

**Youth Policy Guide - Kenya
&
Framework for Youth Participation in Policy-Making**

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The Youth Congress

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Foreword

Today, Kenya's population is significantly youthful as young people between ages 15-35 years constitute 36 percent of the population. Youth face enormous challenges ranging from unemployment to lack of basic services; education, health, shelter among others.

Exclusion of Youth from decision and policy-making makes it hard to solve some of the most pressing problems facing young people, and the larger populace in the country. Simply put, marginalization of Youth is an obstacle to development.

Youth have taken their position in society and are now giving solutions. They are proactive, innovative and are filling gaps across many sectors. They are taking charge of their destinies and have a real desire to participate in processes that will positively impact their future and that of generations to come.

The Youth policy guide, and the framework for Youth participation in policy-making will ensure inclusion during formulation, implementation and review of Youth policies, and in decision making at the local and national levels.

The Youth Congress is hopeful that the guide and the framework will assist in the mobilization and utilization of young people's dynamism, energies, knowledge and innovative ideas in decision, and policy-making processes.

Raphael Obonyo

Convener, The Youth Congress/External Adviser, UN Habitat's Youth Advisory Board

Executive Summary

Policy is about developing a system of principles essential for guiding action to achieve a desired outcome. As such, a guide on Youth policy, and a framework for Youth engagement in decision and policy-making should matter to all.

This guide highlights:

- i. The critical role of Youth policy in Kenya
- ii. Legal frameworks and instruments required for developing Youth policies.
- iii. Characteristics of a good Youth policy.
- iv. Steps in formulating a Youth policy.

The framework looks at how Youth can be involved in policy-making in Kenya, the benefits derived from young people's participation, and the risks of locking them out of the process.

The Youth Congress developed this guide to facilitate effective Youth engagement in policy and decision making. This was prompted by the realization that a society that ignores the creativity and energies of the Youth lags behind in development

The guide and the framework are aimed at elevating the Youth from being mere beneficiaries of policies, to being important partners in the formulation, implementation and monitoring of Youth policies and other policies.



Youth celebrate the promulgation of the 2010 constitution in Kenya

Part 1

Youth Policy Guide

1. Summary

1.1 The idea of a Youth Policy in Kenya

The fact that Youth are a resource led to the formulation of the first national Youth policy in Kenya (2006) as a recognition that a Youth policy is an important tool for the development of the nation.

1.2 The purpose of the Youth policy guide

The Youth policy guide provides a step by step approach to Youth inclusion in the formulation, implementation, monitoring and review of a Youth policy. The guide is an important tool for development of an effective Youth policy.





Youth Congress training young people on policy-making

2. Introduction

2.1. Who is a Youth?

Article 260 of Kenya's Constitution defines a Youth as a person aged between eighteen (18) years and thirty four (34) years. The United Nations defines Youth as persons between the ages of 15 and 24 years. Under the African Youth Charter a Youth is a person between 15 and 35 years. This Youth policy guide will adopt the definition of Youth in the Constitution of Kenya, but also encourages consideration of young people between the ages of 15-17 years.

2.2. What is a Youth Policy?

A Youth policy provides a framework for ensuring that the target beneficiaries are given adequate resources and the required enablers to fulfill their potential.

2.3. What is the importance of a Youth Policy?

In general, policies provide frameworks for intervention. A Youth policy is expected to provide guidelines for different sectors to identify specific Youth issues and how to address them. A Youth policy that is properly formulated with the involvement and consultation of Youth and other stakeholders is essential in addressing the needs and concerns of young people.

2.4. Who is responsible for formulation of a Youth Policy?

The State and/or County through the relevant Ministry or Youth Department initiate the process of formulating a Youth policy. Noteworthy, formulation, implementation and monitoring of a Youth policy should be a consultative, participatory and transparent process that ensures meaningful engagement of different actors including private sector, civil society organizations, development partners, academia, media, and Youth among other actors.



A Youth fellow proceedings at the promulgation of the new constitution in Kenya

3. Legal Framework and Instruments

3.1. Constitution of Kenya

The Constitution that was promulgated in August 2010 guarantees the rights of the Youth, and has made provisions to ensure that Youth and Youth affairs are given adequate attention. Some of the key provisions of the constitution that touch on Youth include:

i. Bill of rights

The Bill of Rights is provided for in chapter 4 of the Constitution of Kenya, 2010.

