reforms was formed within the Ministry of Information and the Digital Economy in September 2023. This group is working towards ensuring a flexible regulatory environment that fosters innovation while upholding essential safeguards.

These efforts are expected to yield positive outcomes by reducing issues such as bribery through decreased human interaction and the adoption of digital payments. Additionally, they have improved accessibility by reducing the distance to service points. However, one challenge remains: achieving inclusivity in the service design.

Proposed Solutions

- **Intervention I:** Establish a coordination mechanism for digital transformation (Multi Stakeholder, inclusive and independent from government)

- Intervention II: Develop data governance frameworks and guidelines to inform safe ,secure and responsible digital transformation

- Intervention III: Support the development of a policy on safe, secure and responsible adoption and use of digital technologies such as Emerging Technologies and Artificial Intelligence (Ai) to increase public trust.

- Intervention IV: Contribute to the development of the Public Participation Bill, 2023 on safeguarding of human rights and fundamental freedoms online (freedom of speech, privacy, association and safety, internet shutdowns, etc.)

- Intervention V: Enhance open channels for meaningful citizen engagement and feedback on digital services and policies, allowing citizens to voice their concerns and needs.
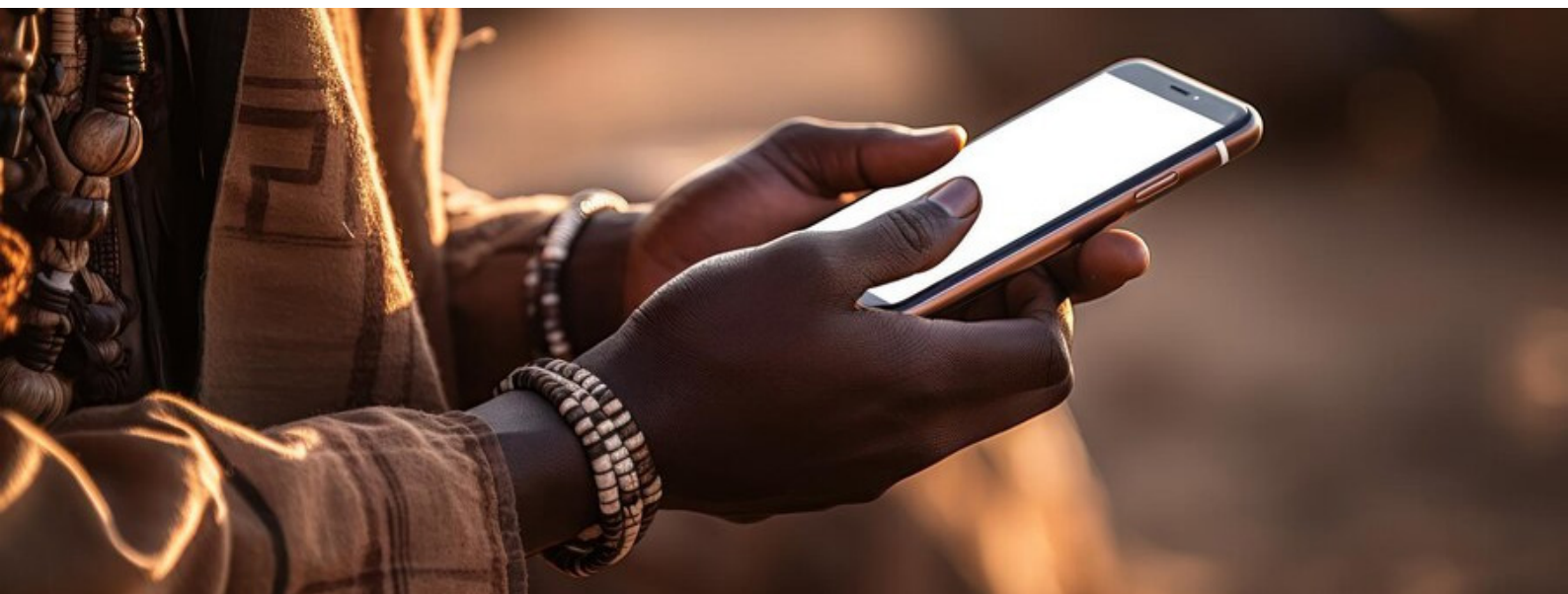
Desired Results

A well-coordinated, inclusive, responsive mechanism for digital transformation

Framework and guidelines developed for safe and secure use of emerging technologies, and recommendations reflected in policies and laws

Increased public trust in the adoption and use of digital technologies.

Safe, secure and responsible adoption and use of digital technologies

Enhanced public participation and respect for human rights and fundamental freedoms online

An empowered and engaged citizenry, leveraging accurate information within a digital environment that ensures online rights, safety, and freedoms.

Enhanced public trust as a result of delivering citizen-centric digital services that address the genuine needs and concerns of citizens.

Commitment Analysis

How will the commitment promote transparency?	• The guidelines and the law will provide clear rules of public engagement and principles that safeguard citizens. • Accessibility of information will promote transparency and accountability • Adoption of digital platforms will expand access and quality to government services, while reducing opportunities for corruption.
How will commitment help foster accountability?	• The multistakeholder approach in the mechanism provides a platform where relevant actors can be held accountable • The open channels for engagement provide a mechanism for feedback and engagement • The guidelines, laws and policies institutionalize the accountability frameworks.
How will commitment improve citizen participation in defining, implementing, and monitoring solutions?	• - The multistakeholder approach in the mechanism provides a platform for various stakeholders to engage and participate in digital governance processes. • The open channels for engagement provide a mechanism for feedback and engagement • The guidelines, laws and policies institutionalize • the public participation model.

Commitment Planning

1

Milestone:

Multistakeholder Emerging Technologies Institute and Lab established to guide development of use cases ensuring inclusivity, safety and security

Expected Output:

Announcement and Launch of the Institute with different stakeholders, with signed Letter of Intent (LoI) with commitments to principles of inclusivity, safe and secure development and deployment of Emerging Tech (especially Artificial Intelligence).

Stakeholders:

Government:	CSO's:	Others:
• Executive Office of the President • Konza Technopolis • Kenya Innovation Agency (KENIA)	-	• IBM Research • Amazon Web Services (AWS) • Space Ai • Kenya National Chamber of Commerce and Industries (KNCCI). • DX5 • UK Ai Safety Institute • National Institute of Science and Technology (NIST) – US.i

Completion Date: March 2024

2

Milestone:

Multistakeholder mechanism for dialogue on digital economy and transformation established

Expected Output:

Establishment of a diverse and inclusive digital transformation mechanism,

Stakeholders:

• Konza Technopolis
• State Department of ICT and the Digital Economy

Government:	CSO's:	Others:
• Mama Doing Good	-	• Action Lab • Microsoft • IBM

Completion Date: August 2024

3

Milestone:

Guidelines for safe, secure and responsible emerging technology development and use and developed.

Expected Output:

Report on the sector working group for ICT and Digital Economy reforms produced with specific policy recommendations on these guidelines

Stakeholders:

Government:	CSO's:	Others:
• Ministry of ICT and the Digital Economy	-	• Parliament • Commission on Administrative • Justice (CAJ)

Completion Date: March 2024

4

Milestone:

Increased use and adoption of safe, secure and responsible digital technologies

Expected Output:

Development and documentation of use cases around use of emerging technologies through a risk-based approach, to solve development challenges – climate, health, agriculture that includes safeguard around human rights (bias) and data privacy.

Stakeholders:

Government:	CSO's:	Others:	
• Ministry of ICT and Digital Economy through Konza Technopolis.	-	• IBM Research • UNDP ACT • LabAction	• Space Ai • Kenya Space Agency (KSA)

Completion Date: December 2027

5

Milestone:

Public Participation Law reflecting nuances of use of technology in citizen engagement.

Expected Output:

Memorandum submitted by OGP Participating organizations reflecting language for online citizen engagement. Creation of response mechanisms for online citizen engagement and feedback mechanisms, including guidelines on response times to be reflected on the service charters of Ministries, Departments and Agencies (MDAs)

Stakeholders:

Government:	CSO's:	Others:
• Commission on Administrative Justice (CAJ)	• -Mzalendo	• Parliament (Senate) Ministry of ICT and the Digital Economy.

Completion Date: March 2024

03
OPEN DATA FOR DEVELOPMENT

Country: Kenya

3

Number and Name of the Commitment:

3.Improving Availability of Data for Development

Brief Description of the Commitment:

To make available, in machine-readable format and with appropriate licensing, all data on financial resource management, implementation, planning and monitoring of government programs, projects and processes to strengthen accountability and improve evidence-informed decision-making to ensure that we leave none behind.

Commitment Lead:

Lead Kenya Space Agency, Local Development Research Institute (LDRI)

Supporting Stakeholders:

Government
- National Treasury,
- Controller of Budget,
- Auditor General,
- ICT Authority,
- KNBS,
- Presidential Gender
- Advisor,
- PS Gender,
- NGEC, CAJ, KSG, PS
- Performance & Delivery Management,
- Commission on Administrative Justice
- NEPAD/APRM Kenya Secretariat

Civil Society
- Local Development Research Institute (LDRI), IBP, IPF,
- Open Institute,
- GROOTS,
- Twaweza EA,
- SDGs Forum,
- Global Partnership for Sustainable Development Data (GPSDD),
- ESRI,
- Women in GIS,
- Kenya ICT Action Network
- (KICTANet),
- Kenya Private Sector Alliance (KEPSA),
- Article 19 EA Policy

Other Actors (Parliament, Private Sector, etc.)
- Parliamentary Budget Office (PBO)
- Data Trace International
- LocateIT Ltd
- Digital Earth Africa (DE Africa), Geospatial Society of Kenya (GeoSK),
- Planet

Period Covered

2023 – 2027

Problem Definition

Data needed for strengthening accountability, improving transparency, planning and measuring progress of implementation of programs, projects and processes in government is not easily available or usable. This creates an environment for perpetuation of corrupt practices, insufficient evidence to support decision making and inefficient use of human, financial and other resources in the public sector. Ultimately, citizens and the general public are affected due to the failure to implement key infrastructure projects effectively and in many instances failures in service delivery

This commitment therefore aims to address the lack of data for development which makes it difficult tostrengthen accountability and ensure that policies/programmes being implemented do not result in some within the society being left behind.

Causes of the problem

Three fundamental challenges persist in the effort to make data available for transparency, accountability, public engagement, and decision-making: a poor enabling environment, limited capacity for data development, and inadequate access to the necessary infrastructure.

Low Capacity:

The insufficient availability of critical data for promoting transparency, accountability, public participation, and evidence-based decision-making poses a substantial threat to the successful delivery of services and the implementation of projects and programs. In the 2022 edition of the Global Data Barometer, Kenya's performance in the Capability theme was notably subpar. This theme evaluates the extent to which effective data creation, management, and utilization capacity is in place. These capacities are essential for stakeholders to generate fresh insights based on evidence and rely on factors such as accessibility, skills, infrastructure, institutional support, and intermediaries.

Kenya received a score of 30, which fell below the global average of 49. Furthermore, Kenya received a zero rating for subnational capabilities, open data initiatives, and support for data reuse. The country also garnered a very low rating regarding civil service training for data—a critical aspect in ensuring that institutions and their information officers can effectively respond to information access requests and manage data and data portals.

