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CONFLICTS IN THE HORN OF AFRICA: A CASE STUDY OF CHILDREN INVOLVEMENT IN SOMALIA CONFLICT (2004 – 2011) //

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DECLARATION

This project is my original work and has not been submitted for a degree to any other university.

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This project has been submitted for examination with my approval as the University Supervisor.

SIGNED..

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DEDICATION

This work is dedicated to my beloved husband Fred Kiteme for his financial and moral support and to my daughters Tabitha, Claire and Michelle for their encouragement as I pursued this programme to its completion.

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ABSTRACT

This study was designed purposely to investigate the effects that children involvement in conflict had on their social welfare, contributing factors and interventions. Towards meeting this, the study sought data from Somalia urban refugees in Nairobi who were formally registered by the UNCHR based in Nairobi. In addition, data originated from international aid agencies whose operational offices were in Nairobi. The study found that the children of Somalia were heavily subjected to perils of conflict, thus vastly denying them the freedom towards enjoyment of social rights to education, health care and security. The rapid movements that were occasioned by the regional conflicts, disorientations from the formal schooling systems, lack of schools and limited interventions hindered easy access and sustainability to education. The children were badly exposed to malnutrition and death from diseases that would otherwise have been controlled if appropriate mechanisms had been put in place. Moreover, there was an arrested move towards establishing medical centres and rebuilding of health systems in the region to cater for the children. Most often than not, medical needs were addressed by voluntarism, and NGOs whose core activities were outside the scope. In terms of security, it was observed that the children were equally exposed to conflict related deaths since they were easy targets and cheaper fighter options. The conflicts resulted to weakened parental roles which led to most children seeking means of fending for themselves in the absence of formal governance structures.

Among the critical factors found to be contributing to child involvement in Somalia conflicts included political instability, internal warfare, lack of formal schooling system, ignorance of laws protecting children, limited international interventions, and adverse weather effects. While political instability gave leeway to ungoverned state leading to emergence of warring groups and ad hoc governance structures, internal warfare weakened the remaining Somalia social fabric that led to total disintegration. In addition, the warlords hardly cared about dangers of involving children soldiers in the conflicts as the internal community did

little to curb the soaring tension. Other than these, lack of formal schooling and adverse weather conditions left most children idle, desperate and easy recruits to the militias.

Finally, it was established that international aid agencies and NGOs worked hard to seek minimum effects of conflict on children through evacuations, immunizations, provision of food and water, population tracking, scholarships, alternative engagements, and litigation patronage. However, more effort was required to deal with the challenging factors such as limited funding, uncoordinated efforts, directed attacks, and high mortalities leading to increasing orphaned children.

Based on the findings, the study recommended that consecrated efforts are sustained to ensure free flow of funds to rebuild the formal social systems including education, health and security. All children regardless of age should be allowed back to school without discrimination while accessing medical needs in closer reach. The security of children should also be prioritized by implementation of international child protection provisions and tailored Acts of Parliament. It is also recommended that further efforts are injected into the national reconciliation mechanisms that will see previously warring communities and factions reunited. Moreover, the international community should double its efforts towards building essential institutions which will form the pillars in future development. Some of the critical pillars include roads and communication networks, financial systems, tourism, and international policy. This will require a collective and centrally coordinated approach to avoid replication and skewed development patterns.

LIST OF ABBREVIATIONS/ ACRONYMS

CRC	Convention on the Rights of the Child
GBV	Gender Based Violence
IDPs	Internally Displaced Persons
LRA	Lord's Resistance Army
SD	Standard Deviation
SNM	Somali National Movement
SSDF	Somali Social Democratic Front
TFG	Transitional Federal Government
UIC	Union of Islamic Courts
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children Education Fund
USC	United Somali Congress

CHAPTER ONE

1.0   Introduction and Background

The Horn of Africa has experienced numerous conflicts. The conflicts are either state to state or community to community. Conversion of civilian populations into military and paramilitary groups is common in the region. Perception, attitudes and actions of the parties in conflict shape the process of militarisation. Inability of states to dialogue with each other and with their internal dissidents results in conflict. States do not admit that there are real internal problems; hence victims of injustice are left with no option but to fight for their survival.

Since 1960s, Africa has been the centre of many of the world's most deadly conflicts. Most of the internal conflicts have had profound effects on neighbouring sub-regions and the continent as a whole. In the Horn of Africa, Somalia, Sudan and Ethiopia have since independence been major destabilizing states in the neighbourhood.

Conflicts have caused instability of nation-states resulting in government spending money to maintain power rather than to create infrastructure, provide hospitals, schools and public services. Combating the threats of disease and illiteracy and promoting economic recovery require a level of political stability and government capacity that cannot be built in the midst of conflict.

Conflicts have their roots in economic underdevelopment, environmental hazards, repressive political systems and competition over natural resources and external linkages. Conflicts in the Horn have common characteristics. Conflicts in the Horn have contributed to low development indicators and high levels of food insecurity and poverty in the region. The Horn of Africa is the poorest region of the world with very low development indicators. Most of the conflicts are internal; hence, villages and towns have become battlefields resulting in extensive damage of schools and hospitals as well as mass movements of refugees and

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displaced persons. Every conflict has its own personality that distinguishes it from other conflicts. Thus, internal conflicts come through common issues such as ideology, governance, societal, environmental or identity. Some of the conflicts that start as internal conflicts progress to become external conflicts.

Conflicts, whether internal or external have negative effects on the socio-political and economic development of a state. Poor people with no basic needs, living in a state of anarchy pose a threat to the security of a state and its neighbours. This can be attested by the conflict in Uganda in the 1950s, Kenya and Somalia in the 1990s.

The historical phenomenon on the emergence of states has a crucial bearing on conflict in the Horn of Africa. Many of the civil wars in the postcolonial period have resulted in part from the boundaries established by the colonisers. The boundaries imposed by colonial regimes have little correspondence with African ethnic groups and languages. The use of colonial boundaries that grouped different and sometimes antagonistic ethnic groups under the same flag and with unequal power and opportunity created the fodder for civil war and political instability. The colonial governments divided people without due regard to their ethnic groupings and boundaries. For example the Somali people were split between Somalia and Kenya. They are spread in Ethiopia, Northern Kenya, Eritrea and Somalia. In the same way, the Masai nation was split between Kenya and Tanzania. This cross border ethnic composition of countries play a role in internalising conflicts in the region. The issues of land rights, systems of governance and issues of identity are other sources of conflict. Some of the conflicts are constant while others tend to recur.

Conflict affected nations have histories of weak social contracts. The weakness is mainly related to legacy of colonialism with institutionalized mechanisms such as pre-colonial ethnic rivalry over territory and assets as in the case of resource scarce countries such as

Somalia and failure of longstanding independent states to strengthen mechanisms of political representation, such as Ethiopia.

A conflict can be violent or non-violent. Violent conflict is a physical one that people understand and see. This type of conflict leads to injuries, loss of life and property. On the other hand, non-violent conflict is non-physical and in most cases, people cannot understand nor see it. In such a situation, there is no war or violence but there is no peace.

The effect of armed conflict on children is complex. Children perform many tasks besides serving as combatants. Civilian population is target for recruitment. Those who resist against forced recruitment are intimidated in accepting it in order to survive. For example, Uganda's Lord's Resistance Army, abducted and recruited children and women to their army.

Violent Conflicts deter economic growth, cause hunger, and destroy infrastructure, schools and hospitals. War and ethnic strive constrain children's opportunities in the Horn of Africa. Further, they are forced to cross borders for safety. They become aliens or refugees in the host country.

Conflicts have lead to displacement of people to different parts of the country and worse still to neighbouring countries. The involvement of Children in conflict has affected them in terms of education, health and social life. Ethnic strife and wrangling over natural resources or wealth have caused persistent poverty which in turn has forced households to place their children in work roles rather than in school. Some conflicts are very costly in terms of deaths. For example, Kenya's 2008 Post Election Violence caused untold suffering and deaths to Kenyan people.

The conflict in Somalia stems from colonialist legacies, repressive regimes and vested interests of clan warlords. The Somali people were divided among no less than five state units during the colonial period with Ethiopia being colonized by French, Djibouti being colonised by British, Somaliland being colonized by Italy, Somalia and Kenya by British. The Beja were

split by the border between Eritrea and Sudan while the Boran found themselves on both sides of the Ethiopia and Kenya border.

Mechanisms to protect children in armed conflict have been developed but many countries have in one way or another violated them. International laws which prohibit the use of child soldiers have been violated too.

1.1 Statement of the Research Problem

Somalia has experienced conflicts since attaining its independence under multi-party democracy in 1960. However, major conflicts started when Siad Barre seized power in a military coup on 21st October 1969 and established a one party democracy with the Somali Socialist Democratic Party. Since then, Somalia has suffered from civil-war, rampant human and civil rights abuses, poverty, human trafficking, rape, murder and corruption. As a result, children have suffered from the conflict.

The large number of illegal small arms available in most parts of Somalia has resulted in a situation where civilian perpetrators commit acts of violence against children. Violence against children has lasting negative consequences on their psychological and physical well-being and development and may even lead to death. In International Law, the Geneva Conventions of 1949 and two additional protocols added in 1977 give protection to children in armed conflict. Both the Somali Transitional Federal Government and the Union of Islamic Courts recruited children into the conflict. Some children voluntarily joined the conflict as a way of fending for themselves after being separated from the parents due to the conflict. In other cases, parents encouraged their children to join the conflict in order to revenge the killing of their parents. Others opted to join the conflict to support their widowed mothers after their fathers had been killed in the conflict. Children who were not able to trace their parents became Internally Displaced Persons while others fled to neighbouring countries where they were absorbed into refugee camps in host countries.

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Hunger and lack of health care led to malnutrition and children's death. Given the scenario, this research sought answers to the question: How were children involved in the Somali Conflict and what were the results of such involvement?

1.2   Objectives of the Study

The broad objective of the study was to examine the involvement of children in the Somali conflict.

The specific objectives were:

(i)   To assess how the involvement of the Somali children in the conflict affected their social wellbeing in terms of security, education and health;

(ii)   To establish factors which contributed to children involvement in conflict; and

(iii)   To evaluate the various interventions by stakeholders in quest of protecting children in Somalia.

1.3   Hypothesis

The involvement of children in conflict affects their social security, health and education. In Somalia, boys grow up aware that use of arms to protect family property is acceptable.

1.4   Justification of the Research Problem

Several studies had been carried out regarding conflict in the Horn of Africa but there had not been exhaustive research on the involvement of children in conflict. This study therefore sought to establish the effects of children involvement in conflict.

The study would provide academic literature pertaining to children in conflict. The use of children under the age of 15 years is recognized as war crime and fell within the jurisdiction of the International Criminal Court. In international law, the Geneva Conventions of 1949 and two additional protocols added in 1977 are the most important instruments of protection for children in armed conflict. The additional protocol II provides that "children

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who have not attained the age of fifteen years shall neither be recruited in the armed forces or groups nor allowed to take part. The international community has been in the forefront in developing and elaborating norms, standards and rules against child soldiers. These instruments have not protected children in conflict in African countries, especially in the Horn of Africa. The study therefore scrutinised the involvement of children in conflict and the mechanisms that protected children in conflict.

On the social aspect, the researcher sought to broaden knowledge on the involvement of children in conflict and the impact of conflict on children.

Article 32 of the United Nations convention on the Rights of the Child (1989) states "State parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development." In majority of cases worldwide, child labour is illegal yet little has been done to enforce set international mechanisms on protection of children.

The study focused on conflict as the independent variable and child involvement and protection as dependent variables.

1.5   Literature Review

Literature Review looked at conflict in society. It also covered conflicts in the Horn of Africa and more specifically in Somalia, and the involvement of children in the Somali conflict.

1.5.1   Conflict in Society

Conflicts are common in society because all societies are caught up in a complex web and diversity of conflict. This is so because wherever there are people, there will always be conflict. Conflict exists where people have incompatible goals and where they do not accept each other's point of view.

Bercovitch posits that conflict is one of the most pervasive and inevitable feature of all social systems, however simple or complex they may be, and irrespective of their location in time and space.[1] A societal conflict may arise when two or more societal groups pursue incompatible objectives. Conflict is a dynamic process that leads to both positive and negative effects. Conflict is a frustration based protest against lack of opportunities for development and against lack of recognition and identity. The manifestations of conflict vary according to the means employed.

Violent conflicts differ in intensity and scope and range from violence that affects small parts of the population to full war. The basic needs of certain groups in society are systematically or discriminated against by those in power and can plant the seeds for conflict especially if there is no legitimate way to channel grievances through political process.

Deutsch argues that oppression is the main cause of conflicts.[2] He defines oppression as the experience of repeated, widespread, systematic injustice. He argues that civilised oppression is embedded in unquestioned norms, habits and symbols in the assumption underlying institutions and rules and the collective consequences of following those rules.

Conflicts play a very important role in society. A conflict can help people to understand themselves and understand their relationship better. According to Mwagiru, conflict provides a chance to re-examine relationships and to try and make them better and stronger.[3] Conflicts can make authorities initiate changes that could not have been easily made. For example, in 1997, Kenya made constitutional and legal changes due to the conflicts that were being experienced at the time. Mwagiru argues that although those changes were

[1] Bercovitch Jacob, Houston A: the study of international mediation; Theoretical issues and empirical evidence in resolving international conflicts: The theory and Practice of mediation (Boulder, London, Lynne Rienner, 1996) p.11

[2] Deutsch, M. (2006) Cooperation and competition: The Handbook of Conflict Resolution, 2nd edition edited by M. Deutsch, P.T. Coleman & E.C. Marcus, San Francisco p.43

[3] Makumi Mwagiru, Conflict in Africa: Theory Processes and Institutions of Management, Nairobi (CCR publications, 2006) p.6

merely palliative, nevertheless, they were forced by the sharpening conflict especially in the middle part of the year.[4]

Armed conflict promotes development of new abilities in girls, e.g. during the Eritrean struggle, those fighting for national independence established a school curricula which reflected a commitment to socialist equality and the rights of girls. Gils were urged to participate especially in technical subjects.

On the contrary, in conflict situation, girls shun going to school due to insecurity. When girls have gone through violent experiences, only a few of them manage to go back to school. For example, in Somalia, girls dropped out of school when it became dangerous to travel to classes. Further children drop out of school to attend to domestic responsibilities after their parents have run away from the conflict or worse still die in the conflict.

Zartman describes conflict as an inevitable aspect of human interaction.[5] Violent conflict is most visible because it results in injuries, death, loss and destruction of property.[6] In cases of civil conflict, children have been affected through the loss of a parent or through recruitment, often forced into the work of war. Many children who participate in war efforts do not identify with a higher ideological theory but are just trying to sustain themselves.[7] When fighting diminishes, the question remains whether these children who served as soldiers or as support workers for soldiers can be reintegrated into society. Conflicts cause some of the most serious issues of human security such as child soldiers and landmines. According to the Human Security Report (2005) 75% of armed conflict involves child soldiers.

Ethnic strife has constrained children's opportunities in society. Ethnic tensions and power struggles over natural resources or wealth have led many African countries into civil

[4] Makumi Mwagiru, Conflict in Africa: Theory Processes and Institutions of Management, Nairobi (CCR publications, 2006) p.6

[5] Zartman I.W. Conflict Reduction, prevention, management and resolution in Deng, F.M. and Zatman, I.W. (eds) Conflict Resolution in Africa (Washington D.C. the Brookings Institution, 1991) p 299 - 319

[6] Makumi Mwagiru, et al, Understanding conflict and its management; Some Kenyan perspective (Nairobi CCR – WLEA 1998) p 4 – 5.

[7] Loretta E. Bass; Child Labour in Sub-Saharan Africa, Lynne Rienner Publishers, Inc., U.S.A., 2004, pp.165

war in which children suffer from the loss of production and some even become soldiers or workers to aid the war effort. Further, in conflict, the number of orphaned children and those separated from parents tend to increase. Parents are killed in conflict leaving behind orphaned children. Other children are separated from their families as they flee out of the conflict. In other cases, children are abandoned by parents because of severe economic or psychological stress. The bringing up of such children is left to relatives and well wishers, mostly women who take up the responsibility of bringing them up in addition to bringing up their own children. This happens because more men than women are killed in the conflict.

