

Refugee Law Project Working Paper No. 13

CHILD PROTECTION IN THE  
CONTEXT OF DISPLACEMENT:  
NTOROKO COUNTY, BUNDIBUGYO DISTRICT



DECEMBER 2004

The Refugee Law Project (RLP) was established in November 1999 with the aim of protecting and promoting the rights of forced migrants in Uganda. The RLP operates as an autonomous project within the Faculty of Law of Makerere University, and focuses on three main areas: legal assistance, training, and research and advocacy. The Refugee Law Project works towards ensuring that asylum seekers and refugees are, as specified under national and international law, treated with the fairness and consideration due fellow human beings.

## **REFUGEE LAW PROJECT**

Plot 9 Perryman Gardens, Old Kampala  
P.O. Box 33903  
Kampala, Uganda  
Telephone: +256 41 343 556  
Fax: +256 41 346 491  
[research@refugeelawproject.org](mailto:research@refugeelawproject.org)  
[www.refugeelawproject.org](http://www.refugeelawproject.org)



**Save the Children**

**in Uganda**

Plot 68/70 Kira Road  
P.O. Box 12018/11857/1124  
Kampala, Uganda  
Telephone: +256 41 344 796  
Fax: +256 41 341 700

This report was made possible through funding from Save the Children in Uganda (SCiU). SCiU is a consolidated programme of Save the Children Denmark, UK, and Norway. SCiU aims to improve the lives of children by promoting the realisation of their rights to survival, protection, development, and participation. Since May 2003, Save the Children in Uganda has been supporting Congolese unaccompanied minors and communities in Bundibugyo District on issues of child protection.

Additional copies of this and other Working Papers are available to the public online and can be downloaded at [www.refugeelawproject.org](http://www.refugeelawproject.org).

The Refugee Law Project Working Paper Series is a forum for sharing information on issues relating to forced migration in Uganda. All comments are welcome and the RLP reserves the right to revise any Working Paper.

## **ACKNOWLEDGEMENTS**

This report draws upon material collected during field research in Ntoroko County in October-November 2004, as well as workshops conducted in Bundibugyo, Rwebisengo, Karagutu and Ntoroko in November 2004. It was written by Christina Clark, Research Associate at the Refugee Law Project (RLP), with funding from Save the Children in Uganda (SCiU). The research team also included Jane Akello, RLP; Joan Aliobe, RLP; Vanensio Bamwitirebye, Child Concern Initiatives Project; Richard Baluku, The Organisation for the Emancipation of the Rural Poor (TOERUP); and Eveleen Kinyonyi, TOERUP. John Ekwamu and Winifred Agabo of RLP led the training team. Geoffrey Oyat and Charles Kashungwa from Save the Children in Uganda (SciU) provided support to the research team in Kampala and in the field. Richard Furrer, RLP and Fred Luzze, SCiU were involved in the initial conception of the research initiative. The author is also grateful to Lucy Hovil, Jesse Bernstein and Zachary Lomo of RLP, and Fred Luzze and Ben Bataringaya of SCiU for their ongoing support and helpful comments on earlier drafts of the paper.

This research would not have been possible without the participation of local and district authorities, education, health and NGO representatives and many Congolese and Ugandan children and adults. The author wishes to thank each of these individuals for their willingness to share their time and experiences, and hopes that this paper adequately reflects the issues that they so eloquently raised.

**REPORT SUMMARY**

Against the contextual backdrop of conflict and displacement in western Uganda and neighbouring Democratic Republic of Congo (DRC), this report highlights child protection issues in Ntoroko County, Bundibugyo District. Using participatory, qualitative methods, a team of six researchers gathered data from refugee and national adults and children in Kanara, Rwebisengo and Karagutu sub-counties. Research findings reveal major barriers to accessing quality education for children in the County, particularly for girls and Congolese children. Malaria, cough, worms and cholera are the main health issues facing children, due primarily to poor sanitation and lack of access to clean water. Child abuse, neglect, rape and defilement are widespread in the county, but response from local authorities has been inadequate, contributing to a culture of impunity. While all children in Ntoroko County face these child protection issues, refugee children encounter additional challenges because of language barriers, lack of social support structures and discrimination.

In order to address these issues, the report offers the following recommendations:

1. Local and international NGOs should strengthen the capacity of community-based organisations (CBOs) to monitor, report on and address child protection issues.
2. Local government structures and CBOs should facilitate the participation of children and young people in decision-making.
3. District, sub-county and local education authorities should improve access to quality education for all children in Ntoroko County. The Ministry of Education should increase its supervisory and monitoring activities in Ntoroko County.
4. District, sub-county and local health authorities should improve access to quality health services in Ntoroko County. The Ministry of Health should increase its supervisory and monitoring activities in Ntoroko County.
5. Police, parents and community leaders should promote greater awareness of, and action against, child rape, defilement and marriage.
6. All police officials should be trained on juvenile justice requirements and should work towards their implementation.
7. Local authorities, NGOs and CBOs should develop recreational activities, microfinance opportunities and income-generating initiatives for children who are out of school.
8. Local authorities, community leaders and CBOs should facilitate dialogue between Congolese and Ugandans, promote inclusive community activities and provide mechanisms for dispute resolution and reporting incidents of discrimination in service provision.
9. Given the history of displacement in region, and potential for further displacement in the future, the Ugandan government and local leaders should strengthen the capacity of communities in conflict and disaster preparedness.
10. Local authorities, community leaders and CBOs should strengthen and improve the capacity of families to earn income and expand their functional knowledge of child welfare.

**GLOSSARY OF ABBREVIATIONS**

ADF:	Allied Democratic Forces
CBO:	Community-based organisation
DRC:	Democratic Republic of Congo
IDP:	Internally displaced person
LC:	Local Council
MP:	Member of Parliament
NGO:	Non-governmental organisation
OPM:	Office of the Prime Minister
RLP:	Refugee Law Project
SCiU:	Save the Children in Uganda
STI:	Sexually transmitted infection
UNHCR:	United Nations High Commissioner for Refugees
UPDF:	Ugandan People's Defence Force (the Ugandan national army)
UPE:	Universal Primary Education
USH:	Ugandan Shillings (US\$1 = USH 1,730 at time of research)
WFP:	World Food Programme

## 1 INTRODUCTION

Conflict, displacement and poverty have contributed to harsh living conditions for many in Ntoroko County, Bundibugyo District. It is within this context of scarcity that the research presented in this report was undertaken to identify the main issues affecting children in the county, to assess community responses to date and to analyse gaps in policy and programming. The aim was to understand the general context for children, as well as the specific challenges and circumstances of refugee children, including unaccompanied minors, from the Democratic Republic of Congo (DRC).

### 1.1 Methodology

This paper builds on information collected by the Refugee Law Project (RLP) in Bundibugyo District from August 2002 to August 2003, presented in RLP Working Paper 10: *Displacement in Bundibugyo District: A Situation Analysis*. Specific data on child protection issues was collected by a team of six researchers from 25 October – 4 November 2004 in Ntoroko County. The research findings were vetted and supplemented by dissemination and community action plan workshops in Bundibugyo, Ntoroko, Karagutu and Rwebisengo from 22-26 November 2004. Participants included district, county and sub-county officials, religious leaders, refugee representatives, young people, educational authorities and non-governmental organisation (NGO) workers.

During the child protection data collection phase, the research team visited Ntoroko and Kanara parishes in Kanara sub-county; Rwebisengo and Budiba in Rwebisengo sub-county; and Karagutu in Karagutu sub-county. The research team met with district officials in Bundibugyo, sub-county representatives in Ntoroko, Rwebisengo and Karagutu, and local chairpersons, police officials and health and education authorities in each parish. The team leader also met with representatives of community, local and international organisations working on issues related to children and refugees in each parish.

In addition to these official interviews, 112 semi-structured interviews were conducted with child and adult nationals and refugees in each area, using snowball sampling to identify subjects in communal areas and from home to home. Efforts were made to ensure multiple entry points into communities, especially to access less visible populations, such as women (62 interviewees) and out-of-school children. The research team visited the secondary schools in Rwebisengo and Karagutu, select primary schools in Ntoroko, Rwebisengo and Karagutu, and a nursery school in Karagutu. At the schools, permission was sought by the headmaster/mistress before focus group discussions with students segregated by sex<sup>1</sup> and level of education. During the focus groups with students, a separate focus group discussion was held with teachers in each school (5 in total) to solicit their opinions and ensure confidentiality of students' responses. In addition to the 29 focus group discussions held at schools, 5 group discussions were also held with women's and youth groups. Group data were supplemented by individual community mapping<sup>2</sup> and writing exercises to allow less

---

<sup>1</sup> The exception was with nursery school children, where groups were mixed sex. One mixed sex focus group with older children was also used as an experiment at Karagutu Secondary School. In this trial group, boys tended to dominate the discussion.

<sup>2</sup> During community mapping exercises, researchers asked individuals to draw their community, and to identify the areas in which they conduct their daily activities. Interviewees were then asked to show 'safe' and 'unsafe' places, and to explain why they labelled them as such.

vocal students greater opportunity to participate. Researchers followed up with individuals one-on-one to assist in interpretation of data, particularly for community mapping exercises.

In this report, the terms “children”, “child”, “girl” and “boy” are used to refer to all persons under the age of 18, as per the Ugandan Children Statute and international legislation to which Uganda is a party.<sup>3</sup> The term “refugee” is used to describe the circumstances of people who have involuntarily left their home communities due to the direct and indirect consequences of conflict in the DRC.

## **1.2 Context: Conflict, Displacement and Poverty in Ntoroko County**

*“One day, one time, all of us could be refugees.”<sup>4</sup>*

### **1.2.1 Legacy of conflict and displacement**

Ntoroko County covers the northeastern part of Bundibugyo District in Western Uganda. The District borders Kabarole District to the east, Kasese District to the south and the DRC to the west. Ntoroko County is composed of three sub-counties: Kanara, Rwebisengo and Karagutu. Ntoroko County, like the rest of Bundibugyo, was heavily affected by internal displacement during the insurgency by the Allied Democratic Forces (ADF) from 1996. In 2000, the Ugandan government began a military campaign aimed at driving the ADF from their military bases in the Rwenzori Mountains on the Uganda-DRC border. Internally displaced people (IDPs) began to return to their home communities in March 2002, although some remain outside their area of origin.<sup>5</sup> The Ugandan People’s Defence Forces (UPDF) continue to be deployed in the area and district officials report few security problems in recent months.<sup>6</sup>

In addition to internal displacement, cross-border movement of people to and from neighbouring DRC has also been a common phenomenon for many years. Trade and kinship links have facilitated socio-economic migration, while recent conflict in Uganda and DRC has caused involuntary displacement in both directions across the border. In February 2003, a large number of Congolese refugees began to arrive in Ntoroko County, fleeing conflict in the Ituri region of DRC. While some refugees registered and moved to Kyaka II refugee settlement in Kabarole District, many others remained in the three sub-counties of Ntoroko. In Kanara sub-county, wedged between Lake Albert and Semuliki Game Reserve, Congolese refugees form the majority of the population and make their living by fishing or trading. In Rwebisengo sub-county, many Hema Congolese have settled alongside Ugandan kin, grazing cattle in non-fertile land and fishing in Lake Albert. In Karagutu sub-county, Congolese refugees occupy former homes of internally displaced people and make a living cultivating fields for Ugandan nationals and trading.

