KENYA

Open Government Journey

Open
Government
Partnership

Kenya's Open Government Journey

June 2025

Cover: Students on a bus to school in Baringo County, Kenya (Photo credit: Daniel Kandie via Unsplash)

Wall mural in Nairobi, Kenya (Photo credit: Peter Okwara via Unsplash)

INTRODUCTION

View of Mount Kilimanjaro from Kenya (Photo
credit: Sergey Pesterev via Unsplash)

Attendees of an OGP technical working group retreat (Photo credit: Mzalendo Trust)

Kenya joined the Open Government Partnership (OGP) at its inception in 2011. Since then, its open government journey has mirrored the partnership's in many ways, with an expanding community that has grown alongside the areas of reforms they champion. Despite challenging political transitions and civic space constraints, dedicated government and civil society allies have made steady progress on fundamental open government reforms.

As of May 2025, Kenya has made 40 commitments across five OGP action plans. The government has increasingly embedded OGP principles across the executive, judiciary, and parliament. Open government has also spread at the local level, with counties such as Elgeyo Marakwet, Makueni, Nandi, Nairobi, Kakamega, and Machakos joining the OGP Local program.

Kenya's 2010 Constitution enshrines public access to information, transparent public procurement, and a parliament accessible to the people. Reformers in government and civil society have leveraged the OGP framework towards making these rights a reality for Kenyans, navigating limited resources as well as bureaucratic and political headwinds.

Implementing access to information (ATI) has been a consistent focus of Kenya's action plans. Through OGP, ATI champions in the Commission on Administrative Justice and civil society have fostered strong partnerships, enabling progress despite limited budgets and intergovernmental coordination hurdles. Under the second action plan, Kenya passed the Access to Information Act with further regulations enacted under the fourth. In the current fifth action plan, reformers are working on a National Access to Information Policy. Advocates have also developed a curriculum on ATI for civil servants at the Kenya School of Government and are supporting the passage and implementation of ATI laws at the county level.

Fair and transparent public procurement has also been a key priority for Kenyan reformers. OGP has provided a collaborative space for civil society, county and national governments, and international partners to develop a shared vision, language, and roadmap around making government contract information public. Through the launch of the Public Procurement Information Portal (PPIP), Kenya now publishes government bids and contracts, as have counties such as Nandi. The government also established a legal framework for disclosing beneficial ownership information of companies awarded public contracts. Under the third action plan, Kenya passed beneficial ownership regulations and created a register, although not yet public. The fifth action plan aims to operationalize the E-Government Procurement platform, adhering to Open Contracting Data Standard for usable public procurement data.
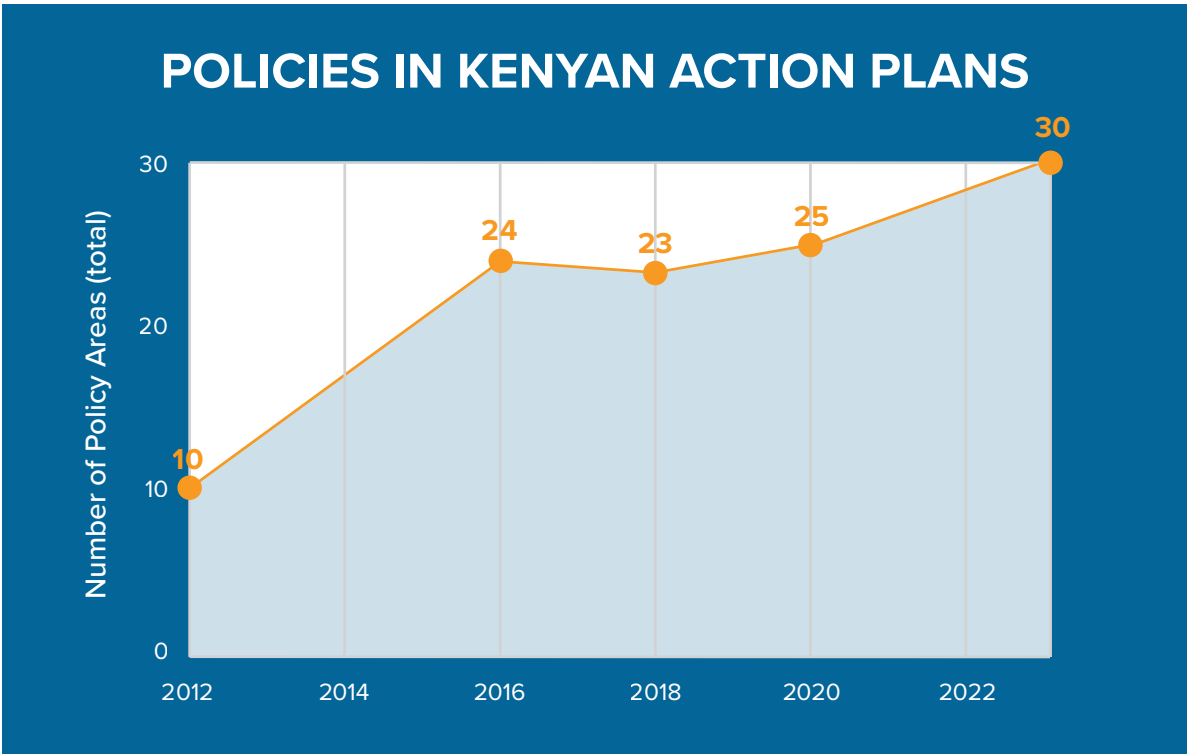
Making Kenya's parliament more transparent and open to public engagement remains a challenge, whose importance is underscored by a declining trust in parliament in recent years. Nevertheless, a network of reformers has worked to strengthen channels for the public to access information and participate in parliamentary processes. Parliament has also used its legislative powers to advance open government more broadly. Most notably, the parliament operationalized the Public Benefits Organization Act in 2024, nearly a decade after its passage, with the aim of simplifying the establishment, registration, and operation of non-governmental organizations.

The recently formed OGP Desk and Caucus promises to facilitate civil society participation in parliamentary processes while coordinating legislative efforts to advance open government. A key priority is the long-awaited Public Participation Bill, which seeks to clarify, expand, and standardize public participation in government decision-making.

Kenya's action plans are notably ambitious, exceeding global and regional averages in the partnership. However, these ambitions have not always led to tangible results. Beyond the reforms featured in this report, commitments to enhance access to justice and open data have seen modest progress. Meanwhile, open budget commitments stalled due to the National Treasury's limited engagement in OGP. The number of policy areas in action plans has increased over time, including priorities in Kenya such as climate action, public service delivery, and digital governance. However, they are not featured in this report as they either appear too infrequently or too recently to analyze for cumulative results.

