



Urban Refugee Education

T 2017

Strengthening Policies and Practices for Access, Quality and Inclusion

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*Key contributions by Peter Bjorklund, Jihae Cha, Danielle Falk, Sarah Horsch,
Diana Rodriguez-Gomez, and Dominique Spencer*

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URBAN REFUGEE EDUCATION: Strengthening Policies and Practices for Access, Quality, and Inclusion

**Insights and recommendations from a 16-country global
survey and case studies in Beirut, Nairobi, and Quito**

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February 2017

**Study funded by State Department
Bureau of Population, Refugees and Migration**



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*Cover photo: Dominique Spencer (2016)
An NGO-run school in Beirut, Lebanon: A teacher calls the class to attention before continuing a lesson on the Arabic alphabet.*

Acronyms

ALP	Accelerated Learning Program
BLN	Basic Literacy and Numeracy
BPRM	U.S. Department of State Bureau of Population, Refugees, and Migration
CBO	Community Based Organization
CERD	Center for Educational Research and Development (Lebanon)
CRC	Convention on the Rights of the Child
DRA	Department of Refugee Affairs (Kenya)
ECCN	Education in Crisis and Conflict Network
ECE	Early Childhood Education
EFA	Education for All
EMIS	Education Management Information System
GoE	Government of Ecuador
GoK	Government of Kenya
GoL	Government of Lebanon
HRW	Human Rights Watch
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDP	Internally Displaced Person
INEE	Inter-Agency Network for Education in Emergencies
INGO	International Non-Governmental Organization
ITS	Informal Tented Settlement
LAC	Latin America and the Caribbean
LCRP	Lebanon Crisis Response Plan
LOEI	Ley Orgánica de Educación Intercultural (Ecuador)
MEHE	Ministry of Education and Higher Education (Lebanon)
MENA	Middle East and North Africa
MDGs	Millennium Development Goals
MoE	Ministry of Education
NFE	Non-Formal Education
NGO	Non-Governmental Organization
OAU	Organization of African Unity
PMU	Program Management Unit (Lebanon)
RACE	Reaching All Children with Education (Lebanon)
REC	RACE Executive Committee (Lebanon)
RSD	Refugee Status Determination
SDGs	Sustainable Development Goals
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund

Global Statistics At-a-Glance

- 65.3 million** People forcibly displaced
- 21.3 million** Refugees worldwide
 - 51%** Refugees under 18
 - 41%** Refugees living in protracted settings
- 20 years** Average duration of displacement
 - 86%** Refugees in developing countries
 - 60%** Refugees living in urban areas
 - 50%** Refugee children in primary school
 - 22%** Refugees in secondary school
 - 1%** Refugee youth go to university

Source: UNHCR 2015, 2016

Executive Summary & Key Messages

There is an unprecedented number of forcibly displaced people reaching 65.3 million globally (UNHCR, 2015), and the majority of refugees are now living in urban areas rather than in camps (UNHCR, 2016). In addition, more than half of all refugees are school-aged children and only 50% of these refugees are currently enrolled in primary school (UNHCR, 2016).

Given the current global refugee crisis, the aim of this report is to contribute to the discussion around the distinct educational needs of urban refugees. We focus on countries in developing regions since 86% of refugees reside in the Global South (UNHCR, 2016). Our study presents data from three sources: a review of existing global and national laws and policies related to the provision of education for refugees; a global survey; and three country case studies. We conducted a global survey with 190 respondents working for organizations providing educational services to urban refugees in 16 countries across four world regions. We also carried out in-depth interviews with more than 90 stakeholders (including government officials; personnel working for UN agencies, international and national NGOs; and principals and teachers) in three country case studies (Lebanon, Kenya, and Ecuador).

In this policy report, we emphasize the distinctiveness of refugees living in urban communities and how this affects both the implementation of policies and the provision of services. First, urban refugees are often living in dispersed urban areas outside of camps, and thus must be self-reliant in order to provide for their basic needs related to educational services and livelihoods. In addition, as outsiders, they are often more vulnerable to xenophobia and discrimination by the host community. Second, the successful implementation of policies affecting urban refugees demands that the national and local government play a lead role in the provision of educational services. However, international and national civil society organizations must also play a role in supporting national education systems or providing supplementary services to address specific needs (such as psychosocial needs, language issues, disabilities, disrupted schooling) through non-formal educational programs.

The nature of working in an urban setting presents additional challenges for coordination and implementation for organizations working to provide and support services for urban refugees. Policies and programs targeting urban refugees must be contextualized within a longer-term development framework to accommodate the increasingly protracted nature of crises. With the average length of displacement now 20 years, policies, programs, and funding must bridge the humanitarian-development divide and include a longer-term vision.

We find that global legal and policy instruments are broadly supportive of urban refugees' right to education, and that these policy commitments have helped create a more welcoming policy environment in which to uphold urban refugees' right to education. We also find that commitment to international legal instruments supports more inclusive policies for urban refugees' access to different educational opportunities.

Nevertheless, challenges do arise in the policy formation process including a lack of policies or unclear policies, shifting and volatile geopolitical landscapes and issues of security, and contradictory policies across government offices.

While there is an increasingly inclusive policy and legal environment around the provision of access to education for refugees globally, a clear finding from our surveys and case studies is the gap between policy and practice. Our findings point to numerous reasons for this gap: lack of capacity in government schools, low levels of capacity among civil servants, autonomy of local and school administrators, and discrimination and xenophobia by the host communities. Thus, there is a need to provide greater support for the implementation of policies across national and local levels, as well as more clarity and coordination around which actors should provide what services across the formal to non-formal education spectrum.

Given the complexity of providing services for refugees in urban areas, organizations face numerous challenges on the operational side when working in urban settings. These include the difficulty of coordination among diverse actors, lack of support from the host government, invisibility and lack of data on the refugee population, resistance from the host community, xenophobia, and funding constraints.

In order to address these challenges, better coordination mechanisms are needed to support programming in urban spaces. National government, UN agencies, donors and civil society actors must collaborate to engage in new and different programming in urban spaces. This might include teacher training of national teachers to improve issues around quality but also protection and inclusion, which disproportionately affect refugee students. In addition, more programming is needed to specifically counter xenophobia and discrimination against refugee students.

We conclude the report with the following two broad overarching policy goals for national governments, UN agencies, donors, and civil society organizations and several specific recommendations (see next page) for providing education to urban refugees.

1. Given the gravity, scale and duration of refugee-producing crises around the world, ***national governments, UN agencies, and donors must support full integration and inclusion of refugee students into national schools.***
2. In complement to these efforts, ***civil society organizations need to support the provision of non-formal education programs to fill the needs and gaps not met by government schools.***

Civil society organizations, including national and international NGOs, should support the provision of formal and non-formal education that addresses the distinct needs of refugee students, such as psychosocial issues, skills development, language support, combatting discrimination and xenophobia, and academic support for lost years of schooling.

To strengthen the policy making and implementation environment that needs to be in place to achieve these goals, we propose the following specific recommendations based on the findings of this study:

First, national governments, UN agencies, and donors should ensure that the national education sector collects accurate data by designing an innovative multi-stakeholder data collection and management system that is shared across all key actors. Improved data will allow for close monitoring and protection of refugee students' information in terms of educational access and achievement, as well as provide data for advocacy and decision-making among stakeholders for long-term planning.

Second, national governments, donors, and civil society organizations should work closely together to raise awareness about the needs of urban refugees as well as the concerns of local host populations through field visits to local schools and communities.

Third, national governments with support from donors and other partners need to ensure that there is alignment of national policies across different government ministries and agencies in order to avoid contradictory approaches that hinder or undermine gains made to provide education to urban refugees.

Fourth, to support policy implementation, national governments, donors, and civil society organizations must ensure coordination across different actors, as well as the development of standard operational procedures for local civil servants and school principals to implement policies at the local level.

Fifth, donors and partners should support national governments in fragile and conflict-affected countries in the development of contingency plans to ensure preparedness and proactive coordination mechanisms that allow key stakeholders to readily respond to refugee displacement.

Sixth, local civil servants and school principals need capacity development support from national governments and partner organizations to effectively implement education policies that work towards integration of refugee learners into national schools and that also mitigate harmful and discriminatory practices carried out by individuals in positions of authority.

Seventh, national governments should expand their documentation requirements to access social services, including education, to include alternative forms of documentation.

Eighth, national governments and partner organizations should ensure that pre- and in-service teacher training supports teachers in addressing the needs of refugee students in their classrooms.

Ninth, national governments and partners need to work to improve communication with host communities that are expected to accommodate new arrivals in order to both smooth the transition and to identify additional needs for services and support for both refugee and local populations.

Tenth, national governments and partner organizations should develop new programs through education, sports and the arts that raise awareness and combat discrimination and xenophobia against refugee populations and students.

Finally, donors and civil society organizations should work closely with national governments to ensure innovative models for funding and funding pipelines that bridge the persistent humanitarian-development divide.

Introduction

The number of forcibly displaced people has increased dramatically over the past two decades as a consequence of the Syrian crisis and ongoing conflicts in Afghanistan, Somalia, South Sudan, Colombia, the Democratic Republic of Congo, the Central African Republic, Iraq, Libya, Yemen, Burundi, Nigeria, and Niger (UNHCR, 2015). This has resulted in the highest numbers of forced displacement since the period following the Second World War. UNHCR currently estimates that 65.3 million people are forcibly displaced, including 21.3 million refugees who have crossed national borders, and 40.8 million internally displaced persons (IDPs) within their own countries; furthermore, millions of people are seeking asylum or are stateless (UNHCR, 2015).

Text Box 1: Key Terms

Refugees: individuals fleeing conflict who are recognized and protected under the 1951 Refugee Convention and the 1967 Protocol.

Urban Refugees: refugees living in urban areas, outside of camps.

Internally Displaced Persons: individuals who have been forced to leave their homes due to armed conflict, human rights violations, or natural disasters but are still within their country of origin.

Asylum-Seekers: individuals who are seeking refugee status but whose claims have not yet been determined.

Stateless Persons: individuals who do not have a nationality of any state.

Source: UNHCR (2015)

The emblematic image of refugees living in camps is no longer the norm: more than half of the world's refugee population now live in urban areas (UNHCR, 2016; Kronick, 2013; UNHCR, 2012). Urban refugees often live in vulnerable situations and are subject to violence, discrimination, xenophobia, exploitation, sexual and gender-based violence, human trafficking, and forced repatriation (Grabska, 2006; Karanja, 2010; Morand et al., 2012). They often lack access to social services (e.g. education, healthcare) and employment opportunities (Marfleet, 2007; Morand et al., 2012). Governments and organizations face greater complexity and challenges in providing services for urban refugees due to the fact that they are dispersed in an urban area rather than situated in a refugee camp.

Access to education is a crucial issue facing refugee populations for two main reasons. First, half of all refugees are school-aged children, including large numbers of unaccompanied youth (UNHCR, 2015). Second, the average length of displacement is now 20 years due to the ongoing and protracted nature of these conflicts (Milner & Loescher, 2011; UNHCR, 2016). Access to education is much lower for refugee children compared to non-refugee children: only 50 percent of refugee children have access to primary school; only 22 percent of refugee youth have access to secondary school; and only 1 percent of refugees have access to higher education (UNHCR, 2016).