Poor Enabling Environment:

Despite efforts that trace back to the inception of the Kenya Open Data Initiative, challenges persist in accessing data related to enacted budgets and their execution. In the 2021 edition of the Open Budget Survey, Kenya's transparency score remained stagnant in the range of 48% to 50% over the past five years. One of the primary recommendations is for the government to enhance the comprehensiveness of the Enacted Budget. The situation could be significantly improved by publishing budget data as a distinct dataset. Regrettably, there is no legal mandate requiring the government to take this step, leading to the unavailability of these datasets unless non-governmental entities extract them from PDF documents and publish them on third-party websites. This approach risks introducing typographical errors during the transcription process and results in a lack of government ownership over these datasets. Consequently, confidence in the accuracy of the datasets is low, and their utility is limited.

Lack of Infrastructure:

Possessing data on socio-economic indicators and budget execution, while valuable, does not, on its own, guarantee an inclusive society. In addition to the appropriate disaggregation and statutory requirements, spatial data and information enable planners and other stakeholders to understand the geographical allocation of resources and services concerning the population distribution. The essential remote sensing data and satellite imagery required for this form of planning have remained costly to obtain, store, manage, and use. As a result, this data largely remains beyond the reach of government officers and stakeholders due to a lack of accessible and affordable infrastructure, as well as insufficient skills and financial resources.

While the government, through the Kenya Space Agency, has deployed a satellite to make some remote sensing data and imagery accessible, it is vital to ensure that this data is within reach. Nevertheless, without affordable and accessible infrastructure in place, these resources would remain inaccessible for government ministries, departments, and agencies (MDAs) as well as county governments.

Commitment Description

In 2011, Kenya launched the Kenya Open Data Initiative (KODI) as the 2nd such effort by an African country. A key objective was to make data held by the government accessible to the general public under an open license to catalyze innovation and support transparency and accountability. The KODI portal (Opendata.go.ke) however has been offline for the last few years despite efforts to revive the initiative due to lack of a legal framework, lack of clarity on the institution where such an initiative should be domiciled and consequently lack of domestic resources.

The passing of the Public Finance Management Act 2012 brought with it a requirement for the government to publish all the documents related to the budget process such as the budget and the budget execution reports. While these are available on the websites of the National Treasury and the Office of the Controller of Budget, they are difficult to extract data from thereby impeding the objective to improve transparency and accountability.

Where county data and statistics are concerned, there have been two efforts to enact a County Statistics Act. However, the bill has failed to pass through the Senate leaving county governments with no overarching legal framework for county statistics.

In 2022, an effort to address the civil service training gap on data was implemented by the Commissioner for Access to Information and the Kenya School of Government through the development and adoption of a curriculum on Access to Information. This curriculum includes a module on open data, but it does not address issues of standards, interoperability or guidance on infrastructure. A revision to the curriculum is therefore necessary

While these are available on the websites of the National Treasury and the Office of the Controller of Budget, they are difficult to extract data from thereby impeding the objective

Proposed Solutions

01   **Statutory interventions:** Amendment to the public finance management legislation to mandate publication of budget and expenditures data in machine readable format with a prescribed level of disaggregation and a standard/ harmonized reporting format to enable data interoperability esp. at the subnational level. Enactment of a County Statistics Act to provide a legal framework for county governments to implement statistics units for collection of data and production of statistics to inform policy, programmes and projects.

02   **Adoption of standards and norms for data production,** data portals and data dissemination, particularly to strengthen geospatial and gender data, through development of a guidebook for public sector institutions, including county governments to ensure data is interoperable, appropriately disaggregated (especially by gender, age and administrative units where appropriate)

03   **Capacity development** through institutionalized training for government officers carried out in the context of the Access to Information Act 2016 to ensure officers have the requisite skills and understanding to prepare, license and publish interoperable data disaggregated appropriately.

04   **Establishment of a Data Governance Council** that will champion the development and implementation of a plan to make targeted improvements to human capital, infrastructure and financing for data informed by an assessment

05   **Implementation of standards** compliant and interoperable portals to improve access to remote sensing & satellite data, budget data and administrative data to support accountability and evidence informed decision making.

Desired Results

Enhanced capacity of Government officers to process and publish open data for use by other MDAs and the general public thereby increasing access and improving quality of data for decision making.

Enactment of legislation to strengthen the enabling environment for data and statistics as well as the adoption of guidance to improve disaggregation (particularly gender, geography and age) and interoperability of data and data infrastructure.

An increase in the amount of data available as open data on resource allocation, utilization, results and planning, including data that enables implementation and monitoring of programmes and processes to ensure they are responsive to the challenges facing women and girls.

Increased access to affordable and accessible infrastructure within government for collecting, storing, processing and publishing of data on resource allocation and resource use as well as GIS data for spatial planning.

Improved transparency and accountability in governance, resource management and public service delivery due to improved availability of data.

The emergence of strengthened inclusive and informed participation by the general public in decision making on socio-economic programmes/projects driven by better access to evidence

Commitment Analysis.

How will the commitment promote transparency?	• The guidelines and the law will provide clear rules of public engagement and principles that safeguard citizens. • Accessibility of information will promote transparency and accountability • Adoption of digital platforms will expand access and quality to government services, while reducing opportunities for corruption.
How will commitment help foster accountability?	• The multistakeholder approach in the mechanism provides a platform where relevant actors can be held accountable • The open channels for engagement provide a mechanism for feedback and engagement • The guidelines, laws and policies institutionalize the accountability frameworks.
How will commitment improve citizen participation in defining, implementing, and monitoring solutions?	• - The multistakeholder approach in the mechanism provides a platform for various stakeholders to engage and participate in digital governance processes. • The open channels for engagement provide a mechanism for feedback and engagement • The guidelines, laws and policies institutionalize • the public participation model.

Commitment Analysis.

1 **Milestone:**

Amendment of regulations on public finance management that mandate the publishing of budget data, including geocoded information and satellite imagery on capital expenditures, in machine readable formats with an appropriate open license.

Expected Output: **Stakeholders:**

Revised regulations   **Lead:** National Treasury

Government: **CSO's:**   **Others:**

• KSA   • IBP   • Kenya Private   • PBOCAJ
• Controller of   • Open Institute   Sector Alliance   • Planet
  Budget   • LDRI GROOTS   (KEPSA)   • Locatel
                    • IPF TI-Kenya   • Geospatial   • TESRI
                    • Kenya ICT   Society of   • Digital Earth Africa
                      Action Network   Kenya (GeoSK)   (DE Africa),
                      (KICTANet),

Completion Date: March 2024

2 Milestone:

Implementation of a standards compliant data portal for the continuous publishing of budget and budget execution data, including geocoded information and satellite imagery on capital expenditures, to strengthen accountability, transparency and participation in resource allocation and use.

Expected Output:

Budget Data portal

Stakeholders:

Lead: National Treasury

Government:
- KSA
- Controller of Budget,
- Commission on Administrative Justice

CSO's:
- IBP
- Open Institute
- LDRI GROOTS
- IPF TI-Kenya
- Kenya ICT Action Network (KICTANet),
- Kenya Private Sector Alliance (KEPSA)
- Geospatial Society of Kenya (GeoSK)

Others:
- PBO
- CAJ
- Planet
- Locatel
- TESRI
- Digital Earth Africa (DE Africa),

Completion Date: July 2025

3 Milestone:

Publish a guidebook on the publishing of open data by the public sector to support standardization of data in regard to gender, age, location and disability including use of appropriate data formats and interoperability of data infrastructure.

Expected Output:

Published Open Data Guidebook for Government

Stakeholders:
- Kenya National Bureau of Standards

Government:
- ICT Authority
- KSA
- Gender Advisor,
- Commission on Administrative Justice

CSO's:
- LDRI
- GPSDD
- GROOTS
- Twaweza EA Kenya
- ICT Action Network (KICTANet),
- Kenya Private Sector Alliance
- (KEPSA)
- Geospatial Society of Kenya (GeoSK),
- Article 19EA

Others:
- Ckan Association
- Locatel
- TESRI
- Digital Earth Africa (DE Africa),

Completion Date: 2025

4

Milestone:
Establishment of a Data Governance Council and the development and implementation a data capacity improvement roadmap informed by a comprehensive data capacity assessment to ensure the government has the capacity to collect, use and share data according to the established guidelines.

Expected Output:
Data Governance Council constituted
- Data Capacity Assessment Report
- Data Capacity Improvement Roadmap

Stakeholders:
Lead: Ministry of ICT and Digital Economy, the Kenya National Bureau of Statistics (KNBS) and the Office of the Data Protection Commissioner

Government:		CSO's:	Others:
• KSA	• OWRA,	• LDRI	• Locatel
• ICTA	• Commission on	• GPSDD	• TESRI
• PS Performance	Administrative	• KICTANET	• Digital Earth Africa
& Delivery	Justice	• Geospatial Society	• (DE Africa),
Management		of Kenya (GeoSK)	• Geospatial Society
			of Kenya (GeoSK)

Completion Date: December 2025

5

Milestone:
Enactment of the County Statistics Act to provide a legal framework to ensure data for evidence informed county planning, measurement of progress towards leaving no one behind and ring fencing of public sector funds for development and improvement of data and statistics is possible.

Expected Output:
County Statistics Act

Stakeholders:
Lead: Senate

Government:	CSO's:		Others:
• KNBS	• GROOTS	• SDGs	
• OWRA	• LDRI	• Kenya Forum	
• Commission on	• FEMNET	• Twawea EA.	
Administrative Justice			

Completion Date: July 2027

6

Milestone:

Publishing of government satellite data for use in planning, monitoring and innovation as open data to support climate change initiatives, planning, innovation and service delivery.

Expected Output:

Online Portal.

Stakeholders:

Lead: Kenya Space Agency

Supporting Stakeholders

Government:	**CSO's:**		**Others:**
• National Treasury	• LDRI	• Digital Earth Africa (DE Africa),	• Locatel
• ICTA	• Group on Earth Observations (GEO),	• Geospatial Society of Kenya	• TESRI
			• Planet

Completion Date: May 2025

7

Milestone:

Revision of the Access to Information course at the Kenya School of Government to include an expanded chapter on standardization, licensing, publication and use of open data particularly for those officers designated as Information Officers under the Access to Information Act 2016

Expected Output:

Revised Access to Information Course at the Kenya School of Government

Stakeholders:

Lead: CAJ

Supporting Stakeholders:

Government:		**CSO's:**		
• Commission on Administrative Justice	• KNBS	• Article 19	• LDRI	• Twaweza
	• KSG,			

Completion Date: December 2024

8

Milestone:

Operationalization of shared GIS lab infrastructure at a government data center as a proof of concept for MDAs and subnational governments using remote sensing data in conjunction with budget data for planning, monitoring and transparency.

