

POLICY BRIEF 2022

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



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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.

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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.

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