

POLICY BRIEF 2022

**MEANINGFUL
ENGAGEMENT
OF ADOLESCENT
GIRLS AND
YOUNG WOMEN
IN DECISION
MAKING IS
CRITICAL TO
REALISING
THE KENYA
WE WANT**



**She
LEADS**



**STOP
CHILD
EXPLOITATION**
Terre des Hommes
Netherlands





POLICY BRIEF:

Meaningful Engagement of Adolescent Girls and Young Women in Decision Making Is Critical to Realising the Kenya We Want

Overview

This policy brief discusses the concept of meaningful engagement of girls and young women (GYW) in decision making in Kenya. It discusses the value for engaging girls and young women in decision making, the progress so far and key challenges in engaging GYW. The policy brief also makes specific policy and programme recommendations to state and non-state actors to strengthen meaningful engagement of girls and young women in decision making in Kenya.

Introduction

According to the 2019 Kenya Population and Housing Census¹ adolescents and young people between 10-24 years constitute about a third of the total Kenyan population, with the majority being girls and young women. This is a significant proportion whose well-being and realisation of rights is critical to Kenya's development aspiration of becoming a middle-income country.

The situation of Adolescent Girls and Young Women (GYW) in Kenya

Adolescent girls and young women face multiple intersecting challenges² that pervade³ socio-cultural, technological, political, and economic realms as they transition from childhood to adulthood⁴.

1 <https://dataspace.princeton.edu/bitstream/88435/dsp01bz6Od0399/1/DSKenyaCensus2019vol3.pdf>

2 <https://banyanglobal.com/wp-content/uploads/2020/05/USAID-Kenya-Final-Gender-Analysis-Report.pdf>

3 https://sustainabledevelopment.un.org/content/documents/1900unwomen_surveyreport_advance_16oct.pdf

4 <https://bmcpublikealth.biomedcentral.com/articles/10.1186/s12889-016-2888-1>

Girls and young women are excluded and marginalised in decision making with state and non-state actors wrongfully believing that they don't add value to the process⁵. These actors also have inadequate capacity to engage GYW's meaningfully. GYW's with disabilities, sexual and gender minorities GYW's, those adolescents living informal settlements⁶ among others are even more disenfranchised.

Policy and Legal Environment on GYW Participation

Adolescent Girls and Young Women's rights are enshrined in key international, regional, national, and sub-national instruments. Kenya is a signatory to key international instruments⁷ that address GYW rights including the right to participation.

The Convention on the Rights of the Child⁸ provides for the right of children including girls to freely express their views on all matters and decisions that affect them, and to have those views considered at all levels of society. The right to participation is further anchored in several other instruments including the African Youth Charter, the African Charter on the Rights and Welfare of the Child, the Protocol to The African Charter on Human and Peoples' Rights on The Rights of Women in Africa among others⁹.

The Constitution of Kenya 2010¹⁰ in Articles 1(2), 10(2), 35, 69(1)(d), 118, 174(c) and (d), 184(1)(c), 196,201(a) and 232(1)(d) stresses the centrality of public participation, as a key inalienable human right and as a duty of a citizen and obligation of those involved in decision making. It discards the long-held belief that citizens are just subjects and elevates them as equal partners in decision making in governance including in the management of public finance.

Meaningful Participation of GYW's in National and County Decision-Making Processes

Despite the strong policy and legal environment on public participation in Kenya¹¹ citizen engagement has not been fully institutionalised in decision making. According to URAIA, public participation has been unsatisfactory with just less than thirty (30%) of Kenyans feeling their opinions were integrated. Most public participation sessions have been conducted more as policy and legal requirements¹² rather than important interventions for sustainable development.

