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*Evaluating the implementation of article 22 of the UN Convention on
the Rights of the Child in Uganda - Nakivale Refugee Settlement:
Duty bearers' and Children's voices*

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ACRONYMS

AHSPR	Annual Health Sector Performance Report
art.	Article
CARA	Control of Alien Refugees Act
CRC	United Nations Convention on the Rights of the Child
DRC	Democratic Republic of Congo
FGD	Focus group discussion
GoU	Government of Uganda
IP	Implementing partner
MTI	Medical Teams International
NGO	Non-governmental Organization
OAU	Organization of African Unity
OP	Operating partner
OPM	Office of the Prime Minister of Uganda
RLP	Refugee Law Project
SRS	Self-Reliance Strategy
UN	United Nations
UNCRC	United Nations Convention on the Rights of the Child
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UPE	Universal Primary Education
URCS	Uganda Red Cross Society

ABSTRACT

The aim of this study was to evaluate how the United Nations Convention on the Rights of the Child (CRC) article (art.) 22, has been operationalized in the Ugandan Legislation, and implemented in the local context of Nakivale Refugee Settlement.

The researcher tried to comprehend specifically how the refugee children themselves perceive the implementation of CRC art.22 through their own voice. Hence, an important approach when presenting the empiric data was to provide the perspective of the child, not just to have a child perspective (i.e. an adult perspective on children's experiences).

Finally, through the assessment of the children's well-being, this study evaluated whether the anticipated goals of the mentioned legislation have been achieved in Nakivale. Data for this study were collected using qualitative methods, including: documents review, semi-structured individual interviews, focus group discussions and participant observation. The study population was primarily composed by refugee children, and secondly by staff from humanitarian organizations operating in the settlement. Ethical considerations were particularly important in this study, due to its extensive engagement with refugee children, an inherently vulnerable population. The assessment of the *status quo* of the life of refugee children in Nakivale reveals failure in ensuring the greatest possible implementation of art.22 by the aid workers operating in the settlement and a general feeling of hopeless and disorientation among the refugee children. The study includes recommendations to the main humanitarian institutions in charge of protection of refugee children. Overall, extraordinary efforts are urgently needed in order to guarantee refugee children of Nakivale Refugee Settlement the respect of fundamental rights and a treatment according to the internationally recognized legal standards.

Title

Evaluating the implementation of article 22 of the UN Convention on the Rights of the Child in Uganda - Nakivale Refugee Settlement: Duty bearers' and Children's voices

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Key words

Refugee Children; Refugee Settlement; CRC; CRC art.22; Children's voice

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DEDICATION

To my parents...my wholeness.

To the cause of Refugees. To all the children and people who have experienced the hardship in living as refugees, whose civil and political rights have been unfairly denied, first from their own nation and most of the times, from other countries too.

I dedicate my Master Thesis to the Refugee Children of Nakivale, with the hope that they will be able to see peace and justice one day. I dedicate to them my greatest respect.

1. INTRODUCTION

1.1 Introduction

According to the various definitions used by the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations and non-governmental organizations (NGOs), the size of the world's "refugee population" – including internally displaced persons (IDPs), asylum-seekers, and other categories of forced migrants – is of the order of fifty million people, about half of whom are children. The issue of refugee children is recognized as one of the most important humanitarian challenges of our time. (Hieronymi, 2009)

Usually more than half of any refugee population are children. Refugee children are children first and foremost children, and as such, they need special attention. As refugees, they are particularly at risk with the uncertainty and unprecedented upheavals, which are increasingly marking the post-Cold War era. There are many reasons why children need special care and assistance:

- *Children are vulnerable.* They are susceptible to disease, malnutrition and physical injury.
- *Children are dependent.* They need the support of adults, not only for physical survival, particularly in the early years of childhood, but also for their psychological and social well-being.
- *Children are developing.* They grow in developmental sequences, like a tower of bricks, each layer depending on the one below it. Serious delays interrupting these sequences can severely disrupt development. (UNHCR, 1994)

1.2 Background

1.2.1 National Context: Protection of Refugees in Uganda

Uganda has hosted refugees since the end of the Second World War and is currently a safe oasis for around 190,000 refugees who have fled violent conflicts in East and Central Africa, particularly in Rwanda, the Democratic Republic of Congo (DRC), South Sudan, Burundi and Somalia (UNHCR, 2014b). These refugees often stay in Uganda for many years, creating multiple challenges for effective refugee assistance. (Svedberg, 2014).

Uganda is a signatory to all principal international legal instruments for refugee protection: the 1951 Refugee Convention, the 1976 Protocol and the 1969 Organization of African Unity (OAU) Convention. Hence, Uganda, according to the regulations concerning the states, which accede to the 1951 Convention and its 1967 protocol, should demonstrate its commitment to treating refugees in accordance with internationally recognized legal and humanitarian standards; and enable refugees a possibility to find safety (UHNCR, 2011). In 2006, Uganda adopted new refugee legislation, the Refugees Act, which reflected the international standards of refugee protection established within these preceding international legal instruments.

However, the situation for refugees in Uganda still fails in certain respects to reach regional and international benchmarks, especially in relation to the situation of refugee children.

The Government of Uganda (GoU) ratified the United Nations Convention on the Rights of the Child (CRC) in 1990.

The CRC art.22 declares that special protection shall be granted to a refugee child or to a child seeking refugee status. It is the State's obligation to co-operate with competent organizations, which provide such protection and assistance. Art.22 upholds the same principle in relation to both children with refugee status and children seeking it. Moreover, the Convention's provisions cover all children within the country's jurisdiction (art.2), so even those children who have been refused refugee status are still protected for as long as they remain in the country (UNICEF, 2007).

1.2.2 Local Settlement Policy

Presently applied in most countries within the African region, the Local Settlement Policy entails the encampment of refugees in designated and enclosed tracts of land, known as settlements. In Uganda's case, all refugee settlements are located in rural sections of the country and, as such, restrained from mainstream economic and political activity within the country. Under the local settlement approach, no refugee can leave the settlement, except after acquisition of a permit from the camp commandant, who is the administrative head of the settlement. Each refugee family in the settlement is initially given some food rations, as well as non-food items like hoes, sickles and basic household utensils. The family is also given a small parcel of land for subsistence agriculture. With each season, the family is expected to be more self-sufficient and, eventually "phased off" food and other humanitarian assistance.

Today, the GoU policy for refugees is still founded on colonial legislation, which grew out of the perception that refugees are largely a burden to the host state rather than a resource for development. Therefore, although art.26 of the 1951 United Nations Convention relating to the Status of Refugees confers upon refugees the right to freedom of movement within the host State, this right is often brushed aside by pragmatic imperatives. Although local settlements are believed to maximise efficiency in aid distribution, this answer does not justify the limited mobility.

1.3 Problem Statement

Refugee children face far greater dangers to their safety and well-being than the average child. The sudden and violent onset of emergencies, the disruption of families and community structures as well as the acute shortage of resources with which most refugees are confronted, deeply affect the physical and psychological well-being of refugee children. Infants and young children are often the earliest and most frequent victims of violence, diseases and malnutrition, which accompany population displacement, and refugee outflows (UNHCR, 1994).

Humanitarian organizations operating for the protection of refugee children in settlements or camps should ensure that these innocent and vulnerable individuals, after having experienced injustice and violence, are finally able to fully enjoy their rights.

However, this is not always the case.

There is a vast scholarship, which provides a child perspective about children's life in refugee settlements, meaning an adult perspective on children's experiences.

However, there have been few evaluations on refugee children's own voices and perspectives. Based on these considerations, the researcher addressed her study in Nakivale Refugee Settlement towards refugee children's own experiences. She investigated whether they face

any kinds of discriminations founded on age or ethnicity, whether they are treated with humanity and respect, whether their voices are heard and whether the principle of the best interest of the child is applied. Concerning the primary life necessities, she analysed whether refugee children are provided with shelter, food and health services. Finally, she examined if the right of free and universal Education, the right for Participation and the right for Protection have been adequately implemented.

1.4 Objectives of the Study

1.4.1 General Objective

The general objective of this study was principally to assess how the GoU, along with its OPs and IPs, practically implemented CRC art.22 in Nakivale Refugee Settlement. In order to analyse whether the intentions of this international instrument have been achieved, children's voices were particularly emphasized.

1.4.2 Specific Objectives

This research endeavoured to:

- 1) Analyse how CRC article 22 has been implemented in practice in the local context of Nakivale Refugee Settlement in Uganda.
- 2) Explore refugee children's experiences, through their own voice and in so doing, providing the genuine and truthful perspective of the child and not just to have a child perspective (i.e. an adult perspective on children's experiences).
- 3) Evaluate children's well-being in Nakivale Refugee Settlement, taking into consideration the objectives of CRC and of the other international instruments ratified by GoU.

1.5 Research Questions

The question of refugee children is a very important and very complex issue to which no full justice can be done in the space of a single research. However, during this study the researcher examined the following research questions:

1. How has the CRC article 22 been implemented in practice in the local context of Nakivale Refugee Settlement in Uganda?
2. How do children perceive their own life as refugees in Nakivale Refugee Settlement in Uganda?
3. What are the refugee children's experiences with regard to health, education, participation, protection and promotion of their rights?
4. To what extent do the objectives of the CRC art. 22 match with the children's well-being in Nakivale Refugee Settlement?

1.6 Scope of the Study

This research sought to explore, how CRC art.22 has been practically implemented in Nakivale Refugee Settlement. It tries to explore if and how the host government and the humanitarian organisations operating in the settlement do provide the right support and protection to refugee children or enabling them to express their problems and to be heard. The views of the practitioners are therefore presented and analysed. However, the main focus is on the voice, views and experiences of the children themselves.

1.7 Justification and Policy Relevance

Literature review showed that there is a clear gap in terms of academic investigation of the varied methods used to assess the practical implementation of the legislation regarding policies for refugee children. Particularly interesting and relevant is the debate in the literature on the gap between the rhetoric and practise of child protection in the specific context of refugee settlements. The existing research moreover, provides a little consideration of the real opinion and perspective of children. This study, therefore, intended to emphasize children's own voice and ultimately examine the relationship between the legislation and the children's effective wellbeing.

This study aimed to provide context for the complex and multi-layered issues currently faced by the children living in Nakivale Refugee Settlement. By doing this, the study intends to provide a realistic and genuine picture of the children's voice, which constitutes a useful foundation for future investigations. Finally, this research strives to identify how the policy and its implementation could be improved. The results of this study may be utilized by key stakeholders such as UNHCR, GoU and their partners involved in addressing the situation of the refugee children in Nakivale.

2. LITERATURE REVIEW

2.1 Local Settlement Policy in Uganda

Three particular arguments form the foundation for the Local Settlement Policy and the restriction of refugee movement. First, from a political standpoint, it is argued that refugees, as persons fleeing conflict zones, are themselves potential agents of insecurity who, therefore, cannot be allowed free movement and integration into the host community. Based on this reasoning, the policy of sequestering refugees within designated locations in the host State is considered appropriate. The second argument is of an economic nature. It is generally believed that allowing refugees free integration into the host community might damage the often fragile host economy, by increasing competition for jobs (hence, unemployment) or greater demands on the host State's socioeconomic infrastructure, such as schools and hospitals. The third argument relates to the generalisation that refugees, because they come from areas often marked by social collapse, generally carry with them a germ of social regression. Therefore, allowing them free integration into host communities means creating further social issues, which the host country cannot cope with. Taking this into consideration, along with the perception of the refugee phenomenon as largely temporary, local settlement is the standard response to refugee influxes into Uganda (Bagenda, Naggaga & Smith, 2003).

2.2 Refugee Self-Reliance Policy in Nakivale Refugee Settlement

One of the main features of the Ugandan refugee policy is the Self-Reliance Strategy (SRS), a policy that aims to provide refugees the means to economically support themselves while at the same time lessening their dependence on humanitarian assistance.

The new policy would aim to ease the two biggest issues caused by the protracted refugee situations in Uganda: refugee dependence on humanitarian assistance and the growing financial burden that this aid placed upon the host country (Svedberg, 2014).

The result was the SRS, a new philosophy and approach to refugee support that was initially implemented in 1999 in settlements in the West Nile sub-region of Uganda (Meyer, 2006, p. 19). This new strategy made promoting refugee *self-reliance* the foundation for Uganda refugee policy. This term is defined by the UNHCR's Handbook for Self-Reliance (2005) as the basis for refugee wellbeing:

Self-reliance is the social and economic ability of an individual, a household or a community to meet essential needs (including protection, food, water, shelter, personal safety, health and education) in a sustainable manner and with dignity. Self-reliance, as a programme approach, refers to developing and strengthening livelihoods of persons of concern, and reducing their vulnerability and long-term reliance on humanitarian/external assistance. (UNHCR, 2005 p. 1)

In order to promote refugee self-reliance, the SRS utilizes subsistence agriculture as the basis for its objectives. Refugees are allocated a small piece of land that they are expected to cultivate for personal consumption. In conjunction with this responsibility, refugee food rations are decreased in relation to the amount of time they have spent in the settlement. Ideally, this arrangement will provide refugees adequate time to establish reliable agriculture and they will

not experience a lack of food when rations are reduced. This arrangement aims to both help refugees support themselves and to lessen the burden on aid-providing agencies (UNHCR, 2004).

2.3 International legal instruments for Refugee Protection

International Refugee Law is a set of rules and procedures that aims to protect, first, persons seeking asylum from persecution, and second those recognized as refugees under the relevant instruments. Its legal framework provides a distinct set of guarantees for these specific groups of persons, although, inevitably, this legal protection overlaps to a certain extent with International Human Rights Law as well as the legal regime applicable to armed conflicts under International Humanitarian Law.

The main sources of Refugee Law are treaty law, notably the 1951 Convention relating to the Status of Refugees (*1951 Refugee Convention*) and its 1967 Protocol, and customary international law. Customary international law applies to all states irrespective of whether they are a party to relevant treaties or not. Regional instruments represent a further set of protections, particularly the *1969 OAU Convention* (for Africa) and, although it is not formally legally binding, the *1984 Cartagena Declaration* (for Latin America). (RULAC – ADH Geneva, 2015)

The 1951 Refugee Convention is the foundation of International Refugee Law. The Refugee Convention defines the term “refugee” and sets minimum standards for the treatment of persons who are found to qualify for refugee status. Since the Convention was drafted in the wake of World War II, its definition of a refugee focuses on persons who are outside their country of origin and are refugees as a result of events occurring in Europe or elsewhere before 1 January 1951. As new refugee crises emerged during the late 1950s and early 1960s, it became necessary to widen both the temporal and geographical scope of the Refugee Convention. Thus, a Protocol to the Convention (1967) was drafted and adopted. (UNHCR, 2013)

UNHCR serves as the ‘guardian’ of the 1951 Convention and its 1967 Protocol. The 1951 Convention expressly provides that States are expected to cooperate with UNHCR in ensuring that the rights of refugees are respected and protected. The 1951 Convention and its 1967 Protocol are applicable to all persons who are refugees as defined in the instruments. “All persons” clearly includes children and adolescents. Age is taken for granted with respect to the non-discriminatory application of the articles in the Convention, and as the Convention defines a refugee regardless of age, no special provisions for the status of refugee children exist. Children thus have a right to seek asylum and obtain protection under the refugee instruments, based on their own claims (ARC, 2002).

2.3.1 Definition of *Refugee*

According to the 1951 Refugee Convention art.1, the term “refugee” is referred to any person who:

“(…) owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself to the protection of that country; or who, not having a nationality

and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.”

Hence, according to this provision, refugees are defined by three basic characteristics:

- They are outside their country of origin or outside the country of their formal habitual residence;
 - They are unable or unwilling to avail themselves of the protection of that country owing to a well-founded fear of being persecuted;
 - The persecution feared is based on at least one of five grounds: race, religion, nationality, membership of a particular social group, or political opinion.
- (RULAC – ADH Geneva, 2015)

The principle of “non-refoulement”

According to the 1951 Refugee Convention art. 33, refugees cannot be sent to a country or a territory where s/he would be at risk of persecution:

“No Contracting State shall expel or return a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.”

The principle of non-refoulement is considered part of customary International Law and therefore binding on all states. The principle is also incorporated in several international human rights treaties, for example the 1984 Convention against Torture, which prohibits the forcible removal of persons to a country where there is a real risk of torture (RULAC – ADH Geneva, 2015).

2.3.2 Implementation of international legal instruments for Refugee Protection in Uganda

Uganda is a common law country having been a former British colony. It is a dualist country, and international law therefore does not operate automatically but requires a process of domestication and incorporation into the national legal system (Kamumba, 2010). Uganda is a signatory to all principal international legal instruments for refugee protection, *in primis* the 1951 Refugee Convention and its 1976 Protocol, both of which were ratified in 1976. In 1987, Uganda validated the 1969 Organization of African Unity-Convention Relating to the Specific Aspects of Refugee Problems in Africa (OAU Convention). Additionally, the GoU ratified many other regional and international instruments for the protection of refugees. Of particular relevance in this context are the African Charter on Human and Peoples’ Rights (ACHPR), which Uganda ratified without reservation in 1986; the International Covenant on Civil and Political Rights (ICCPR), which it ratified without reservation in 1995; the International Covenant on Economic, Social and Cultural Rights (ICESCR), which it ratified without reservation in 1987.

On 24th May 2006, Uganda passed a new domestic legislation relating to refugees, replacing the antiquated Control of Alien Refugees Act (CARA) of 1964. This new refugee law marks a significant legislative step towards the rationalisation of refugee status determination (RSD) and the protection of the rights of Uganda’s refugees as enshrined in the 1951 Convention

relating to the Status of the Refugees¹ and its 1967 Protocol (Sharpe and Namusobya, 2012). However, it has been hard for Uganda to reflect this generosity of commitments in practice.

2.4 CRC article 22

Even though the CRC (1989) is not a refugee treaty, refugee children are covered because all CRC rights are to be granted to all persons under 18 years of age (art.1) without discrimination of any kind (art.2). The CRC offers indeed the highest standards of protection and assistance for children of any international instruments and it offers potential for the protection of refugee and displaced children because of its near universal acceptance. The prohibition of discrimination (art.2) means that whatever benefits a State gives to the children who are its citizens; it must give to all children, including those who are refugees on its territory. It sets comprehensive standards, in which every aspect of a child's life is covered, from health and education to social and political rights (UNHCR, 1994).

The CRC contains 54 articles of children's rights, which can also be divided into three general categories, commonly known as "three Ps", rights to *Provision*, *Protection* and *Participation*.

- **Rights to Provision:** these are the rights to the resources, the skills, services; the "inputs" that are necessary to ensure children's survival and development to their full potential (i.e. food, education, healthcare, and a basic standard of living).
- **Rights to Protection:** these are the rights that ensure children are protected from acts of exploitation, neglect or abuse, in the main by adults or institutions that threaten their dignity, their survival and development (i.e. protection and care in the best interests of the child in Article 3).
- **Rights to Participation:** these are the rights that provide children with the means by which they can engage in those processes of change that will bring about the realisation of their rights, and prepare them for an active part in society and change (i.e. the right express views and to be heard in decision-making or in legal proceedings in Article 12) (Save the Children, 2013).

The CRC is indivisible and its articles interdependent; therefore, art.22 should not be considered in isolation.

Art.22 states:

1. "States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

¹ "The 1951 Convention", adopted on 28th July 1951, entered into force on 22nd April 1954.

2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or nongovernmental organizations cooperating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any Refugee Child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.”

Children who are seeking asylum or who have been granted refugee status are entitled to full enjoyment of all their rights under the CRC. For instance, refugee children often have experienced war, displacement and other traumas. Therefore, refugee children may also need treatment to promote their rehabilitation and reintegration into society (CRC art.39). According to art.22, no discrimination should occur because States have devolved power and responsibilities to local administrations, even though some variations in services to children are an inevitable product of decentralization. Hence, States should not permit local governments to violate children’s human rights under the Convention (UNICEF, 2007).

2.4.1 CRC article 22 in the international scenario

Although the CRC was adopted by the United Nations General Assembly in New York on 20th November 1989, the document did not become available for signature until 26th January 1990 and it entered into force on 2nd September 1990. When a State Party signs a treaty, it is indicating approval "in principle," but there is no commitment to incorporate the provisions into its own national laws. That is achieved by ratification or an equivalent procedure.

Within one year of 26th January 1990, the Convention had been ratified by 67 member states, and 105 within two years.

The CRC has gained importance to refugee children because of the near-universal ratification of the treaty. The CRC has received more signatures, ratifications or accessions than any other human rights treaty – a total of 193 countries as of May 2015. Somalia, South Sudan and USA are the only nations that have not ratified the treaty, by January 2015).

2.4.2 Implementation of CRC article 22 in Uganda

The GoU ratified the CRC in 1990. In 1996 Uganda domesticated the CRC by enacting a law for children, the Children Statute, now Children Act (Cap. 59), Laws of Uganda.

In order to strengthen the protection of children, Uganda also ratified the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography on 19th August 2002.

The GoU is using additional Regional instruments in order to protect the rights of children: the African Charter on the Rights and Welfare of the Child. This Charter came into force on 29th November 1999. The Charter was drafted in response to natural disasters, armed conflicts, exploitation and hunger, which have hit the Continent (UNICEF & FIDA UGANDA, 2005).

2.5 Definition of *Refugee Child*

The term *children* has been used in this paper in keeping with the UN CRC definition of every human being below the age of eighteen.

The 1951 Refugee Convention and the 1967 Protocol (Relating to the Status of Refugees) set standards that apply to children in the same way as to adults:

- 1) a child who has a "well-founded fear of being persecuted";
- 2) a child who holds refugee status cannot be forced to return to the country of origin (the principle of non-refoulement);
- 3) no distinction is made between children and adults in social welfare and legal rights.

The 1969 OAU Convention (Governing the Specific Aspects of Refugee Problems in Africa) broadened the definition of "refugee" to include persons in Africa who flee from war and other events that seriously disrupt public order. The OAU Convention makes no distinction between children and adults.

