The Republic of Kenya
Open Government Partnership
National Action Plan II

July 2016 – June 2018

Submitted June 2016

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This National Action Plan has been drafted by the Kenya OGP Steering Committee chaired by the Office of the Deputy President and the Ministry of ICT with input from Civil Society and Public Sector.

Contents

Introduction:

The Kenyan Constitution and the institutions it enshrines recognize that sovereignty belongs to the people and that elected leaders act on behalf of citizens when they exercise their authority. This social contract represents and generates shared values and corresponding responsibilities between the state and citizens that cannot be ignored.

The government of Kenya has taken deliberate actions to promote participation as a cornerstone stone of its democracy. Citizen participation is crucial because democratic accountability does not only occur within the confines of the periodicity of elections. Regular and systematic engagement and conversations enable the Kenyan society to lift the threshold of our nationhood beyond the mechanistic aspect of the ballot and ensure dignity for each individual and communities.

In the third Pillar of the harmonized Jubilee Manifesto Uwazi (Openness), this administration committed to improve accountability through tackling corruption, working with non-state actors in improving government oversight and empowering citizens in governance through devolution. These three imperatives are the hallmarks of an open, transparent and responsive government.

On May 20, 2015, His Excellency President Hon. Uhuru Kenyatta and His Excellency the Deputy President Hon. Willian Ruto set the tone for this cycle of Kenya's Open Government Action Plan by sharing reflections on this millennium's challenges. In a groundbreaking oped (http://bit.ly/1ehgcZi), the President and the Deputy President reiterated that Government can no longer afford to work alone resolving to strengthen ties with the private sector, civil society and other players in improving the lives of Kenyans. The world and Kenya, they acknowledged, were changing at such a rapid collective action across sectors was no longer an option..

The President has taken a personal interest in ensuring that the era of opaqueness in Government comes to an end. Proactive disclosure constantly features in his action as a hallmark of his administration. The President has voluntarily pointed out endemic corruption in Government, including in his office. He further made an unprecedented decision to attach a list of alleged corrupt government officials during the State of the Nation Report of 2015. Openness is not a prerogative of top government officials alone; it must cut across Ministries, Departments and Agencies. The President and the Deputy President continue to publicly review performance of Cabinet Secretaries and Principal Secretaries, insisting that Public Officers act with prudence, respect systems in place and make good use of public resources.

One key action of this administration was to review the Code of Conduct for State Corporations in line with the New Constitution. Mwongozo, as it is commonly known, addresses transparency, disclosure, accountability, ethical leadership and good corporate governance of state corporations. The President continuously directs that all government procurements must be done through the e-procurement system. Any actions taken out of this policy directive will attract personal liability of that State Official.

The use of technology in a country that prides itself as the hub of innovation in the continent has taken root in Government. This administration has put in place an e-citizen portal that hastens public service and opens up the process of procurement of government services. Huduma service Centers continue to receive global accolades as one-stop service centers that include open transactional spaces where all citizens are treated equally and receive the same standards of services across all 47 Counties of our Republic.

As part of Government proactive disclosure, the National Treasury provides to the public up-to-date information on funding sources and allocations from bi-lateral donors through the e-promis portal. The Kenya National Bureau of Statistics (KNBS), in collaboration with Strathmore Business School, has also developed a data visualization portal for citizens, researchers and other users to be able to access and use data from Government. Kenya is well known for ICT and Innovation community, who in 2012 partnered with the Ministry of Information Communications and Technology (ICT) to develop the first ever Open Data Portal. The portal pioneered a new era of transparency as it allowed for over 600 government datasets to be published in open formats, and further led to the development of numerous applications by Kenyan developers.

Elections in Africa have and will continue to be an area of contestation. The Independent Electoral and Boundaries Commission (IEBC) has transformed how election results are collated, relayed and visualized in real time. Spatial data layered with results, voter registration data and candidate information has been made accessible online, but also available to political parties. In the area of legislation and judicial decision, the Kenya Law Report provides accurate information on all matters legal, such as the Kenya Gazette and Court rulings.

The Judiciary, through its transformative framework, has also opened up the institutions of justice. The framework has created a culture of performance through the court User Committees (CUCs) that bring together all Court Users (including plaintiffs) to address grievances related to the administration of justice.

