

TECHNOLOGY AND HUMAN RIGHTS DIGEST

QUARTER 1 2026



DIGITAL RIGHTS PULSE

When “Fake News” Was a Crime, And What Changed

For years, the threat was simple: say the wrong thing online, and you could be arrested.

Under Sections 22 and 23 of the Computer Misuse and Cybercrimes Act, the state had the power to criminalise “false” or “misleading” information. But these terms were never clearly defined. In practice, that meant **almost anything could be interpreted as a crime.**

That ambiguity wasn’t accidental, it created a chilling effect. People held back, activists self-censored and critics risked being targeted.

And digital spaces which were meant to expand participation, became easier to police. This quarter, the Court of Appeal intervened and struck down these provisions as unconstitutional.

So, What Changes?

This ruling does three critical things for digital rights in Kenya:

1. It protects freedom of expression online

The state can no longer use loosely defined “fake news” offences to arrest or intimidate people for what they say or share.

2. It sets a limit on state power

It draws a constitutional line: laws regulating speech must be clear, necessary, and proportionate, not open-ended tools for control.

3. It reclaims digital space as civic space
Online platforms are not just communication tools but spaces for organising, dissent, and democratic participation. This ruling affirms that.

One set of harmful provisions has been removed.

But the broader system that enables digital repression is still intact.

Other parts of the cybercrimes framework still allow surveillance, monitoring of communication and potential misuse of digital evidence. So while one door has closed, others remain open. This moment must be built on, not celebrated and forgotten.

We need:

- A review of all cybercrime provisions that threaten human rights
- Stronger safeguards against surveillance abuse
- Accountability for how digital laws are enforced in practice

If we don’t act, the same patterns will reappear, just under different laws. Add your voice to demand stronger protections against digital repression and abuse, and sign our petition [here](#).

OUR QUARTER 1 WRAPPED:

5+ Counties Reached by the Tech & Human Rights Team

10+ Data Protection Workshops & Conferences

200+ Civil and Human Rights Groups trained on Data Protection and Digital Rights

2000+ people directly reached through various events and workshops

WHAT SHAPED THIS QUARTER:

STRENGTHENING DATA GOVERNANCE IN KENYA

WORLD PRIVACY WEEK: Taking Privacy to the People



What does the right to privacy actually mean in everyday life?

During World Privacy Week 2026, we moved beyond policy rooms and into communities, media spaces, and national platforms to answer that question clearly, practically, and urgently. In partnership with the Office of the Data Protection Commissioner, we began with data subject sensitisation forums in Kwale and Nakuru counties, engaging directly with communities on how personal data is collected, used, and protected. These forums were designed to demystify data protection and equip individuals with practical knowledge on their rights, at a time when awareness remains low but risks continue to grow.



From the community level, we carried this momentum to the national stage at the Data Privacy

Conference 2026 in Mombasa, convened under the theme “Trust the Data, Drive the Future.” The discussions reinforced a critical message: a trusted data environment is the engine of digital progress, but trust cannot exist without strong safeguards, transparency, and accountability. During the conference, we engaged policymakers, regulators, and industry actors, and presented our research on tech-facilitated violence against activists alongside reflections on five years of data protection in Kenya. These engagements underscored the urgent need to anchor data governance in dignity and the rule of law, ensuring that technological advancement does not come at the expense of human rights.

#DataPrivacy
#PrivacyAndProtection

TAKING CONTROL OF YOUR PRIVACY:
WHAT EVERY KENYAN NEEDS TO
KNOW ABOUT DATA PROTECTION

Sharlene Muthuri
Technology & Human Rights
Campaigns Officer,
Amnesty International Kenya
SPEAKER

Bonface Asiligwa
President
ISACA Kenya Chapter
SPEAKER

Herbert Njoroge
Manager, Legal and Business
Services, PwC Kenya
SPEAKER

Bundi Njiru
Manager, Consulting and
Risk Services, PwC Kenya
SPEAKER

Philip Kisaka
Chief Privacy Officer,
DPD 360 Africa Limited
SPEAKER

Vincent Owino
Business & Technology Reporter
Nation Media Group
MODERATOR

Thursday 29th January 2026 19:30HRS - 21:00HRS (EAT)

@NationAfrica
SPACES

DAILY NATION

To broaden public engagement, we partnered with Nation Media Group for a week-long media campaign that brought data protection into mainstream discourse. Through national radio conversations and a public X Space on “Taking Control of Your Privacy: What Every Kenyan Needs to Know About Data Protection,” we created accessible platforms for Kenyans to engage with

legal experts, technologists, and human rights advocates on issues of privacy, consent, transparency, and accountability. Across all these spaces, one thing became clear: while awareness is growing, many people are only just beginning to understand their data rights, even as violations continue to emerge.