Purpose of the Study

Given the growing urbanization of refugee populations and the high levels of out-of-school children, it is important to understand the distinct educational needs of urban refugees. Policies such as *UNHCR's 2009 Policy on Refugee Protection and Solutions in Urban Areas* examine the protection needs of urban refugees, while the *UNHCR Education Strategy (2012-2016)* discusses educational approaches and applies both to refugees living in camps and urban areas. As of yet, no global policy instrument or document has carefully considered the unique educational needs of urban refugees. The purpose of this report is to examine existing policies and practices in *urban refugee education* to identify gaps, opportunities, and promising practices to better meet the distinct educational needs of urban refugees. To that end, this report has two primary objectives: 1) to outline the existing global and national policy landscape and programming space as they pertain to urban refugee education; and 2) to offer recommendations for policymakers and practitioners on how to better meet the educational needs of urban refugees.

Key Messages

Many of the models and good practices for providing education to refugees have developed in camp-based settings, which differ in important ways from the cities and urban spaces where refugees and organizations increasingly find themselves. This report is anchored by the idea of *urban distinctiveness*. We recognize that urban refugees' lives and educational needs are distinct from refugees in camps, and as a consequence, educational policy and programming for refugees in urban areas also differs from that in camp settings. First, urban refugees living in cities are typically self-settled and dispersed among host communities. Unlike camp-based refugees, they are dependent on their integration into local formal or informal economies for survival. High costs of living in cities mean urban refugees tend to be highly mobile as they move around to find more sustainable living arrangements. They are more likely to be dependent on national and local governments for social services than in camp settings, where international and national civil society organizations play a large role in service provision. In terms of education, we note that barriers to educational opportunities may manifest differently or more acutely in urban contexts (see *Text Box 2* for an overview of key barriers).

Text Box 2: Key Barriers Facing Urban Refugees and Access to Education

Key Barriers Facing Urban Refugees and Access to Education

Overcrowding: Urban refugees are integrated into local schools, which may be already at or over capacity. *The most commonly mentioned barrier to education mentioned across all survey respondents and all regions was lack of space or overcrowded classrooms, cited by 86% of respondents.* Lack of space serves both as a barrier for access to schools but also a barrier to retention, as overcrowding of classrooms can become an impediment to quality and teachers cannot possibly attend to the needs of all of their students.

Legal status and documentation: Refugees may lack legal status depending on the policies of the country of asylum; refugees may also lack the necessary ID (e.g. birth

(Continued from page 12)

certificates and other documents) required to register for school, prove prior learning, and be placed in an appropriate grade. *81% of survey respondents noted that documentation was a major barrier to accessing schools for refugee students.*

Livelihoods in urban spaces and de-prioritization of education: Urban residents face a higher cost of living than those in camps or rural settings; they must rely on existing social services and make ends meet among limited livelihoods opportunities. For refugees who are struggling to provide basic needs for their families, it can prove difficult to prioritize education for their children, especially in the event that school and other fees are expected for enrollment and retention. Children may also be expected to work rather than attend school. *80% of survey respondents mentioned livelihoods as a barrier to education.*

Distance to school and lack of transportation: Refugees in urban settings may live far from schools and may lack affordable transportation options for accessing schools safely. Students and families may be fearful of moving around the city and/or sending their children unaccompanied to school due to lack of documentation and fear of physical, sexual and gender-based violence. *Distance to school and lack of transportation were cited as barriers by 77% and 79% of survey respondents, respectively.*

Psychosocial support and help transitioning back into school: Refugee children and youth experience displacement and trauma differently, but many students need additional assistance as they begin school for the first time or begin attending again after a prolonged absence. National teachers in public schools may not be equipped to support their refugee learners as they struggle to adapt to a new curriculum, language of instruction, and classroom expectations. The support they receive in their classrooms, or the lack of support, will greatly influence these learners' interests in continuing their schooling. *73% of survey respondents mentioned that teachers are not prepared to address the needs of refugee students.*

Discrimination and xenophobia: Refugee students encounter different forms of discrimination, xenophobia, stereotyping, and bullying from teachers, peers, and the community. *70% of survey respondents mentioned discrimination and xenophobia as a barrier to education.*

Language: Refugees often do not speak the language of instruction in their host country. While this challenge is not exclusive to urban refugees, it is worth noting here as it intersects with gaining access to national schools in city centers. Not only do refugees need to adapt to a new curriculum, but in order to be successful they need to learn a new language. Not speaking the language of instruction also leads children to leave school. There continues to be serious shortfalls in providing language support to students transitioning into new schools with different languages of instruction. *Language of instruction was mentioned as a barrier by 53% of survey respondents.*

Second, the urban spaces where refugees live create new, different, and more complex operational spaces for the government and various organizations working to provide education. The dispersed nature of urban refugees has led to unexpected and seemingly contradictory realities: we see both high densities of civil society organizations competing for funds and beneficiaries and, simultaneously, large gaps in provision in areas where urban refugees have very little access to services or support. Clearly, working in urban spaces presents a level of complexity that is different when compared to camp-based settings.

These dual characteristics have important implications for educational policy and programming for urban refugees. In terms of policy, urban refugees' integration into host communities requires that host governments, both national and local, play an unprecedented role in the provision of education to urban refugees by incorporating them into existing public school systems to the greatest extent possible. This requires national and local governments to play a lead role in creating and enacting educational policy for refugees. These policies must ensure access to the national education system and attend to issues of grade placement, recognition of previous education, and certification of studies so that students can pursue further education. While host governments have always been key partners in refugee education, government involvement in refugee education occurs at both a larger scale and higher level of complexity than the authorizing and coordinating roles governments generally play in camp-based settings.

Moreover, in urban areas of the Global South, which is the focus of our study, decision-making is typically spread across complex and often decentralized government bureaucracies while capacity to implement is often weak, as local officials, school administrators and non-state actors have significant autonomy (Landau & Amit, 2014). As a result, policy implementation in urban settings poses *both technical and political barriers*. Like in camp settings, effective policy enactment in urban settings requires technical expertise for education planning, data management, information dissemination, and coordination. In addition, policy enactment in urban settings demands broad support from wide-ranging national and local authorities who are responsible for de facto policy implementation. As a result, policy implementation requires new modes of political engagement, including prioritizing *interest alignment* between refugees and host communities, and the support of strong *advocacy coalitions* among civil society, the private sector, UN agencies, refugee associations, and host communities.

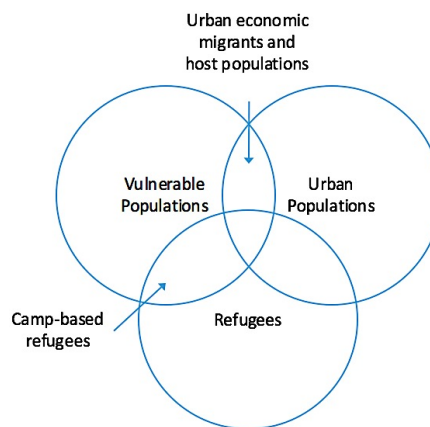
Governments' increased responsibility for educational provision for refugees in urban settings also has important effects on programming. Though national educational systems offer urban refugees their best hope for access to certified learning opportunities, national education systems are not well equipped to attend to the distinctive needs of refugee children. In response, non-governmental organizations must play new supportive and complementary roles, such as: providing technical support to national governments; developing capacity among international, national, and local partners; and catering to the distinct education and training needs of refugees who might need life and work-related skills that exceed what can be provided

through the formal education system. In short, urban settings demand clear *role differentiation* between government and civil society. Civil society organizations must fill educational gaps that national governments cannot or will not fill, such as the provision of psychosocial support, legal or financial assistance, language support, or accelerated learning programs. In addition to targeted programming, civil society organizations must transition away from a provision-first model to one of *supporting government provision* of education in new ways such as by making refugee issues visible and providing technical expertise on refugee needs.

More broadly, urban refugees' integration into local communities has tended to blur the legal and practical significance of official refugee status, with unsettling consequences (Landau & Amit, 2014). Increasing average lengths of displacement is only expected to exacerbate this trend. Urban refugee status determination cases are often backlogged, and as a result, it frequently takes longer than six months for refugees to receive official recognition of their status (Campbell, 2015). Alternatively, urban refugees may hide in fear of backlash from governments that view them as security threats, making them invisible to UN agencies and civil society organizations offering services. Even progressive educational policies tend to conflate approaches for all non-citizens without recognizing refugees as a distinct category. Moreover, lack of tracking on refugees' educational access and progress in national education systems means their "educational needs and achievements remain largely invisible" (UNHCR, 2016, p. 5). Yet, refugees have distinct educational needs and a right to protection that is guaranteed in international law. To ensure these rights and distinct needs are protected and met, both national governments and civil society actors must work collaboratively.

That said, the blurring of boundaries between refugees and migrants that has occurred in urban settings requires an important shift in both policy and programming: it requires us to shift away from viewing urban refugees as a discrete target population towards recognizing their *multiple and overlapping vulnerabilities*. Urban refugees face legal, economic, educational, cultural, and social barriers that are the result of both their legal and migratory status as refugees and their belonging to other vulnerable groups, including as residents of poor host communities and ethnic, racial, and religious minorities (Kronenfeld, 2008). Figure 1 visually represents these overlapping identities.

Figure 1: Refugees' Overlapping Identities



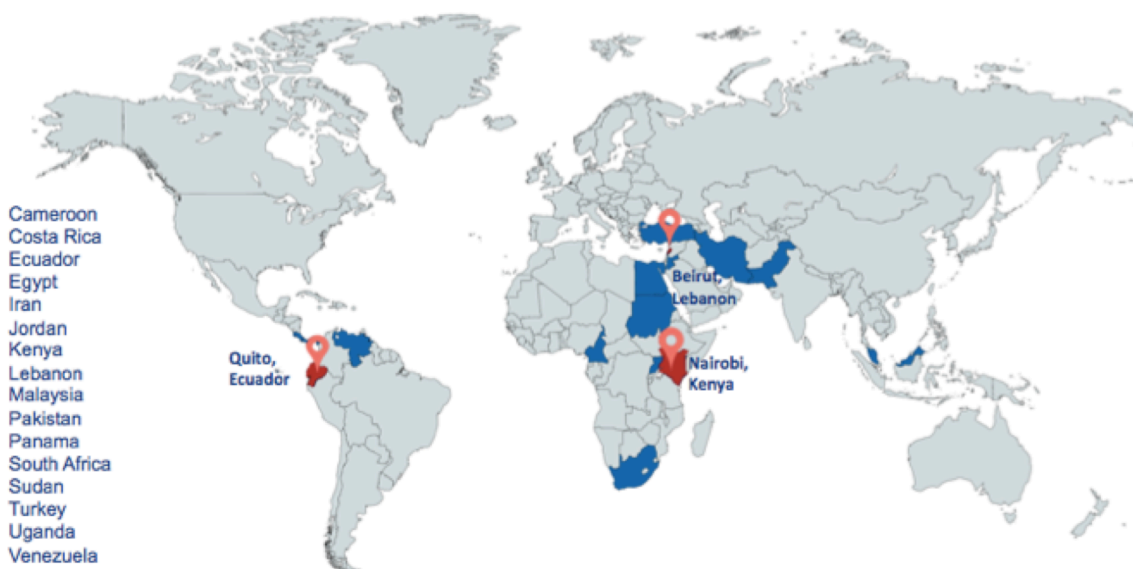
This shift allows us to better appreciate both areas of similarity and difference. Recognizing similarities, as areas of overlap, can ensure political buy-in by promoting areas of interest alignment between vulnerable host communities and refugees. At the same time, recognizing differences means incorporating a refugee lens into policy and programming that distinguishes refugees from other vulnerable populations, including urban migrants. This approach allows us to better see when and where role differentiation between national governments, UN agencies and civil society

organizations is necessary. Ultimately, given their multiple and overlapping needs, better policy and programming can lead to advances for not only urban refugees, but also vulnerable host communities and refugees in camp settings.

