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Public Hearing Transcripts - Uganda (Kiryandongo) - RTJRC02.11 (St. Patrick Catholic Youth Centre, Kiryandongo) (Youth Hearing)

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**ORAL SUBMISSIONS MADE TO THE TRUTH, JUSTICE AND
RECONCILIATION COMMISSION ON WEDNESDAY 2ND
NOVEMBER, 2011, AT ST. PATRICK CATHOLIC YOUTH
CENTRE, BWEYALE, KIRYANDONGO, UGANDA (Youth Public
Hearing)**

PRESENT

Tecla Namachanja Wanjala	-	The Acting Chair, Kenya
Gertrude Chawatama	-	Commissioner, Zambia
Margaret Shava	-	Commissioner, Kenya
Patricia Nyaundi	-	Commission Secretary

(The Commission commenced at 11.45 a.m.)

(Opening Prayers)

The Commission Secretary (Ms. Nyaundi): On language, I do not hear the translation into Swahili on the floor. So arrange to have that. Thank you very much.

*(The Acting Chair introduced herself
and the other TJRC Commissioners)*

The Acting Chair (Commissioner Namachanja): Thank you, sons and daughters. It is your day and I do not want to waste your time. Please, share what you have from your hearts.

The Commission Secretary (Ms. Nyaundi): Who is our first speaker?

Ms. Virginia: I do not know whether it is good afternoon or morning. I am called Virginia and I am a Kenyan youth; I am one of the spokespeople. I said something yesterday, and I would like to say more about it, so that our Commissioners here note it down. Yesterday I talked about education because that is a major thing that concerns the youth. Yes, we are sponsored at the moment in our school here but when you reach a certain level of education it stops. So we do not get the chance to live our dream because we do not have the recommended papers to join certain vocations. Our main concern is tertiary institutions. For one to be a lawyer, you have to go to law school. For you to be a doctor, you have to go to medical school. You just cannot leave Senior Six and be a lawyer immediately. You have to go to tertiary institutions but we do not have the opportunity because we do not have the fees. Most of our parents were affected by the war, and so they cannot get money to get us into universities; what they are doing in the camp cannot make them get the amount required by these institutions. So, we will ask if the Government of Kenya (GOK) can assist.

Even if they take us back to Kenya, our parents are not going to harvest money. It will take them time to get back on their feet, and we will not wait for years and years for them to regain the financial status that they had. So, we ask the GOK to sponsor us in our education. The moment we go back to Kenya, we will be required to go back to schools; we will not do it if we do not have the funds. So we are recommending that GOK takes us back home and gives us the education that we need, so that we can be the leaders that we are expected to be.

I think I have talked about education because right now there are very many people who are ahead of me. They have already finished school and gotten married just as is the culture of this place. They say that when you get to a certain place, you live like its people. The society itself influences you. So people in this society nowadays get married at a very tender age, and they are not able to live their dream because they get married too early. The husband and the wife are all financially handicapped and so they cannot support themselves. Right now many of the youths are facing this challenge. They passed highly but they did not get a chance to go to university. So they are living terrible lives and we see that the economy of the world is going down, because we do not have people to upgrade it. Why? Because they have not gotten the chance to go to institutions of higher learning. Many of us face that challenge right now and we would not like to face it for long. That is why we are recommending that we get school fees or sponsorships for higher education.

Another thing that I would like to talk about is that some of us right now are facing some medical problems just because our parents cannot take us to the specialists who deal with our ailments. For example, just recently, we had a youth who died because the medical personnel neglected his problem. It worsened and caused his death. You never know. Maybe this youth could have been a prominent person in future, but just because he did not get medical assistance, he died. Such a thing can be checked. I can give an example of myself. I have a problem with my sight. I have gone to the hospital a number of times but medical personnel have neglected it. I once talked to a doctor and asked him for a referral because of my problem. Just as we are living here, we have to follow certain procedures. If this hospital cannot deal with it, they refer you to a better place and UNHCR caters for such things. But because these people do not have mercy on us - they say that after all we are not their natives, and ask how they can help us that much - they neglect such things.

I was given a referral to Mulago but there before you see a doctor, the implementing partner of UNHCR in medical affairs called "Inter Aid Officer" has first to check on you, so that they give you the papers that will enable you to see the doctors. You cannot see the doctors without them. I went there but the Inter Aid Officer just looked at me and said I was physically okay; he did not know that my sight had a problem. He sent me back home. I lost two weeks of school-time but I gained nothing. They did not help me and who knows what could happen to me in future. All this is just because we cannot help ourselves financially.