Depending on the law of the State, a child-seeking asylum may be granted:

- Refugee status for having a "well-founded fear of being persecuted," as defined in the 1951 Convention and the 1967 Protocol;
- Refugee status as defined in the 1969 OAU Convention or the 1984 Cartagena Declaration;
- If the refugee claim is denied, the child might be permitted to stay with an immigration status granted for another humanitarian reason, or receive rejection or deportation order (UNHCR, 1994).

2.6 Debate on Refugee Children: multiple aspects and perspectives

According to UNHCR (2014b), 46% of refugees and 56% of people living in refugee camps are children. The issue of children should be at the heart of the "refugee debate" not only because they constitute half the total refugee population in the world, not only because of their vulnerability, or conversely because of their ability to cope, but primarily because they are even more directly affected in their lives than their parents and other adults by the "success" or "failure" of their refugee experience (Hieronymi, 2009).

The issue of Refugee Children raises many questions and, like the refugee issue as a whole, it can be approached from many different points of views.

- A) There is an immediate short-term perspective, one that is often a question of life and death. The issue of survival is particularly an acute challenge. There is, however, also a medium - and long-term perspective that ultimately is the most important one. This is true not only because many refugees, including children, remain refugees for a long period, sometimes for years or even decades. The long-term perspective is important also because relatively short-term situations and decisions, often a question of chance, will have a profound impact on the rest of the life of the refugees, including refugee children. (ibid.)

- B) The situation and the fate of refugee children can be considered from the point of view of humanitarian actors – those who try to help and protect refugee children and who often, explicitly or implicitly, make some of the crucial decisions in the name and for the refugee children. These humanitarian actors include international organizations, national and local NGOs.
- C) Finally, there is the own perspective of the child, as a single individual and as a group. This is the most genuine and trustful perspective, which analyses the thoughts and points of view of children, directly through listening to their own voice.

2.7 Children living in Refugee Settlements

Refugee settlements, no matter in which part of the world are located, are primarily artificial environments where everyone is restricted in their freedom of movements. There is a growing body of evidence, which proves that settlements affect children from many different perspectives.

A major consequence of life in a refugee camp or settlement in Africa is the almost inevitable exposure to a sub nutritional diet. Epidemics of nutrition related diseases are common in camps. They are caused by the lack of micro-nutrients-vitamins- in the rations supplied by international aid. It is proved that a child's ability to learn is permanently affected by prolonged state of malnutrition. Refugee settlements most of the times, cannot even ensure the Right of security and protection for children. Gathering people in refugee camps might make them easy targets for regular attacks from across borders. For instance, in April 1996, Juma Oris's group entered Uganda from Sudan, attacking Ikafe refugee camp, cutting off noses and ears, and kidnapping. (Harrel-Bond, 2000).

Moreover, the school attendance for both boys and girls is affected by the settlement life. One of the most common causes of school absenteeism is the need to be present at food distributions to secure and to transport the family's ration.

Children's development is jeopardized by the lack of role models. Even if the parents are present, refugee children grow up under unusual conditions. To feed their children, parents are dependent on donations from strangers. Parents are therefore deprived of their authority; their roles as carers and breadwinners are undermined by their dependence on a system over which they have no control. Parents become easily degraded under the eyes of their children (Levarch, 1997). UNHCR (1994) has recognized that also social life for children and adolescents is threatened in settlements' life. It is common to find among youths prostitutes, drug abusers or perpetrators of sexual violence.

3. THEORETICAL FRAMEWORK

3.1 Dualist-Monist Theories of International Law

Monism and Dualism are theories that have been developed to explain the relationship of International Law and National Law. International law does not determine which point of view is to be preferred, Monism or Dualism. Every state decides for itself, according to its legal traditions. International Law only requires that its rules are respected, and states are free to decide on the manner in which they want to respect these rules and make them binding on its citizens and agencies (Dixon, 2007).

3.1.1 Monism

The Monist theory supposes that international law and national law are simply two components of a single body of knowledge called 'law' (Tapiwa, 2002). According to this theory, both sets of rules operate in the same sphere of influence and are concerned with the same subject matter, and for this reason, there may be conflict between the two systems. If this happens in a concrete case, International Law is said to prevail (Dixon, 2007).

In Monist States, International Law does not need to be translated into National Law. The act of ratifying the International Law immediately incorporates the law into national law. International law can be directly applied by a national judge, and can be directly invoked by citizens, just as if it were national law. In case of conflict, a judge can declare a national rule invalid if it contradicts international rules because, in "monist states", the latter has the priority. Hence, in its most pure form, monism dictates that national law, which contradicts international law, is null and void, even if it predates international law, and even if it is the constitution. (ibid.)

3.1.2 Dualism

Dualists emphasize the difference between National and International Law, and therefore, it requires the translation of International Law into the National one. Without this translation, international law does not exist as law. This theory further postulates that before incorporation of such international law, citizens cannot rely on it and judges cannot apply it. National laws that contradict it remain in force (Tapiwa, 2002). According to dualists, national judges never apply International Law, if this has not been translated into national law. Furthermore, they deny that International Law and National Law operate in the same sphere, although they do accept that they deal with the same subject matter" (Dixon, 2007).

The choice of the Monist-Dualist Theory was grounded on its predicted relevance in analysing and thereby obtaining an understanding of the implications for the implementation of International Legislation about refugee children (and CRC art.22 in a specific way) into the Ugandan Law. Taken into consideration that Uganda is a Dualistic State, the intention of presenting this theory is not to judge it for adhering to the dualistic system nor to make a defence or a persuasion for a monistic system. It is rather to highlight the implications of the country's legal system in relation to International Law as far as the implementation of refugee children's rights is concerned.

3.2 The Strengths Perspective

If refugee children are assessed only by emotional problems, trauma and psychiatric diagnosis, researchers and aid-workers face the risk of constructing them as passive and vulnerable, i.e. not seeing them as able – despite sometimes being in a highly vulnerable position – and as actors in their own right.

There is some literature that views refugee children as capable and own actors in their own right, particularly when exploring their own coping strategies, resilience and adaptation. The strengths perspective concretizes ideas from such literature and calls for an approach to studying children that considers their inner strengths rather than simply their vulnerability.

The Strengths Perspective as an approach to social work practice began in the early 1980s at the University of Kansas' School of Social Welfare. (Saleeby, 2008)

In 1989, Weick, Rapp, Sullivan, and Kishardt coined the term *Strengths Perspective* to address a system in which practitioners recognize the authority and the strengths of people. It is an attempt in response to the demand to end the longstanding conflict between social work values and practice caused by the traditional deficit-focused approach.

Saleeby (2006, pp. 16-20) has described several principles in strengths perspective, which are:

- 1) Every individual, group, family and community has its strength.
- 2) Trauma and abuse, illness and struggle may be injurious but they may also be sources of challenge and opportunity.
- 3) Assume that you do not know the upper limits of the capacity to grow and change and take individual, group, and community aspirations seriously.
- 4) We best serve clients by collaborating with them.
- 5) Every environment is full of resources.
- 6) Caring, caretaking and context.

Saleeby (2006, p.10) defines client's strengths through three interlinked aspects, called "CPR". **C** represents *competence, capacities and courage*; **P** stands for *promise, possibility, and positive expectations*; and **R** means *resilience, reserves, and resources*.

The Strengths model embodies a holistic respect for the dignity and uniqueness of individuals recognizing their way to experience and construct their social realities. It enables a social worker to approach clients with a positive attitude, which enhances clients' motivation and gives clients hope.

The role of language is extremely important in the Strengths-approach. Language and words have power. Words can lift and inspire or frighten and constrain. Therefore, social workers are obligated to improve their vocabulary of helping. Any approach to practise speaks a language that at the end, will certainly effect the way the clients think of themselves and how they will act.

This perspective is composed of some key words:

- *Strengths*: what people have learned about themselves and others. People learn from their success but also from trials and tribulations. We learn from the world around us, through formal education or through the day-to-day experience. Playing an instrument, cooking, telling stories, carpentry, etc., may become tools for helping to build a better life. Extremely important sources of strengths are cultural and personal stories,

narratives and traditions. Finally, people who have overcome abuse and trauma often experience the “survivor’s-pride”.

- *Empowerment* means assisting individuals, families, communities in discovering and using the resources and tools within and around them.
- *Resilience* means the skills, abilities and insights that accumulate over time as people struggle to surmount adversity and meet challenges. It is not a static dimension. On the contrary, it is understood as *the* continuing articulation of capacities and knowledge, which will be used in order to overcome difficult like experiences and pains.
- *Membership* means that people need to be citizens or members of a group or a community. Being without membership means being alienated, and to face the risk of marginalization and oppression.
- The *community* is considered a physical, interpersonal and institutional terrain full of resources. The work of community development is also dedicated to making strengths flourish.
- *Health and Wellness*: in a sense, the strengths perspective itself begins with appreciating the body and its incredible restorative capacities as well as its powers to resist diseases. Supported by positive beliefs and a supportive environment, the brain works as “health maintenance organization”. When people believe that they can recover, their bodies often respond optimally (Ornstein & Sobel, 1987).

Baker (2003, p. 420)² considers the meaning of the Strengths Perspective as:

“An orientation in social work and other professional practises that emphasizes the client’s resources, capabilities, support systems, and motivation to meet challenges and overcome adversity”. Contrary to the traditional deficit approaches, the strengths perspective comes in with a different orientation by emphasising the resources, capacities, energies and survival skills of people instead of stressing pathologies and problems (Saleebey, 2006; Payne, 2014). Therefore, the Strengths Perspective is premised on the belief that all people, even the most humble and abused, have inherent capacities and wisdom to transform their lives. The Strengths Perspective is also embedded in key social work and human rights principles, such as participation; equality and non-discrimination; respect for diversity, inclusion, and social justice (Berg & Kelly, 2000).

Rather than focusing on individual weaknesses or deficits, *Strength-based* is an innovative approach to social work with children, where practitioners collaborate with them in order to discover individual and family functioning and strengths (Laursen, 2000). At the foundation of the Strength-based approach is the belief that children are experts of their own lives, have unique talents, skills, and life events, in addition to specific unmet needs (Epstein et al., 2004).

The main difference to the traditional Problem-solving approach is that the social worker spends little time trying to understand what caused the problem or trying to name it.

² See Trevithick, 2012, p.349

The strengths-based approach shifts the emphasis of the intervention from what went wrong to what can be done to enhance functionality, and what builds on the child's strengths and resources that enable mastering life's challenges and the healthy development of the child. The practitioner would focus on identifying or uncovering strengths, recognizing that a problem- and deficit-focus may create a mind-set that is an obstacle when looking at positive factors of the child development.

Epstein and Sharm's study on *Strength-based assessment* have contributed significantly to develop instruments designed to assess skills and competencies of children and youth. Working from a strength-based model of development, researchers consider strength-based assessment to be founded on the following principles:

1. All children have strengths.
2. Focusing on children's strengths instead of weaknesses may result in enhanced motivation and improved performance.
3. Failure to demonstrate a skill should first be viewed as an opportunity to learn the skill as opposed to a problem.
4. Service plans that begin with a focus on strengths are more likely to involve families and children in treatment (Epstein et al., 2004, pp.353-367).

As Salebeey (2006) suggests, the central proposition of social work practise with children is to exploit the best in all of us; to work together to overcome adversity and trouble; to confront the difficult life's conditions and events with all the tools available within and around us; to wrestle distress and disillusionment to the ground with determination and grit; to grab the hands of others firmly, even heroically, in the direction of hopes, dreams and possibilities. Children have indeed surprising reserves of resistance and a much greater instinct of survival than most adults, men or women. Moreover, children have a great capacity of adaptation to new circumstances. They are like an unwritten book: they learn languages, customs, rules, and opportunities much more quickly than their parents do. Children "fit in" much more quickly than adults or older people (Hieronymi, 2009). They may be passive partners, but children know, that the objective is to have a better future than the past that was left behind. Children may be desperate because of what and whom they remember from back home, but they also expect every day that the future will be better than the situation that was left behind (ibid.).

Based on these considerations, there is an urgent need for investigations focused on the young persons' own perspectives of well-being as well as the factors contributing to it. For this reason, the main actors of this research were the children themselves through their own voices. The researcher used the Strengths Perspective during the interviews with children as well as during the analysis of the data collected from the children's interviews.

3.3 African Refugee Theory

Kibreab (1991, p.21) affirms that the current causes, which continue to create high influxes of refugees in Africa are still numerous. He also states that “...*at the heart of the African refugee problem lies a lack of respect for fundamental human rights, including the right of peoples to determine their own destiny...*”

He continues declaring that: “...*The refugee problem in Africa is a result of an inter-play of political, social, economic and environmental factors. It is not easy, therefore to isolate one factor to the neglect of others and to state the real cause with certainty. The factors that generate refugees are inextricably intertwined with each other...*” (Kibreab, 1991, p. 23)

Each refugee migration, no matter if it is large or small, long or short term, has its origin in socio-economic causes that do not occur elsewhere in the same form. The causes and the solutions of refugee migrations in Africa lie in the complex social and economic interactions manifest in everyday life. While inter-ethnic conflict might be the catalyst in one refugee migration, another might be the result of environmental stress brought on by economic and demographic pressures. The governments of many African states are increasingly directly involved in situations that cause refugee migrations, through enforced villagization, or the direct persecution of a single ethnic group. The complex interplay of socio-economic factors which can lead to refugee migrations does not affect each migrant in the same modality. The varieties of different refugee migrations are as complex as the situations, which can create them. People have different perceptions of exactly what they consider is a threat to them. In some situations, the mere rumour of instability can be enough to impel people to move. In other situations, people do not flee until they have been overtaken by violent conflict. Since in the African context, the line between political and economic repression can become blurred, many refugees could (and are) classified as economic migrants.

Rogge (1994) cited in Collins (1996) formulated a typology of refugees based upon an examination of the activating agent for the refugee migration, the objective of the migration, and whether the migrants possess refugee characteristics. Rogge’s typology initially identifies two classes of involuntary migration: *impelled* and *forced*.

An *impelled migration* might be caused by the need of escaping persecution or perceived danger. *Impelled* migrants do retain some degree of choice regarding their possible flight. Before making the decision to migrate, *impelled* migrants have the opportunity to weigh the factors involved and then make a choice between moving or remaining in the face of an external threat. In this category, refugees are classified into:

- a. *Escapees* (i.e. Somalis in Kenya);
- b. *Victims of hostility* (i.e. internal displaces in South Sudan);
- c. *Refugees sur place* (i.e. Rwandan students abroad);
- d. *Evacuees* (i.e. White Rhodesians from Zimbabwe)

Impelled migrants might also escape deteriorating environmental conditions, in such cases, Rogge defines them as *Ecological* migrants, and one example might be Ethiopians in Sudan. Whereas *forced migrants* are expelled from an area by an external force, such as a government, the people involved have absolutely no choice in the matter of their removal. In Africa, examples include Asian *expellees*, expelled from Uganda by the Amin regime in the 1970s, or *forced resettlement* in South Africa, during Apartheid.

It is important to notice that the terms *forced* and *impelled* were introduced into the migration literature by Petersen (1958) cited in Shain (2005). According to Petersen, the difference between these two classes of migration lies in the amount of free choice an individual has when they are involved in forced migration.

The motivation for a refugee's migration becomes important when their legal status is determined. According to Rogge's typology, some types of refugees are more likely to obtain official recognition than others.

4. METHODOLOGY

This section spells out how the study was conducted. It describes the study site, research design, study population, sample size and selection procedure, data collection methods and tools, data analysis, and ethical considerations.

4.1 Description of the Study Site

This study was conducted in Uganda, specifically in Nakivale Refugee Settlement, which is located in Isingiro district, in the Ankole region in the South-Western part of the country. It was chosen as the study location because it is one of the oldest settlements in Uganda and subsequently has well-established procedures and refugee assistance infrastructure. Many of its refugees have been in the settlement for a number of years, providing a perfect environment for the analysis of long-term refugee issues.

Nakivale Refugee Settlement constitutes one of Uganda's first examples of the colonial government's policy of local settlement. It was established in 1958 in the wake of an unprecedented influx of Rwandese Tutsi refugees fleeing persecution from the new Hutu regime. It was officially recognized as a refugee settlement in 1960 through the Uganda Gazette General Notice No. 19 (UNHCR, 2014).

To address this situation, the colonial government exchanged a few scattered parcels of land it owned in the Nyabushozi area of Mbarara, for six parcels of land in the Nakivale area owned by the Omugabe.³ Because the land in Nakivale area was fairly proximate to the border with Rwanda, and had a low population of nationals (owing to tsetse fly infestation), the colonial government considered it more conducive for accommodating refugees than the land in Nyabushozi. The Nakivale land then became the nucleus of what is today Nakivale Refugee Settlement (Bagenda et al., 2003).

Currently Nakivale Refugee Settlement is 185Km² and it is home to 74,763 (Uganda Red Cross Society (URCS) February 2015) refugees of primarily Congolese and Rwandan origin. There are also smaller but significant populations of refugees from Somalia, South Sudan, Eritrea, Ethiopia, Burundi and Liberia. It is divided in three main areas: Base Camp, which is the main centre and where the Office of the Prime Minister (OPM) and all the Operating Partners (OPs) and Implementing Partners (IPs) are located; Rubondo, and Juru, which are mostly rural areas. These areas are divided into 79 villages with an average of 800 to 1,000 people per village. There is also an estimated population of 35,000 nationals surrounding the Refugee Settlement who directly benefit from water, education, health and nutrition programmes in the settlement (UNHCR, 2014).

The settlement is governed cooperatively by OPM and UNHCR. OPM is in charge of the settlement management, coordination and security of the camp and has moreover, legal authority over all other organizations who work in the camp. UNHCR, working cooperatively with the OPM, oversees the wellbeing of the refugees and supervises the operations of the various IPs, who directly carry out livelihoods projects and provide services in the settlement (Svedberg, 2014).

³ The Omugabe of Ankole is the title given to the monarch of the Kingdom of Ankole. The kingship was abolished in 1967 by President Milton Obote.

4.2 Description of the Research Design

The study was exclusively qualitative in nature. The reason for this choice was determined by the need of describing the research issue (implementation of CRC art.22) within a particular context (Uganda – Nakivale Refugee Settlement). The significance of qualitative approaches is to present an understanding of particular research phenomena within the context in which they are happening; as well as an emphasis of the subjective experiences of the participants within a given context (Natasha, Woodson, MacQueen, Guest & Namey, 2005).

More specifically this was an evaluation study. Evaluation research usually denotes the study of the impact of an intervention, such as a new social policy or an innovation in organizations (Bryman, 2012). Hence, this evaluation study assessed the impact of the Legislation regarding refugee children (and specifically of CRC art.22) ratified by GoU in the local context of Nakivale Refugee Settlement. Through the own voice of the refugee children, this study attempted to evaluate if the anticipated goals of this legislation have been achieved.

4.3 Study Population

The population from which the sample was drawn included primarily refugee children, and secondly aid workers of IPs and OPs operating in Nakivale Refugee Settlement.

4.3.1 Refugee Children

Refugee children were the primary study population. The study targeted refugee children aged between 13-17. The interviews with children constitutes the outline of the empirical part of this paper. The main objective was to contextualise their statements concerning how CRC art.22 and other legislations concerning the rights of refugee children have been implemented in this local context.

4.3.2 Staff

This category was considered not only because they directly work with children's rights and with implementation of International and National Law, but also because they were envisaged to potentially contribute to the subject from different perspectives.

The researcher targeted to include the views of professionals from different organizations operating in the settlement: Ugandan Red Cross Society (URCS), American Refugee Council (ARC), Windle Trust and the OPM.

4.4 Sample size and Sample selection procedures

4.4.1 Refugee Children

In the procedure for sample selection, in order to provide a wider view of the complicated setting of Nakivale, the researcher considered the sex, age, nationality, location in the camp, duration of stay in the camp, and whether the children were accompanied or unaccompanied.

The respondents selected came from six different nationalities: Burundi, DRC, Eritrea, Ethiopia, Rwanda and Somalia. This choice was defined by taking into consideration the weight that these populations represent over the total refugee population living in the settlement. For instance, children from DRC represent the greatest majority of the study, eleven (11) out thirty-six (36), since the Congolese population in Nakivale represents more than 50% of the total one.

The researcher chose to interview children from three different sub-divisions of Nakivale: Base Camp, which is the main centre, Sangano - the main trade centre of the Base Camp and of the whole settlement - and Juru, that is one of the most rural areas of all the settlement and one of the furthest ones from the Base Camp. The sample was also purposely selected, taking into consideration the different arrival times, from children who were born in the settlement to the ones who arrived just two months before the study.

The sample was selected through a “snowball” approach. The researcher asked for the assistance of the interpreters, who were very familiar with the different refugee communities and who were aware of the characteristics to find among the respondents, to approach the potential research subjects. This initial “core” of subjects were asked to name others who might be willing to be interviewed.

The total number of children interviewed is 36, including 17 girls and 19 boys as shown in the tables below.

Table 1: Sample of Girls in the Study

Nationality	Sample Size	Age	Sub-division Nakivale
Somalia	9	13-17	Base-Camp
Burundi	3	15-17	Base-Camp/ Sangano
Rwanda	3	15-17	Base-Camp/ Sangano
Eritrea	1	14	Base-Camp
Ethiopia	1	13	Base-Camp
	TOT. 17		

Table 2: Sample of Boys in the Study

Nationality	Sample Size	Age	Sub-division Nakivale
Burundi	1	15	Base-Camp
DRC	8	13-15	Base-Camp
	3	15-16	Juru
Eritrea	3	15-17	Base-Camp
Ethiopia	3	15-17	Base-Camp
Rwanda	1	14	Sangano
	TOT. 19		

4.4.2 Staff

The researcher interviewed four (4) aid workers, one from each of the four different organizations; URCS, ARC, Windle Trust and OPM. Selection of the key informants was determined by the area of intervention of the professionals: child protection, education, family tracing and asylum seeking assessment.

4.5 Data collection: sources and methods

Data for this study were collected using qualitative methods, including: documents review, semi-structured individual interviews, FGD and participant observation.