Overview of the Study and Study Methods

The study consisted of three components: 1) a desk review of the existing legal and policy landscape; 2) a global survey; and, 3) three country case studies. Survey data comes from **190 respondents** working for United Nations (UN) agencies and international and national non-governmental organizations (NGOs) in **16 different countries** across **four different regions** (Middle East and North Africa, Latin America, Sub-Saharan Africa, and Asia) with high rates of urban populations. We focus our study on countries in the Global South, given that 86% of refugees reside in developing regions (UNHCR, 2016). Figure 2 below shows the 16 countries that were selected for the survey.

Figure 2: Global Survey & Case Study Countries Map



Rich qualitative data comes from our **three country case studies**, conducted in Nairobi (Kenya), Beirut (Lebanon), and Quito (Ecuador) (also highlighted in Figure 2). For the case studies, we conducted in-depth interviews with more than 90 stakeholders including government officials of the host country, UN officials, NGO and CBO personnel, and principals and teachers (see [Appendix 1](#) for details on data and methods).

We purposively selected three field sites that represent differences across commitments to international treaties, models for the provision of education for urban refugee populations, diversity of refugee populations, duration of crises, and geographical regions (see [Table 1](#)). For instance, while Kenya and Ecuador are signatories to the 1951 Refugee Convention, Lebanon is not. While in Ecuador all refugee students attend national schools and there are no camps, in Kenya and Lebanon they attend national, community, and non-formal schooling programs both in urban centers, camp and/or informal tented settlements.

Table 1: Criteria for Case Study Selection

Criteria	Ecuador	Kenya	Lebanon
Signatory status to 1951 Refugee Convention	Signatory	Signatory	Non-signatory
Duration of current crisis	50+ years	25+ years	~ 5 years*
Refugee demographics	Colombia	Somalia, South Sudan, Ethiopia	Syria, Iraq, Palestine
Presence of camps	No camps	Camps	Informal tented settlements (ITS)

**We focus on the current Syrian refugee crisis in Lebanon for this study, not the long-standing Palestinian refugee situation.*

Organization of the Report

This report is organized around its focus on two main topics: policy (Part I and II) and programming (Part III and IV). In Part I, we examine existing global and national policy environments for refugees; Part II then looks specifically at the extent to which these policies are implemented in practice in urban areas. In the second half of the report, we examine programming for urban refugees in Part III and the challenges faced by organizations working to provide educational services for urban refugees in Part IV. We recognize the distinct barriers that urban refugees face in education and examine the challenges organizations face in meeting these needs.

Part I. Inclusive Policies and Persistent Gaps

Policy Space for Urban Refugee Education

At the global level, international treaties, covenants, and various policies govern the right to education for urban refugees. Due to their ratification and nationalization in the majority of the countries surveyed for this study, these global policies extend to refugees in both camp and urban settings.

Global legal landscape

At an international level, three core international treaties establish the legal basis for the right to education for urban refugees: (1) the 1951 Refugee Convention and its 1967 Protocol; (2) the International Covenant on Economic, Social and Cultural Rights; and (3) the Convention on the Rights of the Child (see [Text Box 3](#)). However, only one of these three treaties – the 1951 Refugee Convention and its accompanying 1967 Protocol – specifically addresses the rights of *refugees*.

The Convention on the Rights of the Child and the International Covenant on Economic, Social and Cultural Rights, on the other hand, concern the right to education for all individuals, including refugees, regardless of their origin, current location, and legal status.

Text Box 3: Global Treaties Protecting the Right to Education

Global Treaties Protecting the Right to Education

At an international level, the legal system governing urban refugees' right to education comes primarily from three international treaties:

1. **1951 Refugee Convention and its 1967 Protocol** (Article 22: "The Contracting States shall accord to refugees the same treatment as is accorded to nationals with respect to elementary education.")
2. **International Covenant on Economic, Social and Cultural Rights** (Article 13: "the States Parties to the present Covenant recognize the right of everyone to education...(a) Primary education shall be compulsory and available free to all; (b) Secondary education in its different forms...shall be made generally available and accessible to all by every appropriate means.")
3. **Convention on the Rights of the Child** (Article 28: "States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular: (a) Make primary education compulsory and available free to all; (b) Encourage the development of different forms of secondary education.")

These three treaties are powerful instruments in the sense that they are legally binding to the countries that sign them and can, therefore, be legally enforced when a country fails to respect its obligations (see Appendix 2 for the global treaties' articles relating to education).

However, they also have significant limitations. Most notably, countries must voluntarily elect to sign treaties, and in so doing, they are free to make reservations that limit the efficacy of the treaty. As a result, refugees have no right to an education under international law if: (1) they reside in a country that has not signed at least one of these three treaties; or (2) they reside in a country that made a reservation limiting its legal obligation to provide an education to non-citizens. Even where the treaties are fully binding and not limited by reservations, the legal ramifications for failing to respect contractual obligations under each of these treaties can be relatively ineffectual. More often than not, individual complaints may not be heard in court, and a published report naming and shaming the offending country serves as the only consequence for violating one of these treaties.

Table 2: International Legal Obligations to Provide Education to Urban Refugees

Overview of Study Countries' Signatory Status to International Conventions and Covenants that Concern the Right to Education for Urban Refugees (16 countries from current study)			
Country	The 1951 Refugee Convention and its 1967 Protocol	International Covenant on Economic, Social and Cultural Rights (ICESCR)-1966	Convention on the Rights of the Child (CRC)-1989
Cameroon	Green	Green	Green
Costa Rica	Green	Green	Green
Ecuador	Green	Green	Green
Egypt	Yellow	Yellow	Green
Iran	Yellow	Green	Yellow
Jordan	Red	Green	Green
Kenya	Green	Green	Green
Lebanon	Red	Green	Green
Malaysia	Red	Red	Yellow
Pakistan	Red	Yellow	Green
Panama	Green	Green	Green
South Africa	Green	Yellow	Green
Sudan	Green	Green	Green
Turkey	Yellow	Yellow	Yellow
Uganda	Green	Green	Green
Venezuela	***	Green	Green

Table 2 Key		
Green indicates that the country has signed and ratified the treaty with no reservations affecting education.	Yellow indicates that the country has signed and ratified the treaty with reservations affecting education.	Red indicates that the country has neither signed nor ratified the treaty.

***Venezuela has neither signed nor ratified the 1951 Refugee Convention; however, it became a signatory of the 1967 Protocol on September 19, 1986.

The Universal Declaration of Human Rights may also play a minor role in the protection of urban refugees' right to education, particularly with regard to refugees who are not protected by one of the three core treaties. Although it is non-binding and represents little more than the intentions of the 1948 UN General Assembly, it explicitly regards the right to education as a fundamental human right, and it is widely accepted as the cornerstone of human rights law. In this sense, it can be used to name and shame countries that fail to uphold its provisions, particularly if they were members of the 1948 UN General Assembly that adopted it.

To document the global landscape shaping urban refugees' right to education in national contexts, we classified the 16 countries in our study based on whether or not they have ratified each of the three core treaties, and whether they have made reservations that limit urban refugees' right to education. Table 2 provides an overview of the international legal obligations to provide education for urban refugees. Green indicates that the country has ratified the treaty with no reservation affecting education; yellow indicates that the country has ratified the treaty with reservations that limit urban refugees' right to education; and red indicates that the country has not ratified the treaty (See Appendix 2 for an overview of countries' reservations on these global treaties).

In addition to global treaties, many countries have developed, signed and/or ratified regional treaties that protect the right to education for urban refugees residing in their region (see Text Box 4 for a select sample of regional treaties).

Global policy landscape

While international treaties and covenants are legally binding by signatory countries, global policies lay out frameworks and guidelines for countries to follow but do not carry legal weight. Global policy documents are often written by global actors and intergovernmental organizations (e.g. UN agencies), which are then adopted by member states. Unlike the legal system, global policy recognizes the particular plight of urban refugees and specifically lays out educational frameworks and objectives for refugees in both camps and urban settings. Although policy can become law if it is formally enacted by a country's legislative system, most of the policies concerning education for urban refugees have not been enacted into law, and instead serve as unenforceable internal guidelines for those who have adopted them (see Text Box 5 and Appendix 2 or 3 for more details).

A range of global policies support both urban refugees right to education and promote inclusion of refugees in government schools. This includes policies from international development frameworks, such as the Millennium Development Goals (MDGs) and Sustainable Development Goals (SDGs); policies focused on expanding access to education in general, such as Education for All; and specific policies for education in emergencies and refugee education, such as UNHCR's Education Strategy.

Text Box 4: Regional Treaties Protecting the Right to Education

Regional Treaties Protecting the Right to Education

At a regional level, the legal system governing urban refugees' right to education builds upon international law primarily through expanding the *definition of refugee* to fit the regional context. Additionally, the regional policies affirm international treaties concerning refugee and human rights by recognizing these treaties as foundational documents in the treatment of refugees. The excerpts below highlight the expanded definition of refugee, the right to education and/or the recognition of global refugee laws in regional treaties.

- **Organization of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems (1974)** (Article 1.2: "The term 'refugee' shall also apply to every person who, owing to external aggression, occupation, foreign domination or events

seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality.”)

- **African (Banjul) Charter on Human and Peoples’ Rights (1986)** (Article 17: “1. Every individual shall have the right to education.”)
- **Arab Convention on Regulating Status of Refugees (1994)** (Article 5: “The Contracted States to this Convention shall undertake to exert every possible effort, to ensure that refugees are accorded a level of treatment no less than that accorded to foreign residents on their territories.”)
- **Declaración de Cartagena (1984)** (Article 3: “Hence the definition or concept of a refugee to be recommended for use in the region is one which, in addition to containing the elements of the 1951 Convention and the 1967 Protocol, includes among refugees persons who have fled their country because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order.”)
- **Regional Ministerial Conference on Refugee Returns Sarajevo (2005)** (Article 5: “Upon return or local integration, all refugees shall enjoy the same rights and shall have the same responsibilities as all other citizens, without any discrimination.”)
- **Bangkok Principles on the Status and Treatment of Refugees (1955)** (Article 4.7: “States shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Principles and in other international human rights instruments to which the said States are Parties.”)

The African (Banjul) Charter on Human and Peoples’ Rights (1986) is the only regional law (listed above) that directly mentions the right to education. Similar to the Convention on the Rights of the Child and the International Covenant on Economic, Social and Cultural Rights, this right to education is for every individual, therefore including refugees and asylum seekers. The remaining five regional conventions, treaties or principles reference global policies—specifically the 1951 Convention and its 1967 Protocol and the International Covenant on Economic, Social and Cultural Rights—in their Preambles or Articles themselves. However, these regional policies do not specifically address the educational rights of refugees or the right to education in general.

