

# Action Sheet 18

## Education and protection in a context of internal displacement

### Key Message

1. In situations of crisis and internal displacement it is crucial to ensure that internally displaced children, including adolescents, have access to quality education in safe learning environments. Education is not only a basic human right but also an essential tool of protection as it can be both life-saving and life-sustaining. It can prevent exposure to serious protection risks and be an important channel to disseminate life-saving messages. This chapter outlines some of the key principles and actions which are essential to safeguard the right to education for internally displaced children, as well as some of the obstacles related to the provision of quality education during times of conflict and displacement.<sup>1</sup>

### Education in the context of internal displacement

2. All children, boys and girls, have a right to education, including during times of armed conflict and displacement. Ensuring full and equal access to education for displaced children and adolescents is both an aim in itself as well as an important tool of protection. Education, when provided in a safe learning environment, can help to reduce exposure to various threats, such as physical attack, forced recruitment, trafficking, and sexual or economic exploitation. It also helps to establish a degree of stability and restores a sense of normalcy in the lives of children, which may help mitigate the psycho-social impact of conflict. Education also provides an avenue for conveying key survival messages to children and their parents or guardians about various risks - such as landmines - and life-saving strategies or activities - such as the importance of basic hygiene, balanced nutrition and vaccinations. Education can also serve as a vehicle for promoting understanding and tolerance and can thus contribute to peace, reconciliation and successful economic, social and political reintegration.
3. Internally displaced children and adolescent often face a number of obstacles to accessing safe educational opportunities. These include:
  1. **Social and economic hardship**, poverty and marginalisation resulting from disrupted access to self-reliance and livelihood opportunities. Displaced children may be required to work or assist with domestic chores in order to support their families. As a result, they may neither have the time to attend school nor the resources required to pay for tuition fees, books, clothing, and needed supplies.
  2. **Discrimination** can pose multiple obstacles to accessing education. Displacement can both aggravate existing discrimination, for instance on the grounds of gender or ethnic, religious or linguistic background, and give rise to other discriminatory practices. As an example, displaced children may not be able to enrol and attend school in the place of displacement owing to strict or unfair admissions and enrolment procedures or loss of valid documentation or diplomas.
  3. **Lack of or inadequate infrastructure**. Infrastructure, such as school buildings and grounds, may have been lacking to begin with, been damaged during fighting, or serve as shelter for displaced individuals or families. In some cases, displaced children may be unable to attend school owing to long distances or lack of safe transport.
  4. **Lack of safety and security** in school or en route to school, for instance owing to the presence of landmines or the activities of armed actors and/or criminal gangs. All too frequently school grounds have been attacked and children abducted, for purposes such as forced recruitment, sexual exploitation, or illegal adoption.
  5. **Unsafe learning environments** may discourage children from attending school or result in high drop-out rates. Displacement can compound factors that undermine the safety of the learning environment, such as lack of qualified and supportive staff, adequate monitoring and supervision mechanisms, adequate water, fuel or electricity, separate latrines for girls and boys, and protection from peer to peer violence or discrimination.

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<sup>1</sup> This Action Sheet draws upon the INEE Minimum Standards for Education in Emergencies, Chronic Crises and Early Reconstruction (INEE, 2004), Education in Emergencies: A Resource Kit (UNICEF, 2006), and the Emergency Field Handbook: A Guide for UNICEF Staff (UNICEF, 2005).

### The protection implications of lack of access to education

4. Without access to education in safe learning environments, internally displaced children and adolescents can be exposed to various protection risks:
  - **Protection risks outside learning environments.** Lack of education is likely to increase children’s exposure to physical attack and various harmful and exploitative practices, such as forced recruitment, child labour, economic and sexual exploitation, child trafficking and sexual violence. Such risks can arise within the family, the community or at the hands of armed forces/groups or criminal gangs. Such risks may affect different groups in different ways. As an example boys may be at greater risk of forced recruitment whereas girls may be at greater risk of various forms of gender-based violence, including forced prostitution and survival sex, forced and early marriage, and early pregnancies.
  - **Protections risks in and around learning environments.** Violence, exploitation and abuse can take place within or around schools and other institutions frequented by children. This includes both external security threats, such as the presence of landmines or attacks by armed forces and groups, as well internal safety threats, such as severe corporal punishment, peer-to-peer violence and sexual harassment and exploitation, including at the hands of school staff or humanitarian workers. Internally displaced children are all the more vulnerable to this type of exploitation as they may be specifically targeted because of their legal, cultural, economical or social differences and may not have access to reporting mechanisms.

