



KICTANet Roundtable Meeting on Gender and Data: The Role of the ODPC in Safeguarding Women's Data Protection

Date: 8th December 2022, 0800 - 1300 hours

Place: Royal Tulip Canaan, Hurlingham Nairobi, Kenya

Introduction

KICTANet in partnership with GIZ has been implementing a project on women's safety online in Kenya. As part of the project, KICTANet conducted research on Data Protection and Privacy from a Gender Perspective, comic strip on gender and data protection and a guidebook on women's data protection.

These resources highlight Kenya's data protection regimes, remedies for data breaches and gaps in Kenya's data protection and privacy framework that negatively impacts women's data protection. This roundtable meeting is therefore an engagement with the Office of the Data Protection Commissioner with hopes of addressing the concerns and recommendations in the policy brief.

Background

Kenya's Data Protection Act 2019 and Article 31 of the Constitution of Kenya, 2010 form the pillars of the country's data protection and privacy regime. The Act created the Office of the Data Protection Commissioner whose role entails:

- Oversee the implementation of and be responsible for the enforcement of the Act;
- Establish and maintain a register of data controllers and data processors;
- Exercise oversight on data processing operations and verify whether the processing of data is done in accordance with the Act;
- Promote self-regulation among data controllers and data processors;
- Conduct an assessment, on its own initiative of a public or private body, or at the request of a private or public body for the purpose of ascertaining whether information is processed according to the provisions of this Act
- Receive and investigate any complaint by any person on infringements of the rights under the Act;
- Take such measures as may be necessary to bring the provisions of this Act to the knowledge of the general public;
- Carry out inspections of public carry out inspections of public and private entities with a view to evaluating the processing of personal data;
- Promote international cooperation in matters relating to data protection and ensure country's compliance on data protection obligations under international conventions and agreements;

- Undertake research on developments in data processing of personal data and ensure that there is no significant risk or adverse effect of any developments on the privacy of individuals; and
- Perform such other functions as may be prescribed by any other law or as necessary for the promotion of objects of the Act.

More women are using ICTs and the benefits of the internet such as social media, access to e-government services and the digital economy. However, for women and other minority groups, being online can make them prone to personal data breaches which go on to form a basis for vicious cycles of cyberbullying and attacks.

In fulfilling KICTANet's pillar on research and advocacy, KICTANet has conducted research on data protection and privacy from a gender perspective. The findings from the policy brief with the participants and the key recommendations with the Office of the Data Protection Commissioner. In turn, the ODPC will give a regulator's perspective on women's data protection and give guidance on how best CSOs can partner with them to strengthen women's data protection and privacy in Kenya.

Objectives of the Meeting

The objective of the roundtable meeting is to;

- Raise awareness on women's data protection and privacy;
- To build a community of practice on women's data protection and privacy; and
- Brainstorm on strategies for collaborations/partnerships between CSOs and the Office of the Data Protection Commission on women's data protection.

Expected Outcomes

1. To establish a community of practice on women's data protection and privacy
2. Raising Awareness about women's data protection and privacy in Kenya.
3. collaborations/partnerships between CSOs and the Office of the Data Protection Commission on women's data protection.

Format of the Event

The event shall be face-to-face and will take the form of panel discussions with plenary sessions for the audience to ask questions.

Participants

The meeting will aim to bring together at least 40 participants who are representatives of CSOs working on women rights and youth governance and other opinion shapers who influence conversations both online and offline, to enhance partnerships, sharing of knowledge and emerging best practice on women's data protection and privacy.

About KICTANet

KICTANet is a multistakeholder platform for people and institutions interested in ICT policy. The network acts as a think tank that catalyses policy reforms in the ICT sector, and it is guided by four pillars: policy advocacy, stakeholder engagement, capacity building and research. KICTANet's

guiding philosophy is that of encouraging synergies for ICT policy-related activities and initiatives. As such, the network provides mechanisms and a framework for continuing cooperation and collaboration in ICT matters among industry, technical community, academia, media, development partners, and Government.

With Support from:



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PROGRAMME			
TIME	DESCRIPTION		FACILITATORS
8:00 am – 8:30 am	Arrival and Registration		KICTANet
8:30 am – 8:45 am	Welcome and Introductions - Stage setting & participant introductions		Liz Orembo, KICTANet
8:45 am – 9:00 am	Introduction of the program and Objectives		Grace Githaiga, KICTANet
9:00 am – 10:30 am	Data Protection from a Gender Perspective - Policy and legislative gaps in Kenya's Data Protection Framework - Key findings of the policy brief - Recommendations for the ODPC		Discussants: Mercy Kingori and Prof. Sylvia Kang'ara Moderator: Judy Okite
10:30 am – 11:00 am	Health break		
11:00 am – 12:30 pm	Perspectives from the ODPC on its role in safeguarding Women's Data Protection - Explain the role of the ODPC; its complaints handling mechanism, powers and mandate. - How does gender perspectives shape the		ODPC

	<p><i>role of the ODPC's oversight role?</i></p> <ul style="list-style-type: none"> - <i>What are the challenges in safeguarding women's data protection ?</i> - <i>How can CSOs collaborate with the ODPC in safeguarding women's data protection</i> 		
12:30 pm - 1:00 pm	Plenary Session - Q&As		Moderator
1:00 pm - 1:15 pm	Closing remarks		Grace Githaiga, KICTANet
1:20 pm - 2:00 pm	Lunch Break		