NEW ISSUES IN REFUGEE RESEARCH

Refugee children's participation in protection: a case study from Uganda

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Introduction

"Dear reader wherever you are, I would like to take this opportunity to tell you about children's life in refugee camps. There are still children who are not capacitated yet to have self-esteem to talk about issues which concern them, to ensure the community and the world provides both moral and material support and help to solve their problems which they are facing. I would love to see agencies/organizations which deal with children protection ensures that seminars and campaigns are conducted in order that children are capacitated to be able to express their problems and to be heard."[1]

This voice of a child from a refugee camp is an appropriate place to start for a paper on refugee children's participation in protection.[2] It introduces some key issues.

Firstly, it tells the reader that there can be problems involved in refugee children's participation in protection in a refugee camp context. It suggests that refugee children in camps may have protection concerns but may not be able (or may lack the self-esteem) to tell people about them. It also suggests that humanitarian organisations may not always necessarily be providing the right support for these children or enabling them to express their problems and to be heard.

Secondly, it indicates that there might be a relationship between child participation and protection – the suggestion being that if refugee children are capacitated to talk about their issues and concerns, that this might help them to get the protection that they need.

Thirdly, it says something about methods, approach and environment. It introduces the process of refugee children being able to talk to adults wherever they are and adult capacity to appropriately engage, support, listen and respond.

Finally, it suggests that children value their right to participate, the opportunity to express their views and to be heard, and that they see themselves as having an important contribution to make to their own protection and to that of their peers.

For UNHCR, the protection of children, including their participation, is an area of growing consideration and concern. There is a whole raft of UNHCR policy and guidance published in the late 1980s and 1990s relating specifically to the protection of refugee children, most of which at least makes reference to child participation.[3]

Alongside this, an increasingly community-based approach and the more recent introduction of UNHCR's Age Gender and Diversity (AGD) policy in 2011, specifically engaging different and diverse populations of concern, has fostered a more participatory approach to protection within UNHCR as a whole.

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[1] Children's International Peace Prize Winner 2009: Baruane E. Ndume, 16 years old, Nyarugusu Refugee Camp (Tanzania), available online at: http://childrenspeaceprize.org/2010/05/31/childrens-life-in-refugee-camps/

[2] A child is defined here in keeping with the UN Convention on the Rights of the Child (1990) as every human being below the age of eighteen years, unless under the law applicable to the child, majority is attained earlier.

[3] See, for example: UNHCR Ex Com Conclusion No. 47 (XXXVIII) on 'Refugee Children' (1987); UNHCR Handbook for the Protection of Women and Girls (2008); UNHCR Guidelines on Refugee Children (1988); UNHCR Policy on Refugee Children (1993); UNHCR Refugee Children: Guidelines on Protection and Care (1994) and UNHCR Guidelines on Determining the Best Interests of the Child (2008).

Despite an increasingly explicit policy commitment towards the protection of children, however, an external evaluation of UNHCR's child protection function in 2002 identified significant organisational barriers in practice (Valid International 2002). The evaluation critiqued an assumption within UNHCR that the traditional approach to protection could automatically meet the needs of children and emphasised that children's specific views had to be increasingly incorporated into the organisation's understanding and delivery of its core protection work (Valid International 2002:9). The evaluation report recommended that UNHCR work increasingly with children as 'partners', further supporting their participation in the identification and fulfilment of their own protection needs (Valid International 2002:60).

In June 2012, UNHCR published A Framework for the Protection of Children, a document which, in some ways, responds to the 2002 evaluation. Building on previous policy directives, the Framework affirms the centrality of children's protection to UNHCR's mandate, emphasises that child participation is "integral to…protection" and advocates "child friendly procedures" as a way of working to better meet children's specific protection needs (UNHCR 2012:9). The Framework also underlines children's resourcefulness and capacity to contribute to their own protection.

In the Framework, UNHCR presents a broadened approach to child protection – protection for all children of concern rather than specific categories of children. The Framework is based on and advocates for a systems approach to child protection which consists of multi-sector components and 'includes actions for all duty bearers at all levels – family, community, national and international – to mitigate and respond to the protection risks children are facing.'

Within the systems approach, all functions and actions are interrelated, "nothing operates in isolation" and "all actors contribute to the comprehensive protection of children." For UNHCR, this broadened, systems-based approach marks an 'institutional shift' in the way the organisation approaches the protection of children (UNHCR 2012:12).

The sheer demographics of displacement included in the Framework document - that 46% of refugees and 56% of people in camps are children- make the argument alone for UNHCR to significantly redirect and reshape its work on protection to specifically meet the needs of those under the age of 18, often the majority of its population of concern (UNHCR 2012:7).

Given this clear and current directive to broaden UNHCR's protection of children and make it increasingly more participatory and child friendly, it is important to explore children's participation in their protection in a refugee camp context in practice. [4]

To what extent are refugee children being capacitated by UNHCR and its implementing partners to be able to express their problems and to be heard? Is the participation of refugee children viewed as integral to and essential for their protection? How are refugee children and their capacity viewed in relation to their participation and protection and how do children view themselves? Are the methods, approach and environments used by UNHCR and its partners accessible and appropriate - friendly - for children?

Taking Kyaka II refugee settlement in Uganda as a case study, this paper draws on one month's fieldwork to map refugee children's participation in protection in a camp setting.

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[4] The term 'camp' here is used in its broadest sense to also encompass refugee settlements.

Based mainly on semi-structured interviews with UNHCR and partner staff and participatory workshops with refugee children (aged 6-16 years), this paper explores the extent to which practitioners are supporting and encouraging children's participation in their protection response, as well as the views and experiences of refugee children on participation in their own protection.

Whilst this paper is predominantly concerned with practice in a case study context, analysed in relation to current UNHCR policy, there is also room for more conceptual considerations and for situating the research from the field in terms of other relevant literature and debate.