### Improving and ensuring access to education in safe learning environments

5. The immediate provision of education activities will help protect children and adolescents from exploitation and abuse and restore a sense of normalcy in their lives. When immediate access to formal schooling is not possible, it is essential that children and youth can at least access safe spaces where they can receive semi-structured learning, psychosocial support, and be sensitized on a number of issues, such as military recruitment, basic hygiene, trafficking and sexual and gender-based violence. This will not only ensure their physical, mental and emotional well-being but also ease their transition back into the formal school system.

**Different forms of education**

**Formal Education** usually results in the attainment of recognized certificates or diplomas. It includes primary, secondary and tertiary education, as well as formal vocational trainings.

**Non Formal Education** is usually undertaken in less formal settings and does not necessarily lead to recognized certificates and diplomas. It includes various semi-structured recreational and learning activities in child-friendly spaces.

6. While providing internally displaced children with immediate access to temporary learning spaces, measures to facilitate their reintegration into the national schooling system will have to be taken. The table below gives some strategic guidance on the type of activities that can be undertaken to ensure children’s immediate and free access to non-formal education while preparing for their reintegration in the normal school system. More detailed guidance is available in the INEE Minimum Standards for Education in Emergencies in Chronic Crises and Early Reconstruction (see Annex I) and UNICEF’s Education in Emergencies: A Resource Kit (see reference list).

Key steps	Suggested activities
<b>Immediate Response</b>	<p>As a first step support the community in providing immediate access to semi-structured educational activities in safe areas and child-friendly spaces where children and adolescents are not exposed to protection risks. These activities should be age and gender sensitive and can include:</p> <ul style="list-style-type: none"> <li>- Basic numeracy and literacy classes</li> <li>- Recreational activities in the form of sport, music, games, and art activities to counter children’s psychosocial distress</li> <li>- Life skills education and dissemination of life-saving messages on health, sanitation, risks of exploitation, etc.</li> <li>- Psycho-social support and referral mechanisms</li> </ul> <p>These activities should be conducted through the mobilization of internally displaced teachers and community members, including older children or adolescents with leadership qualities and basic teaching capabilities. They should also be designed and planned together with children, adolescents and parents.</p>

<p><b>Initial Assessment</b></p>	<p>Once an immediate response has been provided, a participatory assessment should be conducted to determine whether conditions are met to facilitate the reintegration of displaced children in the formal schooling system at primary and secondary levels. Data gathering should include:</p> <ul style="list-style-type: none"> <li>- Obstacles to access local primary and secondary schools (legal, economical, cultural, institutional, etc)</li> <li>- Profile, level and number of IDP students and IDP teachers</li> <li>- Local school capacities and needs to absorb IDP children (number of additional classrooms, school materials, didactic materials, teachers etc.)</li> <li>- Documentation and certification requirements</li> <li>- Need for language / catching-up classes for IDPs</li> <li>- Training needs for IDPs and local teachers, such as peace education, positive discipline, prevention of SGBV, etc</li> </ul>
<p><b>Advocacy</b></p>	<p>Depending on the results of the assessment, advocacy with relevant authorities may be required to ensure access to education for IDP children is guaranteed and facilitated. Advocacy messages may include:</p> <ul style="list-style-type: none"> <li>- Ensuring IDP children have access to the formal school system without discrimination.</li> <li>- Ensuring IDP teachers can be hired in formal schools and integrated in the payroll without discrimination.</li> <li>- Introducing flexibility regarding certificates of citizenship, birth or age certificates, identity papers, school reports, as the vulnerable IDPs may not have required documentation.</li> <li>- Encouraging the building of official extensions to existing schools to accommodate IDPs. Where distances are considerable, encourage subsidiary classes in appropriate locations.</li> <li>- Advocating with relevant authorities for adequate resources for schools located in areas hosting a large number of displaced children</li> <li>- Ensuring that national and school policies are in place to promote the establishment of safe and non discriminatory school environments</li> </ul>
<p><b>Reintegration in the formal school system</b></p>	<p>Within 6-months to one year maximum, IDP children and adolescents should have been reintegrated in the formal school system. To facilitate this reintegration, it is recommended to reinforce existing local school capacities rather than creating parallel infrastructures. This may include:</p> <ul style="list-style-type: none"> <li>- Rehabilitating existing schools or building extra classrooms</li> <li>- Ensuring enough school materials and didactic materials are made available</li> <li>- Ensuring the safety of the school environment (see below)</li> <li>- Hiring more teachers and training them on subjects such as peace education and psycho-social support to enhance a climate of peace and dialogue</li> <li>- Ensuring IDP parents are included in parent-teacher associations and involved in school matters</li> </ul> <p><i>Access to post-primary education</i></p> <p>All efforts should also be made to reintegrate displaced adolescents in the formal schooling system or facilitate their access to formal vocational training centers. This may involve:</p> <ul style="list-style-type: none"> <li>• Reinforcing the capacities of existing secondary schools or vocational training centers</li> <li>• Providing targeted support for adolescents, in particular for orphans, adolescent girls and teenage mothers,</li> <li>• Organizing and supporting catching-up classes</li> </ul> <p>If access to formal education is difficult, all efforts should be made to provide adolescent girls and boys with access to non formal vocational and life skill trainings. This will be essential to ensure their protection.</p>