The exact number of Congolese refugees in Ntoroko County is unknown. Ugandan government policy requires refugees to register and proceed to rural settlements. Those who

---

<sup>3</sup> Uganda has ratified the Convention on the Rights of the Child, and the African Charter on the Rights of Welfare of the Child. Both of these legal standards define a child as any person under the age of 18.

<sup>4</sup> Interview with Resident District Commissioner, Bundibugyo, 27 October 2004.

<sup>5</sup> District officials claim that these people can no longer be referred to as IDPs, but instead constitute part of an “urbanisation” phenomenon around trading centres. Interview with Resident District Commissioner, Bundibugyo, 27 October 2004.

<sup>6</sup> Interview with District Information and Security Officer, Bundibugyo, 27 October 2004.

have not done so are denied refugee status, deemed 'aliens' by the Office of the Prime Minister (OPM), and are said to be under the direct responsibility of the Immigration Department under the Ministry of Internal Affairs.<sup>7</sup> According to the Disaster and Refugee Management Committee in Karagutu, the latest estimates of numbers of refugees indicate that 14,600 Congolese refugees resided in Ntoroko County in September 2002: 1,873 in Karagutu sub-county; 10,057 in Kanara sub-county and 2,670 in Rwebisengo sub-county.<sup>8</sup> However, these statistics do not take into account the recent arrivals from Ituri, DRC. Moreover, numbers fluctuate as conflict ebbs and flows in the DRC and people move to and from refugee settlements. To date, the Karagutu Disaster and Refugee Management Committee has relocated 2,845 refugees to Kyaka II settlement, but the number of relocations has decreased recently.<sup>9</sup> Representatives of the Committee attribute decreased relocations to locals discouraging refugees from moving; Ugandans allegedly highlight negative conditions in the camps in order to benefit economically from the refugees' presence.<sup>10</sup>

Local government policy towards, and legal status of, refugees in Ntoroko County is ambiguous and arbitrary. While official central government policy is that refugees should be in camps, authorities have in some cases allowed refugees to stay. For example, some Congolese pastoralists who crossed the border with their cattle were reluctant to go to Kyaka II and abandon their animals. As a result, they stayed in Rwebisengo sub-county, causing land pressure. The government then decided to allow them to graze their animals in Semuliki Reserve. As one district official said: "We have not gazetted the land, but borrowed it."<sup>11</sup> However, other local officials claim to be unaware of the refugees' presence: "There are no refugees in Rwebisengo. The ones who were here, all of them have moved to Kyaka."<sup>12</sup>

In Kanara sub-county, one authority clearly felt that Congolese refugees should not be there: "Here, we are not supposed to have refugees. But they are staying with relatives, so it is difficult to move them quickly. They can't be called refugees because refugees are supposed to be in camps."<sup>13</sup> Congolese refugees confirm this: "The LCs tell us that we are not refugees and that the refugees are in Kyaka, not Ntoroko."<sup>14</sup> In Karagutu, authorities are aware of the presence of refugees, but have taken no action so far to force them to register and/or move to Kyaka II settlement.<sup>15</sup> As one police official said: "We have a challenge with OPM because once refugees come, we're not allowed to give assistance. They say if we assist them, very many people will come saying they are refugees when they are not."<sup>16</sup>

Karagutu appears to be the only sub-county with an organised system for registering and documenting refugees, under the Disasters and Refugee Management Committee. It is

---

<sup>7</sup> Letter from OPM to Refugee Law Project, 13 October 2004.

<sup>8</sup> Information obtained from Karagutu sub-county Disaster and Refugees Management Committee, 3 November 2004, Karagutu.

<sup>9</sup> Information obtained from Karagutu sub-county Disaster and Refugees Management Committee, 3 November 2004, Karagutu.

<sup>10</sup> Interview with Coordinator of Karagutu sub-county Disaster and Refugees Management Committee, 3 November 2004, Karagutu.

<sup>11</sup> Interview with Resident District Commissioner, Bundibugyo, 27 October 2004.

<sup>12</sup> Interview with Police Constable, Rwebisengo Police Post, 1 November 2004.

<sup>13</sup> Interview with District Information and Security Officer, Ntoroko Parish, Kanara sub-county, 28 October 2004.

<sup>14</sup> Interview #28 with Congolese adult male, Ntoroko Trading Centre, 28 October 2004. Quote translated from Swahili by interviewer.

<sup>15</sup> Interview with Police Official, Karagutu Police Station, 2 November 2004.

<sup>16</sup> Interview with Police Official, Karagutu Police Station, 2 November 2004



composed of local officials and community volunteers, who also facilitate identification and registration of refugees in other sub-counties. While the Committee acts on behalf of UNHCR and OPM in the sub-county, it receives no financial assistance from them and does not have official status within these organisations.<sup>17</sup>

### **1.2.2 Community relations among Ugandans and Congolese**

Reflecting this policy incoherence at official levels, ordinary Ugandans are also ambivalent about the prevalence of Congolese in Ntoroko County. For example, in focus group discussions with teachers at schools in Rwebisengo and Karagutu, the teachers said there were no refugees in the school. However, in focus groups with students at the same schools, several children identified themselves as refugees.<sup>18</sup> Other Congolese are hesitant to self-identify as refugees because of their ambiguous legal and social status. For example, one Congolese man in Ntoroko parish said that he no longer considers himself as a refugee, since he pays graduated tax and does not intend to return to Congo.<sup>19</sup> Congolese people living in Karagutu report facing discrimination as refugees: “The problem here is that people abuse us so much and call us refugees. They look down on us and say we are poor. What we hate most is being called refugees.”<sup>20</sup>

Many negative stereotypes exist regarding Congolese. For example, several Ugandans accuse Congolese of practising witchcraft and causing strange diseases in their children, including the appearance of foreign objects in children’s stomachs and chests.<sup>21</sup> When asked about his fears, one 14-year-old Ugandan male in Ntoroko parish replied: “I fear for the Congolese who bewitch children and even adults and kill them. The Congolese bewitch by putting things like fish, charcoal, stones or seeds in someone’s body. The Congolese should go back to their country and leave us in ours and we children shall be safe in Ntoroko.”<sup>22</sup> Others claim that Congolese have “bad habits and characters” that could affect the way Ugandan children act.<sup>23</sup> As one Ugandan man said, “The Congolese have come in and their children have made ours wild.”<sup>24</sup> Some Ugandans accuse Congolese of being thieves, with allegations of ‘stealing’ including Ugandan husbands, cattle and crops.<sup>25</sup>

---

<sup>17</sup> Meeting with Karagutu Disaster and Refugees Management Committee, 3 November 2004.

<sup>18</sup> Focus group discussions at Rwebisengo Secondary School, 1 November 2004 and at Karagutu Secondary School, 2 November 2004.

<sup>19</sup> Interview #48, Congolese adult male, Ntoroko Parish, 29 October 2004.

<sup>20</sup> Interview #98 with Congolese adult female, Karagutu Parish, 3 November 2004. Quote translated from Swahili by interviewer.

<sup>21</sup> Interviews: #1, Ugandan adult female, Ntoroko Parish, 28 October 2004; #7, Ugandan adult male, 28 October 2004; #11, 15-year-old Congolese female, Ntoroko Landing Site, 28 October 2004; #15, Ugandan adult female, Ntoroko Parish, 28 October 2004; #16, Ugandan adult female, Ntoroko, 28 October 2004; #50, Ugandan adult female, Ntoroko Parish, 29 October 2004; #51, Congolese adult female, Ntoroko Parish, 29 October 2004; #54, Ugandan adult female, Ntoroko Parish, 29 October 2004; #75 Ugandan adult male, Rwebisengo Parish, 1 November 2004; #95, 18-year-old Ugandan male, Budiba Parish, 2 November 2004.

<sup>22</sup> Interview #12, 14-year-old Ugandan male, Ntoroko Landing Site, 28 October 2004.

<sup>23</sup> Interviews: with Ntoroko Primary School headmistress, 28 October 2004; #54, Ugandan adult female, Ntoroko Parish, 29 October 2004; #78 Ugandan adult male, Rwebisengo Parish, 1 November 2004. Also, plenary discussion at research dissemination workshop, Bundibugyo, 22 November 2004.

<sup>24</sup> Interview #6, Ugandan adult male, Ntoroko Parish, 28 October 2004.

<sup>25</sup> Interview with Police Official, Karagutu Police Station, 2 November 2004; plenary discussion at research dissemination workshop, Bundibugyo, 22 November 2004.

Despite these negative images of refugees, some Ugandans say they have benefited from the presence of Congolese in their communities. They report that refugee movements have had a positive economic effect, as Congolese have established businesses, trade and services that did not exist previously. Increased demand has also been good for Ugandan businesses. Others highlight the social benefit of Congolese refugees, including through possibilities of marriage and friendship. As one man said, “Some of the refugees, we are related to them. So, when they came here, we just enjoyed having them.”<sup>26</sup> The history of displacement in Bundibugyo also makes some residents more sympathetic to hosting refugees, citing reciprocal hospitality: “When there was insecurity here, we went there [to Congo], so when the Congolese came here, we found our friends.”<sup>27</sup>

National-refugee relations must be understood within a context of poverty and land scarcity in Bundibugyo District following years of conflict between the ADF and UPDF. The scale of internal displacement and insecurity during the ADF insurgency caused socio-economic collapse and food scarcity as farmers were forced to abandon their land.<sup>28</sup> The District was only beginning to recover when Congolese refugees began arriving in February 2003. This additional population movement created increased pressure on already limited resources, social services and land.<sup>29</sup> The fact that refugees are not recognised as such and hence are not included in budgetary planning for services in the district is problematic in this context of scarcity.<sup>30</sup> As predicted in RLP’s previous research in Bundibugyo, the local population’s initial willingness to host Congolese refugees is starting to erode due to external factors.<sup>31</sup>

### 1.2.3 Future prospects

Fears of further displacement are present in Ntoroko County. In particular, the presence of Heritage Oil Corporation<sup>32</sup> is a source of anxiety amongst many Ugandans in the area: “Our future here is very difficult to know because we are not very sure whether the people of the Heritage Oil Company are a very big threat. We feel they are going to chase us away from this place.”<sup>33</sup> This uncertainty has caused some Ugandans to delay investment in the area. As one woman said, “I want to build a house on this land but I am worried of the Heritage Oil wires that are passing here. We might be displaced. [...] If we are displaced from this place will we be taken to a different area where we can construct houses?”<sup>34</sup> Some homeowners

---

<sup>26</sup> Interview #71, Ugandan adult male, Rwebisengo Parish, 1 November 2004.