The paper begins, therefore, by introducing some wider issues in relation to children's participation and protection in a humanitarian context and draws out four conceptual themes for further consideration. Some context is then provided on the protection of refugee children living in Kyaka II as well as a brief outline of the methods and ethical issues involved in the research.

The views and experiences of refugee children and practitioners are then presented and analysed in relation to the four themes as well as the UNHCR Framework. The paper concludes with some reflections on practice in terms of the participation of refugee children in their protection and, drawing on suggestions from children and practitioners in Kyaka II, makes some recommendations for change.

Wider debates on the participation and protection of children

There is an extensive and significant body of literature – both academic and grey – on child participation and the relationship with child protection, including in a refugee context. Whilst only a limited discussion is possible here, given the scope and remit of this paper, it is still useful to reflect on in relation to the current policy directive from UNHCR as well as what children and practitioners are saying in Kyaka II. It raises some interesting questions and areas for further consideration.

Selected as of particular interest and relevance here are the debates in the literature on: (1) the gap between the rhetoric and practice of child participation (2) the importance of child participation for effective child protection (3) how the child is viewed or conceptualised in relation to their participation and protection (e.g. as competent, vulnerable or a mixture of both) (4) spaces of child participation – where and under what circumstances and conditions children are able to participate in their protection and where they are not.

Returning to the quotation at the beginning of this paper, the first point to make is that there is recognition in the literature of the 'problem' in practice of children's participation and the challenges involved. Shier defines children's participation as a "complex, multi-dimensional process", with multiple inherent tensions (Shier 2010:24). He also writes that the right to participation is the "most radical and far reaching" of children's rights but also "the most violated and disregarded in almost every aspect of children's lives" (Shier 2001:108).

For Cockburn, good practices in child participation remain exceptions rather than routine (Cockburn 2007:248). James writes about "patchy participation," where the increased rhetoric about children's voices is combined with the reality that children are silenced in their everyday lives (James 2007:261), whereas Sinclair is concerned about which children are participating (and which are not) and how child participation can lead to lasting change

(Sinclair 2004). Finally, Lansdown suggests participation is still in an experimental phase and that there is much work to be done by adults to help children to articulate their lives, develop strategies for change and exercise their rights (Lansdown 2001:1).

This literature on the gap between the rhetoric and practice of child participation is useful in relation to the UNHCR Framework and our case study context. The current UNHCR policy shows clear, strategic support for all children's participation in their protection. Through the case study, it is important to explore the willingness and ability of practitioners on the ground to encourage and support children's participation as well as refugee children's actual experiences of participation in their own protection.

Despite the challenges and tensions involved, there are strong proponents of children's participation in their protection and of a positive relationship between participation and child protection. Powell and Smith, for example, state that the "true protection of children requires all rights, including their participation rights, to be respected" (Powell and Smith 2009:137).

Lansdown also makes this point, but more specifically in relation to children's protection from abuse: "denying children a voice encourages impunity for abusers" and that children need to be able to share their views and concerns with those with the authority to take appropriate action (Lansdown 2001:3) .

For refugee children in particular, Liden and Rusten argue that their participation can be crucial for determining child specific forms of persecution such as forced marriage, kidnapping and military recruitment and for their access to international protection (Liden and Rusten 2007:273-5). This, in turn, can have a bearing on longer-term protection responses or durable solutions, essential decisions about the degree of protection they will have access to in their future lives.

Finally, in relation to psycho-social protection, participation is viewed by some as central to children's mental well-being and recovery from negative experiences in the past: "For many girls and boys the process of involvement (which must be undertaken in a supportive and understanding environment) can help children explore past experiences and regain confidence for the future. At its best, participation can be an important tool out of victimisation, passivity and silence" (Terre des hommes 2008:49)

This literature, then, presents a broad view of the relationship between participation and protection – incorporating protection from abuse, psycho-social protection and international protection for refugees. The overall indication throughout is that, if allowed to participate, children can become less vulnerable and better protected. This argument, as we have seen, is incorporated into the UNHCR Framework which views child participation as integral to and beneficial for protection. Through the case study, it remains to be seen whether this position is matched by the views and experiences of refugee children and practitioners in Kyaka II.

There are, of course, opposing voices to the argument that child participation is beneficial for children's protection. This other literature emphasises the vulnerability of children, including refugee children, and the protection risks they face and views child participation as a further threat that these children must be protected against.

Critics of this view focus in particular on its conceptualisation of the child: a child that is dependent, incompetent, vulnerable, and without responsibility (Matthews and Limb 1999) and which involves an age stage developmental perspective on childhood (Powell and Smith

2009:125). Children, they argue, are viewed as having nothing different or particular to contribute; in this view, they are just 'less than' adults.

For Johnson and others, there is a growing recognition that, counter to this conceptualisation of the child, 'vulnerable' children in situations of crisis are able and willing to participate in their own protection (Johnson 2010:184). Theis and Thi Huyes (Johnson, Ivan-Smith et al. 1998) have explored the strategies children use to protect themselves, to fight or evade exploitation and abuse.

Pridmore (Johnson, Ivan-Smith et al. 1998:159) has considered the resilience of children in emergencies as well as their vulnerability and the extent to which voicing their life stories can help them amidst displacement. Hart comments that: "There is a growing understanding among academics and practitioners that children are not simply victims who must be protected or rehabilitated but are also actors who, even in the midst of widespread violence and upheaval, may have a valuable role to play" (Hart 2002:36).

In relation to refugee children in particular, Clark provides a nuanced view of young refugees and their vulnerability in her study of Congolese young people in Uganda. Clark argues that adults depend on children and young people to undertake a variety of tasks, placing them in roles and positions of competence and responsibility and that "assumed vulnerable characteristics do not hold true" for all refugee children 'in all circumstances at all times (Clark 2007:285-6).

Similarly, for Lowicki, the notion that war-affected adolescents might be excluded from participating in the systems that are there to protect them and not be involved in any meaningful decision making processes is "absurd and belittling". These adolescents, she maintains, are thrust through conflict "into adult roles prematurely, becoming soldiers, mothers and fathers, heads of households, husbands and wives, principal wage earners and more, with extremely limited support" and, like Clark, she argues for a more contextual view of vulnerability in relation to the refugee child (Lowicki 2002:33-34).