By adopting a devolution system, our Nation has created unique spaces for engaging citizens in determining development priorities under the Public Finance Management Act and the County Government Act. The Intergovernmental Budget and Economic Council and its county equivalent, County Budget and Economic Forum (CBEF), are open spaces for public participation where National and County Governments ensure congruence in development planning, including spaces for participation of interest groups such as women and persons with disabilities.

In the spirit of pro-active disclosure, our Legislature has been broadcasting Parliamentary sessions as well as specific committee sessions that are a matter of public interest on live radio and television. The Hansard is available online to the public as far back as 1980. While our ranking in the Open Budget Index (OBI) has not changed, our legislature through its budget office has complied with international standards in publishing a Citizens budget.

The Government of Kenya has committed itself to international norms of Open Government. The African Peer Review Mechanism (APRM) is a unique voluntary process currently involving 30 out of the 54 countries on the continent. The mechanism and its engagement at the highest level of government offer a formidable tool for inclusive governance. Kenya was one of the first countries to engage in APRM and is now the first country to enact the Public Service (Values and Principles) Act derived from the African Charter on Values and Principles of Public/Civil Service Administration. The Charter and the resulting Act incorporate the Open Government principles of transparency, legal guarantees and accountability, public participation, anti-corruption and fairness in delivery of public services.

In the same spirit, our Country was among the top ten countries to join the Open Government Partnership (OGP), seeking to accelerate some of its key initiatives around transparency, fiscal prudence and public participation. While OGP is a good initiative for voluntary collaboration amongst state and non-state actors, this administration recognizes that normative frameworks that ensure resourcing and sustainability beyond individual administrations must always underpin Government commitments to Openness.

Kenya is an advanced democracy. It is hardly believable that in 50 years, even with the challenges of security and rising cost of living, Kenya has curved out veritable spaces for dialogue, where accountability is at the heart of every conversation, and transparency is not a choice but a demand from citizens. Openness cannot be an accident of our development progress or of foreign ideology; it has to be an inherent cultural trait in our society. The culture of Open Government is an ideal that Kenyans should celebrate as a mark of our budding democratic culture.

This National Open Government Plan therefore articulates our intention to deepen openness and thereby ensure that the democratic dividend flowing from transparency is sustained, both at national and sub-national/county levels.

Open Government Support to Sustainable Development Goals (SDGs)

The Government of Kenya, through its Permanent Representative to the United Nations, Ambassador Kamau Macharia acted as co-chair of the Open Working Group and subsequent intergovernmental negotiations of the Post 2015 Agenda process that resulted in the adoption of the Sustainable Development Goals (SDGs). The Open Working Group initiative is lauded as one of the most open and transparent intergovernmental processes, attesting to Kenya's commitment to openness, transparency and inclusivity at all level of its engagements. This administration is committed to ensuring that the SDGs are implemented within the same spirit of partnership that ensures no one is left behind. This OGP Plan and its commitments further speak to the values of Goal 16 to promote transparency, strengthen the fight against corruption and empower citizens to hold Government to account.

The Government will strengthen the National Partnership on Sustainable Development Data launched by H.E. the Deputy President in 2015 to strengthen the data and

information aspects of governance towards SDGs progress. At national level, the Country will constitute a multi-stakeholder Health Data Collaborative (HDC) that brings together multiple stakeholders working in health so as to better address health-related SDGs. Government of Kenya and other states will continue to strengthen access to and openness of vital food security and nutrition data through membership in GODAN.

Development of the National Action Plan

This is the Second OGP National Action Plan (NAP) for Kenya and the first under this administration. The process begun in February 2015 following consultations between the Ministry of ICT and the Office of the Deputy President. The consultations evaluated the challenges of implementation of the 1st NAP and the realities of an Open Government Partnership process that has learned how best to ensure success of OGP at the National level over time. The importance of high anchorage of a steering committee supported by a line ministry seemed the best ingredient for Kenya. Therefore, an inclusive steering committee comprised of four civil society organizations, one umbrella private sector body and Parliament and Government agencies was formed, co-chaired by the Ministry of ICT and Office of the Deputy President.

The Steering Committee was tasked with developing commitments and ensure the widest possible consultations. Five in-person meetings were held including two broad consultations at national level and one sub-national level engagement. The Committee was divided into four OGP challenge areas, two led by civil society and two by Government. A whole day validation workshop was then convened to finally adopt the National Action Plan.

