POLICY REPORT

Recovering Childhood:

Access to Education & Protection for Children in Kenya's Refugee Camps

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Refugees.org

With Gratitude

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Table of Contents

Preface 1
Executive Summary 3
Childhood Displaced 4
Education 8
- Education Enshrined 8
- Education in Crisis 12
- Her Education 14

Child Protection 16
- It Takes a Community: Child Protection Systems 16
- Assessing the Risks 17
- A Space of Their Own 19
- A Picture of Protection: Visiting a Child-Friendly Space 21
- Her Protection 23

Recommendations 25

Preface

I stood in front of the classroom looking out into a space filled with teenage girls. Eyes bright, some smiles and soft laughter filling the silence, as I was warmly introduced by their principal. But this was no ordinary class – I was visiting a boarding school for girls in Kakuma Refugee Camp in northwest Kenya, and these girls were preparing to sit for their Kenya Secondary School Examination. This exam represents a final push in a student's academic career and the results would impact a student's future. Upon completion, they would receive the Kenya Certificate of Secondary Education (KCSE).

Before I began to speak, staff reminded the girls of the importance of this exam. How they must be prepared, and that their scores would indeed impact the direction of their adult lives. The energy of anticipation was evident.

I introduced myself but what I desired was conversation.

"I've heard so much about your upcoming exams. How are you feeling?" I asked them. "Are you stressed?"

A resounding "Yes!" erupted in the classroom along with a couple "No" replies and lots of giggling. I commiserated with the girls, telling them how exams used to make me anxious when I was in secondary school, but that if I knew I prepared, I could be confident in my abilities to do well. I was sure they would do the same. The intelligence and ambition bubbling in the room was palpable.

I then asked the girls, "If you're willing to share, when you've completed your exams and your studies, what do you dream to do?" The conversation that ensued is one I will always treasure.

Everyone looked around the room with small grins, locking eyes with friends and wondering who dare to answer first. The first hand then shot in the air.

"I want to be a lawyer," she said with certainty.

"Incredible," I replied, "and why a lawyer?"

"Often as refugees, we do not have equal access and representation in court. I want to fix that."

More and more hands began to rise. "I want to be an electrical engineer," a girl declared. "In our communities we do not have proper lighting. It's difficult for us to do our homework without lighting at night. I want to fix the lighting in the community."

"I'm going to be President," announced another student. She smiled at me with pride. "I want to fix things and set the country's agenda."

Lawyers, engineers, presidents, teachers, doctors, pilots, journalists, the list of dreams continued. As every girl presented her reasoning behind these choices, a pattern became clear: each was connected to an overarching desire to strengthen and improve their communities, countries, and our global collective.

Education is power, and when we ensure that all children have access to education and are protected, we are all better for it. As you read this report, consider this bright exchange during my time in Kakuma a reminder that, no matter the circumstances or how bleak a situation may be, children and youth are still dreaming and achieving. They are championing our future. We must uphold our part.

Executive Summary

Figure 1: Field visit transport. Photo by USCRI Analyst Victoria Walker

Across the globe conflicts are becoming increasingly protracted, new escalations of violence are occurring, climate disasters are more frequent, and humanitarian crises are worsening. Such realities are displacing more children than ever before and for longer periods of time. Many children are now spending their entire childhoods displaced, and for some, their entire childhoods in refugee camps. A growing population of refugee children in protracted displacement contexts demands concrete action from the international community to ensure that, even if displaced, all children have access to essential services, have their basic needs met, and their rights upheld.

In August and September 2023, USCRI Policy Analyst Victoria Walker travelled to Kenya to visit both Dadaab and Kakuma refugee camps and Kalobeyei Settlement to examine the experiences of refugee children in the camps and to assess their access to education and child protection services within the camps. This report presents key findings from the field visits, including the unique challenges faced by refugee girls.

The report presents the following recommendations to fulfill the rights to education and protection for refugee children in Dadaab, Kakuma, Kalobeyei, and around the globe:

- All stakeholders must remember that no matter their legal status, country of origin, or host country, children are, first and foremost, children. This means that they are entitled to rights to protection, education, participation, and inclusion.
- The voices of refugee children must be kept at the center of all policy and programming decisions and implementation that impact them.
- Funding for refugee education and child protection must be urgently prioritized.
- Governments and all relevant stakeholders must ensure national programming, budgets, and development plans are child-friendly and inclusive of refugee and displaced children.
- Education systems must be inclusive and provided with appropriate capacity to respond to crisis environments.
- Governments and all relevant stakeholders should put children, including adolescent girls, at the core of the upcoming Global Refugee Forum.
- The international community must recommit to responsibility sharing to lessen the strain on low- and middle-income host countries.
- Governments and all relevant stakeholders must prioritize their commitments outlined in the Global Compact on Refugees.

Childhood Displaced

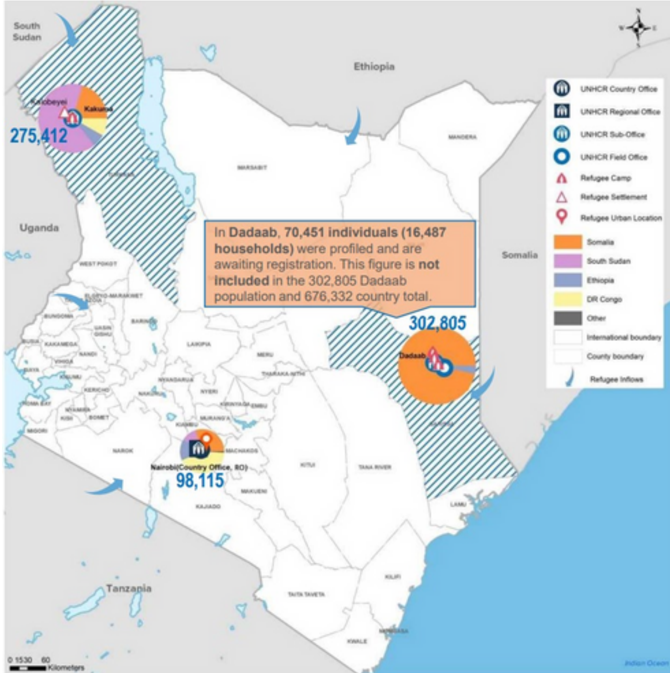

Figure 2: Map as of Oct. 30, 2023_UNHCR Kenya - DIMA Unit.

