Independent Reporting Mechanism

Midterm Review: Kenya 2023-2027

Open Government Partnership

Independent Reporting Mechanism

Key Findings

The implementation of Kenya's 2023-2027 action plan is progressing on commitments related to digital governance, beneficial ownership, public participation and access to information. This progress is largely attributed to alignment with government priorities or civil society actors' programmatic work. Commitments related to climate action, open data and access to justice have shown slower progress, as they require stronger cross-government coordination, sustained financing, the passage of new legislation, or new implementation mechanisms. Other than significant amendments to Commitment 5 on open contracting, the action plan's refresh process largely consisted of organisational changes to milestones that clarified intended outcomes, measurability, and alignment with ongoing reforms. While conducted under tight timelines, the refresh process was participatory through the Multi-Stakeholder Forum and the engagement of key government institutions. Civil society stakeholders noted that space for quality participation and contributions was provided. Moving forward, Kenya could use the remaining implementation period to strengthen cross-government coordination via the new super-clusters and mobilise funding to support delayed reforms.

About the Report

The **Open Government Partnership (OGP)** is a multi-stakeholder initiative focused on improving government transparency, ensuring opportunities for citizen participation in public matters, and strengthening mechanisms for public accountability. OGP brings together government and civil society champions of reform who believe governments are more effective and credible when they open their doors to public input and oversight.

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 provides a **Midterm Review** to countries undertaking four-year action plans, who are expected to undertake a refresh process at the two-year mark. The refresh process is an opportunity for countries to take stock of implementation progress thus far and update the action plan as needed. The Midterm Review analyses significantly amended or new commitments (Section I), provides a general update on implementation progress (Section II), and evaluates the refresh process (Section III).

***Disclaimer**: This publication was funded by the European Union. Its contents are the sole responsibility of the Independent Reporting Mechanism (IRM) and do not necessarily reflect the views of the European Union.*





Section I. Action Plan Refresh

Kenya largely used the midpoint refresh to make organisational changes to milestones, responding to implementation progress as well as policy and regulatory developments, and to reorganise commitment implementation under four super-clusters. Commitment 5 on Open Contracting was significantly amended, aligning it with the operational e-Government Procurement system and thus raising its ambition.

Kenya's Multi-Stakeholder Forum led the action plan refresh process between April and June 2026. Kenyan open government reformers used the refresh to take stock of implementation, reorganise related commitments, and adjust milestones to reflect developments since 2023.[1] Although the timelines for the refresh were considered tight, a representative from Transparency International Kenya noted the process was necessary and provided a space for quality participation and contribution.[2] To start, commitment clusters prepared implementation self-assessments and identified milestones requiring revision.[3] Stakeholders then considered implementation progress, challenges, institutional gaps, and proposed amendments during a two-day retreat in June 2026, before draft revisions were circulated for further review and finalisation.[4] The refresh process engaged representatives from government, parliament, civil society, county institutions, and development partners. However, participation was uneven: the Climate Action cluster was not represented at the June retreat, government representatives were absent from the Beneficial Ownership and Open Contracting discussions, and the National Treasury remained largely disengaged despite its central role in several commitments.[5] Civil Society Organisations were represented in three out of the four superclusters.[6]

The refresh also responded to national developments since adoption of the action plan, including public demands for greater accountability and participation,[7] the introduction of electronic government procurement,[8] regulatory developments in carbon markets,[9] emerging artificial intelligence policy reforms,[10] and changes in the legal and institutional environment.[11] It partly addressed recommendations from the Action Plan Review by sharpening milestones on procurement transparency, public debt, access to information, open data, and implementation targets. However, it did not address other concerns regarding working towards public access to beneficial ownership information, the need for sustainable financing for the improving development data, open contracting and public participation, legislative and fiscal openness commitments (Commitments 2, 5 and 6), or ensuring an accessible OGP website and public repository.[12]

Amendments to the action plan largely consisted of organisational changes to milestones that clarified intended outcomes, measurability, and alignment with ongoing reforms. The refresh grouped the original nine commitments into four super clusters. The super clusters bring together stakeholders advancing commitments in similar policy areas to facilitate synergies and coordination. Several amendments introduced clearer numerical targets, more specific outputs, and stronger links between related reforms (Commitments 2, 3, 4, 5, 6, and 8). For example, the refresh linked beneficial ownership verification and debarment information with the e-Government Procurement system, consolidated open-data training within the Access to Information Commitment, and broadened the Access to Justice Commitment from a Mombasa-focused pilot towards the institutionalisation of Alternative Justice Systems, people-centred justice standards, and responsible AI-enabled justice tools. Amendments to Commitment 5 strengthened its expected results and raised its ambition, as discussed in Table 1 below. The remaining amendments (Commitments 1, 2, 3, 4, 6, 8, and 9) improved specificity,

measurability, feasibility, or alignment with ongoing reforms. While positive, these amendments did not result in coding changes as many were already assessed as ambitious and their expected results remain dependent on legislation, legal and regulatory decisions, financing, institutional ownership, or more clearly defined implementation mechanisms.