<sup>27</sup> Focus group discussion #17, teachers, Rwebisengo Secondary School, 1 November 2004.

<sup>28</sup> For more details on the impact of the conflict, see: RLP, *Displacement in Bundibugyo District: A Situation Analysis*, 2003; IRIN, 2002; Oxfam, “The Challenges and Hopes for Protection and Resettlement of Internally Displaced People in the Rwenzori Region, with Policy Recommendations”, 2002; Lucy Hovil and Eric Werker, “Portrait of a Failed Rebellion”, Forthcoming.

<sup>29</sup> Interview with District Official, Bundibugyo, 27 October 2004.

<sup>30</sup> Plenary discussion, research dissemination workshop, Bundibugyo, 22 November 2004.

<sup>31</sup> See RLP, *Displacement in Bundibugyo District: A Situation Analysis*, 2003. This view of “hosting fatigue” was echoed in plenary discussion at the research dissemination workshop, Bundibugyo, 22 November 2004.

<sup>32</sup> Heritage Oil Corporation is a “Canadian-based independent, international oil and gas exploration, development and production company”. It first licensed land in an area including Ntoroko County in 1997. See: [www.heritageoilcorp.com](http://www.heritageoilcorp.com).

<sup>33</sup> Focus group discussion #20, women, Rwebisengo Parish, 1 November 2004. Quote translated from Swahili by interviewer.

<sup>34</sup> Interview #30, Ugandan adult female, Ntoroko Parish, 28 October 2004. Translated from Swahili by interviewer.

have blocked off roads around their property to deter Heritage Oil workers from prospecting on their land.<sup>35</sup>

The fragile peace process and continued instability in eastern DRC provide limited prospects for Congolese to return to the DRC in the immediate future, although many continue to monitor the situation closely and hope to return soon. One Congolese woman said, “We have no plans, we are just here like visitors. We simply look on for the next day.”<sup>36</sup> For some, the barriers to repatriation are primarily economic. As one 13-year-old Congolese boy explained, “We are waiting for our father to send for us some money so that we can travel back to Congo.”<sup>37</sup> Other Congolese hope to find a more stable medium-term solution in Uganda. Some are willing to try life in a refugee settlement, but lack information on the registration process and do not have money for transportation.<sup>38</sup>

As this report was going to press, there were allegations that Rwanda, DRC and Uganda mobilised troops in and/or along the border with eastern DRC.<sup>39</sup> While these alleged troop movements have not been categorically proved or disproved,<sup>40</sup> they have brought heightened insecurity and uncertainty in the region, causing some to flee areas in eastern DRC,<sup>41</sup> and raising the possibility of further cross-border displacement to Bundibugyo District in the near future.

## 2 CHILD RIGHTS AND PROTECTION ISSUES

*“Children in Ntoroko don’t have any rights at all and even if they do, there is no one responsible or seeing to it that the rights of the children are protected. There are several children whose rights are violated. For example, children don’t go to school and there is a lot of child labour and corporal punishment. The community seems not to care at all and the responsible people are there simply to eat money.”<sup>42</sup>*

Against this backdrop of conflict, displacement and poverty, child protection issues affect both national and refugee children. As one young Ugandan aptly pointed out: “We are

---

<sup>35</sup> Eye witness accounts from researchers; also, interview with LC1 Vice-Chairman, Budiba Parish, 2 November 2004.

<sup>36</sup> Interview #97, Congolese adult female, Karagutu Parish, 3 November 2004. Translated from Swahili by interviewer.

<sup>37</sup> Interview #25, 13-year-old Congolese male, Ntoroko Parish, 28 October 2004. Translated from Swahili by interviewer. Also, interview #40, Congolese adult male, Ntoroko West, 29 October 2004; Interview #49, Congolese adult female, Ntoroko Parish, 29 October 2004; Interview #110, 20-year-old Congolese female, Karagutu, 3 November 2004; Interview #111, Congolese adult female, Kisenyi Parish, 3 November 2004.

<sup>38</sup> Interview #21, Congolese adult male, Ntoroko Market, 28 October 2004; Interview #110, 20-year-old Congolese female, Karagutu, 3 November 2004.

<sup>39</sup> IRIN, “DRC-Rwanda: MONUC Spots Suspected Rwandan Soldiers in Eastern Congo”, *IRIN News*, 1 December 2004; IRIN, “DRC-Uganda: Kampala Deploys Troops along Border with Congo”, *IRIN News*, 1 December 2004; The Monitor, “Uganda Deploys at DR Border”, *The Monitor*, 2 December 2004; The Monitor, “Rwanda Battles Rebels in Congo”, *The Monitor*, 3 December 2004; IRIN, “Great Lakes: Threat of Regionalisation Hangs Over Congolese Conflict”, *IRIN News*, 3 December 2004.

<sup>40</sup> The Monitor, “Rwanda Silent on Congo Invasion”, *The Monitor*, 2 December 2004, 3; The Monitor, “No New Troops at Border”, *The Monitor*, 3 December 2004, 2.

<sup>41</sup> IRIN, “DRC: Thousands Reportedly Begin to Flee Troubled East”, *IRIN News*, 1 December 2004.

<sup>42</sup> Interview #26, Ugandan adult male, Ntoroko Landing Site, 28 October 2004. Quote translated from Luganda by interviewer.

poverty stricken and we are also bordering another poverty stricken country, Congo, and these Congolese are also looking for survival. So, the whole issue of children becomes complex.”<sup>43</sup> Demographics suggest that Ntoroko is largely a youthful county. As in most refugee populations, the majority of refugees in Ntoroko County are believed to be women and children.<sup>44</sup> For example, out of an estimated 1,873 refugees registered in Karagutu sub-county in 2002, 1,127 were reportedly under the age of 18.<sup>45</sup>

While international and Ugandan legal standards define a child as any person under the age of 18, research findings reveal socially variable definitions of childhood. When asked how they identify a child, many interviewees replied that a child is any individual under another person’s care. This means that some children who take care of themselves, work and are independent are treated as adults, even though they may be under 18 years of age. For example, one 11-year-old Ugandan male whose father had died described himself as an adult “because my mother doesn’t provide anything for me and an adult is a person who is able to meet his own needs.”<sup>46</sup> As one educator said, “Some children have to look after themselves, so they are parents as well as children.”<sup>47</sup> The social status of individuals also affects their categorisation as adults or children. Interviewees suggested that a person enrolled in formal education is often considered a child, even if he/she is over the age of 18 years.<sup>48</sup> Marriage and procreation, on the other hand, are usually perceived to be defining features of adulthood in many of the cultures represented in Bundidbugyo.

Others rely on physical development to determine when a child becomes an adult. For example, once girls develop breasts and/or begin menstruation, they are treated as women. As one Ugandan male said, “If a girl has grown well – if she is fat and enticing – she can be married at age 13.”<sup>49</sup> Once boys grow facial hair and wear trousers rather than shorts, they are considered men. This essentially means that once an individual reaches puberty, he/she may be treated as an adult.<sup>50</sup> Gender differences were reported as girls tend to be identified as adults earlier than their male counterparts.

Many adults and most children felt that children should respect and obey all adults as if they were one’s own parents. In return, adults should teach children how to behave. Household chores were identified as important components of children’s upbringing, so that they knew how to take care of themselves and a household when they became adults. As one Congolese woman said: “A child, especially the girl child, is supposed to know how to work, like cooking, fetching water, collecting firewood and washing clothes and utensils. Otherwise, she will find it difficult when she gets married.”<sup>51</sup>

---

<sup>43</sup> Interview #35, young Ugandan male, Ntoroko Parish, 28 October 2004.

<sup>44</sup> UNHCR, *Refugee Children: Guidelines on Protection and Care*, 1994.

<sup>45</sup> Information obtained from Karagutu sub-county Disaster and Refugees Management Committee, 3 November 2004, Karagutu.

<sup>46</sup> Interview #23, 11-year-old Ugandan male, Kanyasi Village, Ntoroko Parish, 28 October 2004. Translated from Rutoro by interviewer.

<sup>47</sup> Address by Headmistress at Ntoroko Primary School assembly, 29 October 2004.

<sup>48</sup> Interview #38, Congolese adult male, Ntoroko Parish, 28 October 2004.

<sup>49</sup> Interview #71, Ugandan adult male, Rwebisengo Parish, 1 November 2004.

<sup>50</sup> Interview #1, Ugandan adult female, Ntoroko Parish, 28 October 2004; Interview #27, Ugandan adult male, Ntoroko Landing Site, 28 October 2004.

<sup>51</sup> Interview #13, Congolese adult female, Ntoroko Parish, 28 October 2004.

Some interviewees feel that communal guidance and education of children have changed with displacement and modernisation. Parents and other adults reportedly have less time for children than in the past. Refugees also report the dissolution of community structure and hence lack of traditional ceremonies and education of children.<sup>52</sup> The history of displacement in the region has resulted in several cultures coming together, which some claim has changed people's behaviour towards children and their place in the community. However, "for the original people here who haven't left, things remain the same."<sup>53</sup>

While some schoolchildren know the legal definition of the child and the rights accorded to them under domestic and international law, this knowledge was not widespread throughout the community. Many adults felt that children have the right to food, medication, education and leisure, but recognise that these are not always upheld. Few mentioned children's right to participate in decisions that affect them and issues such as freedom of speech and religion.<sup>54</sup> Some adults were not at all aware of child rights: "I have never heard of anything like child rights. What does it look like?"<sup>55</sup> Others felt that rights were problematic: "Children have been given much rights, which has led to them being uncontrollable."<sup>56</sup>

## 2.1 Education

*"I feel safe because I am still at school."*<sup>57</sup>

When asked about hopes and plans for the future, most children and young people, both individually and in groups, identified education as a priority. Those who were in primary school hoped to go on to secondary school; and those in secondary school wanted to go on to further education. Those who were out of school hoped to raise school fees to be able to attend. However, many interviewees feel that both Congolese and Ugandan parents do not make education a priority. A high rate of illiteracy and the fact that most people depend on manual labour (fishing, herding, digging) for survival means that many adults do not see the value of education. Attendance rates among students fluctuate depending on other, primarily economic, activities in the community. For example, teachers in Rwebisengo report only a 25% attendance rate on *vando* (the bi-monthly major market at which cattle are sold) days.<sup>58</sup>

People generally felt that authorities were not doing enough to sensitise and encourage parents to send their children to school. Some said that local politicians were worried about losing popular support if they made parents send their children to school instead of allowing them to help their families.<sup>59</sup> District officials are also reportedly disinterested in education.

---

<sup>52</sup> Interview #2, Congolese adult female, Ntoroko Parish, 28 October 2004; Interview #22, Ugandan adult male, Ntoroko West, 28 October 2004; Interview #24, Congolese adult male, Ntoroko, 28 October 2004; Interview #48, Congolese adult male, Ntoroko Parish, 29 October 2004; Interview #79, Congolese adult female, Rwebisengo Parish, 1 November 2004.

