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Access of Unaccompanied Refugee Children to Primary Education in Kisenyi, Kampala: Vulnerabilities, Rights and Experiences

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Contents

List of Appendices

List of Acronyms

BIA	Best Interest Assessment
BID	Best Interest Determination
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CMS	Client Management System
CRC	Convention on Rights of the Child
DRC	Democratic Republic of Congo
ESIP	Education Sector Investment Plan
FGD	Focus Group Discussion
GoU	Government of Uganda
HIAS	Hebrew Immigrants Aid Society
IDP	Internally Displaces People
ISS	International Institute of Social Studies
JRS	Jesuit Refugee Service
MDGs	Millennium Development Goals
NGO	Non-Governmental Organisations
NRM	National Resistance Movement
OPM	Office of the Prime Minister
RLP	Refugee Law Project
SRS	Self-Reliance Strategy
UN	United Nations
UNHCR	United Nations High Commission for Refugees
UNICEF	United Nations International Children Emergency Fund
URC	Unaccompanied Refugee Children/Child
UPE	Universal Primary Education

Acknowledgements

Abstract

This study is about Unaccompanied Refugee Children (URC) living in Kampala, their foster parents, and their experiences of accessing primary education. The study aims to share experiences of Unaccompanied Refugee Children (URC) and their foster parents, living in Kampala, outside the refugee settlement areas. Using the sociological concepts of vulnerability, access, and right to education as part of enhancing capabilities, the study combined these lenses through which the experiences of URC and their foster parents were analysed and better understood. The study included both those who were in primary school, and those who were not attending primary school. To have a clearer understanding of the challenges, obstacles and strategies that enable, or do not enable, URC to access primary education, several sets of perspectives were explored. These included the points of view of foster parents, teachers, and of the children themselves, first about the Ugandan primary education system, and second about these children's experiences within this system. I narrowed down the study area to a renowned slum area in the centre of Kampala, Kisenyi. This area has a predominantly refugee population, an estimated 95 per cent of the total. I conducted a qualitative study through the use of focus group discussion with children, and individual interviews to collect more data. One key finding was a clear distinction between making school places available for URC and ensuring their ability to access such places and do well in school. Others key findings are that poverty is the main obstacle to access for those URC not in primary school. Language barriers were also significant. Some participants suggested formal mainstream school did not meet their practical, job-seeking ambitions. Overall the study finds partners involved, including government, NGOs and support organisations, could more effectively cooperate to support the URC and foster parents. The government may need to revisit the Refugee Act of 2006, so this group of children can also be assisted in urban areas, to enjoy their right to primary education, and not only in the formal refugee settlements.

Relevance to Development Studies

For Unaccompanied Refugee Children, access to primary education is a crucial element in their wellbeing and in the overall development of the refugee community. Unfortunately, many URC are faced with challenges that restrict their access to primary education in practice. The studies on URC access to primary education are quite limited, and mostly focus on the global North (Canada, Australia, UK, US). This study aims to contribute to the body of knowledge that seeks to understand the challenges faced by URC in their effort to search for primary education. The findings will be relevant for those involved in trying to ensure that URC can access primary education.

Keywords

Chapter 1: Refugee Children's Education: When Availability does not Translate into Access

1.0. Introduction

This chapter will introduce the research problem, questions and touch on ethics of field research with Unaccompanied Refugee Children (URC) and their foster families. As the largest demographic age group amongst any refugee population all over the world; refugee children account for more than 50% of the overall global population of forcibly displaced (UNHCR, 2015; Mayer et al., 2008). Among these children, those separated from their families or caregivers, who are typically referred to as unaccompanied minors are the most vulnerable (McNamara, 1998; UNHCR, 1999; Clark, 2007).

> "Unaccompanied refugee children are a vulnerable group: they live not only in a relatively difficult situation as minor refugees staying in another country, but also face other risks due to the absence of their parents, such as traumatic experiences, exploitation or abuse" (Derluyn and Broekaert, 2008: 319).

The term "unaccompanied minors" has been adopted by United Nations High Commission for Refugee (UNHCR) and United Nations International Children Emergency Fund (UNICEF) to describe a person below the age of 18 years, who is separated from their parents and are not formally under the care of any adult by custom or law responsible for them, at the time of becoming refugees. This includes minors on their own and without any adult supervision, as well as minors with other siblings and who, as a group, do not have any adult supporting or caring for them. Some unaccompanied minors are with informal foster families, and this was the case for the URC who were involved in this study (UNICEF, 1994; UNHCR, 2008).

It is apparent that the right to education is both a human right in itself and an enabling right that makes it possible for children to access other rights. Overall, "education provides skills that people need to reach their full potential and to exercise their other rights, such as the right to life and health" (INEE 2010:7). Global commitments in the Convention on the Rights of the Child (CRC) and the Convention on Refugees have prioritised refugee children's access to education as a human rights goal that can be linked to poverty reduction and improving the lives of children, families and the community as a whole. For instance, the rights of all children to access compulsory and free primary education regardless of status and nationality was clearly stipulated in Article 28 of the CRC. Article 22 of the 1951 Convention relating to the Status of Refugees also clearly articulated the right of refugees to primary education. The Universal Declaration of Human Rights of 1948 article 26 acknowledged mandatory primary education as a prerogative that is Universal while article 10 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) of 1979 safeguards the educational rights of both males and females. Others include the Human Right Councils resolution 64/290 of July 2010 at the United Nations General Assembly on the right to education during emergencies situation, and the Human Rights Council draft resolution on the right to education for asylum seekers, refugees, and migrants.

Nevertheless, Article 22 of the Convention guarantees the right of any child who is seeking refugee status, whether accompanied or unaccompanied by his or her parents or by any other person, to receive appropriate protection and humanitarian assistance. It is the obligation of state parties that are signatory to the convention on child rights to ensure that the children are not in any way, subtly or blatantly denied primary educational opportunities. Unfortunately, the main international institution involved, the UNHCR consistently promotes educational policies for refugees that address mainly emergency education in settlements and camps rather than for urban refugees (Dryden-Peterson, 2015:7). These provisions are restrictive and mean that the 1989 CRC provisions that mandated signatories and state parties should not wait for refugees to return home in order to receive primary education, are not being respected fully in UNHCR practices. In Uganda, with a policy of providing humanitarian assistance only to refugees in camps, urban refugees are relatively neglected. As will be discussed later, when we look at the key findings of this study, this neglect means that URC in urban areas of Uganda are often invisible to humanitarian assistance policy makers and to bodies responsible, like UNHCR and the Ugandan government.

By the end of 2015, the total number of asylum seekers and refugees in Uganda was more than half a million with children under 18 estimated to be approximately 65 percent of the refugee population (UNICEF 2016; UNHCR, 2015). Refugee children generally face a difficult situation, since among: "refugee children between the age of 5 to 17 years in Kampala [they] face the unfortunate reality [that]…approximately 59% have no access to formal primary education" (Tamuka News, 2013: no page). Among URC, this figure is likely to be an underestimate. This figure is also broadly in line with February 2012 UNHCR statistics, which show that just those attending school represented just: "5,198 refugee children studying in Kampala out of a population of 12,666" (Tamuka News, 2013: no page).

The notion of open access to primary education especially, is at the heart of the UNHCR's refugee education policy. The revised policy document on refugee education of 1995, for example, stated clearly that children and youth who have become refugees because of fleeing their homes should continue to have access to education and training throughout the asylum handling process, whether they obtain refugee status or not (UNHCR, 1995:8). A number of other factors outside the control of UNHCR, but dependent mainly on government, constrain realisation of this set of rights. These include the location of primary education, the availability of sufficient classrooms and teachers, as well as payments and costs that have to be met by foster parents. Infrastructure also needs to be adequate, and security risks need to be taken into consideration inside the school and the settlement (Kupfer, 2016:4). All these factors are crucial for URC to exercise their right to access safe spaces for learning in primary school in Uganda.

1.1. Statement of the Problem

Unaccompanied refugee children, who live under harsh and challenging conditions; are one of the world most vulnerable groups (Odello 2007:779). Uganda's government's policy is of claimed generosity for refugees and asylum seekers in

general, through the promotion of "inclusive primary education". This is intended to allow refugee children whether accompanied or not to study in mainstream schools rather than having segregated primary educational arrangements. Even so, in practice, accessing primary education for most urban refugee families is challenging.

Generally, as pointed out by Dryden-Peterson (2003:12), refugee participation in education has been quite low in Uganda in the past. The Refugee Act 2006 was supposed to make improved provision for asylum seekers and refugees who reside in cities like Kampala, and providing access to public services including primary education. Access to schooling, by itself, is not enough on its own, because it fails to overcome adverse psycho-cultural factors that impede participation (Boshier, 2006:28). This study will explore why URC in particular still find it difficult to access primary education. A clear distinction can be made between making schools available and the ability of this specific group of vulnerable children to access primary education on a regular basis, and successfully.

Various studies (UNHCR 2009; Kobia & Cranfield: 2009; Dryden-Peterson, 2011; Grossman et al., 2013; Dryden-Peterson 2014; Boze, 2015) have revealed that in Uganda, urban refugees encounter a multiplicity of exceptional difficulties that are unique in comparison with the refugees that resides in camps. The encampment policy assumes that those refugee families that opt to reside in urban areas are financially capable of catering for themselves and their households and therefore they are not provided with rights to any form of welfare support or services. Regrettably, this assumption fails to take into consideration why refugees settle outside camp areas. They remain at risk and vulnerable population.

It is imperative to emphasise at this juncture that the implementation of Universal Primary Education (UPE) in Uganda did not imply free education at the point of access. Parents, foster parents and guardians (whether refugees or not) are all expected to play their part in financially supporting children's primary education. Costs vary, and can include books and writing materials, uniforms, food, and in some cases Parent Teacher Association levies to support the school building. The implication of this is that despite the appellation of 'free primary education', parents incur extra costs from various school charges, and these are equivalent to nominal fees, since if they are not paid, access to schooling can be denied.

Forced migration, economic crisis, and conflict have disrupted the primary education of thousands of school-aged children that are now living in Kampala. Since the refugee population in Kampala is not homogenous, their experiences and degree of vulnerability in accessing their right to primary education can be expected to differ. The few studies conducted on their situation (Halvorsen, 2002; Wiese & Burhorst, 2007) suggest that many, if not most URC experience depressive symptoms and psychiatric disorders, and more than those that arrive in the host country accompanied by parents or family members. As a result, among all refugee children, URC are regularly referred to as the most vulnerable (Mels et al., 2010; Derluyn & Broekaert, 2007; Halvorsen, 2002). Compared with other child refugees who are accompanied, URC experience an increased sense of danger and vulnerability (Betancourt & Khan, 2008). To have a clear understanding of the challenges and obstacles that hinder URC in Kampala from accessing primary education, this study will consider the challenges they face. From the perspectives of foster parents, teachers, and the children themselves,

the concepts of vulnerability, access, and rights will be used as a lens to engage in critical analysis of experiences shared by children and parents, and views of service providers. The rationale behind this approach is to investigate the experiences of URC and their foster families in seeking to access primary education and to understand how the experiences can impact on future refugee policy in Uganda. To achieve this, I narrow down the study area to a renowned slum, Kisenyi at the centre of Kampala, dominated by 95% refugee population to conduct a qualitative study through the use of Focus Group Discussion (FGD) and interview to collect data.