1.5.2 Effects of conflict on Education

Education contributes to national economic growth. In the absence of economic growth that increases the proportion of household income provided by able-bodied adults, families cannot afford to lose the contribution to household, food and economic security that girls provide. Further, lack of money for books, clothes or fees, in addition to the need for the labour of adolescents and younger girls in the household, leads to high school drop-out rates in post-conflict situation. The decline in schooling for children during armed conflict has implications for a nation's post-conflict recovery.

Education gives shape and structure to children's lives and instils community values, promotes justice and respect for human rights, thus enhancing peace, stability and interdependence. Attacks on schools violate children's fundamental human rights. They threaten their right to life as stated in Article of the Universal Declaration of Human Rights (UDHR) and Article 6 of the UN Convention on the Rights of the Child (UNCRC). Further, they undermine children's right to education as enshrined in Article 26 of the UDHR and in Articles 28 and 29 of the UNCRC[8]. On a global scale, girls who are well educated will have fewer children and the children are likely to survive and participate in economic growth.

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[8] United Nations Convention on the Rights of the Child

When conflicts erupt in developing countries such as Africa, majority of youth and children find themselves caught up in the conflict which denies them an opportunity to access quality education and learning useful skills. This makes them feel excluded from the mainstream society even as they grow into adults. In some cases, girls may be denied their right to education because of social, cultural, religious or political restrictions. In situations of poverty it becomes difficult for families to support the enrolment of girls in schools over sustained periods because of the need for their labour inputs.

1.5.3   Effects of Armed conflict on children

Armed conflict inflicts wounds on children. Wounds range from physical injury, Gender Based Violence and psychosocial distress. Article 39 of the Convention of the Rights of the Child states that "States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of any form of neglect, exploitation or abuse, torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts......"

Armed conflict can have drastic consequences on a child's health. In countries where children are already vulnerable to disease, conflict may increase the death rates. Often, health services available in emergency situations are dominated by men, hence girls underutilise these services because of cultural or religious reasons despite the need for them. In the conflict in Somalia, more than half of the deaths in some places were caused by measles. Conflict may cause delays in the provision of food supplies due to economic sanctions, water contamination and destruction of agricultural crops and livestock. Many children therefore die as a result of malnutrition. Again, when health facilities are destroyed during a conflict, the problem of medical health facilities will emerge, thus, affecting the children's reproductive health and war-related injuries. High death rates on children who are more vulnerable than adults are also experienced.

The population movements and breakdown of social controls engendered by armed conflict encourage rape and prostitution as well as sexual slavery to service combatants. This results in unwanted pregnancies and spread of Sexually Transmitted Infections such as HIV/AIDS. Children may also become victims of prostitution following the arrival of peace-keeping forces.

1.5.4 Conflicts in the Horn of Africa

Conflicts in the Horn of Africa emanate from tension that is generated due to scarcity of resources leading to high competition. Steadman argues that, "Conflicts in Africa arise from problems basic to all populations: The tugs and pulls of different identities, the distribution of resources and access to power, and competing definitions of what is right, fair and just." Conflict exists when two or more persons or groups manifest the belief that they have incompatible goals.

Conflict leads to large scale movement of populations, social and economic stresses and prolonged absence of men which contributes to family breakdown. Governments and rebel groups recruit children to fight because children are regarded as malleable, cheap to keep and easy to dispose. Further, children make easy targets for manipulation as they are considered naive and innocent. The abduction of individuals and communities in conflict-torn societies such as Uganda and Sudan was common leaving an epidemic of orphaned children. Some of these children were abducted and others were recruited as child soldiers or were forced to provide support to the war effort.[9] In Uganda for example, Uganda rebels abducted children and women to the LRA. The abducted people were compelled to join the ranks and file of this group against their will. Girls were abducted in marriage.

When families are ripped apart by war, children are left behind to fend for themselves. The International Labour Organization (ILO) estimates that 8.4 million children worldwide

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[9] Loretta E. Bass; Child Labour in Sub-Saharan Africa, Lynne Rienner Publishers, Inc., U.S.A., 2004, p.165

are involved in the unconditional worst forms of child labour, as defined in ILO Convention 182, Article 3.[10] Other children are captured or enslaved to work in war zones as soldiers or as support for soldiers in such jobs as minesweepers, spies, messengers, guards, porters, wives and sex slaves. The Convention on the Rights of the Child envisages that children are neither the property of their parents nor helpless objects of charity. They are active rather than passive participants in society.

Children play a constructive role in the outcome of the conflict yet they are viewed as the ultimate casualties as they lose parents, time in school and opportunities for their futures[11]. The UN Secretary-General's 2001 Report on the Prevention of Armed conflict states "Young people with limited education and few employment opportunities often provide fertile recruiting ground for parties to a conflict. Their lack of hope for the future can fuel disaffection with society and make them susceptible to the blandishments of those who advocate armed conflict."[12] The International Humanitarian Law prohibits the forcible recruitment of adults and any recruitment of children into armed groups.[13] The abduction of individuals and communities in conflict-torn societies leave orphaned children. The seven years of civil war in Liberia (until 1996) left many children as orphans while others were recruited or forced to fight alongside the adult soldiers.[14] Uganda and Sudan are examples of African countries that have involved children in conflict.[15] In Uganda the LRA abducted an estimated 3,000 to 10,000 children from safe places such as schools, communities and homes and transferred them to Sudan. The children were forced to commit atrocities, provide support labour for soldiers and become wives and sex workers. If children tried to escape or became ill, they would be summarily shot. The displaced, abandoned and orphaned children find

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[10] Loretta E. Bass; Child Labour in Sub-Saharan Africa, Lynne Rinner Publishers, Inc. U.S.A. , 2004, p.148
[11] Ibid p.57
[12] The UN Secretary General's Report, 2001
[13] Protocol I, art. 77(2); Protocol II, art.4(3)(c)prohibits the recruitment of children.
[14] Loretta E. Bass; Child Labour in Sub-Sahara Africa, Lyne Rienner Publishers, Inc. U.S.A., 2004, p.162
[15] Ibid p.166

solace in offering themselves for recruitment to the conflict. The long term effect of childhood trauma, social upheaval, displacement, hunger, embedded fear and wounded parenting have implications for young girls.

In a conflict environment, landmines and unexploded ordinance pose grave danger to children. Children are naturally curious, hence their temptation to explore. This temptation may lead them to picking bombs and landmines that have not detonated, hence killing them.

1.5.5 Children Involvement in Conflict

Children have played a substantive role, blurring the distinctions between soldier and civilian, and adult and child.[16] For example, in Uganda, the LRA raided schools and orphanages and an estimated 6,000 to 8,000 children were kidnapped by the Army and these were forced to work as soldiers and household servants in agriculture and herding or for sex.[17] A view that youth and young people have the capacity to play an important role in the development of their own lives , even in situations of armed conflict has become increasingly popular. Graca Machel in her Report says *"More and more of the world is being sucked into desolate moral vacuum. This is a space devoid of the basic human values, a space in which children are slaughtered, raped and maimed; a space in which children are exploited as soldiers, a space in which children are starved and exposed to exploited to brutality ... War violates every right of a child – the right to life, the right to be with family and community, the right to health, the right to development of personality and the right to be nurtured and protected."*[18]

Children are vulnerable to recruitment in conflict because of their emotional and physical immaturity. According to Cohn and Goodwin-Gill, children join armed groups not out of conscious and deliberate decision but due to socialization (through family, media and

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[16] Loretta E. Bass; Child Labour in Sub-Sahara Africa, Lynne Rienner Publishers In, USA, 2004.
[17] Loretta E. Bass; Child Labour in Sub-Saharan Africa, p.167
[18] Impact of Armed Conflict on Children: Report of the United Nations secretary General's Special Representative for Children in Armed Conflict, Ms Graca Machel, submitted pursuant to General Assembly Resolution 48/157, UN Doc.A/51/306, 26 August 1996,

community members) or indoctrination which "negates any presumption of voluntary participation".[19] They can easily be manipulated and be involved in violence that they least understand. Children have been used as shields or placed as front liners in conflict areas. Putting children in the line of fire, killing and maiming them in the context of an armed conflict are among the most serious violations of international law which all parties to the conflict are expected to uphold. Other children join the conflict to revenge the death of their parents in the conflict. In other instances, some children join armed groups because of economic or social pressure such as unemployment, poverty and peer pressure. Joining armed groups may become the only viable option for some young people who have no choice given situations of extreme danger and deprivation. Hundreds of thousands of children are used as soldiers in armed conflicts around the world. Many children are abducted and beaten into submission, others join military groups to escape poverty, to defend their communities or out of a feeling of revenge. Any use of children within armed conflict is unacceptable. Regardless of the means by which children join armed forces or armed groups, their association deprives them of their rights and their childhood.[20] Armed conflict affects all aspects of children's physical, mental and emotional development.

Since 1997, conventions and resolutions addressing aspects of children and conflict have been passed. For example Article 9 of the 1998 Rome Statute of the Criminal Court declares enlistment of children under age 15 to be war crime. Further, the Optional Protocol of the convention on the Rights of the Child (2002) considered the minimum age of involvement in war to 18. The ILO Convention (182) included forced labour recruitment of children under 18 on the Worst Forms of Child Labour, thus holding armed movements which recruit children accountable as employers.

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[19] Hene Cohn and G. Goodwin-Gill, Child Soldiers: The Role of children in armed conflict, Oxford, Claredon Press, 1994 p. 93-98.
[20] www.irinnews.org/indepthmain.aspx

The 1999 United Nations Security Council Resolutions 1261 condemn the targeting of children in situations of armed conflict with bodily harm and murder, sexual violence, displacement, abduction and recruitment. It urges parties to the conflict to take special measures to protect children, especially, from rape and other forms of sexual abuse and GBV in situations of armed conflict. The United Nations Security council Resolution 1379 calls for child protection in all UN peace-keeping missions. Since children are seen to be more naive than adults, it is assumed that they are not likely to recognise the full danger of combat and therefore can be quite fearless. Being ignorant and without any national agency to protect children, they have become easily gullible to join the terrorist organizations as they are easily brainwashed and indoctrinated with little money and empty promises, For example, some terrorist elements in Somalia used children to accomplish suicide mission. In Liberia in the late 1990s, children were drugged and told that their opponents' bullets would not pierce them.

There are well intentioned laws protecting children but there is still a real gap between theory and practice. Article 32 of the United Nations Convention on the Rights of the Child (1989) states "State Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral and social development."[21]

1.5.6 Conflict in Somalia

The fall of Siad Barre's regime in 1991 led to the collapse of the Somali State. This resulted in conflict that was fought in terms of clan lineage and patronage. Inequality and exclusion manifested the conflict between ruling clans and the nomads on one hand and the outsiders and the sedentary clans on the other hand.

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[21] p.175

Since 2004, Somali has endured state failure and political anarchy resulting to endless conflict. As a result, insecurity, poverty and social fragmentation did not only worsen the political anarchy in Somalia but it also exacerbated regional instability and cross-border illicit and criminal activities in the Horn of Africa.[22] The conflict has seen a generation of children grow up knowing that that was the only method of resolving conflicts and settling disputes.

The conflict in Somalia can be seen as an intractable conflict because of its destructive nature. Severe imbalances of power between the Darod and other clans further characterise the Somali intractable conflict. Again it has persisted for a long period resisting every attempt for its resolution. Coleman contents that intractable conflicts are a pathological disease, an infection or cancer of the body politics that can spread.[23] Dweck and Ehrlinger (2006:317) state that prejudice which is evident in the clan rivalries in Somalia is the main root cause of intractable conflicts. Dominant clans used their position to disregard basic needs and interests of the less dominant. Those high in the political class turned to warlords who profit from the political economy of violence through sale of arms, smuggling and other illicit commercial practices.

A Report of the Secretary General on children and armed conflict in Somalia indicates that the insecurity and violence in Southern and Central Somalia are characterized by grave child rights and violations. The report says in part, "...there have been consistent reports of children being injured, maimed or killed as a consequence of fighting in and around Mogadishu". [24]   According to the UN Secretary General's Report to the Security Council (A/65/820 – S/2011/250) there was systematic recruitment of children by the Al-Shabaab in Central and Southern Somalia. An estimated 2000 children were abducted by Al-Shabaab in 2012 for military training in different camps in Southern Somalia.

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[22] Alfred Nhema, Paul Tiyambe Zeleza, *The Resolution of African Conflicts: The Management of Conflict Resolution & Post Conflict Reconstruction* p.134

[23] Coleman, P.T.; Cooperation and Competition: The Handbook of conflict Resolution; 2nd ed., edited by M. Duetsch, P.T. Coleman & E.C. Marcus, San Francis, 2006, P.644

[24] United Nations Secretary General Report on Children and armed conflict in Somalia (7.5.2007).

In Somalia, recruitment of girls in armed conflict is regarded as socially unacceptable. Despite this, girls were brought to provide logistical support and collect intelligence reports. Children were attracted to the piracy network due to the monetary rewards attached therein. Other children were attracted to joining the network due to the flashy lifestyle of the pirates. A total of 222 children were reportedly killed and 592 wounded or maimed in 2010 as a result of being caught in crossfire or mortar shelling during the fighting between Transitional Federal Government Forces, supported by AMISOM and armed insurgents around Mogadishu.[25] Children were exposed to forced labour in the Arabian Peninsula where they were used as slaves in homes and plantations; others were tortured and killed by their masters. Further, some disastrous episodes happened in the Gulf seas when boats capsized when they were overloaded by those fleeing. Some drowned and died, others were eaten by wild animals while others died of hunger and thirst in the midst of the Sahara desert as they tried to cross on foot.

Somali warlords used children to commit atrocities against fellow countrymen. The children were used to place roadblocks on the highways in order to rob passengers and highjack vehicles. Children were not spared from drug and substance abuse. Drug barons found a fertile ground to traffic and sell their drugs to the children.

During the period of Somalia conflicts, the insurgents in Somalia expanded their ranks through the use of force to recruit children and youth to the war. The exposure of these children to the war had psychological and physical implications on children such that when conscripted as child soldiers, this instigated them to become perpetrators of violence and criminal acts when they grew up if they were not properly rehabilitated. Libya, Eritrea and

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[25] Report by Office of the Special Representative of the Secretary General for Children and Armed conflict.

Egypt were used as training grounds for the young soldiers. UN Secretary General Kofi Annan argues that the use of child soldiers must be "recognized as intolerable".[26]

The breakdown of normal social structures prevents children from making the natural transition to adulthood and attain their identity. Since the fall of the central government in 1991, the Somali children were disadvantaged in terms of access to education. Somali had no elaborate and reliable education system. UNICEF Report indicates that an increasing number of children and civilians were being caught in attacks and cross fire across the South and Centre of Somalia. Sikander Khan, UNICEF's Representative to Somalia says "over the last several weeks, we have seen a very worrying rise in killings and serious injuries of children".[27] Khan further posits that Somali children's lives were being put more and more in grave danger with the increasing conflict. For girls, Gender Based Violence was prevalent. Some girls were recruited to serve as sex workers while others were raped. This resulted in their contracting STIs such as HIV/AIDS. Others were subjected to unwanted pregnancies. Many girls died from infection and due to unsafe abortions and childbirth practices while those who survived were expected to cope with the responsibility of nurturing their babies at that tender age.

According to the Report the UN system has been monitoring grave violations of children's rights by parties to the conflict in Somalia since late 2005 in compliance with Security Council Resolutions 1612 (2005), 1882 (2009) and 1998 (2011).

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[26] Loretta E. Bass; *Child Labour in Sub-Saharan Africa*, Lynne Rienner Publishers, Inc, U.S.A., (2004) p.173
[27] UNICEF report dated 15.11.2011.

1.6   Theoretical Framework

The Somali conflict was based on Human Needs Theory. This theory was developed in the 1970s and 1980s as a generic or holistic theory of human behaviour. Human beings strive to gain control of their environment that is necessary to ensure the satisfaction of their needs.

