

Approved
BBoss
20/02/2025



PARLIAMENT
OF KENYA
LIBRARY

REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT – FOURTH SESSION - 2025

DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND INTERNAL
SECURITY

REPORT ON

ID4AFRICA ANNUAL GENERAL MEETING (AGM) HELD FROM 21ST TO 24TH MAY,
2024 IN CAPE TOWN, SOUTH AFRICA

Published by: -
The Directorate of Departmental Committees
Clerk's Chambers
Parliament Buildings
NAIROBI


 THE NATIONAL ASSEMBLY PAPERS LAID		February 2025
DATE: 20 FEB 2025		DAY: Thursday
TABLED BY:	Hbn. Gabriel Tongoro (Chairperson, Administration & Internal Security)	
CLERK-AT THE-TABLE:	Inzayo Mwale	



TABLE OF CONTENTS

CHAIRPERSON’S FOREWORD 2

CHAPTER ONE 3

 1.0 PREFACE 3

 1.1 ESTABLISHMENT AND MANDATE OF THE COMMITTEE 3

 1.2 SUBJECTS OF THE COMMITTEE 3

 1.3 COMMITTEE MEMBERSHIP 5

 1.4 COMMITTEE SECRETARIAT 6

CHAPTER TWO 7

2.0 BACKGROUND 7

3.0 ID4AFRICA ANNUAL GENERAL MEETING SESSIONS 9

 3.1 SESSION ONE: THE AFRICA REPORT ON DIGITAL IDENTITY 9

 3.2 SESSION TWO: DIGITAL IDENTITY USE CASES 10

 3.3 SESSION THREE: DIGITAL IDENTITY GOVERNANCE 10

 3.4 SESSION FOUR: DEMYSTIFYING CIVIL SOCIETY’S CONTRIBUTION TO IDENTITY FOR ALL 11

 3.5 KENYAN DELEGATION MEETING WITH THE WORLD BANK GROUP ON DIGITAL IDENTITY IN
 KENYA 12

CHAPTER FOUR 13

4.0 COMMITTEE OBSERVATIONS 13

CHAPTER FIVE 14

5.0 COMMITTEE RECOMMENDATIONS 14

CHAIRPERSON'S FOREWORD

ID4Africa is an Identity-for-all Movement dedicated to helping African nations develop robust and responsible identity ecosystems for socio-economic and digital development. The Movement aims to build and nurture the African identity community by providing a platform for knowledge exchange, capacity-building and collaboration among the member states.

The Committee on Administration and Internal Security participated in the ID4Africa Annual General Meeting from 21st to 24th May, 2024 in Cape Town, South Africa. The Committee nominated the following Members to participate in the activity –

1. The Hon. Mburu Kahangara, MP - *Leader of Delegation*
2. The Hon. Caroline Ng'elechei, MP.
3. Ms. Grace Wahu - *Delegation secretary*

The ID4Africa Annual General Meeting aims to unite the global identity community and explore how identity and aligned services promote inclusivity, which in turn supports socio-economic development and individual empowerment.

While attending the activity, the Committee learned the importance of investing in digital identity systems. Identity for all is an inalienable individual right which is essential for inclusive access to services. The Government must prioritize investment in identity systems and ensure that the systems are used responsibly and that individual privacy is respected.

The Committee recommends that the State Department for Immigration and Citizen Services should invest in the sensitization of the public to digital identity systems, particularly the *Maisha Namba*. This will help create a digital identity for all Kenyans, empowering every citizen and promoting equal opportunity in access to services and distribution of resources.

The Committee wishes to thank the Offices of the Speaker and the Clerk of the National Assembly for the support accorded to the Delegation before and during the activity.

On behalf of the Committee, and pursuant to Standing Order, 199(6) it is my pleasant duty and privilege to table in the House the Report on the ID4Africa Annual General Meeting



Figure 1 : Delegation at the Meeting

HON. GABRIEL KOSHAL TONGOYO, CBS, MP
CHAIRPERSON
COMMITTEE ON ADMINISTRATION & INTERNAL SECURITY

CHAPTER ONE

1.0 PREFACE

1.1 Establishment and mandate of the Committee

1. The Departmental Committee on Administration and Internal Security of the National Assembly is established under Standing Order 216 whose functions pursuant to the Standing Order 216 (5) are as follows: -
 - a. investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;
 - b. study the programme and policy objectives of Ministries and departments and the effectiveness of the implementation;
 - c. on a quarterly basis, monitor and report on the implementation of the national budget in respect of its mandate;
 - d. study and review all legislation referred to it;
 - e. study, assess and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;
 - f. investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;
 - g. vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments);
 - h. examine treaties, agreements, and conventions;
 - i. make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
 - j. consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and
 - k. examine any questions raised by Members on a matter within its mandate.

