

**EXAMINING THE PROTECTION AND PROMOTION OF CHILDREN'S
RIGHT TO EDUCATION IN REFUGEE CAMPS: A CASE STUDY OF
KAKUMA REFUGEE CAMP TURKANA COUNTY, KENYA**

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DECLARATION

I, the undersigned, declare that this is my original work and has not been submitted to any other college, institution or university other than the University of Nairobi for academic credit.

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This project has been presented for examination with my approval as the appointed supervisor.

Signed: _____ **Date:** _____

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Signed: _____ **Date:** _____

Dr. Luke Odiemo

DEDICATION

This research work is dedicated to all children living in inside displaced camps and those living as refugees in new outskirts and ending up in extended circumstances. Their instructive concerns are as vital in as much as they end up encountering the challenges of endeavoring to manage themselves. It is my expectation and want that all legislatures in both created and creating nations work towards the mandatory instruction standards of all children as conceived by the United Nations' Millennium Development Goals.

And also in dedication to my schoolmates, Sona Okashaka and Donna Maranga for the provocative exchanges, for the restless evenings we were filling in as a group before due dates, and for all the fun we have had over the most recent two years.

My final dedication goes to my folks Charles Wasonga and Caroline Hadiya, for bringing forth me at the primary spot and supporting me profoundly for the duration of my life. To my children Ashley Aluoch and Shawn Otieno for their comprehension amid my nonattendance while conducting this research work in the field.

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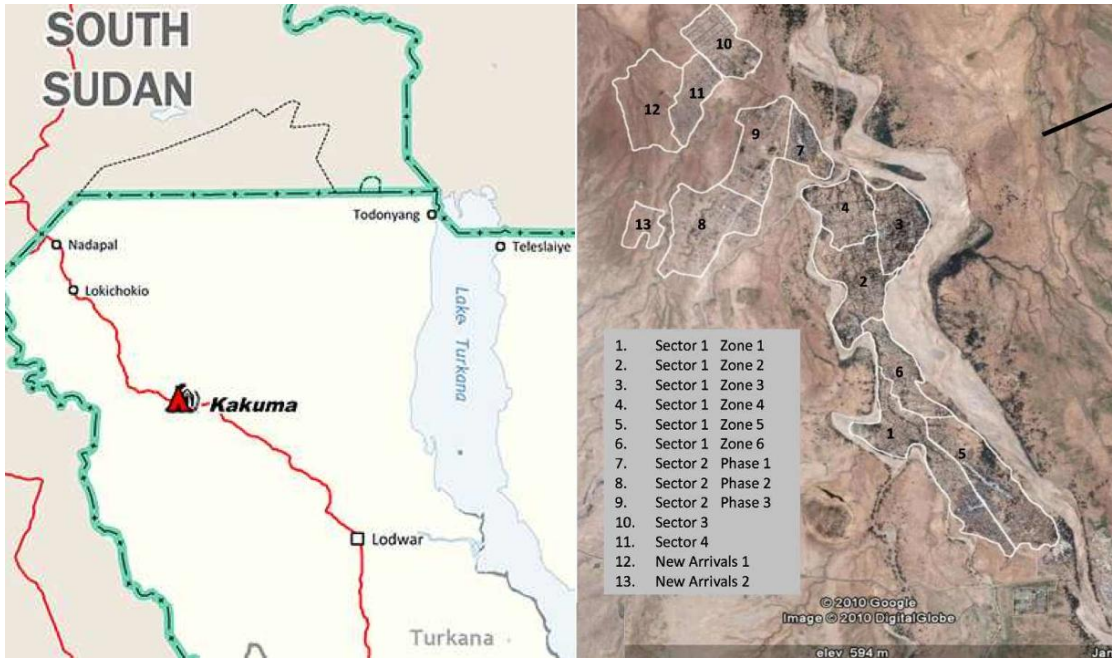
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LIST OF ACRONYMS

AU:	African Union
CRC:	Convention on the Rights of the Child
NGO:	Non-Governmental Organization
OAU:	Organization of African Unity
OHCHR:	Office of High Commissioner of Human Rights
UNDHR:	United Nations Declaration of Human Rights.
UNHCR:	United Nations High Commissioner for Refugees.
WCRWC:	Women Commission for Refugee Women and Children

MAPS OF STUDY AREA



Map of Kakuma Refugee Camp Source Google map 2017



Map of Kenya –Source, Google map 2017.

ABSTRACT

With the rise in armed conflict especially after the end of the Cold War which resulted in the rise in intra-state conflict, the world has seen a rise in the number of refugees across the globe. The impact of armed conflict on children and especially those that have been forced to seek refuge elsewhere brought the issue into center at the United Nations. Youngsters in hotspots around the world are tormented, disfigured and executed, and others are enrolled by furnished gatherings and presented to various dangers because of monstrous relocation.

Research has largely shied away from probing deeper on child-specific protection and mitigation strategies of the rights of children in less developed countries. Rights protection frameworks are largely weak while various approaches such as community based child protection mechanisms that respond to and prevent problems of child protection remain unexamined and un-assessed. It is against this background that this study examined the protection and mitigation of the rights of children in refugee camps using Kakuma Refugee Camp in Turkana County, Kenya. More specifically, the study sought to: examine how the rights of refugee children in Kakuma Refugee Camp are protected; establish mitigation measures to any violations of the rights of refugee children in the camp; and assess the efficacy of the approaches used to protect and mitigate children's rights in the camp.

The theoretical framework showed the UNCRC has had an extraordinary impact on individuals' comprehension of childhood and how to enhance children's personal satisfaction. The scope of the study was Kakuma Refugee Camp. The study faced financial constraints to adequately facilitate the activities of the research and non-cooperation from the respondents. Policy makers might use the insights of this report to develop policies that will protect and promote children's right to education in refugee camps. Academicians might use the findings of this study in coming up with research gaps for future studies.

The study employed a case study research design which targeted a total number of 134 respondents. The researcher used stratified and purposive sampling technique to sample 67 respondents. Qualitative and quantitative data was used to capture information from respondents.

The study found that there is a problem in food provisioning and rationing in the camp and especially amongst the young ones who are left to fend for themselves. It also found that children encountered challenges in accessing learning materials, had a problem with the language of instruction as well as the challenge of few teachers in their learning facility. The study concluded that the dysfunctional nature of refugee camps as well as acute shortage of resources severely affected the smooth running of the camp activities. Pertinently, children's right to education which is a fundamental right is negatively impacted. Further it emerged that learning was hampered by communication breakdown due to the fact the language of instruction is alien to refugee children. Access to education was greatly affected by lack of access to basic rights such as health care, registration of children at birth and discrimination. There is a need for better trained staff and more so those in contact with children and their families, including teachers in camp learning facilities in best practices in regard to handling children and particularly those displaced by war.

CHAPTER ONE

BACKGROUND AND INTRODUCTION TO THE STUDY

1.1 Background to the Study

Protecting children from abuse, neglect, violence, exploitation and family separation is a cardinal requirement if societies are to ensure a bright future for the generations to come. This requires an effective and functioning child protection system. While most countries, including Kenya, have put in place goals and strategies geared towards the improvement of child protection including strategies to achieve the same, cannot be said of refugee children (UNICEF, 2015). Indeed, with the rise in armed conflict especially after the end of the Cold War which resulted in the increase with respect to intra-state conflict, the world has seen a rise in refugees seeking refuge from their countries of origin. The effect of outfitted clash on kids brought into center at the United Nations, youngsters in hotspots around the world were all the while being tormented, debilitated and murdered, selected by furnished gatherings and presented to various dangers because of enormous uprooting (United Nations High Commissioner for Refugees, 2014).

Child protection was largely the theme that Amnesty International was in its 2015 report documenting the state of world human rights in the year ended 2014 as well as offering an anticipatory picture of what the year 2015 promised. The report argued that with refugee crisis that the world was seeing especially in the wake of the horrendous atrocities being visited on Syrians in their home country as well as in other countries where they had sought refuge, the world had been plagued with horrendous atrocities and outright abuses of human rights on a mass scale which included other horrendous atrocities meted on the population (Amnesty International, 2015).

Children rights violation is even dire especially in regard to children who comprise half of the refugee population (UNICEF report 2016). This is due to the fact that while in refugee camps, human rights and especially those of children may be violated. These rights include the right to life, right to education, privacy, food, the right to a nationality, the right to be registered after birth and medical care. While there is recognition in humanitarian legal instruments that refugee children have the same rights as any other child, children who are forced to leave their country because of escalation in armed conflict are more vulnerable to an affront to their right to care

and socio-economic wellbeing (Amnesty International, 2015). In this regard, this study sought to examine and assess the protection and mitigation of the rights of children in the Kakuma Refugee Camp. Kakuma is the oldest refugee camp in Kenya and mainly it hosts refugees from the Southern Sudan conflict, which has lasted for several decades.

1.2 Statement of the Problem

According to the UNHCR, half of the world's refugees are children (United Nations High Commissioner for Refugees, 2014). As the UNHCR further expounds, while life in camps for refugees and displaced persons is often hard, refugee children bear the greatest brunt as they are usually forced by circumstances to spend their entire childhoods in displacement, uncertain about the future. In addition, they are at greater risk than adults to be victims of violence, abuse, neglect, and exploitation. Bearing the disruptions that refugee life wreaks of especially on displaced families in camps, the family and other social support networks of children in refugee camps may be weakened and education disrupted leading to a profound effect on children (United Nations High Commissioner for Refugees, 2014).