Table 1. Refresh Commitments Review

Table 1 assesses all new or significantly amended commitments in Kenya's refreshed action plan.[13] For information on IRM methodology, see the IRM Procedures Manual.[14]

Commitment 5: Open Contracting

- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Substantial*

*This commitment was significantly amended during the refresh process. Therefore, the IRM changed this coding from what was initially determined in the Action Plan Review.

The commitment seeks to improve access to and use of public procurement information through an interoperable, end-to-end e-Government Procurement system (e-GP) aligned with the Open Contracting Data Standard. The Action Plan Review assessed the commitment as having modest potential for results, partly because several milestones depended on the delayed rollout of e-GP and coordination between the National Treasury and Public Procurement Regulatory Authority (PPRA). The commitment also sought to amend the 2015 Public Procurement and Asset Disposal Act (PPADA) to establish whistleblower protections at a time when broader whistleblower-protection legislation had stalled in parliament.[15]

Following the launch of e-GP, the commitment was updated to include full migration to end-to-end electronic procurement; publication of procurement information across the full contracting cycle, including contract implementation and payments; and interoperability with the Public Procurement Information Portal, beneficial ownership, tax, and other government databases. It also introduced improved access and alerts for Access to Government Procurement Opportunities (AGPO) beneficiaries, annual AGPO performance reporting, and a public feedback mechanism enabling citizens to submit feedback, track institutional responses, and scrutinise how that feedback influences procurement decisions.[16] Milestone 5 to amend the 2015 PPADA was moved to the Access to Justice Cluster, as the government understood it to be a governance rather than a procurement issue.[17]

The proposed public feedback mechanism provides an avenue for the government to receive and act on citizen feedback. Combined with annual AGPO performance reporting and public access to contract implementation and payment information, this could strengthen public accountability across national and county procurement. These amendments therefore have the potential to change government-wide procurement practice and the relationship between procuring entities, suppliers, oversight institutions, and the public.[18]

Engagement from the National Treasury will be important to continuing open contracting momentum and addressing transparency gaps in contract implementation.[19] During the remaining implementation period, the National Treasury and PPRA could agree and publish a migration plan for all national and county procuring entities with clear institutional responsibilities, minimum disclosure requirements, and regular reporting on entities that have

not transitioned to e-GP. Efforts could focus on supporting counties' adoption of the e-GP, which remained low as of June 2026.[20] For there to be meaningful public engagement and accountability, the system could also publish downloadable and reusable data in OCDS format covering planning, tender, award, contract implementation, variations, completion, invoices and payments.[21] Priority could also be given to operationalising the public feedback module with response timelines and public records of action taken, and to publishing annual AGPO reports showing awards, contract completion, payment delays and business-growth outcomes. Independent monitoring could assess the completeness, timeliness and usability of published procurement data, and whether public feedback influences procurement decisions.

---

[1] "Mid-Term Refresh Report for Kenya's 5th National Action Plan," Open Government Partnership, June 2026, https://www.opengovpartnership.org/wp-content/uploads/2024/01/Kenya_Action-Plan_2023-2027_Refresh_June2026_EN.pdf; "OGP MSF April Meeting Report," OGP Kenya, 8 April 2026, https://drive.google.com/drive/folders/1DjfGORH60SSb1dPaVPr4kPLz5tXDA1Kx; "Kenya OGP Refresh Outcome Report," OGP Kenya, June 2026, https://drive.google.com/drive/folders/1Ga9goza0fSAz73cPNRoNUrCsQmNbYVNb.

[2] Kinyua, interview.

[3] "Mid-Term Refresh Report for Kenya's 5th National Action Plan," section 2.0, Open Government Partnership, June 2026, https://www.opengovpartnership.org/wp-content/uploads/2024/01/Kenya_Action-Plan_2023-2027_Refresh_June2026_EN.pdf; OGP Kenya, "OGP MSF April Meeting Report."

[4] Open Government Partnership, "Mid-Term Refresh Report," section 2.0; OGP Kenya, "Kenya OGP Refresh Outcome Report."

[5] Open Government Partnership, "Mid-Term Refresh Report,"; OGP Kenya, "OGP MSF April Meeting Report,"; OGP Kenya, "Kenya OGP Refresh Outcome Report."

[6] Supercluster 1 on the Open Information Ecosystem includes the non-profit think tank Local Development Research Institute, supercluster 2 on Financial Integrity and Accountability includes Transparency International Kenya, and supercluster 3 includes the non-governmental legal aid and human rights organization Kituo Cha Sheria. No civil society organization is represented in supercluster 4 on open government resiliency. Source: "Mid-Term Refresh Report for Kenya's 5th National Action Plan," p.6, Open Government Partnership, June 2026, https://www.opengovpartnership.org/wp-content/uploads/2024/01/Kenya_Action-Plan_2023-2027_Refresh_June2026_EN.pdf.

