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### Statement on the Executive Order Number 1 of 2020 (Revised)

On the 3<sup>rd</sup> June 2020, His Excellency President Uhuru Kenyatta in Exercise of the powers conferred to him under Article 132 (3) (b) of the Constitution of Kenya 2010, Appended a signature to the revised Executive Order Number 1 of 2020 that seeks to reorganise the government. The Order supersedes Executive Order No. 1 of 2018 (Revised) issued in July 2018.

As we appreciate the changes, our review of the Executive Order reveals a number of issues that are contrary to the legal frameworks which affect service delivery for Youth.

#### A. Issues

- 1) The directive contradicts the provisions of the Kenya Youth Development Policy (KYDP) 2018 and National Youth Service (NYS Act, Cap.208). Early this year, Gender CS, Prof. Margaret Kobia handed over the State Department for Youth to the Ministry of ICT. This was upon a directive from the President THAT the Youth Affairs be moved to the ICT docket. In this case, it is in order that the Ministry of ICT and Innovation becomes the custodian to oversee the implementation of the Kenya Youth Development Policy (KYDP) 2018 and National Youth Service (NYS Act, Cap.208).

*Chapter 5 of the Kenya Youth Development Policy (KYDP) 2018 mandates the Ministry responsible for Youth Affairs to oversee the implementation of the Policy. Similarly, the National Youth Service Act places the oversight role under the Cabinet Secretary responsible for Youth Affairs.*

- 2) The directive is silent on Youth Enterprise and Development Fund which was administered by State Department for Youth. No explanation has been given in the executive order, making it subject to misinterpretation, speculations and misinformation.

#### B. Recommendations

- 1) We recommend that the President upholds the provisions of the National Youth Service (NYS Act, Cap.208) and the Kenya Youth Development Policy (KYDP) 2018, AND give a directive to move the National Youth Service (NYS Act, Cap.208) and Youth Policy to the relevant docket, in this case the Ministry of ICT, Innovations and Youth Affairs, Specifically the State Department for Youth.
- 2) Provide an explanation on why the Youth Enterprise and Development Fund has been left out in the new government structure.
- 3) Our general advice to the government that the Youth Empowerment Agenda needs to be organized and housed under one fully fledged Ministry for easy coordination and management of youth affairs in the country and for easy monitoring.

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