<sup>53</sup> Interview #71, Ugandan adult male, Rwebisengo Parish, 1 November 2004.

<sup>54</sup> Participants at the research dissemination workshop also listed the right to decision-making and religion among the most commonly abused rights in Ntoroko County. Dissemination workshop, Bundibugyo, 22 November 2004.

<sup>55</sup> Interview #33, Ugandan adult female, Ntoroko Parish, 29 October 2004. Quote translated from Swahili by interviewer.

<sup>56</sup> Interview #20, Ugandan adult male, Ntoroko Market, 28 October 2004.

<sup>57</sup> Individual written statement, girl, Ntoroko Primary School, 29 October 2004.

<sup>58</sup> Focus group discussions with teachers at Butungama Primary School, Rwebisengo, 1 November 2004 and Rwebisengo Secondary School, Rwebisengo Parish, 1 November 2004.

<sup>59</sup> Interview with Ugandan adult male, Ntoroko Landing Site, 28 October 2004.

For example, teachers point to the few school inspections made by district officials and the lack of “checks and balances” in the education system.<sup>60</sup> In response, district and local officials complain of budgetary constraints, especially with low tax revenue in the area.

School fees also pose a barrier to children’s education. While education is ostensibly free for primary school under Uganda’s universal primary education (UPE) initiative, parents are still asked to contribute to the costs of building maintenance, teachers’ salaries and meals, and must provide uniforms, books and stationary for their children.<sup>61</sup> For example, at Ntoroko Primary School, students pay USH 5,000 as a contribution to salaries of teachers not on the pay roll. Those who do not pay are not given report cards.<sup>62</sup> In Rwebisengo, parents must contribute USH 10,000; children of those who fail to pay are sent home. Such costs are prohibitive for some families, especially those engaging in subsistence agriculture.<sup>63</sup> As one 14-year-old Congolese boy said: “I have to pay USH 5000, but I don’t know why. My parents failed to raise the money because we eat only by God’s grace and mercy.”<sup>64</sup>

Lack of school fees was identified as a major cause of concern in all focus group discussions with students at both primary and secondary levels. As one girl wrote: “I am worried about school fees. All the time I am calculating my school fees to see if I am going to complete my studies or not.”<sup>65</sup> Students who do not pay fees are often publicly identified and feel ashamed: “I am always chased away for school fees because my mother and father don’t have enough money to pay for me.”<sup>66</sup> Others complained of having to pay for school meals (porridge), which, in some cases, have never arrived.<sup>67</sup> Others reportedly begrudge paying for meals that they believe are provided for free by the World Food Program.<sup>68</sup>

The low density of schools in Ntoroko County also decreases access for many children. In Rwebisengo sub-county, for example, some children walk 10-15 kilometres to the nearest primary school.<sup>69</sup> The distance from Kanara village to Ntoroko Primary School is also too far for many children, who drop out or attend irregularly.<sup>70</sup> Transportation problems are

---

<sup>60</sup> Focus group discussion with teachers at Rwebisengo Secondary School, Rwebisengo Parish, 1 November 2004.

<sup>61</sup> For further information on UPE fees, particularly in relation to refugee children, see: Sarah Dryden-Peterson, “Education of Refugees in Uganda: Relationships Between Setting and Access”, RLP Working Paper No. 9, June 2003.

<sup>62</sup> Interviews #11, 15-year-old Congolese female; and #12, 14-year-old Ugandan male, Ntoroko, 28 October 2004.

<sup>63</sup> Interview #33, Ugandan adult female, Ntoroko Parish, 28 October 2004; Interview #86, 18-year-old Ugandan male, Budibua Parish, 2 November 2004.

<sup>64</sup> Interview #18, 14-year-old Congolese boy, Ntoroko, 28 October 2004. Quote translated from Rutoro by interviewer.

<sup>65</sup> Individual written statement, girl, Rwebisengo Secondary School, 1 November 2004.

<sup>66</sup> Individual written statement, girl, Rwebisengo Secondary School, 1 November 2004.

<sup>67</sup> Focus group discussions #17, teachers, Rwebisengo Secondary School, 1 November 2004; #24, boys, Rwebisengo Secondary School, 1 November 2004; #25, boys, Butungama Primary School, Rwebisengo, 1 November 2004.

<sup>68</sup> Focus group discussion #15, teachers, Ntoroko Primary School, 29 October 2004. According to a WFP representative, WFP provides foodstuffs free of charge to schools, which must, in turn, demonstrate that they have adequate cooking and cleaning facilities. Parents may be asked to contribute to the cost of the latter. In some cases, schools have not met WFP requirements and hence have forfeited their access to WFP foodstuffs. Information obtained from meeting with WFP representative, Research dissemination workshop, Bundibugyo, 22 November 2004.

<sup>69</sup> Focus group discussion #16, teachers, Butungama Primary School, Rwebisengo Parish, 1 November 2004.

<sup>70</sup> Interview #55, Ugandan adult female, Kanara Parish, 30 October 2004.

exacerbated during the rainy season.<sup>71</sup> The low number of secondary schools and elementary schools offering higher levels of primary provides an additional disincentive to continuing education. For example, there are no secondary schools in the whole of Kanara sub-county. The closest secondary is 59 kilometres away in Karagutu, so parents must pay for accommodation and feeding, as well as secondary school fees. The two secondary schools in Ntoroko County only provide education up to fourth year (S4); students who wish to complete higher levels of secondary must go to schools in neighbouring Kabarole District. Therefore, as the level of education increases, the enrolment rate decreases.

In addition to the scarcity of higher education noted above, other factors contributing to drop out rates are primarily economic. School fees increase when a child moves from UPE to secondary, especially if the closest secondary school is outside one's home town: "Very few think of going to secondary school. After P7, when the results come, even those with a first-class grade can't go to secondary because of school fees."<sup>72</sup> Older children are also more likely to be employed in domestic and casual labour. "Some parents use children for their own activities, when they need extra labour."<sup>73</sup> Other families depend on income earned by children in the informal economy. For example, teachers at Rwebisengo Secondary School report an increase in registered drop-outs since the arrival of Heritage Oil in the area as students look for short-term employment watching over equipment, slashing areas, washing, etc.<sup>74</sup>

In all schools visited by the research team, the number of girls in higher levels of primary and secondary education was lower than for boys, and female teachers constituted a very small minority of teaching staff. When asked about lower enrolment and retention rates for girls, especially in upper levels, teachers replied that many parents feel that they receive less return on their investment for education of girls than of boys. While boys may go on to employment to the benefit of their families, girls are married off to other families.<sup>75</sup> Moreover, girls are more likely to be used to look after younger siblings and engage in domestic tasks at home.<sup>76</sup> For example, one 10-year-old Congolese girl at Ntoroko Parish market was selling vegetables and looking after a younger child. When asked why she was not at school, she replied: "Who will take care of my younger brother?"<sup>77</sup> Early marriage and pregnancy, discussed in further detail below, were other reasons cited for the low number of girls in school. As one girl said:

Some of us girls are facing a problem. When you have three sisters and two of them get pregnant, then that will be a problem for you who are remaining. Your parents will refuse to give you school fees because they say that you will also get pregnant like those ones. And yet you are not falling into such actions. Please assist us by counselling our parents.<sup>78</sup>

---

<sup>71</sup> Focus group discussion #28, girls, Rwebisengo Secondary School, 1 November 2004.

<sup>72</sup> Focus group discussion #16, teachers, Butungama Primary School, Rwebisengo Parish, 1 November 2004.

<sup>73</sup> Focus group discussion #16, teachers, Butungama Primary School, Rwebisengo Parish, 1 November 2004.

<sup>74</sup> Focus group discussion #17, teachers, Rwebisengo Secondary School, 1 November 2004.

<sup>75</sup> Focus group discussions #16, teachers, Butungama Primary School, Rwebisengo Parish, 1 November 2004; #17, teachers, Rwebisengo Secondary School, 1 November 2004.

<sup>76</sup> Interviews #13, Congolese adult female, Ntoroko Parish, 28 October 2004; #77, Ugandan adult male, Rwebisengo Parish, 1 November 2004.

<sup>77</sup> Interview #32, 10-year-old Congolese female, Ntoroko Market, 28 October 2004.

<sup>78</sup> Individual written statement, girl, Karagutu Secondary School, 2 November 2004.

Students, teachers and parents all report the quality of education in Ntoroko County to be low. Teachers tend to be poorly qualified. There is a particular shortage of science teachers and equipment in schools in the county.<sup>79</sup> Many teachers report feeling unmotivated and underpaid for the work they do: “We are the ones who train presidents, but we are underpaid.”<sup>80</sup> The issue of salaries came up in all focus group discussions with teachers at both primary and secondary levels in each of the sub-counties. A sign on the wall of the Deputy Headmaster’s office at Karagutu Secondary School speaks volumes: “The Lord looked upon my work and he was pleased. Then he looked again and saw my salary. He bowed his head and wept bitterly.” Some teachers are not on the government payroll and thus rely on voluntary contributions by parents, while others engage in other economic activities, such as farming or business, to supplement their income.

Poor pay and morale among teachers results in high levels of absenteeism. For example, when the research team visited Butungama Primary School in Rwebisengo at 11:00 am on 1 November 2004, only three teachers out of a total of eleven employed were present. The headmaster was also absent. Absenteeism is exacerbated by the lack of teachers indigenous to Ntoroko County. The majority of teachers are brought in from outside, but are not provided accommodation. As a result, they may reside far from schools and have difficulty finding transportation to arrive on time or at all. Teacher absenteeism places more stress on other teachers, who must take classes of absent colleagues.<sup>81</sup>

Refugee children face additional barriers to attending school than their Ugandan counterparts. The majority of children of school-going age who are not in primary in Ntoroko parish, for example, are reportedly Congolese.<sup>82</sup> English as the language of instruction poses problems for Congolese children who speak only French and Swahili.<sup>83</sup> As the headmistress of Ntoroko primary school observed: “Refugee children have difficulty with English and always lag behind.”<sup>84</sup> Another Ugandan adult in Ntoroko parish said: “The Congolese kids go to school just to waste time, since they can’t understand English.”<sup>85</sup> The transitory existence of many refugee families also has a negative impact on children’s education. Some parents are reluctant to send their children to school when they hope to return to the DRC soon, especially since the education system in the two countries is very different.<sup>86</sup> As one Congolese student said, “When I go back to Congo, that’s when I will resume school properly.”<sup>87</sup> The fact that more refugee than national children are without one or both parents

---

<sup>79</sup> Focus group discussions #26, boys, Rwebisengo Secondary School, 1 November 2004; #28, girls, Rwebisengo Secondary School, 1 November 2004; #29, girls, Karagutu Secondary School, 2 November 2004.

<sup>80</sup> Focus group discussion #15, teachers, Ntoroko Primary School, 29 October 2004.

<sup>81</sup> Focus group discussion #17, teachers, Rwebisengo Secondary School, 1 November 2004.