This more contextual conceptualisation of the child is a more productive starting point for a consideration of refugee children's participation in their own protection than one that views these children as essentially vulnerable in all cases and at all times. As we have seen, the UNHCR Framework recognises the protection risks faced by refugee children but also their capacity and potential for helping to protect themselves.

It is important to explore, through a consideration of the research, how refugee children in Kyaka II view themselves, how they are viewed by the refugee community and how practitioners talk about refugee children, their vulnerability and potential. How refugee children are seen and responded to can be crucial for their ability to participate in their own protection.

The final area of debate selected as of relevance here is one on the 'spaces' of child participation i.e. where, under what conditions and to what degree children are able to express their views and concerns and have them taken into account. Ansell reflects on children's participation and suggests that it tends to be restricted to the small-scale – "limited to the micro-geographies of children's everyday encounters" (2009:192) - ignoring wider political, social and economic processes that have a very real impact on children's lives.

As an alternative, Sinclair argues for a culture of children's participation – not just isolated examples of participatory practice – and access to all of the adult spaces that this implies (Sinclair 2004). Johnson argues that we need to look more broadly in terms of spaces for children's participation – beyond 'children's clubs' (which have their value) to the wider social and political environment around (Johnson 2010).

It is important to explore children's participation in protection in a refugee settlement context and whether it is restricted to certain spaces and scales. For example, the concept and practice of Child Friendly Spaces (CFS) has become commonplace in emergency child protection programmes, including in refugee contexts. UNICEF defines CFS as "places designed and operated in a participatory manner, where children affected by natural disasters or armed conflict can be provided with a safe environment, where integrated programming including play, recreation, education, health, and psychosocial support can be delivered and/or information about services/supports provided" (UNICEF 2010:9).

Whilst UNICEF stresses that CFS are as much about a programmatic approach as the physical qualities of a particular space, CFS are often viewed and operated in practice as distinct protective spaces in tents or temporary structures where children's views and opinions can be heard.

For Hart and Khatiwada, we must be wary of children's participation which takes place in a box, restricted to particular spaces or areas of concern (Hart and Khatiwada 2003:25). Given the demographics of displacement and the argued importance of participation for refugee children's protection, it would seem that a much broader understanding of a participatory and child friendly space is needed in the refugee camp context. As we have seen, the UNHCR Framework talks about child friendly procedures. Through the case study, it is important to reflect on refugee children's protection as a whole and the degree to which it can be viewed as participatory and child friendly space.

From this brief introduction to the literature on child participation and protection, we are left, then, with four areas for further consideration in relation to the research. Some context on Kyaka II and information on methodology and ethics are first provided before these four areas and the data from the field are discussed in more detail.

Kyaka II: history, context and refugee protection

Kyaka II is a protracted refugee settlement located in South West Uganda, established in 1983 as part of the Ugandan Government's relocation of Rwandan Tutsi refugees into distinct settlements. Since the early 1980s, Kyaka II received Rwandan Hutu refugees, refugees fleeing conflict in Burundi and the Democratic Republic of Congo (DRC), and a small number of refugees from the Horn of Africa (Ethiopia and Somalia). In 2005/6 a major influx of refugees from the DRC more than trebled the population of the settlement from 5,000 to over 17,000 inhabitants.[5]

As a settlement rather than a camp, Kyaka II reflects the Ugandan Government's policy on self-reliance of refugees, which contrasts to that of some of its neighbouring states. Refugees in settlements in Uganda are given a plot of land to build a home, land to cultivate and, in

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[5] Most of this section's information came from an informal interview with the settlement Commandant and was then cross-checked with other sources.

keeping with increased self-sufficiency, food rations are decreased over time (except for those who are considered most vulnerable and in need of sustained support). Refugees are encouraged to income generate from other livelihood activities and are free to engage in employment both within and outside the settlements.

In terms of refugee protection, OPM (the Office of the Prime Minister, Ugandan Government) and UNHCR take a joint lead, working with other humanitarian partners and the refugee community. In keeping with its international obligations, the Ugandan Government leads on refugee settlement, physical protection and security.

As elsewhere, UNHCR takes a rights-based approach and has the mandate for the international protection of all refugees. OPM and UNHCR work in partnership on registration, resettlement and other aspects of the refugee protection process. A team from OPM in Kampala – the Refugee Eligibility Committee (REC) – is responsible for conducting the Refugee Status Determination (RSD) interviews in the settlement.

With respect to partnerships, GIZ (Deutsche Gesellschaft fur Internationale Zusammenarbeit) has been UNHCR's main Implementing Partner (IP) in Kyaka II since its inception, managing sectors including Livelihoods, WASH (Water, Sanitation and Hygiene), Community Services, Community Development and – most importantly here - Protection. Until the end of 2011, GIZ was also delivering programmes in Education and Health.

Other partners in the settlement include the Norwegian Refugee Council (NRC), Samaritans Purse, Windle Trust, African Humanitarian Action (AHA), Finnish Refugee Council (FRC), Right to Play and the Ugandan Red Cross. Refugee Welfare Councils (RWCs), as well as a range of refuge committees and bodies, exist at different levels within all nine zones and 26 villages in Kyaka II and at an overall co-ordinating role to ensure refugee participation in settlement management and affairs and to contribute to refugee protection.

So what, then, of the protection of refugee children? Almost half of the population of Kyaka II are children under the age of 18. Of these children, some may have arrived with their families to the settlement or come as separated[6] or unaccompanied children.[7] Others were, of course, born in Kyaka II.

Protection concerns relating to these children include finding foster families for unaccompanied and separated children (UASC), SGBV (Sexual and Gender Based Violence), child labour, trafficking of children to work as maids or house guards elsewhere in Uganda and lack of awareness of children's rights in the community including access to education. Refugee children also, of course, bring a range of protection issues with them from their country of origin.