## **Key considerations**

7. The key steps and activities suggested in the above table should all be grounded and implemented according to the following strategies:

### **1. Inclusive and community-based strategies to education**

8. All activities should be community-based and foster the integration of IDPs with the host community. This includes ensuring that all activities target the whole community to avoid stigmatization of and discrimination against IDPs. The creation of separate school infrastructures or education activities for IDP children/youth alone should therefore be avoided. Likewise, the distribution of school kits, school materials and/or payment of school fees for IDP children only is not recommended. Children/youth who have not been displaced should also benefit from the assistance provided.
9. The IDP and host community – including parents and students (boys and girls) - should participate in the design, implementation and monitoring of education activities and form part of the decision-making process at all stages, including as regards the management of child-friendly spaces and/or formal schools. Parents and the community can, as an example, organise alternative childcare to enable girls to attend school, provide escort to and from school, and help define codes of conduct for education staff. Students can also play an active role through peer to peer support, dissemination of life-saving messages through child-friendly ways, and mentoring system.
10. In order to ensure effective participation parents and students should have access to information, be represented in school management or education committees, and provided with training on human rights and other issues. The active participation of all stakeholders within the community will be essential to create a sense of ownership around education activities and defining activities which are adapted to the local cultural and social context.

### **2. Keeping children safe within the learning environment**

11. To prevent the root causes of violence and discrimination being perpetuated in learning environments it is essential to secure formal and non formal learning spaces and ensure that education activities do not expose children to further protection risks. This can be done by establishing monitoring, referral and reporting mechanisms to prevent and respond to violence against children.<sup>2</sup> Key considerations include:
- *The learning environment:* schools and their surroundings, including latrines, should be safe, gender-sensitive and child-friendly.
  - *The education staff:* all education staff, both national and international, should have adequate working conditions, be trained on a number of issues (SGBV, psycho-social support, positive discipline, etc.) and respect a code of conduct which should be widely disseminated and known by the children/youth. The recruitment of female teachers or assistants should also be promoted.
  - *The curriculum and teaching methodology:* should promote a culture of peace and dialogue, include life skills education, and be based on child-participatory methodology.
  - *Students:* students should be aware of their rights, have access to information on support services and referral mechanisms and participate in the monitoring of the learning environment. They should be aware of the code of conduct applicable to education staff.
  - *Parents:* Parents and any parents-teachers associations should be involved in keeping their children safe, and monitoring the safety of learning spaces.

### **3. Have a holistic approach to education**

12. Education should not be seen in isolation of other sectors of intervention. It is essential to address the root causes of lack of access to education, including general insecurity, lack of livelihoods, lack of food, and exposure to sexual and gender-based violence. Creating linkages with food and nutrition, health, community services and protection will be particularly crucial to enhance access to quality education in safe learning environments. In that respect, a large number of actors will have to be

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<sup>2</sup> For further information, please see *Safe Schools and Learning Environments* (UNHCR, 2007) and *Child-friendly schools* (UNICEF, 2006), both cited in the reference list at the end of this action sheet. See also the *Healing Classroom Initiative* promoted by the International Rescue Committee.

mobilized around education, including WFP for school-feeding programmes, FAO for school-gardening, UNFPA, UNDP or GTZ for income-generating activities and vocational trainings, NRC for catching up classes for primary-leavers, IRC for healing classroom teacher’s training, etc.

#### 4. Monitoring and Evaluation

13. All education activities and programmes for IDP children and adolescents should be monitored and evaluated on a regular basis. In both formal and non formal settings, particular attention should be given to attendance rates, in order to monitor, prevent and respond to drop-outs. Monitoring and evaluation should be based on a variety of tools such as collection of statistics, participatory assessments, mentoring, or counseling and should involve a wide range of actors, including parents, students and parents-teachers associations. Regular participatory assessments with children boys and girls, adolescent boys and girls, parents and education staff will be particularly essential to improve the quality and the safety of education activities, according to the feedback received by stakeholders.