Text Box 5: Global Policies Regulating Urban Refugee Education

Global Policies Regulating Urban Refugee Education

- UNESCO’s 2000 Education for All framework (EFA)
- UNICEF’s 2004 Core Commitments for Children in Humanitarian Action
- United Nations’ 2000-2015 Millennium Development Goals
- UNHCR’s 2009 Policy on Refugee Protection and Solutions in Urban Areas
- Inter-Agency Network for Education in Emergencies (INEE) Minimum Standards for Education: Preparedness, Response, Recovery (2010)
- UNHCR’s 2012-2016 Education Strategy
- UNHCR’s 2014 Policy on Alternatives to Camps
- United Nations’ 2015-2030 Sustainable Development Goals
- New York Declaration for Refugees and Migrants (2016)

National legal and policy landscape: Inclusion of urban refugee education

At the national level, countries have adopted a wide variety of approaches to refugees' educational legal rights, from fully domesticating global conventions and policies, to not recognizing urban refugees' right to education. Overall, the policy environments in the majority of the countries participating in this study (as indicated in Table 2) reflect an inclusive approach to providing education to different populations, including refugees. That said, UNHCR also finds that, while most countries do not legally restrict access to national education systems, degrees of integration vary (UNHCR, 2016).

Despite the fact that many international commitments have weak enforcement mechanisms, survey results suggested statistically significant differences in responses by ratification status. When survey respondents were asked to assess how inclusive their country's educational policies were for urban refugees, those working in countries that had ratified the core international treaties were more likely to view national policies as inclusive compared to countries that had not ratified the treaties or that had reservations affecting education (see Figure 3 below).

Figure 3: Perceptions of How Inclusive National Educational Policies Are

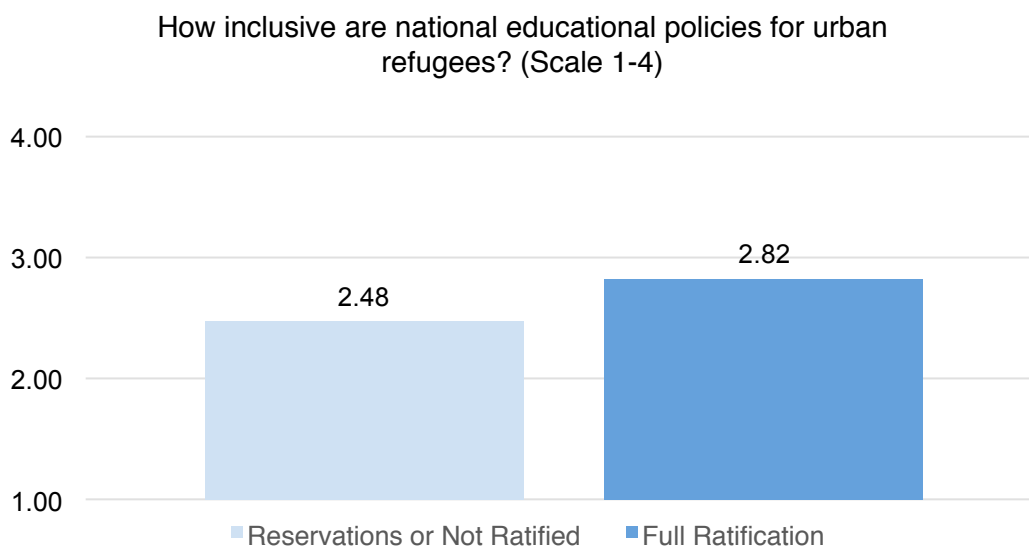


Figure 3 points to the importance of international commitments for supporting refugee education. Although the analysis is based on respondents' perceptions, not a classification or analysis of actual policies, it provides initial support for the link between international conventions and urban refugees' educational rights. We believe that this inclusiveness is the result of incorporating international commitments into national laws, which has stronger enforcement mechanisms. Participants from both government and non-governmental actors in Ecuador and Kenya also discussed the "domestication" and "nationalization" of global policies into their national education policies and laws. However, even in Lebanon, which is a non-signatory to the 1951 Convention, the government is engaged in the provision of public education to refugee learners. As such, it is important to consider how the national educational policy landscape either facilitates or hinders urban refugees' access to education.

Operationalizing Inclusive Policies

In addition, we find that inclusive policy frameworks are not enough to ensure access to education for urban refugees. Many of the most significant barriers to urban refugees' access to schooling come from the details of specific policies and operating procedures, such as documents needed to enroll in school. [Figure 4](#) shows respondents' perceptions of whether policies across specific educational domains, from school registration to teacher training and exit exams affect urban refugees' access to education. The figure is disaggregated by whether countries have fully ratified all three international treaties (see [Table 2](#)) or not.

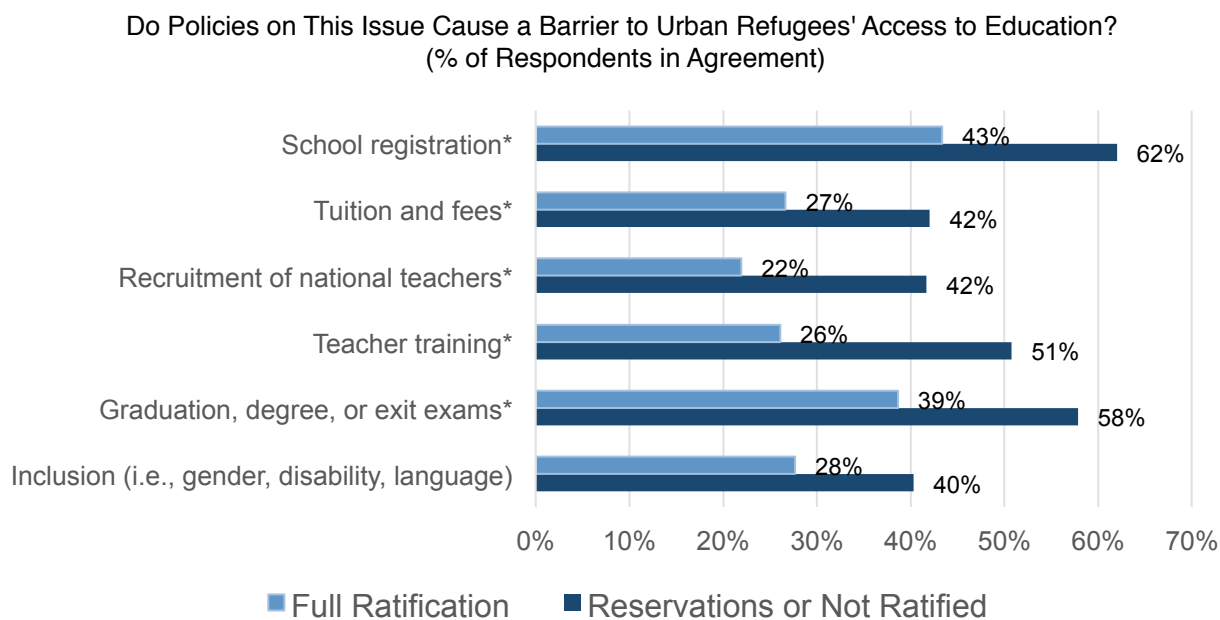
The survey data suggests that international commitments influence how respondents view specific national policies. [Figure 4](#) shows that policy barriers are more likely to occur in countries that have reservations affecting education or that have not ratified all three of the international treaties. While this is not a causal analysis, and may reflect a country's legal environment, as well as other factors, this is also indicative of the willingness of countries to adopt global norms around the right to education. Thus, while policy barriers still exist for all types of countries, those that have ratified all three of the international commitments are perceived to have more inclusive policy environments across several national education policy domains.

Nonetheless, it is also clear that even in those countries that have fully ratified the three international conventions, specific educational policies and operating procedures still create barriers to education for urban refugees. For example, [Figure 4](#) shows that more than 40% of respondents in countries that have fully ratified the three international conventions stated that urban refugees face barriers in registration, and nearly 40% state that graduation or exit exam policies create barriers to urban refugees' access to education.

One of the clear implications of the analysis is that even when countries have committed to inclusive educational frameworks, they likely treat refugees and non-refugee children similarly, by requiring similar forms of documentation, fees or teacher training. If policies and operating procedures are not accommodating of refugees' distinct needs, they are likely to pose barriers. On that note, our case studies shed light on promising examples of governmental accommodations for refugees. For example, in Kenya, UNHCR issued documentation that can replace birth certificates for school enrollment.

This section looks to international treaties and policies as well as data from the global survey to provide an overview of how the global legal and policy landscape may influence national level policies for urban refugee education. In the following section, we detail specific challenges to policy formation drawing on evidence from the three country case studies.

Figure 4: Policy Barriers to Urban Refugees' Access to Education



Note: Asterisk * denotes statistical significant difference in paired t-test ($\alpha = .10$)

Challenges with Policy Formation at the National Level

The integration of refugees into urban settings means that host governments must take a leadership role in creating educational policies for refugees; this can be a new, difficult, or politicized undertaking. The three case study countries—Ecuador, Kenya and Lebanon (see Text Box 6, Text Box 7 and Text Box 8) —provide rich examples of different policy environments and the degree of inclusion of urban refugee education in each setting.

Text Box 6: National Policies – Ecuador

Ecuador

Under the concept of *universal citizenship*, the 2008 Ecuadorian Constitution grants all people —regardless of their nationality or migratory status—equal human rights. Thus, the Ecuadorian Constitution prohibits the *refoulement* of economic migrants as well as refugees and asylum-seekers. Ecuador is also a signatory to the main international treaties ensuring rights to education for refugees including the 1951 Refugee Convention and 1967 Protocol, the International Covenant on Economic, Social & Cultural Rights, and the Convention on the Rights of the Child. In addition, Ecuador has signed the 1984 Cartagena Declaration on Refugees, which has a broader and more inclusive definition of refugee. However, Ecuador's laws governing migration date back to 1970 and are considered regressive and in conflict with the rights ensured in the Constitution and the regional and international conventions. As a result, they do not incorporate the idea of *universal citizenship* and are generally out of sync with modern Ecuadorian law. To remedy this, Ecuador is currently drafting a new Law of Human Mobility. This new law is promising in the sense that it does not limit itself to refugees or economic migrants, but instead acknowledges the “mobility” of all individuals. The *Ley Orgánica de Educación Intercultural* (LOEI) governs Ecuador's education system, guaranteeing universal access to basic education for all, including refugee and asylum-seeking children. The Education Regulations address refugees and asylum seekers as vulnerable individuals that the law encourages school districts and schools to integrate.

Text Box 7: National Policies – Kenya

Kenya

The Kenyan Constitution outlines that the government of Kenya (GoK) is responsible for adhering to the international conventions to which it is a signatory. This includes the 1951 Refugee Convention, the Convention on the Rights of the Child, and the International Covenant on Economic, Social & Cultural Rights. In addition to global treaties, Kenya is a signatory to the 1969 Organisation of African Unity (OAU) Convention, which expanded the definition of a refugee to be more inclusive of and relevant to the various reasons for displacement in the region. While the Kenyan Constitution legally recognizes its responsibility to abide by these conventions, national insecurity in the country has prompted policies limiting the rights of refugees. Following a string of terrorist attacks in 2012 and 2014, the GoK ordered the strict enforcement of an Encampment Policy, a “policy” (as its legality has been highly contested) restricting refugees’ residence exclusively to the camps. This directive indicated that Dadaab and Kakuma were the only designated areas for refugees and asylum seekers to reside in Kenya. In May 2016, the GoK issued a directive to close down its refugee camps. Citing economic and environmental burdens as well as national security, the GoK disbanded the Department of Refugee Affairs (DRA), established in the 2006 Refugee Act, and has promised to shut down the Dadaab refugee camp by November of 2016 (this move has since been challenged as unconstitutional in the High Court). Prior to the Refugee Act of 2006 (enacted in 2007), UNHCR had been responsible for refugee affairs management and refugee status determination (RSD) since 1992. Within the Ministry of Immigration and Registration of Persons, the DRA was responsible for the admission, coordination and management of refugees within Kenya. Its closure threatens the rights of more than half a million refugees in the country. Amidst these concerns about national security and stringent constraints on refugees’ movements, the Ministry of Education along with UN and civil society partners developed new Guidelines on Admissions of Non-Citizens to Institutions of Basic Education and Training in Kenya that aim to provide clarity and support for refugee and other learners striving to access schooling opportunities in Kenya. The ways in which these two opposing initiatives will be reconciled merits close attention.