1.6.1   The Human Needs Theory

This theory is based on the hypothesis that human beings have basic needs and these needs have to be met in order to maintain stable society. Burton, an advocate of Human Needs Theory argues that human participants in conflict situations strive in their environments at all social levels to satisfy primordial and universal needs such as security, identity, recognition and development. They strive to gain control of their environment in order to satisfy their needs. If human beings are prevented from pursuing their needs by others, be it the elite group, other identity groups, institutions or other forms of authority, then conflict will arise. A conflict can erupt due to unfulfilled individual or group goals. In Somalia, dominant clans used their position to disregard basic needs and interests of the less dominant, hence the conflict.

According to Human Needs Theory, needs are universal and are an integral part of human beings. If institutions and political structures frustrate these needs by serving sectional or ethnic interests, this may lead to frustration and aggression. This Theory fitted well with conflict in Somalia where the Siad Barre's regime advocated for the clan alignment. Sigmund Freud, a psychiatrist, argues that aggression is an instinctive part of human nature that stems from human's genetic programming and psychological makeup.[28] In Somalia there was oppression and exploitation by the state. Oppression in the Somali conflict was experienced in

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[28] Charles W. Kegley, Jr. *World Politics Trend and Transformation,* 11th edition, p.403

Siad Barre's Marehan clan, the sub clan of the Darod. This clan was opposed by Mohammed Farah Aideed's Clan, i.e. the Habr Gidir sub clan and the broader Hawiye clan.

Civilised oppression is embedded in unquestioned norms, habits and symbols in the assumption underlying institutions and rules and the collective consequences of following those rules. In the case of Somalia, Siad Barre introduced a pervasive culture of clan domination and hegemony. Dominant clans used their position to disregard basic needs and interests of the less dominant clans. In addition, the state was used by some political leaders to dominate others and monopolize state resources and control valuable towns and seaports.

Burton argues that "systems, no matter how coercive, that neglect human needs must generate protest behaviour and conflict."[29] In Somalia, Siad Barre's Regime, aligned itself with the Soviet Union in the Cold War. He outlawed clans and their structures but concentrated his political power in his Maheran sub-clan, his maternal Ogaden sub-clan and the Dolbahunte (MOD) sub-clan of his son-in law. All these clans belong to the Darod clan. This alignment automatically placed the Darod clan above all the other clans in the political, social and economic circles. Robert Audrey proposes that humans, like animals, are compelled by instinct to possess and defend the territory they believe belongs exclusively to them.[30] Barre's schemes marginalized the other clans, hence their aggression to fight back resulted in conflict which has endured to this day.

1.7   Methodology of Research

The research was conducted through use of both primary and secondary data. Primary data involved administration of questionnaires and face to face interview with the Somali nationals residing in Nairobi and from 16 field officers representing international aid agencies with offices in Nairobi. Secondary data was derived from the Kenya Embassy to Somalia,

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[29] J. Burton, Conflict Resolution and Prevention, London, McMillan,
[30] Ibid p. 405

UNHCR reports, refugee legislations, and relevant articles. UNICEF Reports on Somalia and any other write ups on the Somali conflict were also considered for secondary data.

1.7.1 Target Population

The study targeted 52 Somali nationals who fled into Kenya from the conflict in Somalia and later relocated to Nairobi city as urban refugees registered by UNCHR. The study respondents were selected from Nairobi's Eastleigh and South C where Somali nationals predominantly lived.

1.7.2 Research Design

In an effort to achieve the study's objectives, the researcher adopted a case design. A case study is an in-depth assessment of a set of variables within a single selected unit of analysis in order to draw generalization which approximates the state of other related entities. On this basis the researcher used both primary and secondary sources to collect in-depth data pertaining to the variables under study. The design would further aid in drawing recommendations on the effects and impact of conflict on children in Somalia.

1.7.3 Data Collection Procedures and Data Analysis and Interpretation

The researcher administered questionnaires to respondents and face to face unstructured interviews for detailed understanding of issues under study. The questionnaires were prepared and delivered to the respondents by the researcher. Data collection instruments were administered and collected in two weeks using three research assistants who had previously worked with aid agencies. The collected data was classified, coded, corrected analysed and then interpreted. In analysing data to meet the required standards, descriptive statistics were predominantly used. The derived findings were presented using cross sectional tables and relevant graphs.

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1.7.4 Data Collection Instruments

The researcher used both primary and secondary sources for data collection. For Primary data about children in Somalia, the researcher administered questionnaires to the Somali nationals residing in Nairobi. The questionnaires were both open-ended and closed ended in order to facilitate easier analysis while not ignoring detailed responses which added great value in deeper understanding.

1.7.5 Limitations of the Study

In the process of carrying out the study, the researcher encountered a number of constraints. First the volatile security situation in Somalia due to the on-going war was great impediment to the researcher, hence travelling to Somalia for first-hand feeling was not tenable. Further, the time and money required to access the conflict area in Somalia posed a big challenge. This forced the study to be limited within the Nairobi context using the urban refugees as respondents, with some declining to participate for fear of being tracked. The other limitation was that the Somali nationals residing in Nairobi were not willing to disclose the information sought due the sensitivity of the matter.

1.8 Chapter Summary

This section gives a breakdown of the study. It gives background information to the study, the statement of the problem, the objective and significance of the study. It also gives the theoretical framework of the study. An overview of the literature regarding the effects of conflicts in the Horn of Africa and the involvement of children in the conflict is also discussed. The researcher highlights her limitations to the study. The chapter also gives the research methodology used. This includes the Research Design, Target population, sampling design, data collection instruments and procedures. It also talks about data analysis. Chapter Two gives the historical overview of the conflict in Somalia and its impact. Chapter Three is the case study of children in Somalia, and examines their protection/lack of protection.

Chapter Four analyses the data collected in regard to the hypotheses and theoretical framework given. Chapter Five provides findings and conclusions of the study and gives recommendations and suggestions on areas for further study.

CHAPTER TWO

2.0   Introduction

This chapter gives an overview of the Somali people and clan lineage. It also

highlights historical overview of the conflict in Somalia and explains how the clan system in

Somalia fuelled the conflict.

2.1   The Somali people

The Somali speaking people form one of the largest ethnic groups in the Horn of

Africa. They are dispersed throughout the Horn, from the Awash Valley, through the Ethiopia

and Northern Kenya, spreading through Tana River. .

The Somali community is relatively homogenous linguistically but divided within clan

lineage. The community comprises six clans, i.e. the Darod, Isaaq, Hawiye and the Dir who

are predominantly pastoralists living in the northern part of Somaliland and the Digil and

Rahanwiin settled in the southern Somalia and mainly agriculturalists.[31] A significant number

of these clan members engage in trade and fishing along the coastal area.

Divisions on the basis of clans may lead to cleavages and deep-seated resentment

among clans. On the other hand, clans are a cohesive force providing a sense of identity,

physical security and social insurance. Members of a clan or sub-clan tend to provide

unqualified support to their leaders as they strive to work towards achieving success. In times

of need, strong clans and sub-clans provide protection against external attacks and support for

loss of kin. This creates a leeway for weak clans and sub-clans to forge interest-based

alliances with other weak clans and sub-clans so as to challenge stronger clans, thus creating

an opportunity for conflict to erupt.

The pastoral clan families trace their descent agnatically from an ancestor called

Samaale. This ancestor is believed to be the source of the name "Somali" (properly

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[31] I.M. Lewis; A Pastoral Democracy; A study of Pastoralism and Politics among the Northern Somali of the Horn of Africa, 3rd ed., Marston Book Services Ltd. Oxford, 1982, p.7

pronounced as Soomaali). This name is broken to refer to "soo" for go and "maal" for milk[32].

The pastoral-nomadic have never lived in fixed geographical boundaries. They have been roaming their arid terrain despite the existence of fluid clan localities.

The agriculturalists trace their lineage to an ancestor called Sab. Somali is structured in clan based segment groups. However, within the smallest recognisable political units are the diya-paying groups to which all Somali people belong and whose members pledged to support each other, to receive "blood compensation" (diya). Somalis predominantly subscribe to Islam religion and are traditionally divided into three main denominations; the Qadiriya, the Alumadiya and the Salihiya, an Ahmadiya derivative. These are the Sufi or mystical brotherhoods found throughout the Muslim world. The Qadiriya are the oldest and the least puritanical.[33] Diagram 1 gives an example of the Somali Segmentary Lineage System:

Diagram 1: The Somali Segmentary Lineage System

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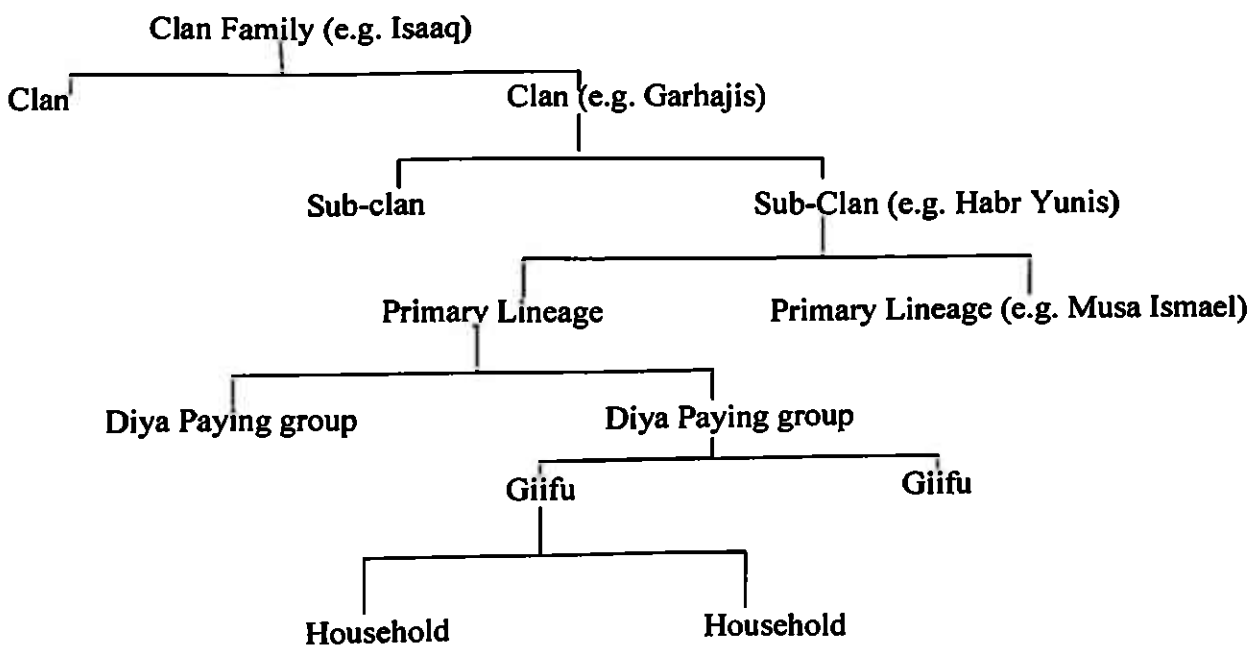
[32] I.M. Lewis; A Pastoral Democracy; A study of Pastoralism and Politics among the Northern Somali of the Horn of Africa, 3rd ed., Marston Book Services Ltd. Oxford, 1982, p.7

[33] Lewis I.M.; Understanding Somalia and Somaliland, London, Hurst Publishers, London, 2008, p.20

The segmentary nature of the lineage system motivates the need for pastoralist Somalis, earning a living from a harsh environment to be in constant motion, expanding and contracting, in response to both internal (demographic) and external (ecological) forces of change. It is for this reason that any time one group may stand in opposition to another. When one group gains greater access to power or resources or outside forces intervene, the balance breaks down and conflict emerges. In a system of lineage segmentation, one does not have a permanent enemy or a permanent friend-only a permanent context. The segmentation of Somalis is aptly captured in an Arab Bedouin saying "my full brother and I against my half-brother, my brother and I against my father, my father's household against my uncle's household." Depending on the context, a man, a group of men, or even a state may be one's friends or foes. This explains why a Somali cannot hesitate to support foe if the foe happens to come from the same segmentary level as opposed to that of the other party.

The clan structure is a fundamental political unit essential for individual and group survival, especially during conflict. An action by one member of a clan is regarded as the responsibility of all clan members. For example, members of an aggrieved clan may seek revenge on the clan of a member who has committed atrocity or crime.

Bradbury argues that the Somali "nation" did not have single political units until the colonial period when Ethiopian empire and the colonial powers, that is, Britain, Italy, and France divided the Horn and the lands of Somali people to five states in 1987.[34] Both the colonialist and subsequent Somali regimes failed to appreciate the importance of clan and ostensibly tried in vain to eliminate it from public life. However, their interactions with clan was basically aimed at promoting their respective political interests and in the process promoted the negative aspects of clan politics. The misuse of clans for political reasons

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[34] Bradbury M: The Somali Conflict, prospects for peace, An Oxfam Working paper, Oxford, 1994. P.8.

exacerbated the traditional suspicions and deep-rooted fears between the clans making their conflicts more acute and complex.

2.1.1 Children in Somalia

In Somalia, there were many serious challenges that children had to live with. Such challenges were violence, poverty, malnutrition, rape and disease. Dry climatic conditions and political instability made Somalia one of the most difficult countries in which children could survive.[35] 60% of Somalis live below the poverty line. Half of the children have to work in order to provide for themselves and their families. The Children were subjected to child labour, that is, working as cleaners and helping in the family business. Many children spent most of their day looking for water and then carrying the heavy load to their homes which were kilometres away.

Girls in Somaliland were predisposed to HIV/AIDs due to rape. Rapists in most cases were related to the victims and most rape took place in the homes. However, heterogeneity of the legal systems does not allow fair trial for offenders. This is compounded by the fear that the girl may lose a future husband should it be known that was a victim of rape. As a result most rape cases remained unreported. Rape raises the possibility of high levels of susceptibility of children to HIV/AIDS infection. The infection met high levels of denial and girls remained considerably more vulnerable to sexual abuse than boys.

Most Children in Somalia suffered from low birth weight. This was caused by lack of prenatal care and education for mothers. Absence of campaign to promote breastfeeding played a major part in low birth weight of children.

The judicial system in Somalia is based on local customs and Sharia law. This law does not take into account children's rights.

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[35] www.http//childrenrightspotal.org/somalia

Infant mortality rate was high in Somalia with an average of 180 deaths for every a thousand births[36]. The children died typically of dehydration and illnesses such as diarrhoea, malaria and pneumonia. Cholera was also prevalent due to uptake of contaminated water.

Poor accessibility of medical care facilities contributed to high infant rate mortality in Somalia. There were few hospitals in Somalia and most of them lacked equipment and trained staff.

2.2   Historical Overview of the Conflict in Somalia

Somalia is located at the north Eastern tip of the Horn of Africa and covers approximately 640,000 km2. It runs from the Awash valley in the north west. This area is predominantly arid. It extends around the periphery of the Ethiopian highlands along the Gulf of Aden and the Indian Ocean. The areas between Shebelle and Juba Rivers and the Northern escarpment are the bread baskets of the country due to higher rainfall and rich arable land.

The Somali conflict can be traced back from 1897 and 1948 when the country was divided among the British, Italian and French colonial powers and the British transfer of the Ogaden's autonomy to Ethiopia. This triggered more conflicts in prompting the formation of several Somali liberation movements.

The overthrow of President Said Barre, a member of the Maheran sub-clan of Darod, in 1991 marked the turning point in Somali politics, economy and society. The fall of Siad Barre's regime led to the collapse of the Somali State resulting in anarchy and disintegration of the Somali State. Between 1977 and 1991 Somali endured three major armed conflicts as discussed.

2.2.1   The Ogaden War with Ethiopia

The first conflict was the Ogaden War with Ethiopia in 1977 – 1978. The Somali forces intervened in support of Somali rebel fighters in a bid to liberate the Somali inhabited

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[36] www.http//childrenrightspotal.org/somalia

region of the Ogaden in Ethiopia. This conflict gave rise to several liberation movements. The first of these movements was the Somali Salvation Democratic Front (SSDF), a Majerten clan movement which was established in 1978 by Abdullahi Yusuf. Somalia lost the war and suffered about 25,000 casualties.[37] This was characterised by a period of violent anarchy and warfare. Armed conflict raged across Southern Somalia pitting clan-based militias against one another for control of valuable towns, seaports, and neighbourhoods. The wars, which began as struggle for control of the government, quickly degenerated into looting, banditry, and occupation of valuable real estate by conquering clan militias. The principal victims of this violence were weak agricultural communities and coastal minority groups caught in the middle of the fighting. The food aid quickly became part of the war economy, a commodity over which militias fought and that warlords diverted to fund the wars. An estimated 250,000 Somalis died in this war and famine. Illiterate gunmen saw war, plunder, and extortion as their only livelihood. Some businessmen were enriched by war-related criminal activities such as weapons sales, diversion of food aid, drug production, and exportation of scrap metal.