Commitments

1. More transparent and participatory development of climate polices at the national and subnational level	
Commitment Start and End Date (August 1 2016 - 30th May, 2018	New
Lead implementing agency	Ministry of Environment and Natural Resources
Name of responsible person from implementing agency	Mr. Charles Sunkuli
Title, Department	Principal Secretary, Environment
Email	csunkuli@gmail.com
Phone	+254 20 2730808/9
Other Actors Involved	Government Ministries, Department/Agency	Office of the Deputy President Ministry of Environment Kenya Forestry Service (KFS) Ministry of Foreign Affairs ICT Authority - Kenya Open Data Initiative (KODI)
	CSOs, private sector, multilaterals, working groups	African Center for Technology Studies (ACTS) SIFA Kenya INFONET Africa Greenbelt Movement Transparency International (K), Kenya Association of manufacturers (KAM) TOTAL KENYA Food and Agriculture Organization (FAO)
Status quo or problem addressed by the commitment	Kenya, as many Countries in the world acceded to the Paris Agreement in December 2015 that provides a framework for multilateral cooperation on Climate Change. The agreement speaks to the need to strengthen transparency and accountability mechanisms that ensure countries make progress on achieving their national determined contributions and other commitments. The SDGs adopted in September 2015 also sets ambitious targets that require creativity and innovation in their measurement and achievement.
Main objective	Create transparent and responsive institutions

	that manage and develop climate policies in Kenya.
Brief description of commitment	Commitments seeks to create a transparent and participatory environment for the implementation of sound climate polices as per the Climate Change Act 2016.
OGP challenge addressed by the commitment	Access to information, Civic participation, Public accountability, Technology and innovation
Relevance	Kenya has been a vanguard Country in the championing of SDGs and Environment, playing host to the United Nations Environmental Agency (UNEA). Kenya has also just adopted the Climate Change Act 2016 through a multi-stakeholder process involving civil society, private sector and government. The commitment therefore seeks to accelerate its implementation and ensure that its provisions and ambition are realized in a transparent manner.
Ambition	The Climate Change ACT of 2016 is one of the most progress climate policies in the World. OGP Steering Committee members from Government and Civil Society were central to the drafting and passing of the act. The Commitment seeks to begin to open up environment related datasets for the first time.

Milestone Activity with a verifiable deliverable and completion date	Start Date:	End Date:
1. Develop robust transparent multi-stakeholder consultative process to operationalize the Climate Change Act	June 30 2016	September 30, 2016
2. Establishment of the multi-stakeholder Climate Change Council and Climate Change Directorate	June 30 2016	September 30, 2016
3. Open Up Forestry Datasets, encouraging its reuse and the development of user-friendly data-driven apps and services by civil society organizations and the private sector	June 30, 2016	June 2018

4. Ratification of the Paris Climate treaty by Kenyan Parliament	June 30 2016	June 30 2017
5. Development and approval of the climate change policy	June 30 2016	June 30 2017

2. **Enhancing preventive and punitive mechanisms in the fight against corruption and unethical practices**		
Commitment Start Date	July1, 2016	
Commitment End Date	June 30, 2018	
Lead implementing agency	Office of Attorney General & Department of Justice	
Persons responsible from implementing agency	Njee Muturi	
Title, Department	Solicitor General	
Email	sg@kenya.go.ke	
Phone		
Other Actors Involved	Government Ministries, Department/Agency	Office of Attorney General & Department of Justice Ministry of Public Service, Youth and Gender The Presidency Office of the Director of Public Prosecutions Ethics & Anti-Corruption Commission Parliament and Senate
	CSOs, private sector, multilaterals, working groups	Business Against Corruption Kenya (BACK) TI Kenya, Society for International Development (SID) International Commission of Jurists Kenya Private Sector Alliance (KEPSA) Kenya Association of Manufacturers (KAM) Katiba Institute, AfriCog Ushahidi
Status quo or problem/issue to be addressed	Despite there being a number of initiatives to fight corruption going back ten years, corruption in Kenya remains pervasive and endemic. It's one of the biggest challenges facing Kenya today. It undermines our security, accountability systems, access to services among others. Tackling both the supply and demand side of corruption is a necessary imperative to further accountability for corruption cases.	
Main objective	To minimize corruption and wastage for better service delivery to the citizen in order to achieve national aspirations as contained in the Kenya national vision2030	

