



Office of the Deputy President
REPUBLIC OF KENYA

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Santiago Cafiero
Chief of Cabinet
Government of Argentina

Young Chin
Minister of the Interior and Safety
Government of South Korea

Robin Hodess
Director, Governance and Transparency
The B Team

María Baron
Global Executive Director
Directorio Legislativo

Dear Co-Chairs,

APPLICATION FOR CANDIDATURE FOR THE OPEN GOVERNMENT STEERING COMMITTEE, 2020

The Government of Kenya, through the Office of the Deputy President presents its compliments to the Co-chairs and members of the Steering Committee, and has the honor to submit the Candidature of **Dr. Korir Sing'Oei**, The Open Government Partnership lead in Government on behalf of H.E Hon (Dr.) William Ruto, for election to the Open Government Partnership (OGP) Steering Committee for 2020 rotation.

Our Values:

- The Government of Kenya, led by H.E President Uhuru Kenyatta, is firmly committed to the principles of Open Government as the core values accountability, transparency and public participation, for transformation and growth of the people of Kenya, as enshrined in our Constitution.
- Article 1 of our constitution reserves sovereign power to the people who may choose to exercise it directly or through their elected representatives. It further denotes that a sovereign people who have the power to act directly must have right to the information needed to exercise their power.
- The Constitution of Kenya and its operational legislations further prescribe obligatory governance practices which both levels of governments - central and devolved - must pursue together or separately with the objective of achieving acceptable standards for good governance, promote efficiency, openness, accountability and improve service delivery.

- At the continental level, the Government of Kenya appended its signature to the 50th Anniversary Solemn Declaration of the African Union, expressing its determination to anchor the Kenyan society on respect for rule of law, human rights and dignity, popular participation, and the respect for diversity. Through this Declaration, the Government of Kenya committed to:
 - Strengthen democratic governance including decentralized systems, the rule of law and capacities of national institutions to meet the aspirations of African peoples;
 - Promote integrity, fight corruption in the management of public affairs and promote leadership that is committed to the interests of the people.

In the same breath, the Government of Kenya continues to subject itself to the Africa Peer Review Mechanism (APRM), which is a voluntary mechanism for high level accountability on governance in ensuring the domestication and practice of African shared values.

- The Government of Kenya is determined to ensure unprecedented levels of collaboration between the Executive, Legislature, Judiciary, Private Sector and Civil Society as critical actors of people centered development, borne of the recognition that governance and sustainable human progress cannot be left to the uncertainties of politics. Transparency and accountability cannot take root through individual entrapment and can only become resilient through a systems approach that is restorative in real time, thereby strengthening our systems of governance. In the words of H.E the President and the Deputy President, *it must be a rational and deliberate developmental choice.*
- Our determination to Open Up Government for public scrutiny, therefore speaks of our value of true citizen engagement that is an absolute necessity in co-creating government, through active citizenship that is empowered by information and protections of the law. It is our conviction that openness, civic participation and technological innovation are critical ingredients to the realization of the African Agenda 2063, Kenya's Vision 2030, the Sustainable Development Goals (SDGs) and government's Big 4 Agenda for prosperity.

We therefore affirm that these noble development priorities require co-creation, creativity and resilience, traits that are uniquely provided by the Open Government Partnership initiative, which offers practical tools and mechanisms, in an era where citizens are increasingly losing trust in institutions and require actions that address their development challenges.

Kenya and the Open Government Partnership Initiative.

- Kenya joined Open Government Partnership in 2011, on the basis of the Constitution promulgated in 2010 and the launch of the first ever Open Data Portal in Sub-Saharan Africa, making government datasets freely accessible and reusable. The platform in Kenya was largely comprised of domestic reformers, both in Government and civil society, committed to making their governments more open, accountable and responsive to citizens.
- The Country submitted its 1st National Action Plan in 2012, heavily focusing on use of technological innovation and open data for public service delivery. In May 2013, the Government of Kenya hosted an OGP Africa Regional Meeting under the theme: *Taking OGP Forward in Africa*, seeking to connect the OGP with other normative African Shared Values Instruments. This meeting would be the first ever engagement between OGP and Pan African Institutions such as the African Union Commission and its organs.
- These two years saw a strong foundation on technology driven open government initiatives. At the local level, Kenya instituted a raft of programs: Integrated Finance Management Systems (IFMIS) to reduce cash-based operations for government, OTRS - Open Source Ticket Request System by the judiciary to reduce corruption and maladministration in the Judiciary, Live-streaming of Parliamentary proceedings and open/ public vetting of holders of public office.
- In the years 2013 – 2015, the initiative suffered from our democratic transition. H.E Hon. Dr. William Ruto, Deputy President of the Republic of Kenya, recommitted the Country to OGP in late 2015,

ensuring active participation in OGP working groups, regional meetings and Summits. Consequently, President, H.E Hon. Uhuru Kenyatta affirmed our OGP engagement through an agreement between the Government of Kenya and the United States of America: Promoting Good Governance and Anti-Corruption, under “Implementing and Reinforcing International Anti-Corruption Initiatives and Standards”.