Refugee children have experienced some of the world's gravest horrors. They have been uprooted from their homes and communities, witnessed heinous acts of violence, and often are left to cope with trauma and rebuild a sense of normalcy in the midst of insecurity.

An unprecedented 43.3 million children were forcibly displaced by the end of 2022, and a record 17.5 million of them were refugee and asylum-seeking children.[1] This figure does not include children displaced in 2023, which will push the number even higher. The United Nations High Commissioner for Refugees (UNHCR) noted in its most recent *Trends at a Glance* report that, although children account for 30 percent of the world's population, they constitute 40 percent of all forcibly displaced people.[2] As conflict, climate, and other factors continue to drive children and their families from their homes, displacement situations are becoming increasingly protracted. Save the Children reports that

> **"today the average humanitarian crisis lasts over nine years and protracted refugee situations last an estimated 26 years."**[3]

Many children are spending their entire childhoods displaced, and for some, their entire childhoods in refugee camps. More children are also being brought into the world as refugees. UNHCR estimated that more than 1.9 million children were born as refugees between 2018 and 2022.[4] This constitutes about 385,000 children born as refugees each year.

Figure 3: Kakuma from above. Photo by USCRI Analyst Victoria Walker

Kenya has long been a host country responding to some of the world's largest refugee crises. Both Dadaab and Kakuma refugee camps have responded to refugee flows for over 30 years. Dadaab, located in Garissa County, was first established in 1991 as refugees fled civil war in Somalia.[5] The United Nations Department of Safety and Security (UNDSS) described the establishment of Dadaab, writing,

"In early 1991, as guns rented the air in different parts of Somalia, families were separated, lives were lost,

and thousands of people were displaced. The country was experiencing a civil war that would leave a permanent mark for many years. Those lucky to survive the war ended up in internally displaced people's camps or fled to neighboring countries. As more and more people crossed over to Kenya to seek refuge, the Dadaab Refugee Camps were born, and together becoming one of the largest in the world. The camps have remained active over 30 years later."[6]

Kakuma was established in 1992 in Turkana County following the arrival of the "Lost Boys of Sudan."[7] The Lost Boys were a group of around 20,000 young Sudanese boys, mostly aged six or seven years old, who were forced to flee their homes in southern Sudan in 1987 when civil war devastated their lives and put them at grave risk of recruitment and use by armed groups.[8] The boys first trekked one thousand miles on a perilous journey seeking refuge in Ethiopia. The International Rescue Committee (IRC) described their journey as follows,

> **"Wandering in and out of war zones, these 'Lost Boys' spent the next four years in dire conditions. Thousands of boys lost their lives to hunger, dehydration, and exhaustion. Some were attacked and killed by wild animals; others drowned crossing rivers, and many were caught in the crossfire of fighting forces."**[9]

War in Ethiopia later forced the boys to flee again, which is when an estimated 10,000 boys aged eight to 18 arrived in northwest Kenya, thus the establishment of Kakuma refugee camp commenced to provide the boys with humanitarian aid and safety, which the camp continues to provide for thousands of children today.

After 30 years, one may suggest that the refugee crises the camps have responded to have since lessened, but this is far from the truth. Ongoing armed conflict in the region and resulting insecurity, as well as devastating drought and famine in the Horn of Africa, continue to drive mass displacement and have resulted in multiple influxes into the camps. Kalobeyei Integrated Settlement, located next to Kakuma, was established in 2016 in response to renewed conflict in South Sudan and the steady influx of South Sudanese refugees. Dadaab experienced a rapid influx throughout 2023 as drought and conflict in Somalia continued to force people on the move. This triggered the reopening of IFO 2 camp in Dadaab this year to accommodate new arrivals and urgently address overcrowding and extreme strain on resources in the camps.[10]

Figure 4: The road to Dadaab. Photo by USCRI Analyst Victoria Walker.

As of October 30, 2023, 676,332 registered refugees and asylum-seekers were hosted in Kenya: 85 percent living in camps, and 15 percent living in urban areas (See Figure 2).[11]

Figure 5: The road to Kakuma. Photo by USCRI Analyst Victoria Walker.

In October, Kakuma hosted 275,412 individuals. Dadaab hosted 302,805, which did not include the 70,451 individuals who were awaiting registration and therefore not included in the total.[12] These numbers continue to grow, and it was reported to USCRI during its field visits that both Kakuma and Dadaab were responding to an ongoing influx as hundreds to thousands of refugees arrived each week seeking safety and survival.

Today, the two countries of origin comprising the vast majority of Kenya's refugee population are Somalia (52.6 percent) and South Sudan (25.3 percent).[13] However, refugees from the Democratic Republic of the Congo (DRC), Ethiopia, Burundi, Sudan, Uganda, Eritrea, Rwanda, and others also make up Kenya's refugee and asylum-seeking population.

Of the total refugee and asylum-seeking population in Kenya, 76 percent are women and children, and 52 percent are children aged 0-17 years old.[14] The UNHCR Sub Offices in both Kakuma and Dadaab reported to USCRI that children make up 55 percent of the population in each camp, with new arrivals of children every week. In its Humanitarian Situation Report No. 6, covering a reporting period of January 1 to June 30, 2023, the United Nations Children's Fund (UNICEF) reported that the majority of new arrivals in the reporting period were from Somalia (50 percent) arriving at Dadaab, and 19 percent were from South Sudan arriving at Kakuma and Kalobeyei.[15] The situations for children in both countries of origin remain bleak.

In his 2023 Annual Report on Children and Armed Conflict, UN Secretary-General António Guterres outlined grave violations perpetrated against children in 2022 in both Somalia and South Sudan. Somalia had one of the highest numbers of verified grave violations (2,783 grave violations against 2,282 children), including recruitment and use, killing and maiming, sexual violence, abduction, denial of humanitarian access, and a total of 44 attacks on schools and hospitals.[16] In South Sudan, the Secretary-General noted a 135 percent increase in grave violations against children in 2022 due to splintering armed groups and intercommunal violence.[17] The 466 grave violations against 335 children included recruitment and use, killing and maiming, sexual violence, abduction, denial of humanitarian access, and 62 attacks on schools and hospitals.[18] Armed conflict has severely impacted and nearly decimated education systems in areas of both countries and continues to force many children to flee with their hopes for survival and a future.

A growing population of refugee children in protracted displacement contexts demands concrete action from the international community to ensure that, even if displaced, all children have access to essential services, have their basic needs met, and their rights upheld. Unfortunately, the world is behind in fulfilling its obligations and commitments to refugee children, and this is especially so in ensuring their access to education.