Expected Output:

Sandbox environment at the Konza Data Center

Stakeholders:

Lead: (KSA), Konza Technopolis

Supporting Stakeholders:

Government:		**CSO's:**			**Others**
• Konza Technopolis	• CAJ	• LDRI	• GPSDD	• Article 19 EA	• Locatel
					• TESRI
					• Planet

Completion Date: December 2026

04

BENEFICIAL OWNERSHIP
TRANSPARENCY
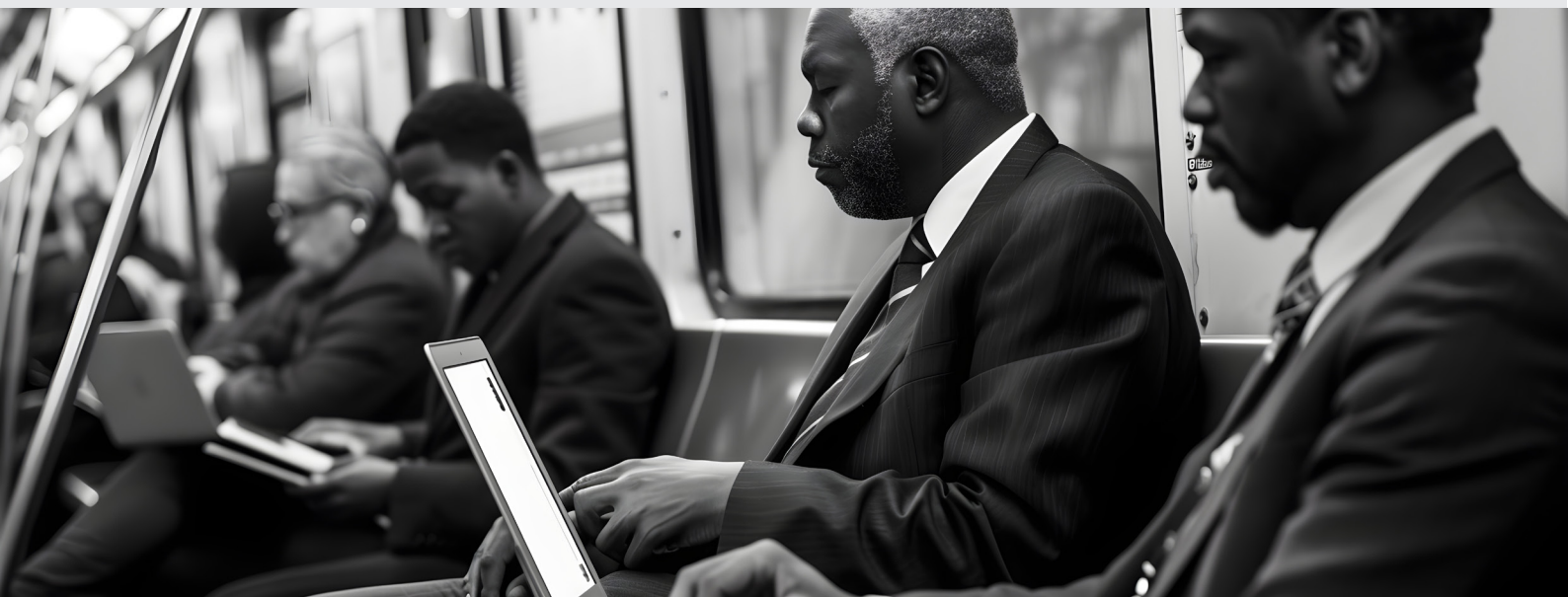
Country: Kenya

Number and Name of the Commitment:

4. Beneficial Ownership Transparency

Brief Description of the Commitment:

By advancing Beneficial Ownership Transparency, the commitment seeks to enhance transparency in ownership of legal persons and arrangements with a view to improving public procurement processes; strengthening the public finance architecture, and enhancing public accountability processes

Commitment Lead:

Business Registration Service and Transparency International-Kenya

Supporting Stakeholders:

Government

- PPRA
- EACC
- DCI
- National Treasury

Civil Society

- Institute of Economic Affairs -Kenya
- NDI
- GFI
- Open Ownership
- Development Gateway
- EATGN
- TJNA
- CiFAR
- Mzalendo Trust

Other Actors (Parliament, Private Sector, etc.)

- UN Global Compact Kenya
- KEPSA
- KAM
- KNCCI
- CIPE
- British Chamber of Commerce KenyaAPNAC KenyaICPAK
- GIZ
- FCDO

Period Covered

2024 – 2027

Problem Definition

What problem does the commitment aim to address?

More often than not, public funds are lost through tenders awarded to companies whose ownership is unclear or unknown. The effect of which results in challenges in identifying and prosecuting the true perpetrators of the vice and challenges in tracing, freezing and recovery of the lost assets. Further, allowing entities whose ownership is opaque to operate in the country opens it up for wider issues relating to the financing of terrorism, proliferation of arms and money laundering. The embezzlement and loss of public funds ultimately undermine the provision of various public services such as health and security to Kenyan citizens.

What are the causes of the problem

Obscure company ownership has allowed unscrupulous persons to get away with corruption and embezzlement of public funds and other forms of illicit financial flows.

Commitment Description

What has been done so far to solve the problem?

The Companies Act, 2015 was amended in 2019 to provide for a definition of Beneficial ownership and requirements for companies to file their beneficial ownership information with the registrar of companies. Consequently, amendment regulations were published (Beneficial Ownership Information Regulations, 2020 to provide a roadmap for implementation. The regulations (Beneficial Ownership Information) (Amendment) Regulations, 2022 were amended further to provide for BO information of successful bidders of government contracts published at the Public Procurement Information Portal (PPIP). In the same vein, the amendments also widened the scope of persons authorized to access BO information to include public procuring entities and the public-private partnership committee.

The President signed into Law the Anti-Money Laundering and Combating of Terrorism Financing (Amendment) Act. 2023 into Law on 1st September 2023 with the commencement date being 15th September 2023. The Act contained amendments to the Companies Act of 2015 and the Limited Liability Partnership

Act, of 2011. Section 31B has been introduced into the Act to provide that all LLP's should keep a register of their beneficial owners and the existing partnerships within 60 days of coming into force of these amendments. For the Companies Act, 2015 all existing companies are now required to file Beneficial ownership information with the Registrar. This includes companies limited by guarantee, public companies and private limited companies.

Separately, the country enacted the Data Protection Act, on November 8, 2019, which came into force on November 25, 2021. It establishes the Office of the Data Protection Commissioner (ODPC), whose mandate is to oversee the implementation and enforcement of the Act. The Act regulates the acquisition and processing of personal data by both public and private entities and demands that such entities obtain the consent of individuals before collecting, using, or disclosing their personal data. The compliance levels to the beneficial ownership laws remain below 50% and as such Kenya is not able to fully reap the benefits of the law as intended.

Proposed Solutions

The solutions proposed include ensuring that the BO register is interoperable with other government registries and databases to enhance interagency cooperation. This will also leverage existing data in the said databases to verify BO information. Additionally, it is expected that sustained awareness creation campaigns amongst individuals and business community players will enhance compliance to the laws. Ultimately , advocating for an open register will work towards enhancing citizen oversight on public finance management processes.

Desired Results

- Publication of Beneficial Ownership Information in various formats

- Strengthen implementation of the policy legal framework on AML/CFT

- Increased use of BO information for investigation, prosecution and adjudication of corruption and economic crimes

- Reduced procurement malpractice in terms of issuance of public tenders

- Prudent utilization of funds for public service provision

Commitment Analysis

How will the commitment promote transparency?	• One of the milestones to the proposed commitment is centered on public access to the beneficial ownership register. This will allow citizens , local and international law enforcement agencies as well as investigative journalists and other interested stakeholder groups to access pertinent BO information.
How will commitment help foster accountability?	• The ultimate goal of the commitment includes utilization of the BO information to hold corrupt persons/entities to account, to reduce corruption and Illicit Financial Flows.
How will commitment improve citizen participation in defining, implementing, and monitoring solutions?	• By advocating for an open , central register that is publicly available , citizens and other stakeholder groups can access pertinent company ownership information for use in demanding accountability. Additionally , there are planned engagements to create awareness about Beneficial Ownership Transparency in Kenya.

Commitment Planning

1

Milestone:

Enable Interoperability /interlinkages of BO register with other government systems

Expected Output:

Effective access and utility of BO register by local Law Enforcement Agencies (DCI, National treasury /eGP/PPRA)

Stakeholders:

Lead: Business Registration Services (BRS)

Government:		CSO's:		Others:	
• National treasury	• KRA	• TI Kenya	• TJNA	• CIPE	• ICPAK
• DCI	• PPRA	• DG	• EATGN	• BCCK	• ICS
	• FRC			• UNGC	

Completion Date: August 2026

2

Milestone:

Develop a framework/mechanism for verification of data after submission to reinforce reliability and accuracy.

Expected Output:

Enhanced mechanisms that allow flagging of errors, discrepancies

Stakeholders:

Lead: Business Registration Services (BRS)

Government:	CSO's:		Others:	
• DCI	• TIKenya	• TJNA	• CIPE	• ICPAK
	• DG	• EATGN	• BCCK	• ICS
			• UNGC	

Completion Date: November 2026

3

Milestone:

Make open the public the central public register of beneficial ownership information on legal persons and arrangements operating in Kenya

Expected Output: **Stakeholders:**

Open Register available to the public   **Lead:** Business Registration Services (BRS)

Supporting Stakeholders:

Government:	CSO's:		Others:	
• BRS	• TIKenya	• DG	• CIPE	• ICPAK
	• CIFAR		• BCCK	• ICS
			• UNGC	• APNAC

Completion Date: January 2027

4

Milestone:

Develop a mechanism to flag and publish directors and BO data of companies convicted of economic crimes (including bribery , money laundering) as well as debarred companies under PPADA

Expected Output:

Framework to flag and publish directors and BO data on companies

Stakeholders:

Lead: Business Registration Services (BRS)

Government:		CSO's:		Others:	
• BRS	• FRC	• TI Kenya	• EATGN	• CIPE	• ICPAK
• EACC	• PPRA	• TJNA		• BCCK	• ICS
• DCI				• UNGC	• APNAC

Completion Date: January 2027

5

Milestone:

Create awareness about the BO legislation in Kenya with the view to improve compliance by 15% by 2027

Expected Output: **Stakeholders:**

Improved compliance by at least 5% each year   **Lead:** BRS)

Supporting Stakeholders

Government:	CSO's:		Others:	
• FRC	• TIKenya	• EATGN	• CIPE	• ICPAK
	• TJNA		• BCCK	• ICS
			• UNGC	

Completion Date: November 2026

6

Milestone:

Initiate and implement legal and policy framework changes to ensure Kenya's compliance to FATF recommendations 24 and 25

Expected Output: **Stakeholders:**

Improved rating by FATF   **Lead:** Business Registration Services (BRS)

Supporting Stakeholders:

Government:	CSO's:		Others:	
• FRC	• TI-K	• EATGN	• CIPE	• ICPAK
	• TJNA		• BCCK	• ICS
			• UNGC	• APNAC

Completion Date: January 2027

05

OPEN
CONTRACTING

Country: Kenya

5

Number and Name of the Commitment:
5.Open Contracting

Brief Description of the Commitment:
The Commitment seeks to improve access, availability, and use of up-to-date accurate procurement data through the implementation of an interoperable end-to-end Electronic Government Procurement (eGP) system adopting the Open Contracting Data Standard (OCDS), to cover all stages of public procurement in Kenya.