This is why the work cannot stop at awareness. It must be translated into action. As conversations around privacy deepen, so too, the demand for stronger enforcement of data protection laws, accountability for misuse of personal data, and a digital ecosystem that protects people rather than exposes them to harm. We are calling on the public to stand with us in pushing for these protections by signing our petition and adding their voice to the growing demand for a rights-respecting digital future in Kenya.

Safer Internet Week Data Protection Training:



During Safer Internet week, the RIGHTS Click Alliance convened 25 civil society partners for an intensive training on Safeguarding Children’s Data in the Digital Age; a critical step toward ensuring that the digital environments young people rely on are safe, rights-respecting, and accountable.

This reflects a shift from awareness to infrastructure-building: creating a network of actors who are not only informed but equipped to act as stewards of children’s digital rights within their own ecosystems. It also reinforces a growing collective position, that safeguarding children online is not

optional, and cannot be left to platforms or policymakers alone. It requires coordinated, rights-based action across civil society.

Young Lawyers for Data Governance:



This quarter, we engaged a dynamic group of young lawyers to spark deeper interest and entry into the growing field of data governance and digital rights in Kenya. This engagement was about growing the ecosystem and equipping emerging legal professionals with the tools to critically engage with issues like surveillance, digital identity systems, and platform governance, while positioning them as future advocates in this space. Through candid reflections and mentorship, the session also challenged participants to see opportunity within disruption. As Philip Wasilwa noted, “*learn the substance before chasing the title*,” while Mugambi Laibuta emphasised that technology is not replacing lawyers, but expanding the frontier of legal practice. Ultimately, the engagement laid the groundwork for sustained collaboration, mentorship, and a new generation of lawyers ready to shape Kenya’s digital rights landscape.



East Africa Data Governance Conference:



The East Africa Data Governance Conference 2026, convened in Nairobi by Amnesty International Kenya and the Open Institute, marked a critical moment in advancing a rights-based approach to data governance across the region. Attended by over 150 participants in person and over 500 people online, the conference moved beyond dialogue to actively shaping a shared regional agenda, one that centres **trust, accountability, and human rights** in the design and deployment of data systems. It created a powerful platform to align diverse stakeholders around a common narrative: that digital transformation in East Africa must be people-centred, inclusive, and grounded in civic freedoms.

A key outcome was the strengthening of a regional coalition of actors, from regulators and civil society to technologists and community leaders, committed to pushing for accountable data governance frameworks. The conference also contributed to building momentum around practical advocacy priorities, including closing the gap between policy and implementation, advancing community agency in data systems, and embedding ethical safeguards in emerging technologies.

Quarter 1 Data Governance Café:



For our Data Governance Café this quarter, as Kenya's general elections season intensifies, something familiar happens: citizens begin receiving a flood of unsolicited messages from political parties and candidates. Campaign texts, WhatsApp forwards, and targeted calls suddenly appear, but few people stop to ask the most important question: *where did they get your personal data?*

This session created a timely space to unpack how voter data is collected, shared, and sometimes exploited during election cycles, while grounding the conversation in digital rights, consent, and accountability. From a campaign perspective, it was about shifting citizens from passive recipients to informed actors thereby equipping people with practical knowledge to question data use, demand transparency, and take steps to safeguard their personal information in an increasingly data-driven political landscape.

Malindi Peer Learning Session:



There is power in peer learning. Together with the Open Institute, we convened an insightful peer learning session as part of the Strengthening Data Governance Program. The session brought together data champions from Mombasa and Maono Hub.

The highlight was the honest conversations around lived experiences and organizational data protection implementation challenges. Participants shared what's working, what's difficult, and how context shapes data protection practices on the ground.



All Kenya Moot court Competition:



Data is not abstract. It shapes decisions, determines access, and can either protect or expose people. Every dataset carries real lives behind it, which is why how we collect, process, and govern data is never neutral.

This year we participated in a panel session at the All Kenya Moot Court, critically examining How the State can balance national security obligations with the constitutional rights to privacy and freedom in the face of emerging AI-driven risks, while promoting accountable, ethical, and rights-based digital governance in Kenya. which reinforced a simple truth: when data is mishandled, people are harmed. When it is governed with integrity, rights are protected.

But the work is far from settled. The question now is not whether we understand the importance of ethical data use, it is whether institutions, companies, and regulators will act with the urgency required to ensure it.

Protecting data is protecting people. The next step is making that protection real, enforceable, and consistent.

CHILDREN AND YOUNG PEOPLE’S DIGITAL RIGHTS, HEALTH AND WELL-BEING

Privacy First 2025 Graduations: A New Generation Steps Forward



What started as two distinct campaigns (Jua Terms and Scroll Bila Troll) has evolved into something bigger: a growing, youth-led movement demanding safer, more accountable digital spaces in Kenya.