Access to education and learning is a lifeline for children who have been displaced, and particularly for those in protracted displacement and refugee situations. When children are spending their entire childhoods in refugee camps, it is critical that they have access to education and quality learning opportunities. Refugee children have lost so much. Often their homes, communities, loved ones, and sense of normalcy have been stripped from them when they were forced to flee. Access to education and attending school can provide a renewed sense of stability, safety, and routine for children living in refugee camps. Schools also serve as protective environments for many refugee children who have endured significant trauma and still face high risks to their safety and wellbeing within the camps. Education contains the power to ensure that their dreams are not dashed, and their futures are not lost. However, not only is education a lifeline – it is a right.

Education Enshrined

It is important to emphasize that refugee children are, first and foremost, children. Regardless of who they are, what country they came from, what country they sought safety in, or how they got there, refugee children have the same rights as all children. This includes the right to education.

In 1989, the international community developed and adopted a historic treaty to uphold and protect the rights of children: the United Nations Convention on the Rights of the Child (CRC). Adopted on November 20, 1989, the CRC enshrines education as a right for all children. In Article 28 the CRC holds that States Parties have an obligation to "make primary education compulsory and available free to all," as well as making secondary and higher education accessible to every child.[19] Article 22 of the CRC provides specific stipulations regarding the protection of refugee children. It calls on States Parties to,

> "...take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties."[20]

The CRC is the most widely ratified human rights treaty to date, ratified by all UN Member States except the United States. Kenya ratified the CRC in 1990 and was one of the first African nations to do so.[21]

Before the CRC, the 1951 Convention Relating to the Status of Refugees (i.e., the 1951 Refugee Convention) stipulated in its Article 22 that "The Contracting States shall accord to refugees the same treatment as is accorded to nationals with respect to elementary education."[22] The Convention overall specifies the legal obligation for States Parties to ensure refugees have access to education. Kenya acceded the 1951 Refugee Convention in 1966.

On September 19, 2016, the New York Declaration for Refugees and Migrants was adopted by the UN General Assembly. The Declaration consists of commitments made by Member States to protect the human rights of all refugees and migrants, stating, "We reaffirm and will fully protect the human rights of all refugees and migrants, regardless of status; all are rights holders."[23] The Declaration reaffirms specific commitments to uphold the rights of children, noting a commitment to "comply with our obligations under the Convention on the Rights of the Child."[24] Of critical importance, the Declaration establishes the time-sensitive need to ensure access to education for children and the responsibility to provide support to host countries.

Education Enshrined (cont.)

The Declaration reads,

> "81. We are determined to provide quality primary and secondary education in safe learning environments for all refugee children, and to do so within a few months of initial displacement. We commit to providing host countries with support in this regard. Access to quality education, including for host communities, gives fundamental protection to children and youth in displacement contexts, particularly in situations of conflict and crisis."[25]

Most recently, in December 2018, the international community presented the Global Compact on Refugees (GCR), representing its ambitions to share responsibility and take concrete action to better respond to refugee situations.[26] This was affirmed by the UN General Assembly in Resolution 73/1151, adopted on December 17, 2018.[27] Section 2.1 of the GCR is dedicated to education, which reiterates the monumental commitment to direct financial support specifically to "minimize the time refugee boys and girls spend out of education, ideally a maximum of three months after arrival."[28] The GCR also set out to combat obstacles to enrollment for refugee children living with intersecting vulnerabilities, such as children with disabilities, girls, and those with psychosocial trauma.

Despite international law paired with both longstanding and renewed commitments by the international community to ensure access to education for refugee children, many of these commitments turned fragile in the wake of the global COVID-19 pandemic. As the world grappled with the pandemic's impact, progress regressed and previously set commitments, including pledges for education made at the 2019 Global Refugee Forum (GRF), were put on hold. Refugee and displaced children were some of the most severely impacted by the COVID-19 pandemic, particularly in regard to education access. Even pre-pandemic, when children fled, their access to education was put in turmoil, and once this access was lost, it was difficult to reclaim. Save the Children reported that, before the pandemic,

> **"a refugee child was twice as likely to be out of school as a non-refugee child. The significant barriers refugee children face in accessing a good quality education were further compounded during the pandemic."** [29]

Grappling with a lack of reliable internet, limited technology, and unreliable electricity, many refugee children were not able to access remote learning opportunities. School closures also meant a loss of protection and safe space for the population of refugee children who were enrolled. As schools were forced to close across the globe, promises high-income countries made to refugee children and the countries hosting them were abandoned. While the world continues to heal from the worst of the pandemic, the consequence of excluding refugees from COVID-19 education response and leaving low- and middle-income host countries with little to no resources throughout the pandemic is clear: today, half of the world's refugee children are out of school.[30]

Figure 6: © Photo: Shutterstock/Boxed Lunch Productions

Both pre- and post-pandemic, as a host country, Kenya continued to make strides in efforts to provide accessible and inclusive education for refugee children. At the 2019 GRF, Kenya "pledged to increase support for refugee and host community education through implementation of the Education and Training Policy on the Inclusion of Refugees and Asylum-Seekers and a costed implementation plan."[31] Its pledge also included gender-sensitive provisions. However, Kenya, like most host countries, grapples with an already strained education system and limited resources. Much of the financial capacity required to ensure adequate implementation of such commitments is contingent on international financial support and partnerships.

International stakeholders such as the World Bank and the Global Partnership for Education (GPE) are working to support Kenya with these goals, including through partnership with the Kenyan Ministry of Education to implement the Kenya Primary Education Equity in Learning (PEEL) Program

2022-2025. The PEEL program aims to address inequities in access to quality education and supports refugee education in Dadaab, Kakuma, and Kalobeyei Settlement by providing results-based school grants, school meals, host-student scholarships, and more.[32] Throughout its four-year plan, the PEEL Program is expected to directly benefit an estimated 117,900 refugee children in camp-based primary schools.[33]

Kenya also worked to pass recent refugee-focused policy, including the Refugees Act of 2021, which went into effect in February 2022.[34] The Act "provides new and additional opportunities, rights, protection, and solutions for refugees in Kenya."[35] The government, in coordination with UNHCR, is preparing the "Shirika Plan," which aims to transform refugee camps in Kenya into integrated settlements that foster socioeconomic inclusion of refugee populations. The Plan is being built upon previous frameworks, including the Kalobeyei Integrated Socio-Economic Development Plan (KISEDP) and the Garissa Integrated Socio-Economic Development Plan (GISEDP), which both work to integrate refugees into the host communities and include education as a key component.[36] It is also important to note that Kenya is party to many regional instruments guiding refugee policy and services, including the Intergovernmental Authority on Development's (IGAD) Djibouti Declaration on Refugee Education.[37]

