Senate Standing Committee on IT -

Engagement with KICTANet

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Introduction

The overall objective of the meeting was to engage the Senate ICT committee and deliberate on emerging legislative and policy gaps in the ICT sector that may require the intervention of the Committee, more so in response to the Covid-19 pandemic. The meeting was held on Wednesday, 15 July, 2020 10:00 a.m on Zoom and was multi-stakeholder in representation with attendees drawn up from local actors including the government, the private sector companies and groups, the technical community, academia, civil society groups, the media and other non-governmental actors. The meeting was in partnership with Huawei Technologies.

In 2017, The Kenya ICT Action Network (KICTANet) engaged with the Senate ICT committee, and produced a report *'Talk to the Senate':* Priorities 2017-2022. The engagement focused on 4 broad areas namely:

1. ICT challenges, risks and opportunities in the counties
2. Opportunities for intervention by the Senate
3. Necessary legislative interventions
4. Effective public participation, and
5. Emerging issues.

Opening Remarks

Senator and Vice-chair of the Standing committee on IT Abshiro Halake began the meeting by thanking all for attending. She then allowed the senators present and attendees to introduce themselves. The Senator then allowed for the adoption of the agenda and Senator John Kinyua proposed and Senator Chebeni seconded. The Senator then transitioned the meeting to Ali Hussein the chairman of KICTANet trust. Ali thanked the Senate Standing committee IT on engaging the stakeholders and how it shapes into public participation. He then introduced

Grace Githaiga the convenor of KICTANet spoke on the value and importance of stakeholder engagement and its contribution specifically to the discussion of the role of ICT during COVID19 and beyond and how the Senate committee can intervene to consider what the industry recommends for the growth of ICT in the country.

Presentations

Barrack Otieno, KICTANet.

Barrack shared a presentation based on a report by KICTANet on Talk to Senate priorities 2017 2022. He Highlighted that the report was formulated due to contributions welcomed by the Senate when setting the agenda for ICT priorities in counties for the year 2017-2022. The Committee invited contributions from KICTANet on what business the Senate should consider and prioritise during the life of the twelfth Parliament.

KICTANet therefore held a three-day discussion on its mailing list, and crowdsourced opinions on what should form the Senate's agenda. The contributions included
Day 1 the community discussed the ICT challenges, risks and opportunities in the counties.
Day 2 focused on the legislative role of the Senate. On this one, the community made proposals on what laws ought to be passed or amended by the twelfth Parliament to foster ICT in particular the counties.
Day 3, the community gave contributions on what amounts to effective public participation.
This report is prepared from the submissions made on the KICTANet mailing list and constitutes KICTANet's proposals on the Senate's agenda for 2017 to 2022.

Barrack then presented on which areas the Senate should focus on particularly at this time of the COVID19 pandemic mainly on connectivity. Issues of quality of speed and connectivity

deterioration especially after the lockdown implementations. Cost of devices ensuring manufacturing affordable devices to ensure every kenya has access, Push for Last mile connectivity has lacked in counties and USF utilisation to ensure digital inclusion across counties.

Adam Lane, Huawei.

Adam presented on the Importance of the digital economic strategy responding to the covid crisis for Government preparedness during the covid19 pandemic as well as post covid, where technology forms resilience.

1. Digital as an economic engine against recession, position digital as the engine for economic recovery.
2. Digital solutions enable social life and essential business operation

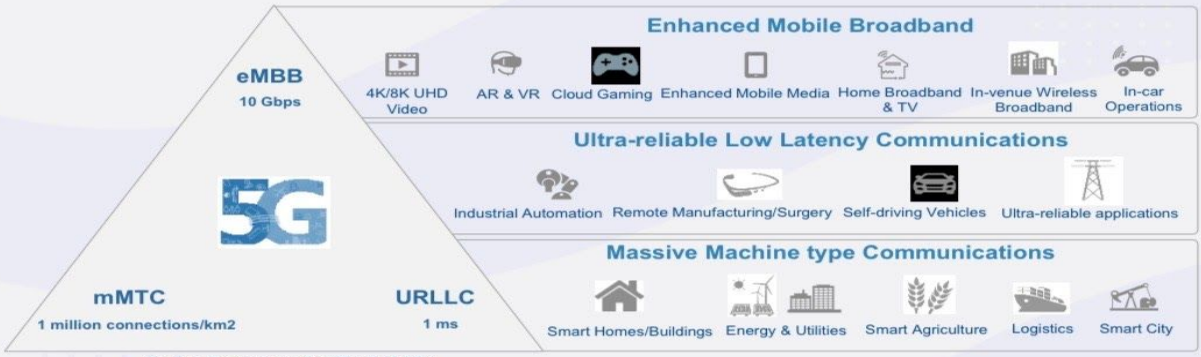
- Digital Healthcare
- Digital governance- E-parliament
- Digital Home life- E-learning
- Digital Services -E-Commerce

3. 5G and recommendations

5G has become a global buzzword that has elicited mixed emotions within global economic and socio economic spheres. The onset of the Covid-19 pandemic did not make it easier for this nascent technology. Many myths have arisen linking the novel virus to the new technology. Potential of 5G with propaganda around the myths around 5G.