The data collection in Nakivale Refugee Settlement, took place in March 2015 and lasted for two weeks. To be able to interview refugee children from six different nationalities, the researcher received the support of four interpreters, who were refugees themselves and living in the same settlement.

4.5.1 Documents Review

Bryman (2012, p. 551) wrote that reviewing documents can help complement the work of researchers using methods such as participant observations and qualitative interviews. During the course of this study, documents were considered an important source of information pertaining to the issues under investigation; hence, they were carefully examined. This method entailed a review of official reports, policies, legislations, articles and publications with the intention to obtain deeper information to answer the research questions. Such official documents, as Macdonald (2003) argues, help understanding the investigated social world.

The researcher specifically analysed International and National Legislations and documents from GoU, concerning the current situation of Refugees and Refugee Children in Uganda and in Nakivale Refugee Settlement. These instruments were reviewed in order to contextualize the study findings and to gather relevant perspectives to the study, which otherwise would not be possible to obtain by the mere interaction with study sample. In order to assess the quality of documents, the researcher followed the criteria cited by Bryman (2012, p. 544) namely, “authenticity; credibility; representativeness; and meaning.”

4.5.2 Semi-structured Interviews

These interviews have been variously termed as in depth - or sometimes qualitative interviews (Bryman, 2012); often used when the researcher is interested in obtaining a vivid or detailed perspective of a research issue and people’s experience of it (Natasha et al., 2005). In order to conduct the interviews an interview schedule comprising open-ended questions in line with the research questions was used. The format for asking questions was very flexible, allowing the researcher an opportunity for probing and asking follow up questions on issues that might be unclear. Semi-structured interviews were conducted with children and staff:

- **Refugee Children**

The researcher conducted eight (8) individual interviews with refugee children, composed by three (3) girls and five (5) boys. The interviews were conducted in quiet places, used normally for community meetings or events, such as the school for adults or the Ethiopian and Eritrean community or the church compound in the *New Congo* area.

➤ **Girls**

In the case of girls, the researcher conducted the interviews alone. The three (3) girls had a very good level of English and understanding of the study purpose. Hence, she did not need the support of any interpreter or inter-cultural mediator. The table below shows the nationality, age and location of the girls interviewed:

Table 3: Characteristics of Girls in the Sample

Nationality	Sample size	Age	Sub-division Nakivale	Language of Interview Conduction
Eritrea	1	14	Base-Camp	English
Ethiopia	1	13	Base-Camp	English
Somalia	1	13	Base-Camp	English
	TOT. 3			

➤ **Boys**

The researcher was supported by two (2) interpreters, one for the boys from Burundi and Rwanda; and another one for the boys from DRC.

Table 4: Characteristics of Boys in the Sample

Nationality	Sample size	Age	Sub-division Nakivale	Language of Interview Conduction
Burundi	1	15	Base-Camp	Kirundi
DRC	3	15-16	Juru	Kiswahili/French
Rwanda	1	14	Base-Camp	Kinyarwanda
	TOT. 5			

- **Staff**

The researcher conducted four (4) individual semi-structured interviews to collect information from key informants from OPs and IPs operating in Nakivale. The interviews were conducted in English and lasted between 40 to 75 minutes.

The quotations of the aid workers will be reported throughout the paper referenced as *Q1*, *Q2*, *Q3* and *Q4*. Two of the aid workers did not give their consent for the recording of the interviews and so the researcher took only hand-written notes.

4.5.3 Focus Group Discussions

Focus Group Discussion is a method of qualitative data collection in which several participants are brought together to discuss issues where they have particular knowledge and experience. Their strength lies in the ability to elicit a breadth of information in a short time (Natasha et al., 2005); help generate group consensus; and bringing forward varying perspectives on a specific topic (Bryman, 2012).

Like individual interviews, questions were asked in an open-ended format, allowing respondents to express their views freely and in detail and the discussions were recorded.

The researcher organized four (4) FGDs according to age, gender and nationality. All of them were conducted in the Base Camp within each community represented by the respondents, as showed in the following matrix.

Table 5: Characteristics of FGDs conducted among refugee children

FGD	Nationality & Sex	Sample size	Age	Place of living in Nakivale	Time for Interview conduction (minutes)	Place of Interview Conduction
1	Somalia Girls	8	13-15	Base-Camp	60	Private compound (Somalia Area)
2	DRC Boys	8	13-15	Base-Camp	72	Interpreter house (Sudan Area)
3	Eritrea/Ethiopia Boys	6	15-17	Base-Camp	70	School for Adults (Ethiopia-Eritrea Area)
4	Burundi/Rwanda Girls	6	15-17	Base-Camp/ Sangano	50	Church compound (New Congo Area)
		TOT. 28				

1. In the case of the Somali Girls, the language used during the FGD was Somali. It was very visible that they were not confident with the use of English. Only one of them was expressing herself in English. The figure of the interpreter, young Somali girl, was essential also as cultural mediator. The researcher noticed indeed a certain level of scepticism, especially in the beginning, in sharing their experiences with her. Moreover, compared also to the other nationalities part of the study, the Somali girls seemed to be the most shy and reticent. From their behaviour and through the participant observation, the Somali girls in Nakivale do not mix with refugees from other countries and they normally do not go out from home. It is rare to see young Somali girls in public places.
2. The FGD with the Congolese Boys living in the Base Camp was conducted mainly in Swahili and French. However, children sometimes expressed themselves in English. They expressed also their wish to be able to be more fluent in English, so that they would have been able to speak directly to the researcher.
3. During the third focus group, the boys from Ethiopia and Eritrea expressed themselves in English, a part from few interventions by the interpreter. The interpreter's presence was important mainly as cultural mediator, especially when he had to clarify the independence of the researcher from any organizations operating in the settlement. However, some participants, preferred to interact with the researcher directly, responding in English. Even though, when the researcher introduced herself, she explained that she was conducting an independent study, they still thought that she was connected to some organizations operating in the settlement; therefore, they did not feel completely free to speak and express themselves. At that point, the researcher asked for the support of the interpreter, who assured them, in their mother tongue, that she would never share with them the outcomes of those interviews.
4. In the last FGD, the role of the interpreter was essential, since only a girl was able to speak in English. The language used was Kirundi and Kinyarwanda. In all the above-mentioned cases, the role of the interpreters, who, as it was said before, are also well-known persons within each community, was essential in mobilizing the children for the organization of the interviews.

4.5.4 Participant Observation

Participant observation played an important role in learning about the daily life and challenges of the refugee children and in general of the whole refugee population. The researcher considered it essential, to spend her spare time with the refugee population. This allowed her to know first-hand their daily routine, their daily concerns and in general, to gain a broad picture of the hard situation in which refugees are obliged to live in Nakivale. The researcher participated in social events, such as the marathon organized during the Women s' day or the Sunday gospel in a Christian church. She went to visit the MTI hospital in the Base Camp; she visited their residences, she had meals with them, etc. Participant observation provided the researcher the opportunity of appreciating cultural differences, and in understanding the relationship between the refugee community and aid agencies. Finally, it helped the researcher to build a trustful relation with the participants of this study.

Additionally, participating in the field visit with URCS to Oruchinga, a smaller Refugee Settlement close to Nakivale, in the borderline with Rwanda, in which some services, such as

family tracing are connected to Nakivale, allowed the researcher to get a broad idea of the situation of refugee settlements in Uganda.

In order to receive a broader idea of the complex reality of Nakivale, the researcher considered it as very helpful to move as much as possible around the settlement - Base Camp 1-2-3, Juru and Sangano – and visiting crucial places, such as schools, the hospital and the Reception Centre.

4.6 Data Processing and Analysis

Data were transcribed and then post-coded into themes emerging from the data themselves, guided by the study objectives. Like Kvale and Brinkmann (2009, p.180) underscores, transcribing interviews helped to “structure interview conversations in a form amenable to closer analysis and transcription itself formed an initial analytic process”.

As Kvale and Brinkmann (2009) remind, this investigation did not intent to “emphasize the mode of communication and linguistic style” nor did it aim for “extensive narrative analysis” (p.180) but rather aimed at “reporting the subjects’ accounts in a readable manner” (ibid., p.181) and producing a more coherent output (ibid., p.184, 186). Hence, the *verbatim* method of transcribing was not used throughout.

Rather, only selective verbatim transcription was used. The researcher did the transcribing by herself and this helped her in order to “learn much about my own interviewing style, reflect on the emotional aspects entailed in the interviews, and it helped her to make timely analysis of what it was said” (ibid., p. 180).

Being a qualitative study, analysis started already in the field by making a follow up of the emerging issues in the interviews and discussion.

4.6.1 Management and Analysis of Primary Data

Data generated from primary sources (semi-structured individual and group interviews) were transcribed and analysed one at a time. During this process, the researcher was faithful to the text of the interview, with no digressions or interpretations on the part of the researcher. This is especially the case of a study such as this, conducted across linguistic and cultural boundaries. The first step in the analysis was to read the transcribed interview in its entirety to obtain an overall picture.

The process of transcription was conducted simultaneously with coding; although more elaborate codes were developed after all transcripts were completed. The entire process was done in order to help the researcher to simplify the management of the volume of data from individual and focus group interviews and therefore to facilitate the successive thematic analysis.

Ryan and Bernard (2003) cited in Bryman (2012, p.580) suggest that while searching for themes, researchers should focus among others on: “repetitions, indigenous typologies, similarities and differences, transitions, missing data and theory-related material.” At this point, the interviews were divided into units of meaning. Latterly, the codes and quotations from the respondents were put into a matrix, which facilitated the process of thematic analysis.

4.6.2 Management and Analysis of Secondary Data

Data from secondary sources such as documents related to International and National Legislations were analysed qualitatively using a method known as “qualitative content analysis” (Bryman, 2012, p.557).

The method is marked by “searching out underlying themes in the materials being analysed” (ibid.). Emerging themes were then analysed and interpreted in order to contribute to answer the research questions. Selected texts or sections exemplifying key themes identified from the revised material were extracted and incorporated in the report in order to increase the discussion of the findings.

4.7 Ethical Issues

Ethical considerations were particularly important in this study, due to its extensive engagement with refugee children, an inherently vulnerable population.

Before conducting the study, the researcher obtained an official clearance from MFamily Erasmus Mundus Committee and from Makerere University - Department of Social Work and Social Administration.

Access to the settlement as a researcher was carefully gained from all the appropriate authorities, both national and local. Regarding national authorities, official permission to conduct an independent research in Nakivale was obtained from OPM - Kampala.

Concerning local authorities, the researcher was officially introduced to the Deputy Camp Commandant and to the local *chairmen* of the different communities (I.e. Somali Area, Congolese Area, etc.), who gave their verbal consent for the research conduction. In addition, formal introduction was given to the head of each IPs and OPs, which participated in the study, who allowed access to their activities and gathering of data from their representatives.

A potential issue that the researcher had to take into consideration during the research was the inherent responsibility and role that she had in the settlement, both as a researcher and as a foreigner.

In a general way, the “do no harm” (*primum non nocere*) approach to research was used, given the humanitarian context of the present study. However, as Leaning (2001) and Anderson (1999) remind, the problem of “doing no harm” in refugee research is particularly difficult to anticipate or control. For instance, when refugees are interviewed, the information they reveal can be used against them either in the camp or in their areas of origin.

Refugees can become stigmatized or targeted if certain information is known about them, for example, that a woman has been raped, or that a refugee has access to particular resources.

Moreover, in FGD there can be no confidentiality, and what is inadvertently revealed—even when questions are carefully designed - cannot fully be controlled even by diligent researchers (Jacobsen & Landau, 2003).

An ethical approach ensures a focus on risk assessment and mitigation to ensure that children did not face harm as a result of what they shared/revealed during their interviews. Furthermore, it was necessary to acquire awareness and a good understanding of the national, social, socio cultural, religious and political context of the settlement. Given the sensitive context, the researcher was extremely careful in organizing the FGD, dividing the children per sex, age and ethnic groups, in order to avoid any kind of tension or discrimination.

The researcher was aware that using interpreters/research assistants from the same country or area as the children respondents might have created potential political or social tensions. In highly sectional countries, like Congo or Burundi, it is quite possible that a research assistant may be associated - by name, appearance, accent, style of dress - with a group the respondent either fears or despises. This will undoubtedly influence the quality of the data collected. If the research assistant is affiliated with a group in opposition to the refugees being interviewed, this raises the possibility that information will be used against a particular sub-group (ibid.).

The biggest ethical issue that the researcher met was managing refugee expectations concerning benefits, which they might have received by participating, regarding their situation in the settlement and mainly about their settlement process and their future. To address this, the researcher took particular attention of making clear to all participants that she was a student conducting research for a strictly academic purpose, and that, she was not involved in the work of any OPs or IPs of Nakivale.

The researcher indeed received many help requests and complaints related to the way in which the humanitarian organizations respond to the refugees' needs, the way they treat them and the injustices they witness every day.

In many occasions, it was very difficult to decide the most ethical procedure to follow, for instance about the necessity of sharing, with the appropriate authorities, about serious cases with the hope of a faster and more incisive intervention.

The researcher found herself in handling many dilemmas, related mainly to how to intervene or contribute to situations of objective injustice and lack of implementation of any kind of rights for the protection of refugee children. In many circumstances, it was not easy to be in the position of a researcher and therefore dealing with a strong feeling of powerlessness. Hence, many times it was important for the researcher to remind herself about her role of researcher conducting an academic study, who cannot take on her shoulders the responsibility of lack of implementation of the main international instruments for the protection of refugee children.

However, as Jacobsen and Landau (2003) stated, social scientists doing in humanitarian situations often face a dual imperative: research should be both academically sound and policy relevant. They aim indeed to ensure that the knowledge and understanding generated by their work, are used to protect refugees and influence institutions like governments and international bodies mandated to the protection of refugees.

Regarding this issue, the researcher had to remind herself that she was conducting her study only for two weeks and that realistically she would not be able to make any significant change to the current situation of the refugee children living in Nakivale.

Ethical considerations of this study and the voluntariness, anonymity, and confidentiality of participation were discussed with the interpreters before their involvement in the data collection. In regards to compensation, the interpreters received a small payment for the services they provided. Refugees who participated are protected by anonymity of their identities and all refugees provided informed consent for the research. Regardless, all informants were enthusiastic to participate.

Before the beginning of every interview, the researcher introduced herself to the study respondents, informed them about the purpose of the study, the benefits and risks associated with participation in the study. Participants were assured of confidentiality and anonymity of

both the interview and data. The information provided by respondents was limited to the study purpose. The importance of their participation was communicated to them and they were informed of the voluntariness of their participation i.e. they reserved the liberty to pull out of the interview/discussion at any point. After this explanation, an informed consent form was handed to the aid workers and all of them consented and signed it, neither out of pressure nor persuasion but out of understanding the study details and the implications of their participation.

Whereas, in the case of the refugee children, a consent form was given to their parents before the beginning of the interview. The role of the interpreter/ mediator was extremely important in explaining the purpose of the study to the parents and obtaining therefore their consent. Additionally, an assent form was given to the children before the start of every interview, in which, no matter their parents they gave already their consent, they were still on time to decide whether they wanted to participate or not in the study. The researcher tried to be as clearer as possible in explaining to both the children and the aid workers, that they were free not to reply to some questions and to interrupt the interview whenever they wanted.

All study participants were informed that their names would not be included in the study (regardless of whether or not they gave permission to be identified by name) and that only non-unique identifiers (age, ethnicity, gender, nationality, and occupation/affiliation) would be recorded with their responses. Moreover, all participation was voluntary and could be terminated without cause at the participant or researcher's discretion. The researcher also valued the importance of rapport building in conducting ethical research and she paid particular attention to the comfort interviewee during his or her participation.

The researcher specified to the refugee children and their parents, that their participation was completely voluntary and that there would not necessarily be any benefits from participating in the research; therefore no monetary compensation was given to the participants, but food and refreshment was given as compensation for their time and kind availability at the end of the interview or during the break in case of the group interviews.

4.8 Limitations to the Study

4.8.1 General Limitations

The researcher stayed in the field for 14 days. The time was enough to complete all the interviews, nevertheless, the length of the research period inherently limited the researcher's ability to understand more deeply and analyse the incredibly complex dynamics and issues at play within the settlement but the depth of the collected data and the time spent among the refugee population, helped to mitigate this concern.

However, during the time spent in Kampala, the researcher took the opportunity of contacting Refugee Law Project (RLP), in order to obtain some information and to get close to the refugee communities of Ethiopians, Eritreans and Somali. This gave her some important insights before and after the work of data collection in the field.

The researcher organized and conducted her study completely independently, without any coordination by organizations operating in Nakivale. Before getting on the field, she just arranged some informal contacts with refugee interpreters and community representatives through colleagues from other master programmes and a contact from URCS, through her supervisor. This can be considered a limitation, since the student did not have much familiarity with the settlement and she did not receive any guidance by any OPs or IPs.

Nevertheless, the researcher fully enjoyed the independence of her study, indeed the affiliation to any of the organization might have also prevented some participants from being fully honest - in particular, when discussing about tensions between refugees and aid workers or they might have believed that their responses would have influenced their future. However, the researcher considered important to remark more times during the interviews, the fact of being a fully independent researcher and that whatever they reported it would remain only for the researcher, in order to obtain their fully trust.

For a group of refugees to be a representative sample, it means that they must have been randomly selected from the target population, i.e., every person (or household) in the target population must have had an equal chance of being selected to be interviewed.

However, for diverse reasons, this is very difficult to accomplish in refugee research. In any refugee community indeed, there are also groups of people who are particularly difficult to reach, due to norms of public display and voice, or simply because of their work or living conditions (Jacobsen & Landau, 2003).

Despite all these limitations, the researcher tried her best to create a best representative sample as possible, trying to combine age, sex, nationality, area of living in Nakivale and time spent in the settlement.

The researcher interviewed only children between 13 to 17 years and not any respondents among the adult refugee population. This might be considered a limitation, since they might be witnesses of many changes in the implementation of different regulations regarding refugee children; however, according to the objectives of this study, children's voice must represent the main source of this study.

The researcher faced also some electronics limitations in Nakivale, related to power insufficiency. Indeed, there is no electricity for many hours in a day. While during the weekends, the power just come after 8pm. This influenced the use of electronic devices, such as phone, laptop and recorder. For this reason, the work of data transcription started only after the arrival back in Kampala. This might have influenced on the quality and content of the findings. However, this impact was mitigated, since throughout all the interviews conduction, the researcher took notes about peculiarities and the modality in which the interviews took place. Hence, during the transcription phase, these notes have been particularly useful to remind the researcher some important aspects of the respondents and their life.

4.8.2 Refugee children

The issue of school time was an important factor in the availability of the children to participate in the interviews. Normally they leave home to go to school at 6 or 7 am, and when they come back at 6 or 7 pm, they are supposed to do their homework. Moreover, the issue of lack of illumination within the settlement makes the opportunity of moving around very difficult both for children and for the researcher herself.

The interpreters\Community Protection Workers, who assisted the researcher, informed the children and the parents about the interviews' time in advance. However, many times, when we went to the different villages to pick the children, they were not available because they were either working, digging or fetching water. Therefore, in some cases we had to postpone our interviews.

4.8.3 Staff

Many are the limitations, which the researcher met in organizing the interviews with the aid workers of the IPs and OPs of the settlement.

Although the potential respondents had been contacted and the time scheduled in advance, our appointments were cancelled or postponed many times. Therefore, job complications prevented certain professionals, from taking part in the research. The inclusion of their expertise would have been helpful in expanding and enriching the context of this research.

However, these professionals were replaced by other colleagues, who work in the same area. Two interviews were conducted during the working time of the aid workers, and this has meant some interruptions during the interviews. The other two interviews were organized at around 7 pm, when still there is no electricity in the settlement, and this made a bit difficult the transcription of the interview, since no permission was given for recording.

The researcher noticed a certain scepticism among the professionals towards herself, as international student researching on a very delicate topic, such as implementation of rights for refugee children. It has been very visible their reluctance in sharing information with her relating to their job and to the actual situation of the refugee children in Nakivale. The biggest difficulty has been accessing to the documentation of the Ops and IPs, as kindly requested more times to its employees. Even though they promised it many times, the researcher never received those documents.

The researcher put a lot of attention in ensuring the aid workers that her study would not include any information which would make it possible to identify them. She guaranteed them, that the records of this study would have been kept strictly confidential, that all the electronic information would have been coded and secured using a password protected file, to which only the researcher would have access to. However, two out of four of the professionals interviewed, did not give their consent for the recording.

4.8.4 Language barriers

As stated in the sections 4.5.2 and 4.5.3, the majority of the interviews were conducted in the mother tongue of the participants; hence, the role of the four interpreters has been essential in presenting the children's own voice.

Language barriers were therefore slightly mitigated through the use of interpreters, who had previous experience in Social Science research and who are also community representatives or anyway boys/girls who are very well-known in their community. Their expertise was visible and a part from their work of translation, they were very helpful in clarifying the situation of the settlement, of their community and moreover, in elucidating the main challenges and needs of their co-nationals. Hence, during these times, the figure of the interpreter has been essential as role of mediator/facilitator.

However, it is important to take into consideration that, as for every work of interpretation, the translation was not always completely adherent to the words of the children, and this has limited this study's reach and depth.

5. FINDINGS: ANALYSIS AND DISCUSSION

5.1 Introduction

The findings are presented following a set of themes that emerged from the data collected. The themes are aligned to the research objectives and they attempt to answer the research questions of the study. In order to emphasize the importance for this study of the voice of refugee children, the findings are composed mainly by the children's citations, which report their exact words.

The first part of the interview to the children was dedicated to get acquaintance of the background of the children, regarding the place of birth and time, reason and modality of reaching Nakivale Refugee Settlement.

5.2 Children's background characteristics and arrival in Nakivale Refugee Settlement

Fifteen (15) out of thirty-six (36) children came from single-parent families. All of them are households headed by mothers, with exception of two Somali sisters, who lost their mother, and now they live only with the father. The children told they had lost their father during war in their home country, while few of them said that their fathers are in other countries, such as Kenya or USA. At the moment of the interview two (2) children were asylum seekers, and both of them from Somalia. Three (3) refugee children among the thirty-six (36) respondents came to Nakivale without any parents or family-taker: a Somali girl, a Burundian girl and a Congolese Boy living in Juru.