Right now, my main problem is light and at times I might fall down. I can wake up, open my eyes, but once light comes into contact with my eyes I feel dizzy and fall down. This is happening because they neglected my problem. They said that it was not okay for me to have medical assistance, but I know our Government can do something about my problem. I am recommending that when they take us back to Kenya, they should help people with special needs like me. Right now, I can go blind any time and, therefore, fail to do what I want to do in future.

Just as our dear Commissioners said, Kenya overlooked its problems which caused what happened in 2007/2008. If we continue overlooking the problems that we are having, we might face something bigger in future.

This would not be a positive thing. It will be negative. So I will ask our dear Commissioners, please, pass this information forward. Check on us next time because I imagine that if that had not taken place, we would have been able to stand on our own financially. However, because it has passed and we cannot continue talking about it, let us look forward. Let us avoid history repeating itself. Another thing is that we, youth, came to Uganda which is not like Kenya. The cultures we have here are not influencing some of us positively. This is because people here dwell on alcohol. Here it is not like in Kenya where people stand on their own. Such things like taking alcohol were unheard of in Kenya. However, because we are here, some of us have adapted to it because they say bad company spoils good morals. These are things that are unavoidable because when you look left, right and centre, they are doing such things. I would pray that the Government takes us back to where we were used to because this place is not home and it is not comfortable. We are living here because we do not have anything else to do, but I know our Government can do something about it. So I am praying that let it take us back to our country. Let it face our problems just like a mother looks after her child. I pray that the Government does so.

I would like to thank the Commissioners very much. When we see you here at least we see that there are some people who care about us; we did not run away and rot like rubbish. Thank you very much. Be blessed wherever you go. Continue with the same spirit and thank you, for this opportunity.

Ms. Rebecca Mutuku: Thank you. Commissioners, are you responding to any questions? Next person to speak is Mr. Kimani.

Mr. James Kimani: Thank you, Commissioners, the TJRC workers and my fellow youth. I am the representative of youth in Kiryandongo Refugee Settlement. Yesterday, I talked about some issues. However, I will go back to them because it is the problem the youth are facing in Kiryandongo. I talked about Uganda's laws, but I was somehow confused. You know standing in front of people is not something easy.

Let me talk about gender balance. In Uganda, the female are more favoured than men in a way. When I am taken to a court and judged together with a female, I think the female will be favoured more than me. So to some extent, it affects the Kenyan boy because in Kenya, it is different.

Let me talk about alcoholism here in Uganda. It is free for everybody – the young boy and the old man are categorised in the same way. I understand in Kenya, they passed a Constitution where there is no drinking for under 18 years old. Okay, there is some period of time for drinking. In Uganda, you can wake up in the morning and get into a pub and get drunk from morning until noon or evening. So, it affects most of our people because they are free. We do not see if we are fit now because if we are drinking right now, it will affect us physically and maybe concentrating on the issues of development and other things will be a problem. So, we the Kenyan youth are jealous of developing somebody else's country. I would like to study in Uganda, but I would not like to develop Uganda. I would like to see my fellow Kenyans in good health. So if I live in Uganda throughout my whole life, I will help a Ugandan and I will not help my brother. That is so painful. We are very ready to come back to Kenya, but only one issue stands before us; where are we going? I came to Uganda when I was 14 years old. I have stayed here for four years. I am now 18 years. I am thinking of starting a family in future, but I am hopeless. I do not know if the Government of Kenya can take us back there and give us something to cater for the elderly people among us. I cannot go back to my parents. I am supposed to start my own family. So, I do not think if---

(The witness wept)

Commissioner Shava: It is okay, Mr. Kimani. You take your time; we are here to listen to you. Take your time until when you are composed and you can speak.

Mr. James Kimani: I do not think I will ever have a good future in my lifetime. I would not like to see my grandchild or my son sitting the way we are doing without doing anything constructive. It is so painful. However, I understand that justice in Kenya is only for the rich. Even if I go back to Kenya, I do not know if I will come back here. I do not know if my grandchildren or son will come back here. We understand in Kenya, there is tribalism and corruption. As I speak right now, I have my goals and dreams. However, achieving them is a problem. It is a big burden to me. I had a good life in Kenya. However, our Government seems not to have programmes that can assist youth. I do not want to talk much since there are some others who want to speak.