Article 19(2) provides for the recognition, protection and enjoyment of human rights and fundamental freedoms in order to preserve the dignity of individuals and communities.

Article 55 focuses on the rights of the Youth, and directs the State to take measures, including affirmative action programmes, to ensure that Youth:

- a) Access relevant education and training
- b) Have opportunities to associate, be represented and participate in political, social, economic and other spheres of life
- c) Access employment, and
- d) Are protected from harmful cultural practices and exploitation

ii. Representation/Legislature

Chapter 11 of the Kenya's Constitution provides for a devolved system of Government. Devolution has been termed as one of the strongest pillars of the Constitution, aimed at correcting social, economic and political imbalances in the country. Article 100 provides for the representation of marginalized groups especially the Youth in decision and policy-making.

3.2. The National Youth Council (NYC) Act

The National Youth Council is established under the National Youth Council Act (2009). The NYC functions include:

- a) Regulating and co-coordinating Youth activities
- b) Mobilizing resources to support and fund Youth programmes
- c) Lobbying for legislation on issues affecting the Youth
- d) Promoting research, collation and analysis of data on Youth issues
- e) Formulating guidelines on Youth policies
- f) Facilitating the periodic review of the national Youth policy
- g) Acting as a bridge between the Government and other policy makers
- h) Promoting the inclusion of Youth agenda in formulation of policy by public institutions
- i) Promoting the inclusion of Youth in decision making bodies, boards and public institutions

The National Youth Council is therefore an important actor that should be consulted when making or reviewing Youth policy at the national and county levels.

3.3. East Africa Community Youth Policy

The East Africa Community (EAC) identifies the need to address challenges facing the Youth as a strategic priority. In 2014, EAC adopted a Youth policy to guide planning, implementation, monitoring and evaluation of programmes set up to address the needs, concerns and aspirations of the Youth in the region. The EAC Youth policy envisions Youth who are empowered to fully participate and benefit in all facets of the regions development.

3.4. The African Youth Charter

The African Youth Charter was endorsed in 2006 and came into force on 8th August 2009. The African Youth Charter is the first legal framework in Africa that supports national policies, programmes and actions in favor of Youth development.

The role of the African Youth Charter is to:

- Facilitate the institutionalization of Youth participation on political debates, decision making and development processes at various level of government for positive and constructive contribution.
- To strengthen the capacity building programmes for Youth leaders in Africa.

The Charter's main action areas are: education, skills and competence development; employment and sustainable livelihoods; Youth leadership and participation; health and welfare; peace and security; environment protection and cultural and moral values.

3.5. United Nations World Programme of Action for Youth

Public recognition of young people as key actors in social development processes has been strengthened through the United Nations' Convention on the Rights of the Child (1989), the most widely ratified international agreement, which recognizes that participation is a right of all children and young people.

The United Nations World Programme of Action for Youth developed in 1995 provides a policy framework and practical guidelines for national action and international support to improve the situation of young people. It seeks to address more effectively the problems of young people and to increase opportunities for Youth participation in society.

The World Programme of Action for Youth to the Year 2000 and Beyond (A/RES/50/81) recognizes that the active engagement of young people themselves is central to its successful implementation and, accordingly, affirms the full and effective participation of Youth in society and decision-making as one of its 10 priority areas for action. This resolution asks policy makers to "Take into account the contribution of Youth in designing, implementing and evaluating national policies and plans affecting their concerns"

Source: UN Programme on Youth www.un.org/Youth



Mr Ahmad Alhendawi being sworn in as Secretary General's Envoy on Youth

4. Formulation of a Youth Policy

The Youth policy guide suggests a model for how a Youth policy can be developed, implemented, monitored and evaluated. Importantly, the principles are partly drawn from Baku commitment (2014) for effective Youth policies.