1.2. Unaccompanied Refugee Children and their 'Right' to Education: Exploring the Gaps

Unlike many other countries that host refugees, Uganda is considered to have one of the most generous and liberal refugee policies in the world, one that accommodates almost all international commitments on refugees and asylum seekers rights (Dryden-Peterson, 2011; UNHCR, 2015; Schlindwein, 2016). According to the law, anyone who finds their way to Uganda because of crisis and emergencies from any neighbouring country should be accorded the rights stipulated in the Refugee Act 2006. They can access employment, education, build a house and can even own a piece of land if they are able to buy it (Grossman et al., 2013; UNHCR, 2015: 1). Uganda operates a non-camp policy under the Refugee Regulation Act (2010), and refugees are allowed freedom of movement, the right to work, the right to own a business and to own property, access to Ugandan primary education and health care, and implicitly refugees have access to secondary schools (UNHCR, 2015: 55).

By and large access to education depends on the refugee governance structures and asylum policies in different locations and at different historical times (Dryden-Peterson, 2011:13). The Government of Uganda (GoU) has stated its commitment to UPE and the protection of the refugee interest. The enrolment rate of refugee children into primary schools has, however, failed to increase since the enactment of the refugees' policy of 2006 that replaced the Uganda Control of Alien Refugee Act of 1960 (Boze 2015:2). The latter was judged to inhibit the freedom of refugees to acquire primary education and other basic needs because refugees were expected to reside in designated settlements and refugees that decided to live in urban centres were subjected to arrest and exclusion from public services.

The Refugee Act 2006 permits refugees to decide on whether they want to settle in any part of Uganda, including Kampala. Section 32 (1) of the Refugee Act 2006 states: "Refugee children shall be accorded the same treatment as nationals in elementary education." The same section 32 (2) of the Refugee Act emphasises the state's obligation in line with the 1951 Geneva Convention Relating to the Status of Refugees, the Convention on the Rights of the Child, and the 1981 African Charter on the Rights and Welfare of the Child. The right of a child to education thus applies, regardless of the child's legal guardians or parent's status, nationality, origin, sex or race among others. However, it seems a significant number of urban refugee children have been prevented from accessing primary education in Kampala due to factors which this study will explore,

4

and which include the affordability of primary schooling charges, poverty, language barriers, and perhaps also discrimination.

The literature on the education of URC is limited in its scope, focusing primarily on education within the confines of the camp structure (Dryden-Peterson 2003:7-8). In most countries, Uganda inclusive primary education of refugee children takes place in a multiple and diverse setting. According to my working experience, primary education of refugees in Uganda can be elucidated in four distinct settings.

The first setting is whereby children attend schools sponsored by UNHCR. Schools sponsored by the UNCHR follow the international guidelines for primary education instead of the stipulations of the UPE initiatives in Uganda. This primary education is usually accessible to refugees living in the camps. Secondly, refugees that live outside the camps often enrol their children in regular Ugandan public schools. Thirdly especially in the urban centres where education may be expensive, and therefore inaccessible to the poor, some refugee children can access open learning centres. In these facilities, refugees or even Ugandan citizens act as teachers, and provide primary education, mostly as volunteers.

Finally, and fourthly, some NGOS like Jesuit Refugee Services (JRS), or Refugee Law Project (RLP), for example, have created English language programs to train refugees free of charge. These schools mainly follow the Ugandan primary education curriculum and the non-formal adult literacy curriculum. Additionally, the Self-Reliance Strategy (SRS) has also been implemented whereby the UNHCR and the host Ugandan government have come up with piloting initiatives that are intended to integrate refugee children with host children and communities. Developed in 1999 this initiative is designed to bridge the gap between development and relief services, to ensure that refugees do not 'fall through the cracks' of support.

Dryden-Peterson suggests that further investigation is needed into access, effect, and consequence of different models of schooling, in order to inform future policy (2003:8). The Refugee Act 2006 stipulates that refugees should return to the refugee settlement areas once they are not able to provide for and sustain themselves. This means that refugees in general are entitled to free services and financial aid only if they reside in designated camp. Those outside the camps are termed stable immigrants, and assumed to be able to cater for their own needs, including educating needs. The problem with this model is that it tends to overlook the most vulnerable group of urban refugees the URC. The effect can be to deny such vulnerable URC their right to primary education. This study responds to the need to interrogate the experiences of such children and their foster parents, so that we can ascertain which specific problems they encountered, and see how to assist them in future to secure their right to a good level of primary education. Policies of 'leaving no child behind', regardless of status should also apply to those among refugees that are unable to assert their human rights in the same way as most host citizen children can do by going to primary school.

1.3. Research Objectives

The objectives are to identify key factors that play a significant role in the primary-level schooling or lack of such education for URC in Kampala. The focus

is on self-settled URC and their foster families, living in a slum area of the capital city Kampala, in Kisenyi. The main objective is centred on understanding how and why URC do or do not exercise their right to access primary education alongside host Ugandan citizens. To accomplish both goals, I examined the level of URC's access to primary education, and exclusion from primary school in Kisenyi. The study also hopes to contribute to current thinking about making the right to primary education more realisable for vulnerable children, and URC in particular. The study concludes by suggesting how the Ugandan government might better ensure primary education rights for URC at a similar level to all refugee children and all children in Uganda.

1.4. Research Questions

What are the vulnerabilities, rights and experiences of URC and their foster parents in accessing primary education in Kisenyi, Kampala?

Sub-Research Questions

1. How can the experiences of URC seeking to access primary education be understood through the lenses of vulnerability, capability and rights?
2. What lessons could be learned from experiences of URC for future policy measures?

1.5. Ethical dilemmas in field research

As suggested by Punch (2002:324-325), I did my best to ensure that despite our differences in status and information, I did not impose my views on the URC or their foster families. My aim during fieldwork was to allow children especially, and also others interviewed, to express their opinions as freely as possible. The approach I adopted in conducting this research followed the Ethical Research Involving Children (ERIC) guiding principles, based on the CRC. The approach stresses that it is important that the researcher:

> "acknowledges that ethical principles and issues cannot be disconnected from researchers' attitudes, values, beliefs and assumptions about children and childhood, since these invariably shape our decision-making and underpin important matters of power and representation" (Graham, 2013:3).

ERIC principles emphasize the necessity of doing research in the best interests of the child. Researcher should thus especially not expose children they work with to risk, and should promote the dignity of the children in their research. As accentuated by Graham (2013:23) the priority is to ensure that children are able to voice their opinions, and to voice them as freely as possible.

The first ethical consideration that arose was how to identify URC willing to take part in FGDs. In Uganda, as in most countries, a range of institutional and individual gatekeepers tend to control access to vulnerable children, sometimes in the interest of protecting them from harm. Therefore, researchers are in most cases required to obtain official clearance from government by undergoing criminal and others background check, in line with legitimate concerns with child protection.

Primary schools also tend to have certain requirements that need to be met by the researchers about conduct and nature of their research. I first secured official permission from the Office of the Prime Minister (OPM). However, despite this, the schools did not allow me to conduct research during school hours. This left the option of accessing URC during the playtime or at weekends. I was aware that accessing children during limited free playtime at school would not be ethical, since free playtime at school is also part of the educational process, which it would be inappropriate to cut short. Therefore, I opted to conduct FGDs later in the evenings, with one set of FGD participants made up of URC who were in school, and the other group composed of URC who were not in school, at the time of fieldwork. The two FGDs were held within the community, rather than at school after they have finished their class homework.

As a result of my work experience with refugee communities in Kisenyi, I am aware that controls over access to children are not limited to local authorities or schools. Community leaders such as refugee leaders and religious figures, for example, can be key gatekeepers, who need to give clearance before research can be conducted. As in other parts of East Africa, and beyond, this is combined with refugee issues to make research with refugee children particularly sensitive. This means the government has more controls in place than in the past, and made it difficult to interview or talk with URC and their foster parents without first obtaining permission from the OPM. Since this would have involved considerable delays, I decided to first make contacts through my own employers, the RLP. Through these channels, I was able to gain entry into the refugee community and come into touch with the URC and their foster parents.

Since pre-existing work contacts were vital both for organising the two FGDs with URC, and for obtaining interviews with foster parents, teachers and other individuals, I considered that this might produce a potential bias on my part.

A letter of introduction from ISS facilitated access to Head teachers, NGOs, and foster parents, who in turn explained the letter to the URC they looked after. After some weeks, formal permission was received from the OPM to conduct the research, and this made it possible for me to conduct my research with individuals in schools. This letter was also presented to other participants for the study, including foster parents of URC. The letter explained who I was and the main objectives of the study. Also, the research participants were assured that taking part in the study was strictly voluntary. It was especially important to emphasise this point to URC, who might otherwise have felt obliged to talk with me, given their situation of dependence on their foster parents, and that I had sought their foster parents' consent to conduct the study. Overall, researching the experiences of URC in accessing primary education requires being highly sensitive as a researcher. Not only were the URC I spoke with from different cultural and social backgrounds; most of them were also vulnerable, and it was important to ensure that the study was carefully designed to avoid expecting too much from the children themselves.

1.6. Organization of the Study

Chapter 1 of this study already served as the foundation of the thesis by providing the main objective of the research, describing the research problem, giving

some justification, and sketching out the context, research questions and ethical considerations. Chapter 2 focuses on methodological choices involved in the study, with emphasis on the rationale for choosing Kisenyi as the study area, as well as sampling techniques for selecting respondents. Chapter 2 discusses data collection tools that were used in the compilation of data as well as the limitations and challenges encountered. In Chapter 3, I discuss various relevant concepts and the theoretical approach to the study in more detail. Concepts such as Vulnerability, Access, and Rights, as well as Capability are assessed. Chapter 4 presents and analyses findings of the research, in relation to the central research question. In seeking to understand the vulnerabilities of URC in exercising their right to primary education, the obstacles to them doing so and their vulnerabilities. Chapter 5 presents and analyses findings of the second research sub-question, which looks at lessons that could be learned for future Ugandan refugee policies. Conclusions and recommendations of the study are in Chapter 6.

Chapter 2: From Data Collection to Data Analysis: Methods and Methodology

2.0. Introduction

Following on from our discussion of research ethics in Chapter 1, this chapter is dedicated to discussion of the methodology for data analysis in this study. I employ qualitative data collection methods in collecting data from URC, foster parents, head teachers, government staff, UNHCR and NGOs that assist URC in Uganda. Most importantly, the qualitative data collected is examined in light of concepts of vulnerability, rights and experiences, which will be analysed in more depth in Chapter 3 and 4. Finally, the study aims to help examine Uganda's government attitude towards urban URC. Ultimately the ideal would be to ensure that URC – including those in urban areas - fully exercise their right to primary education. In an era where most states argue that refugees are a major hindrance to economic development and bring competition to host populations, it is important to protect the rights of URC to access primary education, so they can contribute to the economy and make a living in future.