Commissioner Chawatama: James, personally, I would want to acknowledge that you are still in pain and you spoke from the bottom of your heart. Sometimes, it might not be easy to suppress pain and pretend that everything is well when deep down things are not well. You have opened up your heart to us and we are strangers. You have used the opportunity well. I hope, as the youth representative in the settlement, that your friends not only love you, but that they appreciate you and that from today, they will see you in a different light. They will approach you in a different light because you have articulated a lot of the problems that they are going through. Yes, the fear of shattered dreams and the hope of the future for your children; and you have even gone as far as talking about your grandchildren. So I hope and pray that the youth gathered in this place will look up to you for leadership. Do not stop speaking. I encourage all of you to speak the way James has spoken so that we can understand what you are really going through. We can all cover

our gains sometimes just by laughing, but at the end, we wake up and find nothing has changed.

One of our hopes is that by talking to us there will be some healing that will take place. James, I appreciate and salute you. You will forever be in my prayers and may the Lord God of Israel grant the desires of your heart that one day, you will go back home. You will get to university and you will be the voice for the voiceless. This is your training ground. This is where you have seen a lot of things. Do not be discouraged, but be an encourager. You are a great man and in your quiet moment when you are feeling low, remember that a stranger came and saw you for the great man that you are and be comforted by that. I thank you.

Commissioner Shava: James, I was going to ask you some questions. Was this a particular incident or a state of affairs to say that justice is favouring your fellow females? Is there any incident that you would like to tell us?

Mr. James Kimani: Okay. I talked about it yesterday, but I was not right.

Commissioner Shava: And you may have noticed that when you were speaking, the female Commissioners were not there, since they were in the women hearings.

Mr. James Kimani: Okay. In Uganda, we have a law known as defilement. Maybe I have my partner and she is of the same age as I. When we are caught and taken to court, she will be favoured. I may end up being jailed while she is set free. It seems as if ladies have a different law that governs them. We have had some cases whereby a boy and girl are taken to court, but it is the boy who is jailed. In Kenya, there is no such law. So it is hard for us to cope with such a law which we are not used to. That leads to many of the youth being imprisoned in Uganda.

Commissioner Shava: Okay. I think I have understood what you are saying, James. I do not know where you got the understanding of the law which is not correct. In Kenya, we have the Children's Act and the Sexual Offences Act. Both of these effectively eye a child as a person below the age of 18 years. This means that such persons are not capable of giving informed consent and they cannot, therefore, seem to have a grip on sexual intercourse. So, that is the law in Kenya. What you are telling us is the law in Uganda. There may be different reasons as to why those laws came into existence. They came into existence because of issues of protection and affirmative action with regard to young girls who are very vulnerable people. This does not mean that young boys are not vulnerable. It is just a recognition of what young girls face, which young boys may not. That is the law. You may agree with the law or not, but the point is that it is the law. I learnt to my detriment, on the second page, when I found that my tax assessment was incorrect. All that happened is that they gave me a penalty which I had to pay. The point was: This is law, you pay your tax and you will argue later. In case of laws which we think are not just laws, we should obey the law, but meanwhile, you can try to mobilise and do your research and see how you can change that law if you think it is an unjust law. My advice

to you would be that, that is the law and in order to avoid having a criminal record at such a young age, one would really want to obey the law.

Commissioner Chawatama: I have had an opportunity to work, not only with adults, but also with children as a judge. In sentencing, it is true men generally can be imprisoned with hard labour whilst women are given simple imprisonment because women are considered to be the weaker sex. We, as a court in Zambia, looked at what we needed to do with children who involved themselves in sexual intercourse. We tried telling young people that they needed to wait. There is a place and time to engage in sex. When they engaged in sex, they have had to face the consequences of the law because life is about choices. The laws are there and as judges, we cannot ignore those laws. However, what we did when we recognised that this was a problem among young people, we would also look at the ages of the young people. For example, if you have a partner who is 18 years old like you, we would find ways of dealing with her. If you were 18 years and the girl was seven years old, surely, a seven year old cannot be your partner. When you are in whatever nation, the way I have come to Kenya, I have found laws which are applicable to me because I am in Kenya. If I break them, I expect that I will appear before the Kenyan courts. You are now in Uganda. You have been here long enough to know and understand the laws of this land. So it is for you to obey those laws. As Commissioner Margaret has said, we do not want criminal records at this time. It is very unfortunate, even as a judge, when I have to convict or pass a sentence against a young person. It affects so many things. It affects you going to university because you have a criminal record. It affects you getting a job because you have a criminal record. Joining the police and army will be a disadvantage for you. Even when you are travelling, you would be asked if you have any criminal record. If you want to go to England or America, they will ask the same question. Nowadays because of technology, people will go to a computer and put your name and those convictions will appear. So you need to weigh and find out what is best for you and to make the right choices. I do not think engaging in sexual intercourse is the way to go for the young. There is a time and place. At times, the results are pregnancy. Are you ready to look after babies now? Some of you want to be doctors and lawyers. So focus on those thoughts.

