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## **Formerly Abducted Child Mothers in Northern Uganda: A Critique of Modern Structures for Child Protection and Reintegration**

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### **ABSTRACT**

*The study documents and analyzes the community structures supporting reintegration of the formerly abducted child mothers (FACM) within post-conflict northern Uganda. A qualitative approach assesses the relevance and effectiveness of child protection structures created by different development agencies to enhance the reintegration of FACM and protect vulnerable children more broadly. Findings suggest that the efficacy of the community-based structures to support the reintegration efforts have been hampered by the creation of competing structures by the different non-governmental organizations (NGOs) and major development organizations such as UNICEF. The limited community ownership of these structures and the inadequate psychosocial training of child protection workers are problematic in meeting the needs of formerly abducted child mothers. Other constraining factors are the limited government role in supporting these child protection structures, the challenge of adapting the structures to the new post-active conflict development context, and limited outreach to FACM. These factors limit the prospects for supporting formerly abducted children and sustaining structures within the community once agencies and donor support is withdrawn. The key lesson for social work practice and social development in Africa is that effective interventions at supporting the reintegration of children affected by armed conflict need to consider the importance of indigenous institutions and structures within the implementation areas.*

**KEY WORDS:** *child protection, reintegration, child mothers, abduction, armed conflict,*

*Uganda, Africa, social work, social development*

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In spite of the existence of international watchdogs such as the United Nations and increased global advocacy for respect for human rights and promotion of good governance, armed conflict continues to be a defining characteristic of the geo-political situation in many countries (Keen, 2008; Kaldor, 2006). In the 1960s, 70s and 80s, many conflicts in developing countries were directed at gaining independence. However, self-governance brought with it a call for recognition among different groups, leading to intra-state power struggles and an increase in internal conflicts, especially over the control of state resources (Draman, 2003; Harris, 1999; Wessels, 1998). The recruitment and abduction of children into armed forces has become a defining characteristic of many contemporary wars (Achvarina, Nordas, Ostby, & Rustard, 2008). Moreover, in almost all civil conflict in developing countries, women and girls have suffered directly or indirectly. Women and girls have been targeted by fighting forces to be used as cooks, sex slaves, porters and in some cases fighters (Frerks, Bouta, & Bannon, 2005; McKay, 2004; McKay & Mazurana, 2004).

While substantial data exist about the rehabilitation of children affected by armed conflict, far less is known about their post-reinsertion experiences, including adaptation to life within communities. This study draws on the experiences and struggles of young women, who were abducted as girls, who became mothers while in captivity, and who have returned to live in their communities. It is argued that these young women have specific psychosocial needs given that their motherhood status is the consequence of rape or sexual abuse at the hands of the rebels. In addition, their children, born in extreme conditions and outside of traditional family systems, may have specific needs. The focus of the analysis is on the child protection structures and systems supporting the reintegration of Formerly Abducted Child Mothers (FACM) in the community including traditional processes. The strengths and limitations of the prevailing systems of support to formerly abducted child mothers and other

children affected by armed conflict are discussed with a view to making practical and intervention-oriented recommendations regarding how these can be improved. These structures and systems are contextualized within the changing conflict dynamics in Northern Uganda, and more specifically in view of the end of active conflict and the return of displaced people to their original villages. Reviewing these strengths and limitations, a new approach that recognizes the primacy of local indigenous structures against the creation of new stand-alone child protection structures, is proposed.

### **The Reintegration of Children Affected by Armed Conflict**

The literature review presents the contextual situation in northern Uganda and the genesis, trajectory, and dynamics of the armed conflict. It also presents debates on the reintegration of children affected by armed conflict, and varied and complex approaches for community based child protection in different parts of the developing world.

Largely involving hostilities between the national army and the Lord's Resistance Army (LRA), Northern Uganda is emerging out of the prolonged period of conflict in which it has been engulfed since 1986. Over the period of the conflict, some 20,000 people were killed and over two million displaced, many of whom found themselves relocated to internally displaced person camps (US Institute of Peace, 2010). These camps were established in the mid-1990s following calls from the Ugandan government for their formation as a means of protecting the general population from the LRA. By 2005, the number of camps had grown to 250 housing around 1.8 million people. Although it is estimated that around three-quarters of displaced persons have returned to their homes, some 25 percent of the population of Northern Uganda still languish in camps (Norwegian Refugee Council, 2010).

The LRA, led by the notorious rebel commander, Joseph Kony, committed abduction, rape, indiscriminate murder, mutilation and many other atrocities throughout the conflict—

not just in Uganda, but also in areas of South Sudan, the Democratic Republic of Congo (DRC) and Central African Republic (CAR) (Van Acker, 2004). The stated political motivation of the LRA is the introduction of the 'Biblical ten commandments' as the central organizational principle of Ugandan society (UK Border Agency, 2009). Their motivations, however, remain difficult to fully assess or understand, and their political demands are unclear (Global Security, 2010). Within Northern Uganda, the conflict has been most prevalent in the Gulu and Kitgum districts, which border Sudan to the north. The conflict has also expanded southwards into the adjoining southern districts of Apac and Lira, but has stopped well short of any direct impact on the capital, or the more economically developed center and south of the country. Following failed peace talks in 2007, the LRA stepped up its attacks in the DRC, precipitating a joint Ugandan/ DRC military response, which all but obliterated the LRA foothold in that country. This forced the rebel LRA forces to regroup in the CAR, from where it continues to offer a threat to the region's economic and political stability (Cakaj, 2010).