[7] Hereward Holland, "Kenya's government appeals for protests to stop, but court suspends ban," *Reuters*, 18 July 2024, https://www.reuters.com/world/africa/kenya-police-ban-protests-central-nairobi-blame-criminal-infiltration-2024-07-18/.

[8] "The Launch of the Electronic Government Procurement System," National Treasury and Economic Planning, 9 April 2025, https://www.treasury.go.ke/launch-electronic-government-procurement-system.

[9] "Kenya Launches National Carbon Registry to Boost Climate Transparency," State Department for Forestry, 17 February 2026, https://forestry.go.ke/kenya-launches-national-carbon-registry-boost-climate-transparency; Climate Change (Carbon Markets) Regulations, 2024, No. 84 (2024) Kenya Gazette No. 81, https://new.kenyalaw.org/akn/ke/act/ln/2024/84/eng%402024-06-07

[10] "Kenya's Artificial Intelligence (AI) Strategy 2025–2030 launched at the KICC, Nairobi," Ministry of Information, Communications and the Digital Economy (MICDE), 27 March 2025, https://www.ict.go.ke/node/643

[11] Open Government Partnership, "Mid-Term Refresh Report,"; "Summary of Kenya NAP V Changes from the Mid-Term Refresh Process," OGP Kenya, June 2026, https://drive.google.com/drive/folders/1V-VeiasY8m_8mdGEGdvRgWbrZgStGvKY.

[12] Independent Reporting Mechanism, "Kenya Action Plan Review 2023–2027," Open Government Partnership, 9 December 2024, https://www.opengovpartnership.org/documents/kenya-action-plan-review-2023-2027/; OGP Kenya, "Summary of Kenya NAP V Changes from the Mid-Term Refresh Process," June 2026.

[13] OGP Kenya Mid-term Refresh Drive: https://drive.google.com/drive/folders/1V-VeiasY8m_8mdGEGdvRgWbrZgStGvKY.

[14] Independent Reporting Mechanism, "Procedures Manual," Open Government Partnership, March 2025, https://www.opengovpartnership.org/irm-guidance-overview//.

[15] Independent Reporting Mechanism, "Improving Open Contracting Processes (KE0036)," Open Government Partnership, accessed 29 July 2026, https://www.opengovpartnership.org/members/kenya/commitments/ke0036/.

[16] "Mid-Term Refresh Report for Kenya's 5th National Action Plan," p.28, Open Government Partnership, June 2026, https://www.opengovpartnership.org/wp-content/uploads/2024/01/Kenya_Action-Plan_2023-2027_Refresh_June2026_EN.pdf; Government of Kenya, *Fiscal Integrity and Accountability Supercluster: Proposed Amendments and Contributions*, June 2026, 5–9, shared with IRM researcher.

[17] Summary of Kenya NAP V Mid Term Refresh Changes, shared with the IRM by the government.

[18] Government of Kenya, *Fiscal Integrity and Accountability Supercluster: Proposed Amendments and Contributions*, June 2026, 5–9, shared with IRM researcher.

[19] "Kenya's Public Procurement System: Key Findings from the 2024 MAPS Assessment," Public Procurement Regulatory Authority, accessed 29 July 2026, https://ppra.go.ke/2024-maps-report/.
[20] Parliament of Kenya, Senate Debates, Hansard, 17 June 2026, Fifth Session, reproduced by Mzalendo Trust, https://mzalendo.com/democracy-tools/hansard/wednesday-17th-june-2026-morning-sitting-2541/.
[21] "eGP Kenya," The National Treasury of Kenya, accessed 29 July 2026, https://egpkenya.go.ke/tender.

Section II. Implementation Update[1]

By the midpoint, Kenya had made headway in reform areas such as digital governance, open contracting, and access to information. Progress is most visible where commitments align with ongoing government priorities, institutional engagement, and support from civil society and development partners. Looking ahead, reformers could strategically prioritise ambitious but delayed reforms for political and financial support.