Commitment Lead:
- Public Procurement Regulatory Authority (PPRA)
- Development Gateway; An IREX Venture (DG)

Supporting Stakeholders:
Government
- PPRA
- EACC

Civil Society
- Youth Agenda
- IPI
- LDRI

Counties
- Makueni
- Nandi
- Nairobi
- Elgeyo Marakwet

Other Actors (Parliament, Private Sector, etc.)
- Development Partners:
- National Endowment for Democracy
- National Democratic Institute,
- APNAC-K

Period Covered
2023 – 2027

Problem Definition

Value for money in procurement is crucial, as it ensures efficiency in government spending which results in high-quality services to citizens. Additionally, equitable procurement remains a challenge, with women, youth, and people with disabilities having limited say in procurement processes and also limited participation in applying for tendering opportunities. Despite various anti-corruption efforts and reforms in Kenya, corruption remains a pervasive and deeply entrenched issue, posing a multifaceted challenge to the nation's socio-economic development, governance, and the well-being of citizens. Notably, public contracting has been identified as the government activity most vulnerable to wastefulness, mismanagement, inefficiency, and corruption. Additionally, the Kenya Kwanza manifesto prioritizes granting independence to institutions involved in the fight against corruption, thus ending the weaponization and politicization of their work.

What are the causes of the problem?

01 There is a lack of inclusive processes for citizens to provide feedback on the quality of implementation. This leads to procurement entities often not basing their decisions on past supplier performance, beneficiary input, or expert advice from the private sector.

02 Citizens have grown weary of engaging with the government on corruption issues because they perceive limited action being taken on reported cases. This sense of fatigue and loss of trust has led to decreased vigilance and reduced efforts to hold the government accountable.

03 Private sector companies are enticed by corruption due to their profitability. Corruption has become a lucrative way for these entities to secure contracts and gain an unfair advantage in the procurement process.

04 Opaque Procurement Systems as result of lack of transparency and clarity in procurement processes, as well as the rules and procedures are not clearly understood.

05 Procurement entities exhibit low levels of compliance to publish procurement details on the Public Procurement Information Portal

06 Procurement entities lack access to critical data for analytics within the current procurement systems.

07 Civil society organizations (CSOs) and individuals lack the necessary evidence and raw data to hold the government accountable for corrupt practices and quality service delivery.

08 Women, youth, and persons with disabilities (PWDs) have limited participation and influence in procurement processes. This lack of inclusion perpetuates corruption, affects implementation quality, and undermines the principles of fairness and equity in public contracting.

Commitment Description

Several significant actions have been taken to promote open contracting and enhance transparency in public procurement. Over the years, Kenya has shown a commitment to this cause through various initiatives. The Public Procurement and Disposal Act (PPDA) has been instrumental in setting the legal framework for procurement practices. Additionally, the implementation of past Open Government Partnership (OGP) National Action Plans (NAPs) which incorporated public procurement transparency and accountability. The government has also invested in technology by developing the Procurement of an Electronic Government Procurement (eGP) system to streamline procurement processes. The Public Procurement Regulatory Authority (PPRA) has conducted extensive training programs for procurement entities, enhancing their capacity in adhering to best practices and publication of procurement data.

Furthermore, the development of the Public Procurement Information Portal (PPIP) and the active involvement of the media in decoding procurement laws and exposing corruption cases have played pivotal roles in advancing transparency. Measures such as the Whistleblowing Bill have been introduced to protect and encourage individuals who report corruption in procurement. The Access to Government Procurement Opportunities (AGPO) policy and platform has been developed to promote opportunities for marginalized groups, and the PPRA has taken steps to publish AGPO data, furthering transparency and inclusivity in public procurement processes. These collective efforts demonstrate Kenya's commitment to advancing open contracting and improving the integrity of its procurement system.

Proposed Solutions

The NAP (V) envisions to:

Ease availability, access and use of data, and compliance through the implementation of an open and transparent e-procurement system, and tender alert system

Implement a policy framework that standardizes and governs procurement system requirements, data publication, implementation and rollout in Kenya.

Promote meaningful public participation through whistleblower protection and improving feedback mechanisms,

Strengthening youth, women, and people with disabilities understanding and participation in procurement processes. Including implementation monitoring to ensure quality service delivery and the private sector participating in tendering processes.

Desired Results

- AGPO awareness programs resourced and rolled out across the country

- Clear and straightforward procurement processes and guidelines targeted at AGPO

- Incorporate whistleblower protection in the PPDA

- Strengthen procurement feedback mechanisms at national and county level

- The new end to end Electronic Government Procurement (eGP) system adopts the Open Contracting Data Standard (OCDS), to cover all stages of public procurement in Kenya.

- Counties use and access new end to end e-government system and integrate their procurement analytical tools the e-government system

Commitment Analysis

How will the commitment promote transparency?	The Electronic Government Procurement (eGP) system publishing the data across all procurement processes in a downloadable and editable format such as OCDS will improve access and availability to up-to-date data that will be published in a free to use web portal immediately after procurement processes take place.
How will commitment help foster accountability?	Implement a policy framework that standardizes and governs procurement system requirements, data publication, implementation and rollout in Kenya. This will ensure citizens and governments have a framework to monitor procurement transparency in Kenya
How will commitment improve citizen participation in defining, implementing, and monitoring solutions?	Promote meaningful public participation through whistleblower protection and improving feedback mechanisms 2. Strengthening youth, women, and people with disabilities understanding and participation in procurement processes. Including implementation monitoring to ensure quality service delivery and the private sector participating in tendering processes.

Commitment Planning

1

Milestone:
The new end to end e-government procurement system has a public portal publishing all procurement process data

Expected Output:
Data across all procurement processes taking place in e-GP is accessible in various downloadable formats such OCDS, CSV, PDF etc.

Stakeholders:
PPRA and National Treasury(PPD) - TBC

Government:	**CSO's:**
• National Treasury (TBC)	• Development Gateway • Transparency International - Kenya

Completion Date: December 2026

2

Milestone:

The new end to end e-government procurement system is interoperable with the PPIP and other procurement entity publishing platforms at both the national and county levels

Expected Output:

Open APIs for interoperability with other procuring entity platforms

Stakeholders:

Lead: PPRA

Government:	**CSO's:**
• National Treasury (TBC)	• Development Gateway

Completion Date: August 2026

3

Milestone:

.Develop a draft national policy to standardize and govern procurement system requirements, data publication, implementation and roll out in Kenya

Expected Output:

Develop multi stakeholder group that will support the drafting of the policy Final Policy that outlines the requirements and standards for a procurement system policy

Stakeholders:

Lead: National Treasury, LDRI

Government:	**CSO's:**	
• National Treasury (TBC)	• Transparency International - Kenya	• Development Gateway
• PPRA		• Youth Agenda

Completion Date: November 2026

4

Milestone:

Improve convenience of accessing procurement opportunities on PPIP and Egp

Expected Output:

Public (especially SIGs) subscribe and access procurement opportunities through email and SMS for private sector

Stakeholders:

Lead: PPRA

Government:	**CSO's:**
• National Treasury (TBC)	• Youth Agenda

Completion Date: August 2026

5

Milestone:
PPDA 2015 Amended to provide for protection of whistleblowers.

Expected Output:
The PPDA offers protective and easily accessible anonymous whistleblowing channels

Stakeholders:
Lead: Business Registration Services (BRS)

Government:	**CSO's:**
• National Treasury (TBC)	• Transparency International - Kenya

Completion Date: June 2025

6

Milestone:
Awareness creation to special interest groups (women, youth and persons with disabilities) on AGPO processes

Expected Output:
AGPO awareness programs resourced and rolled out across the country, to enhance youth, women and PWDs' understanding of How to access AGPO opportunities, application process, key requirements and existing information platforms

Stakeholders:
Lead: National treasury (AGPO) , Youth Agenda)

Supporting Stakeholders

Government:	**CSO's:**
• National Treasury (TBC)	• Development Gateway
• County governments	• LDRI

Completion Date: November 2026

7

Milestone:

Publish detailed debarment data: Including background information and other legal entities where an individual associated with the debarred firm has controlling interest

Expected Output:

Where an individual has controlling interest in a debarred company, any other associated companies where the same individual has controlling interest will also be debarred and published

Stakeholders:
Lead: PPRA, BRS

Government:	CSO's:
• Business Registration Service (BRS)	• Transparency International - Kenya • Development Gateway

Completion Date: June 2025

8

Milestone:

Develop a mechanism to ensure that public feedback through contract implementation is documented and meaningfully channeled into decision-making

Expected Output:

Contract details section in the eGP system provides a public feedback function

Stakeholders:

Lead: National treasury (AGPO) , Youth Agenda)

Supporting Stakeholders

Government:	CSO's:
• National Treasury (TBC)	• Development Gateway

Completion Date: November 2026

06

PUBLIC PARTICIPATION, LEGISLATIVE AND FISCAL OPENNESS

Country: Kenya

6

Number and Name of the Commitment:

6.Public Participation, Legislative And Fiscal Openness

Brief Description of the Commitment:

The commitment broadly aims to enhance transparency, inclusion, public participation, and accountability in legislative, debt, and budget processes, with a view of building open and trusting relations between lawmakers and citizens at both national and county levels

Commitment Lead:

- Parliament (The Senate and The National Assembly)
- County Assemblies Forum
- Mzalendo Trust

Supporting Stakeholders:

Government

- Parliamentary OGP Caucus),
- The National Assembly, (Public Debt and Privatization Committee,
- Parliamentary Budget Office,
- APNAC,
- County Assemblies Forum,
- KYMCA,
- KYPA, NGEC, CoG,OAG,
- County Assembly Forum,
- Treasury, OPCS, CAJ,
- CAF, NEPAD/APRM
- Kenya Secretariat

Civil Society

- Mzalendo Trust,
- TISA, IPF, WFD,
- CNL, IBP, NDI,
- Twaweza,
- AFRODAD, UDPK,
- TI-Kenya, FEMNET,
- IEA, NTA, CRECO,
- ELOG, CEMIRIDE,
- Centre for Fiscal Affairs, CSPEN

Other Actors (Parliament, Private Sector, etc.)

- KEPSA (TBC), CIPE
- Academia: IDS/UoN,
- Strathmore University,

Period Covered

2024 -2027

Problem Definition

Public participation and access to information are central tenets provided in the Constitution as means of enhancing transparency, accountability, and inclusion. Whilst this has been implemented, public participation remains problematic, without a defined framework for ensuring its meaningfulness. Timelines given are usually too short, there is no mechanism to confirm that public input has been considered into the bills, and it is not possible to disaggregate public participation data in terms of different demographics such as gender/age/ region. Additionally, information shared for public participation at both levels of government is usually complex and bulky. The process is also more consultative and not collaborative as people do not really shape the conservation and there is no feedback mechanism stipulated.

On the issues of fiscal transparency, the public debt process has been opaque, with Parliament's role being bypassed and with minimal participation from stakeholders. The commitment seeks to strengthen the role of Parliament in the process as well as provide for public participation and robust citizen engagement in the process, including ensuring that public debt is always considered in the budget process.

Finally, the commitment seeks to make government agencies simplify the information and documents being shared to enhance broader stakeholder engagement through the use of plain text as well as inclusive language, as well as automation of processes, including on digital platforms. The commitment seeks to address these challenges going beyond public participation to also enhance public oversight and accountability, especially around public debts and budgets

What are the causes of the problem?

- Lack of national legislation that facilitates a meaningful public participation framework.

- Violation of the law that stipulates mechanisms to engage the public through Parliament in the acquisition and use of public debt.

- Minimum proactive sharing of information on public debt including to Parliament leading to opaqueness.

- Lack of proper framework on debt management that includes the short- and long-term impact of debt to various segments of the population such as Special Interests Groups.