Mr. Duncan Karanja: I just want to add something. My friend here has been complaining since yesterday and I think something has been bothering him. I am sorry to say so. However, what is happening here in Uganda is that there is a lot of corruption. When you are caught defiling a minor, you are told to pay millions in Ugandan currency. Now, we had an incident, but not from the Kenyan side, whereby the boy was 19 years old and the girl was 23 years old. The girl was in secondary school and the boy was still in primary, but now the way they were manhandling the boy to the court was very immature. I also had a friend who went in because the mother knew that his parent had sold her farm produce and took her girl forward and said that the boy had defiled her. You see here in Uganda, since girls are favoured, the boy's parents had to produce a lot of money so that this boy could be released. This was done by the local *askaris* and girl's mother. So that is what is disturbing my friend. Here, we do not have the freedom of speech, but all in all, I thank the government for receiving us. I also know that a refugee

should abide by the rules of the country you live in. You cannot change that. So fellow youngsters, I wish you the best.

Commissioner Shava: Thank you very much, Duncan. We have now understood the issue. The issue is not about defilement, but corruption in the administration of justice. Defilement in common law does not apply to a person who is over 18 and then the payment of money to avoid a case going to court, that is clearly corruption. So the real issue that you and James are really trying to bring out is that there is corruption in the administration of justice. This is harming young men and boys. We have understood that. So thank you for that clarification and we have taken it on board.

Mr. James Kimani also talked about alcohol. Yes, I would like to confirm that there is a law called *Mututho* law. Hon. Mututho is a Member of Parliament for Naivasha who crafted that Bill and got it through Parliament. So in Kenya, before 5.00 p.m., people cannot go to a bar and drink. This was because there was recognition that we had that problem among the youth. I do not know whether you are aware that there is one Member of Parliament who was offering money for the birth of children in a certain part of Central Province because the maternity wards were empty as the men were drinking too much and babies were not being produced. This was the concern of that MP. I also personally attended a forum in another part of Kenya known as Ruiru. There were young men who had turned up drunk in the morning and smelling of alcohol and yet, this was a workshop of youth leaders who were discussing the new Constitution before it was passed. So, right now, there is a debate in Kenya about what is happening with our youth. The consumption of alcohol is causing concern and that is why this law was passed. So you are correct, James, to say that there is a period of time within which people should drink and that you should not drink when you are under 18 years. In fact, in supermarkets in Nairobi, they have now segregated an alcohol section. It is not just in the shops, but you have to go to a separate section with a little door and you have to prove that you are over 18 years old in order to enter. All that goes to show that there is concern in Kenya about this issue. I also want to commend James because you said that you cannot go back to your parents because you need to depend on yourself. I think that is really commendable because one of the things that is also concerning Kenyan society is that you have people who are in their 40s still living with their parents. They do not want to depend on themselves. So this idea of you deciding that you must take charge of your own life and fend for yourself is very commendable. It is something that I hope you are going to show the younger people here along those lines. That is all I wanted to say.

Is there another speaker?

Mr. Tom Juma: Before you is Juma Tom. I am in Senior Three. I am so glad to be given this crucial moment to speak on behalf of my colleagues who are in Kiryandongo Refugee Settlement Camp. I am going to talk on three issues. One, when some of us came from Kenya we were single and others were orphans. Now, when we were brought this way we were given plots. They were not favouring any orphan. The way I see things, you have to study. When you are an orphan you have to work at home, dig and go to

school. This has resulted in many cases of school dropouts. Some of my fellow youths have left school. Not that they are stupid, but because maybe they do not have uniform.

There is an organisation called RMedicine Foundation from the USA. It is actually sponsoring us in many ways. I would like to request the Government that if we go back, this organisation which is sponsoring us and not only the youth, but also some women in tailoring, hairdressing and so on, should continue doing the same. This is because when we go back to Kenya, we will be useless if we will not be sponsored to do anything.