2.1. Finding information: sources of data

Primary data was collected using in-depth interviews and FGDs. Seventeen interviews were conducted with 9 foster parents, 1 Deputy Head teacher, 1 Senior teacher, 1 government officer, 3 NGOs officials, and 2 UNHCR officials. The two focus group discussions were held with URC, one with those schooling and the other with those not schooling. Other people interviewed were identified depending on their understanding, knowledge and insights on the research subject.

I also reviewed fifteen existing testimonies of URC and foster families in the database of the RLP. This enabled me to gather information on URC and their adoptive families prior to conducting my own interviews and FGDs. Since RLP is my employer, and also one of the key organizations providing legal and many other services to forced migrants within Uganda, this database proved important.

My work with RLP has been centred on creating awareness among refugees on their rights so that they can demand and advocate for the them and also sustain their livelihoods. Refugee Law Project was an important source of information, therefore and their legal rights-based approach has guided this study to some extent. Qualitative techniques adopted to explore the participants' viewpoints in relation to their experiences, vulnerabilities and rights, posed some challenges. This chapter will now discuss the study area, sampling techniques used, and procedure during fieldwork, elaborating further on some of the ethical issues involved, as well as some limitation and challenges.

Sources of data were both primary and secondary, published and unpublished, field-work based and archival. The main secondary data sources were published articles and books, as well as some reports by agencies involved like RLP, and UNHCR. Secondly, there were archival sources, including the RLP

refugee case files, already mentioned in this section. Then there were interviews with officials and teachers, including one Deputy Head teacher. Perhaps most important were the FGDs and interviews with refugees themselves, URC and with their foster parents. These direct encounters are also the most original aspect of the study.

2.2. Kisenyi: The Study Area

The study was conducted in Kisenyi, a slum area located in the centre of Kampala Central Division (Ikwap, 2013 no page), with a population of approximately 24,000 distributed across three parishes (Dobson et al., 2011: 17). In terms of who lives in Kisenyi, the area is predominantly inhabited by refugees and immigrant from Tanzania, Ethiopia, Eastern Congo, Kenya and especially Somalia (Ikwap, 2013 no page). Kisenyi is a slum area, with 65% of residents belongs to low-income households.

Like Eastleigh in Nairobi, Kisenyi is popularly known as "little Mogadishu" because of the presence of 18,000 strong Somali population of which an estimated 95% are refugees. Around 85% of the population of Kisenyi are Somalis, either refugees or Ugandan-born Somalis (McSheffrey, 2014). Kisenyi is also the centre of an emerging 35% of middle and upper-class Somalis, who are at the heart of the local economy (McSheffrey, 2014, no page). Their economic activity revolves around retail shops. They also rent houses, organise and maintain mosques, run petrol stations, internet cafes and other businesses.

At first sight, a notable feature of Kisenyi are the visible street children, roaming the streets during the day, when they are supposed to be in school. The poverty level of Kisenyi and lack of basic infrastructure is astonishing, even by Kampala standards. Many children that might want to learn in a primary educational setting cannot do so because of lack of money and limited space. At first I wanted to include Somali foster families and URCs in the research sample, because they make up 85% of the refugee population in Kisenyi. Unfortunately, this was not possible, even though the Somali refugee leader in Kisenyi asked families with URCs to take part in this study. Since none agreed to do so, I had to adjust my focus, and instead decided to work with other groups, including the Congolese, Rwandans and Burundians, who were more willing – or at least less reluctant - to take part. Kisenyi is an ideal area for studying URC, and how they manage to access primary school, or not, whilst living in an area of Kampala that possesses all the elements that tend to exacerbate an already vulnerable situation.

2.3. Sampling and Data Collection Procedures

The study adopted a purposive approach to selecting research participants. Snowball sampling was used to choose participants for FGDs, between the age of 10 and 15 years. Purposive sampling method was used for the selection of interview respondents, including foster parents, NGOs, UNHCR and government representatives. My first point of contact on getting back to Kampala was my employer RLP, a contact point that helped to arrange appointments. I met with the ICT manager for review of the RLP database of URC testimonies and decided that these could be useful for my study. The process yielded a positive result, and I was able to access foster family contacts from the database, after

making a series of phone calls to fifteen foster families in Kisenyi. Of these, four eventually agreed to participate in the interview process and became my key informants in the study.

After exhausting the RLP database, I managed to link up with my former client who is now refugee leader from Congo. Despite Sharifu living in a different part of the city in Nansana, he connected me with two foster families in Kisenyi whose contact details he gave me, after asking their permission. Sharifu took me to the homes of the foster parents personally and acted as my translator since I am neither fluent in Swahili nor French languages. I also conducted five foster parents' interviews in their respective families; I managed to access these families through the help of one Burundian refugee leader. My preference for an interview is because of the approach suitability in gathering views and perspectives on a particular area of my studies. As suggested by Jensen and Jankowski, interviews are a useful tool which can lead to further studies by adopting other methods of data collection such as experiment and observation (Jensen and Jankowski 1991:101). There are several challenges attached to the process such as transcribing of data and it can be time-consuming. Nevertheless, the method allowed me to investigate deeper and gather relevant information that might be missed in a questionnaire or other methods.

Attempts to secure appointments with the Head teachers of two primary schools were not successful due to their busy schedules although I was able to make appointment with a deputy head teacher in one of the schools and a senior teacher that was assigned to me by the deputy head teacher of another school. Nonetheless, I would have loved to talk to the head teachers. However, we had a fruitful discussion and virtually gathered all the needed data for the research.

Interviews sessions were arranged with UNHCR and with three NGOs and Government official, all involved in assisting refugee access to primary education in Kampala. I had an interview with a Senior Training Coordinator at Refugee Law Project, and with a Senior Program Officer at Interaid. I also spoke with the Education Advisor and a BID Specialist at UNHCR, a BID/BIA Specialist at Hebrew Immigrants Aid Society (HIAS), and Counsellor at OPM were all interviewed. The interview sessions were not only limited to the foster parents, NGOs/Government, and head teachers. I also conducted FGDs with URC after obtaining permission from their foster parents to talk with them. Although the first FGD was held in front of their parents, on my observation, I noticed that the URC were either shy or afraid to speak in front of their foster parents while we had discussion, so the next time we moved a distance away. Organising the two groups was relatively easy since all of them lived close by, in the Kisenyi area and about 15 minutes walking distance from one another. Within the FGDs, we had interesting interactions and children gave their views more freely and with greater ease, than when foster parents could listen in.

The adoption of focus FGDs allows for interaction among participants, generating new themes (Belzile and Öberg 2012: 470). It also offers a distinctive advantage for addressing modern-day issues such as diversity and empowerment, since it opens up a debate that is more horizontal than question-and-answer based (Morgan 1996: 149). Moreover, FGDs, if properly managed, enable every member of the group to be heard and to share their views and experiences. In this way, FGDs fulfilled this role, which has helped us to understand the realities of the URC and how they experience their vulnerability and rights to access primary education. Of the two FGDs organised, the first was of children

that were not going to school and the second for those that were regularly in school. The main reason for conducting two separate FGDs for the URC was to give more room for comparing their experiences. Each FGD was restricted to no more than six participants so that every child had a chance to speak. The age range of both FGDs was 10-15 years, and those below 10 were not included since they were considered too young to be involved in the process. In this I respected the opinion of foster parents, who thought children should be over 10 to take part. Children were also asked if they were willing to take part in the process, and only those that showed obvious interest, were included. Those who hesitated were not included, and no attempt was made to persuade those reluctant to take part.

2.4. Process of Analysing Data

The process of data analysis started with transcribing the interviews and FGDs, and subsequently I proceeded to the content analysis of the interview texts, in the course of which the predominant themes in the respondents' answers to the interview questions were identified. This process assisted in building a lucid understanding of how the vulnerability of URC can be further exacerbated rather than being enhancing when they seek to exercise their right to access primary education in Kisenyi. The analysis of the respondents to the questions was able to move beyond the opinion of individuals, and involved a more wide-ranging analysis of shared themes that emerged.

Throughout the analysis, a wide range of meanings were identified, and coded. These themes brought out different aspects of the research problem that in turn enabled me to address my research questions (main and sub-questions) in an insightful manner. It is my expectation that the predominant themes in respondents' responses to the interviews and their comments during FGDs bring to the fore connections between the different concepts selected as being of importance for this study. Theme include experiences of URC and their foster parents with various forms of vulnerability, the question of experiences in trying to access primary education, and a capability approach that emphasises not only the right to primary education but also how this can enhance the overall situation of URC in Uganda.

2.5. Challenges and Ethics of Data Collection

The bureaucracy attached to securing the interviews appointments for the purpose of data collection was a towering task. One would have thought that this type of bottleneck bureaucracy is limited to government agencies but to my surprise, two NGOs that I approached demanded a clearance letter from OPM to conduct the study before they could consider giving me the audience. I wrote to OPM, department of refugees requesting to do my study in Kisenyi in Kampala. After a period of seven working days, permission was granted allowing me to conduct my research. As I was supposed to interview a participant at OPM, however I was advised to deal with other NGOs first then come back. I wrote again to HIAS and Interaid that I had secured approval from OPM. Consequently, I was asking them for new appointment dates and to which they responded.

After finalising with NGO participants, I went back to OPM on a Friday to schedule appointment for interview with OPM participant. However, I was told by the Acting Head of department to come back on Monday to talk to anyone at Community Services Section. I returned on Monday for interview, but seems there was no body ready to talk with me and when I went to community services, the official present told me she required written instructions to speak with me. Unfortunately, the Acting Head of department had started her leave. I then came across someone whom I knew and he advised me to talk to someone. Since, as explained, no Somalis were willing to take part in the study, I had to adjust my focus, and instead decided to work with other groups, including the Congolese, Rwandans and Burundians, who were more willing – or at least less reluctant - to take part.

Even so, language barriers meant I made use of interpreters in both FGDs with children, since most could not express themselves comfortably in English. This made FGD take longer than expected, and during the first FGD, some children started to lose concentration and became tired. I gave them a break to play, and to refresh themselves after eating. After resuming the discussion, two children did not return since their parents had sent them for errands, and felt the FGD had already taken more time than expected. The experience of the first FGD meeting allowed me to adjust the second one, and I scheduled this for a Saturday. This time I informed the parents of the expected time the process would require. All the children stayed and this time they were more willing to talk and noticeably less tired.

2.5. Conclusion

This chapter has been able to highlights the key areas of the data collection in detail, this includes how the data was collected, where the study took place and the justification of the choices of both the methods of data collection and how the data was analysed. The data collection process posed considerable challenges, and this chapter has also explained how these challenges were dealt with and how the design of the fieldwork was adjusted to ensure the most relevant data possible was obtained for analysis. In the next chapter, the analytical lenses used to interpret this data is examined more closely.

Chapter 3: Access, Vulnerability and Capability

3.0. Introduction: theoretical lenses

This chapter will discuss the importance of concepts such as vulnerability and capability to successfully ensuring the right to access primary education for URC. The concepts of vulnerability, capability and the right to access primary education, are very useful in interpreting data obtained from URC and their foster parent, as well as NGOs and other sources, as described in Chapter 2. The study starts from the premise that availability, right to access and capabilities all diverge, especially for URC. Since they are among the most vulnerable of refugees, their particular experiences of being excluded or included should be of interest to policy makers.