- There is a requirement to operationalize the PBO Act, 2013 to safeguard the civic space and the working environment for Civil Society Organizations.

- Lack of ownership of public participation commitments by different government agencies

- Lack of adequate resources to implement the commitments

Commitment Description

Creation of the necessary legislative framework for public participation is at the core of realizing meaningful public participation. During the last Action Plan, attempts were made to enact a Public Participation Law but this did not succeed. Automation of legislative processes including the development of a petition tracker was also achieved but this has not resulted into effective consideration of the same. On the issue of Fiscal Transparency, increased civil society agitation on the need for public debt transparency brought the issues to the fore of national discourse. The propose milestones under NAP V will therefore be aimed at leveraging on this background whilst aiming for more ambitious and innovative means of enhancing legislative and fiscal transparency. The Commitment will further leverage on the renewed efforts at enacting a public participation law, establishment of a Public Dand Privation Committee and renewed Civil Society efforts to entrench fiscal transparency

Proposed Solutions

This commitment aims to significantly expand transparency, accountability, and participatory mechanisms in governance processes and public finance management through comprehensive legislative and policy changes. It builds upon previous initiatives but goes further in scope and depth. Some key solutions proposed include legislated requirements for open public hearings on government loans, frameworks enabling citizens to provide direct input into legislation and budgets, publishing documents in accessible plain language, developing online public consultation portals, strengthened public debt oversight bodies, and empowering the Parliamentary Budget Office to produce alternative budget proposals.

Desired Results

The expected results are sustainable, systemic changes leading to open, participatory and accountable legislative, budgetary and debt processes. The public will be informed and empowered to provide input into budgets and legislation affecting them. The government will justify and be answerable for fiscal decisions and loans. Legislators will become more accessible and engaged with constituents. The Parliamentary Budget Office will provide rigorous analysis and alternative proposals. Overall, this commitment aims to shift legislative and fiscal processes from closed government activities with minimal disclosure, to open public processes with engaged citizen collaboration and oversight.

Commitment Analysis

How will the commitment promote transparency?	The commitment will significantly improve transparency in legislative, budgetary, and debt processes by introducing public scrutiny through measures such as requiring open hearings on public loans. This will enable the public to access more information on how much is borrowed and how the money is spent. Automating parliamentary processes and providing documents in plain language will also increase transparency.
How will commitment help foster accountability?	By opening up these previously closed-door processes to public input and monitoring, the commitment will enable citizens and civil society organizations to hold the government accountable. Public agencies involved in legislative, budgetary, and debt processes will have to justify their actions and spending to the public. The inclusion of transparency and accountability measures will further institutionalize greater accountability mechanisms
How will commitment improve citizen participation in defining, implementing, and monitoring solutions?	The commitment provides clear frameworks, requirements, and mechanisms for substantive public participation in defining, shaping, and overseeing legislative, budgetary, and debt processes. This enables citizens to collaboratively engage in policy making rather than just be passively consulted. Citizens will be able to directly give input on legislation and budgets, and track spending and outcomes. This facilitates a two-way dialogue between citizens and government with citizen voices integral to decision making.

Commitment Planning

1

Milestone:

Introduce transparency in public borrowing and expenditure by enabling scrutiny of loans through committee public hearings.

Expected Output:

Public hearings on public debt in line with the PFM Act, 2012.

Stakeholders:

Lead: The Institute of Social Accountability

Government:		**CSO's:**
• Public Debt & Privatization Committee	• PBO	• NDI
	• Treasury	• TISA
		• Mzalendo Trust

Completion Date: August 2026

2

Milestone:

Conduct an assessment on implications of public debt on special interest groups (Debt and Gender Equality)

Expected Output:

- A Study on the impact of public debt on special interest groups.
- Timely reports on the shortand long-term impact on the current public debt

Stakeholders:

Lead: Mzalendo Trust

Government:	CSO's:		Others:
• Department of Gender & Affirmative Action	• FEMNET • Mzalendo	• Twaweza	• IDS

Completion Date: May 2025

3

Milestone:

Leveraging on digital tools to enhance openness in public borrowing

Expected Output:

Interactive platform on public debt. Jihusishe App, Promise Tracker and Publish What you Borrow portals

Stakeholders:

Lead: The Institute of Social Accountability

Government:	CSO's:			
• Parliament	• TISA	• NDI	• IBP	• Mzalendo

Completion Date: December 2026

4

Milestone:

Provide a framework for the Parliamentary Budget Office to publish the alternative budget proposals and ensure Parliament always includes provisions for public debt in the Budget Statements and possible creditors.

Expected Output:

Report on the budget items that will be financed through debt and the possible creditors

Stakeholders:

Lead: Parliament Budget Office

Government:	CSO's:		OTHERS:
• Government PBO • Senate • Treasury	• CSO • IBP • TISA	• NDI • WFD • Mzalendo	• KYPA

Completion Date: October 2026

5

Milestone:

Making the legislative process more transparent and participatory by having parliament develop a state of parliamentary openness report

Expected Output:

Annual state of parliamentary openness (To be included in the National state of openness)

Stakeholders:

Lead: Parliament, Mzalendo Trust

Government:
- CAJ
- Parliament
- OPCS
- NEPAD/APRM
- Kenya Secretariat

CSO's:
- Mzalendo
- CSPEN

Completion Date: November 2024

6

Milestone:

Develop a framework to assess the implementation of legislative proposals and legislative needs assessment.

Expected Output:

Regular reports on the implementation of legislative proposals.

Stakeholders:

Lead: Parliament

Supporting Stakeholders

Government:
- OPCS
- Parliament

CSO's:
- Mzalendo,
- CSPEN

Completion Date: January 2025

7

Milestone:

Automation of parliamentary processes. Parliament is working to map and make available online processes such as submitting petitions to Parliament as well as memoranda on Bills

Expected Output:

An online platform to submit petitions

Stakeholders:

Lead: Parliament

Supporting Stakeholders

Government:
- Parliament (office of the clerk)
- Ministry of ICT and Digital economy

CSO's:
- Mzalendo,Trust

Completion Date: January 2025

8

Milestone:

Secure a commitment on use of plain language text in government and parliament documents.

Expected Output:

The commitment to be included in the Public Participation bill, 2023.

Stakeholders:

Lead: Mzalendo Trust

Government:	CSO's:	Others:
• Parliament (KYPA, Legislative drafting dep) • AG • COB • OAG	• Mzalendo • UDPK	-

Completion Date: December 2024

9

Milestone:

Advocate for the Operationalization of the PBO Act and pursuant regulations.

Expected Output:

Development of regulations

Stakeholders:

Lead: CSPEN (Civil Society Parliamentary Engagement Network)

Government:	CSO's:
• Parliament • PCS	• CRECO

Completion Date: June 2025

07

ACCESS TO
INFORMATION

Country: Kenya

7

Number and Name of the Commitment:

6.Public Participation, Legislative And Fiscal Openness

Brief Description of the Commitment:

The commitment seeks to ensure the effective implementation of the Access to Information Act, No. 31 of 2016, for the realization of citizens' right of access to information. It further seeks to strengthen the existing regulatory framework on Access to Information and leverage technology to enhance disclosure of information and promote effective records management

Commitment Lead:

Commission on Administrative Justice/ARTICLE 19 Eastern Africa

Supporting Stakeholders:

Government

- Ministry of Information, Communications and Digital Economy,
- Parliament,
- Office of the Attorney General
- Department of Justice
- Media Council of Kenya

Civil Society

- Katiba Institute, Twaweza East Africa,
- KICTANet,
- Mzalendo Trust,
- National Democratic Institute,
- Development Gateway,
- Transparency International Policy

Other Actors (Parliament, Private Sector, etc.)

- GiZ,
- IDLO, EU,
- USAID,
- World Bank,

Period Covered

2024 -2027

Problem Definition

The Development of the National Access to Information Policy seeks to provide legislative guidance for the effective implementation of the Access to Information Act, No. 31 of 2016 (ATI Act, 2016). The ATI Act was not sponsored by the Executive and therefore its development was not preceded by a Policy as is the norm in the majority of legislative instruments initiated by the Executive. The importance of developing a policy framework first is intended to amongst other salient features allow the executors to determine a clear road map, conduct an assessment of the problem and possible solutions, and define the opportunity to be embraced and the modalities or approaches to realize the benefit prior to proposing the necessary legal framework. This is essential to ensure that the law is properly understood, uniformly applied, and effectively promotes transparency and accountability. Other challenges brought by the lack of a national ATI policy include inconsistency and incoherency in government policies on information disclosures, inadequate resource allocation, and lack of enabling procedures and infrastructure. The challenge affects citizens, civil society organisations, and government officials ability to exercise the right of information as well as fulfill statutory duties on the part of government officials.

The adoption of the model Access to Information Law by at least Four Counties targeting OGP Local Counties), seeks to decentralize the national access to information framework and encourage its awareness, adoption and effective implementation 57 | at Pthe a glocal e level. Communities, media, local organizations, and government officials in the selected counties will benefit from a strengthened access to information framework allowing citizens access to relevant information about their lives, critical services and will facilitate their participation in governance while holding the county governments to account.

The Development of Reporting Guidelines for Public and Private Entities on ATI. The ATI Act obligates public entities and relevant private bodies to provide the Commission with reports required under the Act with respect to the implementation thereof. The Act additionally under Section 23(7) confers on the Commission the power to develop and publicize guidelines in consultation with the public detailing the reporting requirements including the manner, means and timeframes that apply to public entities and relevant private bodies. The objective of this milestone to guide public entities and private bodies (duty bearers) in compliance with their reporting obligations under the Act, provide for modalities of submitting annual reports to the Commission and administrative sanctions to be met by the Commission for non-compliance with reporting obligations and to provide for feedback mechanisms by the Commission to public entities & relevant private bodies upon assessment and evaluation of the reports. All these will serve to enhance the Commission's capacity to implement the ATI Act.

Strengthening administrative action by the media to effectively use the Access to Information Act for the delivery of accurate information, combating misinformation and disinformation and creating public awareness of OGP. This milestone aims to empower journalists and media practitioners to effectively use the Access to Information Act to seek and deliver accurate information, combat misinformation and disinformation, and also raise public awareness about the Open Government Partnership (OGP). Journalists, media organizations, and the general public are affected by the spread of misinformation and disinformation, particularly during critical events like elections, pandemics, natural disasters, etc. The problem of false information has intensified with the advent of the digital age, requiring a proactive approach to mitigate it. In addition, diminishing trust in media and shrinking media freedom aggravate the problem.

The Development of a Framework for the Digitization of Public Records under Section 17 of the ATI Act. The provision seeks to modernize record-keeping and information management within the public sector, making government data more accessible and manageable in line with Kenya's—National Digital Master Plan 2022-2032.—The problem of outdated and inaccessible public records, including challenges with the inefficiency of info management, retrieval and sharing among inter-agency has been persistent and has hindered effective access to information including that which concerns matters of life and liberty. These can be improved for efficiency in task load. To address these challenges, we will develop a framework that will provide national standards for the computerization of public records in line with the Web Content Accessibility Guidelines (WCAG) and in international best practice as envisioned in Section 17 of the ATI Act. Citizens, government officials, and organizations relying on public records will greatly benefit from this initiative.