4.1. Guiding Principles for Youth Policy Development

- i. **RIGHTS OF Youth** – Designed and implemented within the human rights framework and in line with the Bill of Rights in Chapter 4 of the Kenya Constitution
- ii. **INCLUSIVE** – Recognize the diversity of the Youth population and ensure equal participation of Youth and marginalized groups.
- iii. **PARTICIPATORY** – The development, implementation, monitoring and evaluation should ensure meaningful participation of Youth and other stakeholders
- iv. **GENDER RESPONSIVE** – Take specific actions to promote gender equality, and to address gender disparities in all settings; political, socio-economic & cultural
- v. **COLLABORATIVE** – Work with the government, public institutions, private sector, policy experts and other stakeholders to adopt a holistic approach to Youth development

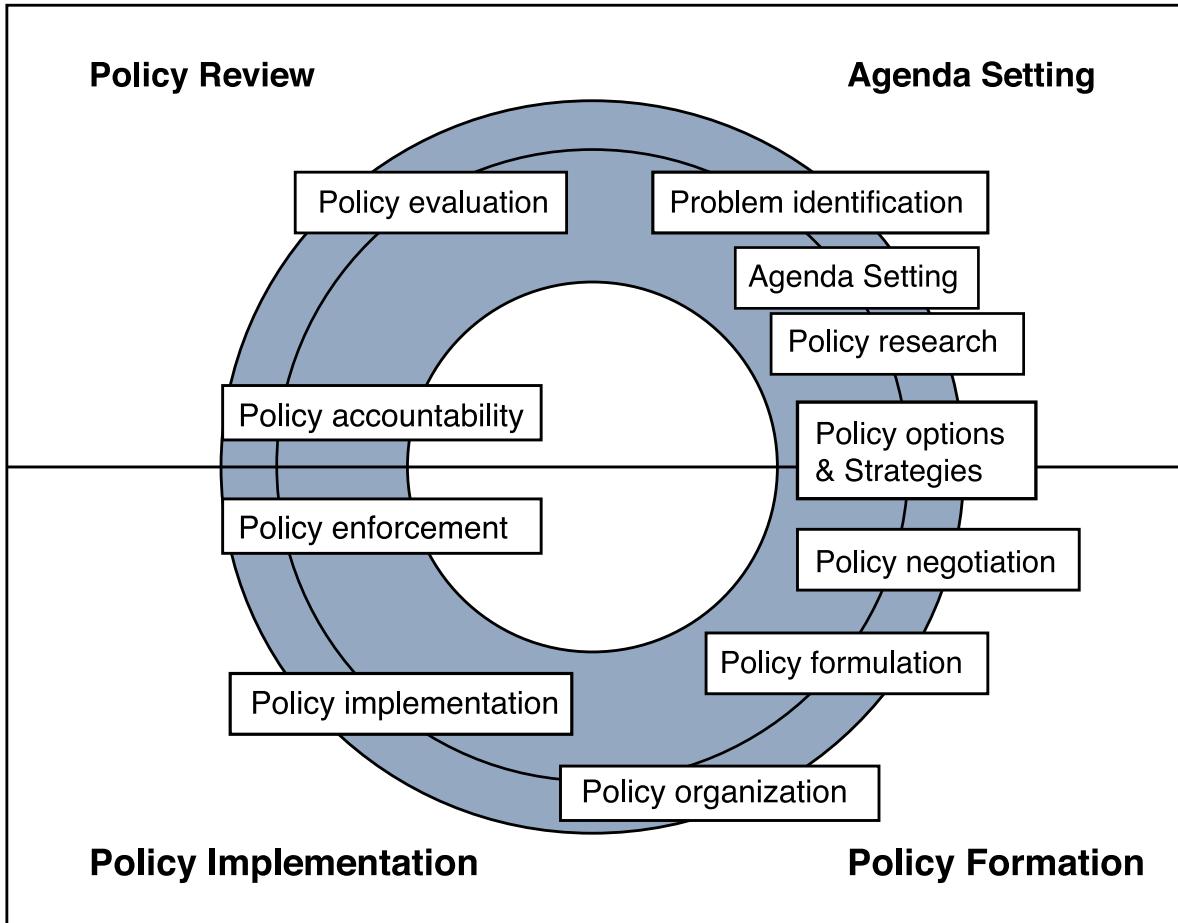
- vi. **COMPREHENSIVE, KNOWLEDGE-BASED AND EVIDENCE-INFORMED –** It should be designed based on information gathered from the Youth on the situation, needs, challenges and opportunities of young people
- vii. **ADEQUATE RESOURCES –** It should have adequate, transparent and resources for formulation, implementation, monitoring and evaluation
- viii. **PRACTICAL –** The implementation should be practical and capable of producing visible and sustainable results
- ix. **ACCOUNTABILITY –** It should be Youth owned, led, regularly monitored and evaluated against specific Youth development targets and indicators.
- x. **TRANSVERSAL AND CROSS SECTORAL –** It should acknowledge that Youth needs cut across different sectors, and be in tune with other development plans.

