

Health NGO's Network
HENNET
18 DEC 2024
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P.O. BOX 41907-00100, NAIROBI, KE

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MINISTRY OF YOUTH AFFAIRS, CREATIVE
ECONOMY AND SPORTS
STATE DEPARTMENT FOR YOUTH AFFAIRS & CREATIVE ECONOMY
18 DEC 2024
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Youth Led and Youth Serving Organizations (YLOs/YSOs) Memoranda 2024
On the Youth Bill 2024
Facilitated through the Health NGOs' Network (HENNET)

Presented to Ministry of Youth Affairs Creative Economy and Sports
Date: 18th December 2024

Youth Led and Youth Serving Organizations (YLOs/YSOs) INPUTS AND COMMENTS

Introduction

This memorandum is submitted following a Public Notice dated 26th November 2024 by the Ministry of Youth Affairs, Creative Economy, and Sports in the matter of the review of the Youth Bill, 2024. This review is aimed at addressing gaps, ensuring inclusivity, and improving the effectiveness of the Bill in promoting youth empowerment and development.

In a virtual forum led by YLOs/YSOs on the 17th December 2024 coordinated through the HENNET youth representatives from across the country presented their reviews of the proposed Youth Bill 2024 highlighting key recommendations and amendments as below.

Section No./Section	Provision	Issue of Concern	Proposed Amendments	Rationale
Section 5	Role of the Cabinet Secretary	Overlapping roles with the State Department lead to potential redundancy.	Amend Section 5 to specify: <i>"The Cabinet Secretary shall focus on high-level policy oversight, inter-agency coordination, and periodic review of youth-related policies."</i>	Clarify the Cabinet Secretary's role to avoid duplication of responsibilities and ensures efficient coordination at the policy level.
Section 6	Role of the State Department	Overlaps with the Cabinet Secretary's duties.	Amend Section 6 to specify: <i>"The State Department shall implement policies, monitor youth programs, and submit bi-annual reports to the Cabinet Secretary."</i>	Provides a clear division of responsibilities, ensuring the State Department focuses on implementation while the Cabinet Secretary oversees policy.
Section 7	Restatement of the Rights of the Youth	Lacks clear timelines and measurable targets for implementing youth rights.	Amend Section 7 to include: <i>"The State Department shall publish an annual report on the progress of implementing youth rights, with measurable</i>	Ensures that youth rights are implemented effectively with measurable outcomes to track progress and improve accountability.

			outcomes and timelines."	
Section 8	Promoting Youth Participation in Leadership	Does not mandate youth representation in decision-making structures.	Amend Section 8 to include: "A minimum of 20% representation of youth shall be mandated in all national and county-level governance structures."	Ensures youth voices are represented in decision-making processes, fostering inclusivity and informed policymaking.
Section 9	Youth Volunteerism and Civic Engagement	Limited emphasis on incentivizing youth volunteerism and fostering civic responsibility.	Amend Section 9 to include: "The State Department shall establish recognition programs for youth volunteers, including certifications and career incentives for civic engagement." Insert Section 9A: Youth Employment and Skills Development: "The Government shall establish, within 6 months of the passage of this Act, national technical and vocational training programs targeted at young people, ensuring that 70% of these programs are aligned with future job market demands, including climate resilience and green	Promotes a culture of active citizenship among youth by recognizing and rewarding their contributions to community development.

