



GPA Global Privacy and Data Protection Awards 2025

Entry Form

To submit an entry to the GPA Global Privacy and Data Protection Awards, please complete and email this form to secretariat@globalprivacyassembly.org **no later than 16 June 2025**.

Note: GPA member authorities can submit as many entries as they wish, but a separate form should be used for each different entry, submitted by the deadline above.

Languages: The GPA documentation Rule 6.2¹ applies.

1. CONTACT DETAILS FOR THIS ENTRY

Privacy/Data Protection
Authority:

**Office of the Data Protection Commissioner-
Kenya**

Person completing this form:

Immaculate Kassait

First name

Last name

Data Commissioner

Job title:

info@odpc.go.ke

Email address:

2. ELIGIBILITY

By submitting this entry, I confirm that (*please tick all boxes to confirm*):

- ☒ The Authority is a member of the Global Privacy Assembly
- ☒ The initiative described in this entry was undertaken before 16 June 2025.
- ☒ I am aware that the information in the entry (other than the contact details in 1(a) above) will be publicised by the GPA Secretariat.

3. CATEGORIES

Please indicate which category you wish to enter.

*Please tick **one**; please use a separate form for each category you wish to enter:*

- ☐ Education and Public Awareness
- ☐ Accountability
- ☒ Dispute Resolution and Enforcement
- ☐ Innovation

¹ [GPA Rules and Procedures](#), Rule 6.2 'Assembly documents':

Without prejudice to section 4.2, Assembly documents, including accreditation and observer applications may be submitted in English or in another language. In the latter case, the documents shall be accompanied by an English version. Members with the ability and the resources to do so are encouraged to translate proposed resolutions and other Assembly documents such as the Assembly Rules and Procedures.

4. DESCRIPTION OF THE INITIATIVE

a. Please provide a brief summary of the initiative (no more than 75 words)

The Office of the Data Protection Commissioner (ODPC) Kenya has implemented the dispute resolution and enforcement through receiving of complaints and offering expedient resolution of the said cases within 90 days. As of 31st May, 2025, the Office had received 7,611 complaints and investigated and resolved a total of 7,497 complaints. The Office also leverages on the Alternative Dispute Resolution mechanism to resolve complaints which has enabled amicable settlement of cases between the parties.

b. Please provide a full description of the initiative (no more than 350 words)

The ODPC has entrenched dispute resolution and enforcement through its Complaints Investigations and Enforcement (CIE) Directorate, which receives and investigates complaints regarding violations of the Data Protection Act. This department is also in charge of conducting investigations, issuing enforcement notices, and imposing administrative fines for noncompliance with the act.

The Office has simplified the process of lodging complaints for data subjects by allowing them to do so through the website <https://www.odpc.go.ke/file-lodge-a-complaint/>, where they are directed through the information the Office needs. Furthermore, the Office's implementation of the Artificial Intelligence (AI) chatbot, LindaData, which aims to provide accessible and real-time assistance to individuals and organizations seeking information on data protection regulations, best practices, and compliance guidelines, has made it easier for data subjects to understand how to file complaints.

ODPC receives complaints on a daily basis and has to comply with the statutory timeline of 90 days. As of 31st May, 2025, the Office had received 7,611 complaints and resolved 7,497 complaints. As a result, the following enforcement actions have been taken:

- Issuance of 247 determinations.*
- Issuance of 112 enforcement notices.*
- Issuance of 19 penalty notices to ensure that data controllers and processors comply with data protection regulations.*
- 20 recommendations for prosecution for the offences under the Act.*
- Issuance of 134 compensation orders.*

Moreover, 52 complaints have been resolved through Alternative dispute resolution that involves negotiation, mediation and conciliation which is facilitated by the Office through its Alternative Dispute Resolution Framework.