4.2. Steps in formulating Youth policies

Formulation of Youth policies at both national and county levels should be consultative, collaborative and inclusive. The steps are;

1. Policy initiation and identification
2. Research
3. Consultation
4. Conceptualization and drafting
5. Validation
6. Adoption
7. Implementation
8. Reporting
9. Monitoring and evaluation

The Chart below shows the policy-making cycle



4.3. Setting priority areas for Youth policies

A good Youth policy sets out the objectives and the priority areas that it seeks to address. This Guide highlights five (5) objectives and a number of key priority areas:

Objectives	Priority Areas
1. Creating a productive Youth workforce that can make a sustainable contribution to economic development	i. Education
	ii. Employment and skill development
	iii. Entrepreneurship
2. Develop a strong and healthy generation equipped to take on future challenges	i. Health and healthy lifestyles ii. Sports
3. Instill social values and promote community service to build Youth ownership	i. Promotion of social values ii. Community engagement
4. Facilitate participation and civic engagement at all levels of government	i. Participation in politics and governance ii. Youth engagement
5. Support Youth at risk and create equitable opportunity for all disadvantaged and marginalized Youth	i. Inclusion ii. Social justice

Source: *The Government of India: Youth Policy, 2014*

4.4. Strategies for involving Youth in the formulation of Youth policies

Youth can contribute in making Youth policies in various ways:

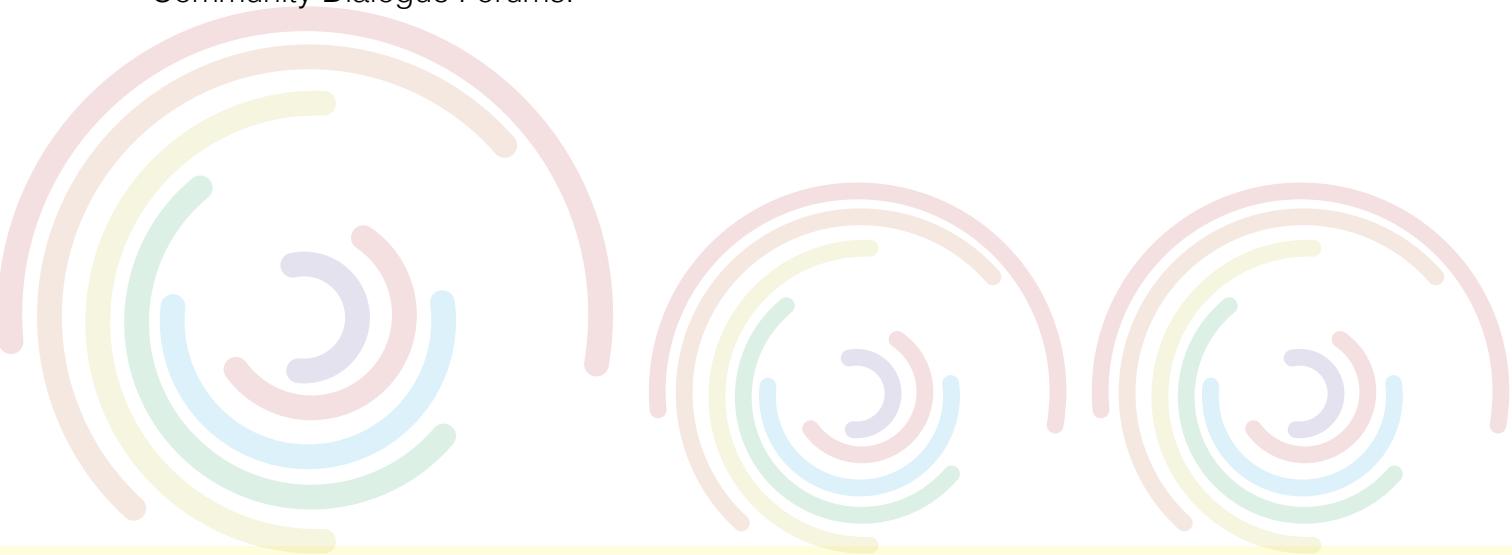
- a) Organize workshops, consultative meetings and public forums where Youth can air their views
- b) Organize activities and stakeholders forums that focus on Youth policies, and bring together different actors including governments, Youth organizations, private sector, development partners, media among others
- c) Engage Youth in schools and colleges on matters related to Youth policies and civic responsibilities
- d) Engage Youth through media and social media platforms