From decoding the “fine print” of data practices to confronting the realities of cyberbullying, these young leaders did more than raise awareness, they built momentum. They developed strategies, mobilized across campuses, and created spaces where digital rights are not just discussed, but actively defended.

Through Jua Terms, they challenged a broken culture of consent, proving that when young people understand how their data is used, they begin to question, demand, and push for accountability. Through Scroll Bila Troll, they reimagined the internet as a “Digital Village”, one where expression is not silenced by harm, but protected through empathy, safety, and collective responsibility.

Together, these campaigns reached thousands both online and offline, showing that youth are not passive users of technology. They are architects of the digital future.

This is not the finish line.

As these campaigners graduate, the real test begins: Will platforms take harassment seriously? Will institutions enforce data protection in ways

people can feel?

Will young people continue to organize, speak out, and hold power to account?

Because the future of Kenya’s digital space will not be shaped by policy alone, but by those willing to demand better.



Incoming: Privacy First- Kisumu Campaigners



The Privacy First network continues to grow. This year, we are excited to welcome a new group of campaigners from Kisumu, expanding the reach of youth-led digital rights advocacy beyond Nairobi and marking an important step in expanding youth-led digital rights advocacy across Kenya. The movement is getting bigger, stronger, and more representative.

These student advocates have been equipped with the knowledge and tools to lead conversations on data privacy, surveillance, and digital rights within their campuses and communities. Their inclusion strengthens the campaign's vision of building a diverse, national network of young people driving change in Kenya's digital landscape.

Safer Internet Day: The Internet We Want



This Safer Internet Day, we stood alongside children, young people, and key stakeholders, including Watoto Watch Network and the Directorate of Criminal Investigations, to reimagine a digital world built on dignity, safety, and human rights.

The conversations were clear: creating a safer internet goes beyond awareness. It requires intentional, rights-based design, stronger accountability from Big Tech and governments, and collective responsibility in how data especially that of children is handled.

At the heart of it all is a shared vision: an internet that is safe, supportive, and empowering, where young people can thrive, not be exposed to harm or exploitation.

Through this work, we continue to empower youth to research, campaign, and demand accountability, shaping a digital future where **digital rights are recognized as human rights**.

Digital Rights Essay Competition Launch



To mark Safer Internet week, we officially launched the 3rd edition of our annual Digital Rights Essay Competition, an initiative that brings together Human Rights Friendly Schools patrons to kick off another year of youth engagement on digital rights.

This year's theme, "Voices Online: Courage, Silence and Harassment," invites students across Kenya to reflect on a pressing reality: digital spaces are where young people find their voice, but also where many encounter intimidation, hostility, and pressure to stay silent.

The competition aims to provide a space for critical thinking, storytelling, and civic imagination, encouraging students to explore how courage shows up online, how silence is produced, and how solidarity can help build safer digital communities.

Submissions are now open, and we look forward to reading the powerful reflections and ideas that will emerge from this year's cohort of young digital rights defenders.

Global Better-Verse 2026



In March, Amnesty International convened over 50 partners, staff, and young leaders from across the globe in Voi, Kenya for the **Global Better-Verse** a gathering under the RIGHTS Click programme

focused on advancing children and young people's digital rights, health, and well-being.

Bringing together participants from across regions, the convening created a rare, non-virtual space for connection, reflection, and collaboration. Over three days, participants collectively looked inward, outward, and forward sharing lessons, interrogating challenges, and aligning on priorities to strengthen the impact of digital rights work globally.

Beyond strategy, the Better-Verse emphasized something equally critical: community. In a fast-evolving and often high-pressure digital rights landscape, the convening fostered relationships, trust, and a shared sense of purpose across teams, generations, and geographies.

WHAT WE'RE DOING NEXT

AND WHERE YOU COME IN

APR 10 2026 **DOCUMENTARY SCREENING**

Register here: <https://www.amnestykenya.org/this-fear-everyone-is-feeling-it-documentary-screening/>

Q2 Data Governance Cafe

DATE **TBC** 2026

Email: digitalrights@amnesty.or.ke to participate!

Sign Our Petition!

Our Petition to Stop tech-facilitated violence against young activists in Kenya is still ongoing. Read more about it here: [Stop tech-facilitated violence against young activists in Kenya](#)

This publication is a quarterly release by the Technology and Human Rights Program at Amnesty International Kenya. For further information, please feel free to reach out to the Technology and Human Rights Campaigns Officer here: sharlene.muthuri@amnesty.or.ke.



HIGHLIGHTS THROUGH THE LENS