1.2 Subjects of the Committee

2. In accordance with the Second Schedule of the Standing Orders, the Committee is mandated to consider the following subjects: -
 - a. Home affairs, internal security – including police services and coast guard service;
 - b. Public administration; and
 - c. Immigration and citizenship
3. In executing its mandate, the Committee oversees the following Ministries and Departments:
 - a. Executive Office of the President;

- b. Office of the Deputy President;
 - c. Office of the Prime Cabinet Secretary;
 - d. State Department for Parliamentary Affairs;
 - e. State Department for Performance & Delivery Management;
 - f. State Department for Cabinet Affairs;
 - g. State House;
 - h. State Department for Immigration & Citizen Services;
 - i. National Police Service;
 - j. State Department for Internal Security & National Administration;
 - k. National Police Service Commission; and
 - l. Independent Policing Oversight Authority.
4. The Semi-Autonomous Government Institutions under the Committee include: -
- a. National Authority for Campaign Against Drug Abuse. (NACADA);
 - b. Firearms Licensing Board;
 - c. NGO Coordination Board;
 - d. National Crime Research Centre;
 - e. Private Security Regulatory Authority Board; and
 - f. National Cohesion & Integration Commission.

1.3 Committee Membership

5. The Committee comprises of the following Members: -

Hon. Gabriel Tongoyo, CBS, MP
Chairperson
Narok West Constituency

Hon. Col. (Rtd.) Dido Rasso, MBS, MP
Vice Chairperson
Saku Constituency

Hon. Kaluma George Peter, MP
Homa Bay Constituency

Hon Protus Ewesit Akujah, MP
Loima Constituency

Hon. Aduma Owuor, MP
Nyakach Constituency

Hon. Rozaah Akinyi Buyu, MP
Kisumu West Constituency

Hon. Fred C. Kapondi, MP
Mt. Elgon Constituency

Hon. Caroline Ng'elechi, MP
Elgeyo-Marakwet County

Hon. Liza Chepkorir Chelule, MP
Nakuru County

Hon. Fatuma Jehow, MP
Wajir County

Hon. Sarah Paulata Korere, MP
Laikipia North Constituency

Hon. Francis Sigei, EBS, MP
Sotik Constituency

Hon. Oku Kaunya, MP
Teso North Constituency

Hon. Hussein Weytan, MP
Mandera East Constituency,

Hon. Mburu Kahangara, MP
Lari Constituency

1.4 Committee Secretariat

6. The Committee Secretariat consists of the following:

Mr. John Mugoma
Head of Secretariat

Ms. Grace Wahu
Clerk Assistant II

Mr. Gideon Kipkogei
Clerk Assistant II

Mr. Edison Odhiambo
Fiscal Analyst I

Ms. Clarah Kimeli
Principal Legal Counsel II

Mr. Rodgers Kilungya
Audio Officer

Ms. Judith Kanyoko
Legal Counsel II

Mr. Benson Kimanzi
Serjeant-At-Arms

Ms. Delvine Onyancha
Research Officer II

Ms. Ivy Maritim
Media Relations Officer

CHAPTER TWO

2.0 BACKGROUND

1. The Committee on Administration and Internal Security received an invitation from the ID4Africa Annual General Meeting (AGM) organizers to attend and participate in the ID4Africa 2024 Annual General Meeting.
2. The ID4Africa Movement aims to help African nations achieve the objectives of Sustainable Development Goal (SDG)16.9, on the right to proof of legal identity. This is achieved through facilitating the exchange of knowledge and expertise related to digital identity and promoting the development of principles and standards derived from real-world experience in Africa.
3. The ID4Africa AGM is the largest gathering of the ID4Africa Movement which has been held each year in a different African country since 2015. The AGM brings together African countries to share experiences and exchange knowledge which ultimately aids in the making of informed decisions on national identity considering the nation's sovereignty.
4. The AGM brings together the three main stakeholders in the ID4Africa Movement that is, the Governments, Development Agencies and Industries, giving them a platform to showcase the latest experiences, knowledge and expertise in the identity ecosystem.
5. The *Cape Town International Convention Centre* in Cape Town, South Africa hosted the 8th ID4Africa AGM, which brought together over 2,500 attendees from across the continent. The event, held from 21st-24th May 2024, marked the 10th anniversary of the ID4Africa and the ID4D Movement. In celebrating this important milestone, the founders reflected on a decade of progress in community building, problem-solving, knowledge discovery and the advancement of digital identity ecosystems in Africa.
6. The AGM featured numerous sessions which encompassed various topics that are crucial to the identity development agenda. The AGM's sessions were grouped into three categories; plenary sessions, workshops and expositions by companies providing expertise and showcasing the latest innovations in digital identity.