HUAWEI

What is 5G?



Source: Recommendation ITU-R M.2083

5G called IMT-2020 is characterized by increased data rate, enhanced spectrum efficiency and reduced latency.

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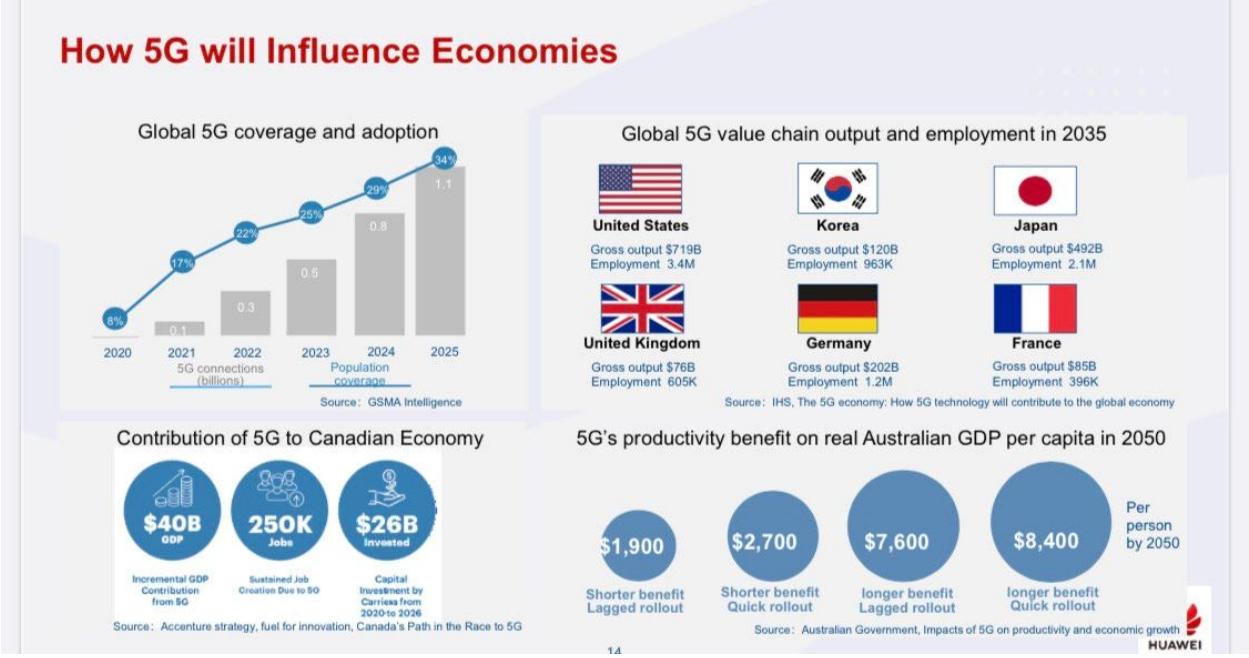
HUAWEI



Senate and Counties need to be Lead 5G Strategy, Lower Taxes to Enable Digital Inclusion, and Support Digital Infrastructure, Innovation and Skills for the Digital Economy that will drive the COVID Recovery.

1. Making spectrum available in a timely manner

2. Reviewing existing telecommunications regulatory arrangements to ensure they are fit-for-purpose for the future
3. Stimulating the experiment and demonstration to promote the taken-up of technology(coverage, penetration, etc.)
4. Streamlining arrangements to allow the carriers to deploy infrastructure by timetable

Rosemary Kimwatu, KICTANet.

Rosemary started her presentation by highlighting the focus areas on Government business continuity during the COVID19 and post the pandemic. She broke down the key areas the Senate to address.

1. Increasing productivity and agility, thus improving citizen services. Reducing costs of government ICT by eliminating duplication of solutions and fragmentations in the technology environment, together with leveraging the efficiencies of on-demand provisioning of ICT services
2. Adoption of ICT solutions frameworks to ensure that citizens still have access to Data Protection, Data residency and sovereignty and Implementation of office Data Commissioner
3. Cybersecurity statistics show that 25% attacks the technology industry, 16%, attacks on the government. 15 % finance sector. Types of attacks-Malicious domains, online scams, phishing, data-harvesting malware, disruptive malware (ransomware and DDoS) and the vulnerability of working from home. Actors are innovating and evolving their tradecraft including Internet of Things (IoT) weaponization.