For UNHCR, the protection of children encompasses: "protecting and advocating against all forms of discrimination; preventing and responding to abuse, neglect, violence and exploitation; ensuring immediate access to appropriate services; and ensuring durable solutions in the child's best interests" (UNHCR 2012:8).

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[6] Separated children are those who are separated from both parents or from their previous legal or customary primary care giver but not necessarily from other relatives.
[7] Unaccompanied children are those children who are not accompanied by parents or any other relatives or cared for by any other adult responsible by law or custom for doing so.

In keeping with this definition, practitioners in Kyaka II described their child protection work in terms of distinct posts, structures and activities for preventing abuse and discrimination as well as a stretched protection process through which all refugees move: "So the protection needs to stretch out: it starts from receiving them, listening and considering the cases that would meet the criteria for the granting of asylum in Uganda, to trying to settle them so they integrate, to special needs...."

Although there is no post dedicated to child protection in Kyaka II, UNHCR and partner staff deliver on the protection of refugee children in a range of ways in keeping with this definition. For example, in terms of tackling discrimination, GIZ promotes equal access to education for children with disabilities and provides additional support (for example, school books and stationery) to child headed households (CHH) and orphans and vulnerable children (OVC). A fostering system provides protection and care for children without parents or guardians.

With respect to preventing and responding to abuse, neglect, violence and exploitation, GIZ and UNHCR have established specific posts, structures and mechanisms both in schools and in the community to enhance the protection of children. All schools have a male and female teacher responsible for child protection, SGBV clubs have been established in primary schools and Child Welfare Committees in the community, random child protection spot checks are carried out to monitor child welfare in foster homes, schools and other locations across the settlement and there are community sensitisations and campaigns (for example the annual '16 Days of Activism') on protection as a whole.

For immediate access to appropriate services, both UNHC and GIZ, working in partnership with agencies like NRC or Samaritans Purse, provide essential food and non-food items (NFIs) and for refugee children's basic needs.

Finally, in terms of durable solutions for refugees, the options in Kyaka II are either voluntary repatriation or resettlement. Local integration has not been actively promoted generally in Uganda, attributed to the "perceived resource burden that accompanies refugees" (Hovil and Dryden-Peterson 2003:2).

However, integration is currently being considered for Rwandans living in Kyaka II since the 1990s due to a Cessation Clause, ending their refugee status.[8] Protection tools, such as the BID (Best Interests Determination) and BIA (Best Interests Assessment) procedures, though not used solely in relation to durable solutions, are employed by UNHCR and partner staff to guide decision-making and to determine the best interests of the child.

Research methods and ethical considerations

The field research for this paper was funded by a UNHCR Small Grant with welcome support from UNHCR, GIZ and OPM offices, both in Kampala and in the settlement itself. Invaluable assistance in terms of liaising with the refugee community and engaging children in the research was provided by Theogene Mujyanama, Baguma Fiston and Kandole Salatiel.

An additional two months' field research in Kyaka II has also been supported by the Humanitarian Innovation Fund (HIF), focusing predominantly on practitioners' and

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[8] The Cessation Clauses set out the only situations in which refugee status properly and legitimately granted comes to an end.

children's views on innovation in relation to participation and protection. The results from the additional period of field research are to be published elsewhere.[9]

This paper draws on five semi-structured interviews and a participatory mapping workshop with practitioners. The interviews with practitioners focused on their role and remit in relation to child protection, their views on refugee children's participation (what is possible, impact of culture, gaps and barriers) and what constitutes a child friendly space, as well as their ideas for improvement and change.

The workshop involved activities to explore where different individuals stood in relation to views, experiences, knowledge and practice of child participation, as well as mapping out a picture of organisational practice and opportunities for children to participate in their protection across the settlement. All of the interviews and the workshop were conducted in English.

The paper is also based on eight participatory workshops conducted with groups of refugee children (aged between six and sixteen) from four of the nine zones in the settlement. Two of the workshops were conducted with children attending school; the remaining four were with those not at school, including newly arrived children living in the Reception Centre in Kyaka II. Each workshop engaged between 8-10 children and lasted 2-3 hours.

The term children, as has been mentioned already, has been used in this paper in keeping with the UNCRC definition of every human being below the age of eighteen, a group which is of course very diverse. Separate workshops were run with 6-10 year olds and 11-16 year olds to reflect at least in part children's diversity and different ways of communicating about their protection concerns.

Whilst all workshops were game and activity based, younger children's workshops involved, for example, puppet making whereas the older children produced thematic posters to aid group discussion on protection. Overall, the methods chosen were child friendly, with the ability to more quickly and easily engage with children. The methods created a more comfortable and enjoyable environment for children to be able to communicate their opinions and views and promoted a more positive participatory experience for those involved.[10]

Child participants for the workshops were recruited by two refugees working as Community Protection Workers who also worked closely with the researcher to deliver the workshops and support the children involved. A translator, experienced in working with children, was recruited from the refugee community to specifically support the children's workshops for the period of the research. The children's workshops were led in English and translated into Kiswahili, Kinyarwanda, Kikongo, Lingala or other community languages from the DRC.

Observation was also undertaken to complement the interviews and workshops held and to enable children's participation to be viewed from multiple perspectives. In particular, the researcher was able to observe some of the refugee protection processes and spaces in the settlement, for example the Reception Centre and the RSD interviews with the REC (Refugee Eligibility Committee). A research diary was kept to record reflections and observations

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[9] Please refer to HIF online profile for further publications –
http://www.humanitarianinnovation.org/projects/small-grants/CMPR
[10] For literature on participatory research with children and use of child friendly methods, see for example O'Kane, C (2008), 'The development of participatory techniques: facilitating children's views about issues which affect them'.

throughout the period in the field and several debrief meetings were held with support workers to benefit from their particular input and views.