Brief description of commitment	Enforcement of culture of integrity is central to effectively addressing corruption and minimizing its impact on society hence contributing to the realization of Goal 16 of the SDGs. To achieve this all stakeholders in the corruption value-chain need to collaborate in reducing the vice.		
Relevance	Kenya has come a long way in its fight against corruption and has taken a number of measures to facilitate this objective. Though deliberate and decisive, these anti-corruption initiatives still require better coordination, resourcing and competency building in order to achieve the desired results.		
Ambition	The coordination of distinct and multiple structures, strategies and agencies in the fight against corruption		
Verifiable and measurable milestones to fulfill the commitment	New or Ongoing Commitment	Start Date	End Date
1. Establish a public-private partnership for information sharing that bring together governments, civil society and private sector to detect, prevent and disrupt corruption.	New	July 1, 2016	1 December 2016
2. Develop with civil society and private sector, a technology driven project monitoring portal for citizens to participate in project identification, evaluation, report and provide feedback to enhance accountability in government initiatives.	New	September 1, 2016	June 30, 2018
3. Legal reforms to enhance the effectiveness of the Ethics and Anti-Corruption Act and Leadership and Integrity ACTs, Economic Crimes ACT Etc.	New	July 1, 2016	June 30, 2018
4. Enact a Whistle Blower Protection, Anti-Bribery Bill and False Claims legislation.	New	July 1, 2016	June 30, 2018
5. Enforcing the Code of ethics for	New	July 1, 2016	June 30, 2018

		New	September 1, 2016	June 30, 2018
suppliers undertaking public procurement, including professional enablers (lawyers and accountants)				
6. Finalize and adopt the National Policy Framework on Ethics and Anti-Corruption.		New	September 1, 2016	June 30, 2018
7. Mount and Sustain a values/ethics campaigns by civil society, government and private sector on anti-corruption.		New	September 1, 2016	June 30, 2018
8. Enforce adherence to provisions of Executive Order No. 6 on Ethics and Integrity in the Public Service		New	1st July 2016	June 30th, 2018
9. Enhance structured coordinated multi-agency effort in tackling corruption.		New	1st July, 2016	June 30th, 2018
10. Improve Corruption Perception Index (CPI) ranking		New	1st July, 2016	June 30th, 2018

3. Enhance transparency in the legislative process in Parliament and County Assembly		
Lead implementing agency		Parliament Service Commission, County Assemblies, Department of Justice, Legislative & Intergovernmental Liaison Office (LILO), National Council for Law Reporting
Name of responsible person from implementing agency		Jeremiah Nyengenye, Justin Bundi, Njee Muturi, Dr. Korir Sing'oei
Title, Department		Clerk Senate, Clerk National Assembly, Head LILO
Email		Abraham.singoei@gmail.com, jnyengenye@yahoo.com
Phone		0722315703-Nyengenye, 0722776994-Dr Korir
Other Actors involved	Government	County Governments, Presidency
	CSOs, Private Sector, working	Mzalendo Trust, Parliamentary Initiatives Network, Kenya – Network of CSOs.

	groups, multi-laterals	Ushahidi
Status quo or problem/issue to be addressed		It is challenging for the public to access bills tabled in Parliament. Further, the notice given by the relevant Parliamentary committees for input by the public is not sufficient. In addition, public access to Parliament buildings is highly regulated due to security concerns. Parliamentary calls for memoranda and invitations to public hearings are only published in newspapers as advertisements which only about 2% of the Kenyan population have access to. It would be more effective if other media such as radio and mobile phone, which 80% of Kenyans can access, are used. There is need for improved tracking of bills including the real time changes made at various stages of the legislative process. Currently you can only track the process of the bill as opposed to the content.
Brief Description of Commitment (140 character limit)		Enact public participation policy and law to prescribe citizen engagement avenues, thresholds, timelines and formats in which Parliamentary information should be availed.
OGP challenge addressed by the commitment		Transparency, Public Service Accountability, Public Participation, Access to Information, Use of Technology
Relevance Briefly describe the way in which this commitment is relevant to further advancing OGP values of access to information, public accountability, civic participation, and technology and innovation for openness and accountability. (A detailed description of these values is available in the OGP Values Guidance Note.)		Through this commitment, the Legislative arm of government at the national and county level seek to be more transparent through pro-active parliamentary information dissemination to the public and facilitating regular interaction between the legislators and their constituents on the same. Similarly, the government subjects itself to accountability through the various citizen engagement activities where citizens have a chance to inform Parliamentary and County Assembly deliberations regarding legislation, resource allocation, budgeting and planning. By availing information through technology - websites, SMS short-codes, radio and social media platforms - legislators facilitate more inclusiveness in decision-making and provide avenues for feedback.