One notable element of the Northern Ugandan conflict is child abduction. Since the beginning of the conflict, it is estimated that between 25,000 and 30,000 children have been abducted (Human Rights Watch, 2006). McKay & Mazurana (2004) put the proportion of girls abducted at 30 percent. The impact of abduction and the repertoire of experiences to which the children are subjected have proved devastating for the social, economic, educational, physical and emotional development of children in Northern Uganda (Corbin, 2008; Mazurana & Carlson, 2006; McKay, 2004). One report by Médecins Sans Frontières (2010) found that some 24 percent of children they examined demonstrated signs of severe psychological distress, while another 38 percent were at risk of slipping into this bracket. More immediately, formerly abducted children face problems in their communities, including a lack of basic needs such as access to health facilities, educational opportunities and food.

Other related problems include inadequate social support from families and communities (Allen & Schomerus, 2006).

Substantial literature exists on social reintegration of former child soldiers (see Green & Rynn, 2008; Marslen, 1997). Reintegration involves supporting former child abductees to marshal personal and community resources to live as normal a life as possible, despite their experiences. Thus, social reintegration of children and former fighters is seen as a necessary process for sustaining the peace and security in post-conflict situations. It is argued that social progress, reconciliation and national healing might not be achieved unless the reintegration needs of former child soldiers are properly addressed (Corbin, 2008; Mazurana & Carlson, 2006). The situation appears to be much worse for formerly abducted children who have become mothers (Annan, Blattman, & Horton, 2006; Annan, Blattman, Carlson & Mazurana, 2007). As with other returning children, when abducted child mothers were released from captivity, a lot of excitement was generated within the communities as parents were reunited with their children. Soon, however, this excitement was replaced with anxiety and uncertainty about the effective and holistic reintegration of these young women who had become mothers in captivity and had their own children to care for. There was uncertainty about whether family and community members would accept these young women, forgive them for atrocities committed and, in addition, accept their children (Okello & Hovil, 2007).

The difficulties faced by FACM in reintegrating into their communities are documented (McKay & Mazurana, 2004). It is suggested that society expects the returnee child mothers to take on socially prescribed roles and behavior, even though they have undergone transformative experiences in captivity, which make it difficult to conform to these expectations. In some cases, the FACM have reportedly displayed high levels of aggressive behavior exhibited by being quarrelsome, rebellious and abusive to those around them (Frerks, et al., 2005). This behavior, interpreted by the community as a violation of

acceptable gender norms and social values, further alienates the young women. Girls who returned from captivity with their own children reported a higher rate of problems with community members than female returnees who did not have children (McKay, Veale, Worthen, & Wessels, 2010; Allen & Schomerus, 2006). Other studies, however, report an increasingly more tolerant community for returning young mothers (Corbin, 2008; Annan et al., 2007). Despite this encouraging picture, problems persist. Many returnee FACM, who were trained in vocational skills in internally displaced persons camps, have not been able to put their skills to use because of limited security, rampant poverty, and the poor economy that exists with the camps (Corbin, 2008).

Because of the war and displacement, the traditional child protection mechanisms have become weakened (Liu Institute for Global Issues, 2005; Ochen-Awich, Bukuluki, & Mugumya, 2010; Angucia, 2010). Even formal local leadership structures such as elected local councils, have become ineffective in the wake of the insecurity brought about by physical conflict and the widespread displacement of people. Thus for many, the centers of power and authority became the camp management committees that were elected by the people in the IDP camps. Child protection support did not always feature highly on the agenda of camp leaders who were preoccupied with securing food, shelter and the security of camp inhabitants. That is not to say that the issue of child protection was completely ignored. Indeed, individuals whose primary duty was to support children through the reintegration process, were identified, trained and supported by various development agencies (Allen & Schomerus, 2006).

While the objective for the care and protection of formerly abducted children has long been to develop the most efficient way of supporting their resettlement within the community, there have been many challenges. In Sierra Leone, for example, a post-conflict Child Welfare Committee structure set up to address the needs of reintegrated children was

not effectively operationalized due to low community ownership, limited government support, ineffective data management systems and reduced donor funding (Save the Children UK, 2010). A review of interventions for post-conflict Sierra Leone and Liberia also note the difficulties in creating parallel and stand-alone structures for child protection (Bernard et al., 2003). Similar problems are noted in Uganda with the establishment of a child protection system hampered by low government funding allocations to the social development sector (Kalibala & Elson, 2010; Allen & Schomerus, 2006; Abola, Omach, Anena, Ochen, & Barongo, 2009).