While research has largely dwelled on the risks of children in refugee camps, research has largely shied away from probing deeper on child-specific protection and mitigatory approaches, the protection of the rights of children in specific displacement camps especially camps in the less developed countries such as Kakuma in Kenya where rights protection frameworks are largely weak. In addition, while various approaches for example, group based tyke security systems (CBCPMs) in Rwandan displaced person camps which involve all gatherings or systems that react to and forestall issues of tyke insurance and defenseless youngsters through instruments, for example, family backings and associate gathering bolsters, the efficacy of the systems and approaches put in place to protect and mitigate the rights of refugee children remain unexamined and un-assessed (Prickett, Moya, Muhorakeye, Canavera & Stark, 2013).

It is against this background that this study sought to examine the protection and mitigation of the rights of children in refugee camps using Kakuma Refugee Camp as the case study. How the rights of refugee children in the Kakuma Refugee Camp are protected and how effective the protection measures are not moot questions.

1.3 Research Questions

- i. How are the rights of refugee children in the Kakuma Refugee Camp protected?
- ii. What mitigation measures are undertaken to violations of the rights of refugee children in the Kakuma Refugee Camp?
- iii. How effective are the approaches used to protect children's rights and mitigate violation of children's rights of refugee children in the Kakuma Refugee Camp?

1.4 Research Objectives

1.4.1 Overall Objective

The overall objective of this study is to examine protection and mitigation approaches taken during violation of children's rights to education in refugee camps.

1.4.2 Specific Objectives

- i. To examine how the rights of refugee children in the Kakuma Refugee Camp are protected.
- ii. To establish the mitigating responses to violations of the rights of refugee children in the Kakuma Refugee Camp.
- iii. To assess the effectiveness of the measures employed to protect and mitigate children's rights of refugee children in the Kakuma Refugee Camp

1.5 Justification and Significance of the Study

As the United Nations High Commissioner for Refugees aptly articulates, while refugee children find relative safety in refugee camps, they are predisposed to a myriad of threats to their right to a decent and humane childhood. The threats to rights arise due to separation from family members, difficulty in accessing basic services, poverty that predisposes them to early marriages and work, violence as well as aborted learning among other distressing predicaments (United Nations High Commissioner for Refugees, 2014).

While this has been a concern for many years, in an era characterized by increasing intra-state conflicts as well as the rise in the number of refugees thus straining already scarce resources at refugee camps, the concern for the predicament of children including access to education, health, clean water in refugee camps has been on the increase. Ultimately, a study focusing on the protection and mitigation of violations of

the rights of children in refugee camps is of import to help scholars in the domain of human rights to discern and expound further on the predicament of children in refugee camps(United Nations High Commissioner for Refugees, 2014).

The rationale for the study further emanates from the fact that displaced person camps have extended tremendously finished the most recent couple of years; some to such a degree, to the point that they take after total urban communities as opposed to exile camps. Advancement has come at a gigantic cost of wellbeing, security and training for kids. Displaced person camps have a particular measure of assets allotted for such purposes. The bigger it turns into, the more troublesome it is to cover as advancement of huge settlements is constantly joined by new blend of flow, which could be hard to oversee. There have been reports of robbery and ambush on the external limits of a few camps. The circumstance is so critical in a few territories that security does not wander there by any stretch of the imagination.

Practically, the descriptive findings of study will form a basis for improvement of refugee protection policy and mechanisms. Improved policy and mechanisms would mean that future generations of refugee children will have a decent childhood. It could also ensure the depression cycles characterizing the childhood of refugee children are not translated into a dysfunctional society of tomorrow. In addition, the study will help in the “how to” planning of future needs of refugee camps. Thirdly, this study is pivotal especially in regard to the case of Kakuma especially with the influx of refugees owing to the pervasive cycle of intra-communal violent conflict currently ongoing in the new state of South Sudan. It will give an insight on the violation of children right in refugee camps while offering possible solutions.

Hypothetically, this study will provide to help in the conceptualization of refugee camps design and architecture. In addition, it will be pivotal especially in regard to the theorization of the effectiveness of refugee children rights’ protection systems in a longitudinal projection.

This study has both theoretical and practical significance. From the hypothetical perspective, this study will include to the current writing the insurance and advancement of children's entitlement to instruction in refugee camps. It will likewise develop information whereupon future research can be based or fill in as a perspective for comparative examinations.

From the down to earth perspective, this study will establish the mitigating responses to violations of the rights of refugee children and the effectiveness of the measures employed to protect and mitigate children's rights in the Refugee Camps. This may stimulate the interest of the government in providing adequate policy measures in refugee camps or modify and assist refugee camps to take care of children rights to education in refugee camps.

1.6 Research Hypothesis

- i. Life in refugee camps affects the promotion of children's right to education.
- ii. Awareness of children's rights and its consequences to the protection and promotion in refugee camps.
- iii. There is a correlation between violation of children's rights and the setting of refugee camps.
- iv. Children's rights are more prone to be violated in refugee camps than in any other setting.

1.7 Scope and Limitations of the Study

The scope of the study was not all the refugee camps in all Counties in Kenya but in Kakuma Refugee Camp in Turkana County, Kenya. The study focused on how the rights of refugee children in the Kakuma Refugee Camp are protected, the mitigating responses to violations of the rights of refugee children and the effectiveness of the measures employed to protect and mitigate children's rights of refugee children in the Kakuma Refugee Camp.

The limitations of the study were financial constraints to adequately facilitate the activities of the research, Non-co-operation from the respondents, Conflicting data due to difference of sources, and Unavailability of key informants.

1.8 Ethical Considerations

Approval was obtained from relevant government bodies before the study was carried out. Informed consent from the respondents was obtained before interview and the anonymity of the research subjects and confidentiality of the information obtained was preserved. Interviews for children were done in the presence of camp administrators and the questions were made as simple as possible for them to understand before giving answers.

1.9 Definition of Terms

Children: Human beings below the age of 18 years (Employment Act, 2007, and the Children Act).

Refugee Camps: Temporary settlement built to receive refugees.

Refugee: Is every person who escapes from his own country and crosses into a foreign country because of fears of persecution, racial problems, and political affiliation or because of membership in a particular social group.

Right: Legal, social, or ethical principles of freedom or entitlement.

Violation: Infringement of someone's rights.

CHAPTER TWO

LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Introduction

According to Mugenda and Mugenda (1999), a survey of writing involves the efficient recognizable proof, area and examination of reports covering data significant to the exploration issue being researched and additionally the audit of the writing records of the kind of systems, methods and measuring instruments that have been discovered helpful in researching the issue being referred to.

The gaps identified, Mugenda and Mugenda (1999) posit, will help the researcher in navigating past previous research mistakes in studies undertaken on similar problems. In addition, the information obtained helps determine new approaches and stimulate ideas in as well as alerting the researcher to research various research possibilities that have been overlooked before. This chapter therefore seeks to review existing literature on the protection and mitigation of the rights of children in refugee camps.

In this literature review, I have examined on who refugees are and population of refuges worldwide narrowing down to Africa and then Kakuma Camp. I have also looked into children in conflict situations, profile of displaced children and the rights violated during conflict.

2.2 Literature Review

2.2.1 Refugees

In 2016, the total number of refugees around the world was estimated to be 21 million persons, which marks a significant increase of refugees since the beginning of 2005, when 9.5 million refugees were recorded. (Peter M. Benda 2001). People in distress see the process of refugee status as a way out of nightmare and a process where they can plan, gather the broken pieces and start a new life. (Shacknove 1985) claims that for many people on the brink of disaster, refugee status is a privileged position Under the 1951 United Nations (UN) Convention Relating to the Status of Refugees, Article 1, and 1967 Protocol to the Convention, a refugee is every person who escapes from his own country and crosses into a foreign country because of fears of persecution, racial problems, and political affiliation or because of membership in a particular social group (UNHCR, 2001). The 1951 UN Refugee Convention, along with the 1967 Protocol to the Convention, is the most vital, and the main all-inclusive

instrument of worldwide outcast law. The African Union (AU) extended the definition in 1969 owing to constant increment of refugees on the African Continent taking into consideration the limitations of the 1951 convention which did not take into account all areas creating the flow of refugees. The event took place when heads of states and government leaders met in the African capital of Addis Ababa in Ethiopia. According to 1969 OAU (Organization of African Unity) now African Union (AU) Refugee Convention, Article I, the term “refugee refers to all persons victimized as a result of occupation, external aggression or an event that greatly undermines the climate of peace in part or the whole country of origin and is forced to leave his habitual place of residence in his home country to a foreign country” (OAU, 1969) in comparison to the 1951 Refugee Convention whereby a person may become a refugee for reasons of natural disaster.