Education in Crisis

Despite significant progress in enrollment and policy supporting inclusive and accessible education for refugee children, the reality is alarming. Educational opportunities and quality learning are severely restricted for refugee children, including those in Kenya. In September 2023, UNHCR found that alarmingly over 50 percent of refugee children are not in school. The school-aged refugee population grew substantially in the past year from 10 million to 14.8 million, but 51 percent of those children are estimated to be out of school. That is 7 million refugee children without access to education.[38]

During its field visits to Kakuma and Dadaab, USCRI was briefed by UNHCR Education staff at both camps and completed four separate school visits, including three boarding schools for girls. In Dadaab, USCRI was able to meet with local government actors such as the Deputy County Commissioner, the Office of the County Children's Officer, and the Office of the Subcounty Director of Education. USCRI was also able to meet with UNHCR Education and Child Protection implementing and operating partners, such as the Danish Refugee Council, Jesuit Refugee Service (JRS), Lutheran World Federation (LWF), Save the Children, Terre des hommes, and Windle International Kenya. From these meetings and school visits, USCRI was able to witness firsthand the obstacles children in Dadaab, Kakuma, and Kalobeyei Settlement face in accessing quality education as well as the challenges providers face in ensuring education is accessible. Although refugee children follow the Kenyan national curriculum and sit for national examinations as noted in the Preface, schools and learning facilities in the camps are mainly managed and financially supported by UNHCR and the international community. Key challenges include schools being over capacity with minimal resources, an ongoing teacher shortage, as well as gender parity post-primary school considering the unique challenges girls face in accessing education. The overarching message was the dire need for adequate funding. Needs are growing, but resources are quickly disappearing.

Schools, both primary and secondary, in Kakuma and Dadaab face extreme challenges. Most are operating over their capacity and doing so with very little resources. As funding decreases and donor fatigue grows, schools suffer the consequences. In Kakuma, UNHCR Education staff noted a 30 percent increase in school attendance, but with no increase in resources or funding. As it stands, classrooms in the camps are supporting typically 150 children per class with one instructor, and some situations have much higher classroom counts. This is compared to the national average of 40-45 students per teacher.

Figure 7: USCRI Policy Analyst Victoria Walker meets with UNHCR Dadaab Education & Child Protection staff & partners

About 94,000 children are enrolled in school in Kakuma and 71,827 children are in school in Dadaab. Yet both camps have thousands of school-aged children who are not enrolled and attending school at all. It constitutes a learning crisis when school systems are overstretched and resources are strained, yet thousands from the school-aged population who should be enrolled in school are not. The international community must develop urgent and concrete action because one cannot push for higher enrollment rates when successfully doing so would cause education systems to collapse.

Figure 8: Staff room at a primary school in Dadaab. Photo by USCRI Analyst Victoria Walker

It is important to note that many refugee students in Dadaab and Kakuma are overage learners. This is because many refugee children and youth often miss significant amounts of schooling due to being on the move, having little to no access to education in home countries, or a lack of formal education altogether.

In Kakuma, 45 percent of the total school-enrolled population are overage learners. This underscores the importance of implementing age-appropriate education programming that specifically addresses the needs of this population. In Kakuma, an Accelerated Education Program is managed by the Norwegian Refugee Council (NRC), but the level of need remains high.

UNHCR staff and partner organizations in both camps cited a shortage of qualified teachers as a major challenge. Around 80 percent of teachers in the camps are refugee teachers who were recruited to supplement the gap caused by the absence of Kenyan national teachers. Refugee teachers are refugees who successfully completed secondary school and demonstrated advanced proficiency in a certain subject who are then invited to teach said subject at a school in the camps. They do not possess the same certifications required by Kenya's Ministry of Education for its national teachers nor have they received full training and are therefore said to be less qualified. National teachers with the required certifications are typically paid far higher salaries than what is available in the camps. The camps are also both located in remote dry areas of the country and a substantial distance from Nairobi and other cities. These factors severely hinder the number of qualified teachers as defined by the national education system present in the camps. Even more rare is the presence of female teachers in schools in both Dadaab and Kakuma, which leaves girls without this kind of professional role model and representation, as well as a reduced feeling of safety in the classroom and at school.

Her Education

All refugee children face barriers to accessing education, but the obstacles are far greater for girls. In both Dadaab and Kakuma, UNHCR Education staff cited a stark decrease in enrollment of girls from primary school to secondary school. In primary school, both camps experience near 50/50 gender parity in school enrollment, but this drastically decreases in the transition to secondary school. UNHCR Kakuma Education staff described that although about 40 percent of girls enrolled in primary school sat for national exams, there is a change after Grade 5, and only an estimated 27 percent of girls sat for their secondary exams. In Dadaab, 2,412 refugee students (996 girls) completed primary 2022 Kenya national examinations and just 1,025 refugee students (346 girls) completed the secondary exams.

Challenges for refugee girls significantly increase in the period between primary and secondary school. UNHCR Education staff in both camps outlined mindset and cultural influence, teenage pregnancy, a lack of safe spaces, and menstruation as some of the key reasons girls are dropping out of school or not enrolling at all.

Figure 9: A coding club at a girls' boarding school in Kakuma. Photo by USCRI Analyst Victoria Walker

Unfortunately, in both Kakuma and Dadaab girls encounter communal mindsets that do not prioritize girls' education and at times view educating girls as a poor investment, with the prevailing idea that she will be married off and support her husband's family and community instead. Religion also plays a role, particularly in Dadaab, where many in the Somali community prioritize sending their children to madrassa, or Islamic religious classes, before enrolling them in formal education. This causes girls to enroll in formal education much later in life, if at all. For girls who are enrolled in school in Dadaab, having safe spaces at school designated specifically for girls is critical, as school staff report that often the girls are too scared to play or participate at school fearing their hijabs may slip in front of their male peers or that they will encounter forms of harassment. USCRI visited a primary school in Hagadera, Dadaab where a safe space was created for girls as well as separate latrine areas. The principal indicated that this positively influenced enrollment rates of girls at the school and allowed the girls to better participate in school life.

It is also important to note that ensuring refugee girls' education provides future generations of adolescent girls with female role models, both inside and outside of school. This would help fill the gap of female teachers represented in schools as well as other professions.