The methods chosen for research with refugee children were deliberately participatory. As such, many of the issues arising from the research - which is about refugee children's participation - are also relevant for how the research is conducted itself. For example, the barriers faced by refugee children in relation to their participation in the settlement day-to-day – demands on their time and availability; adult and cultural attitudes restricting their access to opportunities – also faced children wanting to engage in the research.

Similarly, the questions posed to humanitarian workers about their practice – how child friendly it is, whether feedback is given to children, whether children have adequate and appropriate information – are also relevant for the research. As a result, an important part of the approach to the research is to be as reflexive as possible and to address these issues as they arise.

Finally, it is important to say something about the ethics of the research, in particular in a refugee camp setting where children, their protection and participation are involved. There are a whole range of ethical considerations to take account of here, including: the power differential between adults and children and how this affects their ability to engage; the degree to which children are able to give informed consent to participate in the research; ensuring that the research does no harm (either in terms of children's well-being - talking about their protection concerns - but also in terms of making them more 'visible' as a group and more vulnerable in the settlement as a result); maintaining a good quality participatory process and being aware of the importance and influence of culture and context. Whilst space does not allow further elaboration here, the author has written elsewhere about an ethical approach to child participation and what this means in practice.

Mapping children's participation in protection

Many examples were provided by practitioners of opportunities for children to give their views and opinions on their protection in the settlement. One respondent echoed the quotation at the beginning of this paper when she spoke about how children were being capacitated in different ways to talk about their protection problems and concerns: "We have a number of activities… that are designed to build the capacities of these children; to empower them with; like a child to be able to say what they feel they are not happy about, without any fear."

The map provided by practitioners showed avenues for children to participate in protection at church, at home, in school, in the community through the RWCs, and through organisations working in Kyaka II, including health services and the police. Specific examples included children's clubs, for example SGBV and ARC (Action on the Rights of the Child) clubs in schools and Child Welfare Committees in the community, play-based consultations with children through Right to Play, children's representatives on community committees (two under 16s representatives on each) and participatory sessions for children on protection issues such as early marriage, sex, defilement and rape.

As well as these specifically targeted activities, practitioners also spoke about a more open and continuous approach to monitoring children's protection and getting their views and concerns: "a routine activity, anytime we go to the field…I might find myself passing by…it costs nothing for me to say 'hi how are you people doing?"

Whilst the examples above focused more on child protection in relation to prevention of discrimination, violence and abuse, practitioners also spoke about children's participation in the refugee protection process as a whole. In particular, participatory protection assessments, Best Interests Determination (BID) and Best Interests Assessment (BIA) were mentioned.

Participatory assessments are one of the tools used by UNHCR and its partners to implement the Age Gender and Diversity (AGD) policy, engaging differently with multiple and diverse groups of refugees to draw out their particular protection perspectives and concerns. In Kyaka II, one respondent commented that they had really tried to capture the views of children as part of these assessments and that an assessment "usually…finds out the issues." These issues were then fed into the protection planning process: "'We use it to design our activities… we talk to all categories of children: the disabled, the ones in school, the ones out of school… the new arrivals."

The BID and BIA are protection tools used by UNHCR and its partners to guide the decision-making process in relation to particular children. A BID is defined as the formal process with strict procedural safeguards designed to determine the child's best interests for particularly important decisions affecting the child. A BIA is an assessment made by staff taking action with regard to individual children, except when a BID procedure is required, designed to ensure that such action gives a primary consideration to the child's best interests.

Practitioners in Kyaka II emphasised the participatory nature of the BIA and BID as protection tools: "BID or BIA is all about having the child at the centre of the decision-making. We don't have to force or impose - it is up to them." The BID, practitioners maintained, gave children the opportunity to make their own decisions about issues as important as foster care or resettlement to another country: "It is upon the child to say 'yes, I am okay with this'."

Finally, as part of their mapping process, practitioners also identified certain roles as being about child participation. Community Protection Workers – refugee incentive workers employed by GIZ – talked about how they were working in the zones to give the children the chance to talk and that children tell them the problems they are facing. Within UNHCR, Community Services were viewed as the main point of contact for the child – "'they're the first people in contact with the refugees" – and practitioners also felt that children were aware of those responsible for child welfare directly: "they know that, okay, we have the Protection Sector, GIZ; we have these kinds of persons who handle these kinds of problems."

Whilst children in their workshops did not provide such a detailed map of participatory structures and mechanisms – they did not mention clubs or committees, for example - many were clear on certain adults or groups of adults that they could talk to about their protection concerns. Children mentioned parents, teachers, matron, local councillors, community governors, Chairman, police, family, elders, as well as GIZ and UNHCR ("because they are responsible for us and can help us") and gave examples of where these adults or organisations could help: "If you are being disturbed by a certain man and he becomes a barrier to you, you can go to the police if need something and don't know where to get it."

Of the children engaged in the workshops, the older children and those attending school were, as would be expected, those who were most clear on where they could express their views and concerns and who they could go to for protection. They were also the best informed on agencies like UNHCR and GIZ and the support they could provide: "When you go to

UNHCR they help you build a certain house and keep you there while you get a guardian. GIZ take you to school if you don't have place to study."

Whilst children and practitioners were able map examples of where refugee children could participate in their own protection, they also identified gaps. Younger children were much less aware of opportunities available to them and felt reliant on a circle of support that was much closer to home. For example, one group of 6-10 year olds were only able to name father, mother, uncle, aunt, brother, friend, neighbour as the people they could talk to about their protection concerns.

Most of these younger children were not aware of UNHCR or GIZ, or had only seen them passing by in a white vehicle but not talked to them. They were unsure about these organisations' roles, particularly in relation to protection: "they play with children and give them food"; "they receive you, write your name and give you food for emergency… you go to school and get to study for free." Some of the younger children talked about not knowing these organisations and fearing them as a result.

Children not attending school and those more newly arrived in Kyaka II and living in the Reception Centre also seemed less sure of who they could talk to about their protection concerns. They were also unsure what would happen if they did: "He is a newcomer and an orphan with no parents. No ration card. New and doesn't know someone to tell his problems. Can't get results if talk about it or get answer. Don't trust people outside. Don't know GIZ or UNHCR… even if tell someone, can't solve that problem."