7. The participants in the event included government and non-government delegates, particularly senior government leadership (Ministers, Principal and Permanent Secretaries), and operational leadership (Executive Directors, Directors, Commissioners and Managing Directors), Development agencies (the World Bank, UNDP, UNICEF and UNHCR), civil society organizations, technology providers and data protection bodies to explore best practices in digital identity systems.
8. The anniversary edition showcased the power of innovation and collaboration in addressing global identity issues. The Plenary sessions provided an opportunity to exchange information on the status of digital identity projects in Africa. The Workshops delved into emerging trends. The Exhibition provided a networking opportunity, allowing

companies to showcase their latest innovations in digital identity solutions. It also provided a hands-on learning experience for the participants, allowing them to interact and engage with cutting-edge technologies.

CHAPTER THREE

3.0 ID4AFRICA ANNUAL GENERAL MEETING SESSIONS

9. The AGM was organized into three sessions; plenary sessions, workshops and exhibitions, which explored various thematic areas relating to digital identity. The Delegation attended the various sessions and contributed to various discussions during the plenary.
10. Several thematic areas were covered during the ID4Africa AGM proceedings. Some of the key thematic areas discussed in the AGM are as captured and summarized below:

3.1 Session One: The Africa Report on Digital Identity

11. During this session, seven (7) African Identity Authorities, including Amb. Prof. Julius Bitok, the Principal Secretary, State Department of Immigration and Citizen Services in Kenya, provided an update on the status of digital identity projects in their respective counties i.e., Ethiopia, Kenya, Nigeria, South Africa, Rwanda, Sierra Leone and Liberia.
12. The Participants were updated on the status implementation of digital identity in the countries, particularly *Fadya* in Ethiopia, *Maisha Namba* in Kenya and the National Identification Number in Nigeria and Liberia.
13. The presenters submitted on the progress made in digital identity over the past year, elucidating on the strategic and architectural decisions the countries have undertaken to ensure responsible adoption of digital IDs. The presenters addressed vast topics including data protection and safeguards, Unique Identity Numbers, Gender-Neutral ID policies, Enrollment of Minors, Identity Management in Rural or Non-connectivity areas and Onboarding of Individuals with no Proof of Existence.
14. In reviewing the advancements in digital identity enrollment, the presenters emphasized the obstacles their countries have encountered, impeding the success of digital ID systems. A common issue highlighted was the lack of public consensus. It became evident that raising public awareness about digital ID systems is crucial to reducing resistance to enrollment.
15. Additionally, the presentations underscored the significance of stakeholder engagement and the collaboration between government and non-government entities to ensure the successful transition to digital ID systems.
16. The session provided the Delegation with a comparative analysis of the methods used by different countries to enroll digital IDs while upholding human rights and promoting diversity and inclusivity in service delivery.

3.2 Session Two: Digital Identity Use Cases

17. This session explored the real-world applications and practical utility of digital identity in development. The presenters submitted instances where digital identity has proven effective in facilitating service delivery and empowering individuals.
18. The session highlighted how digital identity systems are being utilized to improve various developmental outcomes, showcasing their impact on areas such as service delivery, economic inclusion, and social welfare. The discussion highlighted specific examples and case studies demonstrating the tangible advantages and challenges of implementing digital ID systems in different contexts.
19. Mr. Jonathan Marskell, Senior Program Officer at the World Bank, skillfully moderated the panel that consisted of panelists from the Philippines, India, Tunisia and Brazil. The panelists discussed the implementation and utilization of digital identity systems in their respective countries.
20. Additionally, the panelists addressed crucial considerations in the design of the identity systems, including user-centricity, interoperability, privacy, data protection and security.
21. India's digital identity system (*Aadhaar*), stood out for the Delegations, with the panelist noting that more than 99% of India's adult population have enrolled on the system. The system has ensured that benefits reach out to the intended beneficiaries, enhancing financial inclusivity and access to government services. Further, *Aadhaar* is linked to the country's digital health infrastructure thus advancing access to healthcare for the population.