Far too often, lack of resources means that safe spaces and proper sanitation facilities for girls are

unavailable at schools. This includes access to menstrual hygiene materials. In both camps, education actors stressed the serious impact menstruation has on girls' enrollment in school. Poor sanitation facilities cause a lack of privacy for girls at school during menstruation as well as health risks. A principal at a secondary boarding school for girls that USCRI visited in Kakuma became emotional as he described that there was virtually no water left at the school and that he was forced to ration water to the near 510 girls living and learning there. This represents 510 menstrual cycles occurring without access to soap and water. Above all, there is a grave shortage of menstrual hygiene materials, such as sanitary pads and soap. Girls often resort to using and reusing unsanitary pieces of cloth, causing infection and other health risks. These factors, coupled with ongoing stigma and discrimination around menstruation, force girls to miss weeks of school at a time or to drop out altogether. In both Kakuma and Dadaab, the distribution of menstrual hygiene kits, often known as 'Dignity Kits,' was a successful effort to combat this challenge. However, funding cuts to both UNHCR and its NGO partners have made these kits a rare resource, gravely impacting girls' education.

Protection concerns also impact girls' access to education, particularly acts of gender-based violence (GBV). Education staff in Kakuma told USCRI how teenage pregnancy was a challenge to keeping girls enrolled in school. Heartbreakingly so, it was said that it is not uncommon for these pregnancies to be the result of sexual violence by male teachers or males in the community. Child Protection staff in Kakuma noted that an estimated 630 girls had teenage pregnancies during the COVID-19 pandemic, and although this number has slightly decreased now, it is still a prevalent challenge. Although girls are allowed to return to school after the baby is born, few schools have childcare centers for supervision of the babies, nor do they accommodate needs such as breastfeeding. As a result, many girls who become pregnant are likely to drop out of school.

Schools continue to be crucial spaces in efforts to mitigate protection concerns. As UNHCR states in its education report, "For girls specifically, higher education is associated with a lower likelihood of early marriage and pregnancy, allowing girls to take charge of their own destinies."[39] While in Kakuma, USCRI visited three boarding schools for girls, one primary school and two secondary schools. These schools serve not only as vital education facilities, but also as protection centers for girls. Each grade designates a certain number of seats each year for protection cases, which are girls who face severe protection threats such as abduction, revenge killings, or acts of GBV.

Child Protection

It Takes a Community: Child Protection Systems

> **"The goal of child protection is to promote, protect and fulfil children's rights to protection from abuse, neglect, exploitation and violence as expressed in the UN Convention on the Rights of the Child and other human rights, humanitarian and refugee treaties and conventions, as well as national laws." – Save the Children**[40]

As outlined in the CRC, all children have a right to protection from violence, exploitation, neglect, and abuse.[41] However, many refugee and displaced children around the world face the risk of violations of these rights and often are exposed to grave levels of violence and abuse throughout their migration journeys and while in host countries. Children in a humanitarian crisis or setting experience heightened dangers and multiple vulnerabilities. They can lose or be separated from their parents or caregivers, face risk of recruitment and use by armed groups, lose access to essential services such as health and education, and can endure severe impacts to their mental health paired with limited to no access to psychosocial services. Child protection (CP) services are of the utmost importance in preventing such violations from taking place and supporting children who have experienced harm.

The primary responsibility to enact and implement CP systems in accordance with the best interest of the child ultimately lies with the State, as these obligations are outlined in international and national legal frameworks. However, a holistic and multistakeholder approach is necessary to appropriately address the protection concerns that refugee and displaced children encounter, especially when the State is unwilling or unable to do so. UNHCR and partners work to strengthen refugee children's access to child protection services and supplement where needed. In the *2021 UNHCR Best Interests Procedure Guidelines: Assessing and Determining the Best Interests of the Child*, UNHCR defines child protection systems as:

> "…Consisting of functions undertaken by a range of formal and informal actors to prevent, mitigate and respond to the risks faced by children including the following components: Legal and policy framework; Knowledge and data; Coordination; Human and financial capacities; Prevention and response activities; Advocacy and awareness raising." [42]

In Dadaab, Kakuma, and Kalobeyei, UNHCR's CP teams works in coordination with operating and implementing partners like Danish Refugee Council, LWF, Save the Children, Terre des hommes, and others to provide CP structures that respond to and prevent neglect, abuse, exploitation, and violence against children in the camps. Also playing an important role in child protection systems in the camps are the communities themselves. Unfortunately, the CP teams are small. For example, UNHCR Kakuma's CP team consists of two staff members while 55 percent of the population are children. The team operates with limited capacity and funding, so in both Kakuma and Dadaab, CP staff have conducted trainings for refugees in the communities to become Child Protection Volunteers (CPV). CPV are trained to identify children in need of various protection services and have

a role as advocates to help community members understand the importance of child protection and what rights children are entitled to. They also are trusted adults that children or others can report child protection concerns to. With such large populations, the involvement of the community in identifying children at risk or experiencing harm is of the utmost importance.

Assessing the Risks

For refugee and displaced children, flagging protection concerns and conducting thorough assessments is not a one-time need. This need and the processes detailed below underscore the importance of having strong and sustained child protection funding and capacity. UNHCR's guidelines note,

> "Identification of children at risk should start as soon as possible after displacement and must be a continuous process, particularly in situations where there is a population influx. Identification measures should remain in place throughout the displacement cycle as part of ongoing general child protection programming."[43]

While in Kakuma and Dadaab, UNHCR CP staff described to USCRI its Best Interests Procedure (BIP), which is the agency's case management framework for asylum-seeking and refugee children and lists the identification of at-risk children as the first step.[44] The BIP is "implemented for children at risk who are in need of targeted, structured, systematic, sustained and coordinated support" and "ensures that decisions and actions aimed at addressing protection risks and needs for children are in their best interests."[45] Successful identification requires engagement and proper training of all actors in contact with children potentially at risk. In the camps, a large portion of children at risk are unaccompanied and separated children. Unaccompanied children are defined to have been separated from both parents and other relatives and are not under the care of an adult who is responsible for them by law or custom. Whereas separated children are separated from their parents or primary guardians, but not necessarily separated from other relatives.[46] When children arrive at Dadaab, Kakuma, or Kalobeyei, they would be defined under one of three categories: Unaccompanied, Separated, or Children with Parents. Thousands of children are unaccompanied or separated in the camps and have unique vulnerabilities and protection concerns. Specific vulnerabilities also exist for girls (particularly if married or pregnant), children with disabilities, victims of trafficking, and survivors of violence and abuse.

