

BARRIERS AND BRIDGES: ACCESS TO EDUCATION FOR INTERNALLY DISPLACED CHILDREN

by Erin Mooney and Colleen French*

Of the more than 27 million children estimated to lack access to education in emergency situations, substantial numbers are internally displaced.¹ For these children not only is their educational development denied but they are deprived of other important benefits as well. Going to school is known to provide a degree of stability and normalcy in the traumatized lives of internally displaced children, and can be a critical source of psychosocial support. It can help to reduce children's exposure to threats including sexual exploitation, physical attack and military recruitment. Classrooms can also be effective forums for conveying life-saving information about other risks including landmines and HIV/AIDS. Moreover, access to education is an important element of internally displaced persons' (IDPs) integration into the local community where they are displaced, as well as when they return to their home areas or resettle elsewhere.

In line with established international human rights law, the *Guiding Principles on Internal Displacement* underscore the responsibility of national authorities to ensure that IDPs receive free and compulsory education at the primary level. In addition, the Principles urge authorities to make educational and training facilities available to the internally displaced, including adolescents and women, whether or not living in camps, as soon as conditions permit.²

Too often, however, education is treated as a secondary need, to be addressed only once conflicts have subsided. Yet, conflicts and emergencies can go on for years or even decades, leaving many IDP children to grow up without education as well as deprived of the protection and support that going to school can provide. Much greater attention therefore needs to be paid to understanding and overcoming the barriers that IDPs so frequently face in accessing their right to education.

Barriers include:

- **Lack of infrastructure**

In war-ravaged countries, schools often are destroyed or irreparably damaged. School buildings may even be specific targets for attack. Teachers may be scarce as they too have been uprooted. In Darfur, Sudan, teachers and schools have been singled out for attack as part of what Human Rights Watch has characterized as an effort "to stop a culture and prevent people from being educated."³

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In IDP camps, the availability of educational services is even less systematic than in refugee camps.⁴ Where schools in IDP camps do exist, typically these are makeshift, under-resourced, over-crowded and limited to primary education. In IDP camps visited in Liberia in the summer of 2004, more than half of the children had no access to schooling whatsoever; schools that had been established -- often by the IDPs themselves -- lacked the most basic supplies, such as blackboards, chalk, books, and even roofs.⁵

- **Safety**

Where educational services are not available in IDP camps and settlements, the nearest schools may be located at considerable distances and walking to and from school may not be safe for IDP children, particularly girls. Traveling to school may require traversing areas strewn with landmines or crossing checkpoints set up by military forces or other armed groups, where children may be subjected to harassment and at greater risk of enforced military recruitment and abduction. In Afghanistan, threats of sexual violence en route to school have kept many IDP girls at home.⁶ Once at school, additional safety concerns can arise. For instance, there are cases where the lack of separate lavatories, which can put girls at risk to sexual violence, has deterred displaced girls from attending school altogether.

- **Loss of documentation**

Displacement frequently results in the loss or confiscation of identity documents, without which IDPs may be unable to enroll in school. Although Guiding Principle 20 affirms the right of IDPs to obtain reissued copies of documents lost in the course of displacement without having to return to their areas of origin, obtaining replacement documentation is often very difficult; in some countries, it requires that IDPs travel back to their area of origin, even if the area remains unsafe. In Sri Lanka, the Ministry of Education was pressed to issue a national circular relaxing for IDP children the formal registration requirements that were impeding their enrollment in school.⁷

The loss of educational records attesting to the level of studies completed also may result in displaced students being barred from school enrolment as well as from registering for state exams.⁸ IDPs from minority groups have experienced particular discrimination in this regard. In India, for example, a group of Naga students were denied enrolment or transfer documents that would have enabled them to continue their education while displaced.⁹ In Kosovo, non-Albanian displaced students have reported difficulties in obtaining certifications of educational attainment.¹⁰

The lack of documentation attesting to educational achievement can also affect IDPs' opportunities for further education and employment. In East Timor, IDPs who lost their education and training certificates experienced difficulty proving their qualifications for obtaining jobs.¹¹ Moreover, displaced teachers may be barred from teaching if they lose their teaching certificates. This not only denies qualified IDP teachers a source of income but also can have repercussions on the availability of education for IDP and other children.