3.3 Session Three: Digital Identity Governance

22. The session, moderated by Dr. Sarah Lister, the Head of Governance, Bureau for Policy and Programme Support, UNDP, explored the importance of robust governance frameworks in establishing trust and credibility in digital interactions.
23. It navigated through the significance of managing digital identities by ensuring security, privacy and efficiency in the utilization of digital identity systems. Further, it underscored the measures needed to mitigate risks, uphold user rights and foster an interoperable digital identity ecosystem.
24. The first section of the session featured Members of Parliament from Kenya, Malawi, Sierra Leone and Cote d'Ivoire who discussed the challenges and opportunities for governance of Digital ID.
25. Hon. Shakeel Shabbir Ahmed, representing the Kenya National Assembly, highlighted the legal framework and policy challenges hindering the roll-out of the *Maisha Namba* in Kenya. He presented that Parliament plays a crucial role in ensuring proper legal and policy frameworks are in place to promote the implementation of the digital ID ecosystem and prevent resistance from the public.

26. In the second section, representatives from the UNDP, OECD, World Bank and Office of the UN Envoy on Technology submitted on the existing International normative Governance Frameworks. The presentation focused on mitigating the risks associated with Digital Public Infrastructures (DPIs), and a model Governance Framework for Digital Legal Identity and Data Exchange.
27. The presentations focused on the need to create an environment that ensures DPI implementation is secure, inclusive, practical and adaptable to the diverse needs of African nations.
28. The UNDP presented the model Governance Framework for Digital Legal ID systems that incorporate elements intended to manage the responsibility, risk and accountability of institutions and systems. The Framework encompasses the following eight (8) elements that are essential in the implementation of digital ID ecosystems –
 - (i) Equality and non-discrimination;
 - (ii) Accountability and the Rule of Law;
 - (iii) Legal and regulatory framework;
 - (iv) Capable Institutions;
 - (v) User Value;
 - (vi) Public participation and Access to Information;
 - (vii) Data Protection and Privacy; and
 - (viii) Procurement and Anti-Corruption.

3.4 Session Four: Demystifying Civil Society's Contribution to Identity for All

29. Civil Society Organizations (CSOs) across Africa play a very crucial role in advancing universal access to legal identity for all, ensuring that the digital identity ecosystems are inclusive, transparent, effective and respectful of human rights.
30. This session skillfully moderated by Mr. Matthew McNaughton (Director, Inclusion, Safety and Civil Society Engagement), brought together CSOs working with national identity authorities, international development partners and communities at large to advance equitable access, safeguard against harm and enable full participation of individuals within society.
31. The discussions emphasized the need for a multistakeholder approach in the transformation to digital identification systems. It underscored the need for governments to collaborate with CSOs in designing systems that are inclusive and safe for the population. This can be done through leveraging the CSOs to provide support in advocacy and public sensitization, development of policies, community engagement and mobilization, and research and analysis.
32. The panelists also addressed the need to safeguard individual rights within the realm of digital identity, particularly with regard to data protection, access to justice and information and the right to legal recourse.

3.5 Kenyan Delegation Meeting with the World Bank Group on Digital Identity in Kenya

33. The Delegation, along with Amb. Prof. Julius Bitok, the Principal Secretary the State Department of Immigration and Citizen Services, and other representatives from the Ministry of Interior and National Administration, attended a meeting with representatives from the World Bank Group.
34. During the meeting, the Principal Secretary detailed Kenya's progress towards introducing the electronic National Identity Card (*Maisha Card*). He elaborated on the steps taken towards developing and implementing Digital IDs, noting that the system is currently in the pilot phase.
35. The Principal Secretary emphasized that a successful implementation of the card requires a comprehensive legal framework to consolidate all identity-related laws. This framework would eventually eliminate the need for a census by utilizing a master integrated website.
36. Supporting the Principal Secretary, the Members of Parliament expressed their readiness to conduct a collaborative legal review of all identity laws to ensure they facilitate Digital Identity while complying with data protection, privacy, and human rights laws.
37. The Team emphasized the importance of Digital Identity in Kenya, noting that transitioning to a Digital Identity Ecosystem is crucial for Kenya, especially during crises like the recent widespread flooding that resulted in many people losing their identification documents. Implementing digital identity systems would simplify the process for the government to reissue these lost IDs.

