

Report by Secretariat on Observer Applications

The Commission on Administrative Justice of Kenya has submitted an accreditation application (annexed) seeking to become an observer.

The application has been edited for presentation.

The rules

Rule 5.3 sets out the criteria for observer status. Rule 5.4 sets out the application process.

5.3 Observer status

The following entities and organisations can take part in the Conference, with an Observer status:

- a. Public entities that do not meet [the criteria provided for in article 5.1], but are involved in dealing with the protection of personal data and/or privacy.
- b. International organisations whose activity is related to the protection of personal data or privacy.
- c. Any other organisation that has granted Observer status to the Conference, under the principle of reciprocity.

Observer status may be granted for a particular annual meeting or for a period of time covering more than one annual meeting.

5.4 Submission of applications for accreditation as Observer

- a. Entities or organisations that meet any of the conditions provided for in article 5.3 may apply to the Executive Committee on the form provided by the Secretariat to be an Observer.
- b. Applications must be received by the Secretariat at least three months before the next Closed Session to be properly considered.

Secretariat comment

The Commission on Administrative Justice of Kenya has applied under 5.3a as a public entity that is not eligible for membership but which is “involved in dealing with the protection of personal data and/or privacy”.

At present the Commission does not have permanent data protection functions based on which the Secretariat proposes that the Executive Committee recommend observer status for the Commission only for a particular annual meeting.

Recommendation

The Secretariat recommends that the Executive Committee recommend observer status for the Commission on Administrative Justice of Kenya only for the 38th International Conference in Morocco.

Executive Committee Secretariat

12 July 2016

New Application to be accredited as an observer of the Conference (Public Entity)

Details of applicant	
Name of entity	COMMISSION ON ADMINISTRATIVE JUSTICE
Postal Address	20414
City	NAIROBI
Postal Code	00200
Country	KENYA
Website	www.ombudsman.go.ke
Details of contact person for this application:	
Name	DR. OTIENDE AMOLLO
Email	otiendeamollo@ombudsman.go.ke
Description of applicant	
Confirm	<ul style="list-style-type: none"> • The applicant is a public entity • The applicant does not meet the criteria to become a Conference member • The entity is involved in dealing with the protection of personal data and/or privacy
Briefly describe the entity's involvement in dealing with the protection of personal data and/or privacy	The Commission is the Ombudsman of the Republic of Kenya which is responsible for addressing maladministration in the Public sector which usually includes access to information and data protection.
Duration of requested observer status	
Duration:	for a period of time covering more than one annual conference
Additional comments	
Further brief comments to explain or support the application may be added here:	The jurisdiction of the Ombudsman of Kenya is currently being reviewed by the Kenyan Parliament to give it statutory mandate to oversight access to information and data protection. In this regard, the Conference would be of benefit to the Commission since it will provide an opportunity for learning best practices, networking and bench-marking.