2.2.2 The war between the Somali military and the Somali National Movement

The second major conflict was the war between the Somali military and the Somali National Movement (SMM) which was fighting for the control over northwest Somalia. This movement was formed by the Isaaq clan following the Ogaden war. The clans grievances deepened in 1980s when Siad Barre's regime placed the northwest under military control and used the military administration to crack down the Isaaq and disposed them from their businesses. The atrocities that followed fuelled demands by the Isaaq for secession in what became the self-declared state of Somaliland in 1991.

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[37] Ahmed Samatar; Socialist Somalia: Rhetoric and Reality, London, Zed Press, 1998, p.137

2.2.3 The war between the Somali Government Forces and the United Somali Congress

This was the third conflict and was between government forces between 1989 and 1990, the strongest movement being the United Somali congress, (USC) of the Hawiye clan, the Somali Patriotic Movement of the Ogaden clan and the Somali Salvation Democratic Movement of the Majerten clan.

In addition to these conflicts Barre's other legacies fuelled further conflicts. His oppressive and exploitative style was used by his political leaders to dominate others, monopolize state resources, appropriating valuable land and other assets. His leadership skilfully manipulated and politicised clan identity leaving a legacy of deep clan divisions and grievances. This period coincided with the Cold war which facilitated the Barre regime to acquire military and economic aid. When the war ended, Siad Barre's regime could not sustain the level of expenditure and this led to his fall. As the Cold War diminished, Somalia's strategic importance to the West waned enabling donors to impose human rights conditions on aid in Somalia.

The fall of Siad Barre's regime in 1991 created a political power vacuum which has led to the current stateless Somalia with war waging between clans, warlords, Islamists, nomads pastoralists and agriculturalists. Early attempts by the Italian government to reconcile the various factions did not yield any fruits, hence the continuing conflict.

2.2.4 The Dynamics of the Conflict from 2004 to date

In 2004, there was an attempt to form a government, the Transitional Federal Government (TFG) under the presidency of Abdullahi Yusuf Ahmed. This was after an agreement signed between Abdullahi Yusuf Ahmed and his rival, the Speaker of Parliament Sharif Hassan. This agreement did not survive. Since then, Somalia has suffered from civil-war, widespread famine, broken infrastructure, rampant human and civil rights abuses, poverty, human trafficking, rape, murder and corruption.

In 2006, the Union of Islamic Courts (UIC), a complex union of clan based sharia courts, dominated by the Hawiye clan based in Mogadishu emerged as the major force opposed to the TFG. The Union took control of Mogadishu in June 2006 after four months of fighting against the US backed coalition of Mogadishu based armed factions known as the Alliance for the Restoration of peace and counter-terrorism (ARPCT). The fighting disproportionately affected children because much of it took place in residential areas of Mogadishu. The ARPCT recruited numerous children (both street children and school going children) and some forcibly into its ranks in Mogadishu and Hiran region.[38]

Since 2009, there has been an upward spiral in the Somali conflict. The Islamist Al-Shabaab militant faction attacked the TFG forces and took control of over two thirds of Mogadishu. This was in addition to other chunks that the militia had earlier captured in Central and Southern Somalia. Further fighting was experienced during the 50th celebration of the national army of Somalia, when Al-Shabaab militia attacked. There was a counter attack by the government forces and African Union peacekeepers. Since then, there have been attacks and counter-attacks between the government forces and the militias. On 27th May 2009, mortars were fired at the presidential palace killing 7 civilians and 2 government soldiers.

2.3. Involvement of Somali Children in the Conflict

In the Horn of Africa, especially Somalia, children were used by other groups other than government forces during armed conflict. These included militias, rebel groups and armed gangs. They were used as combatants while others were used as spies, porters and cooks. Girls were not left out. According to Dellaire[38] girls represent about 40% of all child soldiers in Somalia. Girls are a more valuable resource than boys because they come with

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[38] Report of the Secretary-General on the situation in Somalia, UN Doc. S/2006/418 of June 20, 2006

additional domestic skills and they can be used as sexual rewards for the soldiers in the form of bush wives or sex slaves.

The Transitional Federal Government (TFG) of Somalia has equally been accused by the UN as being one of the most persistent violators of using child soldiers. The UN Secretary General's Report on Children and Armed Conflict of 2010,[39] acknowledges manifestation of recruitment and use of child soldiers by state and non-state groups. This was corroborated by the Secretary General's Report on Somalia published on 30th December 2010. The Report stated that the recruitment and use of children for direct participation in hostilities in southern and central Somalia continues to be of major concern. Partners on the ground consistently reported extensive forced recruitment of children by Al-Shabaab, with an estimated 2,000 children being trained in camps in southern Somalia.

2.3.1 Impact of conflict on Somali Children

As Gentleman puts it," living in the midst of conflicts across several generations, the paucity of economic alternatives, the absence of economic alternatives, the absence of and the possibility to earn money by joining militia and guarantee security for oneself and family has led to a large number of children actively engaged in conflict in South Somalia."[39]

2.3.2 Legal and Policy Framework of child protection is Somalia

In Somaliland, children's rights are protected by the laws of the State – customary law (Xeer Soomaali) - the most widely applied legal system dominated by male clan elders – Islamic Shari'a. This is constitutionally declared as the basis of law; and the codified law based on elements of the pre-1969 Penal Code. However, a problem arises because of heterogeneity. This means that the interpretations are used interchangeably, often in contradiction with each other and resulting in a negative impact on the realization of the rights of children.

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[39] Jeffrey Gentleman, UN voice; concern n child soldiers in Somalia, Ney York Times, 16th June 2012. http://www.nytimes.com/2010/06/17

CHAPTER THREE

3.0   Introduction

This section looked at a case study of children involvement in Somali conflict and international child protection mechanisms.

3.1   Child Soldiers in Somalia

Hundreds of thousands of children were used as soldiers in armed conflicts around the world. Many children were abducted and beaten into submission, others joined military groups to escape poverty, to defend their communities or out of a feeling of revenge. In many conflicts children took direct part in combat. However, their role was not limited to fighting. Many girls and boys started out in support functions which also entailed great risk and hardship. One of the common tasks assigned to children was to serve as porters, often carrying very heavy loads including ammunition or injured soldiers. The use of children for acts of terror, including as suicide bombers has emerged as a phenomenon of modern warfare.

The 2007 Paris Principles and Guidelines distinguish three groups among children, i.e. child combatants as those carrying arms, children associated with armed forces or armed groups, as defined by the Cape Town Principles and children affected by armed conflicts, for example, refugees, IDPs, orphans and street children.

In Somalia many schools were destroyed while others closed down as the teachers were forced to recruit school children to join military. The 1907 Hague states that education institutions should not be seized under situations of occupation.[40] According to UNICEF an estimated 2,000 to 3,000 children, sometime as young as 9 years were enlisted in the Somali armed forces. The situation got worse when the militia transformed schools into recruitment centres forcing teachers to turn their students into soldiers. Some parents withdrew their

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[40] The Hague Convention (IV) Respecting the Laws and Custojms of War on Land and Its Annex: Regulations Concerning the Laws and Customs of War on Land (18 Oct. 1907) at. 56 as cited in UK MoD, Manual of the Law of War, 11.87-11.87-1

children from school for fear that they would be recruited into the military. Attacks on schools clearly violated children's fundamental human rights. The attacks threatened the children's right to life.[41] According to IRIN of May 2011, the escalation of fighting across Somalia since January, armed groups have reportedly recruited child soldiers to their ranks, some even forcing teachers to enlist pupils.[42]

Ahmed Dini, a civil society activist says that more than half the country's population was born after Siad Barre's ouster that led to the country's state of anarchy. This group has not known any peace but conflict and violence. He says "they have never had stability in their lives; they moved from one displacement to another with little possibility of getting an education or any opportunity to earn a decent livelihood" He argues that some of them join the violence by being recruited into fighting groups. Others find khat and narcotics as a way out while others undertake very dangerous sea journeys to Europe or the Gulf Arab States. Ahmed, a Somali teenager said his father was killed in the war and it was difficult for his mother to feed the children and take them to school. He opted to "pick a gun". He confessed that he picked the gun because it was the only option he had.[43]

Regardless of how children are recruited and of their roles, child soldiers are victims, whose participation in conflict bears serious implications for their physical and emotional well-being. They are commonly subject to abuse and most of them witness death, killing, and sexual violence. Many are forced to perpetrate these atrocities and some suffer serious long-term psychological consequences. The reintegration of these children is a very complex process.

In a Security Council debate on children and armed conflict, The US Ambassador to the UN Susan Rice said "The US is particularly concerned about the situation in Somalia

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[41] Article 3 of the Universal Declaration of Human Rights
[42] www.irinnews.org/Report/92249/SOMALIA
[43] Ibid

where all parties to the conflict have placed several thousand children in the line of fire."[44] Putting children in the line of fire, killing and maiming them in the context of an armed conflict are among the most serious violations of international law which all parties to the conflict are expected to uphold. She called on the parties to the conflict to cease child recruitment and to release the children who were involved in the fight. The TFG forces, their allies, the Ahlu Sunna Wal jama and Al-Shabaab were all engaged in the recruitment. The children were subjected to abuse and most of them witnessed death, killing, and sexual violence. Many were forced to perpetrate these atrocities and some suffered serious long-term psychological consequences. The reintegration of these children was a very complex process.

3.2   Mechanism protecting children in conflict situation

The right to life is the most important human right. For this reason most national Constitutions and international Conventions provide for the enjoyment of this right. The right to life is under threat in peace times but in conflict situation, the right to life increases drastically. The Convention on the Rights of the Child (Article 6) states that "States Parties recognise that every child has the inherent right to life".[45] Recruiting and using children under the age of 15 as soldiers is prohibited under international humanitarian law – treaty and custom – and is defined as a war crime by the International Criminal Court. Furthermore, human rights law declares 18 years as the minimum legal age for recruitment and use of children in hostilities. Parties to conflict that recruit and use children are added by the Secretary-General in his annual list of shame. Further, Humanitarian Law advocates that state and non-state parties are obliged to protect lives of those who do not take an active part in hostilities. This article has not been adhered to in the Horn of Africa. For example, the warring parties in the Somali conflict did not consider the threat of life on children as they engaged in conflict. A victim of the Burundi conflict states "If a girl or a women tried to

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[44] The Christian Science Monitor, June 16, 2010
[45] Convention on the Rights of the Child of 20th November, 1989

denounce the man who raped her, she would be killed because it was a war situation" (Child-mother Burundi Case Study 2006).

International Human Rights and Humanitarian law emphasize protection of children. The CRC requires states to undertake "feasible measures to ensure protection and care of children who are affected by armed conflict". Article 38 of the CRC prohibits States from recruiting persons who are under the age of 15 years to conflict. The Article requires states to refrain from recruiting any person who has not attained the age of 15 years into their armed forces. Somalia signed the Convention on May 9, 2002. However, with the continued conflict, the country continued violating Article 39 of the Convention.

The Cape Town Principles (1977) protect children in conflict situation. The document used by UNICEF and other lead agencies, offer a more comprehensive framework for recognizing the roles of child soldiers. The Principles define a child soldier as "any person under 18 years of age who is part of any kind of regular or irregular armed force in any capacity, including but not limited to cooks, porters, messengers, and those accompanying such groups, other than purely as family members. It includes girls recruited for sexual purposes and forced into marriage. It does not, therefore, only refer to a child who is carrying or has carried arms" but also those providing other services to armed groups[46].

Recruiting and using children under the age of 15 as soldiers is prohibited under international humanitarian law – treaty and custom – and is defined as a war crime by the International Criminal Court. Furthermore, human rights law declares 18 as the minimum legal age for recruitment and use of children in hostilities. Parties to conflict that recruit and use children are added by the Secretary-General in his annual list of shame.

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[46] Report of the Secretary-General on the causes of conflict and the promotion of a durable peace and sustainable development in Africa (A/52/871 – S/1998/318), para. 4.

At a February 2007 ministerial meeting in Paris, representatives from Somalia and 58 other states endorsed the Paris Commitments to protect children from unlawful recruitment or use by armed forces or armed groups. The documents reaffirmed international standards and operational principles for protecting and assisting child soldiers and followed a wide-ranging global consultation jointly sponsored by the French government and UNICEF. At the meeting, Somali government ministers requested assistance from the international community to address the problem of children in the TFG armed forces. The UIC and the TFG were listed as parties recruiting or using children in situations of armed conflict in the December 2007 Secretary-General's report on children and armed conflict. Western governments have restricted aid to governments who recruit children, such as the 2007 U.S Child Soldier Prevention Act.

In May 2007 the UN Secretary-General's report on children and armed conflict in Somalia urged the TFG and UIC to end the recruitment and use of child soldiers, and to take necessary actions for the unconditional demobilization of all children. The report urged the TFG to take concrete steps to ratify the Convention on the Rights of the Child and the Optional Protocol on involvement of children in armed conflict, and to halt the proliferation of small arms. Article 32 of the Convention on the Rights of the Child (1990) calls for the children to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

In 1997, the UN Independent /Expert on Human Rights for Somalia concluded that the international humanitarian law, as defined in the 1949 Geneva Conventions was still applicable in Somalia even in the absence of a central government. It is worth noting that the Government of Somaliland ratified the Convention on the Rights of the Child in 2001. Other Legal instruments in force in Somaliland are the Convention on the Elimination of

Discrimination in Respect of Employment and Occupation, 1949, the Universal Declaration of Human Rights, 1948, among others. Moreover, the Constitution of Somaliland stipulates that the Republic of Somaliland recognizes the United Nations Charter, the international law and the Universal Declaration of Human Rights. The Constitution says in part *"the Republic of Somaliland shall observe all treaties and agreements entered into the former State of Somalia with foreign countries or corporations provided that these do not conflict with the interest and concerns of the Republic of Somaliland"*.

Since ratifying the United Nations Convention on the Rights of the Child in November 2001, the government of Somaliland has not taken any other legal or administrative measures to translate the convention into domestic law.

CHAPTER FOUR

4.1   Introduction

This chapter presents the study's findings and interpretations. Prior to detailed analyses, the study gathered some preliminary facts regarding the sources of data which included the registered immigrants from Somalia and 16 international aid agencies with offices in Nairobi.

The urban refugees participating in the study had lived in the country for durations ranging from 2 to 9 years. The longest stay was associated with Somalis who moved in due to instability in formal governance after the 1991 coup, while the recent entrants were occasioned by the heightened control of the Al-Shabaab militia which enacted stringent Islamic laws and disciplinary measures. Fig. 1 shows the details on the lengths of stay in Kenya of the Somali immigrants.