CHAPTER FOUR

4.0 COMMITTEE OBSERVATIONS

38. The Committee made the following observations: -


- i. Digital identity systems have the potential to significantly enhance access to a wide range of services, including social protection programs, healthcare, education, and financial services. By providing a verifiable identity, individuals can more easily access and benefit from these services.
- ii. Effective digital identity systems can promote equal opportunity by addressing issues of marginalization and exclusion. Digital identities can help individuals lacking traditional identity documents such as refugees, residents from rural areas and economically disadvantaged groups to gain access to vital government services through digital identities.
- iii. CSOs play a crucial role in enhancing the effectiveness of digital identity systems. CSOs work with the communities at the grassroots level to create awareness which reduces resistance to enrolment. The Government needs to engage CSOs in the transformation to digital identity systems to ensure that the systems are tailored to meet the diverse needs of communities.
- iv. Ensuring that digital identity systems uphold human rights is essential. This includes protecting individuals' privacy and ensuring that their data is secure. The AGM discussions emphasized the need for robust data protection laws and frameworks to safeguard individuals' rights within digital identity systems.
- v. Digital identity has promoted financial inclusion in India by enabling people to open bank accounts, access credit, and engage in economic activities. This has greatly helped advance access to opportunities for populations that have historically been excluded in formal financial systems.
- vi. It is crucial for the Government to recognize and address the challenges associated with the implementation of digital IDs for a successful transformation. Addressing barriers such as connectivity issues, interoperability, data protection, privacy and security is crucial for the success and effectiveness of digital IDs.
- vii. Transitioning to a Digital Identity Ecosystem is crucial for Kenya, especially during crises like the recent widespread flooding that resulted in many people losing their identification documents. Implementing digital identity systems would simplify the process for the government to reissue these lost IDs.

CHAPTER FIVE

5.0 COMMITTEE RECOMMENDATIONS

39. From the observations, the Committee made the following recommendations: -

- i. The State Department of Immigration and Citizen Services should engage CSOs in the rolling out of the *Maisha Cards* to ensure there is equity and efficiency in the registration and access to the Digital ID cards. The CSOs will help the State Department in conducting awareness campaigns on the digital ID systems, reaching out to the marginalized communities.
- ii. The State Department of Immigration and Citizen Services should collaborate with the National Assembly Committee on Administration and Security to formulate and enact comprehensive policy and legal framework to govern the digital ID system. The framework should address discrimination for Kenyans who have historically faced challenges in acquiring identification documents.

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 20 FEB 2025 DAY: Thursday	
TABLED BY:	Hon. Gabriel Tongoyo (Chairperson, Administration & Internal Security)
CLERK-AT THE TABLE:	Inigo Mwale

SIGNED  DATE **20.02.2025**

HON. GABRIEL KOSHAL TONGOYO, CBS, MP
CHAIRPERSON
DEPARTMENTAL COMMITTEE ON ADMINISTRATION & INTERNAL SECURITY

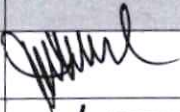


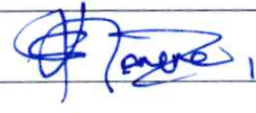


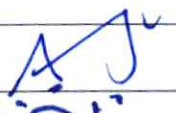
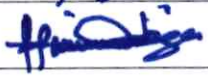




THE NATIONAL ASSEMBLY
13TH PARLIAMENT – FOURTH SESSION-2025
COMMITTEE ON ADMINISTRATION AND INTERNAL SECURITY

REPORT ADOPTION LIST OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND INTERNAL SECURITY ON THE ID4AFRICA ANNUAL GENERAL MEETING HELD FROM 21ST-24TH MAY 2024 IN CAPE TOWN, SOUTH AFRICA.

We, the undersigned Members of the Departmental Committee on Administration and Internal Security do hereby append our signatures to adopt this Report.