- e) Conduct research/surveys and data collection on Youth issues both at the national and county levels
- f) Engage representatives and members of various taskforces and thematic teams in the formulation of policies on Youth
- g) Organize policy validation and accountability forums

4.5. Dissemination of the Youth Policy

Dissemination and distribution of Youth policies should be a joint effort. Dissemination strategies should involve the relevant State and County departments in charge of Youth affairs in collaboration with the National and County Youth councils, Youth serving organizations, civil society groups, private sector, development partners, media and other stakeholders.

Youth policy should also be made available online to ensure a wider reach. Youth in Kenya have embraced internet use and are more likely to access the policy online. Also, it is vital to reach Youth in their spaces (bases) through innovative strategies like Community Dialogue Forums.





The Youth Congress launches a constitution digest

5. Forging Partnerships For Youth Policy

5.1. Actors in the formulation of Youth policies

Policy-making is a complex, technical and expensive exercise. In order to achieve the desired results, there is need to enlist the knowledge, insights and expertise of all stakeholders including; government institutions, policy experts, corporate, development partners among others.

5.2. Roles and responsibilities of different actors

Different actors play different roles in availing necessary resources, technical and logistical assistance, giving expert advice, helping in capacity development and dissemination of information to the target audience.

These roles include;

STAKEHOLDER	ROLE
Government	<ul style="list-style-type: none">• Policy formulation and implementation• Support the implementation of Youth policies by creating sufficient employment opportunities for Youth, education and health facilities.• Assist with dissemination of Youth policies• Provide resources for effective formulation, implementation , monitoring and evaluation.• Promote awareness and capacity development• Ensure access to information and feedback mechanisms
National Youth Council	<ul style="list-style-type: none">• Establish and develop institutional structures for effective Youth policy implementation• Regulate and co-coordinate Youth activities• Lobby for legislation on issues affecting the Youth• Promote and popularize Youth policies• Formulate guidelines on Youth policies

NGOs/Civil Society working with Youth	<ul style="list-style-type: none"> • Act as a link between the Youth, government and donor organisations • Provide alternative development solution to Youth issues • Assist in policy implementation through education and advocacy • Sensitise and mobilize Youth participation and representation in policy formulation process.
International Agencies/ Youth Organisations	<ul style="list-style-type: none"> • Develop Youth skills and capacity to strengthen their participation • Promote access to information by distributing, publications, and reports concerning Youth. • Connect Youth organizations, and provide Youth with a platform for participation.
Media	<ul style="list-style-type: none"> • Help in dissemination of information on formulation process and the final Youth policies through broadcast, print and social media • Highlights the challenges facing the Youth • Provide platform for Youth voices through TV and radio talk shows.
Private sector (Corporate)	<ul style="list-style-type: none"> • Provide resources for training and advocacy • Provide information and transfer of technology and skills • Provide gainful opportunities for Youth.
Academia	<ul style="list-style-type: none"> • Education and training of Youth • Conduct research on Youth issues
Professional Associations	<ul style="list-style-type: none"> • Support communication and advocacy activities • Provide expertise
Youth	<ul style="list-style-type: none"> • Contribute ideas for policy formulation • Participate in surveys, assist with research and dissemination of Youth policies • Take advantage of available opportunities for participation in policy-making



Speaker at the Youth and devolution forum

6. Monitoring Progress of a Youth Policy

6.1. Importance of monitoring and evaluation

Monitoring and evaluation of a Youth policy should be done in an independent, transparent and accountable manner in order to come up with an accurate audit report about the effectiveness of the policy. A good Youth policy while bearing strong principles should therefore not be too rigid, but flexible and adaptable to changes and review if there is need to improve it in order to achieve the set objectives.