Kenya's experience illustrates that ambitious open government reforms are often a long game. IRM assessments at the conclusion of each two-year action plan cycle indicate that Kenya implements commitments and achieves early results at a lower rate than the partnership average. However, a broader analysis reveals that open government champions have made cumulative progress across these successive action plans, particularly in the areas of access to information, legislative openness, open contracting, and beneficial ownership transparency.

At the local level, counties' open government reforms have often made inroads where national processes stalled. Several of Kenya's 47 counties have or are advancing ATI laws. Elgeyo Marakwet's ATI reforms increased civil society's confidence to request information and county officials' awareness of their obligation to respond. Several counties have pioneered open contracting portals with support from technical partners, providing lessons for national-level efforts. Makueni's portal increased procurement competitiveness and efficiency, saving the Roads Department more than KES 30 million (approximately USD 264 thousand). Counties have also made notable progress creating channels for public participation. All Kenyan OGP Local members have public participation laws, whereas a national public participation law remains pending. In Nandi, the OGP process provided a space for civil society to raise and address their concerns with not being able to participate in government budgeting. These bright spots demonstrate that including subnational governments in the OGP process can be key for open government reforms to benefit citizens' daily life.

POLICIES IN KENYAN ACTION PLANS

Number of Policy Areas (total)

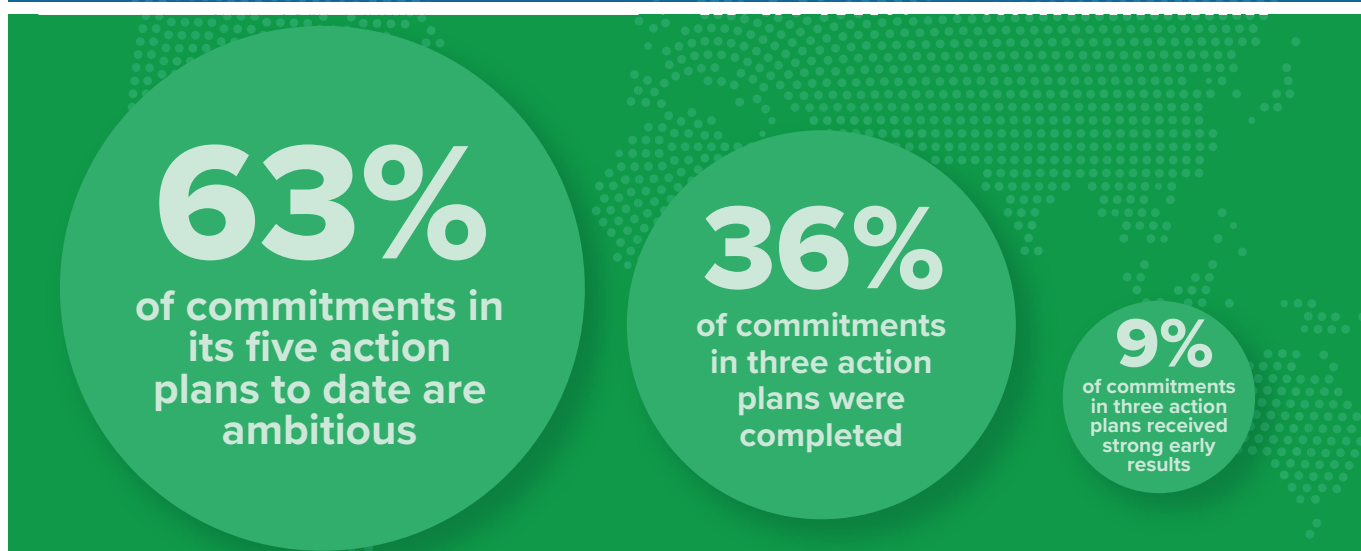10 (2012), 24 (2016), 23 (2018), 25 (2020), 30 (2023)

Kenya's OGP community initially focused on open data but has since grown into a broader movement tailored to the Kenyan context. The OGP ecosystem has matured, encompassing high-level leadership from the Office of the President to coalitions of reformers undertaking technical work. Over time, collaboration between government and civil society has improved, although leadership of Kenya's OGP process has shifted from government to civil society. This relationship has not always been easy in the face of wider national dynamics around governance, civic space, and elections. Nevertheless, the OGP platform has enabled communication and collaboration to remain open even during challenging periods. The next section provides a deeper analysis of the evolution of Kenya's OGP ecosystem.

This report examines how reformers have leveraged the OGP process to advance critical reforms. This includes the passage and implementation of the ATI Law, the publication of public procurement and beneficial ownership data, and the opening of parliament to citizens and efforts to codify public participation in government decision-making into law. This report analyzes the dynamics of change and results for these reforms at both national and county levels, showcasing a fraction of the vibrant community driving open government reforms in Kenya.

A SNAPSHOT OF OGP IN KENYA

40 commitments across five NAPs

Latest action plan: 2023-2027

30 government institutions and independent agencies as commitment leads

Joined OGP in 2011

21 commitments from six OGP Local members

63% of commitments in its five action plans to date are ambitious

36% of commitments in three action plans were completed

9% of commitments in three action plans received strong early results

KENYA'S OPEN GOVERNMENT JOURNEY

A giraffe outside of Nairobi, Kenya (Photo credit: Grace Nandi via Unsplash)

Attendees of the 2025 OGP Africa and the Middle East Regional Meeting, hosted by Kenya (Photo credit: OGP)

Kenya's Broadening Open Government Ecosystem

Kenya's open government ecosystem has evolved from a few reformers to a coalition spanning branches and levels of government as well as civil society. Civil society has taken a leadership role in convening Kenya's OGP processes. This model has allowed flexibility in the face of challenges like elections and civic space constraints. However, the absence of a legally mandated OGP body and allocated budget have also stood in the way of Kenya's open government objectives.
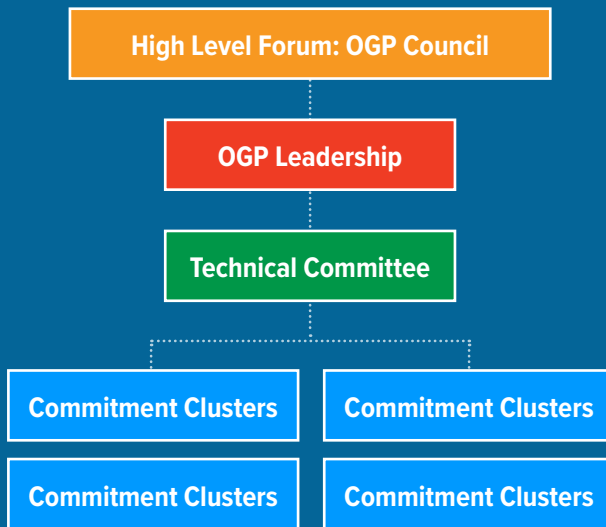
The Architecture of OGP in Kenya

Kenya's OGP ecosystem has grown significantly over the last 13 years from a handful of dedicated individuals to a network of reformers working to change the culture of government. The Ministry of Information, Communication, and Technology (ICT) and civic tech organizations initially led OGP. This role later shifted to the Office of the Deputy President and then the Office of the Prime Cabinet Secretary. This reflected reformers' growing

perspective that open government went beyond open data. Reformers came to recognize that they can collaborate on implementing government agendas, international pledges, civil society priorities, and constitutional provisions within the umbrella of open government.