Wessels (2009) undertook a comprehensive review of community-based child protection systems in several countries emerging out of conflict and notes several factors that are crucial for their functioning and sustainability. These are the need for linkages with national child protection systems; effective community ownership; and a dialogic approach, which situates child protection within the local situation. Community-based child protection systems differ depending upon the context: whether emergency, transitional, or development oriented—with each system performing different roles. Some of the child protection structures are tasked with monitoring and reporting abuse and others at mitigating the effects of abuse on children. Still others are broad-spectrum approaches targeting various categories of children while others are more focused, for example, on the reintegration of formerly abducted children. Consequently, utilizing an ecological model and conceiving child protection within a structure, which combines both formal, informal, family, community and government systems, is good practice. In Wessels' view, good practice in child protection should be based on the intersections and inter-relationship between these structures and agents. He discusses a community-based child protection model in the Sudan where a protection network was formed at county levels made up of members from sub-counties to support children in the aftermath of the war. Much as the approach helped to reach many



children and resolved cases at the community level, it also had challenges. There were problems in prioritization, and in some cases, a failure to utilize community-based solutions. Even where this was the best option for children, the approach left out poor children from urban areas.

Wessels' study notes the lack of empirical evidence for drawing conclusions about effectiveness, cost, scalability and sustainability of child protection structures. The lack of evidence is a major challenge in a fluid humanitarian and conflict-affected context, where attribution of impact becomes difficult to assess due to the implementation of multiple interventions. These issues provide the context examining the experiences and psychosocial support systems for formerly abducted girls who had become mothers.

### **Methodology**

This qualitative study is underpinned by interpretivism and phenomenology (Smith, 2008; Schwandt, 2003). It focuses on the lived experiences of FACM and their interpretation of their social world. Full ethical approval was obtained from the University of Huddersfield (UK) Ethics Committee. The study was conducted in Gulu and Amuru districts in Northern Uganda between September 2009 and March 2010. Using a purposive and snowball sampling approach, in-depth narrative interviews were carried out with 19 young women 17-25 years of age. All had been abducted as young children, subsequently had given birth in the bush, and then had returned to their communities. Additional data to explore views on the efficacy of support for the reintegration of FACM were gathered through interviews with nine key informants (local government staff, community leaders, and civil society members) and seven focus groups variously comprising social workers, NGO staff and community members (between 8-12 participants per group)

Interview schedules and focus group discussion topics were derived from a comprehensive review of the literature. All interviews and discussions were tape-recorded

and transcribed. Transcripts were analyzed thematically using Template Analysis (TA) and an interpretative framework drawn from feminist and children's rights perspectives was applied. TA is a useful method in analyzing textual data emerging from fieldwork. The technique involves reducing large amounts of data into manageable clusters of themes (King, 2004). Further adjustment to the template is made during the data transcription process when more codes are applied to the initial template and modifications made. This process is repeated for all the narrative data until no new and significant codes or themes emerge.

### **Findings**

This section presents findings about the community structures and systems for child protection and support to FACM. The effectiveness and usability of these structures is presented and discussed in the light of views of the stakeholders in the study area.

#### **Traditional vs. Modern Child Welfare Structures**

Two categories of child protection systems exist in the Gulu and Amuru districts in Northern Uganda: These are the traditional child protection system, through which support for children is provided within the family and the immediate community; and modern child protection structures set up by development agencies. Under the traditional system, the protection and support of children is embedded in the cultural and socio-economic structures of the community. Interviews with local cultural leaders suggest that the social expectations within the community (inhabited by the Acholi tribe) include the notion of collective responsibility to watch out for and protect the children of the community. Should a member of the community find a child in danger or in the wrong, usually he or she would be expected to take action to protect or correct the child.

The main structures for enforcing such a system are the local chiefs, elders, and cultural committees. Their authority is derived from the unwritten social institutions, rules and norms in place. While these traditional systems still exist, they have been severely

weakened by the protracted conflict. For example, the psychosocial difficulties among FACM returning directly to the community (without receiving conventional counseling at a rehabilitation center) raised questions about the capacity of the traditional social support system to meet their needs. Traditionally when people are exposed to critical events, it is normally members of the extended families, in most cases older family members, who provide that emotional support. However, the experiences, which the FACM had gone through in the bush, were very complex and traditional coping resources were often inadequate in responding effectively to such situations.

Reintegration is a long-term process and psychosocial and socio-economic support for formerly abducted children, including FACM, needs to extend well beyond their return to the communities (reinsertion). For this reason, modern structures were developed to aid the reintegration process. These modern structures involve identifying, appointing and training individuals within communities to perform specific child protection related roles. In Uganda, these include Community Volunteer Counselors utilized by World Vision and Gulu Support the Children Organization (GUSCO); Psychosocial Support Practitioners used by GUSCO and Save the Children, Denmark; Parents Support Groups utilized by Concerned Parents Association, and Community Resource Persons utilized by Caritas Gulu Arch Diocese. At the height of the conflict, these were stand-alone and agency-specific structures utilized by the various agencies to support formerly abducted children returning home from rebel captivity.

It appears that the CVCs and other similar structures or groups owed their allegiance to their founding organizations leading to a lack of inter-agency cooperation and sharing of information. This led to a proliferation of structures and a duplication of work, with each organization struggling to maintain a presence in the community. However, a review of the approach to community based support to children affected by war and other vulnerable

children indicated that there were limitations and weaknesses with this approach, as described by one respondent:

...in the last three years, the emphasis of the development agencies shifted to supporting what has been called Child Protection Committee.....This was after realization that the CVCs were not addressing the core protection issues at the community levels. You go to the community as GUSCO; you will never get information from the CVCs trained by World Vision, or Caritas or another organization. They trained them to look at their organizational needs and every organization had some information it was protecting..... so it was not benefiting the community...UNICEF just came to see how we can harmonize it, by supporting the establishment of the CPC(Local government staff , Gulu district).