6.2. Important aspects to be monitored

For monitoring and evaluation findings to be accurate the process has to be driven by an explicit and commonly understood purpose. Important aspects of a Youth policy to be monitored include:

- a) Formulation processes: adhere to the 10 principles outlined in this guide
- b) Implementation process: adhere to the 10 principles outlined in this guide
- c) Availability and accessibility of the Youth policy
- d) Resources allocated for formulation, implementation and monitoring the policy
- e) Key activities or programmes that have been completed through the Youth policy
- f) The impact of the policy on the Youth
- g) Challenges and hurdles experienced in the policy implementation



Part 2

Framework for Youth Participation in Policy-Making

1. SUMMARY

Youth form a significant portion of Kenya's population. According to the National Census (2009) Youth ages 15-34 years form 35.39% of the total population. Crucially, how a country engages the Youth determines its stability and prosperity. Importantly, Youth should be involved in shaping present and future development agendas.

It is on that premise that Youth should actively participate in policy-making in order to articulate their needs, and ensure the formulation of suitable plans that can address the challenges that young people face.

This framework seeks to identify avenues through which Youth can be involved in decision and policy-making processes at the national and county levels.

2. Introduction

2.1. Policy making in Kenya

Policy-making in Kenya has evolved from an era when it was the exclusive preserve of technocrats and policy experts, who then presented policies to the citizenry without consultation. Presently, policy-making demands for meaningful participation of citizens and other stake holders.

History has shown that policies that are formulated through an inclusive, consultative and participatory process find more acceptance and support from the people. Public participation creates a sense of ownership.

2.2. Youth and policy-making in Kenya

The Constitution promulgated in August 2010 has created opportunities for Youth engagement in governance and development.

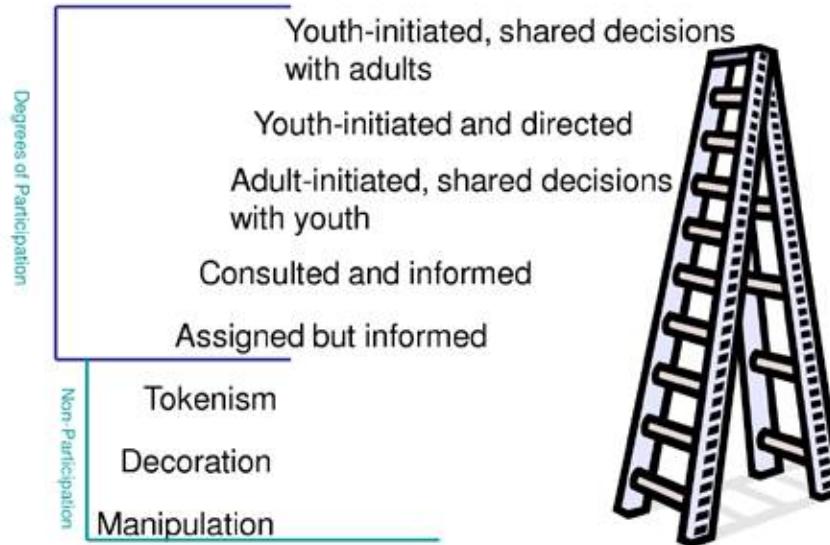
Article 55(b) directs the State to take measures including affirmative action programmes to ensure Youth have opportunities to associate, be represented and participate in political, social, economic and other spheres of life. Youth can contribute to policy-making directly or through their elected representatives.

Also, Youth have a platform to participate in policy-making in parliament, where Article 100(c) provides for Youth representation in the government arm mandated with making laws. This provides a good opportunity for Youth to contribute and push their agenda for development.