Text Box 8: National Policies – Lebanon (Cont’d next page)

Lebanon

Lebanon is not a signatory to the 1951 Refugee Convention; however, it has signed the Convention on the Rights of the Child and the International Covenant on Economic, Social & Cultural Rights, both of which oblige Lebanon to provide basic education for all children. This commitment is built into the Lebanese Constitution, which states that the government must abide by UN treaties. When Syrian refugees began entering Lebanon in 2011 and 2012, no specific policies were in place for educating Syrian refugees and most education provision was offered by international and national NGOs. Starting in 2013, a large influx of Syrian refugees entered Lebanon. Since 2013, the Ministry of Education and Higher Education (MEHE) took the lead role in coordinating the response. With financial support from donors, they opened 90 second-shift schools in the 2013-2014 academic year. In 2014, MEHE launched the Reaching All Children with Education (RACE) campaign in conjunction with UN agencies and donors, a three-year program organized under three main pillars: access, quality, and systems strengthening (MEHE, 2014). As part of RACE, MEHE created a new unit in 2015, known as the Program Management Unit (PMU) to coordinate the policy response and implementation. In September 2015, 238 schools opened as second-shift schools to accommodate Syrian refugees. As a result, significant progress has been made in expanding Syrian refugees’ access to formal educational opportunities.

Continued – National Policies in Lebanon

In an attempt to regulate and standardize NFE provision, MEHE and the RACE Executive Committee (REC) developed the NFE Framework in January 2016, which stipulates that such programs must only operate as a bridge to the formal sector (with the exception of vocational training options for older students), and that any NGOs operating outside of this framework could be shut down. This regulation has further limited the operational space for I/NGOs. In September 2014, MEHE disbanded the UNHCR’s Education Sector Working Group, though UN agencies and civil society organizations have continued to meet and exchange information in the framework of an “education partners” group (Buckner & Spencer, 2016). Up until the creation of a steering committee in June 2016 consisting of seven NGOs selected by MEHE, civil society actors had no voice, representation, or formal mechanism through which to coordinate. RACE II is currently under development and seeks to expand the current program’s mandate and scope.

The three case study countries presented here raise a number of key issues concerning policy formation for urban refugee education. Policies may be non-existent or in constant flux. Moreover, at the national level, backlash due to security concerns or geopolitics can result in policies that deny refugees’ rights. We highlight three key challenges that merit closer attention and provide further examples from our case study countries about each. These challenges include: unclear policy frameworks, shifting and volatile policy environments, and policy contradictions across government.

Non-existent or unclear policies

In urban settings, governments must play a leadership role in creating educational policy for refugees. This can be a new, difficult, and frequently politicized undertaking. The policy framework for urban refugee education may not exist, may be in a constant state of development, or may be unclear.

The issues raised by a non-existent and evolving policy framework are highlighted in the Lebanon case (see [Text Box 8](#)). The Government of Lebanon (GoL) is under immense pressure from both the international community and the refugee community to better support the Syrian refugees inside their borders and has been working with different stakeholders to put education policies in place. Nevertheless, the constant flux and evolution of policies currently being developed presents challenges for implementation. As the profile of Lebanon above shows, when there is no existing policy framework for educating refugees in new or emergent crises, new policies must be designed. Early in the response, the GoL played little to no role, described as “hands-off” in interviews (INGO representative, March 2016). Since 2013, however, their role changed completely, with the government taking a lead role. To do this, it had to create and staff a new government unit, the Program Management Unit (PMU), which requires both time and resources.

Similarly, policy formation is a multi-step or iterative process. As the policy profile of Lebanon indicates (see [Text Box 8](#)) even after a national policy document – RACE – was formulated, additional implementation procedures, including the implementation procedures for non-formal education, basic literacy and numeracy, and accelerated learning programs all needed to be developed.

The government indicated that it would issue a non-formal education (NFE) framework in early 2016 to clarify when, where, and how NGO and other partners can support the provision of education to children and youth unable to access public education, as one out of every two Syrian refugees in Lebanon is still out of school (Human Rights Watch, 2016). However, there were significant delays, and the standardized operating procedures were only issued in June 2016. One NGO worker referred to the NFE Framework as “a phantom framework” (INGO representative, Beirut, March 2016), explaining that although it had been discussed for months, NGO representatives did not actually know the details. The policy void in this case created an uncoordinated space in which different actors were designing and implementing education programs without the oversight of national government partners. Many international and national NGOs expressed concern that they invested time and effort into designing their own programs, which will ultimately have to be replaced with government-approved content.

Shifting and volatile policy environments

A second major policy barrier is the shifting and volatile policy environment. Given the lead role governments play in urban settings, refugee policy can often become highly politicized, which may undermine educational access for urban refugees. Decisions about the provision of education in a country, and to refugees in particular, cannot be separated from the larger geopolitical conversations influencing a country or region that is hosting refugees. Whether the crises that caused the influx of refugees into a particular country/region are relatively recent or longstanding, the political environment appears to be equally volatile.

The Kenya policy context illuminates this volatility (see [Text Box 7](#)). Although Kenya has hosted refugees for many decades and has put in place an inclusive policy environment that extends to refugee populations, the situation changes abruptly when violence and terrorist acts take place that are attributed (accurately or not) to members of the Somali refugee population in the country. The Kenyan president’s May 2016 call to shut down the refugee camps in Kenya is further complicated by the recurring violence in the region and the perception that international resources and support are being sent to other regions (e.g. Syrian refugee crisis). Hence, the perception is that Kenya is being left solely responsible for supporting the hundreds of thousands of refugees in their borders. The GoK has issued similar threats to close its refugee camps within the past; however, the disbandment of the Department of Refugee Affairs (DRA) immediately following the announcement highlights the seriousness of this threat. The DRA had been responsible for the admission, coordination, and management of refugees within Kenya since 2007. In fact, UNHCR had been transitioning various responsibilities, including RSD processing, to the DRA prior to its disbandment. The May 2016 issue and DRA’s dissolution have direct implications on the rights of refugees in Kenya, including those residing in urban areas. These movements are currently being challenged in court.

Similarly, in Lebanon, although stated educational policies are now inclusive of urban refugees, abrupt changes in residency policies have affected urban refugees' access to education. In January 2015, the Lebanese government closed its border with Syria and demanded that UNHCR stop registering Syrian refugees. This has drastically increased the number of Syrian refugees deemed to be illegally residing in Lebanon, exacerbating generalized fears of deportation. This has greatly influenced refugees' willingness to leave their communities to attend public schools.

Contradictory policies and misalignment between government offices

In urban settings, policy formation relies on various government ministries, whose policies, priorities, or mandates may not always align or may be completely contradictory to one another. We found in all three case studies that government offices responsible for security and residency status were more restrictive than educational ministries, which undermined educational policies. For example, in Ecuador (see [Text Box 6](#)), while the 2008 Constitution and education policies are inclusive of all students regardless of nationality or migratory status, some of the old migratory laws are more regressive and focus on national security rather than rights, thereby contradicting the policy in the Constitution (Góngora, Herrera, & Muller, 2014). An INGO representative explained how the government continues to deport migrants, in violation of the Constitution and international obligations: "If we are a country of universal citizenship, it [should] not [be] possible to have places where people are detained for deportation."

In some instances, the legality and constitutionality of the policies are being questioned. Kenya's Encampment Policy, for instance, calls for all refugees to remain in camps and prohibits movement to urban areas (with few exceptions); it is worth noting that the enforcement of this policy spikes in the aftermath of violence or terrorist attacks in the country. Referencing the encampment policy, an NGO representative stated that: "We're still trying to look at what is the position of the law, as regards to the encampment policy. On the one hand, the same court is saying that it's unconstitutional, on the other hand, the same court is saying that it is constitutional." While not an education policy, the encampment policy directly affects urban refugees' access to education. If a refugee family is sent or forcibly returned to a camp then that child could have his or her schooling interrupted.

A similar tension between educational expansion and security concerns exists in Lebanon. Although the Ministry of Education and Higher Education (MEHE) is trying to expand access to education for Syrian refugees, participants emphasized how General Security's restrictions on legal status, raids of informal tented settlements (ITS), and arrests of Syrians at checkpoints seriously undermine the MEHE's efforts to accommodate Syrians in the public school system. The Lebanese government is working on a plan that would help the Ministry of the Interior recognize these individuals and provide identity documents to students who are trying to get to school, but it is not in place yet.

Recognizing opportunities for alignment

To overcome these challenges and create policies that are conducive to the provision of education for urban refugees requires finding areas of alignment across the interests of host governments, local communities and refugees. Good policy formation also requires recognizing the need for alignment between various Ministries and across governmental levels. Policy formation also needs to be responsive to the real or perceived security threats that may undermine later policy implementation. Finally, promising practices are those that provide benefits for both national students and refugee students. In our case studies, we found a number of promising examples of how donors and governments worked together to meet refugees' needs.

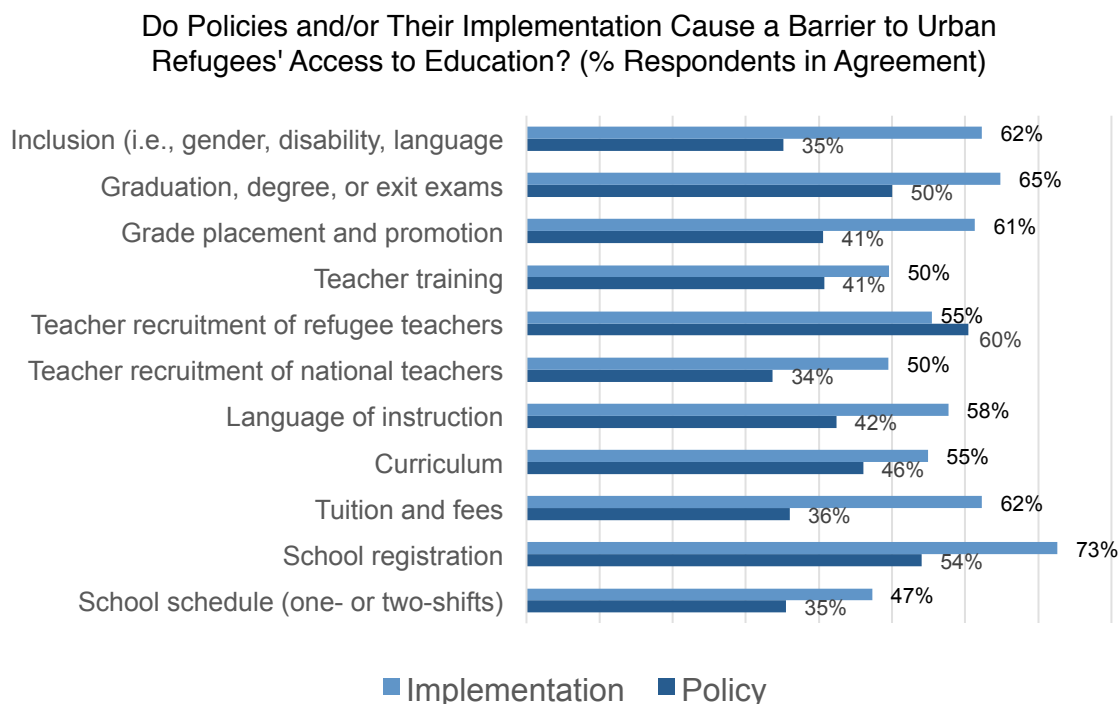
For example, in Lebanon, donors helped to eliminate school fees for all Lebanese youth in public schools as well as refugee learners. One of our respondents explained that the Lebanese government ensured donors covered “every single Lebanese before Syrians went...Lebanese school fees were covered as a condition of Syrian school fees being covered.”