In order to resolve these difficulties, calls were made to harmonize these competing and overlapping structures within a central Child Protection Committee (CPC) working across all agencies. The lead actors in this endeavor were UNICEF and the Government's Ministry of Gender, Labour and Social Development. As a result from 2007, the emphasis of the development agencies shifted to supporting CPCs, conceptualized as an evolving and all-encompassing structure for community-based child protection. This new strategic approach included a shift in focus to supporting not only formerly abducted children but also orphans and other vulnerable children. Widening the focus of services has implications for meeting the specific needs of formerly abducted children.

These Child Protection Committees however, have been bedeviled by many challenges arising from the implementation context. For examples, agencies that were meant to buttress the efficacy of the CPCs worked towards meeting the objectives of their sponsors sometimes at the expense of the needs of the community. Agency staff were reported as being preoccupied with meeting their own output targets and often used CPCs to achieve

these, rather than developing the CPC structures to perform their prescribed functions more sustainably. The philosophy seemed to be driven by the dominant development discourse, fuelled by donor requirements for quick accountability. As a result minimal support (including monitoring) was given to the CPC structures and this affected the CPC's abilities to support children and young people in need.

Even where CPCs were thought to have made a difference, this was difficult to verify as the documentation of impact was hampered by poor record keeping, the lack of systems for data gathering and monitoring, and limited opportunity to incorporate learning from experience. Focus groups with development agency staff and the local community also suggests that the CPCs seem to only work effectively where there was a high level of financial and logistical support from intervening agencies. This view was confirmed in interviews with staff of GUSCO, one of the indigenous agencies working with the CPCs:

...CPCs cannot work efficiently where there is no motivation. It is as if they really need a lead NGO to be driving them so where there are no NGOs driving them, they do not really participate actively. We have few of them who are active and they don't care about these motivation issues because there is nothing really being given to them apart from this allowances given to them during meetings, which is Shs. 2000(US\$1). I foresee that when there is no support at all from external agencies, these structures may not even be sustainable to me. Like when our project ended last year, very few have been doing the work like carrying out meetings.... we are supposed to have these meetings every month but I think in my location I think they had a meeting once in a period of like six months (Field Officer, local agency, Gulu district).

Another limitation of the CPC structure that acts as a key constraint to its sustainability is the practice of identifying different agencies to act as the *lead* for child protection interventions at the community level. There is a danger, that in being over-reliant

on the lead agency rather than the communities in which they are based, the CPC risks being ineffective. This issue was validated through interviews with development agencies and local government staff who indicated that some CPCs regard themselves as being an integral part of the lead agency rather than being embedded within the community. Although intended to increase the efficiency of child protection and social support, this strategy creates a barrier to community ownership. The original intention was that CPCs would report through the local government's Community Development Officer (CDO), at sub county level. Reportedly, because of the limitations of local governments, CPCs interact more with staff from the lead development agencies in their respective sub counties. Indeed, the CDOs, which fall under the jurisdiction of local government, face significant logistical and organizational constraints that hamper their capacity to effectively work with and coordinate the efforts of the CPCs. A testimony of one of the CDOs suffices to note:

The sub-county is trying but you know we have resource constraints, we plan for everything.... but the problem is that we cannot intervene on it... Because we do not have the capacity to go and do research except working through different partners... These are the ones who are actually engaging the community. We only intervene where a case get so serious and need real intervention that if you don't intervene then something else might happen. That is when we come in to try to prevent other calamity from happening (CDO, Alero, sub county, Amuru district).

As the above quotation illustrates, anchoring CPC coordination around the office of the CDO does not bode well for sustainability. Such a scenario raises doubts as to whether the CPCs would survive after core non-governmental agencies wind up their activities in the region.

There were also shortcomings in the CPC training curriculum that did not adequately address the psycho-emotional and socio-economic development rights and needs of the FACM and their children. Emphasis was put on the general protection of children and referral

pathways, with little consideration given for the psychosocial issues that normally afflict children formerly associated with fighting forces. Illustrating the dilemmas arising from the CPC structures, a worker with key responsibilities for child protection in Gulu district noted:

The aspect of psychosocial support, which actually addresses the problem of these child mothers, was left out.... It is not there with CPCs...we are training them about the law and children... the legal procedures... but we have left out the psychosocial aspect (Child Protection Worker, Gulu district).

The perspectives of young women further highlight failings in the modern structures. The FACM all indicated that little effort had been made on the part of the child protection structures to reach them or their children. Even in situations where a need was indicated very few young women were systematically followed-up by the CPCs:

Ever since I returned home, I haven't seen any CPC member coming here to talk to me, although I have heard about them. They do not look out for us. It is the staff of ...[another development agency] who followed me up and at least offered some support ...I have talked to my colleagues [other FACM] and they have also indicated to me that they have not been visited by the CPCs for all the time they have been home (Formerly abducted child mother, Gulu district)

The situation was exacerbated by inadequate dissemination of relevant information and guidelines to the members of the CPCs and other such individuals charged with the responsibility of protecting children at community levels. While some commentators appear to approve of current initiatives for child protection, their concerns seem to be the slow rate of dissemination of critical information and resources to stakeholders and individuals. Some stakeholders argue that local government personnel keep such policy documents and guidelines on their shelves instead of distributing them to the people that could use them:

The Child Protection Committee structure in place is really good, but it has a gap especially in these issues [dissemination] of child protection policies. The government through the Ministry of Labor, Gender and Social Development has laid down policies about child protection and the documents have been brought to the districts. The districts have sent them to the sub counties but it has not been disseminated to the communities and the local leaders... So instead of interpreting these policies, discuss it with the community so that they understand, this has not been very well done (Development Agency Worker, Amuru district).