Apart from the elective positions at the national and county government, Youth can also participate through:

- Making submissions and suggestions during budget deliberations and consultation process
- Public forums where they can contribute ideas and suggestions to inform policy makers of the needs and concerns of young people
- Constructive engagement on social media platforms

Ladder of Youth Participation



Adapted from Hart, R. (1992). *Children's Participation from Tokenism to Citizenship*.
Florence: UNICEF Innocenti Research Centre.

3. Benefits of Involving Youth in Policy-Making

Involving the Youth in policy-making has many positive outcomes including:

- a) Improved relevance and effectiveness of the policy
- b) Increased awareness, understanding and support of the policy among the Youth
- c) Harnessing of young people's innovative ideas, knowledge, energies and creativity for development
- d) Enhanced Youth ownership and commitment in the formulation, implementation and monitoring of the policy
- e) Improved Youth leadership in policy-making
- f) Enhanced Youth participation and vigilance to ensure transparency and accountability in the process of formulation and implementation
- g) Promotion of partnerships among the Youth serving organisations, the government and other stakeholders
- h) Promotion of patriotism and commitment to development among the Youth

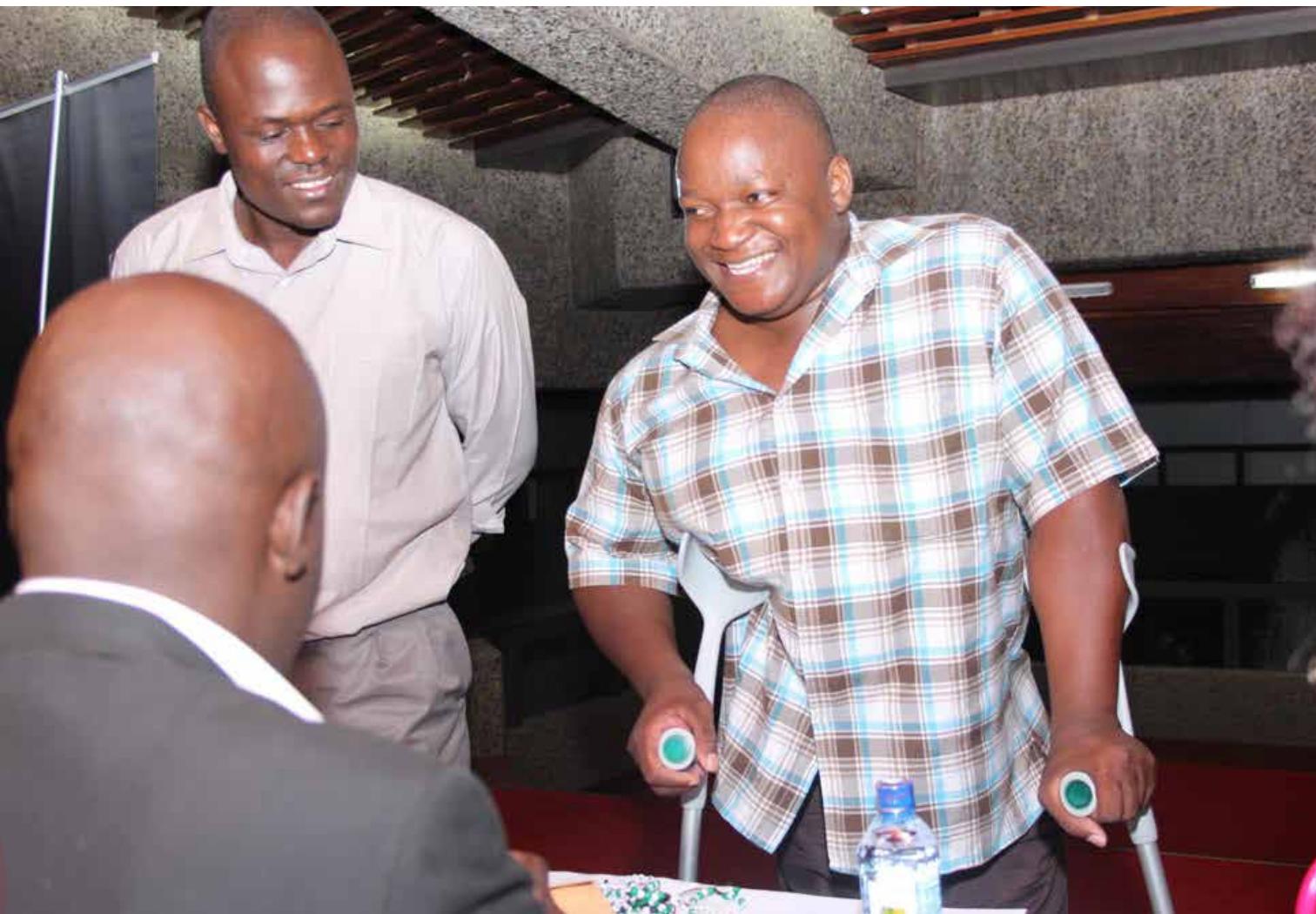


4. Risks of excluding Youth from Policy-Making

Excluding Youth from policy-making processes portends the following risks:

- a) Rejection of the policies by the Youth
- b) Challenges and difficulty in implementation of the policies
- c) Wastage of resources in the production of impractical and ineffective policies
- d) Persistent Youth disenfranchisement that poses a threat to peace, security and stability of the country
- e) Opportunity for corruption, discrimination and missed priorities
- f) Missed opportunity to harness Youth creativity, innovativeness, dynamism and energy
- g) Feeling of exclusion and lack of enthusiasm among the Youth for vigilance and ownership of the policy





Participant at the 2015 East Africa Youth Dialogue

5. Strategies for Mobilizing, Educating and Involving Youth In Policy-Making

Identifying, mobilizing and organizing the creativity and energies of Youth, and recognizing their unique perspectives should be a priority in policy-making processes. There is need for awareness creation and education to enable Youth to be more enlightened about policy-making process and how they can be effectively involved.

Different ways in which Youth can be mobilized and educated about policy-making include:

- a) Hold seminars and workshops to educate Youth about proposed policies
- b) Enhance access to information vital for Youth participation