Kenya's action plan implementation is mostly progressing on schedule with some delays. Commitments highlighted as promising in the Action Plan Review (1, 2, 3, 5, 6, and 7) show activity, with the strongest evidence of progress in digital governance, public participation and access to information (Commitments 2, 6, and 7), as well as in beneficial ownership (BO) disclosure (Commitment 4). Several milestones on climate action, open data for development, and access to justice are delayed or not yet underway (Commitments 1, 3, and 8).[2] The delayed commitments had limited engagement by central coordination institutions, particularly the National Treasury and the Head of Public Service in Commitments 3, 4, 5, and 6, which increasingly depend on technical systems, interoperability and government-wide coordination.[3] During the second half of the implementation period, the civil society multi-stakeholder forum co-chair noted that the 2027 election period may affect implementation capacity and political attention during the remainder of the action plan period, compounded by resource constraints and the lack of OGP institutionalisation.[4]

Kenya advanced **digital governance** (Commitment 2) by adopting or commencing the development of political, policy, and legal instruments for digital transformation. The adoption of the Kenya Artificial Intelligence (AI) Strategy 2025 - 2030 proposes the development of a national AI Risk and Safety Institute for responsible, ethical, and transparent development of AI systems (Milestones 1 and 4). [5] The Kenya AI and Emerging Technologies Policy being developed as of 2026 by the Ministry of ICT and the Digital Economy aims to define Kenya's approach to emerging technologies, governance framework and interventions to guide their ethical and secure use and deployment (Milestones 3 and 4).[6] This policy and the draft National Data Governance Policy also propose the creation of a National Data Governance and Emerging Technologies Council to coordinate data governance and emerging technologies (Milestones 2 and 5). [7] The digital governance cluster stakeholders also submitted a joint memorandum proposing provisions for online citizen engagement to include in the Public Participation Bill.[8] The planned Institute and Lab may fall outside the action plan period given the strategy's five-year timeline. Similarly, most reforms remain tied to the enactment of the Public Participation Bill and finalisation of the draft policies and their response mechanisms.[9] In August 2026, the Public Participation Bill was passed by the National Assembly, awaiting passage in the Senate and signature from the President.[10]

Progress has been made in **open contracting** and **beneficial ownership disclosure** (Commitments 4 and 5). Kenya's e-Government Procurement (e-GP) System is now operational and publishing procurement process data and opportunities in line with the Open Contracting Data Standard and is interoperable with the Public Procurement Information Portal. [11] Since April 2025, the system also provides interoperable BO information with other government databases such as the Kenya Revenue Authority's iTax system and the Business Registration Services (BRS).[12] According to BRS, this has enabled real-time verification of data submitted and allowed authorities to identify and prevent conflicts of interest in instances where public officials are beneficiaries of firms winning contracts.[13] BRS also developed the Companies

(Amendment) Bill 2023, amended the Companies Beneficial Ownership Information Regulations and the Limited Liability Partnerships (Beneficial Ownership) Regulations to address issues related to technical compliance with FATF Recommendations 24 and 25.[14] Notably, reformers report a 4.5% increase in the level of companies' disclosures of BO structures to government, following efforts to create awareness around the BO legislation.[15] The central beneficial ownership register is not currently publicly accessible. While certain beneficial ownership information may be disclosed or published in specific circumstances, including in relation to entities awarded public procurement contracts, broader public access to the register has not yet been established. A BRS representative stated that the government is working towards improved transparency.[16] Adoption of binding reforms opening the register to the public would strengthen the commitment. Additionally, no progress has been made yet: in developing a draft national policy to standardise and govern procurement system requirements, data publication, and roll-out in Kenya; in amending of the PPDA 2015 to provide for whistleblower protection; or in publishing BO information on debarred individuals or firms.[17]

Commitments 6 and 9 to advance **public participation, legislative and fiscal openness,** and **open government resiliency** have started by developing the first State of Openness Report.[18] The report aims to assess the level of compliance by ministries, state agencies and county governments with obligations under the Access to Information Act and identify implementation gaps.[19] The findings will be used to strengthen compliance with the Act and public accountability. As also foreseen under the commitment, the Public Participation Bill 2025 includes provisions for accessible language and participation through various platforms such as radio, television, internet, and public hearings while the Public Benefits Organisations Act (PBO Act) had been fully operational since May 2024.[20] Both the National Assembly and Senate platforms for submitting public petitions are also fully operational and active.[21] Activities to strengthen public debt transparency and oversight (conducting structured open hearings, a study on the impact of public debt on special interest groups, the establishment of digital platforms) were in progress or not started. The same is true for the establishment of frameworks for alternative budget proposals under PBO and to assess legislative proposals.[22] As Kenya concluded its term as OGP Global Steering Committee Co-Chair, Kenya hosted a peer exchange on digital governance in March 2024 and the OGP Africa and Middle East Regional in March 2025.[23]

A multi-stakeholder committee established by the Ministry of Information, Communications and Digital Economy (MICDE) developed a comprehensive draft National Access to Information Policy with reform proposals aimed at strengthening **access to information** (ATI) (Commitment 7).[24] Implementation reports state that the Cabinet Secretaries of MICDE, National Treasury, and the Attorney General of Kenya signed the policy and forwarded it to the Cabinet Office for tabling at the Cabinet through a Cabinet Memo.[25] In 2024, the Commission on Administrative Justice (CAJ), with support from GIZ, developed Reporting Guidelines for Public Entities and Private Bodies in line with Section 23(7) of the Act.[26] The MICDE formed a multi-agency steering committee on digitisation and an in-house digitisation taskforce to facilitate the process of digitising public records. However, progress has been limited, as digitising public-facing services has been prioritised over records.[27] Building on progress in previous action plans, CAJ, in partnership with the Kenya School of Government and with support from the International Development Law Organisation (IDLO), continue to expand the ATI curriculum across government and private sector institutions.[28] Milestones to build capacity for journalists using the ATI framework and to ensure proactive disclosure of information by electoral management bodies in the run up to the 2027 elections are also underway.[29]