Secondly, there is a situation where most of the youths want to be separated from the ratio cards.

Commissioner Shava: So you are saying the youths want their own cards? They want to be registered as one household?

Mr. Tom Juma: Yes because some of them are mature enough to take care of themselves. Recently, we had a verification exercise of all Kenyans who are in Kiryandongo Camp. Some youths tried to request UNHCR if they could be separated from their guardians and parents, but UNHCR refused. We also tried to use some methods. They told us that if you want to go back with your parents, we register. Unfortunately, our parents or my guardians, for instance, do not want to go to Kenya. We went to register alone but they refused us to do so, saying that we must be accompanied by our parents because we looked too young.

Unfortunately, my parent or guardian does not want to go back to Kenya, but I am willing to go back. When you go there, they say that they do not want to listen to me but my parents. That is because I am too young. I know that there are people who do not want to go back. But me and my fellow youths want to go back home to develop our country. So the Government of Kenya should talk to the UNHCR to take us back to Kenya. But if our parents want to stay here, they should stay. We love our country. I am staying with my guardian who is my brother and I am 17 years old. But I would like to go back to Kenya.

(Mr. Tom Juma wept)

When we go back to Kenya, I would like to request the Government to allow or sponsor us to study in Uganda because we have been used to their system of education. We should also deal with the issue of names. I use two names here but I heard – I do not know if it is true – that in Kenya, to get an ID, one must have at least three names. Even here, I tried to tell my head teacher to go the Uganda Examination Board to add another name to my two names because next year, I would like to get an ID. So I would like the Government of Kenya to take note of that when they take us back.

Concerning the certificates of primary school, here in Uganda, we only do four subjects. But we do five in Kenya including Swahili. So, when I go back to Kenya, will the Government of Kenya convert my certificate of PLE of Uganda to that of the KCPE of Kenya? That is all I had!

Commissioner Chawatama: I want to thank you for your presentation. It is very clear that you have had an opportunity to think through so many issues and some of the things that you have come up with are things that I did not even think about. What you have told us is going to be very useful and the only issue I want to comment on – I do not know about Uganda – but I know that in some countries, there are laws that govern relationships between parents and children; that up to a certain age, you are under the care and control of your parent or guardian. I think the reason why such a law is in place is to ensure that someone older than yourself is responsible for your life; responsible to cater for you. You are 17 years old; almost reaching the age of majority which is 18 years old and we look forward to celebrating your 18th birthday and declaring you your own man.

Commissioner Shava: I want a few clarifications. What was the basis for the UNHCR refusing to separate you as the youth have requested? Are those people over 18 years old?

Mr. Tom Juma: We wanted to be separated but not me because I am below 18 years. But there are some who are above 18 years old. They had kindly requested them. When we were in Tororo, we were united together with our guardians or parents and such people were below 18 years. Since we have stayed here for more than four years, they are above 18 years. But when they tried to request the UNHCR, even some cried. They wanted to be separated from their parents, but the UNHCR rejected that request.

Commissioner Shava: What reasons did they give?

Mr. Tom Juma They said that they cannot separate us! There are some people who never wanted to go to Kenya. They felt like they were being separated from their parents. They live in harsh conditions. We wanted to be separated to go back to Kenya and leave our parents here. But that is impossible because who would take care of us in Kenya. They told us to stay and continue with our studies. We were too young to go back to Kenya alone. They said that we wanted to be separated and that could become a big headache to our parents. So they said that, at that moment, they could not separate us.

Commissioner Shava: On the issue of the ID card, I have never heard of such a law; that to get an ID card, you must have more than two names. But you do not have to change your certificates. If you have a birth certificate or a baptismal card, it will be accepted for the purposes of acquiring an ID. But even if you do not have those things, there is something called a Deed Poll. It can be done by a lawyer. That is a legal process and from there you can take that to the immigration and they will give you an ID. Thank you very much.

Master Wafula Abel: I am a student at Panyadoli SS. I have some few things that I would like to put across. In Kiryandongo, we are being denied some important parts in our lives as the youth. Some of the youth may not be perfect in class but perfect in co-curriculum activities. But we do not have games that we had in Kenya and some of the youth are now very idle here. The school is also a bit low if I compare it to Kenya

because computer classes are offered in primary school in Kenya. But to my surprise, from S1 up to S6, there are no computer studies. For some of these youths, if you give them a computer, they will not know how to use it. Those are some of the important things that should be considered. One day, if we are taken back to Kenya, such mistakes should not be repeated.