Questions to Senators

(Raw questions were drawn up from the Chat box section of this Zoom Engagement)

1.Is the google loon project a viable initiative to help the counties gain connectivity. Richard Otolo Strathmore

2. I would like to draw the attention of our dear senators to the utilisation of USF which was supposed to be a leveller for the marginalised counties. However we see how the allocation of the connections have been done in quite a questionable way. Here is an analysis that is based on data from Kenya Open Data..NOTE that a county like Turkana which is one of the marginalised one got NO school connected, whilst Machakos which is just next door to Nairobi gets 69 schools connected -Twahir Hussein

3. Adam Lane had briefly touched on the use of a contact tracing application. it would be great to hear what plans the senate committee has in this regard especially considering the concerns around privacy that have been raised Richard Otolo Strathmore

4.The Laptop project... Again, billions of shillings spent whilst the gadgets are mostly gathering dust in many schools. What happened to getting teachers trained? this could have been handy during these CORONA times. Twahir Hussein

5. The analysis of the beneficial schools is shocking. One would imagine the marginalised counties would benefit more but numbers on Baringo, Samburu, Narok and Turkana are saddening especially at these times. Keith Andere

6. As a follow up to contact tracing, the Ministry of Health had announced plans to have a contact tracing application to aid the emergency response team. It is unclear if the app will be the national tracing app and would be mandatory for all residents. I think the ministry should utilize notification systems created by Apple and Google. Could you provide more information on this ? Cate Muya

7. What happened to the community innovation centres that were to be set up in constituencies, I would like to hear from the senators what has the success of that and how is that project being positioned for community benefit as far as connectivity is concerned. Keith Andere

8. The Constituency Innovation Centres could have been a life saver at this time. Is there any record of how many we have in the country? We have 7 constituencies in Kilifi and I have seen none.

9. The potential for 5G and other digital technologies are incredible. However, the comments here plus other anecdotal information/research point to the gap between having stuff and using stuff (technical vs human). Laptops are great, but did they reach all schools? Where they are, were/are they being used? Were the teachers sufficiently trained? It seems there needs to be a way to bridge the gap between owning/having digital technologies and the actual human use - across sectors. Wambui Wamunyu

10. Looking at Digital as an economic engine, the African Union launched 'The Africa Digital Transformation Strategy' as a common digitization agenda for the continent. How do we harmonize Kenya's digital investments with the rest of the continent to ensure we are not just working in 'isolation' ? Considering the intra-Africa trade opportunities presented by Africa Continental Free Trade Area and enabled by E-commerce platforms Stephen Machua

Responses from Senators

1. Sen Abshiro Halake Committee has intervened on the issue of USF and will now take it up to receive the issue (every senator will be assigned an opportunity to champion issues around USF will continue to engage CA and other Govt stakeholders senators will be assigned to champion issues of feedback within 2weeks from the time of the meeting. 9 billion has not been utilized, USF set up since 2009 there should be accountability on the use of the fund. Necessary structures will be put in place to ensure last mile connectivity. Chair Gideon Moi to champion 5G, highlighting that 5G will do wonders for the country and its adoption is vital.
2. Senator Juma challenged the importance of stakeholders to work towards awareness creation, education and push for policy formulation to ensure informed adoption of 5G.
3. Senator Abshiro sits as Vice Chairperson at the COVID committee, she picked issues that are cross-cutting due to the pandemic,84 rights taken away including contact tracking and the privacy concerns to be included . Senate committee to provide updates on wayward after discussion in the COVID committee
4. Contact tracing on COVID done by applications such as google and issues on privacy Sen Abshiro picked issues that are cross-cutting more than 84 have taken away rights due to the pandemic . com on covid is looking into which rights have been abused and reviewing which. Sen promises to take back the feedback back to the COVID committee, that is she is Vice Chairperson of. Data
5. Sen Abshiro responds that there is an ongoing county survey by the ICT committee on the intervention of the laptop project, she says the Ministry of ICT is scheduled to give feedback on the state of ICT at county levels, promises the committee will avail report to stakeholders on the current situation.
6. On the state of the county innovation centers/hubs , Senator Abshiro highlighted that as a result of an investigation she conducted, the set up an innovation hub, consists of a partnership between national government and county government to ensure sustainability of hubs at county level. The member of parliament has to sponsor the

project on a cost sharing agreement . Making it challenging on members of parliament who are unable to raise the funds which cost about 2 million kenya shillings. Senator promises that Senators at the ICT committee will be tasked to champion the different priority concern areas of ICT for the different counties they represent.

7. Digital literacy program there is a report in development through ongoing partnership to push the program between the ICT standing committee with the Ministry of ICT. The digital literacy project survey report is still on the pipeline.
8. Senator Were added that the innovations centers are managed by the CDF ran by members of the National assembly, she recommends a meeting to be set up between with the CDF committee and the Senate standing on IT committee to discuss raising concerns
9. Senator Abshiro responded that legislative balance has to be struck to align to best practises on policy formulation in regards to ICT, she then mentioned that Kenya is trail blazing in policy formulation and implementation which is guided by global frameworks to provide leadership to the rest of Africa.
10. The Senate committee is working on consultative engagement with the different government agencies on the issue of digital taxation.

Way Forward

1. Stakeholders to continuously engage with the Senate Committee on ICT by taking advantage of platforms such the KICTANet mailing list and also leveraging and exercising our rights to public participation.
2. Strengthening collaboration between the Senate Committee on ICT and the stakeholders, forge more multi-stakeholderism to hold the executive accountable on ICT concerns in the country.
3. Stakeholders together with the senate committee take on consultatively responsibility on the 5G adoption to consider that 5G is not a technological issue but a Geo-political one.
4. Senate Committee to review key concerns raised by stakeholders at the meeting and report back with recommendations.