

2023 Data Privacy Conference

REMARKS FROM KEY DIGNITARIES

The Data Privacy Conference brought together key stakeholders to discuss the importance of data protection and privacy in the digital age. The event featured opening remarks from dignitaries, panel discussions, and interactions with participants.



Remarks by H.E Dr. William Samoei Ruto, CGH. President of the Republic of Kenya and Commander-in-Chief of the Defence Forces

- ✓ Kenya is experiencing the wave of the 4th digital revolution, and it must develop the capacity to benefit from the opportunities while guarding against anti-social elements and cyber threats.
- ✓ Data is the currency of the new age, and it is the government's responsibility to protect citizens' data from unlawful acquisition and misuse by criminals and cyber terrorists.
- ✓ Balancing access to information with protecting citizens' private data is crucial. The government must allow entrepreneurial liberty and provide access to necessary information for the growth of the digital space.
- ✓ Kenya has made significant investments in ICT infrastructure, including submarine fiber optic cables, broadband connectivity, and the expansion of the digital superhighway. The aim is to bring millions of Kenyans online, transact with the government, and promote innovation.
- ✓ The government is committed to creating 5,000 digital services and achieving universal broadband connectivity in the next five years. Digitizing government services and automating critical processes are key priorities.
- ✓ The government is developing a digital masterplan, establishing a regional app for software development and promoting the growth of Kenya as a global leader in data protection.
- ✓ The online data registration system developed by Kenyan youth has been successfully tested and piloted. The government congratulated the team and certified 1,700 data handlers.
- ✓ The President directed Ministries, departments, and county governments to align their systems with data protection laws, promoting a unified approach to data protection.
- ✓ The head of state directed the Cabinet Secretary for Information, Communication and the Digital Economy to work with the National Assembly towards signing, ratifying or accessing the African Union Convention on Cyber Security and Personal Data Protection (Malabo Convention) in accordance with Kenyan Constitutional Procedure.
- ✓ The President officially launched the ODPC online data protection system, reaffirming the government's commitment to safeguarding citizens' privacy and supporting the growth of data

CS for Information, Communication and Digital Economy - Mr. Eliud Owalo

- ✓ The Cabinet Secretary for the Ministry of Information, Communication and Digital Economy acknowledged the importance of addressing gaps in data privacy rights and highlighted the government's commitment to providing seamless e-government services while ensuring compliance with data protection principles.
- ✓ The government's commitment to digitalization includes plans to digitize government services, expand fiber optic cables and Wi-Fi hotspots, and establish digital hubs in each ward.
- ✓ The Cabinet Secretary emphasized the government's dedication to balancing the provisions of the Data Protection Act and the Access to Information Act.
- ✓ Kenya's aspiration to become the digital hub of Africa involves leveraging technology, building infrastructure, and establishing legislative and policy frameworks.



PS for State Department of ICT & Digital Economy - Eng. John Tanui, MBS

- ✓ The Principal Secretary of the State Department of ICT and Digital Economy expressed commitment to supporting the Data Commissioner's office and emphasized data protection as a crucial aspect of building a digital economy.
- ✓ The Digital Economy Blueprint, aligned with Vision 2030, aims to empower citizens through digital initiatives.
- ✓ Various pillars, including digital government, digital businesses, infrastructure, innovation-driven entrepreneurship, and digital skills and values, are designed to ensure Kenyans thrive in the digital economy.