<sup>82</sup> Interview #36, Ugandan adult male, Ntoroko Landing Site, 28 October 2004.

<sup>83</sup> Interviews #17, Congolese adult female, Ntoroko West, 29 October 2004; #18, 14-year-old Congolese adult male, Ntoroko, 29 October 2004; #34, 17-year-old Congolese male, Ntoroko Parish, 28 October 2004; #85, Ugandan adult female, Budibua Parish, 2 November 2004; #88, Congolese adult female, Budiba, 2 November 2004.

<sup>84</sup> Interview with headmistress of Ntoroko Primary School, 28 October 2004; also focus group discussion #17, teachers, Rwebisengo Secondary School, 1 November 2004.

<sup>85</sup> Interview #14, Ugandan adult male, Ntoroko Parish, 28 October 2004. Quote translated from Rutoro by interviewer.

<sup>86</sup> Interviews with Congolese adult male, Ntoroko, 28 October 2004; Interview #8, Congolese adult female, Ntoroko, 28 October 2004; Congolese adult female, Ntoroko Parish, 29 October 2004; focus group discussion #17, teachers, Butungama Primary School, 1 November 2004.

<sup>87</sup> Interview #43, 13-year-old Congolese male, Ntoroko Parish, 29 October 2004. Quote translated from Swahili by interviewer.



also decreases their chances for education, since they are busy earning a living and/or caring for younger siblings. For example, one Congolese widow said, “I live only through my sons. When they come back from school, they go fishing and at times move sand. If they don’t do that, we sleep hungry. Our survival depends on what they get.”<sup>88</sup>

Some nationals in Ntoroko County complained that the quality of the education system deteriorated with the arrival of refugees and corresponding increase in enrolment rates. However, under UPE, schools receive financial support based on the number of students – including refugees – who are enrolled in the school. This means that increased numbers should not affect the availability of supplies and teachers in schools, but could put pressure on the physical space, given the low density of schools in the area.

## 2.2 Health issues

*“Medical treatment as we know it here is by yourself, paying for medication at private clinics. The health unit is by name only.”<sup>89</sup>*

Health was the second major area of concern identified for children in Ntoroko County. Health authorities, parents and children report the major health issues to children are malaria, cough, worms and cholera. Poor sanitation and lack of access to clean water are the main reasons for the spread of disease.<sup>90</sup> Children in focus group discussions and individual community mapping and writing exercises identified latrines as unsafe places. They also said that washing themselves and their bodies made them feel safe.<sup>91</sup> Access to water is a main problem in all areas of the county. In Ntoroko parish, for example, most people fetch drinking water from the lake, which is highly polluted. As one man said, “As you can see, all the toilets are lined up along the lakeshore, people pour rubbish in the water including fish waste and the whole place ends up smelling.”<sup>92</sup> In Rwebisengo, many boreholes have been spoilt, resulting in increased pressure on the existing wells. In Karagutu, there are not enough watering places, especially with the increased population due to the refugees’ arrival. This has caused conflict between refugees and locals.<sup>93</sup>

Maternal and infant care is also poor in many areas of the county. In Kanara sub-county, for example, there is only one person qualified to deliver babies at the government health unit and one traditional birth attendant (TBA). If neither individual is available, women have to give birth on their own or with the help of friends and family.<sup>94</sup> TBAs are not always well trained and the cost of private maternal care is prohibitive for many families. Some women

---

<sup>88</sup> Interview #44, Congolese adult female, Ntoroko Parish, 29 October 2004. Quote translated from Swahili by interviewer.

<sup>89</sup> Interview #112, Ugandan adult female, Rwebisengo parish, 1 November 2004. Quote translated from Rutoro by interviewer.

<sup>90</sup> Interview with NOHECAPA representative, Ntoroko, 28 October 2004; Focus group discussion #1, women, Ntoroko Parish, 28 October 2004.

<sup>91</sup> Focus group discussions #3, #5, #9, #11, #14, mixed sex, Ntoroko Nursery School; Focus group discussion #27, girls, Butungama Primary School; Individual writing exercises, girls, Rwebisengo and Karagutu Secondary Schools.

<sup>92</sup> Interview #26, Ugandan adult male, Ntoroko Landing Site, 28 October 2004. Quote translated from Luganda by interviewer.

<sup>93</sup> Interview #100, Congolese adult female, Karagutu Parish, 3 November 2004.

<sup>94</sup> Interview #28, Congolese adult male, Ntoroko Parish, 28 October 2004.

report deaths of babies and mothers during childbirth.<sup>95</sup> Complications during birth are particularly problematic given the length of distance to referral hospitals and lack of transportation. Unsafe abortions among girls, causing health problems and death in some cases, are also reported, particularly in Karagutu.<sup>96</sup>

Sexually transmitted infections (STIs) were also identified as a major health issue among older children.<sup>97</sup> Under the Presidential Directive, education on HIV/AIDS and sexual health is part of the teaching curriculum in schools in the sub-county. Some local organisations are also undertaking sensitisation of young people and children. However, it is unclear whether this education is changing children's behaviour. For example, in focus group discussions, some children said that condoms are too expensive for them, so they often go without.<sup>98</sup> Prostitution among children as young as twelve is also an issue, particularly in areas of high population movement, such as Ntoroko parish.<sup>99</sup> Moreover, facilities for testing and treatment of STIs are often not available. For example, residents of Kanara sub-county have to travel to Karagutu for such services.<sup>100</sup>

Malnutrition is also a major health problem reported by refugees and nationals. Many children in Rwebisengo sub-county reportedly take only one meal of poor nutritional value a day – often cassava, posho or porridge with diluted milk.<sup>101</sup> Individual written statements from children in Butungama Primary School reveal lack of food security as a major source of worry. Some Ugandans complain that the arrival of refugees inflated prices beyond the means of locals and caused food shortages, especially in Kanara and Rwebisengo, where food is imported. In Karagutu, the impact of refugees is ambivalent, since many of them cultivate land, often for wages less than nationals receive.

Government health units are poorly stocked with medication and lack of security means that some of these supplies are looted.<sup>102</sup> As one woman remarked, "The hospital is only a building."<sup>103</sup> Those who cannot afford to buy medication from private pharmacies may die.<sup>104</sup> Some interviewees complained that private pharmacies lack professionals and are simply

---

<sup>95</sup> Focus group discussion #1, women, Ntoroko Parish, 28 October 2004; Interviews #51, Congolese adult female, Ntoroko Parish, 29 October 2004; #54, Ugandan adult female, Ntoroko Parish, 29 October 2004; #63, Ugandan adult male, Kanara Parish, 30 October 2004.

<sup>96</sup> Focus group discussions #29, girls, #33, mixed sex, #34, girls, Karagutu Secondary School, 2 November 2004.

<sup>97</sup> Interview with nurse, Ntoroko Health Unit, 28 October 2004; Interview with NOHECAPA representative, Ntoroko, 28 October 2004; Focus group discussion #1, women, Ntoroko Parish, 28 October 2004.

<sup>98</sup> Focus group discussions #24, boys, Rwebisengo Secondary School, 1 November 2004; #30 and #31, boys, Karagutu Secondary School, 2 November 2004.

<sup>99</sup> Interview #38, Congolese adult male, Ntoroko Parish, 28 October 2004.

<sup>100</sup> Interview with Community Owned Resource Person (CORPS) volunteer, Ntoroko Parish, 29 October 2004.

<sup>101</sup> Focus group discussions #23, boys, Butungama Primary School; #26, boys, #27 and #28, girls, Rwebisengo Secondary School, 1 November 2004; Interview #78, Ugandan adult male, Rwebisengo Parish, 1 November 2004; Interview with representative of Maternal Child Care Centre, Rwebisengo Parish, 1 November 2004; Interview #86, 18-year-old Congolese male, Budiba Parish, 2 November 2004; Interview #87, Congolese adult female, Budiba Parish, 2 November 2004; Interview #89, 13-year-old Congolese female, Budiba, 2 November 2004.

<sup>102</sup> Plenary discussion, research dissemination workshop, Bundibugyo, 22 November 2004.

<sup>103</sup> Interview #20, Ugandan adult female, Ntoroko Parish, 28 October 2004.

<sup>104</sup> Focus group discussion #1, women, Ntoroko Parish, 28 October 2004; Interview #39, Ugandan adult male, Ntoroko Parish, 28 October 2004.

“sellers of drugs”.<sup>105</sup> As one man remarked, “If you have your money, you can open your own drug shop and call yourself a doctor.”<sup>106</sup>

The quality of care in government health units is variable, with many staffed only by nursing assistants, rather than qualified nurses or doctors. Health care workers report being overworked and poorly paid.<sup>107</sup> Some interviewees claimed that health unit workers demanded payment for treatment, even though care is supposed to be provided free by the government.<sup>108</sup>

Government health clinics are inaccessible to many people because they are too far away. For example, the closest health unit to Budiba is in Rwebisengo parish – 5 kilometres away over very poor roads. There are only four vehicles in Budiba that can be hired for USH 50,000 to Rwebisengo and USH 100,000 to Fort Portal.<sup>109</sup> Referral hospitals are also far, with Fort Portal serving as the main referral hospital for Ntoroko County. There is only one ambulance in the whole county, based in Rwebisengo. One family reported paying USH 30,000 for petrol and USH 20,000 for vehicle maintenance to enable their child to be transported in the ambulance to Fort Portal for medical care.<sup>110</sup> Furthermore, a group of children claimed that the ambulance “is only an executive vehicle for sub-county officials”.<sup>111</sup>

Refugees and nationals report discrimination against Congolese in service delivery in government health units. One Congolese adult female recounted the case of a friend’s son: “He was pierced in the leg while at school and when they took him to the health unit, the medical workers ignored the case. It only required minor surgery – sewing up the wound. When his parents learnt that the boy was at the health unit, they took him to a private clinic where he got reliable treatment.”<sup>112</sup> In Karagutu Parish, a Ugandan woman reported that health workers at the government unit had refused treatment to Congolese refugees, saying that they should have gone to Kyaka II camp.<sup>113</sup> Language barriers also contribute to lack of service for Congolese refugees: “If you speak Rutoro at the health unit, they will give you medication, but when you speak Kiswahili, they don’t give you anything.”<sup>114</sup>

Nationals report increased pressure on already stretched health care facilities, supplies and personnel due to the arrival of Congolese in the county.<sup>115</sup> Some say that increased congestion due to refugee movements also led to outbreaks of diseases such as syphilis and cholera.<sup>116</sup>

---

<sup>105</sup> Interview #35, Ugandan young male, Ntoroko Parish, 28 October 2004.

<sup>106</sup> Interview #36, Ugandan adult male, Ntoroko Landing Site, 28 October 2004.

<sup>107</sup> Plenary discussion, research dissemination workshop, Bundibugyo, 22 November 2004.

<sup>108</sup> Interview #108, Ugandan adult female, Karagutu Parish, 3 November 2004.

<sup>109</sup> Interview #88, Congolese adult female, Budiba, 2 November 2004.