ODPC also conducts investigations on its own initiative where there in cases involving public interest. For instance, ODPC's proactive investigation in emerging technologies such as Worldcoin, issuance of cessation orders, collaboration with regulatory and advocacy groups, and supervision of the court-ordered data deletion in the Worldcoin case in Republic v Tools for Humanity Corporation (US) & 8 others; Katiba Institute & 4 others (Exparte Applicants); Data Privacy & Governance Society of Kenya (Interested Party) (Judicial Review Application E119 of 2023) [2025] KEHC 5629 (KLR) (Judicial Review) (5 May 2025) (Judgment) highlights its robust enforcement of Kenya's Data Protection Act.

c. Please explain why you think the initiative deserves to be recognised by an award (no more than 200 words)

1. The ODPC established accessible channels for the public to **lodge complaints** and has **acted on 7,497 complaints**, showing responsiveness and building trust in the enforcement mechanism.
2. *Pioneering Enforcement Actions:* The ODPC issued its first penalty notice in December 2022 against Oppo Kenya, imposing the maximum fine of KES 5 million (approximately USD 41,000) for using a data subject's photo on Instagram without consent, following non-compliance with an enforcement notice. This marked a significant step in demonstrating the ODPC's commitment to holding entities accountable for data protection violations.
3. *Diverse and Impactful Penalties:* In September 2023, the ODPC issued penalty notices totalling KES 9.375 million to three data controllers, including a school (KES 4.5 million) and a digital credit provider (KES 2.975 million), for breaches such as processing personal data without consent and inadequate notification measures. These actions underscore the ODPC's ability to tailor penalties to different sectors and violations, reinforcing compliance across industries.
4. *Setting a Regional Example:* ODPC's actions, including high-profile fines and enforcement notices, set a precedent for other African regulators. Its transparency in publishing decisions and its collaboration with international bodies like the Network for African Data Protection Authorities (NADPA) enhance its regional influence.

d. Please include a photograph or image, if you wish (This will be published with your entry on the GPA website. The image can be pasted into the box below, be sent as an attachment or a link may be provided)

e. Please provide the most relevant link on the authority's website to the initiative, if applicable (The website content does not need to be in English)

<https://www.odpc.go.ke/kenya-marks-5-years-since-the-implementation-of-the-data-protection-act/>

<https://www.odpc.go.ke/wp-content/uploads/2024/02/Office-Of-The-Data-Protection-Commissioner-Issues-A-Penalty-Notice-Against-Oppo-Kenya.pdf>

<https://www.odpc.go.ke/wp-content/uploads/2024/02/ODPC-ISSUES-THREE-PENALTY-NOTICES-TOTALLING-TO-KSHS-9375000.pdf>

<https://www.odpc.go.ke/wp-content/uploads/2024/02/ODPC-issues-penalty-notice-against-whitepath.pdf>

<https://www.odpc.go.ke/determinations/>

<https://www.odpc.go.ke/odpc-launches-ai-chatbot-as-kenya-marks-data-privacy-day-2024/>
<https://www.odpc.go.ke/odpc-recognized-as-the-leading-public-sector-entity-in-emerging-technology-utilization-for-digital-transformation/>

f. Please provide any other relevant links that help explain the initiative or its impact or success (e.g. links to news reports or articles):

<https://www.businessdailyafrica.com/bd/corporate/technology/kenya-to-go-after-foreign-data-privacy-violators-4830544>
<https://iapp.org/news/b/kenyas-odpc-issues-kes9-375m-in-data-protection-fines>
<https://cipit.strathmore.edu/insights-from-recent-odpc-rulings-evaluating-commercial-use-of-minors-personal-data-and-image-rights/>
<https://www.businessdailyafrica.com/bd/economy/data-commissioner-issues-an-advisory-against-worldcoin-4319146>
<https://iapp.org/news/b/kenyas-odpc-alleges-worldcoin-violations-seeks-court-ordered-ban>

Republic v Tools for Humanity Corporation (US) & 8 others; Katiba Institute & 4 others (Exparte Applicants); Data Privacy & Governance Society of Kenya (Interested Party) (Judicial Review Application E119 of 2023) [2025] KEHC 5629 (KLR) (Judicial Review) (5 May 2025) (Judgment)