So, while the theoretical strategy and philosophy was about strengthening the child protection structures to address situations of rights violations and the needs of formerly abducted children, these objectives were often not achieved and the potential for these structures to make a meaningful impact in enhancing child protection and psycho-social support services at the community level was therefore significantly reduced. In the absence of effective psychosocial support services to FACM and their children, the achievement of positive reintegration was severely constrained.

### **State Responsibility for Child Protection**

As discussed above, the modern child protection structures, characterized by the work of development agencies and NGOs, operate within a legal and policy framework established by the Ugandan government. While the NGOs operating in Northern Uganda provide some very good services and seek to fill gaps created through government failings, the legal mandate for the protection of vulnerable children lies with the government. The Republic of Uganda is a signatory to the UN Convention on the Rights of the Child. In domesticating international conventions to protect children from abuse, Uganda passed the Children Act 2000 (Children Act CAP 59) and a series of policies aimed at improving the situation for children. Other international conventions and treaties ratified by Uganda include the



International Covenant on Economic, Social and Cultural Rights (21<sup>st</sup> April 1987), the International Covenant on Civil and Political Rights (21<sup>st</sup> September 1995), the Optional Protocol to the International Covenant on Civil and Political Rights (14<sup>th</sup> February 1996). Uganda has also ratified the Optional Protocol to the Convention on the Rights of the Child or the Sale of Children, Child Prostitution and Child Pornography (18<sup>th</sup> January 2002) and the Convention on the Elimination of all forms of Discrimination against Women (21<sup>st</sup> August 1985).

Notwithstanding these policy guidelines, the protection of vulnerable children lies within the responsibility of the Secretaries for Children Affairs (SCAs). Children Act CAP 59 designates an official within the local government structure (local leadership structures from village to district level) as responsible for addressing issues and situations for children. Such a person is ultimately responsible for the welfare of children within the village, parish, sub-county or district. The office has been created at each and subsequent level of local government to show government commitment and recognition of the importance of addressing childhood issues. The Children Act 2000 requires the SCAs to follow up all cases involving child abuse, and more generally, rights violations, and to ensure that perpetrators of child abuse are brought to justice as indicated by one respondent:

The Children Act is very clear on the roles of Secretaries for Children affairs (SCAs). These are mandated to support the observance of children rights to development, participation and survival as well as enjoyment of their childhood as defined under the Act. The structure is there and it is very elaborate with clear definitions and prescription of roles. Indeed, if such a structure had been fully operationalized, the violations of the rights of children would be very low indeed (Development agency worker, Gulu District).

While laws and policy have been put in place, their implementation has not been very effective. Government support to operationalize the roles of the SCAs in areas experiencing insecurities, such as the Acholi sub-region, appears to have been minimal. According to one NGO staff:

I would like to recognize the presence of structures such as the Secretaries for Children Affairs. However, other than them being there in name, there has been minimal effect of the existence of such a structure in the child protection programming and practice. Indeed one reason why many NGOs were tempted to develop and support their own structure within the community was partly due to the limitations and inadequacy of such state structures (Programme Manager with a development agency).

Moreover, broader support to local government structures to perform their child protection roles and activities has also not been forthcoming. Interviews with local government staff suggest that while the planning of such activities is often well-executed, little government money is released to facilitate the implementation of the plans:

We have been able to plan many activities on our own, but fund accessibility has always been a challenge. Any work plan we develop is not fully supported [regarded as an unfunded priority]. As such, many activities have gone un-implemented, even in areas that are a key priority to the district (Local government staff Gulu district).

Respondents also report that while many SCAs have received training in order to identify and report cases of child abuse, little logistical support has come from the government to facilitate these processes. Most funding is provided by development partners such as UNICEF, Save the Children and other NGOs operational in the areas. Furthermore, the lack of accessible police and social services means that child abuse cases are often simply neglected or left unresolved at the local level by community leaders. Many agencies trained

community resource persons to provide psychosocial and emotional support to FACM, as well as other children in the community. This resulted in a very limited role for local leaders, especially regarding referrals for support. This was also true of arbitration cases involving the immediate, extended family and other community members. In most cases, the SCAs did not play an active role in addressing child protection concerns at the local levels, or in supporting FACM. This rendered their roles redundant, albeit prescribed within the law.