The majority of the respondents declared of having lost any kind of contacts with their home country, the few who still have contacts complaint the expensive cost for contacting them, through phone or internet. As stated in the study population, the researcher tried to find a sample, which could represent children, arrived in Nakivale Refugee Settlement in different times. The following table shows how the sample was composed from children who were born in the settlement up to children who arrived just two months before the study conduction.

Table 6: Children's arrival dates in Nakivale Refugee Settlement

Arrival date in Nakivale	Number of children
2012-2015	23
2009-2011	6
2006-2008	6
Born in the settlement	1
	TOT. 36

5.3 Life for Children in Nakivale Refugee Settlement: main challenges

Refugee populations who have been in exile for a number of years may face a number of specific challenges. Not only can they face ongoing livelihood or economic difficulties, there are also a myriad of other issues relating to sociocultural, political and developmental questions to contend with over time (Kaiser, 2005).

For the entirety of the refugee children, life has completely changed since their arrival in Nakivale. The majority of refugee children mentioned that they fled a country in which there was war or for some political reasons they could not live there anymore. Therefore, they consider Uganda and Nakivale a place where they have found peace. However, at the same time in Nakivale they found many challenges, which made their life more complicated in many ways than before. Moreover, settlements constitute a context, in which “over-dependent refugees are being forced to live in relative isolation with limited choices, undermining their ability to sustain and improve their own lives” (Hovil 2002, p.23).

“In Eritrea they tried to make everyone a soldier, that’s why our fathers had to run away. (I3, R3, Eritrean boy, 15 years)

“We ran away from the war in Somalia, hoping for a better life, better than Somalia, people are dying for hunger, and fighting all the time. We thought we would have a better life, before in Kampala and then here.” (I1, R3, Somali girl 14 years)

“The life here is like as if you are living, without living. Just surviving.” (I2, R3, Congolese boy, 14 years)

About half of the refugee children before coming to Nakivale had lived for some time in Kampala. Lately, due the expensive life of the capital, they came to know that in a settlement they could receive at least a small ration of food. They also believe that in a settlement they may have better chances to start the process of resettlement. However, they remember with nostalgia the times spent in Kampala. They claim indeed that they had access to a better education and that there was electricity.

Approximately one third of the respondents stayed some years in other neighbouring countries, before reaching Uganda, where they were living as refugees or staying there illegally, after fleeing their country because of wars or instability. The majority of them stayed in Nairobi, Kenya.

“When I came I didn’t remember, because I was too young. I stayed like 7 years in Kenya. Life there was somehow good. I was in Nairobi, it wasn’t dangerous. I moved here because sometimes my dad was beaten in Ethiopia, but when we went in Kenya, this also happened there!” (I3, R2, Ethiopian boy 16 years)

“Me, when I was in Kenya, studies were good, the school was close, while here is too much distance. Now to go to my school, I need 2 hours, then you arrive late, you can’t even concentrate, you just tired.” (I3, R5, Eritrean boy, 17 years)

The first memories of the settlement that the children bring with them are hunger and sickness. Many are the complaints of the children, regarding the life quality in Nakivale. They condemned firstly poor hygiene standards in the whole settlement and a very bad quality of water, which is the cause of many diseases among the refugee population.

“There is peace here, but on the other hand, life here is a bit difficult. For example regarding the poor education, the water we drink is very dirty; there are these small

creatures, which enter your legs that are very dangerous. So, someone can think that your legs are dirty, but it's because of these insects, once you have them, you can't sleep in the night, if you don't know how to remove it, you will be suffering..." (I1, R4, Somali girl 15 years)

"Nakivale is not a clean place, due to sanitation. They have problems with mosquito and also with those insects which entered feet. These animals live with rats. If your house is not clean, you get them. So kids, who don't have shoes, will be affected." (I2, R3, Congolese Boy, 14 years)

It is very common that the children speak about their past as a good life, good accommodations, nice cities, a good education system and a wealthy life in general. Some Congolese children declared to be part of a middle class society in their home country. Therefore, when they compare the two different life styles, it becomes very difficult for them to accept the life standards in the settlement.

"There was no hunger in Congo..." (I2, R3, Congolese boy 15 years)

"When I think about Congo, I remember my friends, and we had a good life there. We had properties and all of them are destroyed. And even though I go there, I can't have them back." (I 11, Congolese Boy, 14 years)

"The other change is that we live in a forest, like in a bush. While in Congo, we were living in a town. Here it's dangerous, you can even find snakes in the night. In Congo, the houses were well built. Here we don't have even mattresses where to sleep." (I 2, R4, Congolese boy 14 years)

"In Burundi we had a business, now we don't have nothing." (I4, R1, Burundian Girl, 16 years)

"We miss Somalia. We had a good life there." (I1, R5, Somali Girls, 15 years)

"I used to see nice houses around because we lived in a town where we had electricity to cook but when we arrived here, we are now using firewood to cook. And we had a nice house. But now we are living like animals." (I9, Burundian Boy, 15 years)

After asking which are the main challenges that they face in Nakivale, all the children, boys and girls, no matter which ethnic group they belong to, did not hesitate one minute in expressing their concerns and difficulties they encounter during their daily routine.

The first challenges mentioned were health, food and sanitation.

"Let's not speak about food. Lack of transport. To get food you have to walk for 2 hours..." (I 2, R7 – Congolese Boy, 13 years)

"Here in Nakivale we have to walk too much...to fetch water, to go to school, for everything, and under this sun, we can get malaria..." (I 2, R8 Congolese Boy, 14 year)

It is very common indeed to see long queues of people in front of the well, in order to fetch water. Normally children are mandated to this work. Often there is no even water for days and the only alternative they have is to go to *Nakivale Lake* and collect it from there, from which also animals drink.

Continuing with the interviews, issues related to the ethnicity of the different groups emerged. The children indeed reported that tensions and fights between the different nationalities are

very common within the settlement. Every nationality indeed accuses the officers and the aid workers to help always the other refugees.

“How can we even describe Nakivale? Burundians and Rwandese don’t have any kind of support here. When you go to the officers looking for services, you will be rejected. Whenever we go there, we are told that in our country there is peace, so they don’t help us. They just help Congolese.” (I 4, R4- Burundian Girl, 17 years)

“I tried to access services, but we are told we are Burundians, that they haven’t received a list of Burundians yet, so that we have to wait. They chased us, we have been denied for our appointment.” (I 4, R6 Rwandese Girl, 16)

“...In general, there is a need for everything for these children...” (Q3)

The staff mentioned many challenges faced by refugee children. The main one they mentioned is the lack of funding, which deeply affects the organizations involved in the protection of children and promotion of their rights in Nakivale. This is translated into the impossibility to respond to the numerous needs of the refugee children, to fulfil the concrete implementation of their rights, and in doing so, affecting their development and their future.

From these findings, it is possible to deduce how children and aid workers often have completely different perspectives over the same challenges faced by children.

For instance, the mix of cultures and nationalities in the same settlement and in the same classes, constitute the main source of fighting and violence among the children population. This phenomenon seemed to be diminished or not particularly relevant for the aid workers.

The issue of punishment based on high levels of violence at school was stressed by every child interviewed, whereas it was denied by the aid workers.

In response to questions related to inefficiency or lack of implementation of fundamental rights, the staff most often justified it through deficiency of funds, which surely is a limitation. However, this cannot be used as a constant defence. Indeed, being able to solve serious cases of children abuse, stopping violent punishment at school, or assessing children’s problems in the child protection offices, is mainly about being professional and committed to their own job, which is based on listening first of all to children’s problems, giving them a voice and assessing their needs.

5.3.1 Special needs for Adolescent Refugees

As Ajdukovic (1998) stated, adolescence is a critical development period characterized by important physiological, emotional and cognitive changes. It is a time when persons become increasingly aware of themselves as social beings and the establishment of an adult identity, a complex and demanding process, is initiated. Family values are challenged as the adolescent strives for independence, and the identity development process includes identifications with past and present significant figures, modified to fashion a unique and integrated individual (Erikson, 1968).

In times of war or migration however, war brings many traditional ethical values into question. Basic processes characterizing adolescence, such as separation from parents, choice of social role or search for an adult identity, cannot proceed normally. As a result, establishing a personal, group and ‘philosophical’ identity is, at best, difficult (Ajdukovic, 1998), and the

war- and migration-related stress may intensify adolescents' anxiety, impulsiveness, and identity crises.

This study confirmed that the adolescents aged 15-17 are more vulnerable than the younger refugee children. At this age, they normally have completed primary education, but they are not studying anymore, since they cannot afford the secondary school. They do not have any plans for their daily routine and future. According to the staff, consumption of alcohol, use of drugs and prostitutions are the main consequences to the lack of opportunity of secondary education.

"I feel bad here. Because if I was in my country I would have done already many things at my age. At this time I should start university." (19, Burundian boy, 15 years)

According to UNHCR (2014), access to post primary education, vocational training and income-generating opportunities are the key means of supporting the rights and capacities of adolescents to develop life skills and become self-sufficient.

However, the challenges faced by adolescents are not just connected to secondary or post-secondary education. They are actually related to their identity as *quasi*-adults. It seemed that these minors do not know the meaning of living a life as adolescents. When the researcher questioned girls of 13 and 14 years of age, whether they felt to be more adolescents or adults, they replied without any hesitation '*adults*'.

War and migration often involve the breakdown of family and other social structures that in times of normalcy provide the institutional framework by which adolescents are socialized into the roles they are expected to occupy as adults (Bruce, 2001). Adolescent refugees therefore, find themselves in situations of great responsibility for themselves and others. When they cannot be placed in foster families, they become head of their households, assuming responsibility for younger siblings.

Regarding the topic of their dreams for the future, the study revealed very interesting insights from adolescents. They are obliged to face challenges and dilemmas, which are not typical for their age. They are indeed very concerned about their future life as parents.

"...and also about love: is not that we don't think about that...we are not stupid...but here you should be careful, I would never forgive myself, if I gave life to a child who has to bear all what I'm experiencing in this hell..."(19, Burundian Boy, 15 years)

5.4 Asylum Seeker Children

CRC art.22 declares that special protection shall be granted to a refugee child or to a child seeking refugee status. It is the State's obligation to co-operate with competent organizations, which provide such protection and assistance. Art.22 upholds the same principle in relation to both children with refugee status and children seeking it, but in any case, even the provisions of the Convention cover all children within the jurisdiction of the country (art. 2). This means that even those children who have been refused refugee status are still protected for as long as they remain in the country (UNICEF, 2007).

Asylum Seeker children face additional challenges. The time they spend in waiting for their refugee permit, without any guarantee about their future and any access to education, makes them hopeless and disoriented.

“We still we don’t go to school, because we are still asylum seekers.” (II, R2, Somali Girl, 15 years)

What the researcher draw from the interviews with the aid workers, is that the actual situation of asylum seekers is in general unclear. The staff seems to be unaware of the fact that asylum seeker children should enjoy the same rights as the other refugee children. During the interviews, they spoke as if there was a clear and legal distinction between refugee children and children seeking refugee asylum. The aid workers also did not seem to be very cognizant of the real situation where asylum seeker children are living or the information, which they provided, sometimes was not very clear. In general, they showed that there is no specific procedure to follow in case of asylum seeking children. Every case is treated separately, or depending on the asylum seekers’ nationality. The staff takes for granted that since the parents have been rejected, consequently also their children will not enjoy the rights of health or the right of education for example.

“Think about the Reception Centre some of the children (mainly Burundi but also some from Congo) whom their parents have been rejected, so automatically also their children, so they don’t have access to hospital or to education. And you find these children going around, they cannot access school, nor hospital. (...) It is difficult if you are asylum seeker, then the doctors ask you if you are an asylum seeker...” (Q3)

Asylum Seekers should be hosted in the main Reception Centre, stay there just few weeks during the process and then receive a plot of land where to build their house and start to cultivate. However, this is a much slower process and many people live there as illegals. The children reported waiting up to 9 months or one year.

Some of the staff displayed awareness of the lack of implementation of laws for asylum seekers.

“Asylum seekers are supposed to stay in the reception centre for some weeks, but they end up staying there even for a year. What they are doing there? Children are not accessing education. Their parents send them to the offices asking for protection. (...)Then the parents go and ask for the ration card to OPM, UNHCR, ARC...then, what and what...and then all this affect the children. They walk 20 Km from the reception centre to the base camp in order to ask for this right.”(Q2)

Aid workers showed to be aware of the desperate and hopeless situation in which some asylum seekers live in the settlement, especially in the Reception Centre. They confirmed that in general, there is a lack of information about their own rights as asylum seekers, and many of them end up losing all hope about their refugee status.

“We tried to go to the reception centre at night at 10 to count how many people live there, and we found out that many people living there are not even registered. But, they are there because of their wife or husband for example. So people can stay in the reception centre, not knowing whether they are refugees or asylum seekers (...) Some asylum seekers even lose their hope, they just go and dig here, and they don’t even mind anymore to have their ration card.”(Q3)

The situation becomes more difficult when the asylum seeker children are unaccompanied and therefore they have been accommodated with some relatives or a foster family. According to the aid workers interviewed, even though the host family does not receive any help, the children will be supported with documentation and the material needed in order to continue with their education.

“For example in the case of the Reception Centre. We have children there that some are separated or living with foster families and they go to school. But since their relatives or foster families don’t receive the ration card, they don’t get food, and they don’t have money to buy uniforms, so these are the issues that stop them to go to school. But even if they don’t have the documents from OPM, still they can go to school. So whenever, we receive cases from Burundi we give them the documents to be able to go to school.” (Q2)

5.5 Unaccompanied and Separated Children

“Unaccompanied” refers to children who are not being cared for by a responsible adult; “separated” to children who are with family members that are not their primary caregiver(s) (CRC, General Comment No. 6, 2005).

Standards set by the CRC:

Every child has the right "to know and be cared for by his or her parents" (art. 7).

..."applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner" (art. 10.1)

In creating alternate care solutions for an unaccompanied minor, "due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background" (art. 20.1).

State parties shall cooperate with the United Nations to protect and assist a refugee child and "to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family" (art.22.2).

Three (3) refugee children among the thirty-six (36) respondents came to Nakivale without any parents or family-taker: a Somali girl, a Burundian girl and a Congolese Boy living in Juru.

In all the three cases, the unaccompanied minors revealed that they have never received the opportunity to live in a foster home or to be assigned to any guardians. The Congolese boy stated that he had found a woman in the settlement who took care of him and that he now considers as his *aunty*, but they do not live together. Hence, all three cases of unaccompanied children, live in child-headed families.

Among refugee children, the most vulnerable are those who are not accompanied by an adult recognized by law as being responsible for their care. In the absence of special efforts to monitor and protect their well-being, the basic needs of unaccompanied refugee children often go unmet and their rights are frequently violated. Indeed, the presence of unaccompanied children and the need for special actions on their behalf should be anticipated in every refugee situation. Currently there is no accurate record of the number of unaccompanied minors in the Settlement. According to URCS aid worker, there were 750 cases in 2013 and currently around 1000. The majority of them are separated, meaning they fled away without their parents, but with some relatives.

According to the aid workers, it is rare that children reach Nakivale by themselves and register themselves independently. It is more likely that they reach the Ugandan territory through

massive movements; they meet some caretakers, who normally are people part of the same ethnic group so that they apply for refugee permit together, as a unique family. Aid workers expressed their concern about the high number of unaccompanied and separated children, recognizing that for them life is even more difficult, in terms of receiving food, paying tuition fees and scholastic materials. They are more concerned about their future than the other refugee children are, and they are especially worried about their foster family. They fear they can suddenly abandon them.

This concern was also expressed by the unaccompanied children themselves: *“I really don’t have any happiness here. I lost my sister, I don’t have parents. I am just trying to take care of my other siblings. Life here is not easy. It’s not what we expected. We expected to live a better life, that we maybe could have a bright future but what we ended up having ...”* (I 1, R5, Somali Girl, 15 years)

The officers interviewed explained that unaccompanied or separated children seeking asylum while following the procedure of registration, through OPM and UNHCR, are hosted in protection houses. Later on, they receive a foster family who will take care of them. In the meantime, URCS will try to trace the family. If they successfully trace the family, the child will go back to that family. If not, the child will stay in the foster family.

According to the staff, all unaccompanied children manage to receive a foster family. These families host unaccompanied children voluntarily, however, the organizations do encourage them, through offers in kind, such as clothes or plastic sheets.

Unaccompanied boys from the age of fifteen years can live in child-headed households. For them there is the possibility, in case they are not willing to receive a foster family, to receive a plot of land, where they can cultivate and get some materials to build their house by themselves. The minor will be independent, but will receive supervision by the Child Protection office too.

Regarding the rights of unaccompanied minors to receive the same rights and protection as the other refugee children, a professional stated:

“We work together with OPM and UNHCR and we try to ensure that they will receive the same rights as the other refugee children, for example the right to go to school.”(Q2)

5.6 Child Labour

Standards set by the CRC:

Children are to be protected from economic, sexual, military and all other forms of exploitation (arts. 32, 33, 34, 36 and 38).

Child Labour represents another issue for children in Nakivale; many children indeed cannot go to school, because they have to contribute to the household income, since the quantity of food given by UNHCR is not enough. According to a professional, *“This phenomenon was created mainly by the Somali community, since they are very business people and normally they employ children to work, paying them very little money”* (Q1).

Even the children themselves, perceive that the impossibility of going to school constitutes the biggest challenge for their development. It is normal that children skip school if they have to help their parents.

“Sometimes I go to school, and sometimes no. For example, today I didn’t go because I wanted to sell hens” (I8, Rwandese Boy, 14 years)

There are many refugee children, who are working, mostly in the agriculture sector, in order to earn little money and be able to survive. The children indeed reported a very common phenomenon of employment by Ugandan citizens who have some business inside or outside the settlement. In this context, the work conditions are often deplorable. However, this is the only option for refugee children who have to earn money to be able to survive.

“Or you can work for Nationals and it’s like a slave trade. Even if they beat you, you have to keep quiet, until you get your money, until you feed your children. You must accept this.”(I3, R3, Eritrean Boy, 15 years)

Finally the children, complained about a new taxation system, which has been introduced recently in the settlement, for all the refugees having a business.

“Now the government is forcing us to pay taxes. 50.000 shillings, if you have a small business, for example selling tomatoes. We are giving 3 Kilograms (Kg) of rice and we are supposed to pay 50.000...” (I4, R5, Burundian Girl, 15 years)

However, this system has not been confirmed by the officials interviewed, who stated several times that every refugee is free to create his/her own business within the territory of the settlement. Hence, the researcher did not have the opportunity to fully understand if the taxation system mentioned by the children was effectively a legal tax levy or simply a form of bribery, which is affecting many aspects of the settlement life. For instance, speaking with refugee adults, the researcher came to know that for every building or activity set up in the settlement, refugees have to pay a certain amount of money to someone, whose identity and role are not very clear. Normally they are known as mediators.

5.7 Implementation of CRC art. 22 in Nakivale Refugee Settlement

The denial to citizens of their basic human rights is what creates refugees in the first place. UNHCR and host governments are jointly tasked with the international mandate to restore people’s dignity by ensuring the provision of the basic human rights that have been denied to them in their home countries. The first priorities are, in all cases, shelter, food, and personal safety. These elements of aid to refugees are emergency services. As the situations that create refugees continue to exist, however, durable solutions are needed (RLP, 2003).

According to art.22, Refugee children should be provided with shelter, food, clothing and other necessities of life. However, refugee children often have experienced war, displacement and other traumas. Therefore, refugee children may also need treatment to promote their rehabilitation and reintegration into society (art.39).

Hence, art.22 is a multi-comprehensive article, which includes every aspect of the life of refugee children. Hence, it should not be considered in isolation from the other CRC articles.

5.7.1 Right to Health and Nutrition

Standards set by the CRC:

Each child has the right to the "highest attainable standard of health" (art. 24).

States must take action "to diminish infant and child mortality," to develop "primary health care," and to teach "child health and nutrition" (art.24).

The researcher encountered widespread complaints, by all nationalities present in Nakivale, regarding the lack of sufficient food security tied to inadequate food rations. When refugees obtain their refugee status they receive 12 Kg of maize per month; after one year, this quantity decreases to 6Kg, and after some months, it will become only 3 Kg. The great majority of the interviewees receive 3 Kg, since they have been in the settlement for more than 1 year. Along with maize, they receive one Kg of beans and a small bottle of oil. Many times the distribution point to get the food ration is far away, from where people live, therefore they have to walk a long distance, and transport their food.

"According to the quantity, we have 12Kg per person, because we are new. Then after one year, it becomes 6Kg. We do our best in order to make the food last. We eat 2 times a day." (I2, R2, Congolese Boy, 13 year)

"The food is not good, we eat in a bad way and they reduce it every time..." (I4, R2, Rwandese Girl, 16 years)

Another challenge connected to the right to nutrition is the need of firewood to cook food. Each household is responsible for their own provision. However, this is not always easy and it can be the cause for further risks of danger. Children indeed are normally assigned to collect it, and they have to walk long distances to find it.

"It happens also that you have food at home, like maize, but not firewood. (I2, R8, Congolese Boy, 14 years)

The children reported a very high degree of undernourishment. The children admit they can eat just once a day. Normally they prefer eating at night, so that they can sleep during the night.

"We eat once in a day, maybe..." (I 1, R3, Somali Girl 14 years)

"We eat once per day. You eat either for lunch or for dinner." (I2, R4, Congolese Boy, 14 year)

"When there are lucky days we eat twice in a day!" (I 1, R1, Somali Girl 13 years)

"There is not even food at school..." (I1, R6, Somali Girl, 13 years)

The children are very aware that with this little ration of food, their families cannot survive. Therefore, in order to be able to eat, children and their parents or siblings have to find some ways to earn money and buy food within the settlement.