<sup>110</sup> Focus group discussion #20, women, Rwebisengo, 1 November 2004.

<sup>111</sup> Focus group discussion #26, boys, Rwebisengo Secondary School, 1 November 2004.

<sup>112</sup> Interview #17, Congolese adult female, Ntoroko Parish, 28 October 2004. Quote translated from Swahili by interviewer.

<sup>113</sup> Interview #108, Ugandan adult female, Karagutu Parish, 3 November 2004.

<sup>114</sup> Interview #110, 20-year-old Congolese female, Karagutu, 3 November 2004. Quote translated from Swahili by interviewer. Also, interview #51, Congolese adult female, Ntoroko Parish, 29 October 2004.

<sup>115</sup> Plenary discussion, research dissemination workshop, Bundibugyo, 22 November 2004.

<sup>116</sup> Interview #6, Ugandan adult male, Ntoroko Parish, 28 October 2004; #7, Ugandan adult male, Ntoroko Parish, 28 October 2004; #50, Ugandan adult female, Ntoroko Parish, 29 October 2004.

### 2.3 Child abuse and neglect

When asked about safety and security issues for children, most authorities and many adults felt that Ntoroko County is safe for children. As one police official remarked, “The safety of children here is not so alarming.”<sup>117</sup> Against the backdrop of the recent ADF conflict and continued instability in eastern DRC, many seemed to think that Ntoroko County now provides relative safety and protection for children. However, this complacency ignores major child abuse and neglect issues, incidents of which coincided with the research team’s trip in the area.<sup>118</sup> Moreover, many children themselves report feeling ‘unsafe’, with security issues often related to precarious socio-economic livelihoods.

Children could easily list dangerous places, many of which they frequented in their daily activities or work. For example, in Kanara sub-county, children said that the lake was dangerous for those who cannot swim, even though many fish and/or load and offload boats. Others identified the national park, where they go to collect firewood, as an unsafe place because the illegality of their activities and the presence of wild animals.<sup>119</sup> Some students pointed out that the physical environment surrounding their schools was unsafe.<sup>120</sup> The transitory nature of life in fishing villages was also identified as contributing to children’s lack of safety: “Our children are completely at risk here because in Ntoroko, as in the traditions of most fish sites, the formula is ever man for himself and God for us all. How can you then say children are well here?”<sup>121</sup>

Beating and maiming children are reportedly widespread throughout Ntoroko County. For example, during the period of field research, a woman tied together her 5-year-old son’s hands, wrapped them in a plastic bag, poured paraffin on them and set them alight, in punishment for the child’s alleged theft of USH 500. When a researcher enquired about the incident at the Ntoroko parish police post, the officers presented the case as an anomaly.<sup>122</sup> However, upon further research in communities in Ntoroko County, several incidents of child abuse and neglect were revealed.<sup>123</sup> As one Ugandan said, “There is a problem here of parents beating children badly, but nothing is done about it.”<sup>124</sup>

Although prohibited under Ugandan law, corporal punishment is widely used in schools in Ntoroko County. For example, when a researcher arrived unannounced at Ntoroko Primary School on 28 October 2004, she witnessed a teacher caning children in the schoolyard. Interviews with adults and children confirmed that “real corporal punishment happens at

---

<sup>117</sup> Interview with Police Constable, Rwebisengo Police Post, 1 November 2004.

<sup>118</sup> These included child rape, extreme physical abuse and beatings. Please see examples cited below for further details.

<sup>119</sup> Focus group discussions #3, girls and #5, boys at Ntoroko Primary School, Ntoroko Parish, 29 October 2004. Also, interview #30, Ugandan adult female, Ntoroko Parish, 29 October 2004.

<sup>120</sup> Focus group discussions, Ntoroko Nursery School, 29 October 2004; Ntoroko Primary School, 29 October 2004.

<sup>121</sup> Interview #14, Ugandan adult male, Ntoroko parish, 28 October 2004. Quote translated from Rutoro by interviewer.

<sup>122</sup> Interview with Police Constable, Ntoroko Parish, Kanara sub-county, 28 October 2004.

<sup>123</sup> Focus group discussions #12 with members of Muslim Youth Association, Ntoroko Mosque, 29 October 2004; #32 with teachers at Karagutu Secondary School, Karagutu Parish, 2 November 2004; Interviews #26, Ugandan adult male, Ntoroko Landing Site, 28 October 2004; #43, 13-year-old Congolese male, Ntoroko Parish, 29 October 2004; #56, Ugandan adult male, Kanara Parish, 30 October 2004.

<sup>124</sup> Interview #64, Ugandan adult male, Kanara Parish, 30 October 2004. Quote translated from Luganda by interviewer.

school, but no one cares”.<sup>125</sup> One 14-year-old Ugandan reported: “When a teacher is not paid, he becomes tough and begins to beat us in class and kick us whenever we fail a number or come late. Since most of the teachers are not on payroll, when you’re beaten, no one helps.”<sup>126</sup> Incidents of teachers beating children, especially boys, were also reported in focus group discussions at several schools.<sup>127</sup>

Interviewees, particularly children, identified child neglect as a major issue for children in Ntoroko County. Some children in focus group discussions linked child neglect to alcohol abuse by parents.<sup>128</sup> Parents who work may leave even very young children unattended for long periods of time.<sup>129</sup> Some children say they would prefer to be with their parents while they are working: “I am safe when I am with my mother at the market because we sit there and mother sells rice until she gets money. As we go back home, she buys biscuits to eat.”<sup>130</sup> Lack of shelter and adequate clothing were also identified as issues for children.

The lack of recreational activities for children was also apparent throughout the County. In particular, girls lack any kind of sporting activity.<sup>131</sup> Most children’s clubs and associations are school-based, which means that those children out of school are doubly penalised in terms of access to activities. Exceptions to this are faith-based groups, such as Sunday schools throughout the county and the Muslim Youth Association in Ntoroko Parish. Both adult and child interviewees identified idleness as a major problem for children and young people. The scarcity of skilled employment was also identified as an issue: “We have no hope because we have no work.”<sup>132</sup> In individual writing exercises, many children identified employment as a future goal so that they could help support their families. Idleness reportedly contributes to drug abuse, especially among boys, in all areas of the County.<sup>133</sup> As one young man in Ntoroko Parish said, “Most of the children are chewing drugs and smoking bangi on the

---

<sup>125</sup> Interview #58, Congolese adult female, Kanara Village, 30 October 2004. Quote translated from Rutoro by interviewer. Also interviews #11, 15-year-old Congolese female, Ntoroko Landing Site, 28 October 2004; #44, Congolese adult female, Ntoroko Parish, 29 October 2004; #77, Ugandan adult male, Rwebisengo, 1 November 2004.

<sup>126</sup> Interview #12, 14-year-old Ugandan male, Ntoroko Landing Site, 28 October 2004. Quote translated from Rutoro by interviewer.

<sup>127</sup> Focus group discussions #4, male students, Ntoroko Primary School, 29 October 2004; #8, male students, Ntoroko Primary School, 29 October 2004; #23, male students, Butungama Primary School, 1 November 2004; #24, male students, Rwebisengo Secondary School, 1 November 2004; #25, male students, Butungama Primary School, 1 November 2004; #34, girls, Karagutu Secondary School; Interview #52, Congolese adult female, Ntoroko Parish, 29 October, 2004.

<sup>128</sup> Focus group discussion #33, mixed sex, and individual written statements by boys and girls, Karagutu Secondary School, 2 November 2004. Also, plenary discussion, research dissemination workshop, Bundibugyo, 22 November 2004.

<sup>129</sup> Interviews #50, Ugandan adult female, Ntoroko Parish, 29 October 2004; #75, Ugandan adult male, Rwebisengo Parish, 1 November 2004; #106, Ugandan adult female, Karagutu Parish, 3 November 2004; #108, Ugandan adult female, Karagutu Parish, 3 November 2004.

<sup>130</sup> Ugandan female nursery school student explaining her community map, Ntoroko Primary School, Ntoroko Parish, 29 October 2004. Quote translated from Rutoro by researcher.

<sup>131</sup> Focus group discussions #2, girls, Ntoroko Primary School, 29 October 2004, and #29, girls, Karagutu Secondary School, Karagutu, 2 November 2004; Interviews #4, 18-year-old Ugandan male, Ntoroko Landing Site, 28 October 2004; #6, Ugandan adult male, Ntoroko Parish, 28 October 2004.

<sup>132</sup> Focus group discussion #6, Muslim Youth Association, Ntoroko Mosque, 29 October 2004.

<sup>133</sup> Focus group discussions #12, Muslim Youth Association, Ntoroko Mosque, 29 October 2004; #20, women, Rwebisengo Parish, 1 November 2004; Interview #48, Congolese adult male, Ntoroko Parish, 29 October 2004; #50, Ugandan adult female, Ntoroko Parish, 29 October 2004.

street.”<sup>134</sup> Other children believe lack of parental care contributes to smoking and drug abuse.<sup>135</sup>

Many children, especially girls, identified their home as a dangerous place.<sup>136</sup> They felt it was unsafe because they were forced to do work and did not have enough time to complete their homework and reading.<sup>137</sup> Others did not like being at home because their presence there attracted unwanted attention from parents who were trying to marry them off. The idea of home as an unsafe area also implies other kinds of domestic abuse,<sup>138</sup> although police officials claim that very few cases are reported.<sup>139</sup>

## 2.4 Sexual violence and exploitation

*“When the children of the poor conceive with children of the rich, the rich will always bribe the police and the case will die a natural death.”<sup>140</sup>*

Interviews suggest that rape and defilement of children, particularly girls, is a widespread problem in the county, but that police do not always take action.<sup>141</sup> For example, a 9-year-old girl in Rwebisengo was gang raped in May 2004, causing major injury from which she is still suffering. Although the case has been reported to the police and local authorities, they have undertaken little follow-up.<sup>142</sup> While the research team was in the area, another child rape occurred. However, when a researcher went to the local police post for more information, the officer said, “defilement is there, but it is not very common”.<sup>143</sup> Police officials also cite lack of adequate evidence, prison facilities and resources for transportation and communication as barriers to prosecution of cases of sexual violence.<sup>144</sup>

Interviews with Ugandans and Congolese revealed allegations of corruption in cases of defilement: “Children of the poor are not safe here. When the daughter of a poor person is defiled, the rich give money to silence the concerned parties and government representatives

<sup>134</sup> Interview #35, Ugandan young male, Ntoroko Parish, 28 October 2004.

<sup>135</sup> Focus group discussion #34, girls, Karagutu Secondary School, 2 November 2004.

<sup>136</sup> Focus group discussions #18, girls, Butungama Primary School, Rwebisengo Parish, 1 November 2004; #19, girls, Rwebisengo Senior Secondary School, Rwebisengo Parish, 1 November 2004; and, #29, girls, Karagutu Secondary School, Karagutu, 2 November 2004.

<sup>137</sup> Focus group discussions #28, girls, Rwebisengo Secondary School, 1 November 2004, and #29, girls, Karagutu Secondary School, 2 November 2004.