Part II. The Policy-Implementation Gap

Despite the challenges with policy creation, the majority of survey respondents pointed out that the implementation of policies was an even more significant barrier to education than the policies themselves, as indicated in Figure 5 below. An NGO representative in Ecuador explained: “What happens is that the intended policy on refugee issues is all good in writing...however,...this doesn’t actually, concretely, happen.” An INGO representative in Lebanon said: “Policies are great... It’s just the actual implementation is really lagging.” Similarly, in Kenya, an NGO representative stated emphatically that the policy environment is “over-legislated, under-implemented.”

When looking at specific education-related policies, there was resounding agreement that the implementation of policies was the greatest challenge across the sample as a whole. Figure 5 shows the percentage of respondents who view educational policies as a barrier and the percentage that view the implementation of said policies as a major barrier to urban refugees’ access to education. It is clear that across all categories mentioned, with the exception of one related to the lack of policies around recruitment of refugee teachers in urban areas, implementation is a bigger barrier than the policy itself.

Figure 5: Bigger Barrier: Policy or Implementation



Challenges to Policy Implementation

There are a number of reasons why policy implementation in urban areas is more complex than camp settings. First, implementing educational policies in urban spaces engages many more local governmental actors than in camp-settings, including civil servants and school principals. Second, decision-making is typically spread across complex and often decentralized government bureaucracies, while capacity to implement is often weak, as local officials, school administrators, and non-state actors retain significant authority and autonomy (Landau & Amit, 2014). This diversity of actors also means implementation is susceptible to xenophobia and stereotypes among host communities or school administrators.

Limited space or capacity in government schools

In this section, we highlight the challenges for policy implementation arising from reliance on host governments, namely: limited space, limited capacity to monitor implementation, lack of information channels, high levels of autonomy among local officials, and xenophobia and discrimination against refugee populations.

Limited space and government capacity takes various forms across different contexts. However, in most instances, it does not necessarily imply the need for the construction of more schools but might be linked to an unequal geographical distribution of schools or lack of transportation to schools. In some cases, it simply refers to the absorptive capacity of the existing school system, which has difficulty incorporating high numbers of refugees. For instance, in the case of Lebanon, although 85,000 students were incorporated into 238 second shift schools in 2015, an estimated 180,419 students were still out of school (London Conference 2016). The uneven distribution of where refugees live and where public schools are located means that opening more second shifts in the remaining public schools, while important, is nonetheless unlikely to be able to accommodate all Syrian refugee children in Lebanon since the schools limit the number of students they will accept.

Even when there appears to be enough opportunities to accommodate refugees in the national system, overcrowding in the classroom becomes a concern. One NGO representative from Kenya lamented the overcrowding happening in urban schools: “We still have 50 students in a class...some of the slum schools have even gone up to 100...so a very similar situation close to what we experience there in the camps.” This quotation highlights a potential area of alignment for educational policies affecting urban refugees and host country nationals. Overcrowding is an issue that directly impacts access and quality in education for host country national students and refugee students. As the NGO representative recalled above, classrooms in the slums of Nairobi may have 100 students or more, a pressing problem in refugee camps in the country as well. However, in urban centers, this overcrowding directly impacts Kenyan students. Marginalized Kenyan youth who live in the slums face similar barriers in their schooling as urban refugees do. Explored in greater depth in our recommendations, policies and programs addressing this barrier need to consider both populations in their design to ensure their efficacy, longevity, and success.

Limited capacity of government to monitor

There is also a lack of technical capacity and monitoring systems among government officials, who may not be trained to implement and monitor new or changing educational policies. In urban settings, the sheer number of government officials involved in policy implementation means that lack of capacity can impede policy implementation. An NGO representative from Lebanon stated: “I think it's a very positive thing that the Ministry's taking these things on but the actual implementation really needs...more technical support from partners who have been doing work on the ground and really understand that context and situation.” An NGO representative in Ecuador commented that, “the leadership are people with limited capacity so you actually encounter barriers from the person who is leading [the policy rollout], so it's not so much the policies but the person who does not make things easy or doesn't have the awareness to implement.” Hence, the lack of capacity at the local level or ability to monitor how policies are implemented serves as a barrier for policy implementation.

Lack of information about policies

Good policies may exist on paper but may not be implemented due to officials' lack of knowledge regarding a policy or lack of information on how to implement the policy. In some cases, civil servants who are responsible for implementing the policies are also unclear about the exact policy and thus implement it how they see fit instead of how it was intended. For instance, one NGO representative in Ecuador explained: “The policies are clear; however, the...staff [are] not well trained or [do not] understand them, many are interpreted according to what the duty officer thinks.”

A related issue entails the challenges of disseminating new policies throughout the education system. Although the new Guidelines on Admissions of Non-Citizens to Basic Education and Training in Kenya marked a significant inter-agency achievement, there was a lingering question (at the time of this study) about which organization would provide the funding to make copies of the new policy and distribute it to the district education officers and school principals responsible for its implementation. These extensive delays in informing education personnel about new policy decisions have significant consequences for refugee (and other) students and families trying to gain admission to school.

Autonomy of local and school administrators

Local administrators have significant autonomy, which means that policies may not be applied uniformly. This can often leave urban refugee students at the whims of a school administrator. In Kenya, tuition for primary education is free in theory, but, per the Basic Education Act of 2013, schools are allowed to impose other charges as long as the school administrator does not deny students entry due to their failure to pay these fees (Government of Kenya, 2013). Even though students are not supposed to be refused access to school if they cannot make payments it still happens in practice. School administrators sometimes make their own decisions about who will be allowed entry into their schools and who will not. For example, one NGO representative in Kenya explained: “Most schools tend to do what suits them at that particular time, that is why they raise school fees when they feel like it.”

This leads to a lack of consistent implementation of policies and NGOs are often frustrated as they face different challenges from one school to another.

In Lebanon, school principals enjoy autonomy as well. We know that even when the MEHE has identified a school to be a second-shift school, there are few enforcement mechanisms, and principals may not actually incorporate refugees into the second shift. Even when principals want to open up schools to refugees, they may also be subject to immense pressure by their local communities not to accommodate refugee learners in their schools due to community members' concerns about resources being diverted from their children as well as negative perceptions of refugees, an issue we turn to next.

Rising xenophobia against refugee populations

Even with the best policies and intentions, refugees are often perceived as outsiders based on their different cultures, languages, race/ethnicity, or perceived stereotypes about the population among the host community (REACH, 2014; Stark et al., 2015). In urban settings, where refugees tend to live in close proximity with host populations and rely on integration into public schools, xenophobia and discrimination become even more consequential for accessing education. Because of the many actors involved in policy enactment in urban settings, including civil servants and school principals, there are many more openings for individual-level xenophobia and discrimination to prevent policy implementation. Moreover, xenophobia by host communities can undermine implementation despite school administrators' best efforts.

In Kenya, despite strong policies protecting urban refugees' right to education, views of urban refugees as a security threat result in a backlash against these official policies and unofficial practices. As an NGO representative in Kenya explained: "[The government officials] invoke the so called encampment policy whenever it suits them."

In Ecuador, even though Colombian refugees speak the same language (Spanish) and are mostly from the same religious background (Catholic or Christian), they are still viewed as different and as a threat. Issues of race and gender add additional layers of vulnerability. A UN representative explained: "...the issue of nationality also weighs heavily in discrimination. What happens is that discrimination adds up. So...if you are of African heritage and besides that you are a Colombian refugee, the discrimination in this scenario adds up rather than if you were just of African heritage."

In Lebanon, the tensions are around access to resources and the perception that Syrian refugees are flooding the cities and schools. A UN representative commented: "That's led to a lot of the animosity between, perceived [animosity]...I mean it's not necessarily real, but the perceived animosity between locals and refugees."

Although the policy-implementation gap is not exclusive to urban refugee education, urban settings pose both new challenges and make old barriers even more consequential. Lack of information about policies at the local and school levels, lack of capacity to implement policies, and stereotypes about refugee populations all contribute to the policy-implementation gap, which is exacerbated in urban settings.

Part III. Operational Space for Urban Refugee Education

While refugees living in urban spaces face distinct barriers to access quality and inclusive education, organizations also face unique challenges in providing and supporting educational services for refugee populations residing in urban spaces.

Because refugees live in and among host populations in urban settings, organizations often have difficulty finding and serving them, either due to lack of data or urban refugees' lack of official refugee status. Moreover, refugees' integration into host communities means organizational programming requires greater host community acceptance and buy-in. When this does not happen, it often makes different programs and initiatives more susceptible to backlash due to xenophobia or discrimination.

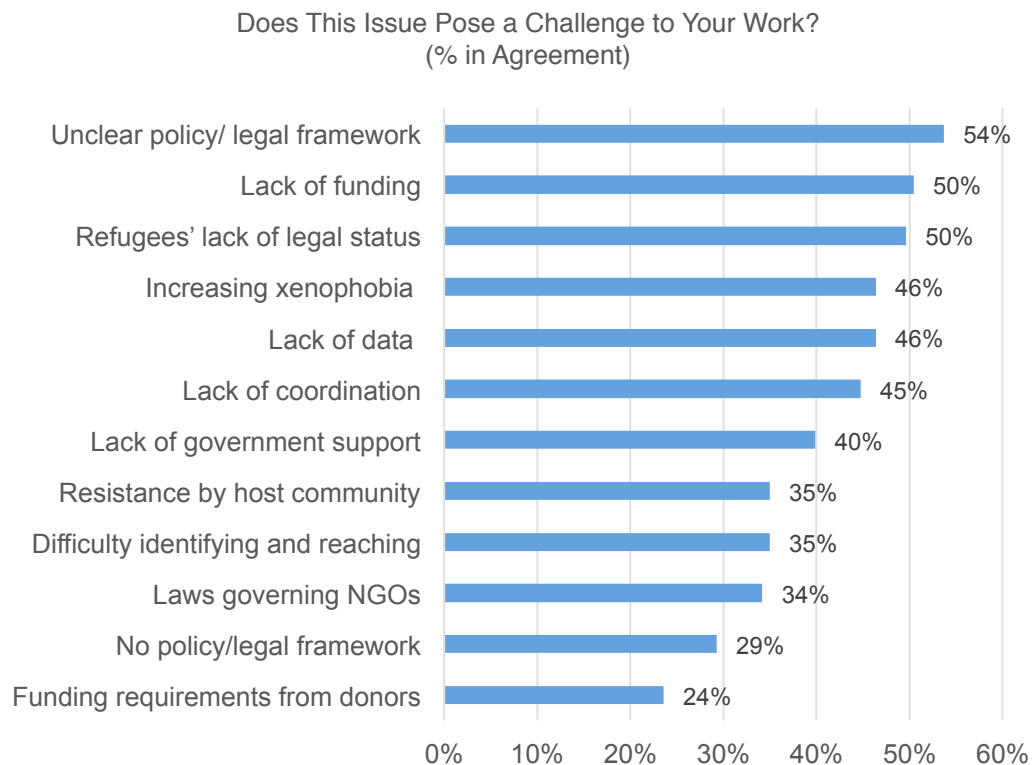
Compounding this lack of data and uncertain refugee status is the increased number of stakeholders working on behalf of urban refugee education. In urban settings, the number of government offices and organizations are both more numerous and more varied. While international and national organizations (UN, NGOs, and CBOs alike) play important roles in advocacy and technical support, in urban settings, they must defer to national and local governments to a much greater degree than in camps or informal settlements. As various levels of host governments play a larger role in educational provision for urban refugees, civil society organizations must adapt their approaches to be more complementary and supportive. This calls for greater role differentiation between government and civil society and broader coalitions to ensure sub-national and municipal governments are informed of and committed to implementing inclusive educational policies.