"With just 3Kg of maize per person, how can a family depend on that per month?" (I 3, R4, Ethiopian boy, 16 year)

"My mother sells only second hand clothes, so our income is not guaranteed, so we can just eat once in a day." (I1, R3, Somali Girl, 14 years)

"To earn some money and feed my family, my mother makes hair to other women, others sell second hand clothes, others, work in hotels, others wash clothes." (I3, R1, Eritrean Boy, 16 years)

"When the food is not enough, for me, I just fetch water and get 2000 shillings."(I3, R2, Ethiopian Boy, 16 years)

At the end of the discussion in one group interview, a very delicate theme emerged. It is a topic which refugees are very conscious about. However, no one speaks openly about that, because

of fear and threatens. It is about the bribery existing around the distribution of food. The people in charge indeed can organize it in the way they want and giving more food to the refugees that can pay for it. Moreover, refugees report that Nationals are also part of this business. During the night, it was indeed possible to observe some trucks delivering big sacks of maize from UNHCR to shops inside the settlement.

Effectiveness of Self-Reliance Policy in Nakivale

According to SRS, refugee families are supposed to receive a plot of land and expected to grow food for personal consumption and become self-reliant.

However, there is significant scholarship demonstrating that in many instances, the SRS in Nakivale has failed to achieve the promised gains in efficiency (Svedberg, 2014).

Many are the challenges for an effective SRS implementation in Nakivale. The land provided to refugees in Nakivale is not sufficient to meet the great size of the refugee population's food needs. Moreover, there has been a long history of land conflict with Ugandan citizens around the settlement, who have been illegally using this land since decades. The agricultural focus of the SRS is naturally dependent on the weather; and the poor weather of this area, seriously undermines food security for refugees.

Another limitation for an effective implementation of SRS, is that the settlement is far from local trading centres in Isingiro and Mbarara, and the populations of its three zones are quite isolated from each other and from Ugandan society.

The great diversity of refugees in Nakivale creates a number of problems for effective implementation of the SRS. Although the strategy focuses on promoting self-reliance through agriculture, the reality is that many refugees are not agriculturalists. The majority of Somalis, Ethiopians, and Eritreans have little background in agriculture and have found it difficult to adapt to the expectations placed upon them by SRS (Svedberg 2014).

Bagenda et al. (2003) conclude that the settlement is not well suited for the SRS due to the "area's land scarcity and social conflict" (p. 4). Hence, since the greatest majority of refugees are unable to live off agriculture or their small businesses, food aid and humanitarian assistance remain essential for the survival of Nakivale Refugee Population.

The right of nutrition for Asylum Seeker Children

Standards set by the CRC

Every child who is seeking refugee status has a right to "protection and humanitarian assistance in the enjoyment" of the rights that are contained in treaties and declarations pertaining to refugees (art.22.1).

Art.22 has not been applied in Nakivale, as according to what is stated in CRC. Asylum seekers indeed, cannot enjoy the same rights as the other refugee children. To begin with, they do not get any ration card. This implies that they cannot receive the same quantity of food as the other refugee children.

"We received the food for 3 months but the last 6 months they stopped giving us food and told us we should wait to receive our ration card. It was a difficult time. We were walking around searching for jobs of different kinds." (I9, Burundian Boy, 15 years)

"Asylum seeker children can stay in the settlement, but their parents can't have access to food as like the refugees who obtained already the refugee status (...). The OPM has decided not to

give the same quantity to them. The right for food, it is like that. In a way they get it, but not in the way in which they are supposed to...” (Q3)

The food ration that the asylum seekers receive is not always the same. In some months, it can even diminish, due to shortage of food. However, the professionals claim that, no matter what, the children continue to receive food.

“Food for asylum seekers is not the same for refugees anymore, because this was considered as a pull factor, since it was the same quantity until 2012.” (Q.4)

As stated above, the aid workers interviewed were not sure about the rules concerning asylum seekers and the rights they should enjoy.

“In case of asylum seekers, they receive food just the first 3 months. But normally children continue to receive food.”(Q1)

Health services

Health is a big issue in Nakivale. The whole settlement is served by a hospital and four (4) medical centres run by MTI. In all of them both the national and the refugee population are granted access. Every child complains about the current situation. They explained that they were expecting a healthier life in the settlement. They were mainly concerned that the water is very dirty and it is the cause of many diseases. They also mentioned that the latrines are in a very bad condition. They claim that only one hospital is not enough to accommodate all the needs of the population. Moreover, the quality of treatment is very poor. The children frequently expressed their fear of getting sick and thereby putting their life in risk. They are very afraid of getting malaria, because it can even lead to death.

“When you are sick of malaria, the malaria enters your head. Somebody is like a crazy person. He starts running in the hospital. But still they don’t care. They don’t give you medicine...they just give you painkillers and tell you to go home.” (I6, Eritrean Girl, 14 years)

“First of all the water is too dirty, and this it makes you sick and this provokes malaria. There is too much malaria here. The water is even smelling. There were even many people who even died for malaria. And this it was caused by the bad water!” (I1, R2, Somali Girl, 15 years)

Between January and March 2015, UNHCR distributed 9,500 new mosquito nets in Nakivale. Nevertheless, funding shortages meant there were not enough for everyone. Altogether, 45 per cent of the camp’s 74,000 residents still do not have a net.

According to MTI indeed, malaria is the leading cause of illness at the settlement. In 2014, the four health centres there treated 67,000 malaria cases. The incidence peaked in July, when 8,000 cases were treated. The peak malaria season, indeed, starts in July after the rainy season (UNHCR Tracks April, 2015).

They also mentioned how they feel discriminated even at the hospital. Being refugees puts them even in danger regarding their health. All of them deplored that after waiting all day long at the hospital, the doctors and nurses just give them some painkillers and send them away.

“We expected a healthy life here, when you fall sick, and you go to the hospital, they just give you a painkiller, if you have malaria, they even won’t test you, they will tell you: “Oh are you sick? Take these medicines and go away!” and then there is this bad water, the hospital doesn’t work. Then if you don’t have food and you have to go to school from 6 am to 6 pm, you might fall sick and can’t study.” (I 1, R3, Somali Girl, 14 years)

"It was last week. I felt sick. I stayed at the hospital waiting from 6 am to 4 pm. They don't care..." (I3, R3, Eritrean Boy, 15 years)

"Here in Nakivale there are lots of sicknesses, diseases, then when you go to be treated, there are long lines....hopeless to be treated well..."(I2, R4, Congolese boy, 14 years)

However, the children mentioned that if they pay doctors or nurses, they would look at their case and do something to improve their situation.

"...but if you pay a little money, they just give you an injection to reduce fever. A person that I knew died in the hospital, because he wasn't treated." (I6, Eritrean Girl, 14 years)

The general perception of the aid workers is that there is a poor health quality and that only 60% of children have access to that.

However, the poor health services in Nakivale settlement must also be viewed in the broader context of poor health services in Uganda as a whole.

According to the Annual Health Sector Performance Report (AHSPR) - 2013, in 2013 the life expectancy in Uganda was 59.19 years. The life expectancy for women was 60.41 and for men 58.03 years.

The infant mortality rate is 44 per 1,000 live births.

Maternal Mortality Ratio (maternal deaths per 100,000 live birth) is 438/100,000.

Malaria still remains the top cause of hospital based mortality for all ages (20.6% in 2012/2013). (AHSPR, 2013)

In 2010, there was a doctor to patient ratio of 1:24,725 and a nurse to patient ratio of 1:11,000. Both at an international and regional level, remuneration of health workers in Uganda is much lower than most other countries. A doctor in Kenya for example earns approximately four times more than their counterpart in Uganda. (BMAU 6/13)

Psychosocial well-being

Standards set by CRC:

Every child has the right to "such protection and care as is necessary for his or her well-being" (art. 3.1).

Every child who is a victim of "any form" of abuse or neglect has the right to "physical and psychological recovery and social reintegration" (art. 39).

The term "psychosocial well-being" is used to reflect the intimate relationship between psychological and social factors. These factors are severely compounded when, in addition, children suffer or witness the torture or murder of family members or other forms of abuse or violence. First and foremost, the emotional well-being of children is influenced by the protection and care they receive from their families and communities. Adults often suffer greatly in refugee situations; this can influence their ability to provide for their children. Sometimes parental distress results in child abuse, abandonment, family strife and other forms of family disintegration. The uprooting, disruption and insecurity inherent in refugee situations can harm children's physical, intellectual, psychological, cultural and social development (UNHCR, 1994).

It is sufficient to listen for a few minutes to the experiences of war and persecutions they encountered in their home country and their journey from the home country to the settlement, to recognize that these children have faced many traumas, which still remain with them after a long time. The children need urgent psychosocial support in order to overcome these shocking experiences. They indeed reported to be very scared about any possible bomb attack or any

kind of fighting which might involve them and their families once again. They live in a constant fear that something dangerous might happen again. According to what I could perceive from their words and their behaviour, these children are afraid of moving by themselves, they always look for other friends even for moving for short distances. They are constantly reminded by their parents and older siblings that the settlement is not a safe place at all. Refugee children of Nakivale live in a restless and stressful environment, since they are aware that every action they do in the settlement might have dangerous consequences for them and on their families. What these children are obliged to live day by day, should not be part of any childhood.

“One day a fight broke down. There was bombs everywhere... Al-Shabaab got my mum and daddy and I don't know... They put some cloth on them and they fainted. They fell unconscious, so they just took them. My youngest sister also got lost in the riots and we don't know if she is alive or not. That's the most impactful thing I ever saw.” (I1, R5, Somali Girl, 15 years)

“What happened to us when we were in Burundi, my father was in political parties and the political parties which he supported was not the one that is leading now. And they had some misunderstandings with the current leading party today. Our house was burned. They attacked us and entered our house. They started giving orders because they had guns. We kept on shifting and changing locations within our country but we finally gave up and decided to flee.” (I9, Burundian boy, 15 years)

“I still remember everything of what happened in Burundi. I do try to forget but when you go to sleep, you may have nightmares about what happened in the past events. I don't speak about that with my family because they don't understand me and it's a kind of taboo that we don't need to discuss about. We remember a lot of stuff.” (I9, Burundian boy, 15 years)

“I am not safe here because I am always alert that something of my past may happen here again” (I9, Burundian Boy, 15 years)

Aid workers agree in stating that unaccompanied children are the ones who have experienced the biggest traumas.

“But the trauma related to children is related to unaccompanied children, they try to remember what happened. For example, some children who were at school when bombs started and they just ran away and they found themselves in Uganda, and they were expecting that their parents were here, but they didn't find them. (...) Sometimes the reasons for these traumas might be lack of food or maybe they bought new clothes for other members of the family. Sometimes foster parents complain and say that the children are asking about their real parents and when they tell them that they died maybe in Congo, they do not accept that.” (Q2)

The aid workers were very open and transparent in explaining that the situation is very delicate and there is an urgent need for psychologists and psychiatrists to assist children with trauma. The professional interviewed from ARC for example said that they had recently advertised a position for child counsellor and psychologist.

“There is no psycho social support for children. These are the kinds of things we need to put in place. This is our gap. For example, the girls' rapes are so frequent. Children get pregnant when they are still in P6. There is no help for them. There is one kind of help of counselling just for adults.” (Q3)

According to the staff, there are many traumas that children have been suffering and they get to know about these through home visits, since there is no a specific service of psychosocial support for children. Nonetheless, their abilities in assessing the psychosocial needs of refugee

children are ambiguous. Whenever they mentioned psychosocial needs for refugee children, they essentially referred to material needs.

“When we do these visits we come to know very bad things, like that children can’t sleep in the night, because they have to go out and hunt animals. Children have been tortured in different ways. We have used some campaigns to support traumatised children but parents don’t follow them up.” (Q3)

“Psychosocial support is not only about speaking to them from morning to evening. For children is all about material support. Giving them school material for example (...) this is what we believe for psychosocial support. We do house visits and we try to improve the environment of the house where they live. We try to speak to the family. We give also to them clothes; we get some clothes from UNHCR. We find traumatized children, when for example they don’t have trousers but just a t-shirt. So for example, he fears playing with the other children. So, we see that this child is always isolated and we understand that this is the reason. If we give clothes to this child, then we follow up him at school and we shall see if still he is isolated. Then after one week we find him playing with the other kids.” (Q3)

Shelter and environment in Nakivale

Accommodation represents another challenge where the refugee population live. Most refugee accommodations are shelters built by the refugees themselves through bricks made with soil of the settlement. The material is very poor, therefore during the raining seasons, if they are not properly covered, they can easily collapse.

These shelters are very small, composed of two or three rooms and where even twelve people live inside. There is no separation among rooms and therefore, parents and children all sleep together, without any privacy. According to the aid workers indeed, children often witness their parents’ sexual interactions. Cases of domestic violence and family breakdown are common too. Both men and women may be suffering anxiety and depression as a consequence of the hopeless situation in which they are living.

5.7.2 The Right of Education

Standards set by CRC:

Each child has the right to education. The goal is free and compulsory primary education, secondary education: (general or vocational) available to all, and higher education "on the basis of capacity" (art 28).

As education is vital to the development of children, it is recognized as a universal human right.

The 1951 Convention relating to the Status of Refugees reaffirms in art.22 the responsibility of the government of the country of asylum to provide education for refugees.

Refugee children are considered doubly vulnerable: as refugees and as children. Education is a way to prevent the recurrence of violence and to create economic opportunities that allow refugees to become self-reliant. Attending school provides continuity for children, and thereby, contributes enormously to their well-being. For these reasons, education is a priority in terms of protection and assistance activities.

UNHCR is the international body mandated with the provision of education for refugees. It advocates for “education as a basic right” in the context of the 1951 Refugee Convention and the 1989 Convention on the Rights of the Child. As stated in the 2002 Education Sector Policy and Guidelines Draft from the UNHCR Geneva, “UNHCR will ensure and advocate for basic education of female and male refugees and other persons of concern as a matter of priority and as part of the process of finding durable solutions and enhancement of their capacity for security and protection” (UNHCR, 2002).

UNHCR identifies four reasons why education is essential in refugee situations. First, education is a human right. Within this right, as outlined in numerous international conventions and most specifically in the CRC, primary education should be both free at the point of delivery and universal. Secondary Education should also be available and accessible to all. Tertiary Education should be accessible to all on the basis of capacity by every appropriate means (see CRC art. 28, 29). Second, education is a tool of protection. Through education, the exploitation or abuses of children can be identified, as can children who are in need of medical or psychological attention. In addition, education promotes understanding of society and the rights and responsibilities of individuals, building stronger communities that ultimately protect children.

Third, education helps to meet psychosocial needs. Due to the disruption of children’s lives through conflict and displacement, there is a great need for structured activities that provide a sense of routine and normality. Education fills such a role. Finally, education promotes self-reliance and social and economic development by building ‘human capital.’ This human capital is needed for the future reconstruction and development of displaced persons’ areas of origin or settlement (RLP, 2003).

Education in Uganda

Education of refugee children in Uganda takes place in the general context of education in this country. Major educational reforms began in Uganda in the late 1970s when an Education Review Committee under Idi Amin Dada proposed the introduction of Universal Primary Education (UPE) over a period of 15 years. Another commission on education was created by Milton Obote in 1980, but it was not until January 1997 that a programme of UPE was introduced, this time under the National Resistance Movement (NRM) government. This programme exempts four children per family from paying primary school fees. That year the number of children enrolled in primary school increased from 2.6 million to 5.5 million. By 1999, 6.5 million children were enrolled in primary school in Uganda, equivalent to a net enrolment rate of 85% (RLP, 2003).

However, the existence of UPE does not mean that primary school education in Uganda is completely free; indeed parents or guardians must often support the cost of school buildings, books, writing materials, school meals, and uniforms. The outcome has been the development of schools that – notwithstanding authorised by the government and receiving government aid for teachers’ salaries - do charge school fees, which are prohibitive for many families.

Another effect since the introduction of UPE in 1997 is the insufficient number of schools, classrooms, and trained teachers for the influx of pupils who have joined primary school.

School attendance in Nakivale Refugee Settlement

With the introduction of UPE, and the universal sponsorship of primary education for refugee children by UNHCR, education has become more accessible in Nakivale in the last years.

Despite this improvement, education is never free and children still face many barriers in order to access education.

Among all the children interviewed, at the time of the study, fourteen (18) out of thirty-six (36), were not enrolled in any class. The reasons for the high rate of drop out are diverse, and related to sex, age and which nationality they belong to.

Eight (8) out of nineteen (19) boys did not attend school. While for the girls, the percentage becomes higher: ten (10) out of seventeen (17) girls did not attend school.

This percentage shows that even for education, girls meet more challenges than boys, and that thinking about a future, is even more difficult for them.

The figures of school attendance vary according to the different nationalities.

- Among the Somali Girls, five (5) out of nine (9), did not attend school. The reason for two of them was that they were still asylum seekers. Indeed, as the study will show later on, being asylum seeker in Nakivale, means not enjoying the right of access to a free education for children.
- Among the eleven (11) Congolese Boys interviewed, four (4) boys were not attending school. One of these was an unaccompanied child and living alone. Given this situation, it is impossible for him to pay tuition fees or any kind of school material. Whereas, the other three did not specify the reason why they are not enrolled in any class. They just said that they have to help their parents.
- Among the six (6) boys and two (2) girls from Ethiopia and Eritrea, three (3) boys were not enrolled in school, because they had already completed the primary education, and attending secondary education is very expensive to afford for refugee children and only few refugee families can afford that.
- Among the four (4) Rwandese refugee children, only one girl and one boy were enrolled in school. The remaining two (2) girls said that they have to contribute to their household, therefore they cannot attend school. They did not even finish the primary education.
- Among the four (4) Burundian refugee children - three (3) girls and one boy, none of them were attending school. Attending school for their families would be unaffordable. The Burundian boy has never been enrolled in any class, since his arrival in 2010 in Nakivale.

The outcome of these interviews confirmed once again that this group is the poorest one amongst the other nationalities living in the settlement. The main cause to this phenomenon, are the few chances for Burundians to get the refugee permit.

Even though the age of the children respondents is between thirteen (13) and seventeen (17), only two of them (Ethiopian and Eritrean-boys) were enrolled in the secondary education. This confirms the fact that those refugee children, who move from a school system to another, have to repeat the same classes, due to linguistic difficulties.

Children gave concordant versions about the current situation of schools within the settlement. All of them complained about the bad quality of teaching, the impossibility for their parents to pay tuition fees, scholastic materials or books, and a severe level of beating used by the teachers.

“In one day we just learn one or two subjects. I’m not learning enough. My father and Mother can’t afford to buy for me books, pens and uniform.” (I 6, Eritrean Girl, 14 years)

Even though the aid workers interviewed, provided different versions concerning the education *status quo* of Nakivale, all of them recognized the necessity to overcome many obstacles in order to ensure a free and universal primary and secondary education; and improve the quality of the existent education system. The main barriers mentioned by the staff respondents were poor infrastructures, inadequate resources, lack of trained teachers, long distance, which refugee children are supposed to walk to reach the school and lack of scholastic material, uniforms or books.

Malnutrition is also considered one of the main barriers to reach an adequate learning process of the refugee children. Schools do not provide any food, therefore children are supposed to bring it from home. However, the majority of them cannot afford it.

“They are supposed to bring food to school. So many children don’t have food even at home. They go at school very hungry. Just children who have food at home, bring that with them, for the others, they will stay hungry” (Q2)

According to staff, early marriage is a phenomenon, which is taking place among different refugee communities, and which impedes a further education for many children in Nakivale.

“Parents have a negative attitude towards education. So, you find that in P1 you have 490 children, P6 180, P7 42 children, so you can say the range of drop out. If you ask parents what happened, they will say that their children don’t have any hope to go to school. After P7 no hope to go to secondary, since they will ask money for it and parents can’t afford. The boys start to do business after the primary school.”(Q1)

Cost of Education

Cost of education is the most often cited factor that affects the ability of families to educate their children.

In Nakivale, parents are not asked to contribute to the school by way of school fees. However, they have to provide uniforms, scholastic materials, and packed food for lunch for their children. In the absence of being able to afford these elements of education for their children, some parents elect to keep their children out of school.

Seeing children moving around the settlement, trying to look for small jobs, collecting plastic bottles or just begging during daytime is a very common phenomenon in Nakivale.

According to CRC art.28, primary and secondary education should be free and accessible for every refugee child. However, this right is not applied in Nakivale Refugee Settlement. It is indeed very common to find children who cannot attend school, because of the payment of tuition fees and the cost of the scholastic material and uniforms, which parents the most of the times cannot afford.

“We can’t get any support from my dad, because he’s suffering from some diseases, so he can’t pay our tuition fees. No one is helping him.”(I 1, R3 Somali Girl, 14)

The staff gave discordant versions regarding the free education of primary schools. Some of them said that the primary education is completely free in Nakivale, offered by the GoU while others said that parents have to agree with the teachers on a certain amount of money to contribute to the budget fund of the school, to pay for instance lunch or transportation for teachers.

The secondary schools then become then very expensive to afford for the refugee population and the rate of drop out from Primary 7 to Senior 1 becomes very evident and understandable.

“In secondary schools you are supposed to pay Ug.Shs 42.000 plus 40.000 for lunch. But for boarding school you are supposed to pay 200.000. You can imagine a parent who doesn’t have any job and maybe he has four children, how is supposed to pay all this money? From where? This is the Government, which decides this price. We tried to advocate the Gou for free education for refugee children. We tried also to advocate UNHCR, but they also don’t have money.”(Q3)

Generally, refugees see education as a means to a better future. They are therefore active in seeking out ways to ensure that their children have access to high-quality education, often outside of UNHCR settlements, even if it means creating that education themselves. (RLP, 2003) Again, this is a privilege, which only few refugees can afford.

School Infrastructures and Facilities

Another big challenge, which refugee children are experiencing, is the lack of school infrastructure. In the whole settlement, there are ten (10) Primary Schools and only one Secondary School. These numbers are not enough to accommodate all the refugee children. The classes are supposed to contain fifty-five (55) children, but it is common to find one hundred-fifty (150) or even two hundred (200) children inside. There are nine (9) children sitting on one desk. In these circumstances, where children do not know where to sit, have difficulties seeing the blackboard or hearing what the teacher is saying, it is very challenging for them to learn properly and perform well.