3.1. Access and the right to Access

The concepts of vulnerability, rights and capability offer a useful way to understand the tensions between the promise of primary education's availability and the frustration of experiencing obstacles to capability to access primary education in practice. The availability of primary education, the right to access such education, and the ability to realise the right to access primary education are all distinct features of the problem.

Access is defined as the ability to benefit from things including material objects, persons, institutions, and symbols (Ribot, & Peluso, 2003: 153). The word "ability", which I will discuss later in the penultimate section of this chapter on the capability approach, is central to the understanding in this study of the differences between the formal and legal rights of URC to primary education and their actual lived experiences of accessing or trying to access primary education. The phrase access, in education usually refers to the ways and manner in which policies and educational institutions guarantee educational provision.

As a minimum, access requires that children have equitable opportunities to pursue their education, though not necessarily in formal schooling alone (Hidden Curriculum, 2014). This is relevant to the main research question of this study, which asks how experiences of URC have hindered their right to access primary education in Kisenyi. The understanding of the concept of access is relevant to knowing whether the government of Uganda strives to support children in general accessing primary education, be it in terms of policy or materially, by helping. This is because "Increasing access requires primary schools to provide additional services or remove any actual or potential barriers that might prevent some students from equitable participation in certain courses or academic programs" (Hidden Curriculum, 2014). Factors such as English-language ability, past academic performance, race, religion, disability, and family income may hinder some students' ability to access educational opportunities more than others (ibid). In the context of the URC, access to education is not a given because it is not "something that is directly provided in educational systems or as something students have" (Stauber et al., 2015:11). Although the United Nations has for many years included equitable access to primary education as a develop-

ment priority, access remains a buzz word unless support mechanisms can facilitate effective access for the most vulnerable to opportunities for getting educated.

3.2. The problem of Vulnerability

The concept of vulnerability, as hypothesised by Heesen et al. (2014) is relevant to the understanding of the effect that the alteration of the social or physical structure as a result of a particular event have on an individual or a group of people, for example in the case of URC fleeing their countries. However, context is key to the understanding of vulnerability, the meaning and definition of vulnerability is keenly contested within the scientific community (Adger, 2006: Yamin et al., 2005). The implication of this is that healthcare workers and the education experts tend to interpret the concept differently. For example, the vast of mainstream studies in the field of economics are more concern on assessment and measurement of vulnerability, most especially the result of shocks on the wellbeing of people (Lucas et al., 2013:17).

Unaccompanied children flee their home country to arrive in Uganda with nothing. Most of them were separated from their parents while some of them have lost both parents but just manage and struggle to reach safety. Regardless of the various definitions and interpretation of vulnerability, scholars do have some consensus on what the term represents (Dutta et al., 2011:1). In theory, "human being is prone to external forces, it is these forces that make us strong" (Lucas and Roelen, 2013: 17). Having this in mind, we can comfortably argue that vulnerability results from the weakened capability of an individual or group to anticipate, resist, deal with, and recover from the consequence of a natural or human-made hazard or social change. This concept is relevant to the understanding of the challenges and barriers that inhibit the URC in Kisenyi, the largest slum area in the heart of Kampala, from access to primary education.

The choice of the concept of vulnerability was also influenced by the evidence explored in a later chapter - that access is interconnected with degrees of poverty. Individuals and groups become insecure in the face of stress, shock, and risk, or those that are unprotected and isolated. Government and NGOs offer supports based on their vulnerability assessment of the children and their foster families. This concept will assist in the critical analysis of the Uganda government and various NGOs response to the plight of the URC.

3.3. The Capability approach

The capability approach was used in this study to explain the experiences, realities and the challenges encountered by the URC in accessing primary education in Kisenyi. Sen argued that general availability of resources or services does not guarantee equal access to such resources or services. He went ahead to define human capabilities as "the substantive freedom of people to lead the lives they have reason to value and enhance the real choices they have" (Sen, 1999:293). Sen maintained that individuals must have the ability to make use of their environment, talents, and material possessions, so as to live a meaningful life. The core feature of the capability approach is deeply rooted in its focal point on what

individual's desire to be and what they can do effectively, based on their abilities and their wider environment (Robeyns, 2005:94).

The capability approach will help in assessing whether URC in Kisenyi can access primary education, in relation to their reported experiences. The position taken in this study is close to that argued by Sen who reminds us that "a child who is denied the opportunity of elementary schooling is not only deprived as a youngster but also handicapped all through life" (1999: 284). The capability approach enables the researcher to critically engage with decisions about primary education taken by foster parents and by URC themselves. Limited language ability, low numeracy or literacy are not the only obstacles that can impact the value of their education in Uganda. In this study, the capability approach helps in understanding that before access to primary schooling by the URC can have any significant meaning, their capabilities must be sufficient to enable them to exercise the right to primary education.

We need to take into consideration that access to education is a question that goes beyond securing physical access through the school gates and attending classes. It also requires an ability to engage with schooling in a sustained way, and to find primary education meaningful and useful. Besides, the vulnerability and capability approaches are interconnected, and help with identifying social limitations that restrict and adversely influence the well-being of URC seeking to exercise their rights to access primary education (Robeyns, 2005:94:96). This framework is important as a lens through which to interpret the experiences and daily realities of URC in Kisenyi. Such children should be able to enjoy their right to access to education, by being provided with the necessary positive resources, which can ensure that they can make choices that matter to them (Alkire, 2005:117).

3.4. Conclusion

This chapter has brought to the fore three key sets of concepts adopted for this study, and how these can help our understanding of distinctive elements of equality and inequality, reality and fantasy, opportunities and vulnerability. The rights of URC to access primary education in what can be defined as an emergency situation of being a displaced person, is apparent. This chapter also laid the foundation for the next chapter, where the research findings will be presented and analysed.

Chapter 4: Analyzing Key Findings: Experiences, Vulnerabilities and Rights

4.0. Introduction: Obstacles to the Right to Education

In this chapter, I present and analyse the findings of the research questions and seek to understand the experiences of the URC that hindered their participation in primary education, their vulnerability and their efforts to exercise their right to access primary education. The findings are based on interviews with foster parents, school teachers, government and NGOs representatives responsible for dealing with matters related to refugee education and welfare.

The decision to involve the URC in the research process paid off, since the experiences of the children helped fill some gaps in the views shared by adults on key barriers to accessing primary education for this vulnerable group of children. Foster parents identified poverty and neglect by the NGOs and international agencies as the main challenges they faced sending the children to school. The FGD with the URC revealed that there is a broad range of difficulties the children encountered which go beyond the poverty and which also affect those who do access school, but still do not feel they benefit as they should. Sometimes their problems were more to do with the foster parents or with how school taught them, than with poverty or language as such.

4.1. Obstacles related to Poverty

The first set of barriers identified in relation to URC accessing primary education in Kisenyi were financial barriers. The experiences of foster parents especially, and of URC provided evidence that improvement of the economic capacity of urban refugees to access available education is a vital first step (Oduaran, 2006:75). Surnumwe, a 52-year-old Burundian refugee, acts as foster parent to one unaccompanied child. During our interaction, this man expressed deep concerns about his inability to cater for his household because of a financial lack of capabilities. Although he cares for only one unaccompanied child, aged 14, the responsibility of taking care of this child alongside seven other members of the family seemed overwhelming for Surnumwe. He struggled to provide food for the family, even though he treated all the children as his biological children. They are living just like other refugees, whatever they get; they share it together as a family. In this family, inclusion on a relatively equal basis seemed to avoid the worst aspects of vulnerability. According to him:

> *"School fees are the biggest problem that I face here since I don't work and don't have any other earnings to raise money yet this city is very demanding. For the first term, they were able to study since I had cleared fees but this term II, I have not paid all fees. The school has given me enough time to pay up; I will not be surprised if they chase them home any moment from now, and I am even worried that they might end up been denied sitting for the exams"* (Interview translated from Kirundi with foster parent, 25th July 2016)

While Uganda has received praise for implementation of UPE, public schools in the city still charge fees meant to cover basic schooling costs.

Kighoma, who has been in Uganda for seven years and is originally from DRC, echoes Surnumwe's views about the barriers that have hindered their children, including the unaccompanied minors, from accessing primary education. Kighoma acknowledged that the school head teacher understood his predicament because he was given the opportunity to pay school fees in instalments. Despite this, he still failed to pay the fees, and since Kighoma has five children of his own, as well as two URC allocated to him three years ago, his inability to afford school fees is affecting the unity of his household. As he said during the interview:

> *"The main problem is school fees, and I am financially handicapped which has made me unable to send them to school. I had to stop my biological children schooling also because it is a cultural thing that you do not segregate among your blood children and the ones you are fostering. I have noticed that, since they stopped schooling last year, two of my kids have become very hostile to the children allocated to me. They accused me of putting their future in jeopardy in an attempt to be a good Samaritan as they have started to see the fostered children as enemies."* (interview with foster parent, 26 July 2016).

In the findings of this research, it was discovered that only registered refugee children have access to free primary education under the law. This is reflected in the reality on the ground where in practice, additional costs associated with schooling are a challenge for foster parents living outside recognised refugee camps. These costs can limit the capacity of such foster parents to send both URC and their own biological children to primary school. In most cases, such families caring for foster children are not given any additional humanitarian assistance (Krause-Vilmar, 2011; Pavanello et al., 2010). In FGDs, the fostered URC explained that they were unhappy about their inability to access primary education, since they viewed education as a lifeline out of poverty. They revealed how they always wish to go to school when they see other children in the neighbourhood leaving home in their uniforms in the mornings. They see their main chance of a secure and bright future as being threatened by poverty, and the inability of their foster parents to pay for their primary education. Kalonda, age 15 from DRC, was petrified of what his and his brother's future would be, if they ended up not getting any primary education, which they needed to succeed in society. He emphasised that:

> *"Without education, we may end up being on the streets, become bandits or armed robbers. Education is the key, and we do not have future without education, because it is the only way we can improve our situation and that of our family. Unfortunately, it seems our hope are running low now given that our foster parents cannot afford to educate us in Uganda. It's our prayer that we get peace in DRC so that maybe we can go and study from there"* (FGD translated from Kiswahili, 12th July 2016).

The situation is so bad that some of the URC that participated in the FGDs not only were not in school, but had never been to school since their arrival in Uganda. According to Ibyishaka, a 14 years old Rwandan URC:

> *"My junior siblings and I have never stepped into class ever since we came to Uganda. Our parents tried taking us to school, but school fees were high. Therefore, they decided that we stay at home and assist them in their businesses to raise money that will be sufficient to pay school fees and buy school uniform, and books in future."* (FGD translated from Kiswahili 12th July 2016).

From the experiences shared by both URC and their foster parents, before educational needs of URC can be met, basic needs such as housing, food and health have to be met first. The findings show that poverty diminishes the prospect for educational realization in many ways for URC. As disadvantaged children from already disadvantaged households, they are habitually withdrawn from school by their foster parents, who cannot meet the expense of textbooks, learning materials or school uniforms (Preece, 2006, 117). Perhaps, one might agree that children from the poorest Ugandan households, not only refugee children or URC, might face problems similar to those of URC in accessing primary education.