2.2.2 Children in Conflict Situations

Refugee children are hard hit when the surrounding in which they live is affected by conflict, insurrections, catastrophes or disasters in a crisis Shocknove (1985) Page 285. It is estimated in 2007, that nine million of the world’s refugees are children (UNHCR, 2007). They lack knowledge in knowing the direct causes of conflicts but yet, partakers in the sufferings and turmoil resulting from conflicts. These children do not contribute to reasons giving rise to conflicts neither are they involve in the planning process. However, they partake actively by living in displaced and refugee camps and in various degrees become actively involved in combat. During the Mozambican war, Renamo guerrillas caused about 200,000 children to be separated from their parents and children as young as 8 years old were forced into militias and proved their bravery by killing other people (Ager, 1999).

Children are exposed to a new and painful life when a conflict engulfs their habitations. They are left in an indecisive state about their whereabouts and even as they escape along with their parents or fleeing people to a land of refuge, they do not have the slightest idea of what the future holds for them. Kids constitute an especially powerless gathering in the midst of war by excellence of their reliance on grown-up mind (OHCHR, 2001). They are only told about problems leading to their departure and they may not actually understand the impact of such departure. Children are very much exposed to danger in times of disaster and because of such vulnerability and marginalization of children; a good portion of the world’s refugee population

comprising of children is at a greater risk. (Refugee Council, 2005; Ferris, 1993). Of the over 22 million persons of concern to the UNHCR, about 10 million are children under the age of 18 (Druke, 2001). Death toll during upheavals has been quite devastating for children. Upheavals are form of war, earthquakes, insurrections, or volcanoes. As a result of any of these events, people move en in quest for survival. Innocent children and mothers pay a greater toll of this frustration and as a result become victimized by the chores making up the process. Awotona observes that: “Every year most parts of the world are incurred with some kind of fiasco. Undoubtedly, pictures of repulsiveness and pulverization, disengagement and starvation, and in addition those of biting the dust youngsters and lamenting ladies have turned out to be regular in the daily papers and on TV screens” (Awotona, 1997).

It is reported during the Rwandan war, thousands of children were killed in just three months of 1994. The number of children that were physically and psychologically affected during this crisis was also countless (Cantwell, 1997). However, due to limited knowledge in managing catastrophes, people in developing countries are mostly victimized by their oppressors as compared to people in developed countries. Unparalleled strength in the political and economic wellbeing of the people as well as the high poverty rate existing amongst the people cannot allow these countries to adequately provide for those that are victimized by catastrophes. Armed conflicts involving two or more states or a civil insurrection taking place in a given territory, resulting to the breakdown of laws and orders have since the conclusion of World War II, brought frustrations to millions of people worldwide. In a bid to mitigate the effects of conflicts, the International Federation of the Red Cross' and the Red Crescent Society's spend somewhere in the range of 23 billion Swiss francs (EUC 270 million) every year on around 19.4 million individuals worldwide in global alleviation endeavors or operations; 6.6 million of these are outcasts and dislodged individuals (Awotona, 1997).

2.3 Profile of Displaced Children

Children displaced by war constitute more than half of the present population that is the focus of UNHCR's mitigation measures and this affirms the view that most of the numbers of refugees or displaced persons living in refugee camps are children. Most displaced children are either separated from or unaccompanied by their parents/guardians. It had become quite confusing to distinguish between unaccompanied children and that of separated children. However, there exists series of inconsistency in giving a clear definition as to who is considered as "separated children" and who is considered as "unaccompanied children" (UNHCR, 2001). UNHCR defines unaccompanied children as those under 18 years of age that have been isolated from the two guardians and are not being administered to by a grown-up who, by law or custom, is to do as such. Isolated kids are those under 18 years old who are isolated from the two guardians or from their past lawful or standard essential parental figure, however not really from different relatives (UNHCR 2004a). Unaccompanied and isolated kids constitute an extraordinary segment of a large portion of the youngsters that are uprooted today. They are youngsters briefly or for all time denied of their family condition and, all things considered, are recipients of States' commitments under article 20 of the Convention of the Rights of a Child and should be qualified for exceptional insurance and help gave by the significant state. Kakuma Refugee Camp hosts children who are either separated from their parents or unaccompanied. As the machine of war heightens, these children must take a decision in order for survival. They travel along with other people as they move into safety and are more or less responsible for themselves in their quest for survival (UNHCR, 2004a).

There are many children living within refugee and displaced camps today that are being denied parental support and therefore their upbringing is marked by lack of censorship, hardships, with little or no educational opportunities. In some cases, most of these children serve other people as slaves just to win their daily needs (ClauseOffe 1997). Prostitution is seen as survival factor for most of the female children since they are left with no available means to sustain themselves (ClauseOffe 1997). If proper care and attention is not accorded refugee children, they would become part of the already thousands of street children masquerading in capitals of developing countries around the world (UNESCO, 1999b). In quest for

better life, some 12,000 unaccompanied and isolated kids in 2003 connected for shelter in 28 industrialized nations including the United Kingdom (2,800, cases), Austria (2,050 cases), Switzerland (1,330 cases), the Netherlands (1,220 cases), Germany (980 cases) and Norway (920 cases). Since every situation has some unique dynamics, it would be illuminating to determine the human rights conditions of refugee children in Kakuma Camp.

2.4 Right and Need Based Approaches

In addressing the concerns of children, there were series of documents outlining how children should be treated in an emergency situation. However, the environment existing during a crisis situation does not necessarily give rise to the promotion of a right based setting. This is because during emergency, there is usually a breakdown of law and order, institutional capacity and social structures (Bernard van Leer Foundation, 2005. p. 3). The ratification of the Convention on the Rights of the Child (CRC) made it a norm that children to be beneficiaries of child focused-programs and subsequently how these programs can allow children access those rights. The ratification of the convention obligated those entities dealing with children to rethink a new direction towards a child's right as compared to only providing for children when they are in need. A lot of attention is diverted to the need based approach of children in most refugee camps by humanitarian agencies around the world (Cantwell 1997). This system does not guarantee any form of accountability to the refugees who are considered as "beggars or receivers" because there is no legal obligation on the part of humanitarian agencies (Bernard van Leer Foundation, 2005). Many persons including children living in refugee camps have not been able to express their concern about how they should receive aid. Friendly governments and humanitarian agencies are the ones that determine when emergency aid to refugees should start and when the process of aiding refugees should stop. Bond (2000) describes this approach, in her observation that: Today, camps have turned out to be practically synonymous with the exile understanding. The most basic element of a camp is the tyrant character of their organization; they resemble 'add up to foundations', places where, as in detainment facilities or mental healing centers, everything is exceedingly sorted out, where the occupants are depersonalized and where individuals progress toward becoming numbers without names. Given the circumstance above, and mulling over the endorsement by the Convention on the Rights of the Child (CRC), this respects, the

kids (refugees/IDP's) will not be seen as requesting unnecessarily for those things necessary for their survival but a means of claiming their entitlement. The rights based approach provides for moral and legal obligations as well as accountability to refugees by friendly governments and humanitarian agencies (Bernard van Leer Foundation, 2005).

2.5 The Right to Education

One of the most single weapons that silence poverty and ignorance is education. Most developed countries with strong economies and political stabilities are beneficiaries of the human development resources of their citizens through education. Education can be considered as a process of acquiring basic traits of social and moral responsibilities which helps makes an individual responsible to a just cause. Due to the importance of education, the United Nations and other humanitarian and aid agencies have attended and ratified series of conferences aimed at supporting education and encouraging independent countries towards the provision of education for its citizens. Commitment to providing education for the world's children facing difficult circumstances has led to the establishment of several international agreements or treaties.

2.5.1 The 1990 World Declaration on Education for All

In 1990, at a worldwide meeting in Jomtien, Thailand, governments devoted themselves to ensuring fundamental instruction for all. After ten years, at the Dakar World Education Forum, governments and offices recognized helpful crises as a noteworthy obstruction to accomplishing the objectives of Education for All (EFA). Inside the Dakar Framework of Action, a call was made for dynamic sense of duty regarding evacuate differences in access for under-served gatherings, quite young ladies, working kids, outcasts, individuals uprooted by war and calamity, and kids with handicaps. At the 1990 World Conference on Education held in Jomtien, in Thailand. The fundamental concentration was the way to universalize training and decrease ignorance toward the finish of the 1990 decade. At the world instruction Forum in Dakar, Senegal in 2000, it was assessed that more than 113 million of the world's youngsters were not in school. Among the numerous offspring of the world, youngsters living in war-influenced territories were recognized especially in danger. The 180 nations that went to Dakar Conference reaffirmed their responsibility regarding Education for All (EFA) by declaring their assurance to ensure that "by

2015 all youths, particularly young women, kids in troublesome conditions (checking those impacted by and those having a place with ethnic minorities, approach and complete, free and obligatory direction of good quality” (UNESCO, 2000).

2.5.2 The 1948 Universal Declaration of Human Rights

In its support towards the youngster's rights to instruction, it is revered in the 1948 Universal Declaration of Human Rights. The presentation expresses that a youngster ought to have free access to obligatory basic instruction and such training ought to be facilitated towards the full headway of the human character considering the respect for human rights and chief open doors. The privilege to training is laid out in the Universal Declaration of Human Rights and resulting human rights instruments. Article 26 of UDHR follows the benefit to free and vital direction at the simple level and urges that master and concentrated preparing be made available. The declaration communicates that preparation should work to brace respect for human rights and propel peace. Watchmen have the benefit to pick the kind of direction provided for their youth (OHCHR, 2001).