Ambition Briefly describe the intended results of the commitment and how it will either make government more open or improve government through more openness.	The policy and legislation will prescribe sufficient time for release and feedback on parliamentary information thus enhancing public participation. Further, Parliament will publish all committee proceedings in an open and accessible format on their website. The law will also ensure the legislative process is transparent from drafting to enactment. This commitment will ensure that the legislators are more accountable to the public and grant the public a chance to participate in their own governance.		
Verifiable and measurable milestones to fulfil the commitment	New or Ongoing commitment	Start Date	End Date
1. Enact Public Participation legislation and policy to prescribe avenues, timelines and threshold necessary	New	July 1st 2016	June 30th 2018
2. Provide tracked copies of bills in every stage of discussion in Parliament	New	July 1st 2016	June 30th 2018
3. Adopt open-source platforms to enhance internal parliamentary and county assembly communication and also facilitate information sharing with the public	New	July 1st 2016	June 30th 2018
4. Publish weekly Senate, National Assembly, County Assembly plenary and committees proceedings	New	July 1st 2016	June 30th 2018
5. Facilitate citizen engagement with Parliament and County Assembly via alternative media	New	July 1st 2016	June 30th 2018
6. Increase Parliament's participation in the Legislative Openness working group	New	July 1st 2016	December 1st 2016

4. Publish Oil and Gas Contracts, including revenue information to ensure transparency and accountability of the extractive sector	
Commitment Start and End Date (30 June 2016 Ends 30th May, 2018	New

Lead implementing agency		Ministry of Mining
Name of responsible person from implementing agency		Lynne Nyongesa
Title, Department		Deputy Director ICT
Email		lnyongesa@mining.go.ke
Phone		+254 (020) 2723101
Other Actors Involved	Government Ministries, Department/Agency	Ministry of Mining, Office of the Attorney General & State Department of Justice
	CSOs, private sector, multilaterals, working groups	Transparency International (TI - Kenya), Society for International Development (SID), Kenya Oil & Gas Coalition Hivos Foundation Institute for Law and Environmental Governance (ILEG)
Status quo or problem addressed by the commitment		Companies engaged in extractives (largely foreign) have had a tendency of non-disclosure of prospecting information and revenues, seemingly accountable only to their shareholders. Since natural resources need to benefit entire ecosystems and value chain, new partnerships are required between government and natural resources industry to ensure that taxpayers receive every shilling they are due from the extraction of our natural resources. Such compliance will also ensure equitable distribution of proceeds from extractives and reduction of potential conflicts. Pro-active disclosure of information to local governments and citizens is also required to ensure better natural resource management.
Main objective		Improve natural resource governance systems to ensure transparency and accountability of the extractive sector.

Brief description of commitment	Disclose contractual information and revenues derived from the Oil and Gas Industry
OGP challenge addressed by the commitment	Access to information, Civic participation, Public accountability,
Relevance	Kenya's newly discovered oil industry could immensely benefit from international best practices on accountability within the extractive sector, leap frogging pitfalls that plague the extractive industry. In a country that places high value in public engagement in the management of state affairs, the Publication of contractual information and revenue flows provides the foundation for a transparent mechanism for disclosure, enabling a clear understanding of the contribution of the Oil and Gas Industry contribution to the economy and what percentage of these revenues are spent towards development.
Ambition	Kenya's ambition is to eventually raise the accountability threshold by legislating a transparency policy for upstream, mid-stream and downstream extractive activities, transparency in licensing procedures, publication of contracts, adherence to international standards in environmental and conservation and labor requirements.