Increase Awareness and uptake of the Access to Information Course at the Kenya. School of Government and Broaden the Base of Participants to include Private Sector Information Officers. The Commission in partnership with the Kenya School of Government developed an ATI curriculum targeting public officers involved in processing of access to information requests in public entities to equip them with knowledge, skills and competences to implement the legal framework on access to information. By broadening the base of participants to include private sector information officers, this milestone aims to enhance the understanding and application of the Access to Information Act which mandates both public and relevant private entities to proactively disclose information to the citizens. The lack of awareness of their role and mandate in providing this information has been a major hindrance due to a strong culture of secrecy and ignorance of the law amongst duty bearers. The problem of limited knowledge and capacity to utilize the Act has impacted both those seeking access to information and information officers.

Enhancing Proactive Disclosure of Information by Key Stakeholders across the Electoral Cycle to address a recurring problem related to political transparency, accountability and public participation. Kenya's electoral process has often been a charged affair, marred by concerns over credibility, transparency, accountability coupled with inadequate information infrastructure, and a lack of willingness by key actors to provide relevant information for accountability purposes. Since the adoption of the 2010 Constitution, Kenya has conducted three general elections—in 2013, 2017 (including a repeat presidential poll), and 2022. These elections have been marked by significant legal disputes and varying levels of civil conflict sparked by allegations wanting credibility, transparency, and accountability. The inadequate information infrastructure to manage the electoral process, and an unwillingness by state actors to provide information for those seeking accountability has resulted in public trust deficit and unrest. The crucial role of transparency and the right to information in safeguarding peace, security, and stability within the electoral context, therefore, is undeniable.

What are the causes of the problem?

- **Culture of Secrecy:** A significant factor contributing to the issue is the entrenched culture of secrecy within the government. Public officials habitually withhold information that should be accessible to the public. This culture of secrecy prevents citizens from holding the government accountable and participating in governance, even though the Access to Information Act mandates public entities to proactively disclose information. The root cause here is a historical and systemic lack of transparency and openness within government institutions, perpetuating a culture of secrecy that impedes progress.

- **Lack of Structure and Standards:** The absence of structured processes and standards for digitizing government records is another critical issue. This deficiency hinders the effective organization and accessibility of information. The root cause can be traced back to an absence of comprehensive policies and standards for managing government records in a digital age.

- **Low Awareness of ATI:** There is a lack of awareness among both public officials and citizens regarding their rights and obligations under the Access to Information Act. When both parties are unaware of their roles and responsibilities, the public's right to access information is impeded. This lack of awareness stems from limited educational efforts and the historical disregard for the importance of open government practices.

- **No Uniform Government Approach:** Inconsistencies in the government's approach, processes, and procedures for disclosing information exacerbate the problem. The absence of uniformity in government information disclosure protocols results from a lack of comprehensive guidelines, which can be attributed to a lack of emphasis on standardization in the past.

- **Inconsistent Policies and Inadequate Resources:** There are inconsistencies and incoherencies in government policies on information disclosure. The problem is compounded by inadequate resources, lack of enabling procedures, and infrastructure, resulting from a historical failure to prioritize information management and transparency.

- **Challenges During Elections:** During elections, limited access to online spaces further complicates the issue. Root causes include inadequate digital infrastructure and barriers to online access during critical electoral periods.

- **Low Trust in Media:** The diminishing trust in media and shrinking media freedom aggravate the problem. The historical issues related to media credibility and freedom within Kenya's socio-political context are the root causes of this challenge.

- **Limited Awareness and Implementation of Accessibility Guidelines:** Limited awareness and implementation of accessibility guidelines, such as the Web Content Accessibility Guidelines (WCAG), indicate the need for comprehensive awareness standards and regulatory enforcement, with the root cause being a historical lack of emphasis on digital accessibility. awareness and implementation of accessibility guidelines, such as the Web Content Accessibility Guidelines (WCAG), indicate the need for comprehensive awareness standards and regulatory enforcement, with the root cause being a historical lack of emphasis on digital accessibility

Commitment Description

The promulgation of Kenya's constitution in 2010 opened a new chapter for Access to Information in Kenya. Article 35 of the 'new' constitution now guaranteed every citizen the right to access information. However, it was until September 21, 2016, that life was breathed into this article through the enactment of the Access to Information Act and the subsequent Gazettement of ATI Regulations. Since then, there have been concerted multi stakeholder efforts geared at socializing this constitutional provision. These have included the development and the roll-out of the Curriculum on Access to Information for Journalists in Eastern Africa in 2022 in addition to the ATI Curriculum for public officers entrenched at the Kenya School of Government in 2020. There have also been innovative programs like the development of the Model County law on ATI and the simplification of ATI Toolkits for media and citizens. Capacity building and awareness creation initiatives of ATI amongst duty bearers and rightsholders have also been progressed. The most recent development has been the finalization of the National ICT Policy in 2019 and the Gazettement of the Standards on Accessibility of ICT Products in 2022.

Proposed Solutions

- Overarching policy framework on ATI

- Enhanced capacity building on ATI for government, private sector, media and citizens

- Inclusion and strengthening the capacity of media to help them fulfill their role of providing quality and reliable information.

- Enhanced accountability framework for public entities and private bodies in reporting

- Broadened base of stakeholders meaningfully participating in OGP and open government processes

- Enhanced electoral integrity and citizen access of digital spaces during elections

Desired Results

- Proactive disclosure of information by government and relevant private institutions

- Empowered citizens to obtain information held by public bodies

- Available and easily accessible information to citizens to enhance their participation in governance issues

- Enhanced oversight and enforcement capacity of the oversight institution on access to information

- Digitization of government records to facilitate access to information and to act as a catalyst to the digital transformation of government processes.

Commitment Analysis

How will the commitment promote transparency?	Access to information will foster evidence-based engagement between the government and citizens. It will also oblige the government to make public data regarding the utilization of public funds readily accessible for scrutiny.
How will commitment help foster accountability?	Since citizens can easily access information from public entities, they can hold public entities accountable based on the information they get. Citizens will have the leeway to interrogate/scrutinize the government based on the information that government provides especially in the utilization of public funds through projects, processes and development programs and in the process enhance accountability.
How will commitment improve citizen participation in defining, implementing, and monitoring solutions?	Ensuring information and services are accessible to all, including those with disabilities or from marginalized communities, thereby enhancing inclusive and broadbased participation. Overall, this commitment creates an ecosystem of transparency, awareness, and engagement. Citizens will be better equipped to participate in defining solutions that align with their needs, actively engage in the implementation process, and monitor the progress made.

Commitment Planning

1

Milestone:

Development of a National Access to Information Policy

Expected Output:	**Stakeholders:**
National ATI Policy Developed	Lead: CAJ and MoICT & DE

Supporting Stakeholders

Government:
- National Communications Secretariat,
- The Office of the Attorney General,
- Kenya Law Reform Commission,

- Office of the Data Protection Commissioner,
- Ministry of Foreign Affairs

CSO's:
- Article 19 EA,
- Katiba Institute,
- Westminster Foundation,
- Mzalendo Trust,
- International Commission of Jurists,

- Twaweza EA,
- KICTANet,
- POLLICY,
- Transparency International
- National Democratic Institute

CSO's:
- GiZ,
- IDLO, World
- Bank,
- USAID
- EU

Completion Date: 31st May 2027

2

Milestone:

The adoption of the Model County Access to Information Law by the 4 OGP Local Counties

Expected Output:

• County Access to Information Laws passed in three counties

Stakeholders:

Lead: CAJ

Government:	**CSO's:**		**Others:**
• County Governments • Council of Governors	• Article 19 EA, • Katiba Institute,	• Westminster Foundation, • Twaweza EA	• GiZ, • IDLO, World • Bank, • Uraia • Trust

Completion Date: June 2027

3

Milestone:

The Development of Reporting Guidelines for Public and Private Entities on ATI

Expected Output:

Reporting Guidelines for Public and Private Entities Developed

Stakeholders:

Lead: CAJ

Supporting Stakeholders:

Government:	**CSO's:**	**CSO's:**
• County Governments • Council of Governors, • Academia, • All MDAs	• Article 19 EA, • Katiba Institute, • Westminster Foundation, • Twaweza EA	• GiZ, • IDLO, • World Bank, • Uraia Trust

Completion Date: June 2027

4

Milestone:

Development of a Framework for Digitization of Public Records under Access to Information.

Expected Output:

Framework for Digitization developed

Stakeholders:

Lead: CAJ and ICT Authority

Supporting Stakeholders:

Government:		**CSO's:**		**OTHERS:**
• MoICT & DE, • The Office of the Attorney General, • Kenya Law Reform Commission,	• Office of the Data Protection Commissioner, • Ministry of Foreign Affairs	• Article 19 EA, • Katiba Institute • Westminster Foundation • Mzalendo Trust	• ICJ • Twaweza EA, • KICTANet,	• GiZ, • IDLO, • World Bank, • USAID • EU

Completion Date: June 2027

5

Milestone:

Strengthen the capacity of journalists to effectively utilize Access to Information (ATI) to address misinformation and disinformation concerns, promote citizen engagement and facilitate informed public participation in the OGP process

Expected Output: **Stakeholders:**

Number of Journalists sensitized   Lead: CAJ and ICT Authority

Supporting Stakeholders:

Government:	CSO's:	OTHERS:
• MoICT & DE,	• Article 19 EA,	• GiZ,
• The Office of the Attorney General,	• Katiba Institute,	• IDLO,
• Kenya Law Reform Commission,	• Westminster Foundation,	• World Bank,
• Office of the Data Protection Commissioner,	• Mzalendo Trust,	• USAID
• Ministry of Foreign Affairs	• ICJ	• EU
	• Twaweza EA,	
	• KICTANet,	

Completion Date: November 2024

6

Milestone:

Increase awareness and uptake of the Access to Information Course at the Kenya School of Government and broaden the base of participants to include private sector information officers.

Expected Output: **Stakeholders:**

• Reviewed Curriculum   Lead: CAJ, Kenya School of Government
• Number of cohorts trained   and Article 19 Eastern Africa

Supporting Stakeholders

Government:	CSO's:	Government:
• Council of Governors	• LDRI	• APSEA,
	• Development Gateway	• KEPSA
	• Mzalendo Trust,	
	• Katiba institute,	
	• Westminster Foundation	

Completion Date: January 2025

7

Milestone:

Strengthening media capacity to effectively use the Information Act for combating misinformation, disinformation and creating awareness of Open Government Partnership

Expected Output:

Number of Journalists and media practitioners sensitized

Stakeholders:

Lead: MoICT & Digital Economy, CAJ and Article 19 EA

Supporting Stakeholders

Government:	CSO's:		OTHERS:
• Media Council of Kenya	• Katiba Institute • Westminster Foundation • Mzalendo Trust • ICJ • Twaweza EA,	• KICTANet • POLLICY • Transparency International • National Democratic Institute	• GiZ • IDLO • World Bank • USAID • EU • Editors Guild

Completion Date: January 2027

8

Milestone:

Enhancing democracy through proactive disclosure of information by key stakeholders across the electoral cycle to address a recurring problem related to political transparency, accountability and public participation.