2.5.3 The 1951 Convention Relating to the Status of Refugees

Another essential report that layouts displaced person kids rights to instruction is the 1951 Convention Relating to the status of Refugees and the 1967 conventions. Article 22, of The 1951 Convention Relating to the Status of Refugees ensures the privilege to rudimentary training, and expresses that displaced people ought to be agreed an indistinguishable open doors from nationals of the host nation. A similar report expresses that displaced people ought not to be dealt with less positive than nationals. In many cases, past elementary school, evacuee youngsters are dealt with as different outsiders, taking into consideration the acknowledgment of remote school testaments and the granting of grants before they are acknowledged in nations where they are looking for shelter (UNHCHR, 1951). Be that as it may, the states of evacuee camp could decrease or effect kids' entrance to instruction at any level.

2.5.4 The 1966 Covenant on Economic, Social and Cultural Rights

The States Parties to this Contract see the benefit of everyone to preparing. They agreed that preparation ought to be facilitated to the full change of the human character and honorability, and might strengthen the respect for human rights and focal adaptabilities. They furthermore agreed that preparation ought to enable all

individuals to take an intrigue reasonably in a free society, propel understanding, protection and partnership among all nations and all racial, ethnic or religious get-togethers, and further the activities of the United Nations for the upkeep of peace. The benefit to free and required preparing at the basic level and accessible discretionary level guideline is laid out in Article 13. The understanding proceeds to call for crucial guideline to be affected available to the people who to have not gotten or completed basic preparing. Complement is determined to upgrading conditions and demonstrating gages moreover (UNHCHR, 1966).

2.5.5 The 1989 Convention of the Rights of the Child

Article 28 of The Convention on the Rights of the Child of 1989 calls for states to make fundamental preparing mandatory and permitted to all, and to empower the headway of open discretionary and distinctive sorts of direction . In 1989, the benefits of children and youngsters to guideline were invigorated under the Convention on the Rights of the Child. This Convention anticipates that nations will be responsible for the preparation of all youths inside their domains, paying little respect to status, along these lines including evacuees and haven searchers younger than 18 years. Quality and significance is nitty gritty in Article 29, which orders a training that expands on a tyke's potential and support their social character. The Convention underscores psychosocial reinforce and improved instructive projects for strife affected children. Article 2 plots the run of non-isolation, including access for the disabled, sex esteem and the affirmation of the semantic and social benefits of ethnic minorities. Article 31 secures a youngster's entitlement to amusement and culture (UNHCHR, 1989). In different examples, the privilege of displaced people to essential instruction has been recognized yet the privilege to optional training denied or debilitated. The Convention on the Rights of the Child requires the worldwide group to help those nations that miss the mark regarding this duty in meeting this objective. This is for the most part noteworthy when there is an emergency circumstance and amid the season of reproduction. This procedure additionally suggests states must will to acknowledge help or help in meeting the instruction worries of crisis influenced kids and young people, in the event that they are not in a position to address these issues themselves (UNHCR, 1989). The consolidated assets conferred by the worldwide group, the nation concerned and the crisis influenced populace ought to be adequate for crisis instruction to work viably and meet the adapting needs of crisis influenced

understudies. Crisis instructive help ought to be given rapidly, with the goal that basic training exercises can start when fundamental safe house, wellbeing and nourishment supply systems are set up (UNESCO, 2003a).

2.5.6 Regional Agreements

A number of regional agreements likewise address issues of instruction. The related data above plainly accentuates the part of government to give training to its citizens. Due to economic, ethnic, gender and social breakdowns, most governments find themselves incapable of fulfilling these responsibilities. However at the onset of emergencies, these problems become exposed and the right to education for children becomes an issue of concern. All governments must take responsibility for its citizen and even in time of emergency or crisis. When governments fail to provide during crisis then of course, it become a burden of the international community (Nicolai, 2003. p. 68). Discussions on education have and continue to dominate major conferences and sessions. The right to education is very important for children especially those that are conflict affected. Most of these conflicts occur in developing countries that are plagued by sharp and intense socio-politico and ethnic divisions. (Roultege, 1999). Most of the conflicts are due to the distinct era of international politicking which has had its own impact on the socio-political development of Africa. Prominent among reasons giving rise to the mass exodus of contemporary refugees across our globe are war, ethnic strife, and sharp economic disparities. As a result, people are internally displaced or are refugees living in foreign borders (Loescher, 1993).

2.6 Theoretical Framework

Several theories have been advanced to explain the children's rights especially in refugee camps. The study will use social scientists' theory in looking into children and childhood has moved amid the last couple of decennia. Regardless of the way that the possibility of children's rights is comprehensively discussed nowadays, having an alternate course of action of rights for children close to general human rights is reasonably new. The present driving children's rights report, the United Nations Convention on the Rights of the Child (UNCRC), was gotten on the twentieth of November 1989, thirty years after the establishment of the Declaration on the Rights of the Child. This record, which has now been endorsed by essentially every organization on the planet, has influenced people's understanding of childhood and

how to improve children's close to home fulfillment. A children's rights report like the UNCRC was made by the past Organization of African Union (1990) and focuses on the situation of African children. Game plan rights enable children's advancement and change and consolidate rights to fundamental items, organizations and resources, for instance, sustenance, hotel and preparing. Security rights are stressed over protecting children from dismiss, misuse, abuse and partition and with mediating once these rights have been infringed. Venture rights engage children to take an interest in decisions made for their purpose. These rights perceive the UNCRC from past children's rights statements, which simply contained protection and course of action rights (Fottrell, 2000).

As a child propels from infancy to teenage hood, several classes of rights end up being more applicable: protection and course of action rights will be outperformed by venture rights. Collaboration rights are believed to be the most radical ones since these could challenge grown-up control. This might be seen as a threat inside a couple of social requests in view of disputes and position in refugee camps (Lansdown in The Open University, 2003, in Woodhead and Montgomery, 2007).

The second myth "views childhood as a splendid age, as the best a long time of our life". Here children are seen as legitimate creatures that, since they can sidestep the obligations and disasters of adult life, are not requiring children's rights. Both of these doubts are appreciated and not according to reality of children's lives today, as the hopelessness of children in light of manhandle, abuse and additionally dejection is no matter how you look at it. Two more disputes against children's rights are progressed and nullified by Alderson (2000). The first is that rights can't be given, yet can simply apply to groups which appreciate, claim and exercise rights for themselves. In aggressiveness against this, (Alderson 2000) sees that "the course of action and protection rights incorporate commitments which adults owe to children, who did not make a demand to be imagined and who are unavoidable ward at grasp hand".

Concerning interest rights, she battles that but young children may not use rights lingo, they again and again say they require adults to listen to them and notice their points of view. The second conflict against children's rights that (Alderson 2000) recognizes is that rights keep running with duties and commitments, and that children are deceitful. She ruins this by hostility that "children as often as possible need some

venture rights so they can bestow more prominent obligation to adults". Freeman (1992) gives one more inspiration to the essentialness of children's rights: "rights are basic since responsibility for is a bit of what is vital to constitute character. The people who require rights take after slaves, expects to others' terminations, and never their own specific sovereigns". Besides discussing paying little respect to whether children should be given rights, it is possibly essentially all the more hard to inspect the kind of rights children should appreciate. Two rule edges have been taken in this exchange.

Regardless, some are induced that children should have the exceptionally same rights as adults. Since the mid 1970's expulsion of master and general advancement towards freedom of mankind, certain social affairs began to ensure that children (and moreover women) ought to have been liberated. (Archard 1993) propels that "the fundamental cases of the children's liberationists are that the forefront separation of the child's and the grown-up's universes is an amazing and cruel partition; that this disconnection is joined and sustained by a fake conviction arrangement of 'childishness'; and that children are met all requirements for each one of the rights and advantages controlled by adults." This suggests children should have those rights which anticipate that them will act and choose for themselves (the rights to confidence), which are for instance the rights to vote, work, have property, pick one's guard and settle on sexual choices (Archard, 1993). These are the rights that are seen as essential to children's opportunity, because their nonappearance underlines the changed status among children and adults.

A minute social affair of people assumes that children should have remarkable rights, since they differentiate subjectively from adults. This affirmed regulator see "offers a record of why children should not be permitted to settle on autonomous decisions and of how their gatekeepers should be guided in settling on decisions for them" (Archard, 1993). Here the basic doubt is that the watchman will pick what the child would pick without any other individual's contribution, if it were adroit to settle on this choice. The supervisor find thusly denies children the rights to confidence, which are seen by the child liberationists as basic to the removal of children's manhandle. Before long, people who advocate for the manager see have different clarifications behind expecting that children require exceptional protection, as laid out by Woodhead and Montgomery (2007 p. 68). In any case, children are so far creating and are thusly

more vulnerable than adults. Second, they don't know as much about the world as adults in light of the fact that they have less association, which makes them less ready to make judgments. Third, their social capacities are not as made as those of adults. Finally, children have less power and are in this way more in peril of being misused by adults who have more power.