Practitioners were also aware of gaps in their own practice and how their way of working might present barriers to children's participation in their protection. Issues raised included children not being aware of their right to participate and a lack of participatory points specifically available for children to be able to present their protection views and concerns: "We concentrate mostly on adults and leaders…Most of the children, they have no idea… what they can or they can't or, you know, they just don't understand… nobody really educates them on 'this is your right and this is what you can decide and this is what you basically are entitled to'."

Whilst there was an awareness that some participatory mechanisms and structures were in place, practitioners were concerned that these mainly reached children in school or older children and that for other children, opportunities for participation were limited. Even where practitioners felt children were able to participate, there were concerns that these children did not receive feedback on the consequences of their participation: "We always go back to the community and inform them what we have finally come up with, based on their decisions, but I think the children are still left out of this feedback… because we choose the leader as the contact."

This map of children's participation in their protection in Kyaka II, based on the combined views of refugee children and practitioners, is interesting in relation to the earlier discussion on rhetoric and practice. Child participation can be patchy, for all sorts of reasons, and it is important to be aware of and able to focus in on the gaps in order to address them. The mapping process in Kyaka identifies some of these gaps: for example, in terms of which children are least able to participate (younger children, those newly arrived or those not in school), posts which might be less equipped to listen to children's views and aspects of a good quality participatory process (for example, feedback to children) which are missing.

The gaps are also important to articulate in relation to the directive in the Framework, which advocates for participation as integral to the protection of all children and views all actors as contributing to the protection of children as part of a systems approach. In this sense, having groups or categories of children who are more excluded from participating in their protection or practitioners who feel that child participation and protection are not part of their role are areas that need further attention.

Relationship between child participation and protection

Children in the workshops were not asked explicitly about a link between their participation and protection but, through their comments, showed the importance of communication about their concerns and access to particular adults and organisations for their protection and that of their peers. Lack of protection for a child was often expressed in terms of not having someone to tell their problems to.

For the practitioners interviewed, a fundamental connection between refugee children's participation and protection was clear. Children being able to speak out or talk about their views meant that the practitioner knew where to begin from in terms of protection and what would make children feel comfortable and secure.

Practitioners emphasised in particular a positive relationship between child participation and psycho-social protection. Child participation was viewed as essential so that children's negative experiences were not 'carried' and so that they could release whatever it is that they are holding inside. Whilst practitioners were mindful of refugee children's vulnerability at certain points and times, they stressed the importance of participation for children's mental health and well-being.

One respondent provided a very powerful example of this in relation to a group of refugee children she had worked with: "…they came to the forest… and they told them 'now we have to kill one of you otherwise the army will kill us, so now you decide who we're going to kill'. Now if you have a child who needs to go through this decision and who survives the whole process… unless the person comes up and starts talking about it… in thirty years' time, he'll still be traumatised."

Practitioners also focused on the link between children's participation and an effective refugee protection process. They referred in particular to the practice of interviewing principal applicants and how this, and the limitations of time, could mean a child's views and protection concerns might not be heard.

Some powerful examples were given in interview to demonstrate this. For example, one practitioner described how a seven year old boy had fled alone, having witnessed his father being slaughtered and his cousin raped. The boy then joined his mother in the settlement.

This protection information had only been disclosed by the practitioner having gone to talk separately to the boy: "I asked the mother: 'what is wrong with the child?' and that's when she goes: 'He fled after we came some time. I don't think… mentally, he's not okay, he has mood swings, he keeps quiet'…. My point is, if we hadn't gone down to ask this boy, no one would have known'."

In another example shared, of a 12 year old boy who was being tortured by his father, only the adult or principal applicant had been engaged, not the child, with significant consequences. The practitioner described how the child must have been angry inside but that there had been no time to talk to the children during the processing of the family's asylum case, to go deep. The child committed suicide: "we lost a child because of this."

This issue of taking up the principal applicants and lack of time to talk to children was also commented upon by other respondents. Practitioners were very concerned and conflicted about their lack of time or ability in some cases to be able to talk properly to and adequately engage refugee children: "sometimes I get swallowed up into it… because I don't have the luxury, because I have to work at a certain speed to meet with the demand and the numbers so sometimes I may not really have that luxury of speaking with these children."

Respondents were aware that, although protection tools such as the BID aim to facilitate children sharing their views and concerns, those who are without BIDs may not be given that crucial opportunity: "In some situations where BIDs are not needed… the child may witness something the parents may not witness and if we don't sit down to talk to these children, we shall miss that information. Sometimes they go out; whatever they saw is carried forward."

There is the sense, then, amongst practitioners that although protection tools such as the BIA and BID enable the child's views to be heard, other aspects of the refugee protection process are not so participatory and other children are not necessarily reached, with important consequences for their protection: "BIAs and BIDs is an area where the children participate maximally… we take into consideration interests there, the opinions and choices of the child... but refugee, that process, no."

It is interesting to see that the broad and positive relationship between children's participation and their protection, as outlined in the literature, is reinforced by the views and experiences from the field. The importance of child participation for protection from abuse, psycho-social well-being and international protection is also stressed by practitioners working in Kyaka II. In relation to the directive from the Framework in terms of participation being 'integral' to protection, the practitioners involved in the research are therefore very much in accord.

However, what also comes across is that the close coupling of child participation and protection in some aspects of UNHCR's work – for example in the BID or BIA – is not necessarily found throughout. With a Framework that takes a broad approach to the protection of all children, there needs to be an opportunity for the child to participate even where these specific participatory protection tools are not engaged, for example as a routine part of the RSD interview in a family-based asylum claim.

Attitudes towards children and their participation

Children were asked in the workshops whether they thought they could contribute to their own protection and to that of their peers. Some children felt that they could help to protect each other. The older children spoke more about this: they felt that they could give advice, support and information to each other or direct other children to relevant agencies and accompany them to get assistance.