Milestone Activity with a verifiable deliverable and completion date	Start Date:	End Date:
1. The Government of Kenya will adopt and implement a progressive and transparent policy and legislative framework for upstream, mid-stream, and downstream extractive activities: specifically publication of contracts within the Oil and Gas Industry	August 2016	June 2018

2.	The Government of Kenya will work with stakeholders to make information on decision-making and financial flows related to the extractive industries publicly accessible and usable.	August 2016	July 2017
3.	Hold regular meetings with civil society, private sector and County Governments to strengthen their understanding of EITI as the country moves towards compliance and signing.	June 2016	June 2018
4.	Hold quarterly reviews local and with other leading EITI champions to review progress and preparedness towards signing of EITI	September 2016	June 2018

5. Ensure greater transparency around bids and contracts by individuals and companies in Kenya		
Commitment Start and End Date (30 June 2016 Ends 30th May, 2018	New	
Lead implementing agency	Office of the Attorney General	
Name of responsible person from implementing agency	Njee Muturi	
Title, Department	Solicitor General	
Email	sg@kenya.go.ke	
Phone	+254 700072929 /+254 732529995	
Other Actors Involved	Government Ministries, Department/Agency	State Department of Justice & Office of the Attorney General, Kenya Revenue Authority
	CSOs, private sector, multilaterals, working groups	Article 19, Tax Justice Network (TJN-A), International Budget Partnership (IBP) Infonet Africa Ushahidi

Status quo or problem addressed by the commitment		Systems within Government and Private Sector have long tolerated those who have been suspect to benefit from illicit gain, money laundering, manipulating of public tenders and contracts. This ability circumvents checks and balanced within our systems and have normalized the abnormal. Furthermore, we have not ensured full disclosure of information of such activities. According to the Global Finance Integrity Report, more than US$13.5 billion flowed illegally into or out of Kenya from 2002 through 2010 through the mis-invoicing of trade transactions, fueling crime and costing the Kenyan government at least US$3.92 billion in lost tax revenue.
Main objective		Publish information on beneficiaries of contracts by individuals and companies in Kenya.
Brief description of commitment		Create an open, usable and publicly accessible beneficial ownership register, including information of the 'actual owners' and 'beneficiaries' of Companies.
OGP challenge addressed by the commitment		Access to information, Public accountability, Technology and innovation
Relevance		There is a perception that Kenya remains an easy place to set up criminal and anonymous shell company for criminal activity, defraud the public or launder illicit proceeds. Kenya has set up better regulations to monitor suspicious financial activity and actively closing loopholes that have previously allowed companies to conduct illicit transactions. In 2014 under the current government, Kenya was removed from the Financial Action Task Force's (FATF) gray list, recognizing efforts made to introduce laws to identify and freeze terrorist financing, creating a more effective financial intelligence unit, and penalizing people who did not comply with anti-money laundering rules. Despite these measures, there has been need to create public registries of beneficial ownership information.

Ambition	In May 12, 2016 at the UK Anti-Corruption Summit, Kenya made a public commitment to publish a register of who really owns companies. Kenya's ambition is to ensure all companies disclose and register real owners.

Milestone Activity with a verifiable deliverable and completion date	Start Date:	End Date:
1. Initiate an open and transparent multi-stakeholder consultation on the state, perception and legislation on Beneficial Ownership in Kenya.	July 2016	December 2016
2. Prepare legislation and submit legislation to the National Assembly	October 2017	
3. Develop an Open, accessible and usable Beneficial Ownership Registry	December 2017	February 2018

6. Create transparent public procurement process, public oversight of expenditure and ensure value-for-money towards citizen priorities

Commitment Start and End Date (30 June 2016 Ends 30th May, 2018		New
Lead implementing agency		National Treasury
Name of responsible person from implementing agency		Jerome Ochieng
Title, Department		Director, IFMIS Re-engineering
Email		ifmis@treasury.go.ke
Phone		Phone: +254 20 2252299, Ext. 33161, 33283, 33569 Toll Free No: 0800-721477
Other Actors Involved	Government Ministries, Department/Agency	National Treasury Council of Governor Intergovernmental Budget and Economic Council (IBEC) ICT Authority - Kenya Open Data Initiative (KODI