Kenya has made some progress on its **climate action** commitment (1) by adopting the 2024 Carbon Markets Regulation,[30] which includes a benefits-sharing framework with communities and a community development agreement for all land-based carbon projects. The Kenya Carbon Registry, launched in February 2026, aims to provide a centralised, transparent infrastructure for carbon credit transactions and associated financial flows, but was not populated with data as of August 2026.[31] The Kenya Space Agency also developed an internal platform to strengthen the sharing of climate information, although this is not yet publicly available.[32] Remaining milestones related to the establishment of a multi-stakeholder Climate Action Working Group, development of an open and accessible platform to track afforestation, and tracking accessibility and impact of clean cooking technologies and initiatives to support have not yet started.[33]

Commitment 3 on **open data** was amended to shift focus from passage of a County Statistics Act to the National Statistics Bill 2026.[34] The bill will create the Kenya Statistics Authority and the National Statistical System to regulate, coordinate, and standardise national official statistics relating to demographic, economic, financial, environmental, social, or gender matters at national or county level.[35] It also outlines rules for data collection and confidentiality and establishes the Statistics Fund. A notable provision of the Bill relates to "citizen-generated data". Data produced by non-state actors with the active consent and participation of citizens, primarily to tackle issues that affect them directly, creating an opportunity for citizen participation in advancing transparency and accountability.[36] Progress was also noted in the operationalisation of shared GIS lab infrastructure following the establishment of Konza Phase 1 horizontal infrastructure launched in October 2025.[37] The Konza Technopolis is Kenya's flagship project for establishing a Science Park and Area of Innovation to advance technological innovation.[38]

The **Access to Justice** Commitment (8) has made some progress but encountered roadblocks on key milestones.[39] The judiciary has allocated some resources towards implementing the Alternative Justice Systems (AJS) Policy.[40] However, the civil society co-lead for the Access to Justice commitment cluster noted that the judiciary's limited budget has hindered its ability to sufficiently fund implementation of AJS. Nevertheless, AJS policies are being implemented at the county level with support from development partners.[41] Guidelines for the National Legal Aid fund were developed and submitted by the National Legal Aid Service to the National Treasury, but their approval and implementation remain pending.[42]

Looking Ahead

During the remaining implementation period, Kenya's OGP community could:

- **Focus coordination and advocacy on opportunities to advance delayed reforms with high potential for results.** This could entail increasing the involvement of key government coordination institutions such as the National Treasury and the Head of Public Service in advancing commitments 3, 4, 5, and 6. The Multi-Stakeholder Forum could aim to address implementation bottlenecks regularly through remedial actions, named responsible institutions, and follow-up reporting on commitments behind schedule. Reforms for consideration for prioritisation include publishing machine-readable budget and expenditure data, the Climate Action Working Group and public climate-information platforms, operationalisation of the Legal Aid Fund, and the institutionalisation of public scrutiny before major borrowing decisions.
- **Operationalise a donor coordination framework with development partners to strengthen the financing of commitments.** This could include giving priority to

domestic budget allocations for core reforms that require continuity beyond the duration of donor-funded projects. Specifically, the National Treasury and implementing government agencies could identify sustainable financing arrangements for the Legal Aid Fund, open data infrastructure, OGP coordination bodies and recurring public-participation mechanisms, while making use of the coordinated support from development partners to supplement rather than replace long-term government financing.

- **Strategically plan for the upcoming 2027 elections**, including identifying opportunities to ensure Kenya's open government priorities maintain political momentum and capture the attention of key leaders, political parties, and policymakers. It can also include identifying likely challenges as attention and resources are diverted and strategically planning to maintain technical-level implementation.
- **Improve public access to information on the Kenyan OGP process** through a maintained OGP website and repository containing current action plan documents, milestone updates, supporting evidence, records of meetings, stakeholder submissions and government responses, as well as the MSF's basic operating rules. A functional and up-to-date website will help ensure Kenya is compliant with the OGP Participation and Co-Creation minimum requirements.

---

[1] Note: This section provides an informal overview of the action plan's implementation status at the midpoint. It is based on information available online or, if necessary, on evidence provided by key stakeholders. It focuses on commitments identified as promising in the Action Plan Review, submitted under the Open Gov Challenge, or where there is notable evidence of progress online. The IRM will carry out a formal and comprehensive assessment of commitments' level of completion and early results in the Results Report at the end of the implementation period.