Expected Output:

A report on timely release of information

Stakeholders:

Lead: CAJ, IEBC, Article 19 EA, Katiba Institute

Supporting Stakeholders

Government:	CSO's:		OTHERS:
• NCIC, • ORPP, • MCK	• ELOG • Oslo Centre • Westminster Foundation • Mzalendo Trust • ICJ • Twaweza EA	• KICTANet • POLLICY, Transparency International • National Democratic Institute	• World Bank • GiZ • IDLO • EU • APNA • C-K

Completion Date: January 2027

08

ACCESS TO
JUSTICE

Country: Kenya

8

Number and Name of the Commitment:
8.Access to Justice

Brief Description of the Commitment:
The commitment will build on the milestones of the previous action plan to enhance access to grassroots justice, digitized justice and financing. In the period of the plan, we hope to achieve increased financing for the Judiciary to implement the Alternative Justice Systems Policy and the National Legal Aid Service to operationalize the Legal Aid Fund. and the SGBV Courts and localize access to justice using the Mombasa County Government as a pilot. Finally, Planning to enhance accessibility of digitized justice to the most vulnerable and disadvantaged populations in Kenya through implementation of a pilot programme involving community-based paralegals.

Commitment Lead:
Judiciary of Kenya and Kituo cha Sheria - Legal Advice Centre

Supporting Stakeholders:

Government
- National Legal Aid Service
- Department of Justice
- County Government of Mombasa
- University of Nairobi, Faculty of Law

Civil Society
- Grassroots Justice Network
- Katiba Institute
- Haki Yetu Organization
- Legal Resources
- Foundation
- International Commission of Jurists Kenya Chapter
- CREAW
- CEMIRIDE
- CSPEN

Other Actors (Parliament, Private Sector, etc.)
- National Treasury
- Parliament i.e., National Assembly
- Justice and Legal Affairs Committee
- Ministry of ICT

Period Covered
2023-2027

Problem Definition

The commitment seeks to address the inaccessibility of the formal courts and broader challenges in accessing justice. The most affected are vulnerable, poor and marginalized communities who are unaware of the avenues to seek justice and unable to effectively manage conflict. The barriers to access justice are experienced countrywide with marginalized counties experiencing a widened justice gap. Access to justice has been a longstanding problem that has greatly impacted affected individuals and communities. In Kenya, after independence, the adoption of the formal justice system did not ameliorate the situation

What are the causes of the problem?

Majority of Kenyans resort to alternative systems of justice, such as mediation processes facilitated by paralegals and community-based traditional justice systems. A survey by the Judiciary, together with the Hague Institute for Innovation of Law found that only 10% of Kenyans use the formal justice system to resolve their disputes. However, there is an interplay between the formal and informal justice systems, evident from the fact that community leaders who serve in informal justice systems can refer serious crimes cases to the ordinary courts. The courts have also embraced the use of alternative justice systems i.e. AJS and courtannexed mediation. Kenya is one of 3 countries in the world that has formalized its traditional and other informal mechanisms used in accessing justice. Kenya's Alternative Justice System (AJS) Policy proposes a legal framework that systematizes the use of various AJS models whilst linking the informal and formal justice systems. Since the adoption of the AJS Policy in 2020, the Judiciary's National Steering Committee on the Implementation of the AJS Policy (NaSCI-AJS) has been systematically operationalizing the policy. However, the NaSCI-AJS has been heavily reliant on funding from development partners and civil society actors. This funding model undermines the sustainability of AJS. The reason behind this has been the under-funding of the Judiciary. While the Judiciary Fund was operationalized in 2022 and the annual budget for FY 2022/2023 increased by Kshs 3 billion, the prioritization of AJS

remains a challenge. On the other hand, the Legal Aid Act was enacted in 2016. It provides a framework for collaboration between state and non-state actors in legal aid service provision. Further, it establishes a national legal aid scheme to provide services that are affordable, accessible, sustainable, credible and accountable. However, Kenya is yet to achieve the benefits of the Act. Due to limited budgetary allocation, some provisions of the Legal Aid Act that remain unrealized including: the operationalization of the Legal Aid Fund for financing, accreditation of community paralegals and legal aid providers, establishment of justice advisory centers and expansion of the legal aid scheme nationwide. The Legal Aid Fund supports the expansion of the legal aid scheme by remunerating legal aid providers, paying expenses incurred by represented persons and financing general operations and development activities of NLAS. Without a Legal Aid Fund, there is limited state funded legal aid which does little to bridge the expanding justice gap. A majority of NLAS activities are supported by development partners who are bound by time and specific targets. Finally, the Government has digitized its services. Justice services are also digitized in 13 out of the 47 counties. However, vulnerable populations face a number of challenges in accessing digitized justice services. For example, the digital platforms for filing civil cases are purely in English language, disability unfriendly and complex for digital illiterate litigants.

Commitment Description

In the previous years, we have seen an increase in the budgetary allocation for the Judiciary by Ksh 3 billion. Further, the Judiciary Fund was operationalized 12 years after it was provided for in the Constitution of Kenya. The Judiciary Fund will strengthen the financial independence of the Judiciary. With increased funding, the Judiciary can allocate resources towards the implementation of the AJS policy.

A pilot was launched to support access to digitized justice through an ICT Centre. The ICT Centre was designed by Kituo cha Sheria. Through the centre, community paralegals provided ICT support to individuals seeking to lodge cases in the e-filing platform and those participating in virtual courts. Conversations are in high gear to set up a similar model with the plan to roll up Huduma desks for ICT support.

Finally, there have been citizen- state dialogues on AJS and how it can be operationalized. The citizen dialogues have occurred in collaboration with the NaSCI-AJS and its partners. Thus far, county action plans have been launched in Kajiado, Lamu and Turkana Counties while development is underway in other Counties including Uasin Gishu, Nakuru, and Samburu

Proposed Solution

The solution we are proposing is anextension of previous efforts. We are proposing to provide increased support to vulnerable communities to access digitized justice through the Huduma desks. Community-based paralegals will be involved in the provision of services. With technological support, vulnerable communities will have enhanced access to justice. We are proposing to engage the County Government of Mombasa to participate specifically in a localization of financing for justice programme. The localization efforts would support previous plans to develop a co-referencing mechanism between AJS practitioners and the County Government of Mombasa's Legal Aid Unit.

Desired Results

We would like to produce the following outputs:

- **Increased Government financing** at national and local level for grassroots justice initiatives such as AJS.

- **Enhanced access to digitized justice** for poor and vulnerable self-representing litigants

- **Operationalization of the Legal Aid Fun**d provided under the Legal Aid Act

- **Increased participation of local communities** in the development and implementation of the OGP commitment of access to justice

- In terms of behavioral change, we hope to **make the Government more sensitized to the needs of vulnerable and poor populations when justice solutions** are being designed. We wish to create a more inclusive, diverse and equal society through the access to justice commitment. In addition, we hope that the Government is able to see that investing in grassroots justice is one of the pathways to achieve better economic outcomes and stability for the country.

Commitment Analysis

How will the commitment promote transparency?	Citizens will have more information on policies, platforms and plans. Hence the Government will be more transparent.
How will commitment help foster accountability?	The commitment will include citizen-government interactions that will foster more accountability.
How will commitment improve citizen participation in defining, implementing, and monitoring solutions?	The commitment itself focuses on public participation. The adoption of community-based paralegals in providing ICT support services means the opening up of participation spaces. The citizens will also be involved. Citizens will be proactively engaged at the local level through AJS structures. They will also be engaged at national level

Commitment Planning

1

Milestone:

Work with relevant institutions to provide adequate funding for the implementation of the AJS Policy and the operationalization of the Legal Aid Fund

Expected Output:

- Increased understanding of the importance of investing in grassroots justice
- Increased funding for justice

Stakeholders:

Lead: Judiciary and Kituo cha Sheria

Supporting Stakeholders

Government:

- National Treasury
- National Legal Aid Service
- County Government of Mombasa
- Attorney General's Office

CSO's:

- Kituo cha Sheria
- Grassroots Justice Network
- Katiba Institute
- Haki Yetu
- Legal Resources Foundation
- ICJ Kenya Chapter

CSO's:

- Parliament i.e., Justice and Legal Affairs Committee
- University of Nairobi Faculty of Law

Completion Date: December 2026

2

Milestone:

Enhance co-referencing of cases between the Mombasa Legal Aid Unit and AJS Mechanisms

Expected Output:

Enhanced localized justice

Stakeholders:

Judiciary and Kituo cha Sheria

Supporting Stakeholders

Government:
- National Treasury
- National Legal Aid Service
- County Government of Mombasa
- Attorney General's Office

CSO's:
- Kituo cha Sheria
- Grassroots Justice Network
- Katiba Institute
- Haki Yetu
- Legal Resources Foundation
- ICJ Kenya Chapter

CSO's:
- Parliament i.e., Justice and Legal Affairs Committee
- University of Nairobi Faculty of Law

Completion Date: May 2027

3

Milestone:

Support the establishment and adoption of community-based paralegals in ICT Huduma desks

Expected Output:
- Implementation of Huduma desks with community-based paralegals providing ICT support, improving access to digitized justice for minorities and Indigenous and marginalized communities
- Adoption and integration of community-based paralegals in ICT Huduma desks, ensuring accessibility of digitized justice services to especially. to minorities and marginalized

Stakeholders:

Judiciary and Kituo cha Sheria

Supporting Stakeholders

Government:
- National Treasury
- National Legal Aid Service
- County Government of Mombasa
- Attorney General's Office

CSO's:
- Kituo cha Sheria
- Grassroots Justice Network
- Katiba Institute
- Haki Yetu
- Legal Resources Foundation
- ICJ Kenya Chapter

CSO's:
- Parliament i.e., Justice and Legal Affairs Committee
- University of Nairobi Faculty of Law

Completion Date: January 2027

09

BUILDING OPEN GOVERNMENT RESILIENCY

Country: Kenya

9

Number and Name of the Commitment:
9. Building Open Government Resiliency

Brief Description of the Commitment:
The Commitment seeks to Leverage Kenya's Leadership as OGP Co-Chair to Integrate OGP Principles into National and Subnational Governance Frameworks, Responding to Challenges of Technological Acceleration, Eroding Trust, and Threats to Democracy

Commitment Lead:
• Office of the Prime Cabinet Secretary
• Ministry of Foreign and Diaspora Affairs and Commission on Administrative Justice (CAJ)

Supporting Stakeholders:
Government
• Parliament

Civil Society
• Mzalendo Trust
• Article 19

Other Actors (Parliament, Private Sector, etc.)
• Action Lab
• African Union
• United Nations
• Open Society Foundations
• Foreign and Commonwealth Development Office (FCDO)
• Ford Foundation
• Parliamentary Caucus on OGP.

Period Covered
2023-2027

Problem Definition

What problem does the commitment aim to address?

Kenya, much like the rest of the world, faces a myriad of challenges. However, the unique socio-political and economic fabric of our nation amplifies the implications of these issues, making them particularly pressing for us.

- Technological Acceleration: Kenya, renowned for innovations like M-Pesa, has consistently demonstrated its embrace of technological advancements. But as technology accelerates at unprecedented rates, it presents disparities in access and comprehension across various sections of our society. While urban centers like Nairobi rapidly integrate technological solutions, more remote regions can feel alienated, leading to unequal opportunities and potential misuse in governance.

- Eroding Trust: Recent surveys and studies in Kenya have pointed towards a declining trust in governmental and public institutions. Such erosion of faith can undermine the very foundation of our governance structures, weakening the citizen-government bond crucial for policy effectiveness.