OGP champions in Kenya recognized that transforming governance requires participation from across branches and levels of government. Ensuring participation from across government also increases OGP's resiliency when administrations change. For this reason, Kenya's action plans have included commitments to embed OGP at the national and county levels, with 'points of contact' designated in the executive, judiciary, and parliament. Strategically, representatives from all three branches of government and county governments sit on the OGP Council and Technical Committee. The independent Commission on Administrative Justice currently serves as the government co-chair of OGP in Kenya.

KENYA'S CURRENT OGP STRUCTURES

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          │   OGP Leadership   │
          └───────────────────┘
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As of early 2025, Kenya's OGP governance structure consists of multiple tiers, with civil society represented at all levels. The OGP Council is chaired by the President of Kenya and includes high-level representatives from the executive, parliament, judiciary, county governments, civil society, and independent institutions. A working-level Technical Committee meets more frequently to oversee co-creation and implementation and includes commitment implementers from government and civil society. Commitment clusters comprising government and civil society representatives carry out the technical work to design and implement reforms, with cluster co-chairs sitting on the Technical Committee.

OGP's previous placement in the Office of the Deputy President and current home in the Office of the Prime Cabinet Secretary (OPCS) have enabled strong convening powers and high visibility. However, it also means that Kenya's OGP processes periodically stall during times of political change. Moreover, the OGP portfolio rests with one individual in OPCS with many other responsibilities. They are informally supported by a small cadre of OGP champions from civil society and parliament. Over the years, this group has developed strong relationships, trust, and lines of communication, which have been called on to help navigate challenging governance dynamics. Yet the absence of a formal OGP secretariat with sufficient capacity and funding has contributed to coordination challenges.

A lack of legal texts underlying these structures has been advantageous at times, allowing for flexible membership and leadership. However, the absence of a legal mandate and funding has also hindered coordination, reform progress, and compliance with OGP rules. So far, open government reforms have relied on existing budgets in agencies and civil society in addition to partner support. Positively, the Government of Kenya has committed to establish a gazetted National Council on Open Government to coordinate open government programming and funding in the 2023–2027 action plan.

Growing Government and Civil Society Collaboration

Government and civil society collaboration on open government has strengthened over time. The government drove the design and implementation of early action plans, but civil society participation has intensified across successive action plan cycles. CSOs were attracted to the chance that OGP offered to directly engage with their government counterparts. Today, CSOs proactively use the OGP process to advocate for their open government objectives.

Civil society is now a driving force and convener for OGP in Kenya. Article 19 East Africa and Mzalendo Trust have each coordinated and advanced OGP as CSO co-chairs. Civil society's empowerment to drive the OGP process has led to an inclusive approach and recent action plans that reflect civil society priorities. On the flip side, action plans have sometimes presented more of a civil society 'wish list' where the necessary government authority is not always sufficiently informed or committed.

PARTICIPATING GOVERNMENT INSTITUTIONS OVER TIME

Number of Institutions (Cumulative)

- 2012: 4
- 2016: 14
- 2018: 20
- 2020: 24
- 2023: 30
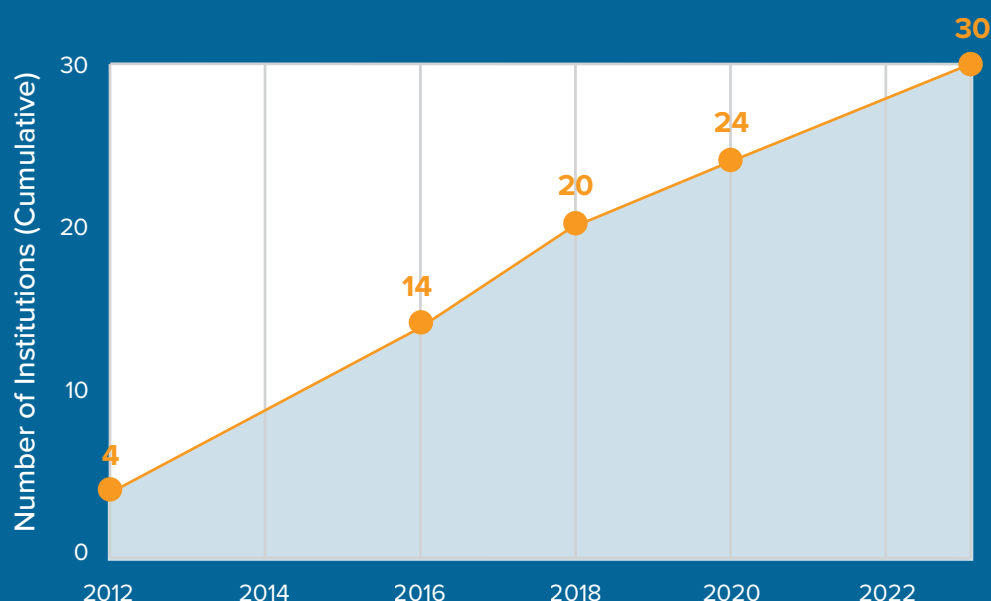
The breadth of CSOs participating in OGP has not kept pace with the expanding involvement of government institutions. While CSOs working on good governance remain a dedicated and core part of the OGP ecosystem, others such as those working on areas like water or gender did not maintain their engagement as their government counterparts were not present. Likewise, efforts to bring the media and private sectors into the fold have not yet sustained over time. IRM research shows that reforms like access to information benefited when champions in and outside of government found their stride in working together over multiple action plan cycles.

Challenges to Open Government

Wider civic space and governance concerns have created tension between government and civil society. Kenya's gradual improvements in civic space over the last decade have shown signs of slipping in recent years. Yet OGP continues to provide a space to maintain a level of communication and collaboration despite disagreements. Continuation of reform areas across action plans have allowed for civil society and government allies to develop trust and ways of working at a technical level, even when the broader context becomes challenging.

In particular, elections have proven to be a significant challenge to the OGP process in Kenya. Intense campaign periods and contentious outcomes draw attention and resources away. Thus, Kenyan reformers have begun to strategically plan around elections. For instance, the current action plan aligns with the administration's term

and includes commitments to address misinformation and election integrity. Open government has also made its way into the wider political discourse, with 'institutionalizing open governance' being a specific aim in the current administration's manifesto.

