

Preface

Kenya enacted the Access to Information Act in 2016 with the aim of operationalizing Article 35 of the Constitution 2010, which gave every citizen the right of access to information held by the State and any other person. The Act requires the State to not only disclose information to citizens but to publish and publicizing important information affecting the nation. The right of citizens and the public to know is fundamental in any society that is governed by the rule of law and subscribes to international best practice, where Governments hold information in trust for its citizens.

The Access to Information Act, 2016 requires all public entities and relevant bodies to implement the Act through establishment of appropriate frameworks to enable access of information by all citizens. Successful implementation of ATI Act, 2016 is predicated on the active involvement and participation of a wide spectrum of stakeholders mainly the public sector, private sector, civil society, faith-based organizations, the media, academia and citizens, among others.

The Commission, in collaboration with other partner institutions conducted an assessment of the progress made in implementing the Access to Information Act, 2016 (ATI Act, 2016) in Kenya through a sampling of a few institutions. The assessment gives an objective view of how ATI Act, 2016 has been implemented by public entities and private bodies in Kenya, in order to enable informed decisions on areas requiring interventions. The assessment was guided by the comprehensive right to information assessment methodology developed by the Center for Law and Democracy (CLD). The CLD comprehensive methodology is a complementary response to Sustainable Development Goal (SDG) Indicator 16.10.2, a UN framework for measuring State's adoption and implementation of the right of access to information guarantee. As such, this assessment is evidence on the progress made in implementing the right of access to information in Kenya, in line with that framework. It is my hope that institutions will be able to benefit from this resource to advance information disclosure practices for inclusive governance and enhanced democracy in Kenya.



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