The existence of only one secondary school is a widely recognized gap in the education system of the settlement. The distance to reach it is one of the pull factors for the drop out after the Primary School. The distance from where it is located to the outer area of Nakivale (Rubondo) is forty-five (45) Km, which the children are supposed to walk. The sheer impossibility of commuting ninety (90) Km a day by foot implies that there are no adolescents attending Secondary School in this area. There is no kind of transportation within the settlement.

“For example in the case of Rubondo, it’s 45 km far away from the secondary school. How a child is supposed to walk 90Km? We tried to advocate for let the parents pay half of the tuition but still it’s too much. We proposed to build a school closer to Rubondo, but again lack of funds.”(Q3)

The canteen service is not provided in any schools in the settlement. This creates huge problems, since children are supposed to bring food with them from home. However very few can afford it. Moreover, the long distance impedes them to go back home for lunch in a one hour break they have. Hence, children the most of the times stay at school all day, without any meal.

“Imagine they give you one hour break for lunch. But to come back home you need more time, it means you have to run, so that you can attend the school. If you don’t attend they have to give you some sticks.” (I3, R2, Eritrean Boy, 16 years)

“At school they don’t give us food. And we don’t even take it from home, because it is not enough. So if you have enough food at home, you go back for lunch, otherwise you just stay at school without eating all day.” (I2, R4, Congolese boy, 14 years)

Distance is a risk especially for the youngest children and girls. Children indeed leave from home at 6 or 7 in the morning and come back around 6 or 7 in the night, when it is already dark and the lack of illumination in Nakivale makes the roads very dangerous.

“In the way to come home, there are always boys who try to treat us bad, yes they are Somalis. When they see young girls, they just want to do bad things.” (I1, R3, Somali Girl, 14 years)

All the aid workers stated that they are working in order to build schools within the single communities, so that even the youngest ones can access education. However, the biggest challenge they face is the lack of funding.

The aid workers also complained about the school material, which UNHCR should donate to each student. It should consist of two books, one pen and one pencil per year; however, this material fails to arrive on time. Sometimes children receive those after one year, or they do not receive them at all.

Respect of Culture and Language

The classes in Nakivale are very mixed; sometimes they can even have seven nationalities within the same class. Ugandan children are also part of them. Studying with different nationalities in the same class is perceived by the children as a good way of making friends from one side, but on the other hand, it causes fights. Refugee children from all the nationalities reported a high level of fighting and abuse by the National children.

“The nationals at school just abuse us; they say ‘you are a refugee’. They discriminate us” (I4, R5, Burundian girl, 15 years)

“I have mixed friends, with the other communities. But with nationals, we don’t have any contacts. They feel to be superior to us. The nationals hate refugees. They feel they are the owners of the school.” (I2, R2, Congolese boy, 13 years)

“The Ugandan students are treated in a different way, than we refugees.” (I3, R3, Eritrean boy, 15 years)

The language of instruction in schools is a political issue worldwide, since it comes to represent the dominance of a group, a culture, an ideology. For refugees, it can also represent an issue of access to education and a barrier in the learning process of the children (RLP, 2003).

Many children indeed, when they reach Uganda do not speak English. English as a language of instruction means that refugee children must repeat classes, and they are often too socially old for the level of education in which they find themselves.

Most of the times, Congolese, Rwandese and Burundian refugees, for instance, who come from a school system in which the language of instruction is French, are left at a disadvantage, when they arrive to find out that education in Uganda is only open to them in English.

“I tried to go to school here, but since they are teaching in English and I was learning in a French system, I was facing difficulties so I had to stop, even though in Burundi I was in Senior 3” (I9, Burundian Boy, 15 years)

Furthermore, this language barrier constitutes an issue also in the condition of eventual repatriation to a French-speaking educational system.

Curriculum

According to the preamble of the CRC *“The importance of the traditional and cultural values of each people for the protection and harmonious development of the child must be taken into account”*.

Schools for refugee children should follow the curriculum of the country of origin to facilitate better reintegration. UNHCR should help obtain textbooks from the country of origin or reprint or modify them as appropriate if refugees have a valid objection to some particular part of the curriculum (UNHCR, 1994).

According to the aid workers, the school curriculum does recognize and respect the different traditions, culture and language of the refugee children. However, they remark the fact that the Refugee settlement is in Uganda, and therefore it is very important that the teachers teach in English and the children learn English.

“In all the schools the teachers teach in English, not other languages. We are in Uganda. This one can be a challenge. But we are trying to work in partnership with the other organizations and sensitize parents with the importance of learning English.”(Q3)

In some schools, children use as common language Kiswahili rather than English. Children said indeed that only a part of their schoolmates is able to speak English. Those, who speak good English reported that they have learnt it before coming to Uganda, mainly in Kenya.

However, the students admitted that quite often, teachers, who are Ugandan, do not speak a proper English, and they teach in the local language, Runyankole.

“Most of the times the teachers speak in Banyankole and not in English, as they supposed to. So at the end we get confused. They are not able to speak English correctly. If they were teaching correctly in English, now I would be capable to speak to you in English!”(I2, R5, Congolese boy, 14 years)

“They teach sometimes in Kiswahili, but mainly in their language Banyankole. So, we can’t understand it, sometimes we ask for the meaning of the word, and then they reply in their language and they start to laugh with the other national children.” (I 7, Ethiopian Girl, 13 years)

Uganda, as formerly mentioned, is bound by the CRC and the other international instruments for the protection of refugee children. Since Uganda is a dualist country, the convention, first needed to be incorporated into the national system, in order to become applicable. The results indicate that the international legislation in the local context of Nakivale Refugee Settlement is applied and interpreted differently.

Moreover, it did not seem to be much awareness or coherent understanding of the international legislation concerning refugee children among the staff of OPs and IPs operating in Nakivale.

The most unexpected event happened when the researcher introduced herself to one of the highest authorities of the settlement, who, after reading the title of this research, asked her what the CRC is dealing with.

Moreover, during an interview, an aid worker who deals directly with child protection claimed, *“For example in cases of child offences reported by the communities. There are some cases for example of children stealing maize. Normally we use some mediators between the complainant and the offended. We never had a case here where children have been detained. But according to me, what I need to be clarified in the Constitution of Uganda, it is not specific the provisions to take with the child offender. They only speak about the best interest of the child. I don’t know whether it is stated in the Children Act. I don’t have it and I tried to get it from Internet and I couldn’t. Do you have it? So I see a gap in the law.” (Q2)*

According to the directives of UNHCR, the quality of education for refugee children should be as high as that for nationals of the same age.

The staff explained that also refugees living in Nakivale who have a prior experience in teaching have been employed as teachers after a period of voluntary work and training. This helps the children to feel more related to their own culture and traditions.

Aid workers said that also teachers from the refugee populations are employed, *“We have teachers from different nationalities: for example, Rwandese, Somali, etc... but still we are training children to learn Ugandan Culture and they have to learn English.”(Q2)*

Moreover, very few teachers are willing to go to teach in such rural settings as Nakivale. Hence, the lack of qualified teachers impinges on the quality of education available to refugee children.

Punishment methods used in schools

Standards set by the CRC:

“No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment” (art. 37).

The aid workers reported dissonant versions concerning the treatment of children at school. Some contend that teachers do not use any violent method against the students, since they were trained by different organizations on how to teach refugee students. On the other hand, others do observe this phenomenon.

“We try to sensitize teachers; we train them on post level punishment skills and communication skills and with the support of other IPs. Children come here, complain and then we make a follow up with the teachers. Teachers are not allowed to beat children, these are already traumatized children. We tell the teachers to communicate with children and not cane them. They can even lose their job. If you can’t control children and you beat them, means you are not a teacher!”(Q3)

“There are very few cases of children who have been beaten by teachers. It is very few cases. And when it happens we follow it up. Most of the times, if the children commit some offences, they receive small punishments, related to work. So that they understand that it is good to work. I think you are getting my point. Because they children, in this case they will learn. For example, they punish them by fetching water, cooking, sweeping. I have been moving a lot in schools but I have never registered those cases.” (Q2)

“We are trying to sensitize both, teachers and parents. Sofar, I have never had a case in which the parents agreed with teachers in beating them. But in general, now teachers know that if they create this environment of beating children, the next day the child won’t go to school. At least they are aware that beating a child created inconveniences for the child to come to school” (Q2)

“In case of sexual exploitation the teacher will be immediately fired. And we also support the parents in these situations. We as ARC, we follow up the family and the child until the child is ok and goes back to school.”(Q2)

What the professionals called “small punishments”; children refer to as washing the toilets of the school or waiting outside the school all day under the sun.

“As punishments, for us, they make us washing the toilets and they smell bad, very bad. Even the community people use these toilets, the ones who don’t have latrines. They just break the fence and enter the school compound and use these latrines.” (I3, Ethiopian Boy, 16 years)

Nonetheless, the children reported a severe and systematic beating system used by the teachers; a system, which is justified in order to punish children when they do not do their homework, arrive late at school or they do not reply correctly to the teacher’s question. However, many times the teachers beat children using some excuses and blaming students for something, which is not of their own making

“If we don’t have books and pens, they chase us and tell us to go back home. They beat us. They tell us to collect papers in the compound and rubbish with our hands. They beat us with a stick.” (I 7, Ethiopian girl, 13 years)

“When you come late, the teachers beat you. And when you don’t have enough materials, they beat you. The teachers can ask for books. She takes all the books. The next day she comes back saying that she didn’t find it. So, she beats you. “(I2, R4, Congolese Boy, 14 years)

“If you are wrong in one exercise, they beat you two sticks. And then if you say, “please teacher forgive me”, they add for you another one.” (I6, Eritrean girl, 14 years)

“Yes, they do report it. Yes, for example, when there are cases of severe beating and the child has to go to hospital, they come here and report it. If you beat a child, maybe they break his hand and we have to support the family and follow up the case.” (Q2)

When the researcher asked, what could possibly be done in order to prevent this violence against children, aid workers replied that they are trying to sensitize teachers and parents. On the other side, children said that there is no method to stop teachers using this method of punishing students.

“If you tell to the teacher that they are not supposed to beat us, they don’t care; they tell you that you have to leave the school. If we say to the teacher to forgive us just today, they say no, if you refuse one chain, they give you two, if you refuse two, they give you three. Then they beat you hard.” (I6, Eritrean Girl, 14 years)

“If you react in front of the teacher, all the teachers take you; they take you in a room with 6 teachers. You are lying on a table and they start to beat you, all of them. They beat you, like if you were a drum. They are not human! (I2, R8, Congolese boy, 14 years)

“You don’t have to face them. They just chain you! They have to chase you from school, either they have to give you 5 or 6 strokes, and they are so hard. You can’t even control.” (I 3, R 2, Eritrean boy, 15 years)

“Then another kid was beaten that he even lost control and he woke up at the hospital. Then many people, the Congolese community went there and said that this was enough and they decided to bring the kid to the police station.” (I 2, R 7, Congolese Boy, 14 years)

Corruption at School

The children reported frequent episodes of international donors coming to visit their school, and giving offers in kinds, such as school material or food. However, these offers hardly reach the students, since the teachers take and sell them.

“Corruption is also at school, for example sometimes some Mzungu come with cars full of pens and books, then they give us these books. But then we ask “teacher, why do you give us just one?”, and they reply “you shut up!” Or they tell you to keep for them books and they will take it later, or sometimes they don’t even give you one.” (I 7, Ethiopian Girl, 13 years)

“Mzungu they even bring sodas, biscuits, or small solar, but the teachers don’t give these to you. They go to Sangano and sell them. Or sometimes they bring toys, they just show to you and take them away. They put all these things in their office and when there is break, they take a boda, go to Sangano and sell them. And if you just try to say that this is wrong, they can beat you.” (I6, Eritrean Girl 14 years)

“For example yesterday, a car came with mathematical boxes. These they were supposed to be given to the children. They put them in the store we have at school. Then they told us to come after lunch, but they had already took everything.” (I 2, R 5, Congolese boy, 14 years)

“One time Mzungu came and started to distribute gifts to us. Then teachers were there and they gave to every child a big quantity of books and pencils. Then after that, when the Mzungu went, the teachers asked for these materials back. And pretending, they said that ‘those Mzungu told me to take these things back from you. They will bring it later.’ And then they took everything.” (I 2, R 7, Congolese boy, 17 years)

“So, even if the donors distribute these gifts by themselves, we will never receive these gifts anyway!” (I 2, R 4, Congolese boy 15 years)

Aid workers on the other side, never mentioned or denied any kind of forms of corruption within the school setting.

As these findings prove, many are the challenges, which children still have to face, once they get the opportunity to enter the education system in the settlement. Going to school means walking many hours per day, having only one meal per day, facing the risk of being abused by other refugees or national children, and it means not being able to contribute to the household income. However, the children themselves showed strong willingness to receive an education. The importance of assessing the needs of the refugee children through the *strengths perspective* was confirmed by the children themselves through their incredible coping strategies, resilience and capacity of dealing with the enormous problems they meet every day. Even though they have been and continue to be victims of abuse, negligence and injustice, they keep in mind that their objective is to have a better future.

5.7.3 Right of Safety and Protection

CRC art.22 states “any child who is a refugee, whether accompanied by parents or not, has the right to receive appropriate protection and humanitarian assistance.”

This study revealed a pattern of continuing violence among refugees and refugee children. Cases of rape, murders, threats, and sexual abuse should not happen in a place that is supposed to be highly secure, under the protection of both UNHCR and GoU. Furthermore, children should not become witnesses of such a cruelty. However, refugee children in Nakivale cannot enjoy this right of safety and protection, as stated by CRC. Both boys and girls expressed a strong feeling of fear and insecurity.

Since the settlement is set in Ugandan territory, it is the role of the OPM to ensure their physical protection within this territory. However 71 square miles are too wide, to be controlled only by few police officers and few guards during the night. Many are the consequences, which derive from the fact that eleven nationalities and many different ethnic groups live within the same territory. In such a setting, refugee children are likely to experience day-by-day danger and risk. The main reasons are the long distances they are supposed to walk, in order to reach school or the public toilets, receive the ration food or fetch water. The lack of illumination makes Nakivale, an even more dangerous place during the night. Children reported that there is a high risk of being robbed and kidnapped.

“For me, I don’t feel safe in Nakivale, because in Nakivale they abuse me. They say rumours, maybe when we come back from school, they can say “this one is pregnant”. They are Somalis, but they are losing their culture.” (I1, R3, Somali Girl, 14 years)

“Because we feel hungry, we feel insecure.” (I 12, Congolese Boy, 15 years)

Insecurity for girls

Being female in Nakivale means facing additional challenges, no matter which country you come from. Refugee girls are often even more vulnerable than refugee boys are. In many cultural and social contexts indeed, girls are less valued than boys are and, consequently, more often subject to neglect and abuse. Girls indeed risk to be raped in many different situations. Moreover, some girls expressed the risk of meeting men who want to marry them by force. This happens especially to unaccompanied girls, who do not have a family, and men can therefore take advantage of their more vulnerable condition.

“It was in 2010, when I almost got raped by 2 men. I was getting water and then, I just survived by luck. They just wanted to rape me without any shame on them. But then I got lucky because I saw an old man there, so he just chased them away.” (I5, Somali Girl, 1 years)

“When you go and dig for someone, before they pay you, they tell you that you have to have sex with them! So if you go and collect firewood, you risk to be raped. You just go home, without any money. You sleep without food and if tomorrow you won’t get any other job, you will fast. (I4, R5, Burundian Girl, 15 years)

“Especially nationals are a problem for raping.” (I 3, R4, Ethiopian boy, 16 years)

“I can bring an example, because in 2014 someone tried to rape a girl of 14 years. They reported that to the police and they said, “Ok, we shall try to find the thief.” They asked who is the person and we said “we don’t know”. Even the child protection, they said go to the hospital and make the check-ups, but nothing happened.” (I 6, Eritrean Girl, 14 years)

“Due to the poor power, there are certain nights when the light go off, so people try to break into the house in the night, so they have the chance to do whatever they want to girls.” (I1, R3, Somali Girl, 14 years)

Insecurity related to nationality and belief

Nakivale settlement itself is set up in ‘zones’ which are named after the ethnicity of the group that lives there. Thus, children will say *“I live in New Congo”* or *“I live in the Somali zone”*.

Rivalry and tensions among the different eleven nationalities present in Nakivale Refugee Settlement are evident. Integration among them happens only among certain ethnic groups, due to similarities in language and culture. For instance, it is possible to see integration among Congolese and Burundians, or between Ethiopians and Eritreans.

“Ethiopians and Eritreans, we are the minority in Nakivale, so we have to be quiet with the other nationalities. But culturally, you can see that the Nationals treat Burundians or Rwandese in a different way from us. They are mixed up. They make inter-marriages. These people are treated as Nationals. Somalis have a lot of business, even in Kampala. So Nationals fear them, because they think they might move some bombs. That is the kind of belief that the Nationals have. But anyway, the way in which they treat Eritreans and Ethiopians is so different here.” (I3, R4, Ethiopian Boy, 16 years)

“Sometimes, even though we come from school, some Congolese start to say, “Ethiopia, Ethiopia”, they surround us. They abuse us, they say “fuck you”. Then when I reach the village of Ethiopia, this village, then I just ran and they ran away. Then I go with my father but they just slap and slap but they don’t do anything else. And if we tell the teachers, they don’t care. Everyday it’s like this. They just abuse me... My mother tells me, you leave them, God will remove us from here.” (I7, Ethiopian girl, 13 years)

Somalis constitute the ethnic group, which was pointed out by the children respondents from all the other nationalities, as the most violent and the one, which always wants to dominate the others.

“Once there was a big fight between Somalis and Congolese with machete. There were both kids and adults, throwing stones, then the Congolese died, you could even see his brain. It was about football. Both of them wanted to play. Somalis before that fight they thought to be superior, but after that one, no more.”

“We don’t feel to be respected. Sometimes the Somalis they feel to be superior, so, one kid can come and beat you. And if you complain, all the Somali community comes and beats you. Even though you are right, the Somali community beats you.” (I2, R4, Congolese Boy, 14 years)

“Somalis, they are very bad, they normally beat us with stones, for example if you fight with one Somali, they gather all together and they beat you. Both if you are in school or in the village. If you report that at school, they don’t care they beat both of you. We just keep our mouth closed and we continue away. If you reply, they call other people. The fight will continue and it will end up in killing each other.” (I6, Eritrean Girl, 14 years)

“Even playing with them is very hard. And the way in which Somalis play football...the most of the fights with them, it comes from football.” (I3, R6, Ethiopian boy, 15 years)

The children reported a huge problem pertaining to the relation between refugee and Ugandan children. They said that the Nationals feel to be superior and tell them to go back to their country, since there is peace.

“Mainly the Nationals fear the Somalis. They fear them because of Al-Shabaab!” (I3, R5, Eritrean boy, 17 years)

“Nationals are the main problem. They tell, ‘this is Uganda, this is our country. You are not in your country, you can’t do anything!’ (I3, R7, Eritrean boy, 16 years)

“We have some conflicts with nationals. There is always risk to meet them when we go to school. When we meet them we have to run.” (I9, Congolese boy, 15 years)

Moreover, among the same nationalities there are different tribes or minorities. This is the cause of further challenges among the refugee populations. When they move from their home country indeed, they bring feelings of dominance with them and authority over other ethnic groups.

“I am from the minority and that I don’t have influence here. If you belong to a minority, you do not belong to them so they just feel that they are so big. So they won’t allow you to rest in peace and have a good life.” (I5, Somali Girl, 17 years)

“We fear ourselves in this country, because these people from Ethiopia still follow us. And in Ethiopia, they cut all these parts of the body to my mum. And now these things we fear here in Uganda.” (I7, Ethiopian Girl, 13 years)

“No we don’t feel safe. We have problems related to our different ethnic groups. For example they say you are Tutsi, you are Hutu...when we try to have fun together...there are discriminations. We can’t play with the other ethnic groups. There is no integration between Hutu and Tutsi, still.” (I4, R3, Rwandese Girl, 15 years)

Religion creates another important factor for conflicts among the refugee children in Nakivale.

“Those Somalis, for them they are Muslims, when you wear trousers and you go in their village, they abuse you and they tell you “Mahal shamuto”, it’s a really bad word, they abuse us like this. But if you wear a long skirt and cover your hair, they don’t abuse you. When your hair is uncovered, they abuse you, they can even beat you. They hate Christians, they love Muslims.” (I6, Eritrean Girl, 14 years)

5.7.4 Right of Participation

Standards set by the CRC:

“States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child” (Art. 12 (1)).

Relevant participation refers to opportunities for girls and boys to discuss, analyse and influence decision making on issues that are affecting their daily lives and are of direct relevance to them. Indicators for relevant and appropriate participation are informed by a number of the *basic requirements*, including: whether the participation process focuses on issues that are *relevant* to children’s lives; whether the participation process is supported by *trained staff*; whether *transparent information* is shared, enabling informed participation;

whether children's own time, priorities and views are *respected*; and whether the ways of working build children's self-esteem (Save the Children, 2013).

It was particularly interesting noticing the different perspectives of the staff regarding the promotion of Rights within the settlement. The majority of them expressed appreciation for a great job they have done making children share their protection concerns, to exercise their right of participation and their freedom of expression.

"In every village there is a committee and a youth representative, who meets once in while with the youth of the community to understand their needs. They organize football matches, or playing pool table, so also the staff play with refugees, they organize end of year party." (Q1)

"Especially in case of international days, for example Women's Day, International Child Day, International Refugee Day, etc... We organize school clubs and discussions. We bring a topic and different schools discuss and compete about that. For example, last year we brought the topic of 'Education for girls is a waste of time'. So during these occasions the voice of children is being heard. And officers from different organizations are all there to listen to what children say."(Q3)

However, this is not what the children expressed during the interviews, when they stated that they do not know any rights related to Participation and Protection in Nakivale. They remarked several times that children should be happy and they are not. They claim that if the adults were respecting their rights, the current situation of the settlement would not be so bad.