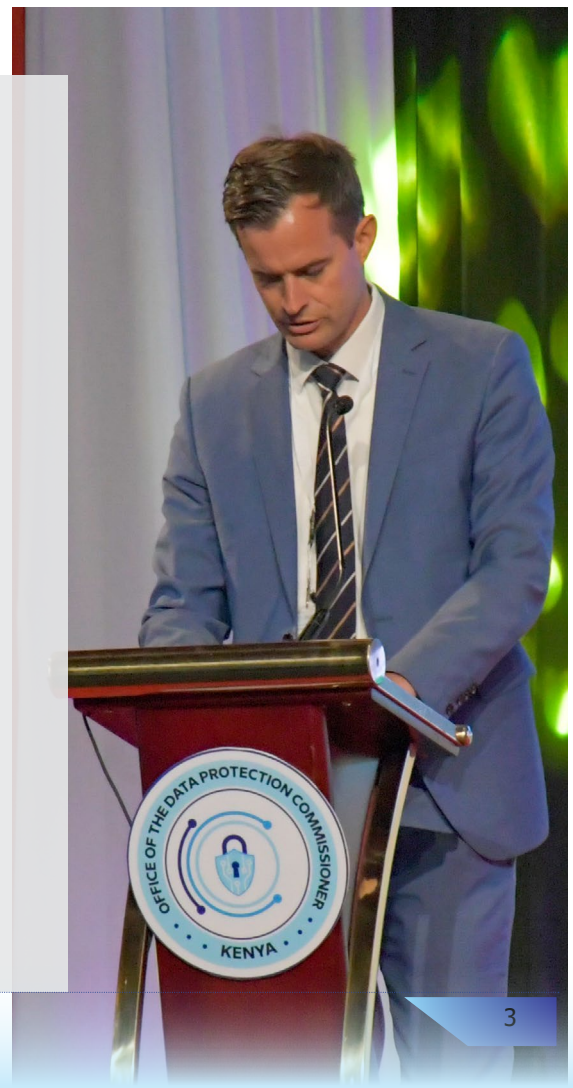
Data Commissioner, Kenya - Immaculate Kassait, MBS

- ✓ The Data Commissioner highlighted the milestones achieved by the Office of the Data Protection Commissioner (ODPC), including operationalization, strategic planning, enforcement of regulations, and issuance of guidance notes.
- ✓ The Commissioner reported on progress at the continental level, with many African countries adopting data regulations or regulatory frameworks.
- ✓ The Commission aims to develop sector-specific guidelines, expand services regionally, increase awareness efforts, and pursue Kenya's membership in Convention 108.



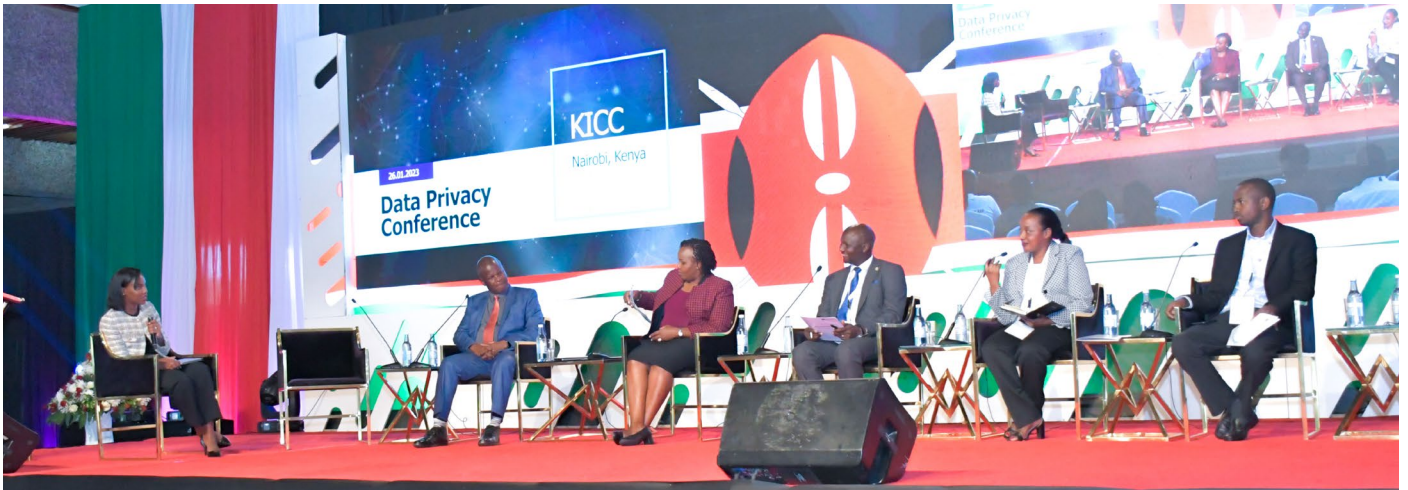
German Ambassador to Kenya - Thomas Wimmer