"Within OGP, it is possible to sit together and agree to disagree. This is a top value addition for OGP—it brings actors together round a table where conversations can be had... [OGP] is speaking truth to power across the table as opposed to outside the room. We have a seat at the table, so it is about what we do with it."

– Executive director of a Kenyan civil society organization

Kenya's Open Government at the Global and County Level

The Government of Kenya has sought to be a regional and international leader in the partnership. In 2013, the Governments of Kenya and South Africa hosted the first OGP Africa Regional Meeting in Mombasa. In 2020, Kenya was elected to the global OGP Steering Committee, becoming re-elected and Government Co-Chair in 2023. Alongside OGP, Kenya convened open government champions from across the partnership at a Digital Governance Workshop in March 2024. However, domestic political dynamics prevented Kenya from pursuing their co-chair agenda in the latter half of 2024. In 2025, the government again brought together reformers from the region at an OGP Africa and Middle East Regional Meeting.

Counties have also taken up the open government torch. In 2017, Elgeyo Marakwet County became a pioneer member of the OGP Local program. Members have since expanded to include Makueni, Nandi, Machakos, and Kakamega counties and the capital of Nairobi. Counties are represented on Kenya's OGP Council and Technical Committee to offer their perspective and align local action plans with national reforms. Kenya's national action plans have also included commitments to expand and support OGP Local members.

OGP leaders in Kenya have sought to advance reforms at both the national and county levels to better ensure that their benefits reach citizens. National action plans have included commitments to advance specific reforms in counties, such as support to draft and implement county ATI laws. Counties have aligned their commitments with national action plans, particularly in the areas of open contracting and public participation. Counties' engagement with OGP has waxed and waned, often in response to changes in government.

Kenya's OGP ecosystem has steered through elections and civic space threats such as the recent heavy police response to protests and attempts to deregister civil society organizations. Nevertheless, the community has grown from individual reformers to a network that transcends the usual boundaries between government institutions and civil society. This collaboration has not only advanced open government reforms but built a foundation of trust on which to carry on these efforts. To continue building more resilient and sustainable OGP structures, Kenya's 2023–2027 action plan aims to establish a National Council on Open Government, develop an Open Government Policy, and a State of Openness Report.

Kenya's open government champions have worked hard to institutionalize and expand OGP since 2011. The open government policy wins described in the following sections demonstrate the concrete outcomes of their efforts.

A mural in Nairobi, Kenya to promote the Carter Center's "Inform Women, Transform Lives" campaign to raise awareness on women's right of access to information. The Carter Center worked with Hon. Esther Passaris to increase awareness and use of gender-based violence services. (Photo credit: Carter Center)

Working Together to Implement Access to Information

Kenyan civil society had advocated for an Access to Information (ATI) Law since the early 2000s. In 2010, the right to information was enshrined in the constitution. Civil society advocates then used Kenya's membership in OGP to keep the adoption of an ATI law on the government agenda, identify and work with government allies, and provide support where government resources for ATI fall short. Government and civil society have become close partners in leading Kenya's OGP Cluster on ATI, facilitating cooperation within government and targeting resources to gradually and persistently strengthen citizens' access to information.

Collaboratively Building an ATI Legal Framework

Article 19 saw Kenya's participation in OGP as an opportunity to advance implementation of the right of access to information (ATI). In 2016, the Parliament of Kenya passed the ATI Act under the second OGP action plan. In a win for civil society, the law granted the Commission on Administrative Justice (CAJ)—an independent
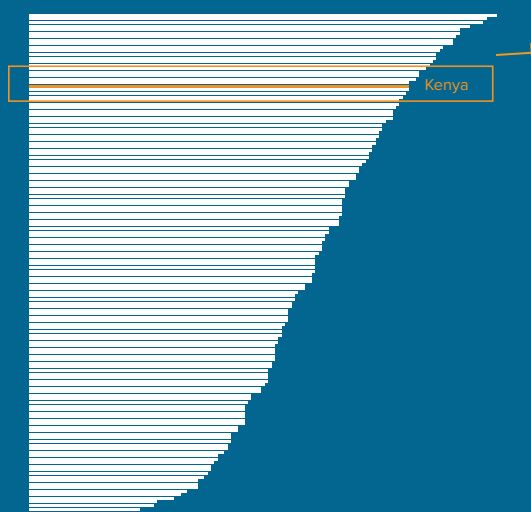
government body—the mandate over ATI. According to a civil society reformer, the executive branch initially resisted implementation of the law because it originated from a private members' bill rather than from the executive. During the second action plan, the CAJ created a task force to develop regulations and started to sensitize government officials and the public on the law. As the CAJ took on the ATI mandate without wider government support, civil society viewed OGP as an instrumental platform to support the CAJ in these efforts.

Government austerity measures left the CAJ with a limited budget. Article 19 brought the Commission into the OGP process and together became co-leads of the ATI Cluster. Clusters bring together government, civil society, and other allies to advance specific reforms within the OGP framework. Over time, ATI Cluster members cultivated a shared sense of successes and failures and coordinated efforts and resources around common objectives. The CAJ, Article 19, and cluster members have continued a close partnership across action plans. A strong working relationship has

ACCESS TO INFORMATION IN KENYA

Kenya ranks 21 out of 140 countries

RTI Rating Total Scores

South Africa	118
Namibia	116
St. Kitts and Nevis	116
Ukraine	115
Kenya	113
Antigua and Barbuda	113
Maldives	113
Nepal	112
Nicaragua	111

0   150

The Right to Information Rating assesses the strength of legal frameworks for the right to information around the world. The methodology includes 61 indicators corresponding to the feature of a good right to information regime. A country can score a total of 150 points. Kenya's score is based on the 2016 Access to Information Act.

Source: RTI Rating

persisted through government and OGP Kenya leadership transitions. Since there is no fixed membership, government and civil society stakeholders can join the Cluster based on their interest and availability. The CAJ views CSOs as their 'champions on the ground' who share their networks to help inform the public on their right to information.

> **"Everyone is aware that these are the milestones we need to achieve within this [ATI] Cluster, so everyone [...] channels their resources [...] because when we rise, we rise together; when we fall, we all fall."**
>
> *– Director of Access to Information, Commission on Administrative Justice.*

Working under the OGP umbrella has strengthened the recognition that ATI is a cross-cutting reform that intersects with other priorities. On open contracting, for instance, the CAJ has worked with open contracting reformers, such as Hivos

East Africa, on leveraging the ATI law to reinforce proactive publication of public procurement information. Hivos also helped the CAJ develop a tool for public entities to monitor their compliance with proactive transparency requirements.