The other thing is that life here is very hard. For example, I do not have parents here and I do everything for myself. So, my going to school is very difficult because of other responsibilities. However, I appreciate that our school fees is being paid but you cannot compare a single student and one with both parents. They do not give us money for lunch, books and uniform. I have to rely on myself I have to labour somewhere for two weeks so as to get basic needs for school and that is not good. I do not have much to talk about. I pray that you will remember that you have your people here.

Commissioner Shava: First of all, we would like to thank Wafula. We have no questions for you. How old are you?

Master Wafula Abel: I am 18 years old.

Commissioner Shava: You are a very courageous young man and we will remember you. We also encourage you not to give up. In view of the time we have left, we will take two speakers.

Ms. Susan Karanja: I would like to thank you all. I come from Malaba but I was working in Nairobi at Donholm, but I could not reach my parents because the roads were not passable. Most of my friends died and we buried them in Langata. It was even hard to get in touch with my brothers and mother who I was told had gone to Uganda and were refugees. I tried to look for the number until I got it and I found them. I first went to Kampala and then I was directed here to Kiryandongo. I was told to wait so that I could be joined with my family. But I was already 18 years old and I told them I did not want to stay with my parents. They refused and separated me. I am not a refugee and I do not know what category I am, but there are others like me. I have nothing further to say.

Commissioner Shava: Susan, you said you went up to Uganda. Did you go with travel documents?

Ms. Susan Karanja: I did not have anything because I was born at the border.

Commissioner Shava: Why did the UNHCR refuse to recognise you as a refugee?

Ms. Susan Karanja: I cannot explain that because I came late and I was looking for my family. I wanted to know where they were living.

Commissioner Shava: Thank you, for that perspective.

Ms. Ndungu Mwihaki Julia: I am a student at Panyadoli SS at S6; a Kenyan refugee. I have problems like my fellow students have said, but I will elaborate more. One is the matter to do with certificates. I want to be employed when I get back to Kenya and yet, our parents do not have money to get the certificates. But I am satisfied with your clarification.

Secondly, we have educated students here and they do not have that ability to go to institutions of higher learning. So, as we look forward to going back to Kenya, my prayer is that the Government of Kenya should come up with income generating activities to keep us busy.

Another thing is that life here is not easy. Even if we look smart, we sleep on the ground. We have jiggers and move long distances to school while staying hungry. This is not the life we expected. We are looking forward to better things as you are here to help.

Another thing is that I was one of the students who were cheated by UNHCR that we should write for repatriation back home but not be separated from our parents. I think they saw me very short and slender even though I am turning 22 years. When we are repatriated to Kenya with our parents, with Kshs40, 000 for building a house and school fees, will the big boys stay together with the parents in the same room? No! When the time comes for us to go back to Kenya, please, look into that problem. For those of us who have attained the age that we cannot depend on our parents, I hope you are going to get land because I am sure these people here are worried. If you ask them, they are willing to go back to Kenya but not to the places where they came from. That is because the very people they fought are the very ones they are going to meet and interact with. Every morning you get up, you see the person who took your chicken or radio. So, we cannot stay together with them. If the Government of Kenya could kindly look for a better place, provide us with education, security, water and health, we shall appreciate it. This is so painful for the youth. They do not look like they are from Kenya. They are dull and dark with this hot sunshine here and we feel backward. I wanted to be a surgeon but my dream is gone. I am almost completing S6 but if you ask me what I want to be, I do not know because that is what I had yearned for. We cannot support ourselves. The support that we are given is restrictive. We go to a poor school which is about four kilometers away. When you get to class, you are tired. When you are late, you are punished. When you go back home, you have responsibilities. The distances to water are very long and so you cannot concentrate and pass. We feel so bad and backward and we feel like going back home. If what we are yearning for shall be made possible, I hope you are going to meet our needs and we shall be well. I also pray to our Government that when we go back there, let us be received well and delicately.

When we are taken back, we should be taken as we are and slowly, we will “reach” the people who are there. Here in Uganda, they do not learn Kiswahili. Kiswahili is our national language. Some of us wanted to be newscasters and broadcasters back in Kenya but without Kiswahili, we cannot work as broadcasters in Kenya. Dear Commissioners, when you go back to Kenya, we love the Government of Kenya and Kenya is our country. They should fight tribalism, keep peace and we all shall be well. Thank you.