Figure 10: © 2021 UNHCR Best Interests Procedure Guidelines

Following identification of children at risk, step two is a Best Interests Assessment (BIA) for children deemed to be of medium or high risk. A BIA must be conducted by relevantly trained staff and involves the participation of the child and their parents or legal caregivers if applicable, including through interviews and home visits. It is important to note that a child's meaningful participation is crucial to encourage and support in the BIA. The BIA process initiates the ability to execute a specific case plan to best address a child's protection concerns. It is not a one-time assessment, and as the child's situation evolves throughout BIP implementation, a BIA may need to be updated and have follow-up analysis. The result of the assessment "is a detailed appraisal of the child's protection situation, as well as their and the family's strengths and capacities, and a case plan or a set of recommendations on the appropriate protection and care interventions."[47] CP staff in Kakuma told USCRI that family reunification continues to be a success story for the team, and that many children have arrived at the reception centre and expressed that they wish to reunite with their parents or caregivers. Sometimes they know their parents or family members are within the camp community, others are cross-border reunifications. Due diligence from CP staff and partners throughout case management resulted in successful family reunifications.

Reception centres are often the place of first contact for CP actors and other staff with newly arrived children. This is where new arrivals are registered, assessed, and where dedicated staff can begin to provide desperately needed materials and services before placing people in the community. Unfortunately, as USCRI observed during its visit, due to funding cuts, the resulting limited exit resources such as materials for shelter, and ongoing government pauses on registration, the time new arrivals are spending in reception centres is growing longer – from weeks to months. USCRI visited two reception centres, one in Kakuma and one in Kalobeyei. CP staff from partner agencies at both centres spoke to the exit backlog they were facing, and that although Standard Operating Procedures state that children should only be in reception centres for a maximum of two weeks, many are now there waiting for four to six weeks due to lack of availability of facilities and resources. Since these centres are intended to be temporary, there is no formal education offered to children there nor are they registered to begin receiving desperately needed services. This underlines the importance of conducting what are called Rapid Assessments at the centres, where staff can assess children's immediate needs, identify those of increased risk, and advocate for the best location and care the child would need in transitioning into further CP assessment and case management.

Once assessed, children with high profile cases – meaning children who face serious threats to their wellbeing or who cannot survive in the community – can be referred for admission into a protection center. In Kakuma, the Safe Haven is one of such safe shelters protecting women and children under twelve years old who are survivors of sexual and gender-based violence.[48] The Safe Haven is run by JRS and provides women and children a higher level of protection to prevent further attacks as well as access to psychosocial support services.[49] When boys at the Safe Haven age out, they are placed at Amani Boys, a safe shelter exclusively for boys. As is at the Safe Haven, boys receive protection and psychosocial support at Amani Boys and their progress is monitored by UNHCR CP staff and partners.

As previously mentioned, schools can also serve as protection centers for children in refugee camps, particularly for girls. The boarding schools for girls that USCRI visited in Kakuma host students who were admitted to protection spots – spots reserved in each grade level for girls in need of heightened protection. The boarding schools provided all students access to afterschool clubs and activities, which in turn are safe spaces for all students to learn and practice new skills, socialize with their peers, and process trauma. Some of the clubs described to USCRI included child rights clubs, young farmers clubs, STEM & coding clubs, music clubs, fashion clubs, sports clubs, and more. The boarding schools also have counselors or teachers trained in counseling, so the girls can access mental health support or be referred to CP partners to receive follow-up.
While in the reception centres as well as once exited into the community, it is paramount that children have access to safe and protected spaces where they can begin to decompress, process what has happened, participate in organized play and activities for socialization, and where trained CP actors can begin to identify and assess their needs. This is also offered through Child-Friendly Spaces.

A Space of Their Own

> **"Emergencies, displacement, and crises cause turmoil and uncertainty for many children. Against this backdrop, child-friendly spaces provide a safe space for children to be children; to play, explore, laugh with their friends, interact with trusted adults, and have a place they know they can go to for help. A child-friendly space provides routine and stability that is important for children's recovery in the aftermath of a crisis." – Plan International**[50]

Figure 11: CFS in Kakuma. Photo by USCRI Analyst Victoria Walker

Child-Friendly Spaces (CFS) in emergency or humanitarian settings provide children who have experienced crisis a protected space to access non-formal learning activities that not only encourage their development but engage children in beginning to decompress and process traumas they have experienced. Plan International summarizes the purpose of a CFS as "established to provide a safe, predictable, and stimulating environment where children can play and participate in recreation, leisure and learning activities designed to support their resilience and wellbeing."[51] These are spaces for children to be children.

As previously described, a CFS can also provide a space where protection concerns can be identified

and planning ways to respond to particular threats can begin. Here children can begin to receive proper support, including psychosocial services. Reflecting on their experience in crisis settings, Save the Children reports that "children are able to cope psychologically better in and after an emergency if structure and routine can be created (the more familiar, the better) that allows them to return to a sense of normalcy despite ongoing disruption and changes around them."[52] CFS are instrumental in providing this routine. USCRI visited three CFS, one in Kalobeyei's Reception Centre, another in Kakuma's Reception Centre, and a third in Dadaab's Hagadera Camp. Each visit provided a visible emphasis on the importance of these spaces for refugee and displaced children. While in the CFS in Dadaab, overseen by Terre des hommes and Save the Children, USCRI's Policy Analyst sat with children as they created artwork in groups. One group was in the midst of voting for whose artwork they liked the most. The staff member held up for the group of about ten children each paper one by one. He gave each child the opportunity to comment on their artwork and then those who wanted to vote for that piece got to raise their hand casting their ballot – many voting for themselves. The activity may appear simple at first glance to some, but it was a game that not only was fun for the children, it encouraged them to create and communicate and provided them the space to make their own choices.

Figure 12: USCRI Analyst at CFS in Dadaab.

Despite the importance of having CFS accessible for refugee children in the camps, staff expressed to USCRI that they do not have enough materials for the children due to funding shortages. They are in need of more crayons, books, play materials, sports equipment, and other resources for the children to adequately support their activities and wellbeing. Some programming had to be cut all together, for example the CFS in Dadaab explained that they are not able to serve food to the children who come due to a lack of funding. However, they continue to operate and advocate within the community for children to come use the space. This is especially true for girls in Dadaab, who staff say are harder to get to come due to unique challenges and barriers they face as detailed further in this report.