#### Key Legal Principles

14. **International (and regional) human rights** law guarantees the right to free and compulsory education for all at the elementary level.<sup>3</sup> It furthermore encourages the development of accessible and affordable secondary education, including both general and vocational education, as well as higher education. The law furthermore prohibits any form of discrimination in this regard, including on the grounds of being internally displaced.
15. All States must therefore ensure: (i) that primary education is *available* to everyone and that secondary as well as higher education is progressively made available; (ii) that education is provided without discrimination and that it is physically and economically *accessible* to everyone; (iii) that education is of *acceptable* quality; and (iv) and that its *adaptable*, meaning education that is flexible and responds to the best interests of each child or adult.<sup>4</sup>
16. States must also take steps to ensure full and equal participation of women and girls in all education and vocational training programmes. This includes taking all appropriate measures to eliminate discrimination against women and girls, including through various forms of affirmative action.
17. **International humanitarian law** requires that children be provided with special respect and protection and given the care and aid they require, including access to safe education.<sup>5</sup> The law furthermore prohibits direct and indiscriminate attacks or reprisals against civilian property, including schools, playgrounds and other educational facilities.<sup>6</sup> Intentionally directing attacks against such objects can constitute a war crime in both international and non-international conflicts.<sup>7</sup>

#### Key partners

18. In addition to displaced individuals and communities themselves key actors include:
  - At the **national level**: Ministries of Education and Social Services; Teachers’ Unions; and local NGOs and civil society.

<sup>3</sup> See, at the international level, Art. 26 of UDHR; Arts. 24(2)(e) and (f), 28 and 29 of CRC; Art. 6, 13 and 14 of ICESCR; Art. 18 of ICCPR; Art. 5(e)(v) of ICERD; Arts. 10, 11(1)(c) and 14(2)(d) of CEDAW; the Convention Against Discrimination in Education; and Principle 23(3)(4) of the Guiding Principles on Internal Displacement. See also, at the regional level, Art. 17 of AfCHPR and Arts. 4(d) and 12 of its Protocol on the Rights of Women in Africa; Art. 11 and 20(2)(a) of AfCRWC; Art. 13 of the Additional Protocol to the AmCHR in the Area of Economic, Social and Cultural Rights; Art. 34 of ArCHR; and Art 2 of Protocol I to ECHR. See also the Education for All Framework as well as the Millennium Development Goals.

<sup>4</sup> See e.g. General Comment No. 13(1999) of the Committee on Economic, Social and Cultural Rights on the right to education (Art. 13), E/C.12/1999/10. See also General Comment No. 11 on plans of action for primary education, E/C.12/1999/4, as well as General Comment No. 1(2001) of the Committee on the Rights of the Child on the aims of education (Art. 29(1)), CRC/GC/2001/1.

<sup>5</sup> See Rule 135 of Customary International Humanitarian Law. Volume I: Rules (ICRC, 2005). See also GC IV Art. 23-24, 38, 50, 76 and 89; AP I Art. 70(1), 77(1) and 78(2); AP II 4(3).

<sup>6</sup> See e.g. Rules 1-2, 7, 9, 11-13 of Customary International Humanitarian Law. Volume I: Rules (ICRC, 2005). See also AP I Art. 48, 51 and 52; AP II Art. 13; and Guiding Principles Art. 21(2)(b).

<sup>7</sup> See e.g. Arts. 8(b)(ix) and 8(e)(iv) of the ICC Statute.

- At the **international level**: UN agencies (UNHCR, UNICEF, UNESCO) and international non-governmental organisations (including Care international, IFRC, IRC, Save the Children, Norwegian Refugee Council, Oxfam, Ploughshare International, Refugee Education Trust, World Education, World Vision) work closely together to help rehabilitate the educational system, schools and classrooms, mobilize communities and provide training opportunities for teachers, paraprofessionals and community members. Such efforts are coordinated through the **Education Cluster**, which is co-chaired by UNICEF and Save the Children.