[2] OGP Kenya Mid-term Refresh Drive: https://drive.google.com/drive/folders/1Ga9goza0fSAz73cPNRoNUrCsQmNbYVNb.

[3] Grace Naiserian & Caroline Gaita (Mzalendo Trust), interview by the IRM, 31 July 2026.

[4] Naiserian & Gaita, interview.

[5] Republic of Kenya, *Kenya Artificial Intelligence Strategy 2025-2030,* (Ministry of Information, Communications and the Digital Economy (MICDE), 2025), https://ict.go.ke/sites/default/files/2025-03/Kenya%20AI%20Strategy%202025%20-%202030.pdf; "C2_Digital Governance Report," OGP Kenya Mid-term Refresh Drive, accessed 20 October 2026, https://drive.google.com/drive/folders/1WhC2hTduFVGA1mwbADkSnz_opnzDczuK.

[6] David Indeje, "Inside Kenya's AI Policy: Governance, Regulation, and the Future of Innovation," KICTANet, 16 February 2026, https://www.kictanet.or.ke/inside-kenyas-ai-policy-governance-regulation-and-the-future-of-innovation/.

[7] [7] Republic of Kenya, *Draft Final National Data Governance Policy*, (Ministry of Information, Communications and the Digital Economy (MICDE), 2026), https://ict.go.ke/node/1073; "National Data Governance Policy Formulation kicks off," Ministry of Information, Communications and the Digital Economy (MICDE), 10 September 2025, https://ict.go.ke/national-data-governance-policy-formulation-kicks; "Kenya moves towards datadriven economy with new governance policy," Government Advertising Agency, 11 February 2026, https://gaa.go.ke/kenya-moves-towards-datadriven-economy-new-governance-policy.

[8] OGP Kenya Mid-term Refresh Drive, "C2_Digital Governance Report."

[9] Naiserian & Gaita, interview.

[10] "National Assembly Passes the Public Participation Bill, 2025," Parliament of Kenya, accessed 20 October 2026, https://www.parliament.go.ke/node/26259; "Civic Freedom Monitor: Kenya: Recent Developments," ICNL, last updated 16 October 2026, https://www.icnl.org/resources/civic-freedom-monitor/kenya#:~:text=Furthermore%2C%20it%20empowers%20specified%20government%20bodies%20to,be%20forwarded%20to%20the%20President%20for%20assent.

[11] "eGP Kenya," The National Treasury of Kenya, accessed 20 October 2026, www.egpkenya.go.ke; PPRA, *Integration of the Public Procurement Information Portal with the Electronic Government Procurement System,* Circular 02/2025, 17 June 2025, https://ppra.go.ke/ppra-circular-02-2025/.

[12] The National Treasury of Kenya, "eGP Kenya"; See: "C 1,2,4,5,6 Report," & "C4_Beneficial Ownership Report," OGP Kenya Mid-term Refresh Drive, accessed 20 October 2026, https://drive.google.com/drive/folders/1WhC2hTduFVGA1mwbADkSnz_opnzDczuK.

[13] OGP Kenya Mid-term Refresh Drive, "C4_Beneficial Ownership Report."

[14] "Jurisdictions under Increased Monitoring - 19 June 2026," FATF, 19 June 2026, https://www.fatf-gafi.org/en/publications/High-risk-and-other-monitored-jurisdictions/increased-monitoring-june-2026.html