The main difference between poor Ugandans and URC is that refugee adults serve as foster parents to these children, and are subjected to economic discrimination because they are considered outsiders due to their non-national status in the country, and due to not living inside the refugee camps. According to Clark (2007), refugees find it difficult to secure jobs and this is due to language barriers. Even though they are able to secure employment, they earn only nominal wages, making this process insufficient to cater for meals and transportation. Uganda is no exception to this.

Besides, refugee adults remain vulnerable to exploitation, and in most cases, they pay higher price for goods and services as they are charged higher price than Ugandans (Clark, 2007: 289). While the argument of economic discrimination affects URC, the fact that the biological children of the foster parents in some cases become hostile to the URC under foster care of their parents as a result of meagre resources as demonstrated from the findings speaks volume of the vulnerable situation that URC find themselves in accessing primary education. From my experience of working with refugee families, many children in foster care in poor households can only find menial jobs to sustain themselves. Although poverty is not the only barrier that prevented URC from accessing primary education in Kisenyi, the lack of resources does go a long way in allowing those that were inhibited by poverty to access primary education.

4.2. Language Barriers

Next to financial barriers imposed by poverty, is the language barrier. All URC, including those who are accompanied, come from non-English speaking countries and so found it hard to understand what teachers were teaching in class even when poverty did not limit them from going to school. Therefore, the first step towards accessing primary education in Kampala when they arrived is to learn English Uganda's official language. It enables them to interact more comfortably with other children to avoid social isolation, as well as increasing their ability to engage in formal schooling, and so further boost their self-esteem (Lucia, 2012; Bonfiglio, 2010).

All the URC in Kisenyi that I discussed with identified language as a barrier, in particular, it discourages them from even going to school. Faustina, a 15-year-old Burundian, said that the ability to learn English quickly in a short period is difficult for many of them that have no prior knowledge of English language, nor were they exposed to the English language much before coming to Uganda. She expresses her disappointment with how the government did not make provisions for comprehensive language lessons for the non-English speakers:

"I don't know how they expect us to learn the English language in the space of two-three months. Maybe they should also try to learn French in two months and ask them to go to school where French is the language of instruction and then let's see how they cope" (FGD, translated from the Kiswahili, 30th July 2016).

Lack of refugee children understanding of their host country's language, and in some cases, minimal literacy is by far one of the most challenging factors that hinder their engagement and learning (Mcbrien, 2005; Naidoo, 2015). Alice, the Deputy head teacher of Old Kampala primary school attests to this argument by identifying several challenges and barriers to primary education of URC. However, she ranked language as one of the topmost problems they encountered when teaching the pupils. The situation is even worse because the majority of the foster parents did not speak English either, this makes communicating with the parents difficult. She agreed with Faustina that the children need comprehensive language class if they will stand any chance of succeeding academically. She was of the opinion that the pupils should not be rushed into school without having the required proficiency in the English language:

"Proficiency in the English language is beyond just speaking the language; it entails the ability to read and write in English. That is how we can teach the students, and they too can benefit in what they were taught in class. Nevertheless, the situation here in our school is that majority of these children manage to express themselves, but when it comes to reading and writing, they perform woefully" (Interview with Alice, Deputy Head Teacher, 22 July 2016).

From my experience of working with refugees, those that have succeeded academically are those that can express themselves in English language. Information gathered from the interview session with a Teacher who is in charge of vulnerable children in Nakivubo Blue Primary school was that, the moment the school identified that these children did not have required proficiency in English language. They were asked to find an English lesson class for three months to learn and when they have picked up the language, and then they will be placed in a suitable class given their experience or qualifications. They are also expected to learn from their peers in class. When I told her about Alice position on how the issue of language should be handled, she responded by saying:

"I agree that the children should be subjected to comprehensive language classes before moving for placement in school on the one hand. On the other hand, we have to consider the fact that they will have to pay to access such language classes. The longer the duration for classes the higher the money they spend in those classes, which was the main reason we asked them to go for three months rather than a year. Many of the refugee children are already older than the class we are placing them in, so asking them to go to study language might make them not suitable for the classes of their qualification" (Lawino, Senior Teacher In-charge of Vulnerable children 19 July 2016).

There are NGOs that render free English language classes in Kampala. One of such organisation is the Refugee Law Project. I inquired from the children why they do not go to such classes since they are free. They also provide a book and a pen for all learners. Joshua, a 16-year-old URC from Rwanda said that:

"We tried going to RLP English classes, but the challenge we face is that it is too far from our house, which forced us to abandon the training for a moment" (FGD, translated from Kiswahili, 12th July 2016).

Going by the statement above, the financial barrier reinforced the inability to access language classes. Despite the availability of free English classes, economic problems hamper urban refugees' accesses to these services (Bonfiglio, 2010, Lucia, 2012). Therefore, access to education need to be expanded by increasing the funding of schools that will make it possible for the potential learner to be admitted (Oduaran (2006:75). The implication of all the argument above is that the only way to encourage the inclusion and integration of URC into the Uganda primary educational arrangement is to deal decisively with the learning barriers that hinder the children from accessing primary education to the fullest. By dealing with the barriers, the children are definitely going to benefit not just from learning in class but also developed abilities cope with and manage new situations, make informed decisions, communicate effectively, think creatively and critically solve problems (Hoffman, 2006).

These barriers as demonstrated from the findings can be either accessed barriers or opportunity barriers as suggested by Beukelman & Mirenda (2005). Opportunity barriers refer to barriers for learning that are imposed by people other than the child, such as negative attitudes towards refugees, standardised assessments. While Access barriers refer to factors within the child, such as language, literacy skills, acculturation stress, trauma or other psychosocial factors that could hinder learning (Dirkjhoon, 2016: 4-5). There are profound psychosocial and structural barriers that impede the ability of people to opt in and out of education throughout their lives. However, equal opportunity does not automatically translate into equal participation because previous encounters with schools have made adults reluctant to return to education. Access, by itself, is not enough because it fails to overcome adverse psycho-cultural factors that impede participation (Boshier, 2006:28).

4.3. Available Education Did Not Meet Ambition

It is true that URC could not access primary education in Uganda because of poverty and language barrier. However, there are those that could not participate fully in the free primary education due to lack of motivation and not meeting the expectation of the children. The findings show that there are those among the URC that participated in the FGD that desire to learn craftsmanship or artisanship which does not necessarily require to attend a formal school setting. Although, the required training can be achieved in the formal and informal education settings. Fredrick, a 15-year-old boy from Rwanda, voiced his displeasure on how he was not allowed to attend the school where he can learn carpentry or better to become an apprentice with a well-established carpenter. For Fredrick, he always has a dream to become a well-known carpenter in future and believes that they are just forcing him to attend the school that he does not want to go.

> *"I was into carpentry apprentice in Rwanda when I came here all my intention is to complete my training. The day I was asked to join my foster parents I told them if they could connect me with an established and good carpenter that I can become an apprentice under him. They insisted that I have to go to school, my foster parents also agreed with the NGO officials present that day. I know what I want; although I might be 15 years old and I know what am doing"* (FGD translated from Kiswahili 30th July 2016).

When it comes to URC primary education, the capability approach implies that people need to be given the opportunity to involve actively in shaping their

destiny (Sen 1999, 53). Therefore, targeted advice by NGOs, and government agencies ought to empower refugees by informing them of several options that are available which is important in the process of their decision-making (Doyle and McCorriston 2008, 54). From the experiences shared by Fredrick above, it was evident that this was not the case. Fredrick was not offered adequate information on the various forms of educational options available in Uganda, his capabilities and interest were not considered before allocating him to foster parents. As Sen argued, capabilities are not narrow to simplicity forms of skills but also entail the opportunity and freedom that allows an individual to convert whatsoever resources he/she may have at their disposal into different kinds. Although Tikly & Barrett (2011:7) argued that: "capability approach does not mean subscribing to the view that a child's freedom to choose what to study, how to study, or indeed whether or not to attend school at all, is necessarily in the best interests of the child as he has not reached maturity".

Nevertheless, Fredrick statement made me to concur with Boshier (2006) argument that those that desire to acquire skills in artisanship did not necessarily have to learn such competencies in a formal educational setting. "If someone needs to learn how to pilot their fishing boat, file taxes, fix their tractor, run their computer, or get along better with their children or spouse, does it matter if these things are learned in school or informal settings? What counts is what is learned, not where it was learned" (Boshier, 2006:28). Unfortunately, the public attitude towards informal skills or vocational education in Uganda has been negative (Okello, 2013:4).

The experiences shared by some of the children regarding their desire to engage in vocational training such as carpentry for example reflects the notion of capability approach as suggested by Unterhalter et al., (2007). The approach recognized the fact people have different capacity and such requires different needs of the children. Unterhalter and others notes that, "in the case of education, one might argue, the education provided by one type of school may not be suitable or accessible for all children, because some children will have different educational needs" (Unterhalter et al., 2007). The implication of this is that URC should not be coerced into formal mainstream education; rather they must be examined whether they will be able to convert the formal education opportunities into capabilities that will enhance their development. Some of the URC shows a strong desire to acquire skills through vocational training as opposed to the dominant formal mainstream education, why would the agencies saddled with the responsibilities to cater for their well-being ignore the children's choice of education? My interaction with the UNCHR Education Advisor and Best Interest Determination (BID) Specialist offer an insight to why Fredrick and three others children complained of not interested in the formal education learning available to them.

The findings suggest that the interpretation of Article of 12 (1) might be responsible for why the children did not have a say as about the type of primary education they want. The United Nation Convention on the Rights of the Child (CRC) emphasised on that before any decision about a child will be taken, the best interest of such a child is the number one factor to be considered. Along with Articles 2, 6 and 12, the principle of the Best Interest of Child is one of the major principles of the CRC regardless of where the children end up living, settlement or in the urban centres. Even though the UNHCR officials maintained that the BIA was carried out before, any child is allocated to a foster family.

"Unaccompanied child who has arrived in Uganda alone or with no caregiver at all as soon as they are identified they have to go through BIA to find out what their needs are and then intervention follows. For example, the children might want to go school or trace their lost parents or need health care e.g. HIV + and need ARVs or child has gunshot wounds that need to be treated". All these are properly carried out before looking for foster parent to take them in." (Interview with UNHCR, BID Specialist 1ˢᵗ August 2016).

What I can deduce from the statement above is that the phrases *"capable of forming his or her views"* on issues affecting them, and *"in accordance with the age and maturity of the child"*, in Article 12 (1) of CRC, render unaccompanied children's own opinion about what kind of education they value, more important. Particularly, in a culture where children do not have rights to voice their opinion in the society, a child desire to opt for vocational training against the mainstream formal schooling is quickly disregarded as immature and therefore may be dismissed as a credible opinion.

The experiences of the URC resonated with Robeyn (2005:5) argument on the core facet of the capability approach that speak to "what people are effectively able to do and to be, that is, on their capabilities". A child that is not interested in going to formal school risk the chance of becoming a truant which in turn make them vulnerable to all sorts of danger in street. In particular, those that comes from a very poor household that sees attending a formal school not securing their future. I elaborated in chapter three of this study, access to education is beyond ability to pass through the school gates or attending classes, it entails the ability to participate in meaningful learning process.