Section 11	Right to Sustainable Livelihood and Youth Employment	Broad provisions without alignment to labor market demands.	technologies Amend Section 11 to include: "The State Department shall establish partnerships with private sector industries to develop training programs aligned with market demands."	Aligns skills training with market demands to enhance youth employability and ensure a higher return on investment in training programs.
Section 18	Support Measures for NEET Youth	Lacks targeted strategies for marginalized NEET youth.	Amend Section 18 to include: "The State Department shall develop informal and technology-driven learning programs for NEET youth, focusing on digital skills and entrepreneurship."	Provides opportunities for out-of-school youth to gain skills and engage in the economy, reducing unemployment and marginalization.
Section 19	Sustainable Development and Protection of the Environment	Insufficient emphasis on youth involvement in climate action and eco-entrepreneurship.	Amend Section 19 to include: "Youth shall be integrated into national climate action plans, with training provided for eco-friendly jobs and support for youth-led green initiatives." Insert C: Youth Climate Change Initiatives: "The Government shall allocate at least 5% of all climate change-related funding to youth-led projects, focusing on local innovation and solutions to	Encourages youth participation in environmental conservation efforts and equips them with the skills to thrive in a green economy. The Government Encourages Youth Climate Fund, designed to support youth-led climate change mitigation and adaptation projects, including those focusing on renewable energy, sustainable agriculture, and environmental

			address climate change impacts.	justice."
Section 23	Protection from Gender Marginalization	Limited focus on addressing specific barriers faced by young women.	Amend Section 23 to include: "The State Department shall allocate 30% of youth program budgets specifically to initiatives targeting young women's leadership, reproductive health, and safety."	Ensures young women have equitable access to resources and opportunities, addressing structural barriers to their empowerment.
Section 25	Elimination of Harmful Practices	Does not specify penalties or enforcement mechanisms.	Amend Section 25 to include: "Any individual or institution perpetuating harmful practices against youth shall face penalties, including fines and imprisonment as defined by regulations."	Strengthens the enforcement of laws against harmful practices and provides clear consequences for violations, promoting youth safety and dignity
Section 26	Vulnerable Youth	Insufficient focus on marginalized groups, such as refugees and youth in informal settlements.	Amend Section 26 to include: "The State Department shall design and implement targeted interventions for marginalized youth, including refugees, to ensure access to education, healthcare, and employment."	Targets specific vulnerable groups to address systemic inequalities and provide inclusive opportunities for marginalized youth.
Section 30	Support for Out-of-Work Youth	No provision for tracking underemployment or linking skills to labor market demands.	Amend Section 30 to include: "The State Department shall collect data on youth underemployment and establish	Addresses underemployment by aligning youth training programs with real labor market needs, ensuring

			<i>programs linking training programs to labor market opportunities."</i>	employability and economic integration.
Section 38	Management and Administration of the Youth Fund	Lacks independent oversight to ensure transparency in fund management.	Amend Section 38 to include: " <i>An Oversight Committee comprising representatives from civil society, youth organizations, and independent auditors shall be established to monitor fund usage.</i> "	Establishes external oversight to prevent misuse of funds and ensure accountability in financial management.
Section 40	Audit Reporting and	Relies on internal audits and lacks external accountability measures.	Amend Section 40 to include: " <i>External independent audits shall be conducted annually, and findings published publicly to promote transparency.</i> "	Enhances public trust and accountability by ensuring financial transparency through regular independent audits.
Section 42	Youth Empowerment Centers	Relies heavily on government funding without a sustainability strategy.	Amend Section 42 to include: " <i>The State Department shall establish public-private partnerships to ensure the sustainability of Youth Empowerment Centers.</i> "	Ensures the long-term financial viability and operational effectiveness of Youth Empowerment Centers by diversifying funding sources.
Section 43	Funds of the Empowerment Centers	No clear monitoring and evaluation mechanism to assess impact.	Amend Section 43 to include: " <i>The State Department shall conduct bi-annual evaluations of Youth Empowerment</i>	Facilitates data-driven improvements and ensures that centers meet their objectives effectively,