[15] Specifically, beneficial ownership disclosure compliance rose from 48,96% to 53,49%, and companies declaring beneficial ownership information rose from 382,854 to 448,424. Naiserian & Gaita, interview; OGP Kenya Mid-term Refresh Drive, "C 1,2,4,5,6 Report."
[16] OGP Kenya Mid-term Refresh Drive, "C4_Beneficial Ownership Report."
[17] OGP Kenya Mid-term Refresh Drive, "C 1,2,4,5,6 Report."
[18] "Kenya: UNODC Partners With Ombudsman on Kenya's First State of Openness Report," Europe Says, 16 July 2026, https://www.europesays.com/africa/333647/; The report is supported by the United Nations Office on Drugs and Crime (UNODC), the Commission on Administrative Justice (CAJ), and CSOs including Mzalendo Trust and Article 19 Eastern Africa.
[19] Europe Says, "Kenya's First State of Openness Report."
[20] Following the gazettement of Legal Notice No. 78 of 2024; OGP Kenya Mid-term Refresh Drive, "C 1,2,4,5,6 Report."
[21] OGP Kenya Mid-term Refresh Drive, "C 1,2,4,5,6 Report."
[22] OGP Kenya Mid-term Refresh Drive, "C 1,2,4,5,6 Report."
[23] "2025 OGP Africa and Middle East Regional Meeting," Open Government Partnership, 25 March – 27 March 2025, https://www.opengovpartnership.org/events/2025-ogp-africa-and-middle-east-regional-meeting/.
[24] "Draft National Access to Information Policy – Public Participation," The Commission on Administrative Justice, accessed 20 October 2026, https://www.ombudsman.go.ke/index.php/ati-law-0; "C7_Access to Information Report," OGP Kenya Mid-term Refresh Drive, accessed 20 October 2026, https://drive.google.com/drive/folders/1WhC2hTduFVGA1mwbADkSnz_opnzDczuK.
[25] OGP Kenya Mid-term Refresh Drive, "C7_Access to Information Report."
[26] "ATI Reporting Guidelines Template," The Commission on Administrative Justice, accessed 20 October 2026, https://www.ombudsman.go.ke/index.php/ati-law-0; OGP Kenya Mid-term Refresh Drive, "C7_Access to Information Report."
[27] OGP Kenya Mid-term Refresh Drive, "C7_Access to Information Report."
[28] OGP Kenya Mid-term Refresh Drive, "C7_Access to Information Report,"; The Commission on Administrative Justice (Office of the Ombudsman), *Assessing the Right of Access to Information Implementation in Kenya*, May 2025, https://www.ombudsman.go.ke/sites/default/files/2026-03/Kenya%20ATI%20Assessment%20Report%202025.pdf.
[29] OGP Kenya Mid-term Refresh Drive, "C7_Access to Information Report."
[30] "Climate Change (Carbon Markets) Regulations 2024," Climate Change Laws of the World, accessed 4 September 2026, https://climate-laws.org/documents/climate-change-carbon-markets-regulations-2024_416b.
[31] OGP Kenya Mid-term Refresh Drive, "C 1,2,4,5,6 Report,"; Kenya National Carbon Registry, accessed 20 October 2026, https://ncr.nema.go.ke/; "Kenya Launches National Carbon Registry to Boost Climate Transparency," State Department for Forestry, 17 February 2026, https://forestry.go.ke/kenya-launches-national-carbon-registry-boost-climate-transparency.
[32] Naiserian & Gaita, interview.
[33] OGP Kenya Mid-term Refresh Drive, "C 1,2,4,5,6 Report."
[34] "Mid-Term Refresh Report for Kenya's 5th National Action Plan," Open Government Partnership, June 2026, https://www.opengovpartnership.org/wp-content/uploads/2024/01/Kenya_Action-Plan_2023-2027_Refresh_June2026_EN.pdf; "The Statistics Bill, 2026," Kenya National Bureau of Statistics, 28 April 2026, https://www.knbs.or.ke/the-statistics-bill-2026/.
[35] See Preamble of: Statistics Act, 2026 (Kenya), https://www.knbs.or.ke/wp-content/uploads/2026/04/The-Statistics-Bill-2026.pdf.
[36] Statistics Act, 2026 § 25 (Kenya), https://www.knbs.or.ke/wp-content/uploads/2026/04/The-Statistics-Bill-2026.pdf.
[37] "C 2,3,7,8 Progress Report_early draft," OGP Kenya Mid-term Refresh Drive, accessed 20 October 2026, https://drive.google.com/drive/folders/1WhC2hTduFVGA1mwbADkSnz_opnzDczuK.
[38] "H.E. President William Samoei Ruto at the Official Launch of Phase I Infrastructure at the Konza Technopolis," Ministry of Information, Communications and the Digital Economy (MICDE), 13 October 2025, https://ict.go.ke/he-president-william-samoei-ruto-official-launch-phase-1-infrastructure-konza-technopolis-0.
[39] OGP Kenya Mid-term Refresh Drive, "C 2,3,7,8 Progress Report_early draft."
[40] "C8_Access to Justice Report," OGP Kenya Mid-term Refresh Drive, accessed 20 October 2026, https://drive.google.com/drive/folders/1WhC2hTduFVGA1mwbADkSnz_opnzDczuK; Judiciary, "Judiciary calls for sustained investment to address court performance gaps," News Release, 3 July 2026, https://judiciary.go.ke/judiciary-calls-for-sustained-investment-to-address-court-performance-gaps/.
[41] Dr. Wambua (Kituo Cha Sheria), correspondence with the IRM, 10 September 2026.
[42] OGP Kenya Mid-term Refresh Drive, "C8_Access to Justice Report,"; Dr. Wambua, correspondence.

Section III. Participation & Co-Creation

The IRM uses the OGP Participation and Co-Creation Standards to assess countries' participatory practices throughout the action plan cycle.[1] Countries are encouraged to aim for the full ambition of the standards and to meet the minimum requirements.[2] As Kenya's action plan falls under a grace period, this assessment does not have implications for its status in the partnership.