Having demonstrated the general exchange including children's rights, it is directly material to look at this talk from inside the field of childhood thinks about. As per the perspective on children as unique individuals in the social world, examiners inside this perspective have focused towards speculation rights instead of affirmation or course of action rights. As demonstrated by this position, change in children's living conditions and their perspectives are only possible through children's own particular dynamic intrigue. Then again, Compassion International seems to hold to a more noteworthy degree an administrator see, building their exercises generally as for the affirmation of protection and course of action rights. An elucidation for this may be that in conditions where children's fundamental rights to survival and change are infringed truly, it can appear to be critical to restore these rights.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This chapter will articulate the steps to be followed during the collection of data for this study. The chapter will further explain how the research study will be conducted and the kind of research design selected for the study and also why the said research design will be chosen. The chapter will give a collective representation of the various research methods chosen in executing the field work. Research methods are strategies employed to extract information in a study. Patton argues that “research method is simply an instrument like questionnaire, interview or observation that is used for collecting data” (Bryman 2004).

3.2 Research Design

In the process of conducting any research, it becomes imperative to have a kind of guidance that will help in the evaluation of the research questions. According to (Bryman 2004), a research design gives a system to the gathering and investigation of information. The study utilized a case study explore plan. While case studies as an examination technique have for the most part been viewed as lacking painstaking quality and objectivity when differentiated and other social research techniques, they may offer bits of information that won't not be refined with various approaches. In addition, the case study method as a research strategy is an obvious option at this academic level as it will enable the researcher to undertake a modest scale research project based on her academic level.

The Kakuma Refugee camp being a real world setting will provide the opportunity where the researcher and the respondents are free in the interchange of ideas. Qualitative design gives room for the research to take place in a real world setting and there is no manipulation of result by the researcher and the phenomenon of interest unfolds naturally (Patton, 2002). The study shall take on a case study posture because the study is a single case since it deals with the refugee children living at Kakuma Refugee Camp. Kakuma camp is situated in the North-western district of Kenya. The camp was built up in 1992 and is situated on the edges of Kakuma town, which is the home office for Turkana West District of Turkana County. It has a populace of 184,938 enlisted refugees and haven searchers as at 30/11/2017 (UNHCR Report 2017).

Case study permeates and gives us the understanding of issues and helps us experience and increase our horizon on happenings as they unfold. A case study explores a contemporary ponder inside its real setting, when the points of confinement among wonder and setting are not clearly clear (Yin, 1984). Pundits of the case study technique trust that the study of few cases can offer no defense for working up unflinching quality or comprehensive articulation of disclosures. Others feel that the extraordinary prologue to study of the case slants the disclosures. Some expel case study inquire about as valuable just as an exploratory device (Soy, 1997). Yet my selection of case study as a tool in exploring the protection of children rights at Kakuma Refugee Camp with emphasis on the right to education is because it allows for analytic generalization especially when the researcher is determined to reach a broader theory with results as compared to generalizing his results to a particular population (Yin, 1994).

3.3 The Target Population, Sample Method

3.3.1 Population

The targeted group for this study shall include refugee children ranging from the ages 5-18 years. The target population resides at the Kakuma Refugee Camp. The intent of interviewing the targeted population is to gather sufficient evidence in answering the research questions for this study. Members of the refugee population and different actors having oversight responsibilities over refugee children will also be contacted in providing their thoughts and real life experiences with regards to events unfolding within the refugee camp. Their life history can possibly enable option voices to be heard. This may likewise enable the specialist to accomplish a level of profundity, adaptability; abundance and legitimacy. The target population shall be constituted of children and youths living in and out of the camp, parents, headmasters of schools, representative of the Kakuma Refugee Welfare Committee, representative of the Kakuma Central Education Board, representative of the Kenyan Refugee Department, representative from the United Nations Office in Nairobi, representative from the Kenyan Education Department, representatives from local NGO's residing on the camp and other former students who previously lived at the refugee camp. Reasons for giving the characteristics on the respondents is to give readers a concrete background on individuals chosen to form part of the research work and to give a true meaning to the viability of the research work.

3.3.2 Sampling Method

The researcher used stratified sampling forming the population element in order to ensure fair representation of the affected children. The stratum for the study was the level of education; age; and country of origin.

3.3.2.1 Sampling Frame

The sample was drawn from a sampling frame that was closely related to the population. In the perfect case, the testing outline harmonized with the number of inhabitants in intrigue. For this study, the examining outline came from all the actors in the Kakuma Refugee Camp as follows:-.

3.3.2.2 Sampling Technique

Since this is a purposive study, the researcher employed the purposive sampling method in order to get a broad group of knowledgeable people who are well informed with sensitive information to identify the targeted group.

Stratified sampling technique was used to select the respondents from among the list provided by the personnel department in order to capture all levels of managers who were the study's strata. According to Lewis, Saunders and Thornhill (2003) stratified irregular examining is an adjustment of arbitrary testing in which one partitions the populace into at least two pertinent and noteworthy gatherings in light of at least one quality. A stratified sample was obtained by taking samples from each stratum or sub-group of a population.

This method was used because it was simple, easily applied to a small population and ensured bias was not introduced. At the same time unbiased random selection was important in drawing conclusions and making generalization from the results of the sample back to the population.

3.3.2.3 Sample Size

According to Chandran (2003) a sample is a small proportion of an entire population; a selection from the population. Copper (2001) states, when carrying out a study, 50% of the population yields an adequate sample. Therefore, the sample size of the study is as below:-

Table 3.1: Distribution of Sample Size

Sample	Total Number	Sample Size
Children going to school	34	17
Children out of school	40	20
Camp Managers and Social Workers	60	30
Total	134	67

From the selection in table above, the sample size for the study will be sixty seven respondents (67).

3.4 Data Collection Procedures

The successful implementation of any research work coincides with the process of data collection. Data collection will be the foremost instrument used in collecting vital information towards the execution of this work. All data emanating from the field trip will be collected at the camp. Quantitative data was collected by use of a structured questionnaire while qualitative data was collected through structured interviews, observations, field notes, and library research and documents analysis. Below is a brief synopsis of the selected methods.

3.4.1 Structured Interviews

For the sake of the study, structured interview will be selected. This will be done so as to have the opportunity to have a healthy discussion with the respondents with the aim of probing further into what they say. In the researcher's investigation on the refugee children, the researcher intends to get first-hand information of the problems and the choice of Data collection procedures are the same as research methods. Selection of structured interviews will afford me the prospect to ask further questions in response to what the researcher will see as significant replies.

Bryman (2004) asserts that structured interviews lies in the context where the interviewer has sequence of questions in the type of a meeting plan yet can fluctuate the grouping of the inquiries while in the meantime has some scope to additionally make inquiries in light of what are viewed as noteworthy answers. Before setting out for my fieldwork to Kakuma, the researcher will write out some interviewing guides

or questionnaires at which time my supervisor will provide guidance. The questionnaires will be coined for the different group of persons that form part of the survey and shall be separated into different categories. These groups of person included the UNHCR/Local & International Non-Governmental Organizations, the Kenya Refugee Department, The Kenyan Ministry of Education, Parents, Principals of School, The Kakuma Central Educational Board and the refugee children themselves. Based on studies conducted by UNHCR, the Kakuma population, is living with constrained humanitarian assistance and education being a cardinal arm for the wellbeing of any individual, the researcher will structure my questionnaires to meet the conceptual meaning of refugees accessing rights and especially the right to education in a foreign country in the absence of humanitarian response.

The researcher will look at the challenges/none challenges aspect, motivational aspects, resource allocation aspects, opinion aspects and those aspects that are of priority to them as refugee children. Before the interviews are administered, the questionnaires will be piloted and pre-tested in a study to serve as a test or means for satisfying the manner in which the questionnaires will be administered during the research study (Mugenda and Mugenda, 2003). However, those that shall be involved in the pilot study will not form part of the study.

3.4.2 Observation

Patton (2002) asserts that observational data can portray the exercises that is unfurling at the examination setting, the general population that are partaking in those exercises and what they are stating when contrasted with what they are stating amid a meeting. Perception will be one of the information accumulation strategies utilized in the study. As it were, it illuminates the analyst of a few things that are occurring in the lives of the general population under study which can't be effectively said by them. Observation plays a very important role in serving as checks on what people are saying or what is written down in documents. The qualitative data gathered in an interview from what people say or that which is written down by them in documents could have limitations in terms of validity. Therefore, in order to understand these limitations, the researcher must incorporate observation as a phenomenon of interest (Patton, 2002). During my data collection process the researcher will take the role of a participant observer. This will be done to allow the researcher partake in the social world decided for the study.

Marshall and Rossman (1989) states that the submersion in the setting enables the scientist to hear, see and start to encounter reality as the members do. Therefore, during the researcher's fieldwork, the researcher will be cognizant of such responsibility by me being a participant observer in order to correlate all aspects of the research process. Gold (1958) states that by being a participant observer, the researcher's status is known by members of the social setting. The researcher will partake in smaller groups of discussion involving many refugees with the research topic as my focus

3.4.3 Library Research and Documentation

The intent of using library research and documentation is to gather some information on the research setting and corroborate it with interviews to be conducted by me at the Kakuma Refugee Camp. The research will further serve as comparing factor by balancing that which will be obtained from the library research with the different information collected during interviews held with research participants. Yin (1994), asserts that documents are used to corroborate and augment evidence from other sources.