Commissioner Shava: Thank you, Julia. You have given a very good presentation. You have covered a lot of issues and you have made very good recommendations. We have heard you and we are going to pass on what you have said and we are going to stand for what you have said. On a lighter note, I would like to assure you that when you reach my age, you will be very happy that people said that you are much younger than you are. So just enjoy it while it lasts.

The Acting Chair (Commissioner Namachanja): Kenyan youth, can you all stand up. When some of you left Kenya, you were aged enough. You were in school and you knew how to sing the national anthem. How many of you know the Kenyan national anthem in Kiswahili or English? Julia, can you come and lead us? For those who know, let us sing it loudly and for those who do not know, just murmur and follow. Can you give Julia the microphone so that she leads us in the first stanza of the Kenyan National Anthem? When we sing the Kenyan National Anthem, we do not stand like Ugandans, we stand at attention.

(The Kenyan National Anthem was sung)

I asked you to sing the Kenyan National Anthem because from your testimonies and especially from my daughter, Julia, some of you are just wondering whether you look like Kenyans. Looking at you, you are really Kenyans. Some of you are as dark as me. I am a Kenyan. Some of you are as brown as my sister, Gertrude Chawatama, and Margaret Shava. This is the face of Kenya. So, please, keep our hopes high. You are here because you are refugees but that does not take away the Kenyan in you. At times when you have nothing to offer, you offer prayers. I offer prayers for you. My prayer is that never lose hope of being a Kenyan. Never lose hope of getting back to Kenya. That is why we are here to listen to you. That is why you received a number of delegates from Kenya, just to come and hear from you.

Never lose hope in life. You are not the first refugees. For those of you who read the Bible, our Lord Jesus Christ was a refugee. Did he give up hope? No. The parents struggled. He struggled to grow up and deliver us to be where we are. I pray the same for you. Continue with the struggle. We know it is very hard, but remember that life must continue. If you are in regular education, please, continue.

We met our High Commissioner and he told us that there are over 30,000 Kenyans schooling in Uganda. So you are not alone schooling here. The certificate that you will get here will be a recognised certificate. I know you are struggling but continue struggling. God loves such strugglers. Secondly, support your parents. It is very hard to rear children in a foreign land; in a non-familiar territory. You do not know where to get food and clothes. Please, understand that. The testimonies I heard show that some of you are very harsh to your parents. Please, do not release your anger or frustrations on them. No mother would like to bring up a child in a foreign country. None would like to be here without knowing where the rest of the family members are. Do not blame them. Just support them and respect them the way the Bible says and your life will be long.

You have given us the message and we are messengers. We are going to carry it exactly the way you shared with us, but, please, remain together. I do not know if you have peer counsellors among yourselves. I am happy to hear that there are leaders who represent you. I hope that you share some of these problems, counsel each other and handle the issues together as you look forward to going back to your country. Kenya as a country is struggling and that is the reason why this Commission was set up so that we come to hear what is ailing us and what we are suffering from. We need to get recommendations from you and from that, we get healing and justice. We also need to get a better Kenya.

This Commission is going to write a historical report. In that historical report, your views will be there so that in future, we do not have young people struggling as orphans without knowing about the future. Hold onto that hope. The good thing is that Kenya as a country is still there. For those of us who have come from there, we really appreciate the changes that are taking place and we look forward to a brighter Kenya, where all of us shall see each other as Kenyans and we shall live as Kenyans without suffering.

Thank you so very much. May God journey with you in this country that has received you. God bless you all.

Commissioner Chawatama: Speaking as a non-Kenyan, it is very refreshing to sit and listen to young people who are not drunk with tribalism who see themselves as youth who have come from Kenya and are living in the settlement. You represent the face of the new Kenya where people will live as one, irrespective of the community that they come from. You will be the ones to speak through your experiences against a lot of things, namely: tribalism and corruption. You will speak for peace and national unity because a lot of good things are borne through pain. So what you have gone through is not in vain. I believe each one of you has a duty when you go back home to talk about the hardships of living away from home, and how you are disadvantaged and how other Kenyans should not find themselves in the position that you have found yourselves. You will work hard to ensure that the words “Kenyan refugees” are things of the past and will not happen again. You have understood the impact of violence, tribalism, hatred and bitterness. I urge you to avoid those things that will impact your lives negatively. I am talking about things like alcohol, prostitution, drug abuse or involving yourselves in any sexual activities. Look at the bigger picture. There is always the bigger picture. Hold onto your dreams. Never give up.