An ATI Commissioner was appointed in 2018 followed by the establishment of an ATI Department in 2020. The CAJ's Director of Access to Information connected with the global open government community, such as through the Open Government Leadership Collaborative. Having experienced the benefits of collaboration across government, civil society, and partners, the CAJ eventually took on the role of Government Co-Chair of OGP in Kenya. Under Kenya's fourth action plan, reformers collaboratively drafted ATI regulations. When the Ministry of ICT did not fund public consultations, Article 19 used OGP and other platforms to bring CSOs into the drafting process.

Progress and the Road Ahead

Kenya's ATI commitments have become more feasible and strategic with each action plan, leading to tangible results. For example, citizens in Uasin-Gishu and Makueni Counties made ATI requests to get information on spending and contracts related to road construction projects. This information helped community members stay informed on government spending compared to the quality of construction they could observe. Meanwhile, retired government employees used ATI requests to get information on their retirement benefits. This information confirmed that they had not received their full benefits and enabled them to submit a complaint.

By 2024, the CAJ has trained over 30,000 public officers on ATI and appointed ATI Officers across all 47 counties. From 2016 to 2024, the CAJ tracks a total of 249,424 requests for information received by government institutions and has reviewed around 1,000 decisions to deny such requests. At the Kenyan School of Government, an ATI curriculum developed by the Local Development Research Institute and Article 19 is now offered to systematically train national and county information officers on the law.

The arrival of a new Minister of ICT in 2022 improved its collaboration with the CAJ on implementing ATI. When the ATI regulations were brought before parliamentary committee in 2023, several members had attended OGP Kenya meetings and were familiar with OGP and the value of ATI reform. This eased the regulation's pathway towards enforcement in October 2023.

Work remains to fully realize public access to information in Kenya. A lack of ATI policy, budget, and intergovernmental cooperation has inhibited the digitization of records and creation of a centralized digital repository of records and data. There is also an uneven level of proactive disclosure across government. In Kenya's 2023–2027 action plan, the CAJ along with the Ministry of ICT and other partners are developing a National Access to Information Policy to set a common strategy and vision. Crucially, this policy could harmonize access to information and data protection legal frameworks. The government also aims to establish a framework for the digitization of public records and reporting guidelines for public and private entities on ATI compliance. The ATI Cluster has its work cut out, as it intends to strengthen the media's capacity to use ATI to address misinformation and disinformation. Importantly, it also aims to improve proactive publication of key election information throughout the election cycle.

ACCESS TO INFORMATION AT THE COUNTY LEVEL

When national-level progress has stalled, reformers have shifted their focus to counties. ATI advocates have utilized Kenya's national OGP action plans to assist counties in passing and implementing ATI laws, as mandated by the **2012 County Government Act**. Notably, among Kenya's 47 counties, Embu and Kwale counties passed ATI Laws even before the national law was enacted.

During Kenya's **fourth action plan**, the CAJ introduced a model county ATI law and a county governance toolkit with support from the German Development Agency (GIZ). These resources were designed to streamline bill development for counties while maintaining a sense of ownership over the final legislation. To encourage adoption, the CAJ and Article 19 conducted outreach to the Council of Governors. Article 19 also trained Satellite Information Officers. As of November 2024, Nyamira and Turkana counties were on the cusp of adopting ATI laws, while Laikipia and Vihiga counties had drafted their bills.

In the absence of an ATI law, Elgeyo Marakwet took proactive measures by publishing laws, plans, and budget documents under their Communications and ICT Policy. According to the long-serving OGP point of contact, the county's participation in OGP has reshaped the dynamics between CSOs and county officials on information sharing. CSOs are now more confident to approach government offices to request information. County officials have also become more aware that the public observe their decisions. This cultural shift has propelled Elgeyo Marakwet towards fostering informed public participation in government decision-making.

The CAJ and its partners continue to support counties to adopt and implement ATI laws. The **fifth action plan** aspires for all Kenyan OGP Local members to enact these laws, with Makueni being the first to do so in 2024. Other members—Elgeyo Marakwet, Nandi, Nairobi, Machakos, and Kakamega—have yet to commit to passing or implementing ATI laws in their local action plans.

An expert panel on beneficial ownership, financial integrity, and anti-corruption at the 2025 OGP Africa and the Middle East Regional Meeting, hosted by Kenya (Photo credit: OGP)

Coordinating Efforts to Open Up Contracting and Beneficial Ownership Information

A community of reformers from government, civil society, and international partners has sought to shed light on government contracts to ensure public money benefits citizens. They have used the OGP space to develop a shared vision, roadmap, and harmonize their efforts. This has proven to be particularly important in the face of powerful entrenched interests who want government affairs to remain opaque.

Progress to open up contracting and increase transparency around the true beneficial owners of companies has been gradual and non-linear. Nevertheless, reformers have incrementally strengthened the legal and technical infrastructure for open contracting across action plans. Kenyan civil society have used OGP to ensure that the government follows through on international anti-corruption pledges. Meanwhile, government reformers at the national and county levels have gained greater access to support and resources.

Turning International Commitments on Open Contracting Into Reality

The Attorney General of Kenya pledged that Kenya would open up contracting and create a public register of beneficial owners at the 2016 London Anti-Corruption Summit. Transparency International Kenya (TI-Kenya) saw the government's public commitment as an opportunity to advance these reforms. They made a case to the Business Registration Services (BRS) to pursue beneficial ownership transparency using OGP as a platform to coordinate efforts and resources. TI-Kenya and the BRS then became co-chairs of Kenya's OGP Beneficial Ownership Cluster.

Under Kenya's second action plan, reformers laid the legal foundation for public procurement transparency. The Companies (Amendment) Act of 2017 requires all companies to report beneficial ownership information to the Register of Companies. In 2018, the Public

Procurement Regulatory Authority (PPRA) launched the Public Procurement Information Portal (PPIP), making government bids and contracts available to the public. However, a commitment to publish procurement data in alignment with the Open Contracting Data Standard (OCDS) remains unachieved. OCDS provides a common model for publishing data from across the contracting process to strengthen transparency and usability.

Meanwhile, open contracting reforms were bubbling up from the county level with support from development and civil society partners. Makueni launched an open contracting portal in 2019 with technical support from Development Gateway, who saw OGP as a forum to scale up their work across counties and to the national government. The PPRA and Development Gateway became co-chairs of the Open Contracting Cluster. Cluster members collectively identified objectives and roadmaps to chart their path, aligning resources to pursue policy change. The BRS benefited from peer learning, access to technical partners, and funding from TI-Kenya to convene meetings on beneficial ownership.