"We need protection and assistance. We tried but nothing happened. So we are just waiting for the willing of God. My mother was trying every day, and coming here at night. But me and my 5 brothers didn't have anything to eat, because my Mum stayed all day at the base camp, trying to be heard at the office." (I 10, Congolese Boy)

"I don't see here that adults respect children's rights here. None of the offices hear at us or solve our problems. But here there's nothing about children's rights. This doesn't happen here." (II, R4, Somali Girl, 15 years)

Right to Play

UNHCR (2014) declares that play is vital to the healthy development of a child. It is a child's way of coping with what has happened, of relaxing and relieving tensions and of assimilating what (s)he has experienced and learned. This process is crucial to a child's healthy development, ability to cope and to learn to function within the family and the community.

Children living in Nakivale complained that there is not a specific place for them to play. In the central part of the settlement – Base Camp, there is one youth centre, where it should be the best place for promotion of children rights or where to organize activities for youth. However, the children say that it does not work, it is always empty and the internet connection is not functioning.

"There is no place I can say there is a meeting place (...) this place is like a roundabout. We all meet here. As we are jobless. They have no jobs. After eating, we go moving around." (I9, Burundian Boy, 15 years)

OPs and IPs in the settlement have not put enough effort in building integration among the different nationalities and in anticipating and addressing such challenges related to ethnicity and nationality, to the extent that even the right to play is put at risk.

“No, we don’t go to the youth centre; there is no sense to go there. There are just Congolese there. They play there and if you go, they throw you stones.” (I6, Eritrean Girl, 14 years)

The main sport activity for boys is playing football in some random places or they just join other children when they are playing.

“Here 99% of boys play football. We make the ball for ourselves, with small papers. We have teams and we have a coach. But now our team is broken.” (I3, R6, Ethiopian Boy, 15 years)

Some boys said that either they do not have time to play with their friends, because they have to help their parents, or because they are too hungry to be able to play. Many children reported that when they are not at school, during their free time, they just collect firewood or fetch water. While the majority of the girls admitted that they do not spend leisure time with other friends, they normally spend their free time at home with their families.

However, one professional expressed a very serious picture of the current situation of rights among the children.

“Here in Nakivale you find that their rights are not there, because they still fear. They don’t know what their right is. It’s not the right way how it is supposed to be. A part from Education the other rights are not there. In some cases you find that now the children go to their parents and say, ‘we want education’.”(Q3)

5.7.5 The role of local authorities in the implementation of CRC art.22

Local authorities play a crucial role in the areas of regulation, enforcement and monitoring of children’s rights. In many cases, municipal authorities and local branches of national agencies become the primary actors in providing basic services for children. Even where assistance from higher levels of government is lacking, local authorities maintain the legal responsibility to respond as best as they can to the situation of children under their jurisdiction. (ARC, 2002)

The refugee children from all the nationalities mentioned that in case they have problems, they try to solve these problems within the communities, through gathering the elders. They trust the figure of the *chairman* as conflict mediator much more than the Ugandan police. Most of the times indeed, the latter was described as being very corrupt, and therefore not reliable in judging any kind of crimes or offences. They also mentioned that in case of conflict between refugees and Ugandan citizens, according to the police, the former would always be the guilty ones.

“Some Congolese entered in our house during the night and stole. I know they were Congolese, because they were very black and they were covering their head. We reported to the police again, but they didn’t do anything.” (I6, Eritrean Girl, 14 years)

“Two kids were beaten by the teacher. One of them started to fight back and then he ran away from school. So, when he reached home, he told his parents about what happened. They went to the OPM, and when the commandant heard about that, he bet him again and even his parents. The nationals they are all connected. You can report what happens whenever, but nothing is gonna change.”(I2, R4, Congolese Boy, 14 years)

“My brother was caught by the Ugandans when he went to work in a village. They ended up in cutting his arm. We reported it to the police but the Nationals paid money and the case was chased away.”(I4, R6, Rwandese, 16 years)

“We can’t go to the police station, because we don’t have money for it. So when we have problems, we can just be quiet. And the child protection is not an option. Because if our parents go there, they don’t even consider them. They even close the office.” (I 11, Congolese Boy, 14 years)

“Or for example if you go even to the police to report something that happened, than that person takes a person, talks false, takes some money and then your case is not heard. They just tell you ‘We shall see, we shall see...’”

Children think that none of the offices in charge of Child Protection can help them when other refugee children or adults from different nationalities abuse them. They believe that the best way is not to reply to these offences and keeping quiet.

“I can see that the organizations for child protection here are doing nothing. They are not helping us because they are supposed to do some primary stuff, which would give support. Basic support to our future but they are doing nothing for us. For them they are there to make you believe that the security of this place is a myth.” (I9, Burundian Boy, 15 years)

“When someone is beaten, we know that there is the child protection office in Nakivale. But they don’t even allow me to enter there. (I 12, Congolese Boy, 14 years)

“If you go to the child protection or in another office, they don’t listen to you. They make you wait a long time, they say they are busy, you have to keep quiet, and that is corruption.” (I 3, R6, Ethiopian Boy, 15 years)

“Yes, they just want Cash!” (I3, R8, Ethiopian Boy, 16 years)

“Sometimes they tell you, come next week, other times...they say “ok, tell me whatever you want”, they write in the file and they put it somewhere.” (I3, R7, Eritrean Boy, 16 years)

The attitude of the police authorities show how practically refugees have fewer rights than national citizens. This phenomenon might be connected from one side to the fact that nationals have more money to bribe the police officers. However, without any generalization, it is also connected to a common attitude of sheer discrimination towards refugees. They are always seen as people who in a way are taking benefits from the Ugandan society despite the national citizens. It was possible to notice this behaviour from the Ugandan aid workers *in primis*, who, repeatedly, but, not during the interviews, expressed their view according to which, refugees are just behaving as victims in order to get the resettlement process, but actually, they are richer than many other Ugandans citizens.

Aid workers showed reluctance in sharing information with the researcher. During the interviews, they appeared to be suspicious towards her position as an independent and international researcher and they constantly denied facts reported by children. Only one aid workers out of four (4) did not deny phenomena such as teachers using violent punishment at school or the lack of implementation of CRC. Overall, they tried to depict a picture of Nakivale, which is objectively better than what the reality is, even though they knew that the researcher was interviewing children too, and that she was spending time with the refugee population.

5.7.6 Effectiveness of the implementation of CRC art.22 in Nakivale Refugee Settlement

The results of this study depict a situation of clear deficiencies in the implementation of CRC art.22 and of the other international instruments for refugee protection and children protection in Nakivale Refugee Settlement; a situation in which children's lives are visibly at extreme risk, and in which even the most basic needs to existence are not ensured.

As stated before, CRC represent a unique and indivisible instrument in the promotion of rights of children. Art.22 is interdependent to the other articles and can be divided into four categories, according to the area of intervention: Survival Rights, Protection Rights, Development Rights and Participation Rights. These findings show that even the Survival Rights are not guaranteed in Nakivale Refugee Settlement. What the children perceive about the implementation in practice of their own rights of refugee children is that none of the national or international organizations present in Nakivale do effectively accomplish their duty of child protection. They mentioned that if they are lucky they might listen to their problems, after waiting for many days, they will write a report, but then this file will get lost. Many children reported that they went many times to ask for protection or legal support at RLP or for family tracing at URCS, but they have never considered their case.

“I don’t see that they are protecting us at all, I just see now every day when Somalis and everybody who is in need of help, they just sit outside the office and nobody is willing to help and saying you are not in the resettlement process so you got to go back to the protection or whatever.” (15, Somali Girl, 17 years)

“My sister, before she got raped, she went to the protection many times, but they never did anything. That’s finally when she went to Kampala to look for work and that’s when the incident happened to her...” (15, Somali Girl, 17 years)

“Since I lived here I have never met anyone of those staff coming to hold a meeting that he wants to talk to us. I have tried to reach the protection officers and even the lawyer we have here but nothing has changed. I wish I could explain to them my problems but they don’t give time. They only thing they told me is that here I have to be passive and patient.” (19, Burundian Boy, 15 years)

One of the highest authority of the settlement, after introducing herself and explaining the objective of her research, seemed completely unfamiliar with CRC art.22. The staff who participated in the interview too, appeared to be little acquainted about the different conventions, national and international legislation regarding rights of refugee children.

“But according to me, what I need to be clarified in the Constitution of Uganda, it is not specific the provisions to take with the offender in case of crime committed by a child. They only speak about the best interest of the child. I don’t know whether it is stated in the Children Act. I don’t have it and I tried to get it from Internet and I couldn’t. Do you have it? So I see a gap in the law.”(Q2)

“The national and international legislation is enough to protect children, but it needs more support, but it needs a change in the implementation part. More must be done for health and education.”(Q3)

The relation among the IPs and OPs with the OPM and the GoU was a topic in which the aid workers were visibly unable to be completely honest and transparent in expressing their perspectives. Their general response was very positive. The staff declared indeed that there is

a very good cooperation among them and that they coordinate each other in their work, whose final objective is protection of refugee children.

“Yes, there is a good relation with OPM, because we have police here, if something happens to children. In schools, we have governmental teachers who are supporting refugee children.”(Q1)

“GoU is providing land for the settlement and so for schools, they are active, to mobilize for funds, some structures for children and for the communities. They support us in different ways, to put up some structures, they give desks, they give teachers’ salary, teachers’ accommodations for teachers...” (Q3)

Even though some key-informants were very positive towards an improvement of the current situation for refugee children in Nakivale, the overall effective implementation of CRC art.22 leaves much to be desired.

5.8 Future for refugee children in Nakivale Refugee Settlement

The future is a very delicate topic to speak about during the interviews. In this context, many children, no matter which ethnic group they belong, put a lot of trust in their faith. They expressed their hope that God will not abandon them and will still give them the opportunity of a new and better life than the one they are living in Nakivale.

From one side, they do not have many aspirations for their future; they showed to be hopeless and lost. Many of them did not even want to mention the word *future*. However, the biggest dream they share, is to see their family united again and in a good health.

“We fear sometimes, because we don’t know where we are going to. We don’t know if we will ever go back to our country. We don’t have any position. We fear the future.” (I2, R4, Congolese Boy, 14 years)

“Until you are here, you can’t think about any future. You can’t determine that you will be this or this. When you think about your future, it’s just dark.” (I4, R5, Burundian Girl, 15 years)

From the other side, the children still dream to go back to have a life in a normal setting and in a context of real peace and human rights. It is surprising to see that through their professions they would like to give a contribution to their society and humanity in general. It is interesting to notice how the professions mentioned are related to issues of health, education and social problems experienced by the children with inadequate intervention during their refugee life.

“I want to be a social worker. The reason is because I see a lot of problems which are not covered, that people haven’t taken into consideration. Since this problem of people having problems. If I go abroad, I can make this work worldwide. But I can do that in Somalia too.” (I1, R8, Somali Girl, 15 years)

“I want to be a doctor. I saw a lot of people dying both here and in Somalia.” (I1, R3, Somali Girl, 14 years)

“I want to become a doctor, to treat people who are in need.” (Eritrean boy, 16 years)

“I want to study and to be a doctor, to help people who are sick in Africa. And I want to treat people, not the way they are treating us.” (I7, Ethiopian Girl, 13 years)

“I really want to work for refugees. That’s what I really want to do in life. I want everyone to have a better life. Not only my family but everybody who is a refugee.” (I5, Somali Girl, 17 years)

“I want to become a teacher, to educate people who are not educated.”(I1, R4, Somali Girl, 15 years)

Whereas some of them mentioned jobs which can give them money, resources and power. They aspire to these kinds of jobs in order to make a change and help other people.

“I want to become Prime Minister of Uganda, so that I can help my parents. I can’t become the Prime Minister for Congo, because I can’t speak French.” (I 10, Congolese boy, 14 years)

“Become someone, in another country and help those who are living in a bad situation in Congo.” (I 11, Congolese boy, 15 years)

At the end of the questionnaire, the researcher asked the children if they wanted to complement their interview with additional information. She asked them to feel free and tell her anything they considered important. Some of them thanked the researcher for interviewing them, and for coming to Nakivale. They asked her if she intends to come back to Africa once she will graduate. They wondered about her life and her home country.

Many of them, wanted to make her part of their daily worries and they emphasized their willingness to continue their education. They put all their hope of a change in their life into education. However, without any scholarship, this will never come true.

Even though the researcher had clarified since the beginning and during the interviews her role as a student writing her master thesis, several children asked her for help in different circumstances related to education, health or resettlement.

“Now we have finished the interview, after that, what have you planned for us, how can you help us?” (I 12, Congolese boy, 15 years)

“Can you research help our resettlement?” (I 10, Congolese Boy, 14 years)

“Since you are here, can you help my father? He had a heart attack and blood pressure. He needs an operation. They need to operate him abroad. Not even in Africa.” (I1, R3, Somali girl, 14 years)

“We want you to help us in education, so that we can have a bright future.” (I4, R3, Rwandese Girl, 15 years)

“What is the benefit or what will come next after the discussion that we had together? On your side, can you do us the favour of reporting the problems to the UNHCR? As you have reached the field and you have already experienced what I saw, what are you going to help me as you got my story?” (I9, Burundian Boy, 15 years)

5.8.1 Hope for Resettlement in a third Country

Resettlement, along with repatriation and integration, has been identified by refugee policy analysts and scholars, as one of the main “durable solutions” to the protracted uncertain refugee situation (Crisp, 2003, p. 1). Resettlement, where refugees are relocated more permanently to

a safe third country (Kneebone, 2008), is attractive to both the refugees and the host country but is becoming increasingly rare and difficult, as Crisp (2003) explains: “Very few of Africa's long-term refugees are likely to be accepted for resettlement, which is in any case a relatively complex and costly way of finding solutions to refugee problems” (p. 25).

Resettlement often happens in cases of family reunification, or if the child has a serious protection problem and is unable to enjoy safe asylum in his/her country of asylum. In other cases, resettlement is considered on medical grounds where the child requires specialised treatment that is not available in the country of asylum. Resettlement involves the transfer of refugees from the country where they have sought refuge to another State, which has agreed to admit them. They will usually be granted asylum or some other form of long-term residence rights and in many cases the opportunity to become naturalised citizens (ARC, 2002).

It was very astonishing to see how all children want to get resettlement in a third country. They say that there is no hope for them in Nakivale and the only solution they can see in order to receive an education and a better future is resettlement. When the researcher asked to which country they would like to be resettled, they mainly mentioned USA, Canada and Europe. The majority of them seem to have tried the process of resettlement at least once, but without success. Among the children interviewed, very few said to be currently pursuing the process for resettlement. The difficulty of receiving resettlement creates rivalry and tensions among the different ethnic groups, which accuse each other to be the favourite candidates for resettlement.

“We have been told that Somalis and Congolese are resettled. We went there for resettlement, but they denied us. For us there is no hope.” (I4, R5, Burundian Girl, 15 years)

“Somalis at that time of the fight in 2012, they were the only ones who got resettlement, and never Congolese. But after that fight, no more.” (I2, R3, Congolese Boy, 14 years)

“Americans expects that Somalis are good, that’s why they call them. They prefer Somalis and also Congolese, because they can give to them their minerals.” (I6, Eritrean girl, 14 years)

Some children mentioned a phenomenon related to resettlement, which amounts to corruption. They claimed that in order to get or accelerate the process of resettlement to a third country, most of the times, they would have to pay the authorities in charge of this. Given the delicate topic, children showed to be afraid of speaking about this, therefore when they were reporting it, they used an under tone voice.

“...also for resettlement you have to pay a lot. And Congolese, in their country they have gold, they dig and then they find diamonds...and then they give these to UNHCR and they give them process...” (I7, Ethiopian Girl, 13 years)

“It’s a lot of money for resettlement. We don’t even know.” (I6, Eritrean girl, 14 years)

5.8.2 Repatriation

Repatriation, which is contingent upon the cessation of conflict in the refugees’ country of origin, continues to be impossible for many of the refugees in Uganda, particularly for those from Somalia and the DRC. (Svedberg, 2014)

The biggest majority expressed their aversion of going back to their home country. They do not want to live in a place where they saw their family members dying.

“I don’t want to go back to Burundi, for what happened to me, what happened to my family. I got a wound in my heart from there. But I need something or someone who can help me get out of here.” (I9, Burundian Boy, 15 years)

“I don’t want to go back to Rwanda, there is no peace there. We don’t miss anything of our country, because our experiences in our country were really bad. If you just think about that, you can get crazy.” (I4, R6, Rwandese girl, 16 years)

“Even if it Congo became a safe place, it is hard for us to go back, because we would have to restart our life from zero.” (I 11, Congolese boy, 15 years)

“I really don’t want to go there, where I lost my parents. Even recently, there have been bombs and ministers have been killed. They say it is safe? Nothing is safe there.” (I5, Somali Girl, 17 years)

5.8.3 Suggestions from aid-workers

This section summarises recommendations and proposes interventions and actions by aid workers, as their work is supposed to ensure the greatest possible implementation of rights for the refugee children in Nakivale.

One aid worker expressed the urgency of creating a monthly birth registration. This requires sensitization to communities and adults, so that parents can be taught that all children born in the settlement need to be registered in order to make them enjoy of their own rights. Currently many refugee children are born without being registered at OPM, but this implies that the child is not safe within the area of the settlement and the territory of Uganda.

Another recommendation is the necessity of a faster assessment for asylum seeker children. Right now, it can take many months and during this time, children are not attending school. Later on, when they obtain the refugee permit, after a long time spent in the Reception centre, the child protection organizations should prepare the children before going to school.

Regarding education, the staff advocate for more secondary schools and for at least a boarding school for the children living far away. Besides, there is need of more teachers and bigger classrooms. A better quality in the education system is required; the representative of Windle Trust admitted:

“Now the parents are already taking their children at school outside of the settlement, because they are better. If we put up all the services, refugees don’t need to ask to go and resettle in other countries. In these cases, the children want to remain and study in Uganda.”(Q4)

A concern expressed by two aid workers is the urgency of creating child-friendly places in both schools and common areas of the settlement. They believe that if children find at schools games and parks where to play, they are more willing to go to school. They also claim the need for a bigger investment in the youth centre. Currently the youth centre is empty, and children and adolescents do not consider it a good option for spending their free time there. During their free time, they just go around the settlement, without any purpose and guidance.

“It’s very common to find girls of 15 years who offer commercial sex. At 18 a child is already fed up with all the world, going to a bar taking beers.”(Q3)

All the key informants advised that they should harmonize their work, improving the coordination among the IPs and OPs, share their reports and working with the same files for

the same clients. A better work of sensitization among refugee children about their rights should be organized at school, through clubs, drama, assemblies and platforms where the children can share their concerns and challenges. This should be arranged both at school and in each community in order to reach the adult population too.

Concerning tuition fees, aid workers believe that all the tuition fees should be paid by UNHCR and there is need to increase the number of scholarships offered by Windle Trust. This year more than one thousand (1000) children applied, for only eight (8) vacancies.

6. CONCLUSIONS AND RECOMMENDATIONS

This section summarises the analysis of the findings and proposes recommendations and interventions to different official actors, as they work to ensure the greatest possible implementation of rights for the refugee children in Nakivale.

6.1 Conclusions

Despite a number of challenges and limitations, the two weeks-study conducted in Nakivale generated a rich overview of the *status quo* of refugee children living in the settlement.

International treaties are important to refugee children because they set standards. When a State ratifies a treaty, the Government of the State promises to the international community that it will conduct itself according to the standards in the treaty (UNHCR, 1994).

In general, the structure in Nakivale Refugee Settlement and Uganda as a whole, does not operate in accordance with international human rights standards. Indeed, as the findings indicate, the settlement structure itself is a contributing factor to the protracted nature of refugee situations. This inevitably influences the children life conditions. Even though this research did not apply any economic analysis, it is indispensable to mention that the current Local Settlement Policy of Uganda has generally failed to ensure security and economic development for the refugee population.

Humanitarian organizations operating in a refugee settlement should be the actors with both legal and moral obligations to ensure that innocent and vulnerable individuals, such as refugee children, after having experienced injustice and violence, are finally able to fully enjoy their rights. However, it is not possible to affirm that the work of OPs and IPs operating in Nakivale has ensured the greatest possible implementation of rights for these refugee children.

Concerning how children perceive their own situation as refugees, children in Nakivale are treated in such a way as to make them feel that they *'have no rights as refugees in Uganda'* and that the institutions mandated to protect their rights, are the first ones to violate them.

These findings provide evidence that CRC art.22 and the other international and national instruments for the protection of refugee children have not been efficiently implemented in this particular context. Hence, more investigations on the implementation of rights for refugee children in refugee settlements in Uganda must be done.

6.2 Recommendations

In the light of the findings, after evaluating the *status quo* of the refugee children living in Nakivale Refugee Settlement, in relation to CRC art. 22 and more specifically to the research questions of this work, the researcher considers it essential to provide some recommendations. These are divided according to the different actors, both at international and local context, involved in the promotion of refugee children's rights.

To the Committee on the Rights of the Child

- Considering that it is in charge of monitoring the State's implementation of the convention, it should ensure that all legislation is fully compatible with the Convention by incorporating it into domestic law or ensuring that its principles take precedence in cases of conflict with national legislation.
- It should guarantee that sufficient data are collected and used to improve the situation of Refugee Children in Nakivale.
- Finally, it should raise awareness and disseminate information on the Convention by providing training to all those involved in IPs and OPs.

To GoU

- It is urgent to improve the refugee security management and access to the judicial system. It is recommendable to strengthen police presence, through female and male police officers within the whole settlement area. This will enhance community policing, as well as strengthen peaceful coexistence among different refugee communities and host communities.

To UNHCR

- It should guarantee a better supervision of the implementation of the 1951 Convention and its 1967 Protocol on a national level and in the local context of Nakivale Refugee Settlement.
- It is necessary to ensure the protection and healthy development of refugee children in order to achieve durable solutions, which are appropriate to the immediate and long-term developmental needs of refugee children.
- It is recommendable to support the national aid workers through a major presence of international staff.

To UNHCR, GoU and Ministry of Education and Sports

- In order to increase access for refugee children to a quality primary and secondary education, a stronger cooperation among these authorities is needed, so that they can play an effective role in the planning, implementation, monitoring and management of refugee education.