In this section, we first discuss the specific challenges that organizations face working in urban settings, and second, what the shifting dynamic towards a larger role for government in urban settings means for organizational actors.

Challenges of Working in Urban Spaces

The global survey asked respondents working in organizations to identify the major challenges they face in carrying out their work in support of urban refugee education. Figure 6 shows the major challenges organizational actors face. The most commonly mentioned challenge was an unclear or lack of policy framework, which posed a major challenge to a majority of all organizations (54%). This challenge was followed closely by lack of funding (50%) and refugees' lack of legal status (50%). Funding requirements from donors (24%) was the least cited challenge, with roughly one fourth of respondents stating it as a major challenge.

Figure 6: Major Challenges Organizations Face in Urban Refugee Education (%)

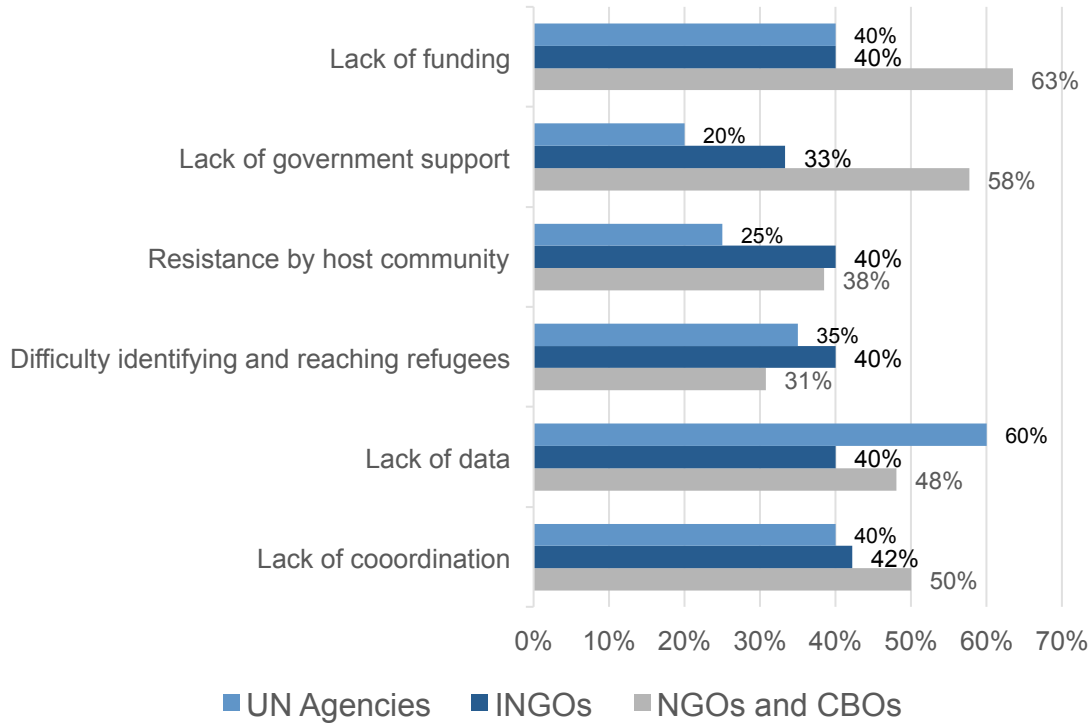


Nonetheless, we also found that organizations' major challenges varied by organization type. Figure 7 shows the major challenges facing NGOs and CBOs, which include a lack of funding and lack of government support. These differ quite a bit from the major challenge facing the UN agencies, which is a lack of data. This makes sense, as small NGOs running small scale programs are operating in a very different organizational space than large international NGOs and UN agencies. It is understandable that their major challenges would differ. However, it is worth noting, that across many different challenges, local NGOs and CBOs are more likely to say they face major challenges than are international NGOs and UN agencies. It is common for local NGOs and CBOs to lack funding, which may exacerbate issues of technical capacity and human resources. Interestingly, the areas where they are less likely to face challenges are with data and with identifying and reaching refugee populations – it may be that local NGOs and CBOs know their environment well and the refugees they are working with in more localized areas. Given the different challenges and advantages different types of organizations face, forming productive partnerships across local and international organizations is critically important.

In this section, we elaborate further on the challenges organizations face that are exacerbated by working in urban spaces, including the wide variety of actors that can lead to a lack of coordination, a lack of government support, a lack of data, difficulty in reaching urban refugee populations, resistance from host populations, and funding issues.

Figure 7: Major Challenges Facing Different Actors

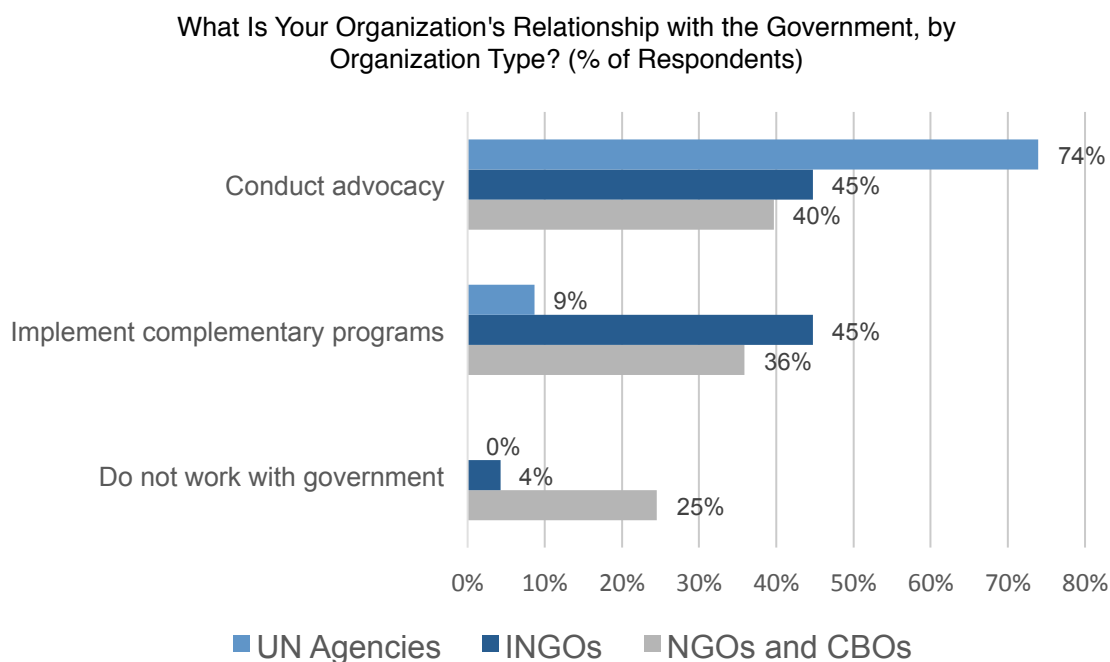
Does This Issue Pose a Challenge to Your Work, By Organization Type?
(% in Agreement)



Coordination in the education sector

We know that humanitarian organizations and other actors already recognize the critical importance of effective coordination, collaboration, and coalition building and that organizations pursue different collaborative activities given their organizational identities and missions. Survey data reveal this division of labor among organizations (see Figure 8). For instance, UN agencies are more likely to engage in advocacy work (77%) compared to INGOs (44%) and NGOs (40%). Meanwhile, INGOs and NGOs are more likely to implement programs not offered by the government. However, working in urban spaces demands effective coordination across actors and sectors. Lack of coordination was viewed as a major obstacle to organizations’ work, and is most significant for INGOs. While the majority of respondents reported high levels of coordination and collaboration across different actors in our study, organizations also mentioned issues of competition over funds and beneficiaries.

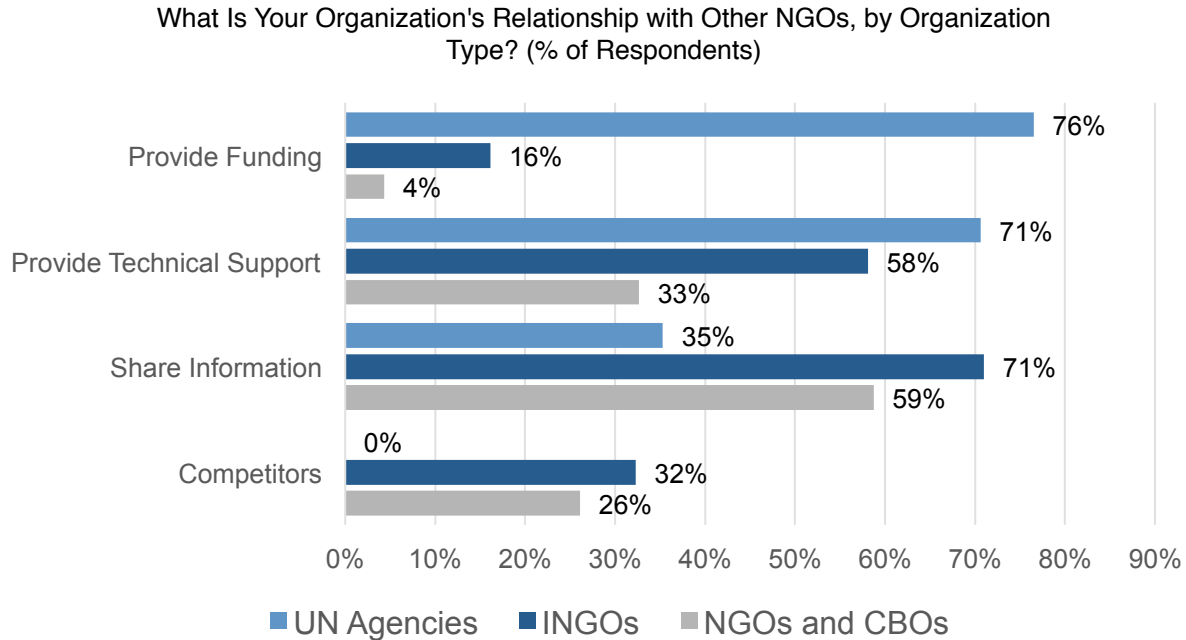
Figure 8: Relationship with Government, by Organization Type



In addition, our survey points to the productive relationships that exist between UN agencies and both international and local NGOs. For example, Figure 9 shows that while UN agencies play an important role in providing funding and technical support to NGOs, both INGOs and local NGOs are much more likely to say that they share information among themselves. NGO-NGO coordination can also manifest in the form of NGOs working in specific sectors and then using other NGOs to help their clients in sectors out of their purview. In Ecuador, one example of a successful coordination strategy was the Education Working Group created in 2011. Local and international NGOs worked together to guarantee refugees' physical access to school. Similarly, NGOs in Lebanon are able to coordinate by bringing specific cases to the attention of relevant NGOs so that they can get their clients help that perhaps their NGO would not be able to provide as stated by this NGO representative: "We definitely do coordinate with NGOs and say, whether people have been detained or are extremely vulnerable you know we'll flag cases to other agencies to have them look into their case to see if they'd be eligible for assistance."