Date: 18.2.2025

	MEMBER	SIGNATURE
1.	Hon. Gabriel Koshal Tongoyo, CBS, MP - Chairperson	
2.	Hon. Col (Rtd) Dido Rasso, MBS, MP - Vice Chairperson	
3.	Hon. Kaluma George Peter, CBS, MP	
4.	Hon. Fred C. Kapondi, MP	
5.	Hon. Aduma Owuor, MP	
6.	Hon. Sarah Paulata Korere, MP	
7.	Hon. Liza Chepkorir Chelule, MP	
8.	Hon. Mburu Kahangara, MP	
9.	Hon. Protus Ewesit Akujah, MP	
10.	Hon. Oku Kaunya, MP	
11.	Hon. Rozaah Akinyi Buyu, MP	
12.	Hon. Francis Kipyegon Sigei, EBS, MP	
13.	Hon. Fatuma Abdi Jehow, MP	
14.	Hon. Caroline Jeptoo Ng'elechei, MP	
15.	Hon. Hussein Weytan Mohammed, MP	

MINUTES OF THE 2ND SITTING OF THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND INTERNAL SECURITY HELD ON THURSDAY, 13TH FEBRUARY, 2025 IN COMMITTEE ROOM 17, 3RD FLOOR, BUNGE TOWER, PARLIAMENT BUILDINGS AT 10.00AM.

PRESENT

1. Hon. Gabriel Koshal Tongoyo ,CBS, MP - Chairperson
2. Hon. Col (Rtd) Dido Rasso, MBS, MP - Vice Chairperson
3. Hon. Kaluma George Peter, CBS, MP
4. Hon. Aduma Owuor, MP
5. Hon. Sarah Paulata Korere, MP
6. Hon. Liza Chepkorir Chelule, MP
7. Hon. Mburu Kahangara, MP
8. Hon. Protus Ewesit Akujah, MP
9. Hon. Oku Kaunya, MP
10. Hon. Rozaah Akinyi Buyu, MP
11. Hon. Amb. Francis Kipyegon Sigei, EBS, MP
12. Hon. Fatuma Abdi Jehow, MP
13. Hon. Caroline Jeptoo Ng'elechei, MP
14. Hon. Hussein Weytan Mohammed, MP

ABSENT WITH APOLOGY

1. Hon. Fred C. Kapondi, MP

IN-ATTENDANCE

COMMITTEE SECRETARIAT

1. Mr. John Mugoma - Clerk Assistant I
2. Ms. Grace Wahu - Clerk Assistant II
3. Mr. Gideon Kipkoech - Clerk Assistant II
4. Ms. Judith Kanyoko - Legal Counsel
5. Ms. Ivy Maritim - Media Relation Officer
6. Mr. Rodgers Kilungya - Audio Officer
7. Mr. Benson Kimanzi - Serjeant-At-Arms

AGENDA

1. Prayers
2. Preliminaries and adoption of the agenda
3. Confirmation of Minutes of previous Sittings
4. **Meeting the sponsor of the Assembly & Demonstration Bill, 2024, Hon. Geoffrey Ruku, MP**
5. **Consideration and adoption of the report on the participation in the Id4Africa Annual General Meeting (AGM) held in Cape Town, South Africa, from 21st to 24th May 2024.**
6. Any Other Business
7. Adjournment.

MIN./NO./DC-AIS/2025/006: PRELIMINARIES & ADOPTION OF AGENDA

The Chairperson, Hon. Gabriel Tongoyo, CBS, MP called the meeting to order at 11.24 am and said a prayer. The agenda of the meeting was adopted having been proposed by Hon. Liza Chelule, MP and seconded by Hon. Oku Kaunya, MP.

MIN./NO./DC-AIS/2025/007: CONFIRMATION OF MINUTES OF THE PREVIOUS SITTINGS

The confirmation of Minutes was deferred to a later date.

MIN./NO./DC-AIS/2025/008: MEETING WITH THE SPONSOR OF THE ASSEMBLY & DEMONSTRATION BILL, 2024, HON. GEOFFREY RUKU, MP

The Committee noted with concern the apologies of the sponsor of the Bill, Hon. Geoffrey Ruku, MP as he had not honored the invitation to come to the Committee for the second time.