- **Residency requirements**

Residency requirements are another factor that may prevent internally displaced children from attending school in the areas to which they have been displaced. This is particularly an issue in countries of the former Soviet Union, due to the legacy of the *propiska* system of registration, which limited exercise of a number of rights, including the right to education, to a person's place of registered permanent residence. It was on this basis that IDP children from Chechnya were not permitted to attend school in Moscow.¹² At the same time, re-registration by displaced persons in their new areas of residence tends to be a long and cumbersome process, which can be further complicated by administrative barriers at the local level. In the meantime, displaced children are deprived of education and left to fall behind their peers.

- **Language**

Since internal displacement often occurs along ethnic lines, it disproportionately affects minorities and indigenous groups, who may not speak the local language of instruction. Guiding Principle 23 affirms the right of IDPs to receive an education respectful of their culture, language and identity. But in Peru, the Representative of the Secretary-General on Internally Displaced Persons found that IDP students from the indigenous Quechua group were unable to understand or communicate with their Spanish-speaking teachers, resulting in significantly lower levels of school attendance and higher levels of illiteracy, particularly among girls and women.¹³ In Burma, the compulsory use of Burmese in government-run schools accounts for high dropout rates among displaced students from minority groups.¹⁴

Issues concerning the language of instruction can also be an impediment to IDP return. In Georgia, where most IDPs are Georgian-speaking, the availability of primary and elementary education only in Russian in their home region of Gali, Abkhazia was a strong deterrent to IDPs even contemplating return.¹⁵ Indeed, UN Secretary-General Kofi Annan reported to the UN Security Council that while there subsequently had been “signs that the Abkhaz authorities are taking a more pragmatic and flexible view on the use of the Georgian language in Gali district schools... “[s]uch issues, relating to the education of children, are significant for the decision-making by displaced families considering a return to their former homes.”¹⁶

- **Discrimination**

The discrimination that IDPs often suffer on ethnic grounds, or even simply on the basis of being internally displaced, can be so pervasive as to limit IDP children's access to education. Indigenous and minority IDP students have been turned away even before entering classrooms in Colombia and Mexico.¹⁷ In Colombia, one woman recounted that her son was told by his teacher “no wonder you are so stupid -- you are a displaced.”¹⁸

Discrimination in accessing education may also take the form of segregated schools established for IDPs. In parts of Georgia, a system of separate school facilities for IDPs impedes their integration into the community. This system of separate schooling is especially problematic given the protracted nature of internal displacement in Georgia, which has persisted for over a decade. It has also led to feelings of isolation and psychological trauma among IDP students as

well as contributed to an increase in tensions between resident and displaced populations.¹⁹ In Serbia and Montenegro, discrimination has resulted in IDP Roma children being refused the possibility of registering in local schools and required to attend separate schools, which, in the words of one advocate, “condemns them to a life of exclusion.”²⁰ Indeed, parallel education systems for Albanian-speaking students and Serbian-speaking students continues through to the university level and works against the integration of Kosovo Serb and other IDPs from minority groups in the long-term.²¹ According to the Guiding Principles (Principle 29), a durable solution to internal displacement, requires that IDPs have equal access to public services, including education.

- **School fees**

Although education under international law is to be free, at least at the primary level,²² in practice, school fees often are informally levied at the primary level and commonly apply at the elementary and secondary levels. Recognizing that many IDPs have particular difficulty paying school fees, some governments have instituted an official policy of waiving school fees for IDP children. However, these policies have been limited in scope and in implementation. In Burundi, though it was government policy to waive school fees for internally displaced children, IDPs reported that this policy tended to be ignored. Many displaced children as a result were unable to attend school because their families could not afford the school fees, equivalent to \$1 per semester.²³ In Colombia, displaced children formally registered as “IDPs” by the government – a certification that is extremely difficult to obtain – were to be excused from paying school fees for their first year of schooling following their displacement. After this time, however, the UN Special Rapporteur on the right to education reported that it was a matter of IDP families choosing between eating or sending their children to school.²⁴

The UN Programme on HIV/AIDS (UNAIDS) reports that in impoverished countries most women who engage in prostitution or enter into exploitative sexual relationships do so specifically to earn income to pay for school fees, either for their children, their siblings or themselves. UNAIDS therefore has called for the abolition of primary and secondary school fees. This would not only make it easier for children from impoverished families to attend school but would remove an important causal factor compelling women to sell sex and thereby put their health and physical security at risk.²⁵

- **Material requirements**

Tuition fees are not the only costs that impede IDP children’s school attendance. Typically, students must also pay for their own school supplies, including pencils and books, as well as uniforms or appropriate clothing and shoes. These are costs that IDP families, having lost their usual source of income, tend to have great difficulty covering. In a number of countries, the lack of “decent” clothing as well as sanitary supplies has caused significant school absenteeism among girls, especially among adolescents. For IDP families in Mexico, the cost of school transportation was prohibitive.²⁶ In Azerbaijan and Tajikistan, an inability to contribute wood or funds for school heating in winter kept a number of IDPs out of the classroom.²⁷