- A reinvigorated Open Government Partnership Initiative in Kenya has seen the development of two action plans, and the acceptance of Elgeyo Marakwet County within the first cohort of OGP Sub-national initiatives. Open Government Partnership in Kenya has for the last three years maintained an inclusive multi-stakeholder mechanism that ensures the reduction of opportunities for corruption and wastage, increase productivity and efficiency within public service and ultimately, a collective means of working towards building public trust. Uniquely, our OGP Steering Committee (SC) is inclusive of civil society, private sector, independent commissions and sub-national governments as co-equals.
- These solid foundations have seen Kenya actively engage in global governance platforms and enact progressive legislations. Kenya participated in the London Anti-corruption summit in May 2016, which led to the inclusion of Beneficial Ownership Commitment in Kenya’s NAP II, facilitating the amendment of the Companies ACT and development of its regulations (<https://bit.ly/2U6ltLV>). Kenya also enacted the first Climate Change legislation in Sub-Saharan Africa in conformity with the Paris Climate Agreement, a commitment fulfilled under NAP II (<https://bit.ly/2FzATjw>). Most recently, H.E President Uhuru Kenyatta in 2018 issued Executive Order No. 2 of 2018, instructing all Government Ministries, Departments and Agencies (National and Sub-National level) to make public all procurement information of companies transacting with government on goods, works and services open and accessible. (<https://bit.ly/2FwsOLb>).
- At the global level, the Government of Kenya co-founded the Global Partnership for Sustainable Development Data (<http://www.data4sdgs.org>), that sought to harness the data revolution for sustainable development, reduce datagaps and build capacity for developing countries to use data for decision making in the realization of development goals. We have over the years supported four African countries: Sierra Leone, Ghana, Tanzania and Senegal to access data. More specifically, the Africa Regional Data Cube (<http://www.data4sdgs.org/ARDC>) providing open access to 17 years Earth Observation and geospatial data for free to these Countries.
- At the margins of the UN General Assembly in 2018, Government of Kenya, through the Office of the Deputy President, teamed up with the United Nations and major Donors on an initiative 50by2030 (<https://bit.ly/2OnZr1G>) to raise resources for 50 Countries in Africa, Asia and Latin America to innovatively collect data in aid of farmers and our food security by 2030. In this meeting US\$ 214 Million was raised to be managed by a World Bank Trust Fund and implemented by the Food and Agriculture Organization (FAO).
- In 2019, the Government of Kenya hosted the Government of Sierra Leone and a delegation from Burkina Faso, comprising of Government and Civil Society for a Peer Learning, with commitments for collaboration and open communications.
- In the same year, the Government of Kenya worked with the Government of Uganda, National Government Information Center to host the first ever multi-stakeholder dialogue on Open Government, especially in the era of the 4th Industrial Revolution. This has led to an open channel of engagement with citizens and opening up government institutions for constructive engagement with citizen groups.
- The Government of Kenya in 2019, in the understanding that data and information are the pre-requisite of informed citizen engagement, worked with the Australian Government, Government of Ghana, Government of South Africa, Government of Sierra Leone, The World Economic Forum and the Group on Earth Observations to open up analysis ready satellite data and information at continental scale, for free to Africa.

This is in recognition of the ravages of Climate, the need for better planning, monitoring of land cover-land change challenges such as illegal logging and mining. The Digital Earth Africa initiative (<https://www.digitalearthafrika.org/>) is the first ever global scale collaborative that is responsive to Africa's unique challenges of harnessing Earth Observations to respond to its development priorities.

- In raising the threshold of accountability, the Executive, through the Open Government Partnership subjected itself to scrutiny by the Senate, offering the mechanism as an inclusive and resilient framework for intergovernmental dialogue (that includes civil society) on transparency, accountability and service delivery, especially on devolved Governments.

Kenya's Potential Contribution to Open Government Partnership Steering Committee

The Government of Kenya is committed to making OGP work for Kenyans. In his foreword to NAP II, H.E Hon. William Ruto, the Deputy President notes "We are conscious that this is a long-term project whose success hinges on **collaboration, creativity and resilience**. I commit to mobilize citizen groups, civil society, media, private sector, subnational units, and national government entities toward making openness a default approach to service delivery."

To this end, Kenya is experimenting on an OGP franchise model, seeking to be as inclusive as possible, in the journey of co-creating good governance. Our strength lies on the use of technology and data to improve open government, in a developing world context, with the understanding that technology is an enabler for transparency, accountability and citizen engagement.

We are also uniquely placed in *accepting, learning and emerging from failure* as evidenced in the period 2013 – 2015. Our lessons have led us to include a unique commitment on *Open Government Resiliency* in NAP III, that seeks to curate a resilient and sustainable Culture of Open Government, noting the challenges of democratic transitions; on how to perhaps do things differently, with creativity and innovation.

Resiliency in our view needs to speak to embeddedness of OGP within other normative frameworks and therefore, we are committed to continue supporting the OGP Secretariat and the Africa Peer Review Mechanism (APRM) in building complementarity as well as getting more Countries involved from the Continent. As noted, we have included APRM collaboration as part of our NAP III commitment. In the last Devolution Conference, H.E the Deputy President at the closing ceremony invited all Counties to join the Initiative. In the same year, H.E the Deputy President, urged professional associations to exercise the highest form prudence as the custodians of standards that must be anchored on the values espoused by OGP.

In conclusion, Kenya believes in the age-old Africa Spirit of Ubuntu, "I am because **we are**." We cannot exist in isolation and increasingly derive our energies and inspiration from the vanguards of transparency and accountability within the OGP Community. We hope that our story, actions and innovation shall be an inspiration to the community and election of **Dr. Korir Sing'Oei** to the Steering Committee will enable us to amplify the core values of OGP Kenya, of **co-creation, creativity and resilience**. We offer our candidature as a partner in search for a new political compact and praxis that recaptures the imaginations of citizens, especially in the era of the rise of populism and loss of trust in government and its institutions.

Sincerely,



Ambassador Ken Osinde
CHIEF OF STAFF

Copy to: **Dr. Korir Sing'Oei,**
Legal Advisor/Convener-OGP Lead Kenya.

Commissioner Lucy Ndungu,
Commission on Administrative Justice