CHAPTER FOUR

DATA ANALYSIS

4.1 Introduction

This chapter seeks to analyze data obtained from the field in regard to the protection and the mitigating responses to the violations of the rights of refugee children in the Kakuma refugee camp as well as an efficacy of the approaches to the same.

4.2 Quantitative Data Analysis

4.2.1 Data Analysis for Children

**Table 4.1 Cross-Tabulation of Demographic Information for Children
Case Processing Summary**

	Cases					
	Valid		Missing		Total	
	N	Percent	N	Percent	N	Percent
Age * Education Level	11	73.3%	4	26.7%	15	100.0%
Sex * Education Level	11	73.3%	4	26.7%	15	100.0%

Table 4.2 Age * Education Level Cross-tabulation

		Education Level		
		Early Childhood		Total
		Education	Upper Primary	
Age	6-10	4	0	4
	10-14	1	4	5
	14-18	0	2	2
Total		5	6	11

Table 4.3 Sex * Education Level Cross-tabulation

		Education Level		
		Early Childhood Education	Upper Primary	Total
Sex	Male	3	4	7
	Female	2	2	4
Total		5	6	11

Table 4.4 Number of years living at the Kakuma refugee camp

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1-4 Years	2	13.3	13.3	13.3
	4-8 Years	5	33.3	33.3	46.7
	8-12 Years	6	40.0	40.0	86.7
	Over 12 Years	2	13.3	13.3	100.0
Total		15	100.0	100.0	

From the study, 13.3% of the child respondents have been living in the refugee camp for up to a period of 4 years while 33.3%, 40% and 13.3% have been living in the camp for a period of between 4-8 years, 8-12 years, and, over 12 years respectively. Cumulatively, majority of the respondents (52.3%²) have been living in the refugee camp for over 8 years.

Table 4.5 Place of living for the Respondent before coming to the camp

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	My Country of Origin	10	66.7	66.7	66.7
	Outside the camp	4	26.7	26.7	93.3
	Lived in the camp before moving out	1	6.7	6.7	100.0
	Total	15	100.0	100.0	

From the study, 66.7% of the child respondents have come to the refugee camp straight from their countries of origin while 26.7% and 6.7% of the respondents have been living outside the camp before coming in the camp or lived in the camp before moving out respectively. Cumulatively, majority of the respondents (66.7%) have come to the refugee camp straight from their countries of origin and have not been living anywhere else.

Table 4.6 Knowledge of Children Rights

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	4	27.0	27.0	27.0
	No	11	73.0	73.0	100.0
	Total	15	100.0	100.0	

From the findings, 73% of the children were not aware of the available children rights that they need to have as children while only 27% of the children had little knowledge of the available children rights. Cumulatively, majority of the respondents (73%) had no knowledge of the available children rights as provided by Law.

Table 4.7 Schooling of the Respondent

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	In school before coming to Kakuma	9	60.0	60.0	60.0
	Not in school before coming to Kakuma due to age	5	33.3	33.3	93.3
	Not in school before coming to Kakuma due to war	1	6.7	6.7	100.0
	Total	15	100.0	100.0	

From the study, 60% of the child respondents were schooling before coming to the Kakuma refugee camp while 33.3%, and 6.7% of the child respondents have not in school before coming to Kakuma due to age or due to war respectively. Cumulatively, majority of the respondents (60%) were schooling before coming to the Kakuma refugee camp.

Table 4.8 Current schooling status of the respondent

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	In School	9	60.0	60.0	60.0
	Not in school due to hardships in the camp	1	6.7	6.7	66.7
	Not in school out of choice	1	6.7	6.7	73.3
	Not in school because I finished schooling	2	13.3	13.3	86.7
	Not in school due to lack of a schooling space	1	6.7	6.7	93.3
	Dropped out to fend for my younger siblings	1	6.7	6.7	100.0
	Total	15	100.0	100.0	

With regard to the schooling status of the child respondents, from the study, a vast majority of the respondents (60%) are schooling while 6.7% of the child respondents are no longer schooling due to what they terms as hardships in the camp. Another 6.7%, 13.3%, 6.7% and 6.7% are no longer schooling due to choice, have already finished schooling, are not in school due to lack of schooling space and dropped out of school to fend for their younger siblings respectively.

Table 4.9 Access to School

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Registration by camp officials	5	33.3	50.0	50.0
	Facilitation by UNICEF	3	20.0	30.0	80.0
	Facilitation by parents on school outside camp	2	13.3	20.0	100.0
	Total	10	66.7	100.0	
Missing	System	5	33.3		
Total		15	100.0		

Regarding the accessibility of schooling facilities, the child respondents argue that they were facilitated by the camp officials (33.3%), UNICEF (20%), and, their parents who looked for schooling facilities outside the camp (13.3%).

Table 4.10 Experience in accessing school

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Easy access due to close proximity to school	3	20.0	30.0	30.0
	Difficult access due to school being outside camp	4	26.7	40.0	70.0
	Difficult access due to school being located far in the camp	3	20.0	30.0	100.0
	Total	10	66.7	100.0	
Missing	System	5	33.3		
Total		15	100.0		

When probed to share their experiences in regard to their accessibility of schooling facilities, some of the child respondents were of the view that there was ease of access due to close proximity to school from their camping tent (20%). However, 70% of the respondents were of the view that it was difficult to access schooling facilities due to them being located either outside camp (40%) or in the camp but far away from their house.

Table 4.11 Perception of life in Kakuma

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Easy	2	13.3	13.3	13.3
	Moderately better	4	26.7	26.7	40.0
	Better due to lack of fighting	6	40.0	40.0	80.0
	Difficult	3	20.0	20.0	100.0
	Total	15	100.0	100.0	

With regard to the perception of life in Kakuma Refugee camp, opinion of the child respondents was sharply divided with 13.3% of the respondents arguing that it was relatively easy while 26.7% arguing that it was moderately better due to the absence of violence characteristic of their places of origin. 20% of them were however terming life in the camp difficult.

Table 4.12 Perception on health in Kakuma

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Better due to access of hospitals	9	60.0	60.0	60.0
	There is a lot of diseases	6	40.0	40.0	100.0
	Total	15	100.0	100.0	

With regard to the perception of the status of health in the Kakuma Refugee camp, majority of the child respondents were of the view that health was better catered for as

they had access to hospital facilities. However, an equally sizeable chunk (40%), were of the view that there were a lot of diseases bedeviling the camp.

Table 4.13 Relations of Respondents in Camp

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Living with both Parents	6	40.0	40.0	40.0
	Living with one parent	4	26.7	26.7	66.7
	Living with relatives	3	20.0	20.0	86.7
	Living with a guardian	2	13.3	13.3	100.0
Total		15	100.0	100.0	

40% of the child respondents were living with both their parents while 26.7% were living with just one parent in the camp. 20% on the other hand were living with relatives while 13.3% were living with guardians.

Table 4.14 Source of food

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Food from camp	7	46.7	46.7	46.7
	Relatives pay for meals	6	40.0	40.0	86.7
	I fend for myself	2	13.3	13.3	100.0
Total		15	100.0	100.0	

The child respondents pointed out that they derived their food from the camp (46.7%), from relatives (40%) while alarmingly, 13.3% were left to fend for themselves.

Table 4.15 Status of Schools

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Good	5	33.3	33.3	33.3
	Poor facilities	4	26.7	26.7	60.0
	Few teachers	3	20.0	20.0	80.0
	Language barrier	3	20.0	20.0	100.0
Total		15	100.0	100.0	

With regard to the status of schools, a third of the child respondents (33%) gave their schooling facilities a clean bill of health. However, two thirds of the respondents were of the view that there were poor facilities (26.7%), few teachers (20%), as well as the problem of language barrier between the tutor and the learners (20%).

4.2.2 Data Analysis for Parents

Table 4.16 Age * Level of Education Cross-tabulation

		Level of Education				Total
		Uneducated	Elementary school dropout	High school	Tertiary level education	
Age	16-25 Years	1	0	0	1	2
	25-30 Years	2	1	2	0	5
	35-45 Years	1	3	2	0	6
	45 Years and above	0	1	2	0	3
Total		4	5	6	1	16

Table 4.17 Sex * Level of Education Cross-tabulation

		Level of Education				Total
		Uneducated	Elementary school dropout	High school	Tertiary level education	
Sex	Male	1	1	3	1	6
	Female	3	4	3	0	10
Total		4	5	6	1	16

Table 4.18 Residency of the respondent

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Camp	14	87.5	87.5	87.5
	Outside camp	2	12.5	12.5	100.0
Total		16	100.0	100.0	

Of the parent respondents interviewed by the researcher, the vast majority of them (87.5%) had their residency inside the refugee camp while 12.5% of the respondents were living outside the camp.

Table 4.19 Source of income of the respondent

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Refugee stipend	8	50.0	50.0	50.0
	Casual labourer inside camp	3	18.8	18.8	68.8
	Casual labourer outside camp	3	18.8	18.8	87.5
	Formally employed	2	12.5	12.5	100.0
Total		16	100.0	100.0	

With regard to the source of income of the parent respondents, while a half were wholly dependent on their refugee stipend, the rest relied upon casual labour inside and outside the camp (37.6%) while an eighth was formally employed inside the camp.