			<i>Centers to assess their impact and efficiency."</i>	benefitting the youth.
Section 48	National Youth Talent Award Scheme	Lacks specificity in talent recognition criteria and support mechanisms.	Amend Section 48 to include: <i>"The State Department shall develop criteria for talent recognition across fields and provide financial and technical support to award recipients."</i>	Ensures that talent recognition programs are transparent and provide meaningful support to foster youth development.
New Section	Anti-Corruption and Accountability Measures for the Youth Fund	No specific provisions addressing corruption or accountability in the management of Youth Fund resources.	Add a new section: <i>"All individuals found guilty of embezzling Youth Fund resources shall face penalties, including mandatory restitution of funds, disqualification from holding public office, and imprisonment."</i>	Establishes strict consequences for corruption to safeguard resources meant for youth development, ensuring integrity and trust in fund management.
New Section	Youth Fund Board Composition	Current bill does not specify youth representation or terms of service for the Youth Fund Board.	Add a new section: <i>"At least 50% of the Youth Fund Board members shall be youth aged between 18 and 35 years, serving a term of two years, after which new elections shall be held."</i>	Ensures youth representation in fund governance and promotes periodic renewal of leadership to align with evolving youth needs.

General Comments

The Youth Bill, 2024 has made significant strides in addressing youth development; however, it requires stronger mechanisms for accountability, inclusivity, and alignment with market realities. Specific focus on marginalized groups, gender equality, and environmental sustainability will ensure a holistic approach.

Adding anti-corruption provisions will protect the integrity of the Youth Fund and related initiatives.

Conclusion

We hope that you will review, address, and include our concerns raised in this memo. We also anticipate a published report of this exercise on the same.

Yours faithfully, All the undersigned Youth Led and Youth Serving Organizations (YLOs/YSOs) through the leadership of HENNET.

Annex I: List of YLOs and YSOs

1. Activista
2. Kariobangi Social Justice Centre Community
3. Empowered to Empower Initiative Community
4. Women in justice centers western chapter
5. Reproductive Health Network Kenya
6. AYARHEP
7. Nephak
8. RYV
9. Dandora Community Justice Centre
10. Impact 4 Youth Kenya
11. Visionary Empowerment Community
12. Dandora community justice centre
13. Green City Kenya
14. Y+ Kenya
15. Maono Africa Center for Transformation
16. SCODA(Suppor Community in Democracy Alliance
17. Activista Garissa
18. Nairobi YSD
19. Organization of African Youth Kenya
20. Human right defender
21. Green City Kenya
22. Raise Your Voice CBO
23. Inspire Teenagers Foundation
24. Kenya human rights commission
25. Digital Communicator
26. Green City Kenya
27. Visionary Empowerment Community
28. maendeleo ya wanaume
29. Jajabdhu Afrika
30. NTBC-K
31. cogwin
32. YSD Nairobi

Annex 2: Infographics of the representation in the meeting

Figure 1- Youth representation by age group.

Age Group

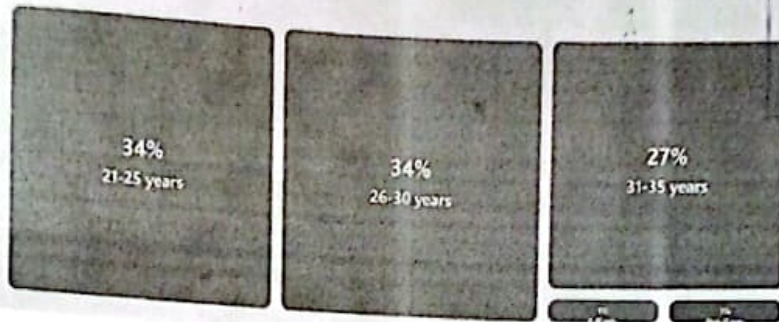


Figure 2: Number of attendees throughout the meeting



Figure 3 List of Counties Represented

Counties Represented
1 Mombasa
2 Garissa
3 Wajir
4 Marsabit
5 Isiolo
6 Nyeri
7 Murang'a
8 Kiambu
9 Trans Nzoia
10 Baringo
11 Laikipia
12 Kajiado
13 Siaya
14 Kisumu
15 Homabay
16 Nairobi