	CSOs, private sector, multilaterals, working groups	Institute of Economic Affairs (IEA) Institute of Certified Public Accountants of Kenya (ICPAK) International Budget Partnership (IBP) Article 19 East Africa
Status quo or problem addressed by the commitment		Open contracting, the use of data, disclosure and engagement throughout the full procurement cycle, is an essential. The current portal http://bit.ly/1MntBgK by the National Treasury through the IFMIS Re-engineering Department does not conform to Open Contracting Standards. There are key datasets that speak to transparency that are not currently available in the portal. There are several companies that keep getting government contracts, yet deliver bad services or constantly do not meet contractual obligations and have found a way to continuously get awarded contracts.
Main objective		Create transparent public procurement process, public oversight of expenditure and ensure value-for-money towards citizen priorities.
Brief description of commitment		Implement the Open Contracting Data Standards (OCDC) on Public Sector Procurement and tender process in Kenya, including a do-not-pay database for black-listed contractors.
OGP challenge addressed by the commitment		Access to information, Civic participation, Public accountability, Technology and innovation
Relevance		Transparent and participatory procurement is critical in anti-corruption, provide more opportunities for businesses, improve quality of services to citizens and empower citizens to hold County and national government accountable. The Country has also committed to awarding 30% of Government Contracts to women and youth. This commitment will ensure better tracking of such policies by the public.

Ambition	IFMIS oversees the implementation of a unified financial management system across National Government and increasingly being adopted by County Governments. This has made a tremendous contribution to improving transparency and accountability in all Government functions. The Supplies portal will will open new datasets that will increase citizen oversight and improve engagement as demanded by the Constitution.		
Milestones: Activity with a verifiable deliverable and completion date		Start Date:	End Date:
1. Mapping current disclosures and data collection against the Open Contracting Data Standard as part of the preparation for the development of an Open Data Policy for IFMIS.		September 2016	February 2018
2. Re-design the Suppliers Portal of IFMIS according to Open Contracting Data Standards (OCDS)		January 2017	June 2018

7. Improving access to government budget information and creating wider and more inclusive structures for public participation		
Lead implementing agency		National Treasury
Name of responsible person from implementing agency		Mr. Francis Anyona and Mr.Albert Mwenda
Title, Department		Budget, Fiscal & Economic Affairs including Inter-Governmental Fiscal Relations
Email		fanyona@treasury.go.ke
Phone		+254 2225 2299. +254722262972
Other Actors involved	Government	Controller of Budget and the Auditor General
	CSOs, Private Sector, working groups, multi-laterals	National Sector Working Groups Ministry of Devolution and Planning Kenya School of Government National Assembly International Budget Partnership (Kenya) Institute of Economic Affairs (IEA) ICJ Council of Governors Ushahidi

Status quo or problem/issue to be addressed	Poor public access to budget information within set timelines and standard formats Insufficient public participation throughout the budget cycle Loss of public resources due to fiscal malfeasance		
Brief Description of Commitment (140 character limit)	To improve access to government spending information and implement wider and more inclusive public participation structures with the target improving Kenya's Open Budget Index from a score of 48 to 60 points by December 2017		
OGP challenge addressed by the commitment	Increasing public integrity: transparent public spending will increase the government's accountability to the public. More democratic processes in the formulation, adoption and application of the budget will also increase public integrity. More effectively managing public resources: a transparent budget submitted to legislative oversight will reduce the risk of mismanagement of public funds and corruption, which will increase the efficiency of public resources.		
Relevance	Making data related to the budget available to the public will improve citizen access to government held information. Improved public engagement in budget processes will ensure that budgetary allocations at the national and county levels are aligned to citizen priorities Access to timely budget information will facilitate improved public accountability for government spending		
Ambition	Through the implementation of this commitment will lead to: Improved public participation in the budget cycle through progressively more open and inclusive engagement in all stages of the budget cycle. Improved information sharing among government agencies and between government and the public Improved access to budget information by the public Increased fiscal accountability of both national and county governments		
Verifiable and measurable milestones to fulfil the commitment	New or Ongoing commitment	Start Date	End Date
1. Create one central online			

platform and publish budget documents within 7 days of their tabling or publication and in machine readable formats. Publish budget documents produced by the government at the national and county levels, going back five years, on this platform in machine readable formats. The budget documents will include but not limited to County Annual Development Plans County Budget Review and Outlook Paper County Fiscal Strategy Paper County Budget Estimates Citizen Budget/Budget Highlights Supplementary Budget All Quarterly Budget Implementation Reports Audit Reports National Budget Policy Statement and Debt Management and Strategy Paper Budget Estimates Citizen Budget/Budget Highlights All Quarterly Budget Implementation Reports Mid-Year Review Paper Supplementary Budget Budget Review and Outlook Paper Audit Reports 2. Set and follow common standards in the preparation and presentation of financial and non-financial data in all budget documents (including indicators and targets). This should include a standard presentation of breakdown of revenue and expenditure across documents, departments and institutions throughout the budget cycle.		01/07/2016 01/07/2016	30/06/2018 30/06/2018