Table 4.20 Experience in accessing school for the children of the respondent

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Helped by camp officials	5	31.3	31.3	31.3
Helped by UNICEF	3	18.8	18.8	50.0
Had to look for schooling space myself	5	31.3	31.3	81.3
Yet to find schooling space for my child	3	18.8	18.8	100.0
Total	16	100.0	100.0	

With regard to the experience in accessing school for their children, the parent respondents were largely helped by camp officials (31.3%) as well as UNICEF officials (18.8%). However over a half of the respondents never got any help and had to look for schooling space themselves or were yet to find schooling space for my child at the time of the research.

Table 4.21 Challenges faced by child in school

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid No challenges	1	6.3	6.3	6.3
Challenges in accessing learning materials	6	37.5	37.5	43.8
challenges in learning language	5	31.3	31.3	75.0
Few teachers	4	25.0	25.0	100.0
Total	16	100.0	100.0	

On their perception of challenges faced by their children in school, 93.7% of the parent respondents said that their children encountered challenges in accessing learning materials, had a problem with the language of instruction as well as the challenge of few teachers in their learning facility.

Table 4.22 Perception on the happiness of child in school

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very happy	3	18.8	18.8	18.8
	Moderately happy	4	25.0	25.0	43.8
	Unhappy	5	31.3	31.3	75.0
	Very unhappy	4	25.0	25.0	100.0
Total		16	100.0	100.0	

On their perception of the happiness of their children in school, 43.8% of the parent respondents said that their children were either happy or moderately happy while 56.2% of the respondents were of the view that their children were either unhappy or very unhappy.

4.3 Analysis of Qualitative Data

From the data collected qualitatively, the study found out that children in refugee camps receive help from relief agencies within the camp. However, this help is largely restricted to the allocation of camp space, food rations, medical and education assistance. With regard to unaccompanied minors, little help is offered with regard to reunion with relatives and/or parents.

With regard to access to food rations, the assistance comes usually at the end of every month. However, these rations are not always enough as many refugee children noted that it does not last them through the month. Unaccompanied minors are thus forced to scavenge for food from strangers or doing manual work outside the camp. Obviously this this means that the children's pursuit for education is compromised. Others are forced to forego some meals in order for the food to last until the next distribution which might even be belated. Even though this study did not set out to examine the quality of education, it is logical to infer from the immediate condition that quality of education is undermined.

This predicament, as one parent noted, has made the children who are unaccompanied in the camp vulnerable to sexual and economic predators. Furthermore, aid workers noted, the hungry children are heavily affected not only physically but also socially

and psychologically with school attendance and concentration spans being one of the casualties of the meager camp rations

While children in the refugee camps received educational support, the support was abysmal as the schooling system was decadent. The accompanied minors, i.e., those with parents and especially the well-off ones can afford a decent private school education outside the camp, those not well off and the unaccompanied are forced to attend overcrowded camp schools and in dilapidated conditions.

During a focus group discussion on the state of the sanitary facilities and water provision, it was noted by the participants that there are taps and so many boreholes. There was however no consensus among the participants on whether the water was adequate or not. The respondents however noted that there was no problem of water borne diseases in the camp and hence no cause for alarm.

However, the lack of parental love was particularly pricking and traumatizing especially for the unaccompanied refugee children who are either orphaned or have been separated from their parents.

While placing unaccompanied refugee minors under foster care within the camps gave the children a home and parental care, the lack of parental love offered by one's biological parents was still an issue. The respondents however noted that this role can be played to a certain degree if the camp administrators could be able to trace and reunite parents or children with relatives.

Another issue that cropped up is with regard to leisure. While each child is qualified for space and time to play and communicate with other children of his or her age as it is believed to be a key source of mental, social, psychological and physical development, most of the refugee children lack this developmental aspect as they have had to take up adult responsibilities such as fending for themselves or caring for their younger siblings.

CHAPTER FIVE

SUMMARY OF THE FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

This section outlines the findings of the study based on the analysis of the data collected from the field, the section also outlines a number of recommendations in regard to the improvement of the condition of child refugees and the protection of their rights with a view to ensuring their growing up with ease and adapting smoothly to life in the camp. The section also gives a conclusion of the whole study.

5.2 Validity and Reliability

The research adopted a number of measures to ensure that the data collected was valid and reliable. The researcher did an audit trail of the research process through the meticulous documentation of the research process and the data collection phase in order to ensure that nothing went wrong. In addition, the study used two data collection methods with a view to ensuring that that data was triangulated. The researcher also conducted respondent checks by counter checking to ensure that what was captured by the researcher was what the respondent(s) actually meant.

5.3 Summary of the Findings

From the study, while we can see majority of the respondents are schooling, there is a big number that largely keeps out of school owing to hardships in the camp as well as lack of schooling space while yet minority dropped out of school to fend for their younger siblings respectively. These findings point out to a structural problem within the camp especially in regard to catering for the challenges faced by the children to enable them aptly navigate through the formative years of their early life.

Regarding the accessibility of schooling facilities, while some of the child respondents were of the view that there was ease of access due to close proximity to school, 70% of the child respondents were of the view that it was difficult to access schooling facilities due to them being located either outside camp or in the camp but far away from their house. This points to the problem of location as well as catch 22 scenarios where a parent wants a good school (outside the camp), yet there is a challenge with regard to the distance of accessibility. This is echoed by the parent respondents whom over a half said they never got any help and had to look for

schooling space themselves or were yet to find schooling space for their child at the time of the research.

While English and Swahili is the teaching language in the camp, majority of the children respondents drawn from various nationalities such as 86% from South Sudan, 5% from Ethiopia, 4% DRC Congo could not be able read or write in English as it is not their language of communication from their countries of origin while less than 50% of teachers in Kakuma's primary schools hold relevant qualification, limiting the capacity and interest of the teachers in managing large class sizes with limited resources in poor infrastructural conditions.

With regard to the perception of life in Kakuma Refugee camp, opinion of the child respondents was sharply divided with 13.3% of the respondents arguing that it was relatively easy while 26.7% arguing that it was moderately better due to the absence of violence characteristic of their places of origin. However, majority of the children also alleged that life was difficult in the camp. This is attributed to lower living standards in the camp. Further, some of the children are uncomfortable with life in the camp and thus finding it hard to cope.

The classroom to learner ratio was at 1:147 against the recommended 1:40 in Kenya while girls were underrepresented at primary school grade. Cultural interest also takes precedence over formal schooling. There was also the problem of early marriage, drop out, female genital mutilation which can result in poor health or disinterest in school.

The child respondents pointed out that they derived their food from the camp from relatives while alarmingly, 13.3% were left to fend for themselves. This implies that there is a problem in food provisioning and rationing in the camp and especially amongst the young ones who a significant number are left to fend for themselves.

With regard to the status of schools, while a third of the child respondents gave their schooling facilities a clean bill of health, two thirds of the respondents were of the view that there were poor facilities, few teachers, as well as the problem of language barrier between the tutor and the learners. This was echoed by the parent respondents who were of the view that their children encountered challenges in accessing learning materials, had a problem with the language of instruction as well as the challenge of few teachers in their learning facility. It is also reflected in the parents' perception of

the happiness of their children in school where the majority are of the view that their children were either unhappy or very unhappy.

5.4 Conclusions

The plight of the refugee children remains a challenge. This is aptly captured by other scholars who have examined the subject. According to Alfredson (2002), the displacement of children and the attendant removal and/or on the other hand partition of children from their folks, close families and additionally their recognizable condition heavily impacts on children and thus results in physical, emotional and socio-psychology anguish which makes life difficult in refugee camps. Furthermore, this emotional anguish may be as a result of guardians or essential parental figures that may have been executed or confined amid strife or who passed on from conditions or perils related with flight. The attendant anguish can only be healed using psychological counseling, a phenomenon missing in many refugee camps (International Committee of the Red Cross, 2012).

According to Bixler (2005), camp survival favours the males as opposed to the females. This is due to the fact that single males are most likely to survive or secure a family's financial future to a great extent because of their size, physical quality, or larger amount of training. This is opposed to single females who are more likely to be sexually harassed or forced to fend for younger siblings and relatives or abducted for the purposes of forced marriage, servitude, or trafficking (Bixler, 2005).

According to Urie Bronfenbrenner's who built up the Ecological Systems' hypothesis, everything in a child's situation influences how a child develops and creates. Ito this end in this way, a child's headway occurs inside a natural game plan of settled effects between the child and the earth. In a camp where the socio-economic and psychological environment are not conducive for child development, children are likely to waste away their childhood or be traumatized in their adulthood.

While in theory, refugee camps are set up to protect the rights of civilians fleeing violence and persecution and particularly to protect and promote the rights of the most vulnerable such as children with the principle of the child's best interests taking precedence, in practice, refugee camps are anything but rosy particularly for the children. The situation in Kakuma Refugee Camp, as we have aptly seen from the study, is no different from the same. The dysfunctional nature of the refugee camp's

structures and also the intense lack of assets profoundly influences the physical and mental prosperity of refugee children. The quality of life for children in Kakuma camp was not granted given that they were quick to give the camp life a tick of difficulty with a number of them singling out the poor facilities such as schooling facilities which they termed as characterized by few teachers, as well as the problem of language barrier between the tutor and the learners.