Figure 13: Artwork made by children at CFS in Dadaab. Photo by USCRI Analyst Victoria Walker.

A Picture of Protection: Visiting a Child-Friendly Space

As our vehicle jostled through the entrance to the Kalobeyei Settlement Reception Centre, I watched out the window as the wind blew across the hot desert floor, spraying sand all around. White tarp tents sheltering many people were established in every direction; a form of shelter one could see was meant to be temporary, yet daily life occurring within seemed to convey saddening permanency within limbo. The reception centres I visited (one in Kalobeyei and one in Kakuma) are the first stop for all new arrivals to the camps. I was brought there to witness how this situation is impacting children, and the systems in place to prioritize their protection. Within each reception centre is a Child-Friendly Space (CFS): that was where I was headed.

When I got out of the vehicle at Kalobeyei Settlement's Reception Centre CFS, in my immediate view were the hundreds of children present. Teens and preteens were playing soccer in the sand while groups of younger children played on worn metal playground equipment set up outside a large white tent. Before I could turn around, about twenty pairs of tiny hands clung to my arms and small fingers interlocked with mine. I looked down with a big smile to greet several curious and giggling friends. From then on, there was not a moment of that visit where I was not shadowed or held onto by young children.

I met the staff from Terre des hommes, a UNHCR operating partner who oversees the CFS at Kalobeyei Reception Centre and implements child protection assessments and services. The CFS itself was a large and sturdy white tent with mesh windows for air circulation. Staff explained to me that at the CFS, children are often welcomed in through shifts grouped by age to ensure they can access age-appropriate activities. At that moment, the younger children were inside the tent. I was welcomed in.

Figure 14: CFS in Kalobeyei. Photo by USCRI Analyst Victoria Walker.

Stepping into the CFS tent was like stepping into a small and separate world so vital that it was evident how lives depended on it. At least 100 children aged approximately three to twelve years old sat in a large rectangle around the tent playing music games, which my presence surely disrupted. Almost all the children were in clothes that were ripped and tattered and many were without shoes. The Reception Centre and its CFS was their first point of arrival after long journeys in transit, many having fled violence and armed conflict, and the clothes they were wearing were the only clothes they now had. UNHCR CP staff had previously informed me that this was a major challenge they and their operating partners were facing in caring for children at the reception centres – many were arriving now with little to no clothing and shoes at all – leaving them vulnerable to the hot sun, wind, and unsanitary conditions using pit latrines. Staff were advocating for funding for clothing, but it was not coming in and current funds could not meet the needs of increasing child arrivals.

A Picture of Protection: Visiting a Child-Friendly Space (cont.)

In tandem with meeting CP staff, I was able to spend some time with the kids. I sat on the tarp floor while at least 50 children huddled around. I asked them about their favorite colors and games. Some would answer while others stared and smiled. Staff played one of the most popular songs for the group over a speaker hanging from the tent pole and the kids sang out the words while we danced. It was overwhelmingly clear to me that the CFS offered each child a safe space to simply be just that – a child.

All the children I was interacting with were displaced and had likely endured high levels of trauma. Displacement has the power to erode childhood, but a CFS takes efforts to restore some of the pieces. Staff told me that through the screenings they conduct at the CFS to identify protection concerns, most children reported seeing their parents or other family members killed. As I shuffled around the tent with the kids, I noticed several children remaining on the outskirts, sitting quietly with absent looks on their faces, almost glazed over. I thought to myself, rarely ever would one see a four- or five-year-old sit so still – a heartbreaking reminder that the impacts of trauma were ever present. These children had experienced fear, stress, anxiety, violence, loneliness, and immense loss. For those at a reception centre CFS, their journeys at the camps had only just begun to unfold, but the CFS provided a place to begin processing the turmoil and uncertainty. Here, trusted adults trained in child protection were able to meet them where they were and identify the needs they alone could not express. They were surrounded by other children and given the space to play, interact, and rest. In my short visits to three different CFS in Kalobeyei, Kakuma, and Dadaab, what I saw above all were essential places where children could begin to heal.

Her Protection

Girls around the world endure unique challenges and barriers towards their futures due to patriarchal norms, gender discriminatory practices, targeted violence, and more. The protection risks refugee and displaced girls face are often more severe or exacerbated compared to their non-refugee peers, as realities for women and girls in humanitarian settings are especially grim. Most refugee children in Kakuma and Dadaab fled for their lives – fleeing from war zones and other dire situations. For refugee girls, the protection risks are multiplied, and many fled violence specifically targeted against girls.

In Kakuma, the UNHCR CP team described for USCRI protection risks that caused girls in the camp to flee their home countries, as well as protection concerns remaining in the camp that the CP team works to end and prevent. A primary concern was abduction, particularly for girls from South Sudan.

UNHCR USA reports that South Sudanese child refugees "are survivors of violent attacks, sexual assault, and in many cases, children have been separated from their parents and are traveling alone."[53] For many South Sudanese refugee girls in Kakuma, abduction is a high-level threat due to cultural beliefs and impacts of conflict.[54] A prevalent practice in South Sudan is that when a child's father is killed, their mother is expected to marry his brother or other family member. If the mother refuses, often family members will abduct her children as a replacement, typically the girls. If abducted, it is common that the girls will be married off in child marriage. Mothers in this situation have fled with their families knowing their children will be abducted, and some girls have fled unaccompanied.

CP staff shared that reports of child abduction are occurring more often, and in response, UNHCR staff have worked to facilitate focus discussions with South Sudanese leaders in the camp to navigate cultural and monetary motivations behind this violent practice. Staff noted that rape and other forms of sexual violence are key protection concerns for girls as well, both regarding what they faced in home country, in transit, and now in the camp. Cultural dynamics play a significant role in gender relations and protection risks girls face in both refugee camps. In Dadaab, UNHCR CP staff noted that Female Genital Mutilation (FGM), also called Female Genital Cutting (FGC), continues to be a prevalent practice among the Somali population in the camp. The World Health Organization (WHO) defines FGM as,

> "...all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons. The practice has no health benefits for girls and women and cause severe bleeding and problems urinating, and later cysts, infections, as well as complications in childbirth and increased risk of newborn deaths."[55]

CP staff said that despite continued community-based initiatives in the camp to educate families and communities on the harms of FGM, the practice remains widespread. A CP Officer noted that mindsets were slowly changing, particularly amongst fathers, however, dialogue with mothers remained difficult. In 2020, UN Kenya detailed the prevalence of FGM in Hagadera Camp (one of the refugee camps in Dadaab). In Hagadera, they write, "the cut is conducted by a group of elderly women who are considered to be well-respected members of the community," however, rarely is it

reported to humanitarian staff. “The community continues to uphold this illegal practice in secrecy due to cultural and traditional beliefs.”[56] The agency details how women invited to a focus group in the camp expressed “that their advocacy for FGM is driven by the immense stigma and discrimination faced by those who have not undergone the cut.”[57] Agencies within the camp coordinating protection services note that “those who report cases of FGM face the toughest form of discrimination and rejection by the community.”[58] This requires active protection assessment and mechanisms to identify survivors, children in particular, to then develop recommendations and provide services in the best interest of the child.