Fig.1: Length of Years in Kenya
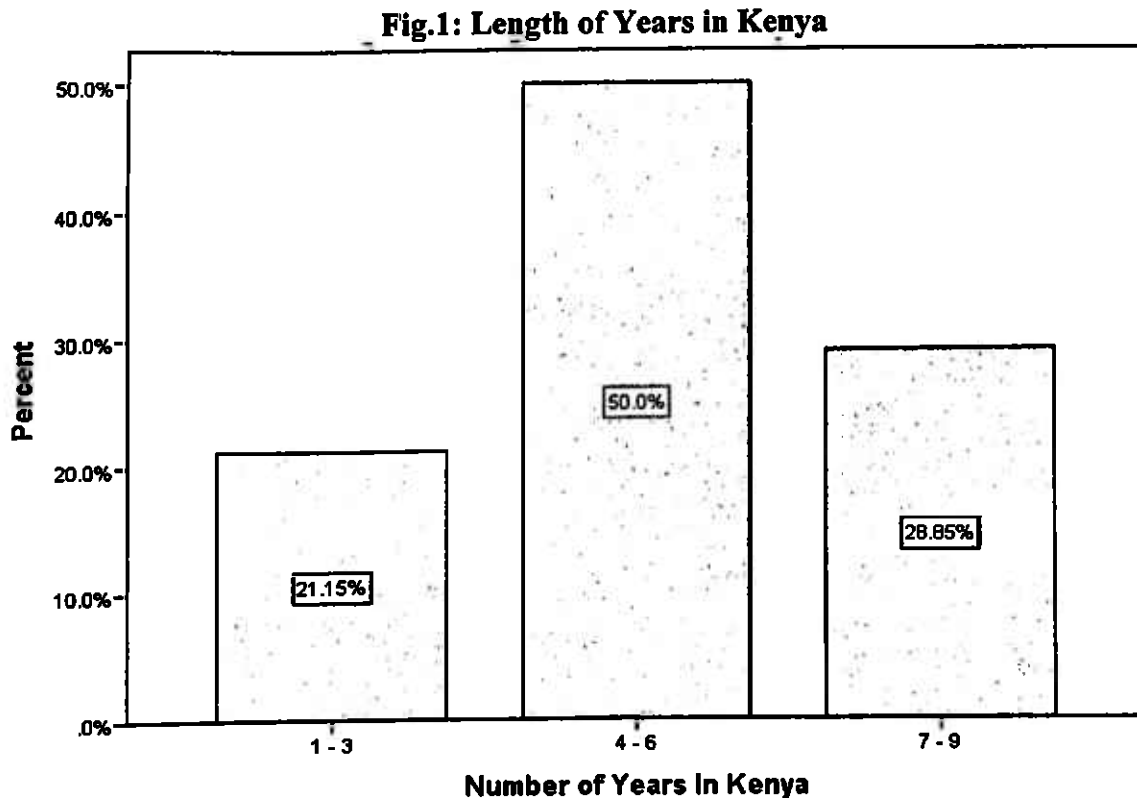
Source: Research Data (2012)

The figure shows that at least 50% of the immigrants had switched to urban refugee status between a period of 4 – 6 years, while 28.9% had stayed for 7 – 9 years. The remaining portion of 21.1% had the shortest stay of 1 – 3 years. Participants with these lengths of stay in the city were purposively recruited for study to match with the focal period of 2004 -2011.

The participants highlighted various reasons which led to their exit from Somalia. Fig 2 gives the reasons' associated densities.

Fig. 2: Reasons for Movement to Kenya

Reason for Departing Somalia
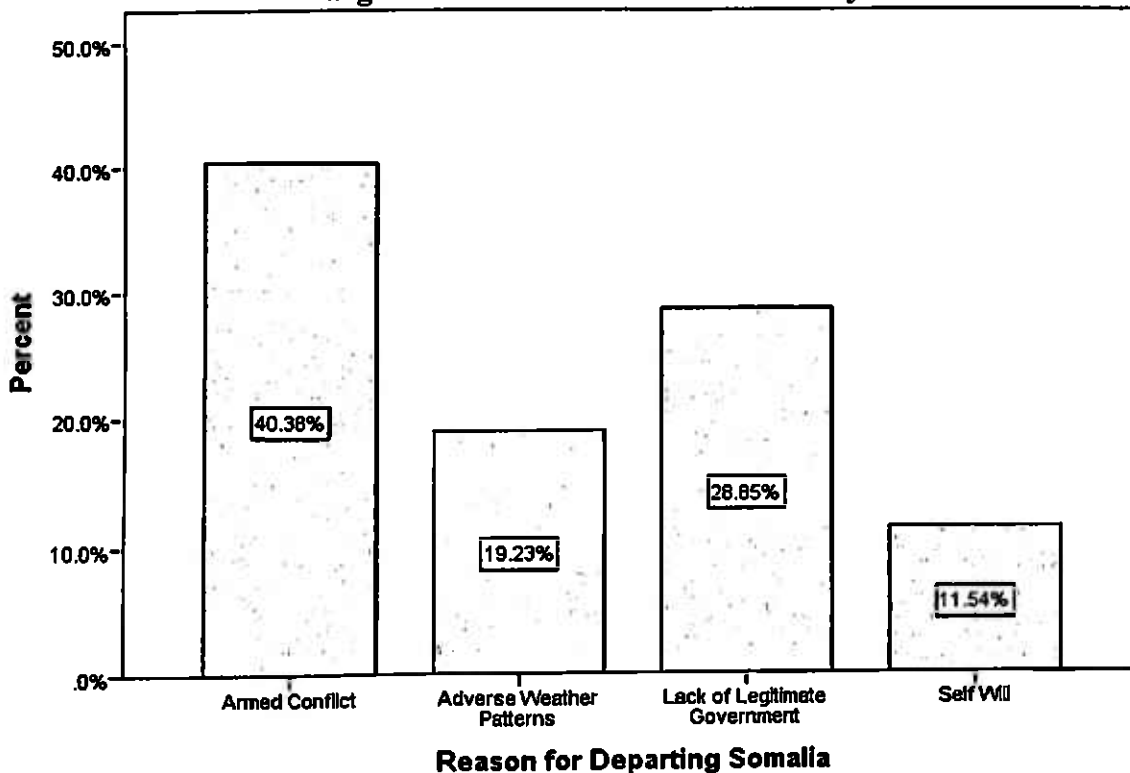
Source: Research Data (2012)

It was established that most refugees, aggregating at 40.4%, were forced out of their home country due to brutal armed conflict which weakened formal governance structures. Closely related to this, 28.8% gave lack of legitimate government as their exit reason, while 19.2% of them departed as a result of adverse weather patterns which constrained the home country's food supplies. A smaller proportion of 11.5% indicated that they vacated their Somalia homes due to their personal decisions.

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Given the fact that the top three reasons for departure affected both the adults and children, it was evident that children originating from Somalia state were shouldering the heavy load emitted by conflict and adversities which would be controlled had proper structured been put in place.

The extent to which the children bore the brunt of conflict was revealed by the international aid agencies working in the conflict areas. It was found, as shown in Fig. 3, that children were major casualties in the aftermath of internal conflict.

Fig. 3: Extent of Children Involvement in Conflict

Extent of Child Involvement in Somalia Crisis
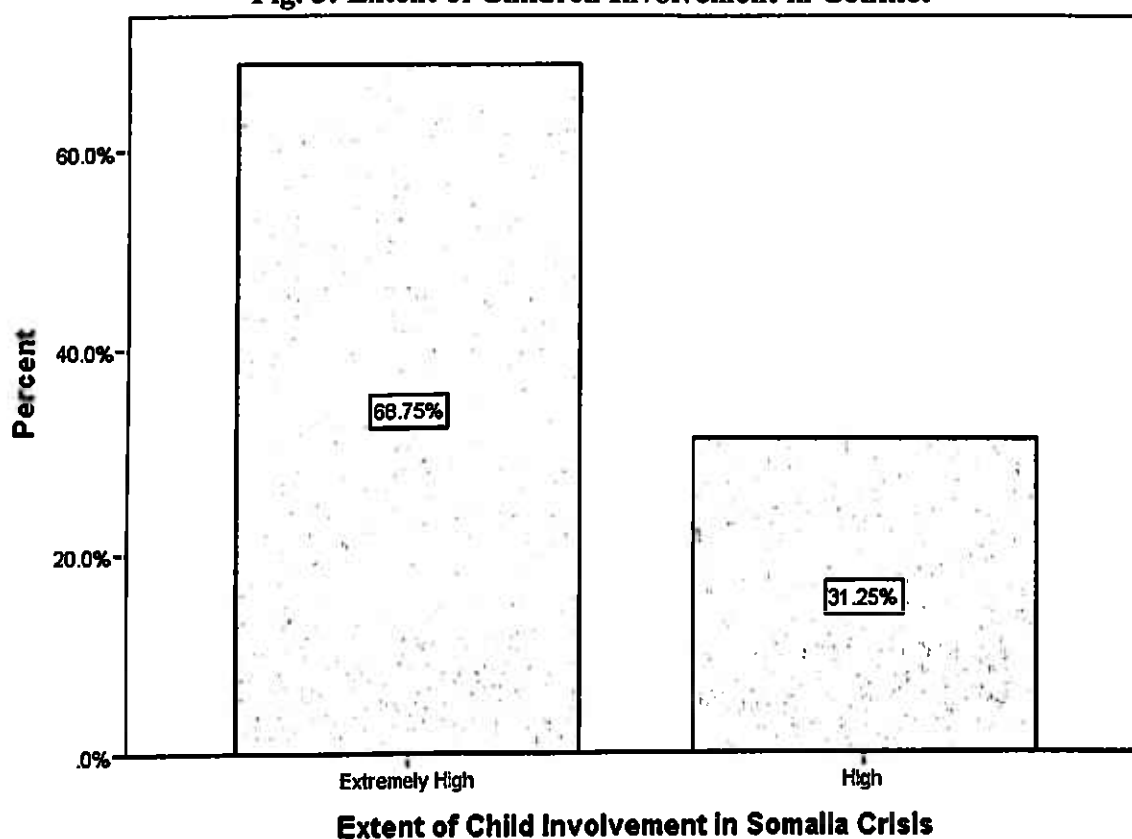
Source: Research Data (2012)

Aggregately, 68.8% of the aid agencies showed that children were involved either directly or indirectly at an extremely high extent in the conflicting situation through means such as resulting deaths, soldiers, and unplanned movements. This view did not deviate widely from that of the 31.2% who saw the involvement at a lesser level of 'high', thus excluding the moderate and lower extremes. This was evidently an extreme exposure of children to

adversities justified the intense involvement of international aid agencies and NGOs through interventions that could mitigate the effects.

4.2   Outcomes of Children Involvement in Conflict

Children suffered to a great extent during the 2004 – 2011 conflict in many ways which reduced the number of children under parental care. Tables 1, 2 and 3 show declining children population.

Table 1: Number of Children Prior to Movement

		Frequency	Percent	Valid Percent	Cumulative Percent
	0 – 3	4	7.7	7.7	7.7
	4 – 7	23	44.2	44.2	51.9
Valid	8 – 11	20	38.5	38.5	90.4
	12 – 15	5	9.6	9.6	100.0
	Total	52	100.0	100.0	

Source: Research Data (2012)

Prior to disturbances, 44.2% of the parents had between 4 – 7 children while 38.5% had 8 – 11 children, 7.7% had less than 3, and 9.6% had between 12 – 15 children. However, not all of the children moved with their parents to seek refuge in Kenya as demonstrated by responses in table 2.

Table 2: If All the Children Travelled Together

		Frequency	Percent	Valid Percent	Cumulative Percent
	No	29	55.8	55.8	55.8
Valid	Yes	23	44.2	44.2	100.0
	Total	52	100.0	100.0	

Source: Research Data (2012)

As shown in the table, 55.8% did not travel with their parents while seeking refugee leaving a lesser proportion of 44.2% children arrivals. This meant that a bigger children segment remained held up in the conflict prone areas even as their parents sought safety

outside the home country. Worse still, the caregivers could not account for the children they moved with to Kenya as shown in table 3.

Table 3: Number of Children Currently Staying together

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	None	12	23.1	23.1	23.1
	All	19	36.5	36.5	59.6
	Some	21	40.4	40.4	100.0
	Total	52	100.0	100.0	

Source: Research Data (2012)

It was found that 40.4% of the children caregivers lived with some members of the families while 23% had none of the children living together. It was only 36.5% of the refugee caregivers who lived with all the children they moved with whilst seeking refuge.

Different reasons were given as to why most children did not join their parents/caregivers after displacements. The details are as shown in Fig 4.

Fig. 4: Reasons Holding Children in Somalia
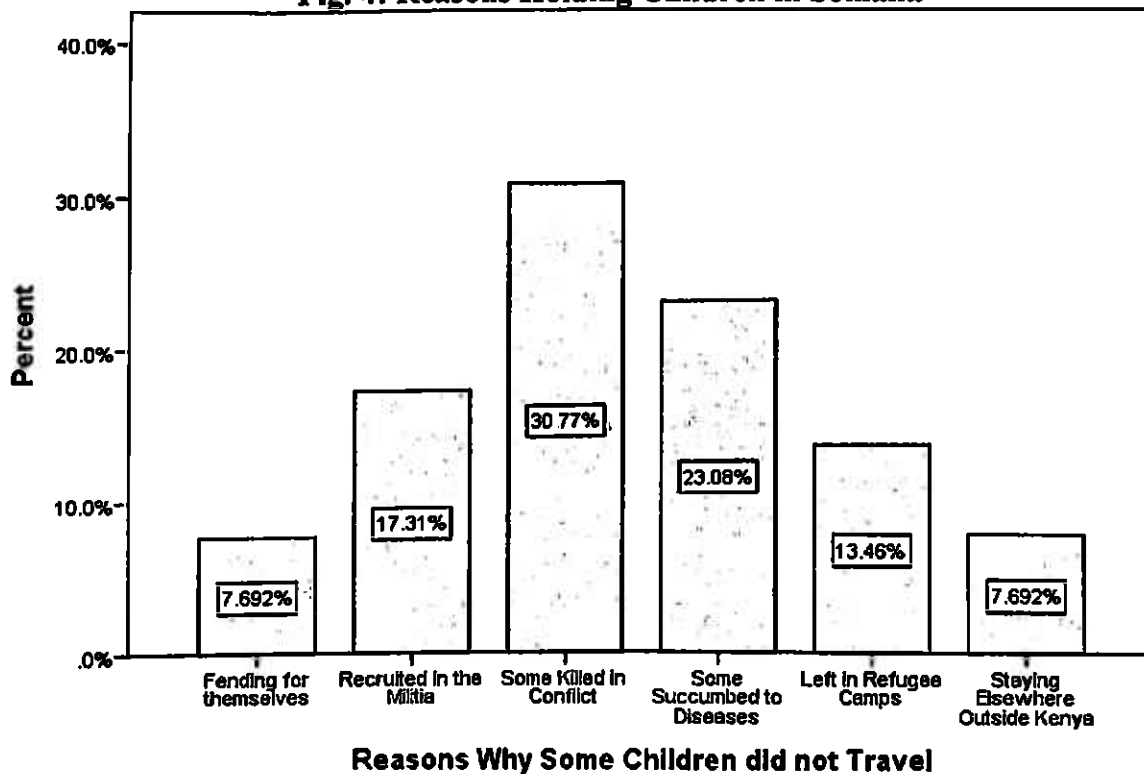
Reasons Why Some Children did not Travel

Source: Research Data (2012)

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Out of all the children who did not move to Kenya, 30.8% were killed in the conflict as 23.1% succumbed to diseases, 17.3% joined the militia as fighters, 13.5% were left in the refugee camps, 7.7% were left fending for themselves, and another 7.7% purportedly stayed in camps outside Kenya. This showed the extent of perilous exposure that faced the children despite interventions from neighbouring states and international bodies.

4.3 Influence of Conflict on Children's Social Wellbeing

The children's social wellbeing was affected in various ways after displacements from their original homes. Some of the social disadvantages advanced to the children included limited access to formal education, extreme malnutrition, sexual molestation, diseases, mortality due to population movements, deadly bombings and sudden attacks, and recruitment into militia.

4.3.1 Factor Rating

The various ways through which the children's social welfare was intruded were rated using mean scores as indicated in table 4.

Table 4: Statistics Showing how Children's Social Welfare was Affected

	N	Mean	Std. Deviation
Limited Access to Basic Education	16	4.69	.479
Children Face Extreme Malnutrition	16	4.56	.512
Children Suffer Sexual Molestation	16	3.81	.655
Children Dying from Controllable Diseases	16	4.19	.750
Children's Mortality Rate High due to Movements	16	4.38	.719
Deadly Bombings and Attacks Target Children	16	4.38	.619
Children are Easily Recruited as Soldiers	16	4.69	.479
Valid N (listwise)	16		

Source: Research Data (2012)

The high-level scores in the table show that the Somalia children were exposed to a higher extent of suffering as a result of sustained conflicts. The highest impact in the pack originated from poor access to basic education (4.69 mean score and 0.479 SD) and easy recruitment in the militias as soldiers (4.69 mean score and 0.479 SD). The smaller standard deviations indicated a high level of agreement between the respondents in the selected aid

agencies. Other than these, the children also suffered from extreme malnutrition (4.56 mean score and 0.512 SD), deaths due to unplanned movements (4.38 mean score and 0.719 SD), deadly attacks and bombs (4.38 mean score and 0.619 SD), and deaths from controllable diseases (4.19 mean score and 0.75 SD) at a higher extent. Sexual molestations resulting from the conflicts were at moderate extent, scoring 3.81 mean score and 0.655 deviations.