3. Public participation by the national government will be more open and inclusive and progressively. Sector hearings should be more open to a larger number of stakeholders and be held in counties as well. the Kenya School of Government will carry out case studies on what is working at different stages of the budget process and use the findings to improve training courses for government officials on citizen engagement. Update and enforce 2015 guidelines issued by the Commission on Revenue Allocation on County Budget and Economic Forums		01/07/2016	30/06/2018
4. Budget implementation will be more open to the public and Parliament should work with local communities to monitor project implementation Proactive interrogation of budget implementation reports by the National Assembly; including public hearings, the presentation of implementation information will be in same program based format.		01/07/2016	30/06/2018

8. Enhance right to information by strengthening records management and access to information		
Lead implementing agency		Ministry of Sports, Culture and the Arts
Name of responsible person from implementing agency		Francis Mwangi
Title, Department		Director, Kenya National Archives and Documentation Service (KNADS)
Email		Mwangithua@gmail.com
Phone		+254202228959
Other actors involved	Government	Ministry of ICT, ICT Authority, Commission for Administrative Justice and all public entities
	CSOs, private	ICJ – K

	sector, working groups, multilaterals	Article 19 EA Transparency International (k) Freedom of Information Network		
Status quo or problem/issue to be addressed		The backbone of a transparent and accountable government is strong records management. Modernization of records management improves performance and promotes openness and accountability by better documenting the actions and decisions of the government. The transition to digital information creates new opportunities for records management, but much of government still relies on outdated systems and policies.		
Main Objective		Improve the quality and storage of records created across the public service with a view of improving service delivery to the citizens.		
Brief Description of Commitment (140 character limit)		Improve management of public records by developing and implementing comprehensive policies, procedures and systems that will ensure creation of complete, accessible and authentic records.		
OGP challenge addressed by the commitment		Right to information, citizen engagement, open government data,		
Relevance Briefly describe the way in which this commitment is relevant to further advancing OGP values of access to information, public accountability, civic participation, and technology and innovation for openness and accountability. (A detailed description of these values is available in the OGP Values Guidance Note.)		Trustworthy and accessible government records are the basis for demonstrating transparency and accountability through Open Data and Access to Information and allowing the public to make an informed contribution to the governance process. In the digital environment, records are highly vulnerable and must be managed to ensure that they remain accurate, reliable, accessible and usable for as long as required to provide the basis for open government. KNADS will ensure that international best practices identified in standards are understood and applied appropriately by public entities. The goal of this initiative will be to create a records management framework that allows users to find records easily and use them for as long as they are needed. It will also facilitate the extraction and release of credible data from reliable records in line with transparency.		
Ambition Briefly describe the intended results of the commitment and how it will either make government more open or improve government through more openness.		With improved records management practices, information required by the citizens will be easily accessed by those who need it in a timely, effective and efficient manner.		
Verifiable and measurable milestones to fulfil the commitment		New or ongoing commitment	Start Date:	End Date:

1.	Pass Access to Information Legislation	Ongoing	2006	July 2017
2.	Review of Public Archives and Documentation Service Act & Record Disposal Act to ensure compliance with the Constitution	New	July 2016	June 2017
3.	Develop and implement comprehensive records management policies, procedures and guidelines for use in the public sector	New	July 2016	June 2018
4.	Develop minimum technical requirements for implementation of Electronic Document & Records Management System (EDRMS)	New	July 2016	June 2018
5.	Strengthen the capacity of records management professionals and public officials to meet the challenges of managing records in all forms and formats	New	July 2016	June 2018
6.	Establish a programme of public education for citizens and public officials about the right to protect, preserve and access information	New	July 2016	June 2018
7.	Establish a central digital repository to provide lasting access to government records and data and all information of public interest	New	July 2016	June 2018

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