Local solutions did not always operate in the best interest of the child. FACM and key informant interviewees reported that parents sometimes negotiated the resolution of defilement cases, the sexual abuse of girls, in a way that perpetrators were able to escape justice. Interviews with FACM and focus groups revealed mixed views on the role of local leaders, but two main perspectives emerged. Some of the FACM showed appreciation of the roles of the local leaders while some young women indicated that the local leaders had not been supportive and had even proved to be an obstacle in the reinsertion/resettlement and reintegration process. One FACM had this to say regarding this:

Our leaders here are not good. For example, one time I was insulted by the LC [Local Council Official] in a public place saying he will deal with me with my ill manners and ignorance from the bush yet. I had not done or said anything at all... and even on UN day I was insulted and I cried in public. So these things are happening and people are very jealous and if it was possible, I should not stay where people are.... (A formerly abducted child mother, Bungatira sub county, Gulu district)

Others acknowledged that they had received minimal support from the local leaders and the LCs generally. There was a tendency of some of the local leaders to frustrate the process of reintegration:

Others who are entrusted by the community [leaders] are just making money out of our problems. For example, when a request is sent for the formerly abducted people's

names to be registered for assistance they only register their relatives who were not even abducted and any help that comes goes to them (Focus group with Child mothers, Bungatira sub-county, Gulu district).

Child mothers interviewed in the sub-county in Gulu district indicated that the Chairman of the local council had hindered the development of a community based tailoring training activity for FACM by an indigenous NGO. His apparent reasoning was that if such programs were to be implemented in the sub-county, they should benefit all children who need it and not just FACM. In a context of very limited resources and the competing demands of post-conflict social reconstruction, issues of child abuse and the needs of formerly abducted children can be easily overlooked by local leaders.

## **Discussion**

### **Prospects for the Child Protection Structures and Systems**

A discussion of the prevailing child protection structures and systems raises important implications for community- based child protection work, and support for FACM. Findings suggest that the CPCs made little effort to support FACM or their children. There was little evidence of FACM being systematically followed up or supported by the CPC. This was not necessarily by direct omission, but may have occurred as a result of the differences in expectations and orientations of the CPC, which tended to place emphasis on orphans and vulnerable children (OVC) in the community.

The CPC training curriculum did not take into consideration the psycho-emotional, physical, socio-economic or development needs of FACM and their children. Several of the interviewees expressed the view that the parent agencies of CPCs, including UNICEF, acted as if the FACM and other formerly abducted children were no longer in need of continuous psychosocial support. Situation analysis reports and other studies, however, clearly indicate that psychosocial support remains critical (Abola et al., 2009; Ochen-Awich, 2009; Baines,

Stover, & Wierda, 2006). Why did UNICEF, a key child protection agency, dramatically change its approach without due consideration to the actual situational issues on the ground?

A dual approach emphasizing both child protection and psychosocial concerns could have been implemented.

The efficacy of the CPC structures has been bedeviled by many implementation challenges including poor record keeping at the sub county and district levels, with systematic data capture being something of a rarity. The failure to properly document, share and learn from the prevailing experiences of children limits rights-based initiatives to addressing issues in the community

The workability of the current Child Protection Committee structures may be appropriate in conflict settings where communities are in close proximity, such as in a displacement camp. The socio-cultural and politico-economic as well as spatial factors in people's original villages are significantly different from that which prevailed in the internally displaced camps' situations. This and other studies suggest that the use of Child Protection Committees as a modern child protection system does not effectively address needs of children affected by war (see also Ochen-Awich, 2009, Abola et al., 2009).

To address the problem of the CPC structure as being overly attentive to needs and situations of other orphans and vulnerable children instead of children who have been directly affected by the conflict, support for effective reintegration should consider the young women's experiences of conflict. It is thus imperative that the actual conflict roles played by the FACM while in the bush be considered and factored into the training of the CPC or any such structures for support. The exposure of the young people to critical events in the bush significantly determines their rehabilitation needs as well as the requirements for support within the community. No uniform approach exists. Children and young people need to be supported based on their unique requirements as well as their strengths and resilience. These