- ✓ Kenya is a digital heavyweight and a pioneer in digitization, and other countries like Germany can learn from its advancements.
- ✓ Germany and the EU are investing close to Ksh. 3 billion to support Kenya's transition towards a sustainable digitally centered economy.
- ✓ There is a new initiative funded by Germany, France, and the EU to digitize TIVET institutions in Kenya, with an additional Ksh. 9.5 billion investments.
- ✓ Data is a valuable commodity, but its value depends on proper utilization and protection. Data-driven innovations can transform lives and benefit companies and societies, but they also come with risks regarding data safety and privacy.
- ✓ Kenya is a regional and global leader in data protection, evident from the adoption of the Data Protection Act in 2019 and the impressive work of the Data Commissioner.
- ✓ Data protection is not only a civil right but also a business asset, attracting foreign companies to invest in Kenya.



PANEL DISCUSSIONS

1. Data Protection in Provision of Government Services:



- ✓ Increase efficiency through digitized registration processes.
- ✓ Improve information sharing across government for faster decision-making.
- ✓ Prioritize data safety in the private sector to avoid negative impacts from breaches.
- ✓ Overcome the perception that data protection is only a private sector concern.
- ✓ Provide adequate funding for data protection as a governance function.
- ✓ Encourage proactive compliance by organizations rather than waiting for regulator's prompts.
- ✓ Create awareness among data subjects about the benefits of data privacy.
- ✓ Implement policies to ensure secure data processing with Artificial Intelligence (AI) systems.
- ✓ Develop common digitization frameworks and unique digital identifiers for efficient data usage.
- ✓ Prioritize safeguarding sensitive patient data in hospitals through digitization and blockchain technology.

2. Digital Superhighway and Creative Economy:



- ✓ Develop policies and regulations to ensure data safety and privacy.
- ✓ Establish collaboration and partnerships to enhance data protection standards.
- ✓ Utilize available data storage facilities and conduct audits for efficient utilization.
- ✓ Promote transparency, user control, and responsible data use in platform services.
- ✓ Enhance user awareness of online implications and content moderation.
- ✓ Advocate for compliance with data privacy regulations and self-regulation.
- ✓ Address data protection challenges through comprehensive planning and connectivity initiatives.

3. Micro Small & Medium Enterprises (MSME) Economy:



- ✓ Provide funding and grants for MSMEs to invest in data management infrastructure.
- ✓ Establish a dedicated support system to assist MSMEs in navigating data protection laws.
- ✓ Create a national data exchange program for secure data sharing.
- ✓ Ensure accessibility to data protection laws and training for MSMEs.
- ✓ Support compliance in the informal sector through guidelines and awareness campaigns.
- ✓ Utilize digital platforms, partnerships, and professional advice for leveraging customer data.
- ✓ Analyze employee data for performance management and resource allocation.
- ✓ Choose secure data storage options and establish agreements with third parties.
- ✓ Continuously evaluate and improve data protection practices.

4. Data Protection in Provision of Government Services - Service Providers' Perspective:



- ✓ Create dedicated data protection functions within the government.
- ✓ Enhance collaboration and awareness between citizens and data handlers.
- ✓ Develop comprehensive data protection policies and procedures.
- ✓ Establish access rights based on job roles and responsibilities.
- ✓ Implement non-disclosure agreements (NDAs) with contractors and third-party vendors.
- ✓ Define data retention policies based on data type, use, and legal requirements.
- ✓ Conduct data protection impact assessments and comply with regulations.
- ✓ Simplify terms and conditions for data use and ensure accessibility to information.
- ✓ Provide training programs and support for compliance in the informal sector.

The recommendations aim to foster a secure and thriving digital ecosystem, protect personal data, enhance compliance with data protection laws, and leverage data for economic growth and innovation.