<sup>138</sup> Focus group discussions #8, boys, Ntoroko Primary School, 29 October 2004; #17, teachers, Rwebisengo Secondary School, Rwebisengo Parish, 1 November 2004; #27, girls, Butungama Primary School, Rwebisengo, 1 November 2004.

<sup>139</sup> Interview with Police Official, Ntoroko Parish, 28 October 2004.

<sup>140</sup> Focus group discussion #20, women, Rwebisengo Parish, 1 November 2004. Quote translated from Swahili by interviewer.

<sup>141</sup> Interviews with Police Official, Karagutu Police Station, 2 November 2004; #7, Ugandan adult male, Ntoroko Parish, 28 October 2004; #58, Congolese adult female, Kanara Parish, 30 October 2004; #65, Ugandan adult male, Kanara Parish, 30 October 2004; #99, 15-year-old Congolese girl, Karagutu Parish, 3 November 2004; #106, Ugandan adult female, Karagutu Parish, 3 November 2004; #108, Ugandan adult female, Karagutu Parish, 3 November 2004.

<sup>142</sup> Documentation from health and police authorities viewed by research team, 1 November 2004. Follow-up on this case only occurred after a member of the research team made repeated enquiries.

<sup>143</sup> Interview with Police Constable, Rwebisengo Police Post, 1 November 2004.

<sup>144</sup> Discussions with police officials, Research dissemination workshop, Bundibugyo, 22 November, 2004; Community action plan workshops, Karagutu, Rwebisengo and Kanara sub-counties, 26 November 2004.

like police.”<sup>145</sup> Cases of rape and defilement often involve close friends or relatives, sometimes parents, so families are unwilling to report them to police and try to resolve the issue amicably.<sup>146</sup> Some parents may also settle out of court if the offender is willing to marry the girl and/or pay compensation.<sup>147</sup> Some cases that are taken to Special Branch reportedly do not get any further because of corruption of officers.<sup>148</sup>

Girls in focus group discussions identified the fear of rape as they walked along the roads to school as a major safety issue for them.<sup>149</sup> “I feel unsafe when I am going back home from school because there are people on the way who sometimes rape girls. I befriend some other students so I can walk with them and feel more safe.”<sup>150</sup> Early marriage and pregnancy were also identified as worries in many focus group discussions and the majority of individual written statements by girls in the secondary schools visited.<sup>151</sup> Health officials confirm that early pregnancies are common.<sup>152</sup> In individual written statements, several girls said that they were subject to sexual advances and harassment by male teachers: “At school, some teachers demand for sex. If you refuse, whenever he comes to class he tells you to get out from his lesson. I fear going to school alone because I may be raped. [...] I would like to know, if you are asked for sex, what should you do to avoid such circumstances?”<sup>153</sup>

Sexual intercourse with minors in exchange for money or small gifts was also reported, especially in Kanara sub-county, where there is a high transient population of traders, businesspeople and fisherpeople. The police reportedly turn a blind eye to such activities.<sup>154</sup> Some interviewees cited the lack of economic activities for young people as a reason for the high level of underage prostitution and commercialised sex.<sup>155</sup> Girls in Rwebisengo and Karagutu also reported some minors engaging in prostitution or casual sex to pay for school fees, supplies and food.<sup>156</sup> As one girl wrote, “We don’t get lunch at school so we girls sometimes get deceived by boys with money which leads us into problems. That is to say, a girl can’t refuse money when she is hungry. But, she can’t eat the boy’s money for nothing.

---

<sup>145</sup> Interview #112, Ugandan adult female, Rwebisengo, 1 November 2004. Quote translated from Rutoro by interviewer.

<sup>146</sup> Interviews #67, Ugandan adult female, Kanara Parish, 30 October 2004; with NGO representative who requested anonymity, Karagutu Parish, 2 November 2004. Also, discussions in community action plan workshops, Karagutu, Rwebisengo and Kanara sub-counties, 26 November 2004.

<sup>147</sup> Focus group discussions and individual written statements, boys and girls, Karagutu Secondary School, 2 November 2004.

<sup>148</sup> Interview with high-ranking police official who requested anonymity, Bundibugyo, 23 November 2004.

<sup>149</sup> Focus group discussions #10, #18 and #27, girls, Butugama Primary School, Rwebisengo Parish, 1 November 2004.

<sup>150</sup> Individual written statement, girl, Rwebisengo Secondary School, 1 November 2004.

<sup>151</sup> Individual written statements, girls, Rwebisengo Secondary School, 1 November 2004 and Karagutu Secondary School, 2 November 2004.

<sup>152</sup> Interview with nurse, Ntoroko Health Unit, 28 October 2004.

<sup>153</sup> Individual written statement, 16-year-old Ugandan female, Karagutu Secondary School, 2 November 2004. This issue was also raised in the research dissemination workshop, Bundibugyo, 22 November 2004.

<sup>154</sup> Interview #22, Ugandan adult male, Ntoroko Parish, 28 October 2004.

<sup>155</sup> Interviews #11, 15-year-old Congolese female, Ntoroko Landing Site, 28 October 2004; #48, Congolese adult male, Ntoroko Parish, 29 October 2004; #57, Ugandan adult female, Kanara Parish, 30 October 2004.

<sup>156</sup> Focus group discussions, girls, Rwebisengo Secondary School, 1 November 2004 and Karagutu Secondary School, 2 November 2004.

Therefore, please try to help us girls.”<sup>157</sup> A police official in Karagutu also confirmed cases of child prostitution.<sup>158</sup>

The marriage of children under 18 years of age is prohibited under Ugandan law, but is reportedly widespread in areas of Ntoroko County. Often, there are economic benefits to a family when a daughter is married, since the family not only has one less mouth to feed, but also receives dowry from the groom’s family: “When parents look at girls, they often see the possibility of gaining goats or cows.”<sup>159</sup> As one girl wrote, “My parents are poor enough so I am suffering from many problems like early marriage.”<sup>160</sup> At times these under-age marriages are registered with local authorities: “The authorities are aware that it is illegal, but they don’t make an alarm.”<sup>161</sup>

## 2.5 Crimes against children and children in conflict with the law

While some police officers report that they have received child rights training, there is a widespread lack of awareness and sensitivity on child abuse issues. Moreover, few or non-existent female staff in some police posts could present a barrier to reports of rape, defilement and domestic abuse. The treatment of minors accused or convicted of an offence or crime is also a major area of concern in the county. In Rwebisengo sub-county, a police representative admitted that they do not have adequate facilities for children accused of crimes<sup>162</sup>. For example, they do not have separate detention facilities for children, a minimum requirement for juvenile justice under international law,<sup>163</sup> as recognised in Section 89 of Uganda’s Children Statute.<sup>164</sup>

Interviewees reported a perception of discrimination against refugees in terms of follow up for crimes and offences against children. Some claimed that local authorities and police do not take up complaints made by refugees, or demand ‘*chai*’ (bribes) before doing so.<sup>165</sup> Refugee children also reportedly face heavier fines and punishments if convicted of crimes/offences.<sup>166</sup> For example, a Ugandan interviewee in Ntoroko Parish said, “When a Congolese kid does something wrong, it is taken very badly as compared to when a Ugandan child does it. For example, no child is allowed to bathe in the lake and when a Ugandan child is caught bathing, it’s forgiven but a Congolese child is beaten.”<sup>167</sup> One researcher witnessed

---

<sup>157</sup> Girl, individual writing exercise, Karagutu Secondary School, 2 November 2004.

<sup>158</sup> Interview with Police Official, Karagutu Police Station, 2 November 2004; Interview #106, Ugandan adult female, Karagutu Parish, 3 November 2004.

<sup>159</sup> Interview with Member of Parliament, Karagutu, 3 November 2004.

<sup>160</sup> Written statement from 15-year-old Ugandan girl, Butugama Primary School, Rwebisengo Parish, 1 November 2004.

<sup>161</sup> Focus group discussion #16, teachers at Butugama Primary School, Rwebisengo Parish, 1 November 2004.

<sup>162</sup> Interview with police constable, Rwebisengo parish, 1 November 2004.

<sup>163</sup> The separation of minors from adults in detention is one of the oldest and most basic United Nations standards for juvenile justice, first set by the UN in 1957. It became part of treaty law in the International Covenant for Civil and Political Rights (Article 10), and is repeated in the UN Standard Minimum Rules for the Administration of Juvenile Justice 1985 (Rules 13, 26), in the UN Rules for the Protection of Juveniles Deprived of their Liberty 1990 (Rule 29), and again in the Convention on the Rights of the Child (Article 37(c)).

<sup>164</sup> Government of Uganda, *The Children Statute: The Simplified Version: English*, 1996.

<sup>165</sup> Interviews #21, Congolese adult male, Ntoroko Parish, 28 October 2004; #100, Congolese adult female, Karagutu Parish, 3 November 2004; #108, Ugandan adult female, Karagutu Parish, 3 November 2004.

<sup>166</sup> Interview #104, Ugandan adult female, Karagutu Parish, 3 November 2004.

<sup>167</sup> Interview #27, Ugandan adult male, Ntoroko Landing Site, 28 October 2004. Quote translated from Luganda by interviewer.



a defence secretary in Ntoroko Parish manhandling a Congolese boy suspected of theft. As he escorted the boy with his hands tied, the defence secretary verbally abused him: “I am going to stone this Congolese boy because these boys have done us harm by stealing most of our property.” When the researcher tried to intervene, the defence secretary shouted: “Get out of my sight! You are the very people who make these refugees big headed. Now if we take him to the police, you’re going to get him off lightly. So, it is better that he die now.” The incident was only resolved when the victim of the theft convinced the man to release the boy. Even after this had been agreed, a member of the crowd that had gathered around slapped the boy hard on his face, without anyone intervening to protect the child.<sup>168</sup>

## 2.6 Vulnerability

*“I came here without anything and now I am surviving because of my own intelligence.”<sup>169</sup>*

The education, health and child abuse issues identified above are communal issues that affect all children in Ntoroko County, albeit in different ways and to different degrees. While recognising these differences, and the discrimination that certain children face because of their nationality, sex or socio-economic status, interviewees were often reluctant to categorise particular groups of children as especially ‘vulnerable’ or in need of additional protection. As one CBO representative said, “Orphans and refugee children are still children.”<sup>170</sup>

This highlights the importance of taking a holistic, rather than a category-based, approach to child protection issues. Categorisation is often done with practical considerations in mind, to provide more effective analysis, programming and policy. However, it can be detrimental when it stigmatises certain groups, creates artificial dividing lines, privileges (or is perceived to privilege) some over others, and/or creates overlapping conceptualisations of vulnerability. These considerations are especially important in contexts such as Ntoroko County, where there is widespread poverty and very scarce resources. Many nationals already feel some hostility towards refugees who received assistance when Ugandans who were in similarly difficult positions did not. As one Ugandan said, “It is not easy to identify who is a refugee because some of them are leading a better life than local members.”<sup>171</sup> Interventions should be aimed at improving access to, and quality of, education and health services for all children, while reducing barriers that some may face because of their nationality.