> **"OGP allowed us to cascade our learnings across counties [...] and also build collaborative mechanisms between national and county government [...] It's usually one of the toughest things [...] It was a big achievement to see OGP being able to do that."**
>
> *— Former regional lead of a civil society organization working in Eastern and Southern Africa*

Developing Beneficial Ownership Transparency

Custers—like the Open Contracting and Beneficial Ownership Clusters—helped address the challenge of coordinating the involved government bodies, development partners, and civil society organizations. Through the OGP process, government reformers gained a greater appreciation for the value of these reforms. Development partners could target financial support for priorities identified by government and civil society. Under Kenya's third action plan, the BRS passed beneficial ownership regulations and created a register, albeit with access restricted to competent authorities.

> **"The Open Contracting Cluster allowed different actors—civil society, government entities, development partners—to share ideas and harmonize efforts. It also helped them to clarify what success would look like and galvanize support in that direction."**
>
> *— Regional lead for Africa for an International partner organization*

Reformers have increasingly recognized the importance of connecting open contracting and beneficial ownership efforts. Under the fourth action plan, a 2022 legal notice mandated the disclosure of beneficial ownership information for entities participating in public procurement and asset disposal. This aligned with the condition set by an International Monetary Fund loan to publish beneficial ownership information of procuring companies. Some non-government entities, such as banks, have gained access to the beneficial ownership register in compliance with recommendations from the Financial Action Task Force, while civil society remains hopeful for a fully public beneficial ownership register.

Hope for the Road Ahead

Public procurement and beneficial ownership information is already being put to work to fight corruption. Public access has empowered the media and civil society to draw attention to suspicious transactions. In September 2024, the Institute of Economic Affairs used PPIP information to flag that procurement corruption risk was highest in the national security, health, and agriculture, rural, and urban development sectors.

Steady progress has been made despite internal resistance within the government and lengthy bureaucratic processes. A lack of engagement in the OGP process by key stakeholders such as the National Treasury as well as the private sector has slowed progress. While the National Treasury has pursued procurement reform, the absence of an OGP champion within the Treasury has meant that these efforts have largely not aligned with the OGP process. However, development and civil society partners have stepped in where government funding fell short. In Kenya's fifth action plan, efforts to operationalize the E-Government Procurement platform continue with the aim of making the data compliant with the Open Contracting Data Standard. As the government has committed to making the full beneficial ownership register public, there is hope on the horizon for anti-corruption reformers.

OPEN CONTRACTING AT THE COUNTY LEVEL

Counties play a central role in providing government services to citizens. Therefore, a significant amount of public procurement takes place at the county level. Recognizing this, reformers in Kenya have designed complementary open contracting commitments at the national and county levels. Several counties have even surpassed the national government regarding procurement transparency. In particular, Elgeyo Marakwet, Nandi, and Makueni have launched open contracting portals through their OGP Local action plans.

Makueni is a pioneer on open contracting in Kenya, launching their portal in 2019. A development partner connected the Governor of Makueni, who championed the reform, to OGP so that he could access peer support, resources, and recognition. Within a year, **evidence** indicated that the portal had increased procurement competitiveness and efficiency. The governor **stated** that the county had saved more than KES 30 million (approximately USD 264,000) from the Roads Department as a result of the portal.

Elgeyo Marakwet **followed** with an open contracting portal in alignment with the Open Contracting Data Standards in 2021. County officials sought to use this information to ensure that 30% of contracts were going to special interest groups such as women and youth, as required under national law. A 2022 change in county leadership led to a lapse in maintaining the portal, but a revival is expected in their 2025 local action plan. Implementers noted that pursuing beneficial ownership transparency was the next step to ensure that the 'usual suspects' do not hide behind women or youth applicants for contracts. Most recently, Nandi **launched** their **open contracting portal** in 2023.

Open contracting reforms have received important financial and technical support from development partners such as Hivos East Africa, Development Gateway, and the Open Contracting Partnership. OGP has provided a platform for peer exchange across all levels, yet obstacles remain in maintaining the technical infrastructure to ensure the portals stay accessible and updated. Nonetheless, both county and national reformers continue to pursue open public procurement in future action plans.

OGP CEO Aidan Eyakuze and OGP Steering Committee member and incoming Civil Society Co-Chair Stephanie Muchai listen to a presentation at the 2025 Africa and the Middle East Regional Meeting, hosted by Kenya (Photo credit: OGP)

Navigating Obstacles to Open Parliament and Enable Public Participation

Several events around 2010 set in motion the next decade of Kenya's open parliament reforms. Kenya's 2010 Constitution mandated parliamentary transparency and public participation. Soon after, Kenya joined OGP and Mzalendo Trust became a fully-fledged organization working on parliamentary openness. Mzalendo Trust saw OGP as a natural partner to fulfill the constitutional provisions for open parliament.

Initially, Mzalendo Trust and partners used OGP to incrementally open up parliament to the public, such as increasing access to information on parliamentary activities. Gradually, appreciation for OGP and open government began to spread beyond a small group of reform-minded members of parliament and staff. Today, a coalition of reformers aim to harness parliament's legislative powers to open government more widely. Yet significant work remains to heal distrust between parliament, civil society, and the public.

Striving to Open Parliament

The Parliament of Kenya has been slow to adopt constitutional requirements for transparency and public participation into its practices. However, a small network of reform-minded members of parliament, staff, and civil society have continuously advocated and worked to open up parliament to citizens. Protests in 2024 only further underscored public demand to be informed and given the opportunity to participate in important national decisions.

Reformers have increased public access to parliamentary information using the OGP framework. Kenyans were largely in the dark on parliament's activities prior to 2016. Under the third and fourth action plans, the parliament expanded live streaming of plenary and committee sessions for the Senate and National Assembly. Both chambers also increased their use of social media and Mzalendo Trust made information on parliamentarians available to constituents.

Attention then turned to bringing Kenyans' voices into parliamentary processes. Across the [second](#) and [third](#) action plans, Mzalendo Trust worked with parliament to launch the [Dokeza platform](#) in 2017 to enable citizens to provide input on draft legislation. While under construction in April 2025, the platform lists bills before parliament and indicates bills available for public comment. It includes the "[Bonga-na-Mzalendo](#)" text message service which elicits public input by asking simple questions on current legislative reforms. However, work remains to ensure that public consultations in parliament go beyond a 'box-ticking' exercise and that parliament considers and responds to public input.

Open parliament champions have faced a raft of obstacles. It has been a challenge to generate political will, particularly among members of parliament skeptical of civil society and transparency reforms. Of the two houses of parliament, support for OGP has gained greater traction in the Senate than in the National Assembly. With limited resources and competing priorities, parliament staff are also often detracted from coordinating open parliament efforts and elections have been disruptive. Reformers continue to persist regardless, making incremental progress as opportunities arise.