The sense was that they had something to offer: "'Even a young girl can keep a child safe. Why? Because we are all from different families but may have the same problems - we lost relatives during wars - the talents, we have – and we know how to make a better life."

These older children were also aware that some children found it harder than others to speak out and needed more help as a result: "Children not in school have ideas but don't share - they carry them in their heads - they don't have someone to tell." "Children in the villages – they fear and have a lack of language – it is harder for them."

The younger children also mentioned helping other children, focusing on sharing material things (food, clothes, NFIs), befriending and play. Despite being willing, other children, however, felt that they simply did not have the capacity to help anyone else – they had problems themselves or commented that children work so much that they don't have the time to share ideas.

Whilst many children felt that they had something to contribute in terms of their own protection, they were very aware of attitudinal and/or cultural barriers to their participation: adults, some said, did not care about the younger generation, they were harsh and had no time for children. Children, they said, fear adults. When they tried to talk to adults about their concerns, children felt that adults undermined them, thought they were being disobedient, gave them bad ideas or acted as if they were joking and did not want to hear their problems: "they say come later, come later"; "you are not the one to command me."

Children also gave examples of telling adults their concerns and nothing happening as a result: "You tell guardians about needing school fees, clothes, but it does not happen." "If you lose parents you can go to a guardian, but they may fail to look after that child."

Practitioners too were well aware of negative attitudes towards children's participation. Whilst one respondent talked about adults in the refugee community being supportive and interested in children's views, most talked about cultural resistance, particularly in certain areas of the settlement where they felt that children were completely disregarded: "Some cultures don't take children's opinions serious and we have had issues where a child has come up and said: 'see, these children have a particular problem' and the parents are like 'yes, children are supposed to be doing this', you know. It is like they try to imply that 'we are the adults and supposed to think for you', you know. So much as we are trying to bring it up, to encourage participation, there are lots of cultural barriers."

Practitioners talked about how parents could tie children by their rigidity and negative attitudes to child participation and by restricting what they say; how children could be viewed as having little value and with little to contribute and how girls in particular were restricted by being taken out of school, by child labour and early marriage. Time and space for children to engage as a whole, with all the other demands on their lives, was seen as a problem: "Because in the morning they fetch the water, then they run to school, they come back home, then again house chores and all these things they need to do, prepare for school… then they go to sleep and it's like a never ending circle."

Despite being aware of negative attitudes amongst adults in the community, the practitioners interviewed as part of the research demonstrated a clear appreciation of children, their unique perspectives and the value of encouraging their participation: "We take a child as someone important. And for us to be able to do activities with children… we have to involve them, because children don't look at things the way we look at them. So we feel it is really

necessary." "It is best to talk to children - the way adults see things is different to the way children see things - they are at the centre of their own concerns."

These practitioners felt that they could work hand in hand with children on protection concerns and recognised children's capacity to contribute to their own protection and to that of their peers. One practitioner commented: "We have the children on board who also look at something in their own perspective, in their own… way as children. You know if they see a fellow child going through something, they are able to say how they feel as children, from a child's perspective."

These views and experiences of children and practitioners from the research provide an interesting insight into how children are seen, and see themselves, in relation to their participation in protection in Kyaka II. On the one hand, children have a range of duties and responsibilities in their day-to-day lives, are already taking on informal roles in relation to the protection of their peers and many feel that they have talents and a unique contribution that they can make. On the other hand, in this instance due to cultural and community influences, children are frequently positioned as 'not adult' and not competent to make a contribution on protection that is worth being heard.

The UNHCR Framework is clear on how it positions the refugee child in relation to protection. Although facing multiple risks, children are highly resilient, have strength and talents and the Framework emphasises children's capacity to participate in their own protection. Reinforcing this view of the child requires careful negotiation of alternative views, attitudes and cultural beliefs held by a range of adults, as well as building children's belief in their capacity to help protect other children as well as themselves.

Child friendly and participatory spaces

Practitioners interviewed were clear about the importance of creating an environment conducive to child participation; the merits of a 'child friendly space.' Participants gave a range of definitions of what this meant for them. For some, it was a clearly defined space or area explicitly for children with particular services available, in keeping with the more accepted definition in emergency protection programming of a Child Friendly Space: "Well protected, maybe enclosed, also from any unnecessary intrusion. If it is children, it is strictly children and the ones that take care of them, and it should be having all these play facilities for the different age groups and probably someone to oversee their health, how they are progressing. You know, the children: anything can happen, anytime."

For others, it was broader: a general atmosphere or approach - peaceful, with no source of violence, familiar things around them, play and people that they trust- a space that could be "anywhere a child may be free, maybe in school or in the community, a particular place or at home." Or, indeed, everywhere: "Where a child is free to air out… his or her views… a child can easily approach us and we easily talk to the child and give the child space."

Overall, the picture of a child friendly space built up was one where the environment, staff support, activity and communication were safe, comfortable and accessible for children – where they could be free to talk about their views and concerns.

Similar principles came through when practitioners talked about protection interviews with children: the importance of an approach with an environment, activities and appropriately

skilled people to enable the child to open up: "In my own view it's easier in the community in their homes… than maybe in the office where they may not open up so easily."

Interviewees were concerned that particular spaces in the settlement were not child friendly. Whilst the participation in protection map shows structures and activities – for example children's clubs - planned to be friendly to children, spaces in the refugee protection process itself were identified as a gap. In particular, practitioners mentioned the Reception Centre which they felt was "not good for children" and "absolutely not child friendly."

One person commented that "they forget about the children there." Practitioners also mentioned the sometimes long wait for the REC interview team and the RSD process to occur, during which time they felt that 'children suffer'. Acknowledging that this was the case, one respondent emphasised that the refugee protection process needed to be more child friendly, and needed to change.

When asked, children also had a lot to say about the refugee protection process in the settlement and whether it was child friendly or not. Children gave their views and opinions on arriving at the settlement, living in the Reception Centre, attending protection interviews and approaching the GIZ and UNHCR offices for help. Some of the younger children had been born in the settlement and therefore not stayed in the Reception Centre or attended interviews, or could not remember them, but the older children, particularly those in school and those living in the Reception Centre itself, had a contribution to make.