## 3 COMMUNITY RESPONSES

*“The most unfortunate thing is that no one has done anything about the plight of the children. The children also have nowhere to go in case they have a problem because no one seems to care.”<sup>172</sup>*

Under Uganda’s Children Statute, “all Local Councils have a duty to protect the well-being of children in their area” (Section 11, subsection 8). This means that the primary

---

<sup>168</sup> Eyewitness account from researcher, field notes, Kigungu, Kanara, 28 October 2004. Quotations translated from Rutoro by researcher.

<sup>169</sup> Interview #41, unaccompanied 18-year-old Congolese male, Ntoroko, 29 October 2004.

<sup>170</sup> Interview with NOHECAPA representative, Ntoroko, 28 October 2004.

<sup>171</sup> Interview #57, Ugandan adult female, Kanara Parish, 30 October 2004. Quote translated from Rutoro by interviewer.

<sup>172</sup> Interview #26, Ugandan adult male, Ntoroko Landing Site, 28 October 2004. Quote translated from Luganda by interviewer.

responsibility for addressing the child protection issues identified above rests with the local government systems. While recognising the limited resources of local authorities and the overwhelming needs in a post-conflict context, many interviewees felt that not enough had been done to address children's and refugee issues.<sup>173</sup>

Leaders are also not necessarily responsive and accountable to the people who are affected by their decisions: "On the LC committees, the elders are concerned about other elders issues and in the end the youth are neglected, unlike if the youth committees are led by the youth themselves."<sup>174</sup> The majority of officials dealing with children's issues are older males, while Ugandan nationals often speak on behalf of refugees. Allegations of corruption were also widespread: "We normally see a number of things coming here, but they are taken to the chairman's home. These leaders also sell the things like books which are brought for the children to use at school."<sup>175</sup> This has led some to lose faith in the government. "The leaders simply eat whatever is sent. We are fed up of voting for LCs and MPs when they are just as good as useless."<sup>176</sup>

Many felt that Ntoroko County was marginalised from decisions taken at District headquarters in Bundibugyo. Moreover, some felt that Bundibugyo as a District was not a major concern to the central government. Many feel that those with power and resources are not investing in the county: "Ntoroko is like some forgotten world. Our health unit is very poor, our roads are very poor and so are community members are very poor."<sup>177</sup>

Despite feelings of isolation and limited resources, some community organisations are undertaking initiatives to improve the situation for children. Religious groups in many communities are providing tangible assistance and support to both children and refugees. For example, Ntoroko Catholic Church has been hosting approximately 150 refugees and their children in its small sanctuary and surrounding land for about two years.<sup>178</sup> The same church also houses a nursery school. The wear and tear of extended use is apparent in the state of the church and its limited furniture. In Karagutu, the Pentecostal church, Karagutu Christian Fellowship provides shelter and assistance for refugees.<sup>179</sup> As mentioned above, religious organisations are one of the only opportunities for non-school-based activities for children, and children identified religious institutions as 'safe places' in focus group discussions.<sup>180</sup> Moreover, religious institutions provide a forum for different groups to intermix. Sharing a common faith has helped refugees and nationals to overcome possible differences. As one Ugandan man said, "The refugees have helped us spiritually."<sup>181</sup>

Women's groups in Ntoroko and Rwebisengo are engaging in revenue-generating activities in an attempt to provide more services for children. Children and young people are also

---

<sup>173</sup> Interviews with members of Karagutu Disaster and Refugees Management Committee, Karagutu, 3 November 2004.

<sup>174</sup> Focus group discussion #12, members of Muslim Youth Association, Ntoroko Mosque, 29 October 2004.

<sup>175</sup> Focus group discussion #20, women, Rwebisengo Parish, 1 November 2004. Quote translated from Swahili by interviewer.

<sup>176</sup> Interview #64, Ugandan adult male, Kanara Parish, 30 October 2004.

<sup>177</sup> Interview #22, 22-year-old Ugandan male, Ntoroko West, 28 October 2004.

<sup>178</sup> Interview with Priest, Ntoroko Catholic Church, 29 October 2004.

<sup>179</sup> Interview with Pastor, Karagutu Christian Fellowship, 3 November 2004.

<sup>180</sup> Focus group discussions #5, boys, Ntoroko Primary School, 29 October 2004; #9, mixed sex, Ntoroko Nursery School, 29 October 2004; #23, boys, Butungama Primary School, 1 November 2004.

<sup>181</sup> Interview #71, Ugandan adult male, Rwebisengo, 1 November 2004.

collectively responding creatively to their situation. For example, the Muslim Youth Association in Ntoroko Parish is collecting USH 500 per week from its members as a contribution towards its development fund. They want to support children above five years old in developing socio-economic activities.<sup>182</sup>

Many of these community initiatives rely on the goodwill of volunteers. While some individuals, such as community owned resource persons (CORPS), have been trained on child rights by organisations like Save the Children, others lack technical expertise in the areas in which they are working. There is also a general lack of transparent accounting structures: “There are very many people who are just pocketing the children's money.”<sup>183</sup> Involvement of local politicians and government officials in many CBOs and NGOs, while perhaps providing the necessary political will to help initiatives move forward, could compromise the independence of these organisations.

#### **4 CONCLUSION AND RECOMMENDATIONS**

The legacy of conflict and consequent displacement and poverty in Ntoroko County, Bundibugyo District provides a difficult context in which children live. Basic education and health services are extremely limited, while child neglect, abuse and rape are widespread. All children in Ntoroko County face these child protection issues, but refugee children encounter additional challenges because of language barriers, lack of social support structures and discrimination. The following recommendations are intended to improve access to quality education, healthcare and child protection mechanisms for all children, including refugee children, in Ntoroko County.

1. Local and international NGOs should strengthen the capacity of community-based organisations (CBOs) to monitor, report on and address child protection issues. CBOs should be encouraged to increase their independence from local authorities in order to undertake more effective monitoring of government policy and programming. CBOs should sensitise community members on child rights and provide information to children and parents on where to go for assistance in cases of abuse.
2. Local government structures and CBOs should facilitate the participation of children and young people in decision-making. Transparent accountability mechanisms should be put in place to account for monies allocated for children’s issues.
3. District, sub-county and local education authorities should improve access to quality education for all children in Ntoroko County. They should work with local authorities and community leaders to sensitise parents on the value of education, particularly for girls. Non-formal education opportunities should be created for working children. Access to secondary education and vocational training should also be improved. Education authorities should work to motivate teachers to provide quality education and take disciplinary action in the case of unexplained absences and corporal punishment. Local children should be encouraged in their future hopes to become teachers to fill the current

---

<sup>182</sup> Meeting with Muslim Youth Association representative, Ntoroko Mosque, 29 October 2004.

<sup>183</sup> Interview #36, Ugandan adult male, Ntoroko Landing Site, 28 October 2004.

lack of qualified indigenous teaching staff. The Ministry of Education should also increase its supervisory and monitoring activities in Ntoroko County.

4. District, sub-county and local health authorities should improve access to quality health services in Ntoroko County. Health units should be adequately stocked with basic medication and transportation to referral hospitals for emergency cases should be facilitated. Sensitisation on communal health and sanitation issues and greater access to clean water could avoid and/or attenuate the spread of preventable diseases among children. Authorities should provide young people with greater access to information and services regarding reproductive health and STIs, including HIV/AIDS. The Ministry of Health should also increase its supervisory and monitoring activities in Ntoroko County.
5. Police, parents and community leaders should promote greater awareness of, and action against, child rape, defilement and marriage. The current culture of impunity surrounding sexual abuse should be addressed by prosecuting individuals responsible for such crimes and increasing investigations on these issues, including possible cases of sexual abuse of boys, which are historically under-reported.
6. All police officials should be trained on juvenile justice requirements and should work towards their implementation. Police should also be trained in human rights issues, particularly those related to refugees and children.
7. Local authorities, NGOs and CBOs should develop recreational activities, microfinance opportunities and income-generating initiatives for children who are out of school. Such activities should target older children who cannot afford secondary education.
8. Local authorities, community leaders and CBOs should facilitate dialogue between Congolese and Ugandans, promote inclusive community activities, and provide mechanisms for dispute resolution and reporting incidents of discrimination in service provision. Refugee leadership should be encouraged.
9. Given the history of displacement in region, and potential for further displacement in the future, the Ugandan government and local leaders should strengthen the capacity of communities in conflict and disaster preparedness. This could include establishing community-based registration systems for refugees and IDPs, with particular attention to unaccompanied minors, and developing strategies to reduce possible recruitment of children.
10. Local authorities, community leaders and CBOs should strengthen and improve the capacity of families to earn income and expand their functional knowledge of child welfare. Regular community information sessions on child rights should be undertaken to raise awareness and propose collective actions to reduce the incidence of child abuse, neglect and exploitation.

**BIBLIOGRAPHY**

Dryden-Peterson, Sarah. (2003) "Education of Refugees in Uganda: Relationships Between Setting and Access." RLP Working Paper No. 9: Kampala, Uganda.

Government of Uganda. (1996) *The Children Statute: The Simplified Version: English*.

Hovil, Lucy and Eric Werker. (Forthcoming) "Portrait of a Failed Rebellion: An Account of Rational, Sub-optimal Violence in Western Uganda." In *Rationality and Society*.

IRIN. (2002) "Special Report on Displacement in the West." UN OCHA, 29 May 2002.

IRIN. (2004) "Great Lakes: Threat of Regionalisation Hangs over Congolese Conflict." UN OCHA, 3 December 2004.

IRIN. (2004) "DRC-Rwanda: MONUC Spots Suspected Rwandan Soldiers in Eastern Congo." UN OCHA, 1 December 2004.

IRIN. (2004) "DRC-Uganda: Kampala Deploys Troops along Border with Congo." UN OCHA, 1 December 2004.

IRIN. (2004) "DRC: Thousands Reportedly Begin to Flee Troubled East." UN OCHA, 1 December 2004.

The Monitor. (2004) "Uganda Deploys at DR Congo Border." *The Monitor*, 2 December 2004.

The Monitor. (2004) "Rwanda Silent on Congo Invasion." *The Monitor*, 2 December 2004.

The Monitor. (2004) "Rwanda Battles Rebels in Congo." *The Monitor*, 3 December 2004.

The Monitor. (2004) "No New Troops at Border'." *The Monitor*, 3 December 2004.

Oxfam, Kabarole Research Institute and DED-Uganda. (2002) "The Challenges and Hopes for Protection and Resettlement of Internally Displaced People in the Rwenzori Region, with Policy Recommendations." Mimeo, Kampala: 8<sup>th</sup> February 2002.

Refugee Law Project. (2003) "Displacement in Bundibugyo District: A Situation Analysis." RLP Working Paper No. 10: Kampala, Uganda.

UNHCR. (1994) *Refugee Children: Guidelines on Protection and Care*.