However, the Legal Counsel took the Committee through the points of clarification to be asked to the Honorable Member on the Bill as follows :

1. There already exists a Public Order Act, which deals with public order generally. The object of the Act is to make provision for the maintenance of public order, and for connected purposes. **Wouldn't it be more efficient to amend the Public Order Act than introducing an entire new Bill?**
Is it possible that the creation of an entire new Act when the Public Order Act is still in force would lead to fragmentation of public order laws?
2. The High Court in *Ngunjiri Wambugu v Inspector General of Police, & 2 others* [2019] eKLR had directed that the **Inspector General of Police, the Cabinet Secretary Ministry of Interior and National Coordination and the Hon. Attorney General** to formulate and/or amend the requisite law and regulations to ensure that demonstrations are peaceful and held as per the Constitution **Wouldn't it be better to have these entities involved first in the development of a policy and guidelines which would then inform legislation?**
3. On the requirement to notify the regulating officer three days prior to the demonstration, **what is the place of spontaneous demonstrations and single person demonstrations?**
4. The Constitution under Article 37 guarantees the right to assemble and demonstrate. **Doesn't allowing the regulating officer to prohibit and assembly take away this Constitutional right?**

Committee Observations

The Committee observed the following:

1. There exists a robust Public Order Act. There is need to only introduce amendments where necessary instead of making another Act.
2. The Bill must comply with Article 24 of the Constitution and it infringes with the right to assemble, demonstrate and picket as stipulated in Article 37 of the Constitution.

Committee Resolution

In spite of the sponsor of the Bill not appearing before the Committee, the Committee resolved to proceed with public participation by meeting the stakeholders who had sent memoranda on the Bill.

MIN./NO./DC-AIS/2025/009: CONSIDERATION AND ADOPTION OF THE REPORT ON THE PARTICIPATION IN THE ID4AFRICA ANNUAL GENERAL MEETING (AGM) HELD IN CAPE TOWN,SOUTH AFRICA, FROM 21ST TO 24TH MAY 2024.

The Committee made the following observations: -

- i. Digital identity systems have the potential to significantly enhance access to a wide range of services, including social protection programs, healthcare, education, and financial services. By providing a verifiable identity, individuals can more easily access and benefit from these services.
- ii. Effective digital identity systems can promote equal opportunity by addressing issues of marginalization and exclusion. Digital identities can help individuals lacking traditional identity documents such as refugees, residents from rural areas and economically disadvantaged groups to gain access to vital government services through digital identities.
- iii. CSOs play a crucial role in enhancing the effectiveness of digital identity systems. CSOs work with the communities at the grassroots level to create awareness which reduces resistance to enrolment. The Government needs to engage CSOs in the transformation to digital identity systems to ensure that the systems are tailored to meet the diverse needs of communities.
- iv. Ensuring that digital identity systems uphold human rights is essential. This includes protecting individuals' privacy and ensuring that their data is secure. The AGM discussions emphasized the need for robust data protection laws and frameworks to safeguard individuals' rights within digital identity systems.
- v. Digital identity has promoted financial inclusion in India by enabling people to open bank accounts, access credit, and engage in economic activities. This has greatly helped advance access to opportunities for populations that have historically been excluded in formal financial systems.
- vi. It is crucial for the Government to recognize and address the challenges associated with the implementation of digital IDs for a successful transformation. Addressing barriers such as connectivity issues, interoperability, data protection, privacy and security is crucial for the success and effectiveness of digital IDs.
- vii. Transitioning to a Digital Identity Ecosystem is crucial for Kenya, especially during crises like the recent widespread flooding that resulted in many people losing their identification documents. Implementing digital identity systems would simplify the process for the government to reissue these lost IDs.

COMMITTEE RECOMMENDATIONS

1. From the observations, the Committee made the following recommendations: -

- i. The State Department of Immigration and Citizen Services should engage CSOs in the rolling out of the *Maisha Cards* to ensure there is equity and efficiency in the registration and access to the Digital ID cards. The CSOs will help the State Department in conducting awareness campaigns on the digital ID systems, reaching out to the marginalized communities.
- ii. The State Department of Immigration and Citizen Services should collaborate with the National Assembly Committee on Administration and Security to formulate and enact comprehensive policy and legal framework to govern the digital ID system. The framework should address discrimination for Kenyans who have historically faced challenges in acquiring identification documents.

MIN./NO./DC-AIS/2025/010: ANY OTHER BUSINESS

There was no other business.

MIN./NO./DC-AIS/2025/011: ADJOURNMENT

There being no other business, the meeting was adjourned at 11.15 am. The next meeting will held be on Notice.

SIGNED _____



DATE _____

**HON. GABRIEL TONGOYO, MP
CHAIRPERSON**

DEPARTMENTAL COMMITTEE ON ADMINISTRATION & INTERNAL SECURITY