Firstly, children described (and, in many cases, drew) the stages of the refugee protection process as they had experienced them and showed recognition of the support given to them by organisations like GIZ and UNHCR. "They are leaving from their place. They leave their property to another. The GIZ are giving the people needs."

They also, however, outlined the protection problems for refugee children in specific spaces, impacting on their participation, for example in the Reception Centre: "Children are suffering in the tent. They lonely; some are crying; they think they don't have someone to help them. UNHCR is trying to advise them on how to live in a community and try to persist until they get something for the children who are orphans, needy and so on." "Orphans don't have parents so have to work. No play or enjoy. Work hard, just work… Sometimes no food so can't play, enjoy, nothing in stomach…No information… Not safe. No time to talk to children. Dust and plastic, very cold at night."

With respect to interviews, although children recognised that the offices of UNHCR and GIZ were a good place and some talked about the support they received to prepare for interviews, they mentioned issues of hunger, thirst, tiredness and delays waiting for interviews and how they found the interviews hard with not enough time or space for their answers.

These views from practitioners and refugee children show that some spaces are considered participatory and child friendly and some are not. There are gaps – for example, the Reception Centre or some protection interviews – where, for all sorts of reasons, children find it hard to express their views and concerns.

This is important when we consider the range of protection issues faced by newly arrived children in a refugee settlement or the weight of decisions made in protection interviews and their potential impact on the child. It is useful to start to think about a child friendly space in a much broader sense, including all the spaces of refugee protection. Indeed, given the

demographics of displacement, it might even be productive to start to think about applying the principles of child friendly spaces to refugee camps or settlements as a whole.

Conclusion

The case study discussed here provides a basis for some productive reflection on refugee children's participation in protection in relation to the UNHCR Framework. In terms of practice, it indicates that UNHCR staff and partners are able to support and encourage refugee children to share their protection concerns and have established posts, structures and mechanisms to facilitate this. It shows that these practitioners view refugee children as having a unique contribution to make to their protection and that there is support for child participation as integral to the protection of children.

There is also an understanding by practitioners that in order to enable children's participation in their protection, environments, ways of working and approaches need to be child friendly so that children are able to open up and are free to share their views and concerns.

The discussion, however, also suggests that child participation remains to some extent in a box and has not been stretched across all areas of protection. Aspects of the refugee protection process – for example sole interviewing of the principal applicant as part of a family's asylum claim – are not as open for children to express their views as others and this can inadvertently silence children's specific protection concerns. Some spaces or environments – for example the Reception Centre - are less child friendly than others and may inhibit children's meaningful participation.

Participatory protection tools, where they exist, are only used for certain categories of children. There may also be insufficient 'entry points' for other children to participate in their own protection, particularly younger children and those not attending school. Finally, culturally and attitudinally, children may often not be being conceptualised as able to provide useful perspectives or contributions on their protection and are practically prevented from doing so in a range of ways.

These issues in relation to children's participation in protection are certainly something to consider in terms of the fundamental nature of the decisions that are made through the refugee protection process. They also require attention in relation to the Framework's broader, systems-based approach to the protection and participation of all children of concern.

The Framework itself provides some suggested actions for UNHCR and partner organisations in this regard, some guidance in terms of policy implementation. To increase refugee children's participation in their protection, suggestions include setting up more child specific clubs and committees as well as child friendly feedback and complaints mechanisms. In terms of child friendly procedures, the presence of child protection focal points at registration and reception points, training on communication with children and the establishment of child friendly interview rooms are suggested.

Whilst the scope of this research has been relatively small-scale, some related suggestions can be made, drawing in part from the comments made by children and practitioners in Kyaka II.

Firstly, in relation to the principal applicant and RSD, different mechanisms could be used for also gaining protection information from the child – for example, working with a partner organisation like Right to Play to consult with children on their protection concerns whilst they are awaiting interview; incorporating child specific questions or activities (for example children's drawings) into the RSD procedure to provide a window for the views of the child; providing child friendly information at interview on where, how and when children can disclose their own individual protection concerns.

Secondly, the principles of a Child Friendly Space (for example, secure and safe, stimulating and supportive, participatory in design and implementation) could be used to audit a Reception Centre, or other spaces, and refugee children and practitioners contribute designs and ideas for a more child friendly alternative. In keeping with the Framework's suggestion of a child protection focal point at reception, one practitioner in Kyaka II suggested: "a desk especially to meet the children, whether they have parents or not… to talk to them, find out how they have been living and how they would like to live." Refugee children also suggested "someone to talk to children; an adult to tell their problems to, on their own" and "information to know what happens after Reception."

Thirdly, in terms of creating entry points for the participation of more excluded groups, children's informal roles could also be built upon to create a more organised peer network of child friendly information and support. This would be particularly important for younger children to access due to their greater reliance on home and community-based protection. Practitioners also emphasised the importance of increased outreach and community sensitisation to reach younger children and those not in school.

Finally, in terms of addressing strongly held views on children and their capacity, whilst it is important to be mindful of culture and context, the visibility of children, their participation and what they can achieve could be increased. This might be done by formalisation and recognition of children's roles or by increased child specific events and protection workshops.

For example, the participatory workshops run by the researcher with children in Kyaka II were reported to raise the profile of children, their capacities and protection concerns in the villages and amongst the adult refugee community. For practitioners in Kyaka II, both the creation of child specific posts ("someone to concentrate on children's issues… someone really only doing children's work") and an overall change of approach ("everyone needs to factor in a programme that deals with children") would help to raise the profile and better address the protection needs of children.

In terms of the way forward for Kyaka II in particular, what came across clearly from the interviews with practitioners was a commitment to children, an openness and willingness to learn and, if necessary, to change: "Maybe before you leave you could ask them what they really want for them… They will tell you more about us and from there we will see how we can improve?"

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