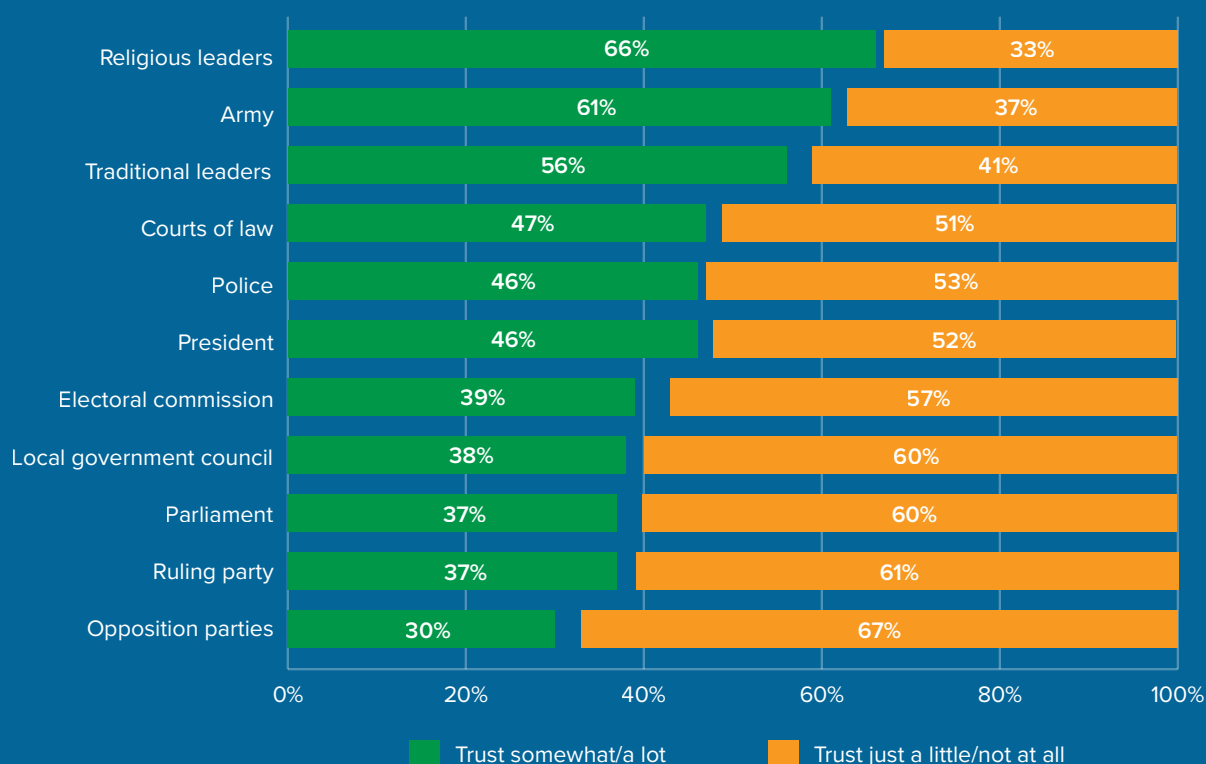## Parliament Opening Government

Parliamentary engagement with OGP began with a few members of parliament who saw the value of open government. Since 2019, members have served on the OGP Kenya Council, attended international gatherings, and [advocated](#) for parliament to use its legislative and budgeting authority to support open government reforms. Mzalendo Trust has used OGP to connect reform-minded parliamentarians to domestic and international networks and to help them 'speak the same language' on open government. More recently, reformers have turned their attention to institutionalizing parliamentary open government work.

Open parliament reformers are creating a technical track so OGP engagement can weather political transitions. In 2022, an OGP Desk was established to convene representatives from the Senate and National Assembly with civil society as well as coordinate the OGP Caucus. The OGP Parliamentary Caucus was formed in 2023 to champion open government legislation and open parliament reforms. The caucus has already supported operationalization of the Judiciary Fund Act and facilitated debate on public debt. Yet work remains to broaden parliamentarians' understanding and collaboration on opening parliamentary processes to citizens and leveraging its powers to support open government reforms.

OGP Steering Committee member and incoming Civil Society Co-Chair Stephanie Muchai presents at the 2025 Africa and the Middle East Regional Meeting, hosted by Kenya (Photo credit: OGP)

KENYANS' TRUST IN KEY INSTITUTIONS

Institution	Trust somewhat/a lot	Trust just a little/not at all
Religious leaders	66%	33%
Army	61%	37%
Traditional leaders	56%	41%
Courts of law	47%	51%
Police	46%	53%
President	46%	52%
Electoral commission	39%	57%
Local government council	38%	60%
Parliament	37%	60%
Ruling party	37%	61%
Opposition parties	30%	67%

Source: "Across Africa, public trust in key institutions and leaders is weakening" Afrobarometer Dispatch No. 891. 31 October 2024. Koffi Amessou Adaba and David Boio.

Champions for open government in parliament have also advanced broader open government reforms. For instance, the Public Benefits Organizations (PBO) Act was passed in 2013, although its operationalization remained outstanding across several action plans. Legal Notice 78 of 2024 finally brought the bill into force. The act updated and clarified the legal framework for non-government organizations' establishment, registration, and operations as well as established the PBO Regulatory Authority. Furthermore, it makes the government responsible for ensuring PBOs have an enabling operating environment. However, the PBO Authority's actions in 2024 to deregister and order investigations into CSOs have raised concerns of the law being wielded to the detriment of civic space.

OGP has helped strengthen the channels for civil society to engage parliament. It is also a vehicle for reformers to build avenues for the public to participate in parliamentary activities. Civil society uses OGP to provide their view on emerging issues and input on draft legislation. The OGP Desk has begun to facilitate CSO's access to information and opportunities to engage. However, public participation in parliament and across government institutions remains inconsistent due to the absence of a common legal framework.

Building Trust in the Road Ahead

The passage of a Public Participation Act has remained elusive across action plans. Parliamentarians have introduced seven such bills since 2016. In 2020, the Senate passed a bill, aided by senators' familiarity with OGP, but the National Assembly did not pass it. The Public Participation Bill making its way through parliament in early 2025 outlines the requirements for public participation across all government entities as well as for parliament and county assemblies to incorporate public participation in their Standing Orders. Passage and implementation of the bill would be an important victory for open government in Kenya.

These efforts carry on in Kenya's fifth action plan, as less than half of Kenyans express trust in parliament, ranking below trust in the president and the judiciary. The latest commitment aims to enable Kenyans to submit petitions and memorandums to parliament online and to strengthen responsiveness and clarity around consideration of public comments on bills. It also calls for public hearings on Kenya's debt, a report on implications for public debt on special interest groups, and a public debt tracker. In 2024, Kenyans made clear that they want a say in the legislative process. Open parliament reforms therefore continue to be a ripe opportunity to repair trust between citizens and the government.