4.3.2 Children's Security

Generally, the security situation in Somalia during the study period was an additional social dysfunction for the lawless state, where the central government's mandate to provide and uphold security was non-existent. Fig. 5 presents the study results.

Fig. 5: Child Protection Authority

Assumption of Responsibility in Protecting Children

Source: Research Data (2012)

Instead of domesticating security issues with the central government, the Somalia situation portrayed a different arrangement where 43.75% of child security needs were met by Non-Governmental Organizations, 25% by parents especially in IDP camps, 18.75% by

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organized groups such as clan and gangs, and 12.5% by the international community. While these groups/bodies were not legally bound to protect the children, they derived their justification from the sorry state dominating the conflict-tied state.

The non-governmental partners' concerns were further corroborated by the fact that 31% of the caregivers conceded that their children were recruited in the militia prior to their forced departures to seek refuge outside the state. The main reasons associated with their acceptance to work as children soldiers were as presented in Fig. 6.

Fig. 6: Reasons for Acceptance to Work as Child Soldiers

Reasons why Children Worked as Soldiers
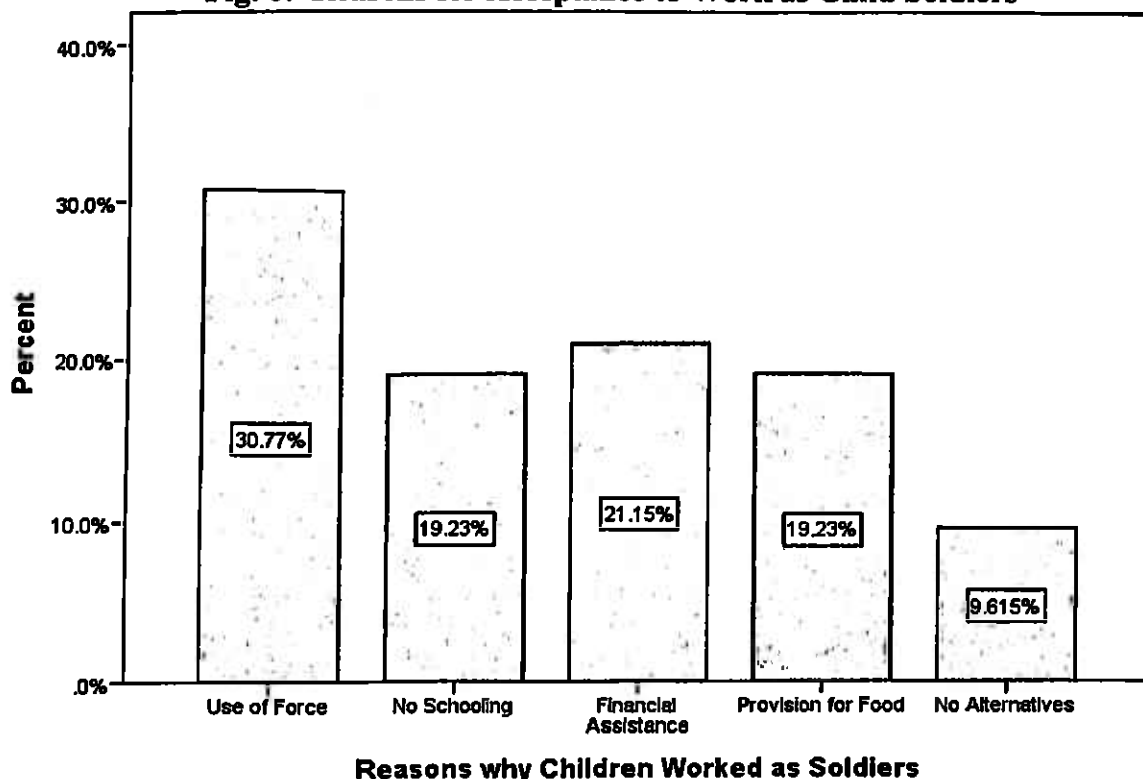
Source: Research Data (2012)

The data showed that 30.77% of the children worked as soldiers due to use of force from the militiamen and armed gangs, while 21.15% sought financial assistance prior to their attraction to join the militias. The 19.23% of the caregivers concurred that revenge lack of formal schooling system flipped their children to join fighting groups and the same proportion accepted to provide labour for food. The remaining 9.6% saw no alternatives prior to

acceptance of guns against perceived war enemies. This confirmed that lack of stable governance structures was a sufficient fodder for lawlessness against children.

4.3.3 Formal Provision of Education

Like the security compromise against children, formal provision of education was adversely affected owing to random population movements and heightened insecurity. When asked if all their children are in formal schooling, 83% of the caregivers said 'No' leaving a paltry 17% with undisrupted learning. It was further established that majority of the Somalia children had only acquired education not beyond primary phase. Fig. 7 gives more details on highest educational levels for children refugees in Kenya.

Fig. 7: Highest Levels of Education
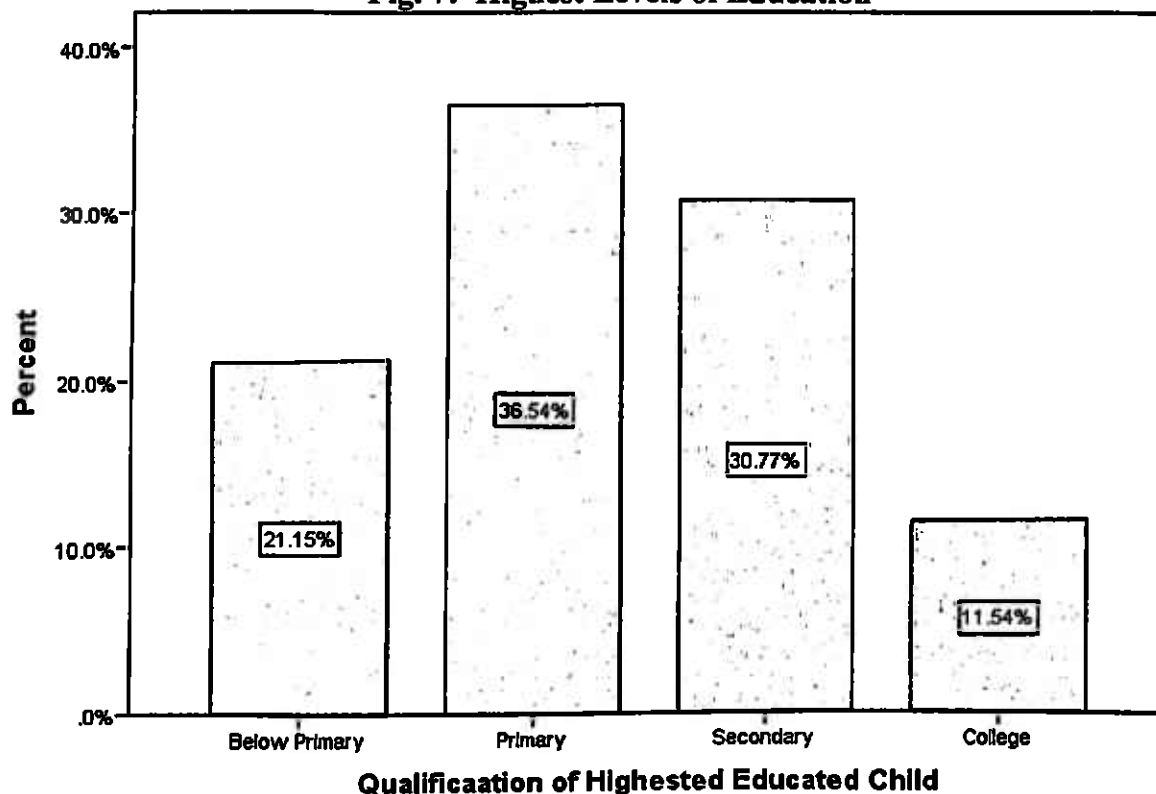
Source: Research Data (2012)

The children adding up to 36.5% only had primary school certificate, followed by 30.8% who had acquired the secondary school qualification, and 21.15% pre-primary education. The smallest proportion of 11.5% had the luck of proceeding to college education

qualifications. These low Cadre academic qualifications were closely linked to sudden displacements and subsequent disorientations from the schooling systems.

Based on the aftermath of displacements, international aid agencies sought to provide alternatives to education provision through means such as opening of refugee camp schools, mobile schools and international scholarships to bright learners, and at a lower extent construction of new schools. Further details are provided in Fig. 8.

Fig. 8: Alternatives to Educational Provision

Alternatives to Formal Education Provision
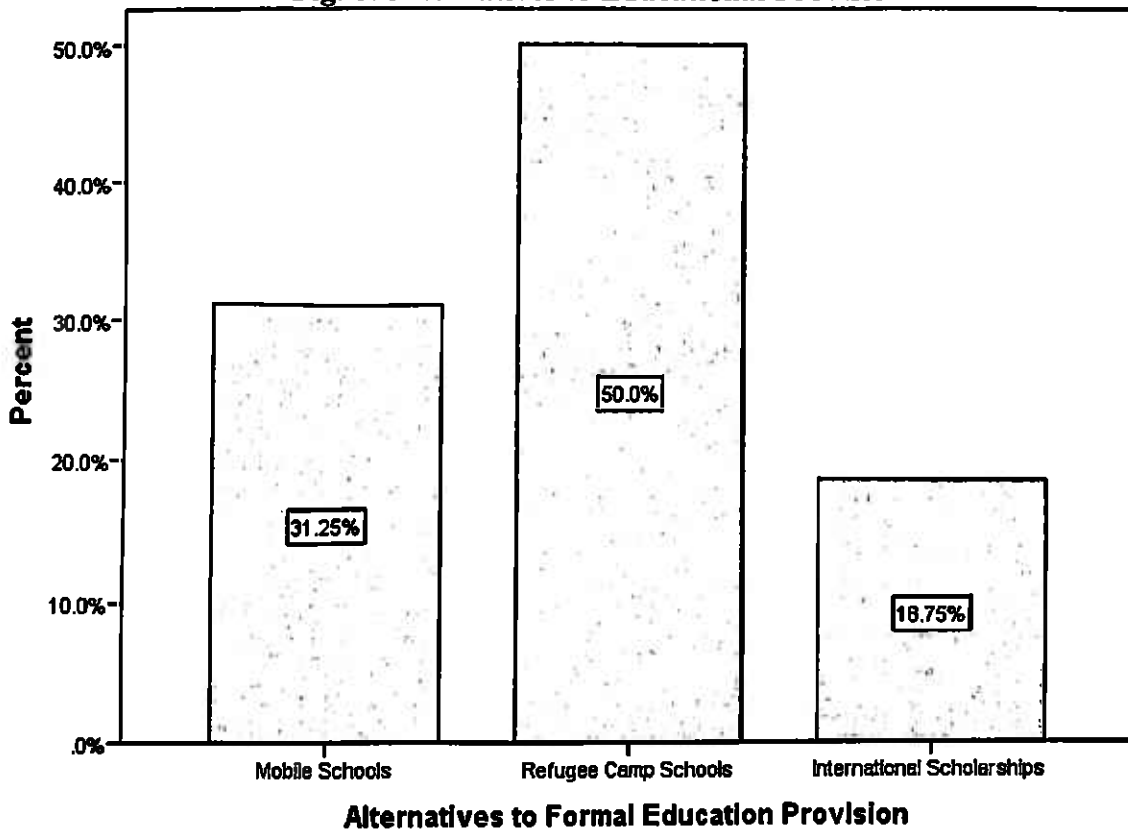
Source: Research Data (2012)

At 50% preference, refugee camp schools were the dominant means for alternative formal education provision, followed by initiation of mobile schools at 31.25%. The agencies provided international scholarships at a smaller extent of 18.75%. These alternatives widely ignore possibilities of constructing new schools, and rebuilding educational structures, thus spelling further doom for future provision of education to the affected children.

4.3.4 Provision of Health Services

The provision of health services to the children was explored and it was determined that their formal access to health care had collapsed. All the health provision responsibilities had fully shifted from formal government structures to the hands of desperate parents/caregivers and overwhelmed aid agencies. Caregivers acknowledged the medical care challenges such as malnutrition, lack of immunization, and deaths from controllable diseases bedeviling their families. With alternative health care provision as an indicator, it was determined that formal systems had failed and children were at the mercy of aid agencies. Fig. 9 demonstrates these findings.

Fig 9: Alternatives to Health Care Provision

Alternatives to Health Care Provision
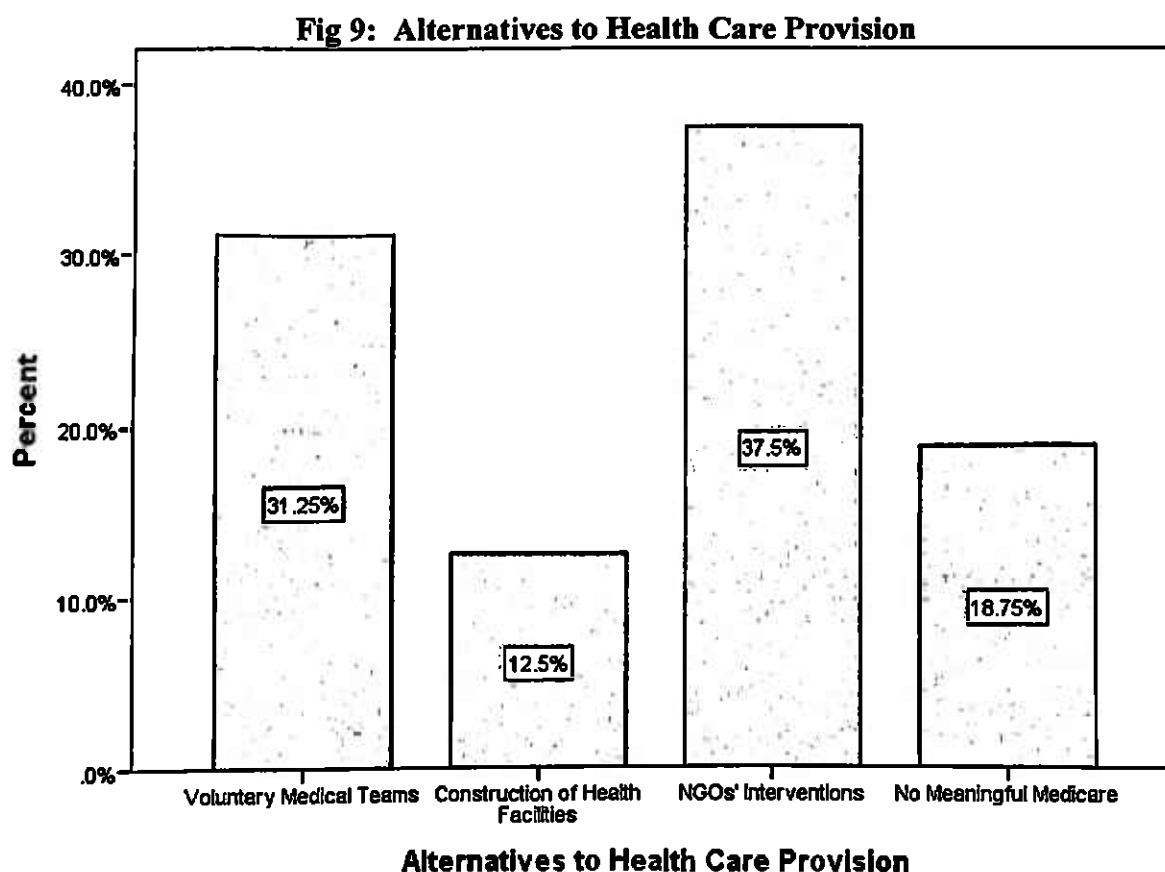
Source: Research Data (2012)

Reliance on NGO assistance soared up to 37.5% followed by 31.25% who accessed medications through the Voluntary Medical Teams. A relatively big chunk of agencies'

respondents saw no meaningful medicare offered to the children. Construction of health facilities especially in IDP camps and refugee camps provided health services at 12.5%. Notably, government involvement in child health provision was loudly unheard of. The children's health, therefore, was compromised owing to lawlessness propping from conflict.