- Threats to Democracy and Rising Authoritarianism: While Kenya has a rich history of democratic practices, recent political events and tensions have raised concerns around weaponizing of fundamental freedom of association, such as protests. The delicate balance of power and the sanctity of democratic principles are at stake if these tendencies go unchecked.

- Interconnected Crises Straining Governmental Capacities: Kenya, being part of the East African community, has faced its share of crises, from locust invasions affecting agriculture to economic challenges post-pandemic, supply chain disruptions and foreign currency fluctuations with an reduction of ODA. These crises, especially when they intersect, put tremendous strain on our already stretched governmental resources, demanding agile and effective responses.

- Constricted Service Delivery: Directly tied to the aforementioned challenges, there is a palpable concern in Kenya about the ability of the government to deliver essential services. From healthcare to education, the expectations of Kenyans are high, and any impediment in service delivery can have long-lasting implications.

- Emergence of Generative Artificial Intelligence and Technological Innovations: With the rise of tech hubs in places like Nairobi and Mombasa, Kenya is at the forefront of technological innovations in the region. But technologies like generative AI bring with them not just opportunities but also risks. Their integration into governance without a comprehensive understanding can lead to unintended consequences.

- Undemocratic Practices and Regional Instabilities: The African region, of which Kenya is an integral part, has recently witnessed unsettling political dynamics. The re-emergence of coups and power struggles is deeply concerning as it challenges the African Union norms and principles of non-indifference. These undemocratic practices and upheavals threaten the regional stability and can potentially spill over into Kenya, either through refugee crises, disrupted trade, or increased security threats. While Kenya remains a bastion of democracy in the region, the external environment poses challenges that cannot be ignored. Our diplomatic and governance strategies must account for these external pressures while safeguarding our own democratic values and institutions.

What are the causes of the problem?

- Pandemic's Economic Impact: The economic strain induced by the COVID-19 pandemic posed significant challenges. Budgetary constraints and the reprioritization of resources to immediate pandemic responses impacted the pace and scale of some commitments.

- Election-Related Disruptions: The 2022 elections, though an opportunity in some respects, also brought potential disruptions in terms of policy continuity, resource allocation, and attention to OGP commitments.

- Global Resourcing Challenges: With many countries grappling with economic downturns, international funding and resources, which often support OGP initiatives, faced constraints.

- Operational Challenges in a Remote Context: The transition to remote working and digital platforms, though beneficial in some aspects, also posed operational challenges, especially in areas with limited digital infrastructure or for communities less familiar with digital tools.

Commitment Description

In the realm of technological advancement, Kenya stands as a beacon of innovation in East Africa. However, this rapid technological acceleration has been uneven, with urban centers being quick to integrate and adapt, while more remote regions potentially feel excluded.

Trust in governmental and public institutions, a cornerstone for any thriving democracy, is currently facing erosion. This declining trust poses a significant threat to the citizen-government relationship, with potential repercussions for policy effectiveness and national cohesion.

In terms of democratic health, while Kenya has historically been an emblem of democratic values, recent events and tensions signal potential authoritarian inclinations. These concerns are accentuated further by regional dynamics, especially with the re-emergence of

coups and power imbalances in neighboring countries. Such developments threaten not only Kenya's internal democratic framework but also its external diplomatic and trade relations.

Moreover, a series of interconnected crises, ranging from ecological threats like locust invasions to the economic repercussions of the pandemic, have strained governmental capacities. These challenges test our administrative agility and responsiveness, with potential implications for the delivery of essential services, from healthcare to education.

The advent of technologies, especially generative AI, presents both an opportunity and a challenge. While Kenya is rapidly becoming a hub of technological innovations, integrating such technologies without a nuanced understanding could have unforeseen ramifications.

Proposed Solutions

Embed OGP Commitments in National Priorities: Leveraging election cycles and national strategies to embed OGP commitments ensures sustained attention and resource allocation.

Foster Flexibility: As global challenges like pandemics can emerge unexpectedly, building flexibility for commitments can aid in adapting to such unforeseen circumstances.

Strengthen Digital Infrastructure: The importance of a robust digital infrastructure has been highlighted during the pandemic. Efforts should be made to enhance digital access and literacy, ensuring inclusivity.

Prioritize Resource Mobilization and Allocation: In the face of economic challenges, strategic allocation and prioritization of resources for OGP commitments are essential.

Enhance Multilateral Cooperation: Drawing on the spirit of global solidarity witnessed during the pandemic, efforts should be made to strengthen multilateral collaborations and share best practices.

Engage Broadly: Engaging a wide spectrum of stakeholders, including civil society, can provide diverse perspectives, ensure broader buy-in, and bolster commitment implementation.

Desired Results

The expected change from implementing the commitment revolves around the holistic integration of

Open Government Partnership (OGP) principles into Kenya's governance structures, both at national and subnational levels. Here is a detailed breakdown:

Enhanced Technological Integration with Equitability: The commitment aims to bridge the technology divide between urban centers and remote regions, fostering environments where innovations, like generative AI, are responsibly and equitably implemented. This ensures that all Kenyans, irrespective of their location, have equal access to technological benefits and governmental services.

Restoration of Trust: Focusing on transparency, accountability, and participation, the commitment seeks to rebuild and enhance the trust of Kenyans in their institutions. The goal is to bolster public confidence, ensuring citizens feel their voice is heard and that government actions are transparent and accountable.

Strengthened Democratic Values: The commitment aspires to counteract tendencies towards authoritarianism, both domestically and in the region, reinforcing Kenya's democratic institutions against external undemocratic influences from neighboring nations.

Efficient Crisis Management and Service Delivery: It targets agile, transparent, and responsive mechanisms to address crises, ensuring governmental responses are swift, inclusive, and effective, leading to consistent and high-quality public services.

Constructive Engagement with Regional Dynamics: Acknowledging regional challenges, the commitment aims to use OGP principles as tools for diplomacy, advocating for transparency, participation, and accountability in the region, mitigating threats like coups, and promoting stability.

Cultivation of Societal Resilience: The commitment aims to foster a resilient Kenyan society capable of withstanding and bouncing back from crises:

- **Strengthening Institutional Frameworks:** Transparent, accountable, and participatory public institutions can aid in quick crisis response.

- **Community Empowerment:** A bottom-up approach ensures resilience-building measures tailored to specific community requirements.

- **Knowledge Sharing and Collaboration:** By engaging with regional partners, Kenya can share best practices, fostering collective resilience across the continent.

- **Diversified Economic Structures:** Transparent economic policies lead to diversified economic structures less vulnerable to external shocks.

- **Capacity Building and Training:** Engagement with civil society and academia promotes capacity-building, ensuring the nation has the human capital to navigate challenges.

Beneficiary Impact: The Kenyan populace stands to benefit from these comprehensive changes. They can expect a government that listens, institutions they can trust, services that are efficient and reliable, and an overall resilient society that remains robust amidst adversity.

Commitment Analysis

How will the commitment promote transparency?	-
How will commitment help foster accountability?	-
How will commitment improve citizen participation in defining, implementing, and monitoring solutions?	-

Commitment Planning

1

Milestone:

Design a comprehensive digital strategy for transparent governance, which includes the deployment of a digital platform for active citizen participation and a multimedia campaign centered on transparency, accountability, and open governance

Expected Output:

A fully operational digital platform with usage reports indicating active engagement across 60% of Kenyan counties by the end of 2024, and a campaign report detailing reach metrics, engagement statistics, and a pre-and-post trust assessment survey by Q2 2025

Stakeholders:

Lead: -

Government:	**CSO's:**
• Office of the Prime Cabinet Secretary	• Mzalendo Trust
• Konza Technopolis	

Completion Date: December 2026

2

Milestone:

Strengthen regional alliances by organizing workshops within the East African Community and hosting the OGP Regional Meeting.

Expected Output:

Workshop proceedings with attendance from at least 70% of member nations and post-workshop feedback reports by mid-2024; and comprehensive documentation of the OGP Regional Meeting's proceedings, insights, resolutions, and feedback by September 2024.

Stakeholders:

Lead: National Treasury, LDRI

Government:	**CSO's:**	**OTHERS:**
• State Department of Foreign Affairs	• Clusters Leading Institutions	• OGP Parliamentary Caucus
		• OGP Secretariat
		• Foreign Commonwealth and Development Office (FCDO).

Completion Date: October 2025

3

Milestone:

Institute a National Council on Open Government for OGP Coordination and better alignment with Government Programming and funding cycles.

Expected Output:

Development of a Cabinet Memo and presentation to Cabinet, seeking operationalization of the National Council on Open Government.

Stakeholders:

Lead: -

Government:	**CSO's:**	**OTHERS:**
• Office of the Prime Cabinet Secretary • Ministry of Foreign Affairs. • The National Treasury	• Cluster (commitment) Leads (both government and CSOs)	• Donor Working Group on AntiCorruption, ICT.

Completion Date: June 2024

4

Milestone:

Develop a robust resource and financing mechanism for OGP.

Expected Output:

Development of an Open Government Program with multi-donor working group under the development partners framework.

Stakeholders:

Lead: National Treasury, LDRI

Government:	**CSO's:**	**OTHERS:**
• State Department of Foreign Affairs	• Mzalendo • OGP National Council	• Foreign and Commonwealth • Development Office • European Commission • GiZ • Ford Foundation • Open Society Foundations

Completion Date: December 2026

5

Milestone:

Institutionalize and amplify open governance practices through and not limited to a STATE OF OPENNESS REPORT.

Expected Output:

An official directive or policy guideline mandating open governance practices across all State organs and agencies, and the publication of the inaugural annual State of Openness Report by Q4 2024; alongside a collaboration framework with the Maarifa Center and other knowledge platforms

Stakeholders:

Lead: -

Government:	CSO's:	OTHERS:
• Office of the Prime Cabinet Secretary	• Mzalendo • All OGP Commitment CSO Leads.	• Commission on Administrative Justice Parliamentary Caucus on OGP • Judiciary • OECD. • European Commission.

Completion Date: December 2024

6

Milestone:

Champion OGP leadership by facilitating peer exchanges, developing a Co-Chair roadmap, mobilizing meaningful and committed political will backed by resourcing across the Partnership and the African region, and maintaining active engagement with OGP countries.

Expected Output:

Annual synthesis reports documenting shared experiences from 2024; a public accessible OGP Co-Chair roadmap by Q1 2024; and quarterly engagement reports starting from Q2 2024.

Stakeholders:

Lead: National Treasury, LDRI

Government:	CSO's:	OTHERS:
• State Department of Foreign Affairs	• OGP National Council. • All OGP Commitment CSO Leads	• OGP Global Secretariat

Completion Date: October 2025

COMMITTEE/ OGP COUNCIL

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(Chairperson)

H.E Dr. Musalia Mudavadi, EGH
Prime Cabinet Secretary and Cabinet
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Affairs (OGP Minister)

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Principal Secretary, Foreign Affairs, Ministry
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The Registrar of the Judiciary

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Senator, Nandi County | Chairperson, OGP
Parliamentary Caucus

Hon. Beatrice Elachi
Member of Parliament, Dagoretti North
Constituency | Vice Chair, OGP Parliamentary
Caucus

Hon. Shurie Abdi Omar
Member of Parliament, Balambala
Constituency | Chairperson, Public Debt and
Privatization Committee

Comm. Lucy Ndung'u, EBS, HSC
Commissioner| Commission on
Administrative Justice | Office of the
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(OGP) Global Steering Committee

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