GYW's right to participation has been hindered by several factors¹³. Many GYW's have inadequate

5 https://womendeliver.org/wp-content/uploads/2016/09/2019-8-D4G_Brief_Political.pdf

6 https://www.popcouncil.org/uploads/pdfs/2015STEPUP_KenyaNationalAdolSRHPolicy.pdf

7 <https://www.ohchr.org/EN/HRBodies/Pages/TreatyBodies.aspx>

8 <https://www.unicef.org/child-rights-convention>

9 <https://au.int/en/treaties>

10 <http://www.kenyalaw.org/lex/actview.xql?actid=Const2010>

11 <https://countytoolkit.devolution.go.ke/sites/default/files/resources/27.%20The%20Status%20of%20Public%20Participation%20in%20National%20and%20County%20Governments%20.pdf>

12 Ronoh, G., Mulongo, L., & Kurgat, A. (2018). Challenges of integrating public participation in the devolved system of governance for sustainable development in Kenya. *International Journal of Economics, Commerce and Management*, 6(1), 476-491

13 <https://countytoolkit.devolution.go.ke/>

technical capacity to engage in the decision-making processes including the budget making process. Costs associated with public participation including transport is also a detractor. Public participation processes are also often rigid. The complexities of the process including technical documents and language and difficulty in accessing information also hinder GYW effective participation. There is also limited transparency and accountability in the processes. GYW who have previously participated in decision making and made views which were not seriously considered are thus likely to develop apathy and disinterest. Capture of the public participation by elites, adults and key influencers and organisations also disenfranchise GYW and deny them opportunities to influence decisions affecting them.

The Case for Meaningful Engagement of Girls and Young Women

Meaningful engagement of girls and young women is not just a human rights issue. There is evidence¹⁴ that the meaningful and effective engagement of GYW ensures programmes and initiatives by governments and non-state actors are more innovative and relevant to their needs. This makes these initiatives more beneficial and sustainable in the long run. These initiatives therefore have more legitimacy and support, are more utilized thus ensuring limited resources are properly utilized for the intended purposes. Meaningfully engaging GYWs also has a positive effect on GYW's development. Meaningful engagement of GYWs also increases trust¹⁵ between government, non-state actors and GYWs and cultivates a sense of belonging among GYW and promotes active citizenry.

Meaningful and inclusive engagement of adolescent girls and young women in addressing their own needs and rights is beneficial not just to the young girls and women, but to communities and to the country.

Investing in adolescent girls and young women now, including in their sustainable and effective participation is critical to realizing demographic dividend.

We call on the national and county governments to:

- 1) Collaborate with non-state actors to provide quality civic education to GYW on opportunities for public participation, effective strategies to influence decisions and their role in development.
- 2) Disseminate, popularize, resource, and implement existing international, regional, national and sub national instruments on public and GYW participation including the Constitution of Kenya 2010 and Public Participation Laws.
- 3) Provide timely access to information in line with proactive disclosure requirements outlined in the Access to Information Act (2016) and ensure the information is provided in simplified formats: translated into local languages wherever possible and in formats accessible for GYW with disabilities and those without formal education.

14 <https://www.youthdoit.org/assets/Uploads/MYPpositionpaper.pdf>

15 <https://uraia.or.ke/civic-engagement/>

- 4) Utilize diverse methods, structures, and opportunities for input to ensure a wide range of GYW voices can be heard.
- 5) Conduct public participation places at the lowest levels (village levels) and ensure venues and platforms for GYW engagement are accessible, safe, and free from harassment, intimidation, and threats.
- 6) Adequately budget for public participation including resources for personnel, access to information, facilitate movements and meeting costs.
- 7) Document best practices on GYW engagement for learning and evidence-based programming and policy making.

Conclusion

Human rights are interdependent and interrelated. To ensure the respect, fulfilment, and protection of all the fundamental freedoms and rights of GYW, they must be at the centre of decision making as equal collaborators and partners.

Acknowledgment

This policy brief was developed by African Gender and Media Initiative (GEM) through the technical and financial support of Terre des Hommes Netherlands (TdH NL) under the She Leads Programme.

The African Gender and Media Initiative Trust (GEM) is a research organisation that works to advance gender equality through research and action on women's human rights.