4.4   Factors Contributing to Children Involvement in Conflicts

Various factors were examined in relation to how they contributed to the children involvement in the Somalia conflicts. These included political instability, internal warfare, ignorance of the law, lack of schooling system, limited international interventions, and adverse weather patterns. Feedback summaries were calculated as shown in table 5.

Table 5: Contributing Factors to children Involvement in Conflict

	N	Mean	Std. Deviation
Impact of Political Instability	16	4.31	.602
Impact of Internal Warfare	16	4.31	.704
Impact of Law Ignorance	16	4.62	.619
Impact of Schooling System	16	3.94	.772
Impact of International Interventions	16	2.88	.957
Impact of Adverse Weather Conditions	16	4.25	.683
Valid N (listwise)	16		

Source: Research Data (2012)

With a relatively small standard deviation of 0.619 implying high opinion-agreement, ignorance of child legislations was ranked the most contributing factor to child involvement in conflict at 4.62 mean score. This was the case due to insensitivity of legal provisions denouncing recruitment of children as soldiers and deadly attacks. Second to this, were political instability at 4.31 mean score and 0.602 SD, and internal warfare scoring 4.31 mean score and 0.704 SD. The other high extent factor was adverse weather conditions which was scored at 4.25 mean score and 0.683 SD. Slightly below this, at 3.94 mean score and 0.772 SD, was the lacking of formal schooling system which enabled idle children to cheaply provide labour to militias. The lackluster international interventions were scored slightly

below the average level at 2.88 mean score and 0.957 SD. This implied that children involvement in conflict was an aftermath of a myriad of factors predominantly resulting from ignorance of law, which made it easier for them to concede participation.

4.5 Intervention Programmes

The study further sought to establish the intervention programmes especially by the international community and NGOs that helped reduce the adversities emanating from conflict and child involvement. The interventions commonly applied included sensitization of warlords on child protection, alternative engagement of children, litigation representation, emergency assistance, and assisted population movement as further explained in Fig.10.

Fig: 10: Intervention Programmes

How Interventions have Helped Reduce Child Exposure
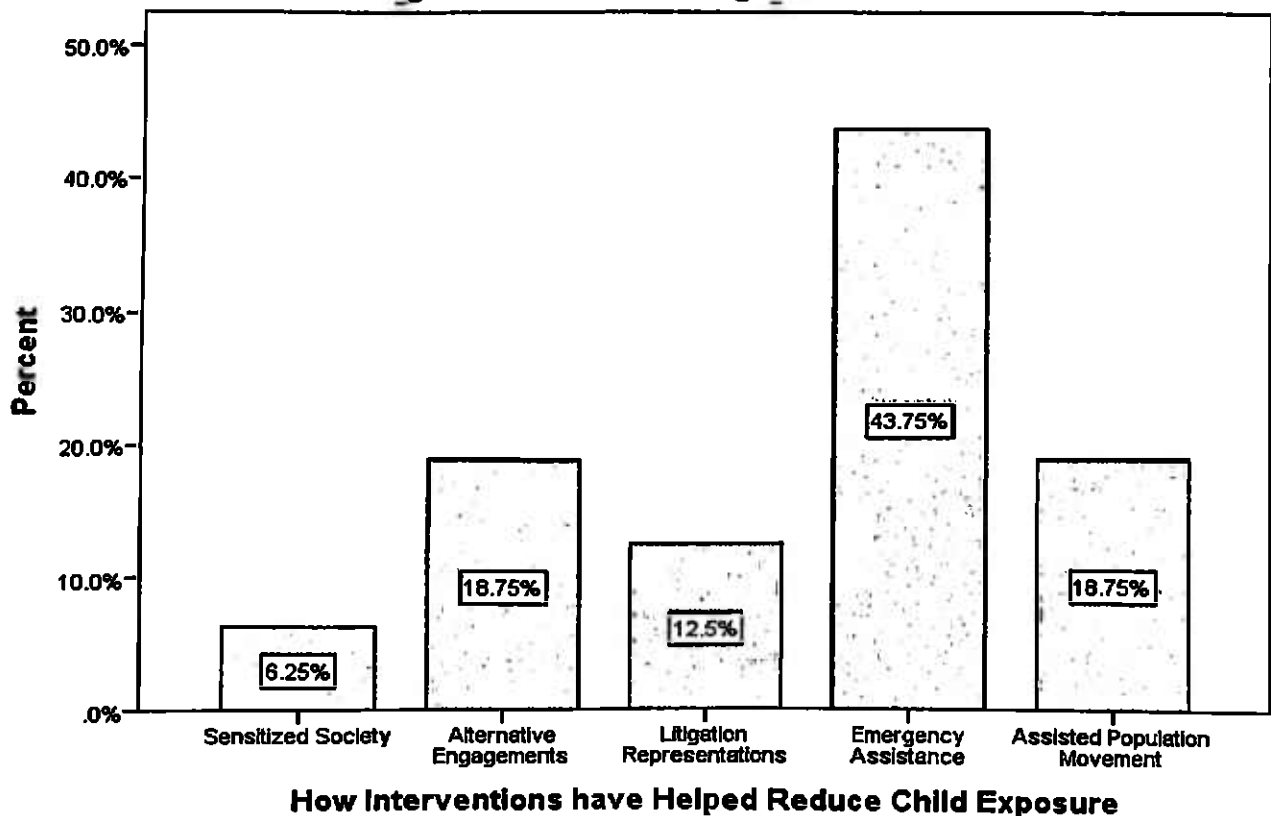
Source: Research Data (2012)

In total, 43.75% of the interventions were of emergency nature where NGOs and aid agencies were called upon to either evacuate or provide urgent assistance such as food and medicine. At the same level of 18.75%, provision of alternative child engagement and

assisted movements were availed to the affected populace. At the lower extreme, 12.5% offered litigation assistance while 6.25% sought to sensitize the affected communities on child protection. It was observed that none of the interventions sought to strengthen child safety systems, assured education and health care provision within the context of tranquility and peaceful coexistence.

Regarding the effectiveness of the international community's participation, it was established that some agencies were dissatisfied with the support directed towards saving the Somalia children as further shown in Fig. 11.

Fig. 11: Effectiveness of Intervention Programmes

Rating of Intervention Effectiveness
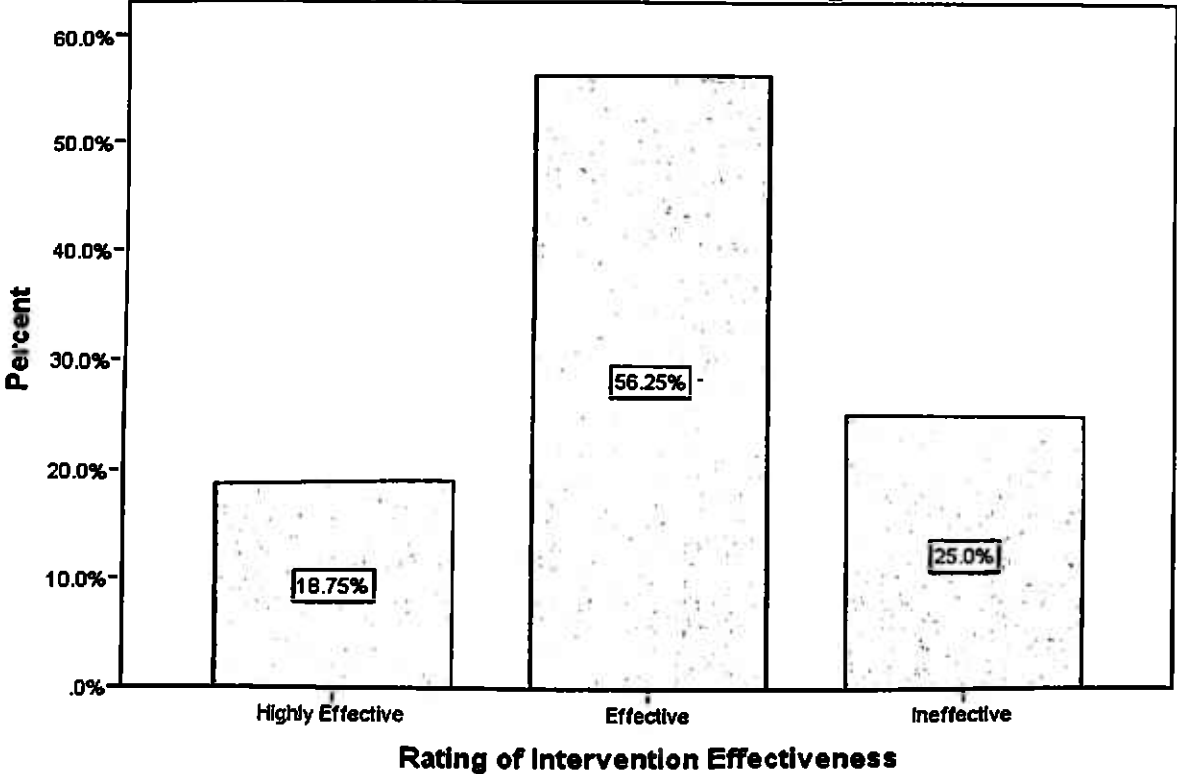
Source: Research Data (2012)

While the modal group categorized the effectiveness of international community as "effective", dissatisfaction was evidenced by 25% of the respondents who decried frustrations through constrained budgetary allocations, uncoordinated approach and unexplained withdrawals. This intervention gap which stared at military inclusion ought to have been addressed in order to fully address the Somalia situation in relation to children protection.

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4.6 Challenges faced in Protecting Children from Conflict

The various challenges that frustrated child protection efforts were studied and reported as in Fig. 12.

Fig. 12: Challenges against Child Protection

Source: Research Data (2012)

Among the four main challenges faced, weakened assistance structured topped at 43.75% followed by limited financing at 31.25%. The coordinated attacks from warring groups contributed at 12.5% similar to the proportion from orphaned children due to the conflicts. The other mentioned bottlenecks included uncoordinated approach, international laxity to military involvement and weaker international refugee policies and legislations.

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Fig. 12: Challenges against Child Protection

Challenges in Protecting Children

Source: Research Data (2012)

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CHAPTER FIVE

5.1 Introduction

This last chapter of the study presents the summary of major findings in the study, conclusions, study recommendations, and suggestions for further research.

5.2 Summary of Findings

Somalia urban refugees had lived in the country for durations ranging from 2 to 9 years. The longest stay was associated with Somalis who moved in after formal governance collapsed in 1991 while the recent entrants were occasioned by the heightened control by the Al-Shabaab militia which enacted stringent Islamic laws and disciplinary measures. At least 50% of the immigrants had switched to urban refugee status between a period of 4 – 6 years, while 28.9% had stayed for 7 – 9 years. The remaining portion of 21.1% had the shortest stay of 1 – 3 years.

The participants highlighted various reasons which led to their exit from Somalia. It was established that most refugees, aggregating at 40.4%, were forced out of their home country due to brutal armed conflict which weakened formal governance structures. Closely related to this, 28.8% gave lack of legitimate government as their exit reason, while 19.2% of them departed as a result of adverse weather patterns which constrained the home country's food supplies. A smaller proportion of 11.5% indicated that they vacated their Somalia homes due to their personal decisions.

The extent to which the children bore the brunt of conflict was revealed by the international aid agencies working in the conflict areas. It was found, that children were major casualties in the aftermath of internal conflict. Aggregately, 68.8% of the aid agencies showed that children were involved either directly or indirectly at an extremely high extent in the conflicting situation through means such as resulting deaths, soldiers, and unplanned movements. This view did not deviate widely from that of the 31.2% who saw the involvement at a lesser level of 'high', thus excluding the moderate and lower extremes. This

was evidently an extreme exposure of children to adversities justified the intense involvement of international aid agencies and NGOs through interventions that could mitigate the effects.

Children suffered to a great extent during the 2004 – 2011 conflict in many ways which reduced the number of children under parental care. Prior to disturbances, 44.2% of the parents had between 4 – 7 children while 38.5% had 8 – 11 children, 7.7% had less than 3, and 9.6% had between 12 – 15 children. However, not all of the children moved with their parents to seek refuge in Kenya. A total of 55.8% did not travel with their parents while seeking refugee leaving a lesser proportion of 44.2% children arrivals. This meant that a bigger children segment remained held up in the conflict prone areas even as their parents sought safety outside the home country. It was further found that 40.4% of the children caregivers lived with some members of the families while 23% had none of the children living together. It was only 36.5% of the refugee caregivers who lived with all the children they moved with whilst seeking refuge.

Different reasons were given as to why most children did not join their parents/caregivers after displacements. Out of all the children who did not move to Kenya, 30.8% were killed in the conflict as 23.1% succumbed to diseases, 17.3% joined the militia as fighters, 13.5% were left in the refugee camps, 7.7% were left fending for themselves, and another 7.7% purportedly stayed in camps outside Kenya. This showed the extent of perilous exposure that faced the children despite interventions from neighbouring states and international aid agencies.

The children's social wellbeing was affected in various ways after displacements from their original homes. Some of the social disadvantages advanced to the children included limited access to formal education, extreme malnutrition, sexual molestation, diseases, mortality due to population movements, deadly bombings and sudden attacks, and recruitment into militia. The highest impact in the pack originated from poor access to basic education

(4.69 mean score and 0.479 SD) and easy recruitment in the militias as soldiers (4.69 mean score and 0.479 SD). Other than these, the children suffered from extreme malnutrition (4.56 mean score and 0.512 SD), deaths due to unplanned movements (4.38 mean score and 0.719 SD), deadly attacks and bombs (4.38 mean score and 0.619 SD), and deaths from controllable diseases (4.19 mean score and 0.75 SD) at a higher extent. Sexual molestations resulting from the conflicts were at moderate extent, scoring 3.81 mean score and 0.655 deviations.

Generally, the security situation in Somalia during the study period was an additional social dysfunction for the lawless state, where the central government's mandate to provide and uphold security was non-existent. Instead of domesticating security issues with the central government, the Somalia situation portrayed a different arrangement where 43.75% of child security needs were met by Non-Governmental Organizations, 25% by parents especially in IDP camps, 18.75% by organized groups such as clan and gangs, and 12.5% by the international community. While these groups/bodies were not legally bound to protect the children, they derived their justification from the sorry state dominating the conflict-tied state. The non-governmental partners' concerns were further corroborated by the fact that 31% of the caregivers conceded that their children were recruited in the militia prior to their forced departures to seek refuge outside the state.

The data showed that 30.77% of the children worked as soldiers due to use of force from the militiamen, while 21.15% sought financial assistance prior to their attraction to join the militias. The 19.23% of the caregivers concurred that lack of formal schooling system flipped their children to join fighting groups and the same proportion accepted to provide labour for food. The remaining 9.6% saw no alternatives prior to acceptance of guns against perceived war enemies. This confirmed that lack of stable governance structures was a sufficient fodder for lawlessness against children.

Formal provision of education was adversely affected owing to random population movements and heightened insecurity. When asked if all their children were in formal schooling, 83% of the caregivers said 'No' leaving a paltry 17% with undisrupted learning. It was further established that majority of the Somalia children had only acquired education not beyond primary phase. The children adding up to 36.5% only had primary school certificate, followed by 30.8% who had acquired the secondary school qualification, and 21.15% pre-primary education. The smallest proportion of 11.5% had the luck of proceeding to college education qualifications.

Based on the aftermath of displacements, international aid agencies sought to provide alternatives to education provision through means such as opening of refugee camp schools, mobile schools, and international scholarships to bright learners, and at a lower extent construction of new schools. At 50% preference, refugee camp schools were the dominant means for alternative formal educational provision, followed by initiation of mobile schools at 31.25%. The agencies provided international scholarships at a smaller extent of 18.75%. These alternatives widely ignore possibilities of constructing new schools, and rebuilding educational structures, thus spelling further doom for future provision of education to the affected children.