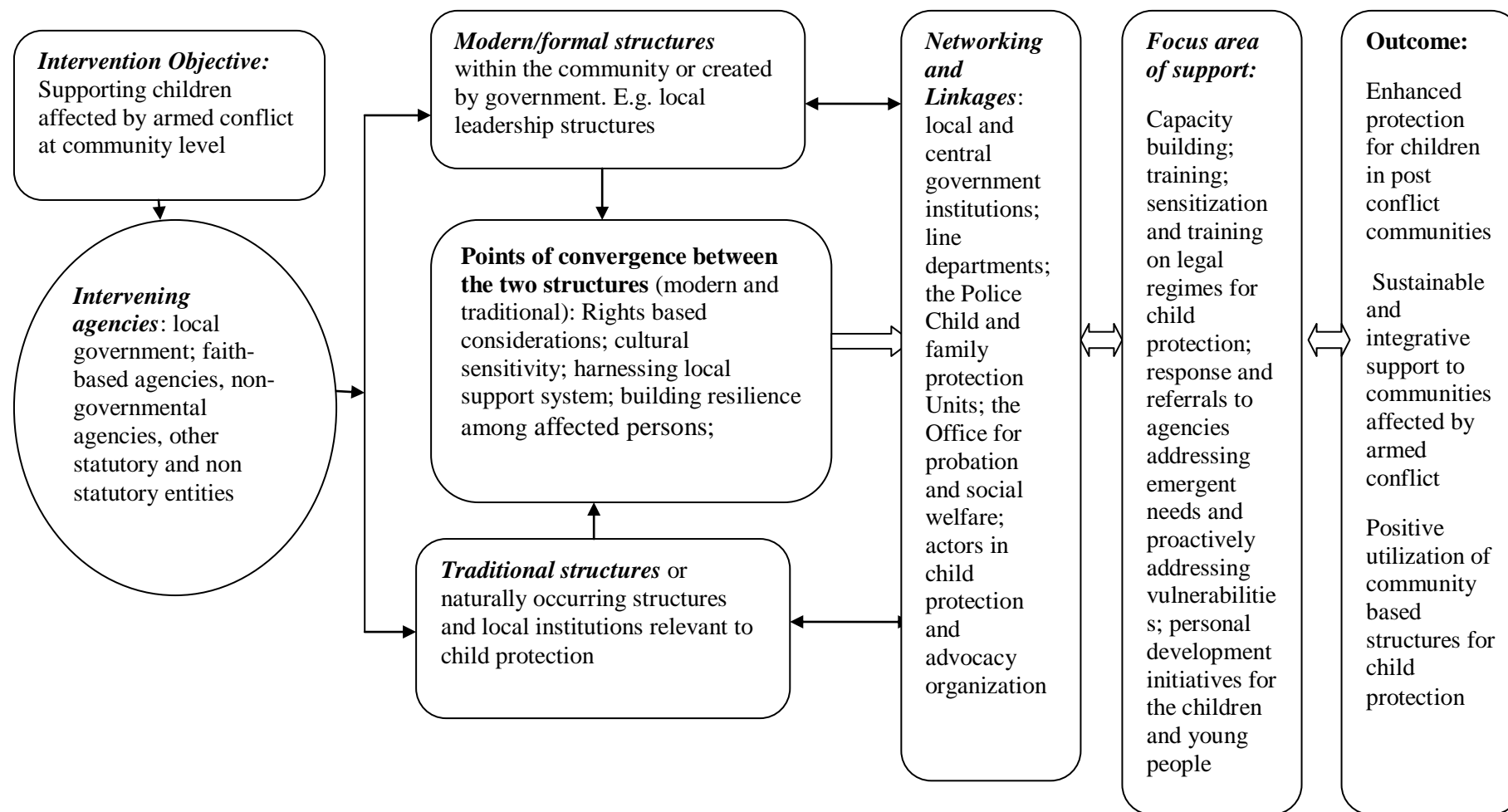
limitations are compounded by the challenges in the return areas where settlement patterns are sparse and members of the CPCs are few. The key and legitimate issue to raise is this: If the CPC members are too few and sparse to effectively support the whole sub-county and monitor child rights violations, which then is the most appropriate structure or approach to use?

There is a need to rethink approaches to community-level child protection in order to ensure the effective reintegration and support of formerly abducted children, including young mothers. This is particularly important in Northern Uganda given that the socio-political context under which the current child protection system and structures were conceived has changed (Bailey, Pavanello, Elhawary and O’Callaghan, 2009; Abola et al., 2009). The CPC and other structures for child protection were conceived when people were displaced in camps and were in one close-by location. Since the return to villages, the dynamics, as indicated above, have changed significantly with children and young people facing different and new realities in the villages. These realities must be reflected within an evolving framework for child protection that should utilize and enhance community strengths while focusing on the specific needs of children in the period of conflict transformation. A contextual analysis of needs and support requirements, including those of a psychosocial nature, is important if such interventions are to prove beneficial to the target group. Experience from other post-conflict contexts such as Liberia, Sierra Leone and the Sudan suggests significant difficulties in creating new structures for child protection without taking into account local situational dynamics (Wessels, 2009; Fairbanks, Friedman, De-Jong, Green, & Solomon, 2003).

A new child protection model should integrate human rights and social protection with psychosocial support and the attention to the wellbeing of children and young people exposed to violence and traumatic situations. The new model should also address the needs

and development challenges of FACM and their children, with effective mechanisms for ensuring socio-economic and livelihood support at the district and the community levels (see Figure 1.1). This could best be achieved with structures that are self-sustaining, embedded and entrenched within the community. Such structures might include traditional child protection structures and systems reflected in the different local level positions that are culturally recognized and socially accepted. The utilization of traditional structures in child protection has also been recommended in the literature (e.g. Baines et al., 2006; Fairbanks et al., 2003; Wessels & Monterio, 2001). Furthermore, the State and local governments recognize many such indigenous institutions. The involvement of local council structures should also be re-evaluated, as they are self-renewing structures that are already established within the law (Republic of Uganda, 2000). Enhanced community advocacy and processes that develop greater community cohesiveness and re-establishment of collective efforts at child protection will help inculcate a sense of shared responsibility among leaders and the wider community for FACM and for children more generally.

**Figure 1.1 Community-based model for support to formerly abducted child mothers and other vulnerable children**





It is more appropriate to adapt and build the capacity of the structures within the community, which serve other but relevant functions, and also equip them to support FACM, other FAC and vulnerable children, than creating new structures altogether. Supporting naturally evolving community structures is more likely to provide functioning and sustainable support mechanisms. Pre-existing and self-sustaining structures do not present the same challenges as newly created structures, which often owe their existence to a particular intervening agency. Experience has shown that created structures often come to regard themselves as staff of the supporting organization, thereby undermining their independence (GUSCO, 2010; Abola et al., 2009; Ochen-Awich, 2009).