Protection risks for girls are heightened as external situations worsen, such as food shortages and growing malnutrition. Hunger is raging in both camps as food rations undergo drastic cuts due to unprecedented funding loss to the World Food Programme (WFP). Reports show cuts “from 80% of the minimum daily nutritional requirement to 60% due to reduced donor funding…” in turn fueling dire situations in both Kakuma and Dadaab.[59] The IRC reported that in Hagadera Camp in Dadaab, patients at their clinic experiencing malnutrition rose by 95 percent last May, citing “sustained reduction in food rations” as one of the factors underpinning this crisis in the camp.[60] IRC warned that the worsening drought and hunger crisis in the Horn of Africa, and in the camps, was leading to increased violence against women and girls. Not only does the situation drive displacement, leaving women and girls in search of food and water in unfamiliar areas, it creates an environment where violence and exploitation can take hold. For example, IRC found that in Hagadera, the number of women and girls reporting cases of violence doubled from 198 in 2019 to 389 in 2021.[61] The agency added that the hunger crisis causes children, especially girls, to drop out of school as they are forced to migrate in search of food or school fees can no longer be prioritized, thus losing the protection received by being in school. IRC’s Regional Vice President for East Africa stated,

> “…In addition, due to congestion and limited resources within displacement camps women and girls are exposed to greater risks. In some of our project sites, we are seeing double the number of cases of violence reported in the most recent year than in previous years. Yet, we know violence against women and girls is severely under-reported due to fears of stigma and this data does not give a full depiction of the total prevalence.”[62]

USCRI witnessed the overwhelming impacts of cuts to food rations in the camps. This included being told about desperate measures families are taking, such as using children under five who are not yet registered with biometrics, but who are not the families’ biological children, to secure more food rations, as well as those who are pulling their daughters from school, as the need to buy food is prioritized over paying school fees.

Recommendations

In Dadaab, Kakuma, and Kalobeyei, USCRI saw the power of education and child protection in providing the space and skills for refugee children to recover pieces of their childhoods, to dream and turn those dreams into realities. Despite the immense obstacles placed in their paths, refugee children are raising their voices, championing solutions, and are the experts of their own experiences. Upholding their rights to education and protection begins with ensuring their inclusion and delivering adequate support. The following are recommended action steps to fulfill the rights to education and protection for refugee children in Dadaab, Kakuma, Kalobeyei, and around the globe.

All stakeholders must remember that no matter their legal status, country of origin, or host country, children are, first and foremost, children. This means that they are entitled to rights to protection, education, participation, and inclusion.

The voices of refugee children must be kept at the center of all policy and programming decisions and implementation that impact them. Stakeholders should strive to create safe spaces for refugee children, including girls, to vocalize their needs and opinions throughout policymaking and implementation processes. Meaningful child participation is critical.

Funding for refugee education and child protection must be urgently prioritized.

- Donors, both governmental and other, must commit to funding inclusive, safe, and quality education for refugee children. This includes multi-year funding scaled up to address rising needs and in coordination with national and community level stakeholders.
- Donors, both governmental and other, must commit to flexible, multi-year funding for humanitarian response plans to incorporate child protection systems that work to ensure the rights and wellbeing of children. Child protection must be at the core of all humanitarian action and centered on the best interests of the child standard.
- Donors should ensure that flexible funds are designated to ensure reception centres and Child-Friendly Spaces are able to provide immediate care to children in migration and their families.

Governments and all relevant stakeholders must ensure national programming, budgets, and development plans are child-friendly and inclusive of refugee and displaced children.

- This includes strengthening national child protection services and coordination between international, national, and local actors to facilitate prevention efforts, reporting, and trauma-informed response to threats of abuse, exploitation, neglect, or violence that refugee and displaced children face.
- Governments should ensure that all agencies involved in refugee services have child protection staff to ensure children's needs are addressed and their best interests upheld.

Education systems must be inclusive and provided with appropriate capacity to respond to crisis environments. Schools should be able to provide water, sanitation, and nutrition to students, as well as enact the proper safeguards for refugee children who experience trauma and protection concerns. Refugee children should be included in the national education plans of the host country.

Governments and all relevant stakeholders should put children, including adolescent girls, at the core of the upcoming Global Refugee Forum.

- Meaningful and accountable pledges should be made for inclusive education and gender parity within education systems.

- Governments and relevant stakeholders should sign-on to the 2023 multistakeholder pledge on child rights that includes key outcomes on child protection and protective and inclusive education.[63]

The international community must recommit to responsibility sharing to lessen the strain on low- and middle-income host countries who are welcoming refugees with minimal capacity and a lack of support from middle and high-income countries.

Governments and all relevant stakeholders must prioritize their commitments outlined in the Global Compact on Refugees to expand and enhance quality and inclusiveness of national education systems for refugee and host community access, overcome obstacles to refugee enrollment (especially for girls), as well as uphold their commitment to minimize the time refugee children spend out of education, a maximum of three months after arrival as specified.[64]

Neglecting timely and sustained action risks leaving generations of children behind. Be it the children in Dadaab, Kakuma, Kalobeyei, or elsewhere around the world, the international community must keep its promises to refugee children and uphold their right to education and protection. Abandoning these obligations would come not just at far too high a cost for the futures of these children, but that of our global community itself.

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The U.S. Committee for Refugees and Immigrants (USCRI), established in 1911, is an international, nongovernmental, and not-for-profit organization dedicated to addressing the needs and rights of refugees and immigrants.

This report follows USCRI's visit to Kakuma and Dadaab refugee camps in Kenya in September 2023 and is part of USCRI's ongoing commitment to serving the needs of displaced children globally.

USCRI advocates for the rights of refugees and immigrants both nationally and globally, helping to drive policies, practices, and law.

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