To OPs and IPs of Nakivale

- It is evident that a better understanding and commitment to refugee children are prerequisites for ensuring the implementation of the international instruments for the protection of the rights of refugee children. Staff needs clearly to receive training programmes addressing the specific needs of refugee children and more preparation on the legal instruments on Child Protection signed by the GoU, and which have not been clearly and effectively implemented. They seem indeed to be far away from the reality, they seem not to be aware of the problems, which have forced them to flee and they do not seem to be concerned about the challenges that they are facing every day within the settlement.
- Conflict mitigating and peace building programmes are greatly recommended in order to mitigate the high level of tension among the different refugee communities.
- Overall, there is a need of changing the top-down attitude from the aid workers towards the refugee population.

To UNHCR and GoU

- In general, extraordinary efforts are required to guarantee refugee children to be treated in accordance with internationally recognized legal standards. Fundamental rights, such as food, shelter and protection and the right for a universal and free primary and secondary education are urgently needed.
- Better monitoring of violent events, increasing security operations and measures are urgently needed in the settlement.
- The SRS policy needs to be expanded and refined to accommodate the great diversity of refugees and their situations within Nakivale Refugee Settlement. Along with this, UNHCR and GoU should also consider a food ration increase. The insufficient quantity of food indeed creates many negative consequences for the whole refugee population and especially for the children's development and for their own security within the settlement.
- There is a wide need of a greater support to the most vulnerable groups. Asylum seekers *in primis*, unaccompanied minors, along with disabled people, orphans, elderly people, those who are chronically ill, widows and female or child-headed households were consistently identified as the 'poorest' and least self-sufficient groups. Hence, they are often forced to employ negative coping strategies. For example, among Congolese, Rwandan and Burundi refugee groups I spoke with in Nakivale, widows were identified as the key group involved in commercial sex, while orphaned children typically either begging or pursued small errands, such as delivering bottles of water for petty cash. Hence, specific strategies are needed in order to support the most vulnerable groups among the refugee population.
- Children's Right of Participation, remains to some extent in a box and it has not been implemented in any of the areas of Protection. Refugee children have indeed many protection concerns, but they are not able to tell adults and staff in charge about them. The organisations dealing with Children Protection should provide the right support for them and enable them to express their problems and to be heard. To increase refugee children's participation, suggestions include setting up more child specific clubs and committees in order to make children to be able to express their problems and to be heard.

- There is a strong need of a creation of child-friendly spaces within the settlement: in schools, in the Reception Centre and in the major meeting points. Additionally, there is the necessity of the creation of a youth centre in each area of the settlement.

To International Donors

- It is essential to establish a better control of the modality in which the international donations are distributed, both in the settlement and in the schools.

To Future Researchers

- A more in depth study is required for the evaluation of the factors, which cause a full implementation of CRC art.22 and of all the other International Instruments for the protection of the refugee children and which provoke inevitably a severe violation of their rights. A wider research among the staff and the authorities operating within the settlement is necessary.
- It would be useful to interview, along with the refugee children, also Ugandan children who live in the settlement or around the settlement, and that benefit of the education system in Nakivale.
- It would be interesting to conduct a study on how to promote peaceful relations through innovative and sustainable solutions, among the different refugee populations and between them and the Ugandan community, with whom they share land, schools and health services.

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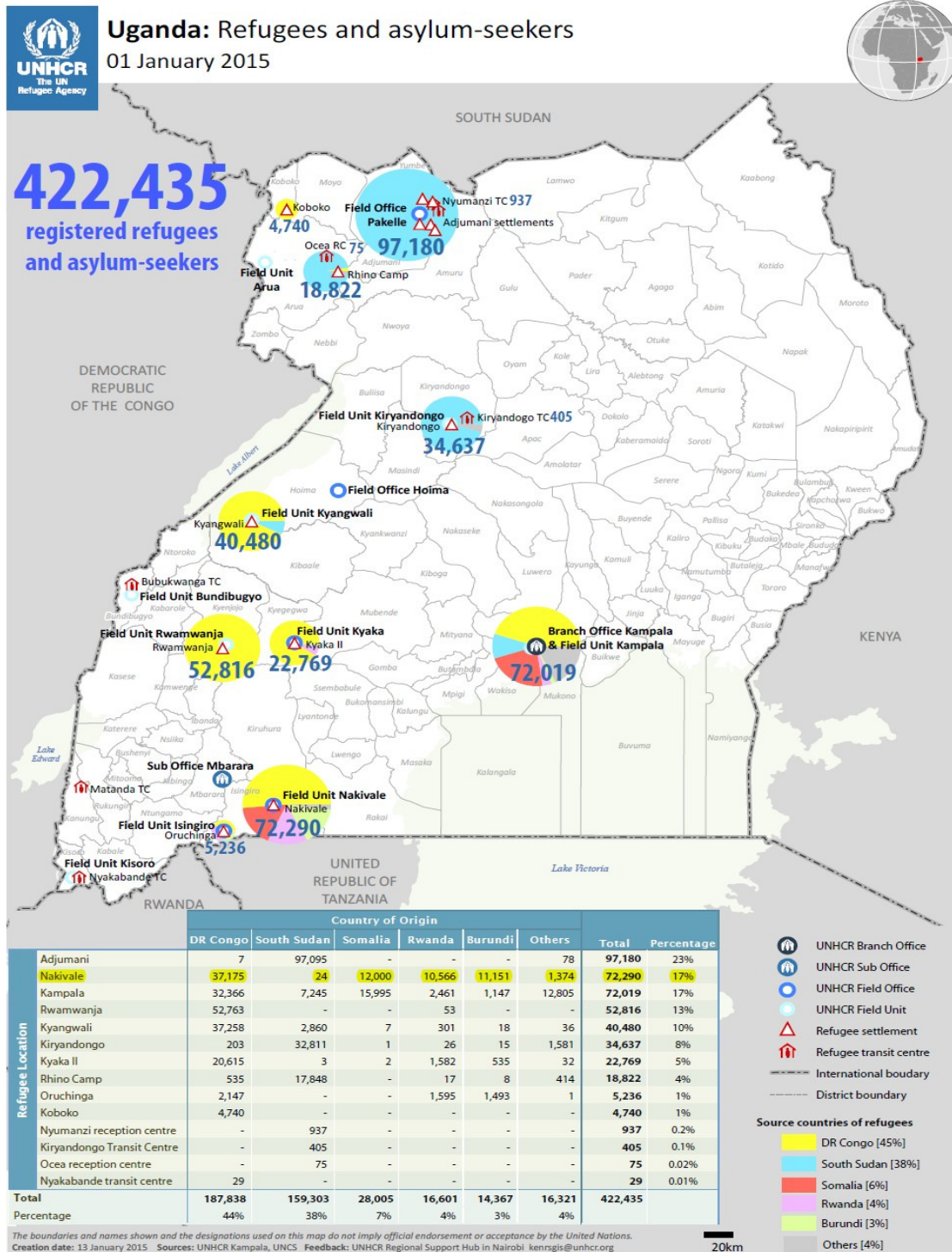
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APPENDICES

Appendix 1: Refugees and Asylum Seekers in Uganda: January 2015



Appendix 2: Research photos in Nakivale Refugee Settlement







Road, which connects the Base Camp to Juru



Typical accommodations built by the Refugee Population



Building soil-bricks for houses

<p>KAZI ZOTE ZINAZOFANYWA NA OFISI YA UNHCR, KAMA VILE KUPELEKWA NCHI YA TATU, NI ZA BURE. UKIFAHAMU MTU YEYOTE AMBAYE ANAULIZA KUPEWA PESA AMA ANAPEANA PESA ILI KUPEANA AMA KUPEWA HUDUMA YA KUSAFIRI HADI NCHI YA TATU, BASI MTU HUYO ANAFANYA MAKOSA YA UDANGA NYIFU NA LAZIMA ASHTAKIWE KWENYE OFISI YA UNHCR KWA HARAKA</p>	<p>SERVISE ZOSE, HARIMO IZA RESETTLEMENT ZITANGWA NA UNHCR, NUBUNTU. NIBA UZI UMUNTU UWARIWE WESE USABA CYANGWASE UTANGA AMAFARANGA. KUGIRANGO AHABWE UBUNDI BUHUNGIRO YABA UMUGORE CYANGWASE UMUGABO IBYO NIMAGENDU KANDI AGOMBA KUREGWA MURI UNHCR BYIHUTIRWA.</p>
	
<p>Ukifahamu mtu yeyote anayefanya makosa haya, tafadhali julisha; Ofisi ya UNHCR, UGANDA PO Box 3813, Kampala Barua Pepe ya siri (email): ugaka@unhcr.org OFISI YA UN Inspector General Case Postale 2500/CH-1211 Geneva 2 depot / Switserland Barua Pepe ya siri (email): inspector@unhcr.org Fax ya siri: +41 22 739 7380. Simu ya siri: +41 22 739 8844</p> 	<p>Niba harumuntu uziho ibyobiko nkibyo usabwe kubimenyeshha Userukira UNHCR muri Uganda PO BOX 3813, Kampala E-mail: UGAKA@unhcr.org Ibiro byumuyobozi mukuru wa UNHCR Case postale 2500/CH - 1211 Geneva 2 Depot/Switzerland Confidential e-mail: inspector@unhcr.org Confidential fax: +41 22 739 7380 Hotline: +41 22 739 8844</p> 

UNHCR posters in front of the offices, to remind that corruption is a crime



Farming is a typical activity in Nakivale for both Refugee and Ugandan Populations



Water insufficiency in Nakivale

Appendix 3: Interview-Guide for Aid Workers (Semi-structured Interviews)

INTRODUCTION

First, I would like to thank you for the time that you are kindly spending with me. You are giving me a great support in order to understand more about children's life in Nakivale. I will make some questions related to the practical implementation of CRC art.22. As you have already read in the consent form, whenever you want to stop the conversation or whether you don't want to reply to some questions, please, be free to do so. Your identity will be hidden and I will record just under your permission.

- In which way are refugee children or children seeking refugee status given special assistance and protection appropriate to all their needs and in accordance with their Rights under the Convention?
- How do you ensure that children, who have been refused refugee status but are nonetheless permitted to stay in the country, are entitled to the same assistance and facilities on the same basis as children with accredited status?
- Where are refugee children accommodated? To what extent is the accommodation safe? Whom do they live with?
- Which is according to your expertise, the biggest challenge regarding children living in Nakivale?
- How do the authorities of Nakivale ensure that children are adequately informed about their own Rights of refugee children in Nakivale? Are they informed in their own language?
- To what extent do children in Nakivale receive a stable social environment? (Sense of stability, social integration...)
- To what extent is Nakivale a space open and respectful towards children from many different nationalities?
- How can you (and your colleagues) make Nakivale a more child-friendly place?
- What opportunities do children have to share their protection concerns, to exercise their participation, their freedom of expression, in other words, how do you make them aware of their own rights of children?

- The CRC art.22 declares that special protection shall be granted to a refugee child or to a child seeking refugee status. It is the State's obligation to co-operate with competent organizations which provide such protection and assistance. To which extent do you think that policy and practice actively encourage the implementation of CRC art.22 in Nakivale Refugee Settlement?
- How does your work in Nakivale help children's voice to be heard?
- Which are the current interventions for the most vulnerable and marginalised children? How can these strategies be improved?
- How can you ensure that girls and boys of different ages and backgrounds, including younger children, children with disabilities, children from different ethnic groups, etc., are given opportunities to participate in the decisions regarding them in Nakivale?
- To what extent are children discriminated in relation to the different nationalities, cultures and religions presented here in the Settlement?
- Do you think that GoU is cooperating in a positive way with non-governmental organizations or Intergovernmental organizations acting in association with the United

Nations in respect of refugee and asylum-seeking children and in particular with the UNHCR and the International Committee of the Red Cross (ICRC)?

- Do you think that the international legislation and current National legislation ratified by GoU are enough to protect refugee children in Nakivale?/ How can GoU act more effectively to ensure that children's rights are implemented in practise and not just signed on the Convention?
- In which way should the local rules in Nakivale be more effective in implementing in practise the different international and national instruments ratified?
- To what extent are the particular needs of adolescent refugees recognized (for example to develop skills, which will allow them to become self-sufficient)?

Education

- Do refugee children have free access to both primary and secondary education? What are the particular challenges faced by refugee children in accessing this Right to Education?
- What strategies have been adopted in Nakivale to ensure that all children access education?
- Do all children go to school?
- In your opinion, does the curriculum recognize the different cultures and nationalities of the children.
- Which is the language of instruction? / In case of English: how can you intervene in order not to make the language barrier an issue both in accessing education in Uganda and in the condition of eventual repatriation to a French-speaking educational system (e.g. Rwanda, Congo and Burundi)?

Health Care

- Which specific interventions have been implemented to address the psychosocial needs of refugee children in the settlement? What are the common traumas presented?
- Do you think that children are provided with the necessary health care?

In case of Unaccompanied Children:

- Can you please explain me the procedure for unaccompanied or separated children seeking asylum? Are they provided with legal representation, a guardian, professional interpreters, decision makers experienced in child development? Are they given the benefit of the doubt in relation to their claim for refugee status?
- How can you ensure that unaccompanied or separated children, who are refused refugee status, are allowed to remain in Uganda, when to do so would be in their best interests?
- How can the authorities guarantee that all efforts are made to trace family members of unaccompanied children?
- To which extent are the views of children taken into account when decisions relating to family reunification are made?

Appendix 4: Interview- Guide for Children – (Individual, Semi-structured Interviews)

*The researcher will conduct also four (4) Focus Group Interviews. In a broad way, she will follow this guideline, along with the inputs she will receive from the individual interviews.

INTRODUCTION

Hi, my name is Greta and first, I would like to thank you for spending your time with me and for helping me to understand more about how children live here in Nakivale. Since I don't speak Kiswahili, I will be helped by the *Interpreter*...

So, if you are ready, we can start with some questions, but if you don't want to answer, you don't have to and you are free to stop the interview whenever you feel like.

- Where were you born?
- When did you come to Nakivale?
- With whom do you live?
- How did your life change since you started to live here in Uganda/Nakivale?
- What do you think about Nakivale Refugee Settlement? How can you describe it?
- How is food in Nakivale? How many meals do you have per day? / Do you think this food is enough?
- Are you happy here? Could you please help me to understand more how you feel here?
- How is your daily routine? You wake up in the morning...and then what do you do?
- Do you go to school? How far is it from where you live? /What do you think about your school?
- What is your native language? Can you understand the other children at school? And the other people in the Settlement?
- Do you feel safe and protected here in Nakivale? How do you feel as a child\adolescent in this environment?
- Do you have friends here? Where are they from?
- What kinds of activities for children are there in Nakivale?
- Are there any places in Nakivale where only children and adolescents can stay? / What do you do in these places?
- Do you feel free here? Can you do anything you want to do here? Or, are there certain things that you and the other children cannot do?
- Do you feel respected here by the other children and other people?
- Do you think that adults hear to the voice of children and adolescents here in Nakivale? Why? Why not? Do you remember some episodes?
- Have you ever experienced danger here in Nakivale? / If yes, can you remember what happened?
- If you have any problems here, with whom can you speak about?
- If you are sick, is there a hospital close to here where you can receive treatment? / Have you ever experienced that?
- Is it possible to go out from Nakivale Settlement? / Have you ever left Nakivale? (And Uganda?)
- What do you miss the most from the place where you were living before? Can you share some examples?
- What is your biggest dream? What do you want to do in your future?

- How do you see yourself in 5 years? And in 10 years? Can you make any practical examples?

In case of Unaccompanied Children (in addition):

- Do you know where your family is?
- Did someone trace them?
- Do you have a guardian?
- When you want to have contact with some members of your family in your home country, do you have the possibility to do so?

THANK YOU SO MUCH for your participation!

Appendix 5: Parental Consent to Child Participation in a Research Study

Title of Study: *Evaluating the Implementation of article 22 of the United Nations CRC in Uganda-Nakivale Refugee Settlement: Duty bearers' and children's voices*

Investigator: Greta Alessandri, Department of Social Work, Makerere University
(gaiar@iscte-iul.pt), N. Tel. 0782991733

.....
Introduction

I am an Italian student currently studying part of my Master degree at Makerere University. I am currently conducting a 3-week long independent study project in Nakivale Refugee Settlement.

Your child is being asked to be part of a research study about refugee children's Rights.

S/he was selected as a possible participant because s/he is living in Nakivale Refugee Settlement and she is in the range age of 13-17 years.

I kindly ask you to read this form and ask any questions that you may have before allowing your child to participate in this study.

Purpose of Study

The purpose of the study is to analyse how the United Nations Convention on the Rights of the Children (CRC) article 22, has been implemented in Nakivale Refugee Settlement, according to the children's own voices. Art.22 declares that special protection shall be granted to a refugee child or to a child seeking refugee status. It is the State's obligation to co-operate with competent organizations, which provide such protection and assistance. Therefore, the empiric data constitute an essential role in order to provide the children's perspective.

Ultimately, this research will constitute part of the final thesis, which will be submitted by the student in fulfilment of the requirements for the Award of a Degree of European Master in Social Work with Families and Children.

Description of the Study Procedures

If you decide to allow your child to participate in this study, s/he will be asked to answer some questions related to their life, as child, in Nakivale Refugee Children. The interview can be single or in a group with other children from the same sex and age-range. The interviews will be recorded and the material used only for academic purposes.

Confidentiality

The records of this study will be kept strictly confidential. Research records will be kept in a locked file, and all electronic information will be coded and secured using a password protected file, to which only the student will have access to. The research will not include any information that would make it possible to identify your child.

Right to Refuse or Withdraw

The decision to participate in this study is entirely up to you and your child. Your child may refuse to take part in the study *at any time* without any kind of consequences. Your child has the right not to answer any single question, as well as to withdraw completely from the study at any point during the process; additionally, you have the right to request that the interviewer will not use any of the study material.

Right to Ask Questions and Report Concerns

You have the right to ask questions about this research study and to have those questions answered by me before, during or after the research. If you have any further questions about the study, at any time, please feel free to contact me, Greta Alessandri at gaiar@iscte-iul.pt or by telephone at 0782991733. If you like, a summary of the results of the study will be sent to you.

Consent

- Your signature below indicates that you have decided to allow your child to participate as a research subject for this study, and that you have read and understood the information provided above. You will be given a signed and dated copy of this form to keep.

Thank very much!

Greta Alessandri
0782991733
gaiar@iscte-iul.pt

.....

I give consent for my Child Participation: Yes No

I give permission for the recording of the interview Yes No

Name of Parent/Guardian (print):

Signature of Parent/Guardian: _____ Date _____

Signature of Investigator: _____ Date _____

Appendix 6: Consent Form for Participation in a Research Study (Aid Workers)

Title of Study: *Evaluating the Implementation of article 22 of the United Nations CRC in Uganda-Nakivale Refugee Settlement: Duty bearers' and children's voices*

Investigator: Greta Alessandri, Department of Social Work, Makerere University (gaiar@iscte-iul.pt), N. Tel. 0782991733

.....

Introduction

I am an Italian student currently studying part of my Master degree at Makerere University. I am currently conducting a 3-week long independent study project in Nakivale Refugee Settlement.

Purpose of Study

The purpose of this research is analysing how the United Nations Convention on the Rights of the Children (CRC) article 22, has been operationalized in the Ugandan Legislation, and implemented specifically in Nakivale Refugee Settlement.

CRC Art.22 declares that special protection shall be granted to a refugee child or to a child seeking refugee status. It is the State's obligation to co-operate with competent organizations which provide such protection and assistance. A particular focus will be on the children's perspective, through their own voice.

Ultimately, this research will constitute part of the final thesis, which will be submitted by the student in fulfilment of the requirements for the Award of a Degree of European Master in Social Work with Families and Children.

Description of the Study Procedures

If you decide to participate in this study, you will be asked to answer some questions related to your job as professional\aid worker at Nakivale Refugee Settlement. The responses will be recorded, and the material will be used only by the student and for academic purposes.

Confidentiality

The records of this study will be kept strictly confidential. Research records will be kept in a locked file, and all electronic information will be coded and secured using a password protected file, to which only the student will have access to. The research will not include any information that would make it possible to identify you.

Right to Refuse or Withdraw

Please understand that your participation in my research is completely voluntary.

You have the right to refuse to take part in the study *at any time* without any kind of consequences. You have the right not to answer any single question, as well as to withdraw completely from the study at any point during the process.

Right to Ask Questions and Report Concerns

You have the right to ask questions about this research study and to have those questions answered by me before, during or after the research. If you have any further questions about the study, at any time feel free to contact me, Greta Alessandri at gaiar@iscte-iul.pt or by telephone at 0782991733. If you like, a summary of the results of the study will be sent to you.

Thank for your time and participation!

Greta Alessandri
0782991733
gaiar@iscte-iul.pt

.....

Consent:

Name: _____

Signature: _____

Date: _____

I give permission to use my name in the report: Yes No

I give permission to be recorded by the researcher: Yes No

Signature of Investigator: _____ Date: _____

Appendix 7: Assent Form for Child Participation in a Research Study

Hi! My name is Greta and I'm doing a Research with Makerere University in Kampala.

I am asking you to take part in this research study because I am trying to learn more about children and adolescents' life in Nakivale. I would like to know more about your personal opinion, how you feel living here, what you do here...

If you agree, you will be asked to participate in an Interview. You will be asked some questions about your life as a child/adolescent in Nakivale Refugee Settlement.

Answering these questions will take about 1 hour or 1.5 hour with a break within.

You do not have to be in this study. No one will be angry with you if you decide not to be part of the interview any longer. Even if you start, you can stop later if you want. If you want, you can ask questions about my study.

If you decide to be in the research, your name will not appear anywhere. I will not tell anyone else what you have told me during the interview. Even if your parents or teachers ask, I will not tell them about what you have said during the interview.

Signing here means that you have read this form, or have had it read to you, and that you are willing to participate in this research.

Thank You very much for your participation!

Print Participant's name_____

Signature of Participant_____

Signature of Investigator_____

Date_____