- c) Engage Youth in schools and colleges in policy related forums
- d) Integrate important elements of policy-making in the education curriculum
- e) Use social media, print and electronic media to engage Youth
- f) Engage Youth serving organizations at the community and national level
- g) Engage Youth representatives at different levels; local and national
- h) Organize stakeholder forums to discuss proposed policies





Moderator at the 2015 East Africa Youth Dialogue

6. Advocacy for Youth Participation in Policy-Making

Advocacy can be defined as a process of trying to effect change in policies, practices, attitudes, beliefs or actions.

6.1. Important steps in advocacy

Successful advocacy is achieved by:

- a) Taking cognisance of issues the proposed policy seeks to address
- b) Conducting a survey or study to gather relevant information and evidence
- c) Involving the government as a key stakeholder in policy making
- d) Networking to identify and attract other stakeholders
- e) Mobilizing resources required for effective participation in policy-making
- f) Forging sustainable partnerships with the private sector, Civil Society, development agencies, media and Youth organizations

6.2. Information is power

A well-informed Youth population is able to in turn make a more effective contribution in policy development and implementation processes. Importantly, Youth should carry out research to collect data and important information required for their effective engagement in policy-making.



Participants at the Youth and devolution forum

7. Monitoring progress of Youth Participation in Policy Making

7.1. Importance of monitoring and evaluation

Monitoring and evaluation helps in the assessment of progress in the formulation and implementation of the policy in question.

7.2. Some important aspects to monitor

- i. What is the constitutional provision for Youth participation in policy-making?
- ii. Did the national and/or county government develop a plan for Youth engagement in the policy-making process?
- iii. Did the government provide information on the policy being developed through the mediums that are popular to young people?
- iv. Is there a program for capacity development to enable Youth to engage in policy-making?
- v. Are there adequate resources allocated to support the process and Youth participation in making of the policy?
- vi. How are Youth identified and recruited to participate in policy formulation processes?
- vii. Is the policy-making process inclusive and transparent?
- viii. What impact does Youth participation have on the policy?
- ix. What specific areas should be reinforced or reviewed to achieve a more positive outcome?



Participants at the 2015 East Africa Youth Dialogue

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