The views expressed in the brief remain those of the authors. The contents are the responsibility of GEM and do not necessarily reflect the views of Terre des Hommes Netherlands.

For more information contact GEM through info@gem.or.ke.

References

- 1) Convention on the rights of the Child (1989) Treaty no. 27531. United Nations Treaty Series, 1577, pp. 3-178. Available at: https://treaties.un.org/doc/Treaties/1990/09/19900902%2003-14%20AM/Ch_IV_11p.pdf
- 2) CHOICE For Youth and Sexuality, 2017: The A-Z of Meaningful Youth Participation, How to integrate Meaningful Youth Participation into your organization & program
- 3) African Union. 2014. Common African Position (CAP) on the Post-2015 Development Agenda. Addis Ababa: African Union.
- 4) Dance4life: Youth Empowerment Toolkit
- 5) United Nations Population Fund, 2014: The power of 1.8 billion; Adolescents, Youth and the Transformation of the Future.
- 6) United Nations, Framework of Actions for the follow-up to the Programme of Action of the International Conference on Population and Development Beyond 2014; Report of the Secretary-General
- 7) Institute of Certified Public Accountants of Kenya (2014), Public Finance Building Blocks for Devolution: A baseline survey on Devolution in Kenya with respect to Public Financial Management Systems
- 8) Institute of Economic Affairs (2010), Economic and Administrative Implications of the Devolution Framework established by the Constitution of Kenya.
- 9) Institute of Economic Affairs (2010), Existing Mechanism for the Public to Engage in Budget Making Process in Kenya.
- 10) Institute of Economic Affairs (2015), Review of status of Public Participation, and County Information Dissemination Frameworks: A Case Study of Isiolo Kisumu Makueni and Turkana Counties International Budget Partnership; open Budget Survey 2018
- 11) International Budget Partnership (2011), “Transparency and participation in public Financial Management: What do budget laws say”
- 12) Institute of Economic Affairs, The Citizen’s Handbook on Budget, 2007
- 13) International Budget Partnership (2018), “Open Budget Survey, 2018
- 14) The Inter-Governmental Relations Technical Committee (IGRTC) 2016
- 15) Kenya National Bureau of Statistics (2019) Kenya Population and Housing Census (KPHC) 2019
- 16) Kenya National Bureau of Statistics and Society for International Development East Africa, (2013), Exploring Kenya’s Inequality; Kajiado County
- 17) Lakin, J. (2013). Budget Transparency and Citizen Participation in counties in Kenya.
- 18) Mansuri, Ghazala and Rao, Vijayendra (2013): Localizing development. Does participation work?
- 19) Republic of Kenya, The National Public Participation Policy (NPPP), 2007
- 20) Republic of Kenya, The County Government Act, 2012;
- 21) Republic of Kenya, (2016) Ministry of devolution and Planning, and Transition Authority, Devolution and Public Participation in Kenya,
- 22) Republic of Kenya, The Public Finance Management Act, 2012;
- 23) Republic of Kenya (2010), Constitution of Kenya;
- 24) Rono, Mulongo, International Journal of Economics, Commerce And Management (2018) Challenges of Integrating Public Participation in The Devolved System of Governance for Sustainable Development in Kenya.
- 25) Transparency International Kenya, (2018) A Case Study of Public Participation Frameworks and Processes in Kisumu County
- 26) URAIA Trust and International Republican Institute, (2012) The Citizens Handbook on The Budget
- 27) World Bank (2012), Devolution without disruption: Pathways to a successful Kenya

This publication has been printed with support from the following partners



For more information contact us on

African Gender and Media Initiative

3rd Ngong Avenue, Upperhill Gardens Apt # E- 06

P.O Box 50429-00200

Nairobi, Kenya

Tel: +254-20-211 3093/4 Cell: +254 739 803 545 / 702 112 670

Email: info@gem.or.ke | Website: www.gem.or.ke

**Terre des Hommes Netherlands,
East Africa**

P. O. Box 76340-00508

Nairobi, Kenya

M: +254 722 209581 / +254 786 209581