## References

- INEE **Minimum Standards** on Education in Emergencies, Chronic Crisis and Early Reconstruction (INEE, 2004) – available in English, French, Arabic, Spanish, Portuguese, Urdu, Japanese, Thai, Bahasa Indonesian, and Bangla at <http://www.ineesite.org/page.asp?pid=1240>
- INEE **Technical Kit** for Emergency Education (INEE) – Available at [www.ineesite.org/page.asp?pid=1246](http://www.ineesite.org/page.asp?pid=1246)
- Education in Emergencies: A **Resource Kit** (UNICEF, 2006) – available from [www.unicef.org](http://www.unicef.org)
- **Safe Schools and Learning Environments**: How to prevent and respond to violence in refugee schools (UNHCR, 2007) – available at [www.refworld.org](http://www.refworld.org)
- **Child Friendly Schools** and Care Support in Schools (UNICEF, UNGEL Forum, Vol 6 Number 1, March 2006) [http://www.unicef.org/lifeskills/index\\_7260.html](http://www.unicef.org/lifeskills/index_7260.html)
- Guidebook for Planning Education in Emergencies and Reconstruction (IIEP-UNESCO, 2006)
- **The Right to Education in Situations of Internal Displacement**, in Manual for Domestic Law and Policy Makers on Implementing the Guiding Principles on Internal Displacement (Brookings-Bern Project on Internal Displacement, forthcoming 2008).
- IASC Guidelines on **Mental Health and Psychosocial Support** in Emergency settings (IASC, 2007) – available from [www.humanitarianinfo.org/iasc](http://www.humanitarianinfo.org/iasc)

## Useful websites

- The Inter-Agency Network for Education in Emergencies (INEE) – [www.ineesite.org](http://www.ineesite.org)
- United Nations Children Fund (UNICEF) – [www.unicef.org](http://www.unicef.org)
- United Nations High Commissioner for Refugees (UNHCR) – [www.unhcr.org](http://www.unhcr.org)
- United Nations Education, Scientific and Cultural Organisation (UNESCO) – [www.unesco.org](http://www.unesco.org)
- The right to education website - [www.right-to-education.org](http://www.right-to-education.org)

## Annex I

### INEE Minimum Standards for Education in Emergencies, Chronic Crisis and Early Reconstruction

The INEE Standards contain minimum standards, indicators and guidance notes on ensuring access to quality education in humanitarian settings. The Standards, which are summarised below, are divided into five categories: (1) standards common to all categories; (2) access and learning environment; (3) teaching and learning; (4) teachers and other education personnel and (5) education policy and coordination. The Standards are available from <http://www.ineesite.org/page.asp?pid=1240>

Minimum standards common to all categories	
<b>Community Participation</b>	
Participation	Emergency-affected community members actively participate in assessing, planning, implementing, monitoring and evaluating the education programme
Resources	Local community resources are identified, mobilised and used to implement education programmes and other learning activities
<b>Analysis</b>	
Initial assessment	A timely education assessment of the emergency situation is conducted in a holistic and participatory manner
Response strategy	A framework for an education response is developed, including a clear description of the problem and a documented strategy for action
Monitoring	All relevant stakeholders regularly monitor the activities the education response and the evolving needs of the affected population
Evaluation	There is a systematic and impartial evaluation of the education response in order to improve practice and enhance accountability
<b>Access and learning environment</b>	
Equal access	All individuals have access to quality and relevant education opportunities
Protection and well-being	Learning environments are secure, and promote the protection and mental and emotional well-being of learners
Facilities	Education facilities are conducive to the physical well-being of learners
<b>Teaching and learning</b>	
Curricula	Culturally, socially and linguistically relevant curricula are used to provide formal and non-formal education appropriate to the particular emergency situation
Training	Teachers and other education personnel receive periodic, relevant and structured training according to need and circumstances
Instruction	Instruction is learner-centred, participatory and inclusive
Assessment	Appropriate methods are used to evaluate and validate learning achievements
<b>Teachers and other education personnel</b>	
Recruitment and selection	A sufficient number of appropriately qualified teachers and other education personnel is recruited through a participatory and transparent process based on selection criteria that reflect diversity and equity
Conditions of work	Teachers and other education personnel have clearly defined conditions of work, follow a code of conduct and are appropriately compensated
Support and supervision	Supervision and support mechanisms are established for teachers and other education personnel, and are used on a regular basis
<b>Education policy and coordination</b>	
Policy formulation and enactment	Education authorities prioritise free access to schooling for all, and enact flexible policies to promote inclusion and education quality, given the emergency context
Planning and implementation	Emergency education activities take into account national and international educational policies and standards and the learning needs of affected populations
Coordination	There is a transparent coordination mechanism for emergency education activities, including effective information sharing between stakeholders.