4.4. Conclusions

In conclusion, it was evident from the findings of this study that educational achievement and success for URC in urban areas, will remain a fantasy if the children's foster parents are not receiving the kind of financial support they need to pay for schooling. If the foster families of URC are not catered for as a particularly vulnerable group in primary schools. There is a clear difference highlighted in this study, between the right to education and effective access to primary education. There is also some question about what kind of education fits the needs and interest of this specific group of vulnerable children, URC. What the study also hints at is that primary education policies of the Uganda government are not working as well as they should for the most vulnerable URC.

Chapter 5: Lessons For Future Ugandan Refugee Education Policy

5.0. Introduction

This chapter presents and analyses the findings of the second sub-question that seeks to understand lessons that could be learned from the experiences researched for future policy measures to ensure access for this particular group of children to primary education. I discuss the implications of this for how non-state actors are viewed from foster families caring for URC. The chapter aims to help those working in government and NGOs reflect on how they might make their policies more user-friendly for those whose needs are often invisible from outside.

5.1. Lack of Distinction between Refugee Children and Unaccompanied Refugee Children.

From the study, so far, we can already conclude that equality does not translate into equity for URC in accessing primary education. The URC can only enjoy equality if every one of them is given what they require to be successful (Sun, 2014). This implies that, although, they are allowed to come to school, the school and government need to ensure that they have the capacity to access primary education, that how equity in access to primary education can be realised. One of the primary school's deputy head teacher I discussed with confirmed that they do not discriminate against any child since every child has a right to education and regardless of who they are. Nevertheless, asked further if they do have special programs to deal with unique issues that might inhibit the capacity of the URC to engage fully in the school learning process. Her response shows that the school is not even aware if the children are unaccompanied or not:

> *"We have quite some refugees, but we are not sure of their background and don't know if they are URC or not. Some of them live with their parents, and others live with relatives. When we are enrolling them, their relative come and seek admission, they come here looking for vacancies with their relatives of which we don't know their family background. We haven't taken an initiative to inquire where they come from or live. We take phone numbers of their parents or relatives and other issues on where they live we don't go into those details. The number of refugee children in this school is 523 (i.e. Male 251 and Female 272), and the overall school population is 942 students"* (interview with Deputy Head teacher, 22nd July 2016).

> The main reason for not paying special attention to the URC was elucidated further by another Senior teacher of a primary school. In her opinion, there is a blurred line of difference between refugee children and the URC when you look critically at their conditions. She maintained that there are some refugee families more vulnerable, if not more than some foster families with accompanied children that deserved special consideration. She gave examples:

> *"There is a family headed by a woman that has lost her husband to the DRC war catering for six children who is very vulnerable; we don't have any other choice than to allowed them to study for free. There is another family where the father has lost both eyes, and*

24

the wife earns a living by making liquid soap. We allowed her to provide the school with soap in exchange for her four children to study, other families that are vulnerable, we provide them lunch. All these are refugee's children that come with their families. Of course, Interaid told us that these people should work, since they have failed to stay in the camp. But we are all human, how can a blind man without skills find employment when those that are not blind with skills are yet to be employed" (interview with senior teacher, 19th July 2016).

I shared with a teacher that participated in the interview the outcome of my discussion with one of the Congolese foster parents. It was a situation where two of his biological children and wife changed in how they treat the URC that he is fostering because he stopped all of them going to school when he cannot afford to pay school fees for all of them. Her response was that to protect URC, the foster families themselves must not be vulnerable because the vulnerability of the foster families will affect the foster child.

"You can see from the example you give; the father did not have money to send all of them to school. Then his wife has to look after the interest of her children first. If I am in such position too, I don't think I will agree with the fact that my children stop going to school because I want to offer a helping hand at the detriment of my children. That is why we focused on the families that are poor because we know that foster parents may tend to take care of their children than these fostered children when they are presented with a choice of choosing due to financial incapability" (interview with senior teacher 19th July 2016).

However, the vulnerability of the URC is not limited to being relegated to the second choice in accessing primary schools among the refugee children. It also involves abuse and lack of love. The teacher at the Nakivubo primary school, supported this argument. Because she is the one directly involved in dealing with refugee children, she has been exposed to different situations where foster children escaped from the house where they were living with relatives because of abuse or difficulties. An example of such were two Congolese children who were living with their Uncle and his wife in Kisenyi but when life became difficult they escaped from them and fled to reside on the street.

The school had to contact Interaid for foster reallocation because the wife of the uncle was mean and maltreating them. Winifred of RLP backed Lawino argument sharing her experience in dealing with URC. Her organisation receives URC from various countries in the great lakes region. The organization in collaboration with OPM and Interaid attached some of them to foster families who may also have their biological children, which in turn becomes a challenge in caring for them. The policy of equality for all that expects both Ugandans and refugee children to pass through the same process of buying books, uniform, paying some fees on meals and other requirements in nothing near equity. Although, there are scholarships from Windle Trust, these children are already vulnerable and cannot compete with other healthy children that have lesser traumatic experience or stress in getting scholarships. She said that:

"Receiving these scholarships from Windle Trust is performance based, there is no consideration for being URC, which puts them at a disadvantage. It's very difficult for URC to get a primary education due their vulnerability and that affects their class performance. To acquire required grades to compete for these scholarships is difficult for them, though,

a few make it under difficult circumstances" (interview with Training Coordinator RLP, 27th July 2016).

The most vulnerable aspect of URC life in accessing primary education is the lack of love and responsible adult that can care for them. "Unaccompanied Refugee Children want to be treated like normal children and young people. The minors' highest priorities and desires.... a key person who can help them to navigate bureaucratic institutions, such as those who provide health, education and housing assistance" (Eide & Hjern, 2013:3). What I can deduce from the arguments above is that many other refugee children are subjected to the same trauma and challenges as URC.

While I alluded to the fact that both accompanied and URC find themselves in dire situation by fleeing their home countries, I am of the opinion that children feel safer being around their biological parents or family members regardless of their parents' economic conditions. Growing up under the supervision of their parents has significant impact on the children lives. Those that are separated from their biological parents or that flee on their own, suffers emotional and psychological trauma of living their parents behind. The recognition of the special circumstances that URC find themselves was elucidate further in the UNHCR, report A/58/229 to the United Nation General Assembly.

The reports emphasized that URC are entitled to international protection under the international humanitarian law, international refugee law, and international human rights standards among other numerous regional instruments (UN, 2003:3). They are to be protected from abuse and violence, irregular adoption, and most importantly, they should not be denied access to education and recreational activities (UN, 2003:3). It is a disservice to their education ambition by placing them under the care of poor foster parents which might further exacerbate the trauma they have already went through. Undeniably, education is available to URC in Uganda, yet they find it difficult to access because there is a clear difference from right to primary education and accessing such rights to education. Besides, the educational training provided for the refugee children must be adaptable, acceptable, accessible, and of high quality (Tomaševski, 2001) before refugee education policy is pro-refugee.

5.2. Feelings of Neglect among Foster Parents

All the foster parents that participated in this study complained about total neglect by the Uganda government and the NGOs collaborating with the government the moment Interaid and OPM allocated the children to them. With the exception of Jesuit Refugee Service (JRS) gave them some food and health assistance, there is no any other assistance which has been given to them. Eric a foster parent from DRC with three URC was furious about how the government and Interaid the major organization neglected them, and worst of all is that one of the unaccompanied child (Rehema, 15 years old) has Epilepsy. Eric accentuated that:

> *"I don't have any support from any organization to help these URC. My wife tried going through Interaid but they are aware of the case, but no help has been offered yet. We are always in and out of the hospital whenever she receives attacks, and no organization has come to assist us, yet she is unaccompanied child"* (interview with foster parent translated in Kiswahili, 25th July 2016).

Arline from Burundi said that she also caters for three URC corroborates Eric's position about the neglect. She acknowledges that only JRS have ever offered assistance before.

"When we had just arrived, we were given a 5kg bag of beans, 2kg bag of rice and 7kg bag of posho and I was given once, other organizations have given nothing. For us to get those items, we were so much disturbed in getting those items; we moved there several times to get assisted" (interview with foster parent translated in French, 25th July 2016).

I asked further if she has ever approach Interaid like Eric because I will be talking to them also. He responded by saying:

"I never went to Interaid, because most people who were here for years did not receive any help from them. Refugees who have been here for long discouraged me that going to Interaid or UNHCR. So, I decided to stay home and do some work to raise some money to sustain my family" (interview with foster parent translated in Kiswahili, 25th July 2016).

While all the foster parents maintained that they have either not received any help since Interaid and the OPM allocated children to them, I was curious to understand if the agency or government that assigned these kids to them did not conduct a follow-up to monitor if the children are treated with love and care. The findings show that after the OPM allocate these URC to foster families, they instruct them to approach Interaid for help, and they are supposed to follow up on the status and welfare of these children. Nevertheless, most times they do not monitor these children in these foster families. Mubigalu from DRC with three URC explained in detail:

"Nobody has ever knocked on my door to visit since I took the children in. They have never bothered to follow up on the condition of the children; they do not monitor how they are faring after you are given the child to care for" (interview with foster parent translated in Kiswahili 12th July 2016).

Because of the experiences shared by the foster parents, my next line of action was to confirm from Interaid and OPM the testimonies of the foster parents. The findings from the Interaid and OPM interaction did not debunk the stories of the foster parents. The Interaid Senior Program officer gives a comprehensive explanation on the process of fostering a child. From the account of Interaid, it is a choice to foster an URC, and as a matter of procedure not anyone can foster unaccompanied child. In fact, any parents fostering a child is not considered to be poor, although there are rare cases where the parents may suffer income loss after fostering the child. At that point, the supports offered is based on what needs they presents. For example, there are those who will need fees support, subsistence food; it's all depends on need by need basis. So, it's not a given that the moment you have the URC, you are fostering it automatic that you are entitled to certain benefits.

"We do carry out an assessment before a child is given. So, we first make an assessment then we ascertain if you can care for the child and it's not always automatic that when you request to foster you will be given. This gives us the ability to determine if you will able to cater for the child. After we ascertain your capability to take care of the child, then we shall identify the gaps where we can come in to assist. But nobody is allowed to foster a child without going through background checks just to make sure the child is safe, and in good hands" (interview with Senior program officer Interaid, 27th July 2016).

I shared with Interaid what I had gathered from foster parents and URC about how they had been neglected without any help from either government or NGOs. They felt saddled with the responsibilities of having to coordinate an effective response to the wellbeing of the children in question. The Interaid Officer denied that they neglected the foster families and URC by reinforcing what he had told me earlier about making sure that the families that foster URC were capable financially with good moral conduct so that the child would be protected. He maintained that the organization regularly check on the children to monitor how they are faring and to ensure that they are safe even though the exercise of monitoring is tedious. However, this contradicts the account of foster parents that participated in this study, who felt abandoned.

At this juncture, I find it incumbent on me to investigate whether the neglect of the foster parents is a matter of policy, or is mainly resources related. It was gathered from my findings that the government tries to alleviate the poverty and hardship of the fleeing refugees that arrived in Uganda without any means of livelihood in a strange environment. The Government of Uganda initiated the Self-Reliance Strategy (SRS), a joint initiative with UNHCR Uganda, through which refugees are offered support by being allocated land to engage in subsistence agriculture to be less dependent on food aid (Clark, 2006: 106).