Finally, the provision of health services to the children was explored and it was determined that their formal access to health care had collapsed. All the health provision responsibilities had fully shifted from formal government structures to the hands of desperate parents/caregivers and aid agencies. Caregivers acknowledged the medicare challenges such as malnutrition, lack of immunization, and deaths from controllable diseases bedeviling their families. With alternative health care provision as an indicator, it was determined that formal systems had failed and children were at the mercy of aid agencies. Fig. 4.9 demonstrates these findings. Reliance on NGO assistance soared up to 37.5% followed by 31.25% who accessed

medications through the Voluntary Medical Teams. A relatively big chunk of agencies' respondents saw no meaningful medicare offered to the children. Construction of health facilities especially in IDP camps and refugee camps provided health services at 12.5%. Notably, government involvement in child health provision was loudly unheard of. The children's health, therefore, was compromised owing to lawlessness propping from conflict.

Various factors were examined in relation to how they contributed to the children involvement in the Somalia conflicts. With a relatively small standard deviation (SD) of 0.619 implying high opinion-agreement, ignorance of child legislations was ranked the most contributing factor to child involvement in conflict at 4.62 mean score. This was the case due to insensitivity of legal provisions denouncing recruitment of children as soldiers and deadly attacks. Second to this, were political instability at 4.31 mean score and 0.602 SD, and internal warfare scoring 4.31 mean score and 0.704 SD. The other high extent factor was adverse weather conditions which was scored at 4.25 mean score and 0.683 SD. Slightly below this, at 3.94 mean score and 0.772 SD, was the lacking of formal schooling system which enabled idle children to cheaply provide labour to militias. The lackluster international interventions were scored slightly below the average level at 2.88 mean score and 0.957 SD.

The study further sought to establish the intervention programmes especially by the internal community and NGOs that helped reduce the adversities emanating from conflict and child involvement. In total, 43.75% of the interventions were of emergency nature where NGOs and aid agencies were called upon to either evacuate or provide urgent assistance such as food and medicine. At the same level of 18.75%, provision of alternative child engagement and assisted movements were availed to the affected populace. At the lower extreme, 12.5% offered litigation assistance while 6.25% sought to sensitize the affected communities on child protection. It was observed that none of the interventions sought to strengthen child safety

systems, assured education and health care provision within the context of tranquility and peaceful coexistence.

Regarding the effectiveness of the international community's participation, it was established that some agencies were dissatisfied with the support directed towards saving the Somalia children. While the modal group categorized the effectiveness of international community as 'effective', dissatisfaction was evidenced by 25% of the respondents who decried frustrations through constrained budgetary allocations, uncoordinated approach and unexplained withdrawals. This intervention gap which stared at military inclusion ought to have been addressed in order to fully address the Somalia situation in relation to children protection.

Finally, the various challenges that frustrated child protection efforts were studied and reported. Among the four main challenges faced, weakened assistance structured topped at 43.75% followed by limited financing at 31.25%. The coordinated attacks from warring groups contributed at 12.5% similar to the proportion from orphaned children due to the conflicts. The other mentioned bottlenecks included uncoordinated approach, international laxity to military involvement and weaker international refugee policies and legislations.

5.3 Study Conclusion

The children of Somalia were heavily subjected to perils of conflict, thus vastly denying them the freedom toward enjoyment of social rights to education, health care and security. The rapid movements that were occasioned by the regional conflicts, disorientations from the formal schooling systems, lack of schools and limited interventions hindered easy access and sustainability to education. This saw most children access very low levels of education which hardly exceeded secondary qualifications, while others opted for militias as life options. Health-wise, the children were badly exposed to malnutrition and deaths from diseases that were controllable had appropriate mechanisms been put in place. Moreover, there was an arrested move towards establishing medical centres and rebuilding of health systems in

the region to cater for the children. Most often than not, medical needs were addressed by voluntarism, and NGOs whose core activities were outside the scope. In terms of security, it was observed that the children were equally exposed to conflict related deaths since they were easy targets and cheaper fighter options. The conflicts resulted to weakened parental roles which led to most children seeking means of fending for themselves in the absence of formal governance structures.

Among the critical factors found to be contributing to child involvement in Somalia conflicts included political instability, internal warfare, lack of formal schooling system, ignorance of laws protecting children, limited international interventions, and adverse weather effects. While political instability gave leeway to ungoverned state leading to emergence of warring groups and ad hoc governance structures, internal warfare weakened the remaining Somalia social fabric that led to total disintegration. In addition, the warlords hardly cared about dangers of involving children soldiers in the conflicts as the internal community did little to curb the soaring tension. Other than these, lack of formal schooling and adverse weather conditions left most children idle, desperate and easy recruits to the militias.

Finally, it was established that international aid agencies and NGOs worked harder to seek minimum effects of conflict on children through evacuations, immunizations, provision of food and water, population tracking, scholarships, alternative engagements, and litigation patronage. However, more effort was required to deal with the challenging factors such as limited funding, uncoordinated efforts, directed attacks, and high mortalities leading to increasing orphaned children.

5.4   Study Recommendations

As the country re-establishes itself on the strength of recent international military interventions, it is recommended that consecrated efforts are sustained to ensure free flow of funds to rebuild the formal social systems including education, health and security. All

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children regardless of age should be allowed back to school without discrimination while accessing medical needs in closer reach. The security of children should also be prioritized by implementation of international child protection provisions and tailored Acts of Parliament.

It is also recommended that further efforts are injected into the national reconciliation mechanisms that will see previously warring communities and factions reunited. This will require direct involvement of government agencies towards provision of physical child protection and sensitization on the need to bring up an educated and well nurtured generation.

Finally, the international community should double its efforts towards building essential institutions which will form the pillars in future development. Some of the critical pillars include roads and communication networks, financial systems, tourism, and international policy. This will require a collective and centrally coordinated approach to avoid replication and skewed development patterns. Governments and the international community could develop a children and armed conflict accountability index. This could be able to capture an assessment of the effectiveness of various mechanisms that work towards accountability for violations against children in situations of armed conflict and could be published regularly, for example on an annual basis. The index could be designed to assess international and national mechanisms using a set of rigorous indicators that could be applied to particular conflict situation.

5.5   Suggestions for Further Studies

The study recommends advanced studies in critical emerging issues such as the appropriateness of schooling system for the children of Somalia, which need to be based on the evolving country's unique characteristics. A detailed comparative assessment is required to advise the new government effectively on the direction that will prove optimal for the future prosperity of the state.

In addition to this, it is suggested that a study is conducted on causes of lawlessness that puts children welfare at stake. This should be broadened to cover issues such as adversity

against children, effectiveness of NGOs and aid agencies, and international community intervention not only in Somalia but also in other affected regions.

Finally, future researchers are encouraged to undertake studies on appropriate coordination in dealing with humanity issues such as murder, forceful transfers, rape and wanton destruction of livelihood. This will greatly contribute towards reducing dangers of laxity and extended planning when urgency is of importance.

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APPENDIX I:

LETTER OF INTRODUCTION TO CONDUCT RESEARCH FROM THE UNIVERSITY OF NAIROBI
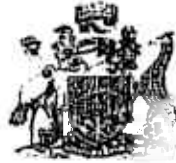
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P. O. Box 30197
Nairobi
Kenya

02/10/2012

TO WHOM IT MAY CONCERN

RE: KITEME SUSAN NDANU – R50/63480/2010

This is to confirm that the above named is a bona fide student of this Institute pursuing the Master of Arts in International Studies. She is carrying out a research on Conflict in the Horn of Africa: A Case Study of the Involvement of Children in the Somali Conflict.

Any assistance given to her will be highly appreciated.

UNIVERSITY OF NAIROBI
INSTITUTE OF DIPLOMACY & INTERNATIONAL STUDIES

FOR: DIRECTOR
Snr. IDIS
APPROVED

APPENDIX II:

QUESTIONNAIRE FOR THE REFUGEE CHILDREN'S CAREGIVERS

1. For how long have you been residing in Kenya?

1 – 3 years   ( )

4 – 6 years   ( )

7 – 9 years   ( )

2. Which one reason mainly made you leave your country of birth?

Armed conflict   ( )

Adverse weather patterns   ( )

Insecurity   ( )

Seeking economic opportunities   ( )

3. Immediately before moving to your current residence, where did you live?

IDP camps in Somalia   ( )

Refugee camp in Kenya   ( )

Home in Somalia   ( )

Refugee camp outside Kenya   ( )

4. How many children were under your parentage prior to movement to Kenya?

Less than 3   ( )

4 – 6   ( )

6 – 8   ( )

More than 8   ( )

5. How many of the children stay with you currently?

None   ( )

All   ( )

State if none of the above   ....

6. Did all your children travel with you to seek refuge in Kenya?

Yes   ( )   No   ( )

If No, why?

Some were left fending for themselves   ( )

Some were recruited in the militias   ( )

Some succumbed to conflict killings   ( )

Lost touch with children during movement ( )

Deaths due to diseases   ( )

Left at the refugee camp   ( )

Staying elsewhere outside Somalia   ( )

I don't know   ( )

7. Your longest-educated child has what highest level of education?

Post-graduate   ( )

Graduate   ( )

College   ( )

Secondary   ( )

Primary   ( )

8. Are all the children you stay with currently in school?

Yes   ( )   No   ( )

If No, what else do they do?

....

9. What is your source of income to cater for the children's needs?

Formal employment   ( )

Causal works   ( )

Business   ( )

Assistance from government ( )

Assistance from UNHRC   ( )

Any other (Specify):...

10. Were any of your children recruited as soldiers during the conflict in Somalia?

Yes   ( )   No   ( )

11. What main reasons led to their acceptance to work as children soldiers?

Use of force   ( )

No schooling   ( )

Financial assistance ( )

Provision of food   ( )

12. Are you aware of any international effort seeking to protect the children?

Yes ( )   No   ( )

13.   How would you rate their effectiveness in achieving the goals?

Extremely effective   ( )

Effective   ( )

Ineffective   ( )

Extremely ineffective   ( )

APPENDIX III:

QUESTIONNAIRE FOR RESPONSE GROUPS

Dear respondent,

This questionnaire is designed to collect data relating to children involvement in conflict in the Somalia between the periods of 2004 – 2011. It will only be applicable for academic purpose. Your valued completion of the questionnaire will greatly contribute to drawing of relevant generalizations for the study.

1. Name o the organization:

....

2. For how long has your organization been intervening in the Somalia conflict?

Less than 3 years   ( )

3 – 6 years   ( )

6 – 9 years   ( )

9 – 12 years   ( )

More than 12 years   ( )

3. What were the organization's key interventions between 2004 – 2011 in regard to children?

Evacuation   ( )

Nutrition   ( )

Child immunization   ( )

Provision of basic education   ( )

Water and sanitation   ( )

Population tracking   ( )

Provision of shelter   ( )

Child protection   ( )

Others (Specify):...

4. How would you generally describe the extent of children involvement in the conflict?

Extremely High ( )

High ( )

Moderate ( )

Low ( )

Extremely Low ( )

5. Kindly provide estimated numbers of affected children in Somalia in the following categories:

Category	2004	2005	2006	2007	2008	2009	2010	2011
Children displaced								
Children mortality rate								
Children receiving assistance by organization								

6. What is your level of agreement concerning the effects children involvement has on the children's social wellbeing? (1 – Extremely Low, 2 – Low, 3 – Moderate, 4 – High, 5 – Extremely High)

Majority of Somali children do not access formal educational due to conflict ( )

Children affected by the conflict face extreme malnutrition ( )

Children suffer from uncontrolled sexual molestation ( )

Children in conflict-prone areas die from controllable diseases ( )

Mortality rate among children is high due to population movements ( )

Deadly bombings and sudden attacks normally target children ( )

Children are easily recruited into militia involved in armed conflicts ( )

7. During the Somalia conflict, who predominantly assumed responsibilities of protecting the children rights?

Central government ( )

Organized groups ( )

Parents ( )

Non Governmental Organizations ( )

International community ( )

Any other (Specify):..

8. What option existed for provision of formal education after the country's structures were destroyed?

Construction of new schools	( )
Rebuilding the educational structures	( )
Initiation of mobile schools	( )
Refugee camp schools	( )
International scholarships	( )

Any other (Specify):...

9. What alternatives exist to provision of formal health services to the children?

Mobile clinic

Visits by voluntary medical teams	( )
Construction of health centres	( )
Use of traditional herbs	( )
No medication offered	( )

Any other (Specify):...

10. How would you rate the contributive impact of the following factors in relation to children involvement in conflict in the Horn of Africa? (1 – Extremely Low Impact, 2 – Low Impact, 3 – Moderate Impact, 4 – High Impact, 5 – Extremely High Impact)

	1	2	3	4	5
Political instability	( )	( )	( )	( )	( )
Internal warfare	( )	( )	( )	( )	( )
Ignorance of laws relating to children protection	( )	( )	( )	( )	( )
Absence of organized schooling system	( )	( )	( )	( )	( )
Limited international intervention	( )	( )	( )	( )	( )
Adverse weather patterns	( )	( )	( )	( )	( )

11 Kindly explain the different ways in which the above factors contributed to children involvement in conflict?

(a) Political Instability

....

....

(b) Internal warfare

....

....

(c) Ignorance of children laws and rights

....

....

(d) Absence of organized schooling system

....

....

(e) Lack of international interventions

....

....

(f) Adverse weather patterns

....

....

11. How have your interventions helped mitigate the problem of children involvement in the conflicts?

Creating a sensitized society   ( )

Alternative engagement of children   ( )

Litigation representation of children   ( )

Emergency assistance   ( )

Assisted population movement   ( )

Any other (Specify):...

12. How would you rate the effectiveness of humanitarian organizations in protecting children rights under Somalia conflict areas?

Highly effective   ( )

Effective   ( )

Ineffective   ( )

Highly ineffective   ( )

13. Is the international community doing enough to protect the children's rights in Somalia?

Yes   ( )   No   ( )

If No, what needs to be done?

....

....

14. What challenges do you face in protecting children from the adversities of the Somalia conflict?

....

....

....

Thank you.

APPENDIX IV:

INTERNATIONAL AID AGENCIES WORKING IN SOMALIA WITH OFFICES IN NAIROBI

African Development Solutions (ADESO)

Catholic Relief Services (CRS)

Cooperative for Assistance and Relief Everywhere (CARE) International

Doctors without Borders (DWBs)

International Committee of the Red Cross (ICRC)

Medecins Sans Frontiers (MSF)

Mercy Corps (MC)

Norwegian Refugee Council (NRC)

Oxfam

Save the Children (STC)

United Nations Children's Fund (UNICEF)

United Nations High Commissioner for Refugees (UNHCR)

World Concern

World Food Program (WFP)

World Health Organization (WHO)

World Vision

APPENDIX V:

TIME PLAN

Study Activity		Time taken to Complete an Activity					
		May 2012	June 2012	July 2012	August 2012	September 2012	October 2012
	Proposal Validation	■					
	Preliminary Assessment		■				
	Pilot study			■			
	Instrument validation				■		
	Actual data collection				■ ■		
	Data coding, entry and analysis					■	
	Report writing and corrections					■	

Submission of Report

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APPENDIX VI:
BUDGET ESTIMATE

ACTIVITY	COST @ PIECE (Kshs)	CALCULATION	TOTAL (Kshs)
Data Collection	Pilot study Duplication: 300 Assistant: 5,000 Travelling & Subsistence: 15,000	300 x15 copies 5,000 x 1 15,000 x 1	24,500
	Actual Collection Duplication: Assistant: 5,000 Travelling: 2,000 Subsistence 1,000	300 x 15 copies 5,000 x 1 2,000 x 1 1,000 x 1	12,500
Data Coding and Entry	Computer Software (SPSS): 5,000 Assistant: 3,000	5,000 3,000	8,000
Report Writing	Printing and Binding:	8,000	8,000
Total Cost			53,000

APPENDIX VI:
BUDGET ESTIMATE

ACTIVITY	COST @ PIECE (Kshs)	CALCULATION	TOTAL (Kshs)
Data Collection	**Pilot study** Duplication: 300 Assistant: 5,000 Travelling & Subsistence: 15,000	300 x15 copies 5,000 x 1 15,000 x 1	**24,500**
	Actual Collection Duplication: Assistant: 5,000 Travelling: 2,000 Subsistence 1,000	300 x 15 copies 5,000 x 1 2,000 x 1 1,000 x 1	**12,500**
Data Coding and Entry	Computer Software (SPSS): 5,000 Assistant: 3,000	5,000 3,000	**8,000**
Report Writing	Printing and Binding:	8,000	**8,000**
Total Cost			**53,000**