Table 2. Alignment with Minimum Requirements at the Midpoint

Minimum requirement	Met?
1.1 Space for dialogue: Kenya's OGP Multi-Stakeholder Forum (MSF) met in April 2024 to develop a technical workplan for implementation, in February and May 2025 to take stock of progress and plan for the OGP Africa and Middle East Regional Meeting hosted by Kenya, and in April and June 2026 for the action plan refresh process. [3] Intermittently, some commitment clusters also met to coordinate and discuss implementation at the reform level.[4] Notably, Kenya held a formal launch event for the action plan in September 2024, hosted a peer exchange on digital governance in March 2024 and the OGP regional meeting in March 2025. However, this minimum requirement was not met as the basic rules on Kenya's multi-stakeholder forum are not publicly available online.	No
2.1 OGP website: Kenya's OGP website remains nonfunctional. While updates are provided on an X account, it does not include the latest action plan as required.[5]	No
2.2 Repository: Kenya has a public Google Drive folder containing both the original and the updated action plan, implementation reports and meeting records.[6]	Yes
3.1 Advanced notice: OGP stakeholders received invitations to meetings and to provide feedback around one to two weeks before the start of the refresh process through emails and WhatsApp messages.[7] However, as an overall timeline of the refresh process and opportunities to participate was not published in advance, the minimum requirement is assessed as not met.	No
4.1 Reasoned response: Draft proposals developed during the June 2026 review retreat were subsequently shared with the OGP MSF for review and feedback and incorporated into the final proposals.[8] The final mid-term refresh report, available on the OGP Kenya Google Drive, documents feedback and how it shaped the refresh process.[9]	Yes
5.1 Open implementation: As noted above, meetings for government and civil society partners to discuss implementation progress were held at the MSF or commitment cluster level to discuss implementation progress at least twice a year. However, not all commitment clusters met, and some commitment implementers were more engaged than others.[10]	Yes

This brief was written by IRM researcher Eva Maria Okoth in collaboration with IRM staff and reviewed by external reviewer Andy McDevitt. It was prepared in accordance with the IRM Procedures Manual[11] and guidance on artificial intelligence. For more information, refer to IRM webpage[12] or the glossary of IRM and OGP terms,[13] or contact the IRM at irm@opengovpartnership.org.

[1] "OGP Participation and Co-Creation Standards," Open Government Partnership. 2021. https://www.opengovpartnership.org/ogp-participation-co-creation-standards/; Open Government Partnership National

Handbook, https://www.opengovpartnership.org/documents/ogp-national-handbook-rules-and-guidance-for-participants-2024/.

[2] "IRM Guidelines for the Assessment of Minimum Requirements," Independent Reporting Mechanism, 2022. https://www.opengovpartnership.org/wp-content/uploads/2022/05/IRM-Guidelines-for-Assessment-of-Minimum-Requirements_20220531_EN.pdf.

[3] Grace Naiserian & Caroline Gaita, (Mzalendo Trust), follow-up interview by the IRM, 1 September 2026; "Mid-Term Refresh Report for Kenya's 5th National Action Plan," section 2.0 and Matrix 1 (Rationale/Justification column records how inputs shaped changes, Open Government Partnership, June 2026, https://www.opengovpartnership.org/wp-content/uploads/2024/01/Kenya_Action-Plan_2023-2027_Refresh_June2026_EN.pdf; Grace Naiserian & Caroline Gaita, (Mzalendo Trust), interview by the IRM, 31 July 2026.

[4] James Kinyua (Transparency International Kenya), interview by the IRM, 27 August 2026.

[5] See: "ogpkenya," X https://x.com/ogpkenya; "Open Government Partnership (OGP) Kenya," Facebook, https://www.facebook.com/OgpKenya; OGP Kenya website, accessed 4 September 2026, https://www.opengovernment.ke/.

[6] OGP Kenya Mid-term Refresh Drive: https://drive.google.com/drive/folders/1V-VeiasY8m_8mdGEGdvRgWbrZgStGvKY.

[7] Kinyua, interview; OGP Kenya repository, https://drive.google.com/drive/u/1/folders/1ir_BlqiEHrrkjFweIu6htisP0MIb4iOc.

[8] Open Government Partnership, "Mid-Term Refresh Report," section 2.0 and Matrix 1; Naiserian & Gaita, interview.

[9] Kinyua, interview.

[10] Naiserian & Gaita, interview and follow-up interview; Open Government Partnership, "Mid-Term Refresh Report," section 2.0 and Matrix 1; Kinyua, interview.

[11] "IRM Procedures Manual," Independent Reporting Mechanism, https://www.opengovpartnership.org/wp-content/uploads/2025/06/IRM-Procedures-Manual-2025-EN.pdf.

[12] "IRM Overview," Open Government Partnership, https://www.opengovpartnership.org/irm-guidance-overview/.

[13] "OGP Glossary," Open Government Partnership, https://www.opengovpartnership.org/glossary/.