- **Economic responsibilities**

IDP children often miss school because their labor is needed at home with domestic or agricultural work or to generate income to help ensure their families' economic survival. This is a particularly strong trend among IDP children from families with women heads of household. Attrition and dropout rates are especially high among girls, who typically are burdened by domestic, child-care or agricultural responsibilities. Family poverty drives many IDP adolescent girls out of school and into prostitution where they are at risk of trafficking. Therefore, much more needs to be done to enable IDP girls to stay in school, in accordance with Principle 23(3) of the Guiding Principles, which calls for special efforts towards the full and equal participation of women and girls in educational programs.

- **The Experience of displacement**

Those IDP children who are able to overcome barriers and attend school often face additional challenges to learning as a result of their difficult experiences. The organization Save the Children reports that many IDP children attending school are simply “too exhausted to realize their potential,” in particular as a result of being required to work long hours to help support their families.²⁸ In Colombia, where in 1999 only an estimated 15 percent of IDP children were receiving some form of education, the human rights Ombudsperson (*Defensoría del Pueblo*) reported that the academic performance of those IDPs attending school was found to be significantly constrained by high rates of malnutrition, psycho-social trauma and cognitive disorders.²⁹

Bridging the Educational Gap for IDP Children

Bridging the gaps in education that displacement so often entails for IDP children is critical to their development, safety and well-being. Steps that should be taken to help ensure that IDPs have access to education include:

- Prioritizing education for IDPs, at the earliest stages of emergencies, including by systematically providing interim educational services, such as “school in a box” kits and mobile educational programming, in IDP camps and settlements;
- Hiring IDP teachers, especially female teachers, to teach in IDP camps and settlements;
- Organizing escorts for IDP children by older children, their parents or protection monitors to help ensure their safety walking to and from school;
- Issuing IDPs who have lost their documentation with temporary documentation so that they can register for school without having to return to their areas of origin;

- Monitoring and reporting on the availability of free primary education in specific countries, including by the UN Committee on the Rights of the Child and by the UN Committee on Economic, Social and Cultural Rights;
- Advocating for the abolition of school fees at the elementary and secondary levels so that impoverished children are not turned away;
- Ensuring that IDPs have access to education in a language they understand;
- Sponsoring feeding programs to encourage school enrolment and support children's realization of their intellectual potential;
- Taking special measures to facilitate the school attendance of displaced girls, for example by supplying them with clothing, soap and sanitary material, building separate latrines, providing childcare opportunities for adolescent mothers, as well as by hiring female teachers;
- Providing alternative schooling (e.g. evening classes) or skills-training programs for IDP children and adolescents whose household or economic obligations impede regular school attendance;
- Monitoring and reporting on the availability of national and international funds made available for IDPs' education in particular countries;
- Establishing scholarship programs to help fund education, including higher education, for IDP students, building on examples of such initiatives for refugee children and adolescents.

Around the world today, too many displaced children grow up deprived of an education and the tremendous long-term opportunities it affords. Far greater attention, priority and efforts therefore need to be devoted to minimizing the disruption to education invariably resulting from displacement while maximizing the potential protection and other critical support that going to school can provide internally displaced children.

¹ Women's Commission for Refugee Women and Children, *Global Survey on Education in Emergencies* (February 2004), p. iii and p. 9.

² *Guiding Principles on Internal Displacement*, UN doc. E/CN.4/1998/52/Add.2, 11 February 1998.

³ Emily Wax, 'Targeting the Teachers of Darfur,' *Washington Post* (18 August 2004), p. A12.

⁴ *Global Survey on Education in Emergencies*, p. 10.

⁵ Women's Commission for Refugee Women and Children board mission to Liberia, 20 April-1 May 2004. Mooney was a member of the delegation.

⁶ Amnesty International, *Afghanistan: “No one listens to us and no one treats us as human beings”: Justice denied to women*. Report ASA 11/023/2003 (6 October 2003); Refugees International, ‘Vulnerabilities faced by child and adolescent returnees,’ *Refugees International Bulletin* (4 November 2002).

⁷ *Manual on Field Practice in Internal Displacement* (United Nations: 1999), p. 49.

⁸ Pilar Aguilar and Gonzalo Retamal, *Rapid Educational Response in Complex Emergencies: A Discussion Document* (International Bureau of Education, 1998), p. 8.