Unfortunately, the moment refugee families opted to reside outside the designated refugee camp; they forfeit their rights to any benefits or consideration available for those refugees living in the camp. The finding of this study shows that the government and UNHCR response to address the challenges of refugee children families and the URC is a conditional one. The Interaid officer I discussed this with said that it is the mandate of government to protect the refugee children and their families. In the camp, there are established schools, hospitals, boreholes and wells, and all those services are provided in the camp and entirely depend on government funding. He explained further:

"When a refugee makes the choice of moving from the settlement to urban areas, for instance Kampala, the policy is no more applicable. The government expects them to be self-supporting and expects them to take care of all their own needs. Though we have got a few exceptional cases, those who are vulnerable and cannot work for themselves such as the elderly or suffering from ill health. Also, those whose came directly to the city not because they were willing to live in the city but looking for a safe place then they land in the city. We make them understand the operational context, then they make a decision either to live in the city or move to a settlement" (interview with senior program officer Interaid, 27th July 2016).

The implication of the statement above for refugees is "stay in the camp and be assisted, or opt to stay in the city and be on your own". The Uganda government policy is alien to the clear obligation to protect the fundamental rights of the refugees and the URCs. The choice given to refugees is not really an option recognised under any international legal instrument. According to Jacobsen (2006:276), whether refugees are in "camps or urban areas and regardless of national policy requirements, refugees do not forfeit these international protections if they move from camps to urban areas" (Jacobsen, 2006: 276). The Uganda government makes it look like a simple choice. However if refugees take on the risk of uncertainty of getting a job in the city to cater for their children, this is because they do not wish to stay in the settlement/camp. The government says that in the settlement, children can be in school and refugees will have land so that they can engage in agriculture to earn a living. It might have appeared as

a simple choice to make, but for refugee foster parents that I interacted with, this choice was far from simple. Eric from DRC explained why he decided to leave the camp with his family, in response to my asking why he did not want to relocate back to camp, if only for the sake of the educational future of his children.

> *"I will advise you to spend one week in the camp if they allow you, then you will know exactly why I left. The educational future of my children was bleak when you look at the quality of schools the government claimed they provided for these children. Although, I did not have a university degree, with the little I know, I could teach these children better. Moreover, they assume that everybody has farming experience before they fled; I had never farmed before in my life. I tried farming, but I could only produce enough food for eating, and nothing more. Life is more than food; I have to think of the future of my children"*
> (interview with foster parent translated from Kiswahili 25ᵗʰ July 2016).

While one can argue that the government is generous to provide land for refugees (Kaiser, 2006:602), Eric's testimony confirms Clark's (2016:104) position that the propensity for refugees not to produce much beyond their domestic needs, means that farming will bring little chance of income for them. After all, refugees need money to cater for their other needs that are not provided for by the government or the UNHCR. They need cash (Kaiser et al., 2005: Kaiser, 2006). A decent quality education is one basic right many refugees have been denied over the years. Unaccompanied refugee children are no exception, and some end up illiterate, affecting the rest of their lives. Without ensuring they can access primary education in particular, the future position of the URC remains uncertain.

Ugandan refugees have faced numerous economic and social predicaments in their daily endeavours as well as numerous obstacles that affect their lives. Most refugees see education of their children as significant in ensuring a brighter future, whatever that future holds. Education matters, whether they end up returning to their home country, obtaining resettlement in a third country or in some cases integrating locally into the country of first asylum. For the foster parents, educating their own children and foster children whilst in exile is not a stop-gap measure but an essential investment, which gives children more choices in life.

By contrast, the approach usually promoted by many host nations is that access to primary education for URCs is a kind of provision in emergency (Dryden-Peterson 2011: 8-9). A Rwandan refugee, who asked to remain anonymous, also argued along the lines of Eric's point of view. He was of the opinion that the government and UNHCR should have reassessed their policy about returns to Rwanda (which have come to be imposed). He argued that the mere fact refugee families took the risk to venture into the city to take their chances, rather than staying in the settlement to be sent back to Rwanda, was because many of his compatriots needed to work and save money. They left the camp, in his opinion, just in case they had go home later and would need some savings to rely on, since life in Rwanda can be very expensive. As he said, the Ugandan government:

> *"…want us to be in camp and farm, while I watch my children's life going down the drain just because they cannot access quality education in the camp. This is not a simple choice to make. I am a trader with excellent marketing skills, and I can offer you a stone, and you will buy it (laughs). I know my talents; and if they want to help us, they should ask us what our talents and skills are. For example, you don't need a certificate to prove*

that you are good at operating a computer or a good salesman…most people flee without taking any documents along. They want all of us to farm" (interview with foster parent translated from Kiswahili, 26th July 2016).

For refugees I spoke to, it was clear that education plays a pivotal role in creating and enhancing stability, in their lives and in the lives of refugee children (Chambers 1982:21). However, despite the hopes that may come along with education, international support in the country of first asylum tends to focus only on meeting the basic emergency needs of refugees, rather than investing in their longer-term future (Balibar 1988:723). Education is not viewed as a primary need like shelter, food or health care. This leads to it often being overlooked by many governments and even international organisations.

The sentiment shared by virtually all foster parents I talked to reflect their dissatisfaction with the level of primary education available in the camp. While some of them did not bother to go to camps at all, those that were previously in camp could not cope with the harsh condition, and the land given to them did little or nothing to alleviate their problems. Many of the refugees that flee to Uganda used to earn their income through different means in their countries such as working with NGOs, cattle herding, trading, practising medicine, and teaching (Clark, 2006:108). Once again, the government did not consider the capability of these foster parents to access the SRS program meant to support the families so that the children would be able access primary education among other basic needs. From my perspective, it makes little sense to allocate children to urban refugee families to foster, if the government and UNHCR support is provided only for foster families in the camps.

I asked further why would they allocate URC to foster families in the city? The response I got from the UNHCR officer was similar to that of Interaid. "We only allocate a child to families that are capable based on our assessment". When I probed further to know if there were any incentives for foster parents in the city, and if there is any monitoring mechanisms for families fostering URC in case of abuse, I was told: "There are no incentives; we have a penal code Act and all penalties are enshrined in there against any abuse of the rights of children, because we follow laws and regulations of the land". The emphasis is on policing foster parents who may mistreat their foster children rather than supporting them to be able to afford to pay for their foster children's education.

Although the government and the partnering organisations maintained that the adopted strategy is meant to empower both the host communities and refugees so that they can live in harmony in a more sustainable manner by tapping both synergies of refugees and host communities to develop. From a capability approach standpoint, the inability of so many URC to participate in UPE is a serious violation of human rights that every individual is entitled to. The capability approach calls for the realization of equal freedoms for all members of the society to enjoy every aspect of life (Ivanov & Muras, 2006: 18). Apparently, one can argue that the Uganda Refugee Acts is a chameleonic anti-refugee policy, a major obstacle to the URC access to primary education in Kampala. The principle of stay in camp and enjoy all benefits, or free to move around and care for yourself is nothing close to humanitarian assistance but rather a Greek gift. This is alien to international obligation of Uganda to offer refugee families support and protection that is needed to enjoy a normal live experience. Refugee rights

is not a conditional one: "whether they are in camps or urban areas and regardless of national policy requirements, refugees do not forfeit these international protections if they move from camps to urban areas" (Jacobsen, 2006: 276).

Refugees that had fled their home countries, leaving everything behind, thus find themselves neglected and abandoned if they live in urban areas, and this as a matter of policy. They are struggling to cope with financial difficulties of paying school fees and taking care of their immediate families, and that includes caring for the URCs placed in their care, but without any support. Therefore, it makes the children lose interest in pursuing primary education as they were left with no other choice than to join child labour, working to support themselves and their foster parents. The lesson that can be learn from this is that access to primary education of URC– and refugee children especially - should not be limited to provision in the camp for 'emergencies'. Rather it should be provided in practice through ensuring equity in primary education participation for all residents of Uganda.

5.3. Conclusion

The discussion in this chapter centres on the lessons that can be learned from the research for the purpose of future government policy responses to URC seeking to access primary education, especially in urban areas. In conclusion, against the backdrop of the experiences of the foster parents, the head teachers, NGOs, government officials, and the children regarding access to primary education in Kisenyi. I will argue that if the refugee families cannot afford the direct and indirect cost associated with primary education of their children or those that they are fostering, it would be highly unreasonable to think that making more schools available for refugee communities both in the camp or the city would solve the problem of access to primary education. Foster parents are struggling to cope with financial difficulties of paying school fees and taking care of their immediate families not to mention the URC placed in their care. Children are being forced out of schools because of pressure on them to earn money for their foster families. Most importantly, the URC live under poor living conditions and mostly stay in Kampala slums because accommodation there is affordable. This exposes such already vulnerable children to tremendous difficulty and many have yet to recover from trauma, being exposed instead to further danger and damage.

Chapter 6: Conclusion

The experiences shared by foster parents and URC demonstrate the stark differences in the objective realities of refugee families and the fundamental human right to primary education, enshrined in various national and international legal provisions. This study has been able to document and analyse the experiences, vulnerabilities, and capabilities of URC and their foster parents in accessing their right to primary education, in the context of Kisenyi, Kampala. I engaged the study from the conceptual framework of access to a basic right, and from the perspective of vulnerability and capability.

The aim was to produce clarity about both challenges and opportunities that URC encountered in accessing their right to primary education in Uganda. This was done by exploring two fundamental questions: 1) How can the experiences of URC seeking to access primary education be understood through the lenses of vulnerability, capability and rights? 2) What lessons could be learned from the experiences researched for future policy measures to ensure access for this particular group of children to primary education?

The data to answer the central research question and the sub-questions, was mainly gathered through interviews and FGDs with parents, teachers, NGOs representatives, government officials and the URC. From the data collected, it was revealed that in relation to accessing primary education, issues of vulnerability and capability in relation to the experiences of URC are not always mutually exclusive. Instead they can be interwoven and reinforce one another.

I argued that URC education in Uganda are inhibited by language and by their foster families' economic barriers. Unaccompanied children that come from non-English speaking countries find it hard to understand what the teachers were teaching them in class even when poverty did not limit them from going to school. Therefore, the first step towards accessing primary education in Kampala when they arrived is to learn the Uganda official language. The argument above reflects both the strong connection of poverty and capability from the angle of poverty and their inability to speak the host country language of learning instruction.

Vulnerability in relation to poverty affects URC's access to primary education. The findings show that the unaccompanied children are the most vulnerable because of the hostile reactions from the biological children of the foster parents in some cases the wives become hostile to the URC under foster care as a result of meagre resources speaks volume of the vulnerable situation that URC find themselves in accessing primary education. I referenced my working experience as a staff of RLP with refugee children to buttressed my point, many children under foster care in poor households hit the street to find menial jobs to sustain themselves because they can't withstand the hostile environment of their foster families. Although poverty is not the only barrier that prevented URC from accessing education in Kisenyi, it does a long way to explain the failure of significant numbers of URC from accessing primary education.