PUBLIC PARTICIPATION AT THE COUNTY LEVEL

Kenyan counties have taken the lead on enshrining public participation into law. **Federal laws** and **guidelines** require counties to include citizens in their decision-making. Kenyan OGP Local members have used local action plans to implement public participation practices. As of May 2024, 21 counties (including all Kenyan OGP Local members) **had passed** public participation laws, while 13 others had pending bills.

Elgeyo Marakwet has strengthened the implementation of their Public Participation Act through their action plans. The county learned from other OGP members, such as adapting Brazil's practice to appoint community delegates to ensure representation from across villages. They also shared their experience implementing public participation practices with other counties, national reformers, and internationally. The county's OGP point of contact views the development of strong public participation practices as the most important outcome of their OGP membership.

Unlike Elgeyo Marakwet, Nandi joined OGP without a strong culture of collaboration between the government and civil society. In 2023, a local CSO network sent a petition to the Controller of Budget requesting to stop the budget process due to **a lack of opportunities** for public participation. The OGP point of contact for Nandi facilitated a discussion between civil society and the government. In this way, Nandi's OGP process provided a channel for CSOs to productively channel their grievances. Nandi's commitment to open budgeting in their **action plan** further empowered CSOs to hold the government accountable to open budget practices.

While counties are taking the lead on public participation laws, reforms to open county assemblies have faced challenges. Several national-level commitments have sought to support transparency and participation in county assemblies. Obstacles include a lack of resources, high election turnover, and assembly members' limited knowledge regarding basic Standing Orders. Notably, a partnership between the Senate Liaison Office and Westminster Foundation for Democracy led to the **County Legislative Tracker**, a database of bills and acts across counties. Efforts continue, for instance, Elgeyo Marakwet's next **local action plan** aims to institute live broadcasts of county assembly proceedings.

REFLECTIONS FOR KENYA'S OPEN GOVERNMENT ROAD AHEAD

Sunrise over Nairobi, Kenya (Photo credit: Amani Nation via Unsplash)

Guests enter the welcome dinner at the 2025 Africa and the Middle East Regional Meeting, hosted by Kenya (Photo credit: OGP)

Open government reforms in Kenya have not been quick or easy. Yet coalitions of government officials, civil society, and partners formed within the OGP framework have made concrete progress. Most notably, reformers have used OGP to implement civic rights promised under the 2010 Constitution. Kenyans now have greater access to information and channels to engage the government as a result of their efforts.

Reformers have optimized OGP's flexibility to achieve results. Coalitions have taken different shapes, as called for by the reform agenda and larger political and social tides. The Commission on Administrative Justice found civil society allies who offered technical and financial support to share the tasks at hand to implement ATI. OGP offered a platform where many government agencies, non-government organizations, and partners could rally around common open contracting and beneficial ownership transparency objectives. Meanwhile, open parliament reformers have become increasingly connected through

OGP within a wider institution skeptical to change. Across all three case studies, OGP maintained a space for collaboration that could be activated to achieve results when political and financial opportunities arose.

Open government laws, institutions, and online portals are concrete evidence of progress. But equally important is the adaptation of open government values into the Kenyan context. Likewise, the relationships and culture of collaboration among Kenyan government and civil society partners best demonstrate the value of OGP. As Kenya's open government journey continues, there are opportunities for the government to ensure that commitments on paper become reality for the people. Key next steps include operationalizing the recently formed OGP Parliamentary Caucus and the government's commitment to establish a National Council for Open Government.

APPENDIX

A roadside fruit stand (Photo credit: Guilia Lorenzon via Unsplash)

Two men pictured on the street in Nairobi, Kenya (Photo credit: Lorenzo Cerato via Unsplash)

About this Report

As the Open Government Partnership implements its 2023–2028 Strategy, changes in approaches, ways of working, and learning are key in achieving the organization's strategic goals. The Independent Reporting Mechanism (IRM) continues to contribute towards this through its vital role in producing and disseminating evidence-based research.

The scope of IRM reports have focused on the activities during an action plan cycle. This research creates useful data and provides valuable information to the partnership and open government community. However, since the analysis is largely restricted to developments within an action plan cycle, IRM reports are less able to answer some of the longer-term questions which OGP wishes to learn from, as part of this new strategy.

In 2025, the IRM committed to producing a report reflecting on Kenya's 13 years of participation in OGP. This Open Government Journey report explores Kenya's open government evolution and achievements across action plans, government, and civil society to distill learnings from the work of reformers, OGP Support Unit, and partners.

Methodology

This report was written by Mia Katan with interviews conducted by Josephine Njungi of Research PLUS Africa.

It was reviewed by Andreas Pavlou, Jose Maria Marin, Maureen Kariuki, Shreya Basu, and Tinatin Ninua. It was also reviewed by key stakeholders in government and civil society in Kenya. Many thanks go out to others who have contributed towards the report.

To produce this report, the IRM interviewed and received written feedback from individuals from government and civil society working in Kenya. These included: Viola Ochola, Sarah Wesonga, Harriet Wachira, Shigadi Mwakio, Charlene Migwe-Kagume, Edwin Muhumza, Stephanie Muchai, Ambassador Philip Thigo, John Maritim, Caroline Gaita, Gitungo Wamere, and Kavata Musyoka.

The authors also consulted previous IRM products and reports covering all five Kenya's action plans as well as information sourced from desk research, such as Mzalendo Trust's Decade Review on OGP in Kenya.

About OGP

In 2011, government leaders and civil society advocates came together to create a unique partnership—one that combines these powerful forces to promote transparent, participatory, inclusive, and accountable governance.

The Open Government Partnership (OGP) includes 75 countries and 150 local governments—representing more than two billion people—and thousands of civil society organizations. OGP is based on the idea that an open government is more accessible, more responsive, and more accountable to citizens, and that improving the relationship between people and their government has long-term, exponential benefits for everyone.

Through the Partnership, governments and civil society work together to co-create action plans with concrete steps—commitments—across a broad range of issues. All OGP governments sign on to the Open Government Declaration and are required to work with civil society organizations to co-create reforms as part of an action plan that can deliver real benefits to citizens.

About the IRM

The Independent Reporting Mechanism (IRM) is OGP's accountability arm and the main means of tracking progress in participating countries.

Since 2011, the IRM has provided independent, evidence-based, and objective reporting to hold OGP members accountable and support their open government efforts. This is done through reports and timely recommendations during key moments in the action plan cycle.

The IRM is a valuable resource to OGP members. It contributes to building the credibility of the partnership and enables learning across members of the open government community.

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If you have any questions about this report, please reach out to: irm@opengovpartnership.org

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A gathering of flamingos in Kenya (Photo credit: Bibash Polygon Cafe Banerjee via Unsplash)

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