⁹ Naga Peoples Movement for Human Rights (NPMHR), *Summary Report on the Conditions of the Internally Displaced Persons from the Imphal Valley to the Naga Hills area of Manipur*, 5 January 2002.

¹⁰ United Nations High Commissioner for Refugees / Organization for Security and Cooperation in Europe (UNHCR/OSCE), *Ninth Assessment of the situation of Ethnic Minorities in Kosovo* (31 May 2002), para. 50.

¹¹ *Profiles in Displacement: East Timor*. Report of the Representative of the Secretary-General on Internally Displaced Persons, UN doc. E/CN.4/2000/83/Add.3, 6 April 2000, para. 51.

¹² Order of the Moscow Committee on Education No. 567, 9 September 1999, Sub-item 1.1. Cited in Council of Europe, Parliamentary Assembly, Committee on Migration, Refugees and Demography, *The Propiska System Applied to Migrants, Asylum Seekers and Refugees in Council of Europe Member States: Effects and Remedies*, Doc. 9262 (12 October 2001), para. 91.

¹³ *Profiles in Displacement: Peru*. Report of the Representative of the Secretary-General on Internally Displaced Persons, UN doc. E/CN.4/1996/52/Add.1, 4 January 1996, para. 47.

¹⁴ *Global Survey on Education in Emergencies*, pp. 32-33.

¹⁵ *Profiles in Displacement: Georgia*. Report of the Representative of the Secretary-General on Internally Displaced Persons, UN doc. E/CN.4/2001/5/Add.4, 25 January 2001, para. 80.

¹⁶ *Report of the Secretary-General concerning the situation in Abkhazia, Georgia*, UN doc. S/2000/697, 17 July 2000, para. 17.

¹⁷ ‘The Children of Low Intensity War’, *Reforme Sipaz*, Volume 5, No. 3 (2000). Available at: <http://www.sipaz.org/informes/vol5no3/vol5no3e.htm> Cited in Roberta Cohen and Gimena Sanchez-Garzoli, *Internal Displacement in the Americas: Some Distinctive Features* (Brookings Project on Internal Displacement, 2001), p. 6.

¹⁸ *Profiles in Displacement: Colombia*. Report of the Representative of the Secretary-General on Internally Displaced Persons, UN doc. E/CN.4/2000/83/Add.1, 11 January 2000, para. 91.

¹⁹ United Nations Association of Georgia, *Cumulative Report on Education Among IDPs* (2000), p. 2. Available at: <http://www.una.org.ge/research/idpedureport.pdf>

²⁰ Statement by representative of the European Roma Rights Center to the Organization for Security and Cooperation in Europe Supplementary Human Dimension Meeting on Internally Displaced Persons, Vienna, 4 November 2004.

²¹ UNHCR/OSCE, para. 50.

²² See, in particular, Universal Declaration of Human Rights, Article 26; International Covenant on Economic, Social and Cultural Rights, Article 13(2)(a); and Convention on the Rights of the Child, Article 28(1)(a).

²³ *Profiles in Displacement: Forced Relocation in Burundi*. Report of the Representative of the Secretary-General on Internally Displaced Persons, UN doc. E/CN.4/2001/5/Add.1, 6 March 2000, para. 25.

²⁴ Report of Special Rapporteur on the right to education, UN doc. E/CN.4/2004/45/Add.2, 17 February 2004, para. 25.

²⁵ ‘Women and HIV: The New Face of AIDS,’ *Economist* (27 November 2004), p. 82.

²⁶ *Profiles in Displacement: Mexico*. Report of the Representative of the Secretary-General on Internally Displaced Persons, UN doc. E/CN.4.2003/86/Add.3, 10 January 2003, para. 29.

²⁷ *Profiles in Displacement: Azerbaijan*, Report of the Representative of the Secretary-General on Internally Displaced Persons, UN doc. E/CN.4/1999/79/Add.1, 25 January 1999, para. 89; *Profiles in Displacement: Tajikistan*. Report of the Representative of the Secretary-General on Internally Displaced Persons, UN doc. A/51/483/Add.1, 24 October 1996, para. 84.

²⁸ *Conference on Internal Displacement in the IGAD Sub-Region. Report of the Experts Meeting. Khartoum, Sudan, 20 August – 2 September 2003* (Brookings Institution-SAIS Project on Internal Displacement, 2003), p. 12.

²⁹ *Profiles in Displacement: Colombia*, paras. 91-92.