At the same time, supporting naturally occurring structures within the community still requires a sustained donor presence as genuine institutional building, and more is required in the aftermath of the war ending (Kalibala & Elson, 2010). Yet there is evidence that donor interest in Northern Uganda has reduced significantly in the aftermath of the war (Abola et al., 2009; Save the Children Alliance, 2007; Dolan & Hovil, 2006). Even for those agencies that have shown some interest in supporting the recovery, few resources have been directed at child protection. For the first year of implementation of the Peace Recovery and Development Plan (PRDP) in Gulu district, no effective provision was made in the budget for supporting the return of FACM, or to support the reintegration needs of their children in the communities and schools to which they returned. Therefore, child mothers and formerly abducted children have been forced to rely on their own resources. In developing new strategies for supporting FACM, it is important to reflect on lessons from other projects, which highlight raised community expectations, and at the same time created dependency through minimal community participation (GUSCO, 2010). Understanding such challenges and difficulties is important in developing an effective response to community level child

protection and the development of a child protection system that is owned and operationalized by the community.

### **Learning from Africa**

It is important to recognize the usefulness of local indigenous institutions and knowledge systems in child protection. This is particularly important given that child protection systems have long been dominated by approaches developed in the West, from more economically advanced countries such as the US and the UK. Western approaches are investigation and surveillance driven, overly bureaucratic and costly to administer.

Alternative approaches which build on community strengths and focus on the best outcomes for children have much to offer, even to the West where professionally-based child protection systems are increasingly being seen as an ineffective and invasive institutional procedure which in and of itself may be harmful (Lonne, Parton, Thomson, & Harries, 2009). The study also offers a new understanding of children's rights discourses and encourages a more critical re-examination of the contributions of local and indigenous institutions in understanding and advancing children's rights.

While this study raises some important points about the efficacy of child protection systems within post-conflict situations, readers are encouraged to undertake a deeper level analysis of the context in which child protection systems are developed. This requires two things: firstly, a review of Universalist assumptions that underpin dominant children's rights discourse and secondly, the consideration of socio-cultural knowledge in the design of child protection systems. In compliance with the UN Convention on the Rights of the Child, modern child protection systems are predicated on an age-based definition of children. This neatly sidesteps the fact that conceptualization of childhood is a contested terrain. For many African societies, childhood is defined not by age but by social markers. Adulthood is characterized by rites of passage and initiation based on physical maturity, capacity to take on

responsibility, and child/family readiness for transition among others. This means that one may be designated a child (and thus eligible for family and community protection and support) beyond the age of 18 or conversely, be exposed to adult expectations at the age of say, 15 or 16.

In many other parts of the world, childhood and the age at which children are or are not, permitted to engage in adult activities is determined by the State. This leads to contradictions that often seem irrational. For example, in the US, one can fight (and perhaps face being maimed or even killed) in the service of one's country at the age of 20, but not legally permitted to drink a glass of wine. While not suggesting the introduction of rites of passage (or the relaxation of US alcohol laws), there is much to be gained by exploring how social constructions of childhood and the determination of childhood states that are consensus-based and supported by traditional systems might influence policy rather than the other way round.

The second point to consider is that there are many traditional African practices which protect children; these may not use terms such as 'child protection' or 'children's rights' but they seek to create an environment in which children are supported and protected from abuse. International rights agreements such as the CRC and the laws and policies they give rise to, do not of themselves provide any protection from abuse. The family and community structures provide the greatest opportunity for effective child protection. While these contexts may be severely constrained or disabled by a range of factors (such as war), the recognition and enhancement of family and community strengths should lie at the heart of any child protection system. Furthermore, in acknowledging that traditional cultural practices may not be antithetical to dominant rights discourse, opportunities arise for professionals to build upon cultural knowledge and structures in a way that might actually make the message of rights more powerful and more effective. This means that rights are not presented as an

external concept imposed upon communities but rather the enhancement of existing good practice already embedded in families and communities.

A further lesson from Africa is that care should be taken not to look at vulnerable children as victims only but as resilient too. Steps should be taken to identify, acknowledge and utilize child agency as a resource. Within the study, the experiences of girls and young women, during conflict, were not stories of passive victimhood. Indeed, the strengths, agential powers and aspirations of these young women propelled them to develop empowering networks with other FACM that filled some of the gaps created by agency and government failings.

### **Conclusion**

This study has evaluated the modern and traditional child protection structures prevailing in the study locality and has shown that both structures face enormous challenges. When reviewing ideas on the most appropriate structures for child protection and provision of support to FACM, it is imperative to consider fully using structures, which have a more permanent presence within the community. These structures may be both traditional and modern but they should be an integral part of the communities they are expected to serve, and in this way their independence and longevity is more likely to be sustained. Key considerations should be given to local indigenous institutions and resources in enhancing child protection within the community. This is even more important as reintegration is a long-term phenomenon/process whose outcomes cannot be predetermined. It is therefore important that support structure be inbuilt into local institutions to ensure continuity and relevance. There are lessons from Africa presented here, which have wider application and which could improve child protection systems at the international level.

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