I listened to Wafula, and it is sad that you are here and there is that pretence that you are not here. I do not understand refugee laws, but I am so grateful that Commissioner Shava is here and she will educate me in the same way that a parent exercises care and control over their child. I do not believe that a nation should totally give up on its people. I do not believe that your country can become bankrupt by putting up facilities such as football grounds and places to play rugby. As you said, it is not everybody who is called to become a doctor. Others are called to become basketball players and golfers and there are so many other things. We will look into this issue and look at the responsibility of the Government which should be to all Kenyans, irrespective of where you are.

I wish you all a bright future. I am moved by the orphans who are here who have to fend for themselves and depend on themselves. If they do not work, they do not eat. If they do not work, they do not even have clothes to wear. No child should live like that; not at all. I do not blame you. At times, if you think that you should do what others do, it is because you have looked after yourselves and you feel that you can do whatever you want to do. Enjoy your childhood. Being an adult is hard. It is very hard. Enjoy being a child even under these circumstances. I wish you God's blessings and I pledge and commit to be your voice. Because I am not from your country, when I speak, I really speak. So rest assured that you will not be forgotten. We shall speak until we are heard. We shall write and recommend and those recommendations will be implemented. I wish you God's blessings. Thank you.

Commissioner Shava: I see many familiar faces when I look at you. I see some people who sang for us yesterday. I see people who were at the women's meeting yesterday. In fact, Julia, I was looking at you when I was saying that there were children in the room. You told us that you are 22 years. I feel as if I have come to know a few people while we have been here these few days. It has been such an enriching discussion. Unless I was reminded of the time and the things that we have to achieve, we could have gone on and on listening to you. Your presentations have been amazing and nobody had a piece of paper, but you spoke very intelligently. Your thoughts were very well ordered. You speak like people who are writing theses at the university.

I think it is Juma who said that he is going to tell us three things and then he told us three things. That is a sign of people who are capable of very great things. Your presentations have truly been amazing. They have really enlightened us. We have understood everything you said and, James, I want to assure you that your clarification has been made. We have understood what you were trying to say. So, please, do not feel that we have gone away from here having misunderstood you. We thank all of you who have come and all of you who have presented to us. I would like to associate myself with the comments of my fellow Commissioners. They have spoken for me. Christ was a refugee.

As I said yesterday, one of the greatest scientists in the world, Albert Einstein, was a refugee. As we have been reminded, the President of Uganda, Yoweri Kaguta Museveni, was a refugee. This means that you, who are sitting here today and you have been told that you are refugees, you can become anything. You can achieve your greatness. If you do not take anything else from this forum, please, remember that you should never ever give up on your dreams. Your dreams might be postponed, but it does not mean that they will not come true. When I was driving to the airport to come to Uganda to speak with you, I saw a bicycle. You remember those bicycles in Kenya with a big mud guard with a profound message? This one said: "Winners never quit and quitters never win." So it is not how many times you fall down, it is about how many times you are able to get up.

As I also said yesterday, when life hands you lemons, you try and make lemonade. Try to make something good and enjoyable about it. Make it into juice that you will drink that will give you strength. Some of the things I hear when I listen to you as compared to

many of your age-mates in Kenya, you have had to learn self-reliance at an early age. You are not waiting for people to do things for you.

You all sound as if you were planning your future and you recognise that as adults, you will be relying on yourselves. The other thing that I hear from you is that you are learning new cultures and so, you are getting knowledge which your agemates at home do not have. You do not know when this is going to be something very important to you. That is also a plus. The other plus is that you all seem to have a great appreciation of your country. You may find to your surprise when you return that some of your colleagues may seem to take a lot of things for granted and that is not to their benefit. But you will not have that problem. You will also have understood the impact of conflict and war on peoples' lives. All these add up to the fact that from this room, there will emerge great leadership; new leadership for the face and future of Kenya.

When you speak, we feel pain as Kenyans. We feel ashamed as Kenyans, but we still feel hope. Our hope is in you. So, we urge you to continue to have faith in yourselves and in your country. We thank you for coming here today in numbers. We have heard that there are some amongst you who must work every day in order to eat and meet the necessities of daily life, but you have all come. You have participated, you have been attentive and you have contributed. It has been a great pleasure and honour to interact with you.

I would now like to declare this session closed. I thank you very much, again, for attending. I request that we now have a group photograph, if you can arrange us.

Thank you very much.

(The Commission adjourned at 1.50 p.m.)