The capability approach was evident in the experiences of those that could not participate fully in free primary education due to lack of motivation and education not meeting their expectations. The findings show that there are those

among the URC that participated in the FGD that desire to learn craftsmanship or artisanship which does not necessarily require to attend a formal school setting. Ordinarily, these experiences ought to have been addresses through the BID before the URC were allocated to foster parent. However, the findings of this study suggest otherwise, from the findings, it shows that BIDs assessment should not be generic but rather should be on case-by-case basis because what is considered to be a feasible long-term solution a particular child may not be an appropriate panacea for another child educational needs. From the findings, the study concluded that equality does not translate into equity for URC in accessing primary education. I argued that the children can only enjoy equality in education as stated in CRC if every one of them is given what they require to be successful.

From the findings of this study, two key lessons could be learnt from the experiences of the URC and foster parents which are important to the future of Uganda refugee policy. The first one is that there is a blurred line of difference between refugee children and the URC; they are packed together with other refugee children that are with parents or family members when it comes to addressing their vulnerability. We also learnt from the findings that URC are the most vulnerable because they do not receive any special treatment about every aspect of their lives.

It was revealed from this study that URC suffer a great degree of traumatic and mental depression than those that accompanied by their parents. Regardless of this, in the process of accessing primary education in Kisenyi, they were subjected to the same rules and condition, which in normal circumstances, will appear to be equality and non-discrimination policy. The argument of the authority was that some refugee families are more vulnerable, if not more than some foster families with accompanied children that deserved attention. However, the vulnerability of the URC is not limited to being relegated to the second choice in accessing schools among the refugee children. It also involves abuse and lack of love. Some of the URC faced discrimination and neglect from foster families who may also have their biological children, which in turn becomes a challenge in caring for them.

This study has been able to show that there was a clear inconsistency in the refugee policy of Uganda and the state obligation to protect the interest of a URC, the best interest of a child is not taken into proper consideration. Instead, the URC who live outside the settlements are all but invisible to humanitarian assistance. The finding of this study shows that the government and UNHCR response to address refugee children families and the URC is a conditional one. There is not much generous about the fact that when refugee families opt to reside outside the designated refugee camp; they forfeit their rights to welfare benefits or free schooling (with no charges) available for those in the camp. It is important that the UNHCR and other collaborating organisations with the Uganda government not limit their engagement with the refugee communities in the camp. The engagement should also be extended to those that are living in the city. It is important to identify those URC that are not going to school, so that it is possible to support them with uniforms, scholastic materials, and with fees waivers. Even with that kind of support, some barriers to an URC accessing primary education will arise.

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Appendices

Appendix A

List of research participants

No	Name of participant	Sex	Category of participant	Participation	Place of interview	Date of interview
1	Mubigalu	M	Foster parent	Interview	Kisenyi	12/7/2016
2	Andrew	F	Foster parent	Interview	Kisenyi	12/7/2016
3	Joshua	M	URC	FGD- Non-schooling	Kisenyi	12/7/2016
4	Kalonda	M	URC	FGD- Non-schooling	Kisenyi	12/7/2016
5	Rehema	F	URC	FGD- Non-schooling	Kisenyi	12/7/2016
6	Ibyishaka	F	URC	FGD- Non-schooling	Kisenyi	12/7/2016
7	-	M	URC	FGD- Non-schooling	Kisenyi	12/7/2016
8	-	F	URC	FGD- Non-Schooling	Kisenyi	12/7/2016
9	Lawino	F	Senior Teacher	Interview	Kisenyi	19/7/2016
10	Alice	F	D/Headteacher	Interview	Old Kla	22/7/2016
11		F	Foster parent	Interview	Kisenyi	25/7/2016
12	Surnumwe	M	Foster parent	interview	Kisenyi	25/7/2016
13	Eric	M	Foster parent	interview	Kisenyi	25/7/2016
14	Gato	M	Foster parent	interview	Kisenyi	25/7/2016
15	Nduwimana	M	Foster parent	interview	Kisenyi	25/7/2016
16	-	F	Foster parent	interview	Kisenyi	26/7/2016
17	Fredrick,	M	URC	FGD- Schooling	Kisenyi	30/7/2016
18	-	M	URC	FGD- Schooling	Kisenyi	30/7/2016
19	Faustina	F	URC	FGD- Schooling	Kisenyi	30/7/2016
20	Scolastique	F	URC	FGD- Schooling	Kisenyi	30/7/2016
21	Zawadi	M	URC	FGD- Schooling	Kisenyi	30/7/2016
22	Elie	M	URC	FGD- Schooling	Kisenyi	30/7/2016
23	Kighoma	M	Foster parent	interview	Kisenyi	26/7/2016
24	Winifred	F	RLP	Interview	Old Kla	27/7/2016
25	Emmanuel	M	Interaid	Interview	Rubaga	27/7/2016
26	Mary	F	UNHCR	Interview	Kololo	29/7/2016
27	Suwedi	M	UNHCR	Interview	Kololo	1/8/2016
28	Rose	F	HIAS	Interview	Kasanga	1/8/2016
29	Counsellor	F	OPM	Interview	Bukasa	2/8/2016

Appendix B

RESEARCH TITLE: Access of Unaccompanied Refugee Children to Primary Education: Vulnerabilities, Rights and Experiences in Kisenyi, Kampala

Interview Guide-Key Informants

School Head Teacher/Teacher.

Unaccompanied refugee children have a right to education in Uganda, but often this right is hard to achieve in practice. I want to study why this is so. I am talking with head teachers, with social workers and with carers of unaccompanied refugee children in primary school (and those not attending of primary school age), to find out what the main issues are and to get ideas for addressing the problem in a practical way. All information you provide will be treated confidentially. If you prefer, your identity can be protected, and I will use a pseudonym instead of your real name.

Name: Robert Egwalu   E-mail: regwalu04@gmail.com   Mobile: +31685051993

_____

1. Name of the school_____
2. Name (pseudonym name can be given) of the participant_____
3. E-mail in case you want a copy of the final research: _____

Interview Guide (semi-structured interview, informal)

1. Are you aware of having any Unaccompanied refugee children in your school?

Probe further does the school keep this data including gender, ages etc or not?

2. What kinds of fees do parents pay for this school per term? e.g. feeding fees, building fund, book fund etc?

3. Are there any concessions for needy parents and guardians, refugee parents and guardians as regards to above fee?

4. What is your overall experience in this school of teaching refugee children?

How easily do they fit in? What subjects are easiest for them? What subjects are hardest?Probe further on coping mechanism as regards dealing with refugee children's original language, trauma, home relationships etc.

5. What is the government currently doing for unaccompanied refugee children education in Kampala/Uganda?

6. What can government/stakeholders do to improve access to education for unaccompanied refugee children in Uganda?

Appendix C

RESEARCH TITLE: Access of Unaccompanied Refugee Children to Primary Education: Vulnerabilities, Rights and Experiences in Kisenyi, Kampala

Interview Guide-Key Informants

Service Providers-NGOs/OPM.

Unaccompanied refugee children have a right to education in Uganda, but often this right is hard to achieve in practice. I want to study why this is so. I am talking with head teachers, with social workers and with carers of unaccompanied refugee children in primary school (and those not attending of primary school age), to find out what the main issues are and to get ideas for addressing the problem in a practical way. All information you provide will be treated with confidentiality. If you prefer, your identity can be protected, and I will use a pseudonym instead of your real name.

Name: Robert Egwalu   E-mail: robertegwalu@gmail.com   Mobile: +31685051993

_____

Interview Guide-Key Informants-Service Providers(NGOs/OPM).

1. Name (pseudonym name) can be given): _____
2. Name of the organization_____
3. What is your position in this organization? _____
4. E-mail in case you want a copy of the final research: _____

Interview Guide (semi-structured interview, informal)

1. What kind of services does your organization offer unaccompanied refugee children and their foster families?

2. Approximately, how many Unaccompanied refugee children do you attend to monthly?

3. What policies are in place to ensure access for education for Unaccompanied refugee children?

4. How useful have been the government self-reliance policy on integration and access to education for refugee children?

5. What do you think are some of the challenges that unaccompanied refugee children face in attaining education in Uganda?

6.What is the procedure for family to foster an unaccompanied refugee child?

PROBE: Are there foster families that are non-refugee fostering unaccompanied refugee children?

7. What mechanism are in place to monitor families that are fostering unaccompanied refugee **children?**

PROBE: What are the incentives and penalties given/for those who abuse children's rights?

8. What measures has government put in place to attract unaccompanied refugee children in schools/education system in Uganda?

Appendix D

RESEARCH TITLE: Access of Unaccompanied Refugee Children to Primary Education: Vulnerabilities, Rights and Experiences in Kisenyi, Kampala.

Key Informants- Foster Parents

Unaccompanied refugee children have a right to education in Uganda, but often this right is hard to achieve in practice. I want to study why this is so. I am talking with head teachers, with social workers and with carers of unaccompanied refugee children in primary school (and those not attending of primary school age), to find out what the main issues are and to get ideas for addressing the problem in a practical way. All information you provide will be treated confidentially. If you prefer, your identity can be protected, and I will use a pseudonym instead of your real name. I would like to record our interview and will not make this recording available to anyone else (the file will be destroyed once the study is completed). I also will provide you with a copy of the study if you provide your e-mail:

Name: Robert Egwalu   E-mail: robertegwalu@gmail.com   Mobile: +31685051993

_____

Questions Key Informants Foster Parents

    1   Name (pseudonym can be given): _____
    2   Country of origin: _____
    3   Date of settlement in Uganda: _____
    4   How many unaccompanied refugee children live with you? _____
    5   How old are they? _____ _____ _____ _____ ____
    6   Which school(s) are they in? _____
    7   How many other children live in your household? _____
    8   E-mail in case you want a copy of the final research: _____

Interview Guide (semi-structured interview, informal)

1. How does it feel caring for unaccompanied refugee children?

2. Have the children you have cared for all gone to primary school, or not?

3. If they are not attending, how long has this been for, and why?

4. What main problems did you face in getting these children to school?

5. How did the school respond to you and to these children?

6. How did other organisations or people support you in caring for these children?

7. If you were in the government, what would you do to make the situation better?

Appendix E

RESEARCH TITLE: Access of Unaccompanied Refugee Children to Primary Education: Vulnerabilities, Rights and Experiences in Kisenyi, Kampala.

FGD, Unaccompanied Refugee Children (Schooling and Not Schooling)

I am studying how you unaccompanied refugee kids go to school in Kampala and how they feel about school. I want to study what you do in school and what you enjoy. I am talking with your head teachers, and with social workers and with people who look after you at home. Some of you don't go to primary school and I would like to know why. What are the problems you face and the people who care for you and even the schools? I will not share information you give with anyone in any way, I promise that. If you want me to use another name besides your real name, then I will. Thank you very much! I really will appreciate your ideas and knowledge about how school helps (or does not help) refugee children.

Name: Robert Egwalu   E-mail: robertegwalu@gmail.com   Mobile: +31685051993

_____

Interview Guide -Unaccompanied PRIMARY school Refugee Children

Participants Interview guide:

1. Do you go to school currently?
2. How long have you been schooling/ not schooling?
3. If you are not schooling how long has this taken?
4. Which schools do you school from?
5. What has been your experience in schooling in Uganda?
6. What do you think government should do to improve education for refugee children in Kampala?