The same was echoed by the parent respondents who were of the view that their children encountered challenges in accessing learning materials, had a problem with the language of instruction as well as the challenge of few teachers in their learning facility. It is also reflected on the parents' perception of the happiness of their children in school where the majority are of the view that their children were either unhappy or very unhappy. In as much as children in refugee camps received help from relief agencies within the camp, This help was largely restricted to the allocation of camp space, food rations, medical and education assistance. The assistance comes usually at the end of every month. However these rations are not always enough as many refugee children noted that it does not last them through the month. Unaccompanied minors are thus forced to scavenge for food from strangers or doing manual work outside the camp.

Kakuma refugee had camp taps and so many boreholes as was stated by respondents without a consensus on whether the water was adequate or not. However, here was no problem of water borne diseases in the camp and hence no cause for alarm. Lack of parental love was particularly pricking and traumatizing especially for the unaccompanied refugee children who are either orphaned or have been separated from their parents. Placing unaccompanied refugee minors under foster care within the camps gave the children a home and parental care, the lack of parental love offered by one's biological parents was still an issue which could be solved if the camp administrators could be able to trace and reunite parents or children with relatives.

Cultural issues are more likely to inhibit opportunities for girls than boys to access education and arguably represent the most challenging barriers about which to collect accurate qualitative or quantitative data.

5.5 Recommendations

To enhance the status of child refugees, I therefore recommend the following:-

- i. The teachers in the camp should be trained to teach in a language other than English to enable them easily interact with those children who cannot learn in English.
- ii. There is a need for the camp officials to adequately train their staff and particularly those in contact with children and their families, including teachers in camp learning facilities in best practices in regard to handling children and particularly those displaced by war. Such training should infuse not only technical skills such as child friendly handling techniques but also soft skills such as cultural awareness as well as communication with children.
- iii. To begin with, camp administrators should ensure that there are child safeguarding policies within the refugee *modus operandi* manuals with elaborate and actionable plans on the handling of children. There is also a need for adequate supervision of all staff in contact with children and their families.
- iv. Furthermore, there is a need for outreach social work for assisting and protecting children outside the camp particularly with regard to the provision of their basic necessities. For the camp administrators, there is a need to enhance and upgrade the existing child protection systems in order to ensure that they refugee children are provided with adequate services to enable them adapt with ease to life in the camp.
- v. Academically, there is a need for scholars on human rights in general to do more research and test more data in regard to the situation of refugee children in other camps such as in Daadab as well as in camps of internally displaced persons with a view to establishing their challenges, their needs, and the risks they face in their day to day life in the camps. Refugees outside camps, such as those in urban centres such as Nairobi, Nakuru and Eldoret also should form a focal point for research.

5.6 Suggestion for further research

In doing further research, I would recommend that information be gathered at the Kakuma Refugee Camp on the number of refugees who are attending schools outside the camp and in schools run by the Kenyan Ministry of Education.

I would recommend further research into how many teachers that can teach in a language other than English and are teaching at the camp schools.

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APPENDICES

Appendix 1: Research Consent Form

Name of Researcher: Benedetta Wasonga
Title of study: Protection of Children’s Rights in Refugee Camps; A case Study of Kakuma Refugee Camp Turkana County.

In the event that it's not all that much inconvenience read and complete this casing meticulously. In case you will partake in this study, ring the fitting responses and sign and date the disclosure toward the end. In case you don't grasp anything and might need more information, please ask.

- I have had the examination tastefully revealed to me in verbal and additionally formed shape by the investigator. **YES / NO**
- I fathom that the investigation will include: interviews, review, audiotape and the time included will be 45 minutes. **YES / NO**
- I grasp that I may pull once again from this study at whatever point without giving an illumination. This won't impact my future care or treatment. **YES / NO**
- I understand that all information about me will be managed in strict sureness and that I won't be named in any formed work rising up out of this study. **YES / NO**
- I appreciate that any audiotape material of me will be used solely for look at purposes and will be demolished on satisfaction of your examination. **YES / NO**
- I understand that you will discuss the progress of your investigation with others at the University of Nairobi. **YES / NO**

I energetically give my consent to appreciate this examination study and have been given a copy of this edge for my own information.

Signature:.....Date:

Appendix 2: Parental Consent Form for Child Participation in Research

Protection of Children’s Rights in Refugee Camps; A case Study of Kakuma Refugee Camp Turkana County

Ibeing past 18 years of age years along these lines consent to my childtaking an enthusiasm, as requested, in the ... for the investigation wander on

1. I have scrutinized the information gave.
2. Details of techniques and any perils have been revealed pleasant to me.
3. I agree to sound record of my child's information and support.
4. I am careful that I should hold a copy of the Information Sheet and Consent Form for future reference.
5. I grasp that:
 - My child may not particularly benefit by sharing in this examination.
 - My child is permitted to pull once again from the errand at whatever point and is permitted to rot to answer particular request.
 - While the information got in this study will be circulated as cleared up, my child won't be perceived, and solitary information will remain private.
 - Whether my child takes an intrigue or not, or pulls back in the wake of taking an intrigue, will have no effect on any treatment or organization that is being given to him/her.
 - Whether my child takes an intrigue or not, or pulls back consequent to taking an intrigue, will have no effect on his/her progress in his/her course of study, or results got.
 - My child may ask that the recognition be stopped at whatever point, and he/she may pull back at whatever point from the session or the examination without burden.
6. I agree/don't agree* to the tape/transcript* being made available to various researchers who are not people from this examination gathering, but instead who are judged by the investigation gathering to do related research, on condition that my character isn't revealed.

Member's mark... .. Date... ..

I confirm that I have uncovered the study to the volunteer and consider that she/he recognizes what is joined and eagerly consents to collaboration.

Researcher’s name.....

Researcher’s signature.....**Date**.....

Appendix 3: Interviewing Questions for Research Participants

QUESTIONS FOR CHILDREN

Explain the purpose of the study to the children/youths and gain their approval to participate.

Name:

Age:

Sex:

Education:

Date:

Background: What is the story up to the present moment? What is the context?

- How long have you been living at the Kakuma refugee camp? If living outside the camp, have you lived on the camp? If yes, how long? Do you have any idea for why you are living at the camp?
- Where do you live? If it is in the camp where did you live before moving to the camp? If out of the camp where did you live before?
- Were you in school at where you lived before? If yes, what is your grade? If no, Why?
- Do you attend/go to school now? If yes, why do you go to school? If no, why are you not in school? Did you go to school last year?

Experiences: What experiences have people had and are having in school and in life more generally (both past and present)? How do these interact? And how do their experiences impact on the opinions they have about going to school or not, and motivations for going to school or not.

- How did students access school? What process did they follow?
- What experience is there in going to school in the camp/outside the camp? What school is like for one day? What happens first, last?
- What can you say about the life in Kakuma? Why do you think so?
- What can you say about the health situation at the camp?
- What is the situation like for children/youths in accessing education/(who go to school)

Challenges /Non Challenges: Why are young people in or out of school in Kakuma Refugee Camp?

- What is the situation like for children/youths in accessing education/(who go to school)
- Are there problems that hinder children/youths from attending schools? If yes, what are some of them?

- Do you have friends that go to school, that don't go to school, and why?
- Is there anything that you think is responsible for children/youth not been school? What can you tell me about children that you know that are not in school? What do you think is/are reasons for them not being in school? What do people do who are out of school?
- What is the situation with the electricity and safe drinking water at the camp like? Is it free and/or who does the payment? In what way is this affecting your schooling?
- What language do you use at school?
- Are there challenges in assessing education? If yes, what are those challenges? Do there exist any challenge that refugee student face in assessing schools? If yes, what are they and how do these challenges come about? How are you overcoming them
- Do you have parents Where are your parents? Who do you live with? What do your parents do for a living? Do you/your parents pay for dwellings?
- Do you do anything to earn money? What do you do to get money to pay you schoolfees?
- What do you do to get meal for a day?
- Do you get special help with your lessons/home assignment? If yes, who. If no, why not?
- Is there anything to hope for outside UNHCR's help as a refugee? Why/why not? Have you received any help from NGOs towards education; be it scholarships, books or feeding? Do you have any idea of any organization that is helping with schooling/education here at the refugee camp?
- What are these schools like? Do you have any idea about whether there are many schools on the camp for children/youth? How many? What do you think about the stopping of aid by the UNHCR? How has this affected you? What did you do when this assistance stopped?

QUESTIONS FOR PARENTS

Explain the purpose of the study to parents and gain their approval to participate.

Name:

Age:

Sex:

Education:

Background

- Where do you live? If at the camp, how long have you been on the camp?
- What are you doing now?
- Do you have children? If yes what do they do? If they are in school, why? If they are not in school, why?

Experience

- What can you say from your experience about your children/ward as they assess schooling?
- How did you get the information about schooling for your children?
- What does it look like to see your children going to school? Not going to school?
- Do you think your child is happy to go to school? If yes, why? If no, why?
- How is it to be a refugee in Kenya? How have things changed over time for you
- Do you think your children should go to school? How do you feel about sending your children to school, or not? What do you think of the kind of curriculum being followed
- Who coordinates education for refugees at the camp?