While there is clear collaboration and coordination across many actors on the ground, there is also competition. Roughly 32% of INGO respondents reported competing with other NGOs, and roughly a fourth of NGOs (26%) stated that other NGOs are their competitors. In contrast, UN agencies tend to fund INGOs and NGOs and are thus not seen as competitors. This competition was often in the form of NGO-NGO competition over resources or beneficiaries. In the Ecuador case, competition over beneficiaries limited the potential of collaboration between NGOs. Locating and maintaining steady access to a refugee population becomes a prized commodity that sustains the very existence of each NGO. A local NGO representative explained the possessiveness that affects some organizations: "There are two things, competition 'because they are my youth and I trained them', and 'I have invested a lot in their training and they are what they are because we have invested in their training'...it's both of those."

Figure 9: Relationship with Other NGOs, by Organization Type



Moreover, as discussed previously, coordination must happen not only between INGOs but also increasingly with government. Coordination across the different actors, including the national government, UN agencies, and NGOs, working to ensure access to refugees in urban settings is imperative.

Lack of government support

One of the major challenges for local NGOs is a lack of support from government. Roughly 25% of NGOs and CBOs in our survey report that they do not work with the government at all, whereas all UN agencies and 96% of INGO respondents state that they collaborate with the government directly. Moreover, as mentioned above, over 50% of NGOs and CBOs surveyed said that lack of government support was a major obstacle to their work.

In some places, competition arose between NGOs and governments. In Lebanon, with the major influx of Syrian refugees, the government took the lead of the education sector was seen as encroaching on the operational space of NGOs. The government went as far as to disband the education working group that coordinated the education sector in Lebanon. As a result, NGOs have been left without an official platform to coordinate their work. Moreover, there is no channel of communication between NGOs and the government, which makes coordination a struggle. The following example from Lebanon illustrates the challenges that smaller NGOs with fewer staff members confront in their efforts to collaborate more closely with MEHE. The time and level of effort it entails for small organizations is significant, especially when there are no guarantees of a successful outcome. An NGO employee in Lebanon explained:

“Working with MEHE is a challenging proposition. There’s a lot of competing interests within the structure of the Ministry. It’s a “big risk” to invest a lot of time and effort, especially considering [our] small team, compared to other organizations. To work on a big proposal, get funding, work with MEHE is a big risk for us - having it not go anywhere [as we try to agree on the right approach to work within public schools].”

The contentious relationships between different actors ultimately may prove a hindrance in getting refugee students the necessary services and resources that they need. Whereas the government is expected to play the lead role in urban settings, better coordination among UN and NGO partners is as important as it is challenging.

Lack of data

Because urban refugees are dispersed throughout urban settings, there is often a lack of data on who and where urban refugees are. Additionally, given urban refugees' high rates of mobility, there may be a constant flux of refugees in urban settings. In Lebanon, an NGO representative explained, "there's an extraordinary lack of data, really. We don't all necessarily know what we're talking about."

A lack of clarity about how many refugees are located in a particular country or community was mentioned as a challenge for organizations by survey respondents—particularly those working in UN agencies (60%), but also for INGOs (40%) and NGOs (48%)—as well as by participants in the case study countries. In all three case study countries, the MoE does not collect disaggregated data by migratory status; hence, the government does not know how many refugee students are in the government schools. In both Kenya and Lebanon, the government lumps all non-citizen students together, identified as (non-Kenyan or non-Lebanese); in Ecuador, data is collected by nationality, not by migratory status.

In Kenya, by only investigating the number of non-Kenyans in schools, the MoE does not have specific data on refugees and thus cannot adequately begin to understand their needs. However, it is very common for head teachers (principals) at public schools to keep detailed records of their refugee learners, including posters in the main office clearly labeled "Refugee Learners", that indicate their countries of origin. In Lebanon, there were already many Syrian students in public schools who came as migrants before the civil war. Since MEHE does not disaggregate students by refugee status, this means that Syrian students—regardless of the duration or reasons of displacement—are all considered one 'Syrian' population. When asked about the number of refugees in the schooling system in Ecuador, the Vice Minister said he could give us information on the number of Colombian students, but not necessarily their migratory status. Similarly, at the school level, principals and teachers did not know how many students were "refugees" but rather referred to them as "Colombian" or vulnerable students. There are varying practices in place in terms of data management, specifically in terms of how students are classified and the use (or lack of use) of the word "refugee" (Rodríguez-Gómez 2016). This has implications for how teachers can meet the distinct needs of their refugee learners.

While having more accurate numbers of refugees in schools would be helpful for planning purposes, there are protection issues that need to be considered in regard to how this information might be used. For example, as discussed earlier, refugees face heightened vulnerability to discrimination in the aftermath of terrorist attacks in Kenya. In response to escalating violence in 2013-14, the GoK issued a directive ordering strict encampment policy for refugees in 2014. Following this directive, Usalama Watch (also known "Operation Sanitization Eastleigh") targeted urban refugees for relocation to camps, and approximately 3,000 refugees were forcefully moved to camps (UNHCR, 2016).

It is important to note that while this study's findings call for *more and better data* on where urban refugees are living and attending school, guidelines and enforcement mechanisms need to be in place to prevent national governments and host communities from misusing the information should the geopolitical environment shift in the country. National governments should ensure that data is collected on the number of refugee students in national schools, but also ensure the protection of their identity so that they do not face discrimination due to their migratory status.

Difficulty finding and reaching refugee populations

The long-term displacement of refugees and their high level of integration into the host community mean that, in some cases, urban refugees become “invisible”. In the survey, respondents from across UN agencies (35%), INGOs (40%), and NGOs (31%) mentioned the difficulty of identifying and reaching beneficiaries.

All too often, urban refugees are called invisible because they do not register as refugees due to fear of discrimination and violence from the host community or the threat of arrest from the local police force (Dryden-Peterson, 2006). As a result, actors across the board sometimes struggle to find the refugees so that they can connect them to the services they need. One UN representative in Kenya explained this issue, which simultaneously illuminates the possible risks of collecting data about refugee populations:

“You don't know who is a refugee, who is not. They are not visible. That's what actually I think bothers...the government. They want to know who they are, where they are; control them. That's the perception that either the urban refugees are a security risk because we don't know exactly where they are, who they are, what they do.”

Actors in Lebanon had a similar problem finding and retaining beneficiaries. One NGO representative mentioned the fact that refugees are often dispersed throughout cities, making it difficult to locate them and to provide services: “Children who are living outside the camps, it becomes much more difficult to actually provide the service because they are living in a scattered way in the cities or in other settings.”

Similarly, in Ecuador several participants in our study mentioned the problem of invisibility due to the urban setting and to the fact that many refugees are transferring to different visas, such as the Mercosur or Family Reunification Visa (*Visa de Amparo*) that allow for employment privileges but do not mention refugee status. These participants expressed concern that eliminating refugee status will not eliminate the root problems plaguing the refugee population and might actually drive refugee populations further into a state of invisibility.

Hence, given the difficulty of locating urban refugee populations, organizations should aim to provide services, programs, and schools closer to refugee communities. To do this, however, better data and mapping assessments need to be undertaken as mentioned previously.

Resistance from host populations

As with policy implementation, programming for urban refugees can be interrupted by resistance from host populations. Although organizations have long recognized the need to implement programs that benefit both refugees and host communities, the urgency is ever more imperative when refugees intermingle and attend schools with host community students.

In addition to the difficulty of locating the beneficiary population in urban settings, country case study participants and survey respondents—INGOs (40%) and NGOs (38%)—mentioned the resistance from the host community that stemmed from xenophobia and stereotypes about the refugee population.

In Ecuador, several NGOs spoke of civil employees' stereotypes against Colombian refugees and asylum seekers as the principle factor preventing the provision of services. An employee from a local NGO in Ecuador shared a story of when the organization pitched an idea to government officials about conducting a theater of the oppressed with youth in refugee-like conditions. Despite the interest in their approach, the government officials stated that they weren't ready for the subject to be about refugees. This response was interpreted as a lack of understanding and discrimination: "They are Colombians that nobody wants to support. They are Colombian, they are refugees, and on top of that, most are of African descent," the participant explained.

Differently from the participant above who openly shared with civil employees that the organization worked with refugee populations, another NGO employee avoided the term "refugee" all together. Aware of how loaded the term refugee could be in the governmental sphere in Ecuador, this participant preferred to use the euphemism, "populations with other nationalities" – which could entail returnees from Spain, the UK or Italy. She explained, "It seems silly but it really makes things easier, because when you talk about 'refugee' here in Ecuador it's not normally associated with good things. And of course since the refugee is also associated with the Colombian and the Colombian is associated with other negative things it does take more work."

These two testimonies show, firstly, the ways in which layers of exclusion accumulate in the bodies of refugees; secondly, the power of popular stereotypes to prevent refugees from full participation in the hosting society; and thirdly, simple strategies that NGO employees implemented to guarantee the success of their projects.

Organizations working in urban spaces should work closely with national governments to ensure that stereotypes and discriminatory practices do not limit access to education services. This can be done by making joint decisions around the use (or lack of use) of the term "refugee". Regardless of whether the term is used or not, it is critical that all actors collaborate to develop mechanisms for addressing the unique needs of the refugee population.

Funding

Funding for education for urban refugees is complicated by the fact that most funding either falls into long-term development funding or short-term humanitarian funding for emergencies (INEE, 2010). Funding for refugees tends to be considered humanitarian funding, while supporting national education systems is considered development funding. In both cases, funding for education in conflict or crisis-affected contexts falls through the cracks: less than 2 percent of all humanitarian aid goes to education and official development assistance (ODA) for education was only nine percent of the total amount in 2012 (Nicolai, 2016).

Lack of funding to address the needs of urban refugees was mentioned as a challenge particularly by NGO respondents in the survey (63%), but also by INGOs (40%) and UN agencies (40%), as well as by participants in the country case studies.

In Kenya, the encampment policy has forced some donors to stop funding projects for urban refugees, and as a result, some NGOs have moved out of the urban space. While lack of funding for NGOs in Kenya is forcing some out of the urban space, other NGOs are shifting or limiting their focus to the camps, as noted by one NGO worker, “I think most NGOs shifted, permanently, all their programs at the camps where...they get more funds being there. It’s less of a struggle and there are more educational opportunities for refugees in the camps.”

In Ecuador, there was a concern that donors would cut funding for the refugee population after the signing of the Colombian peace agreement, even though the underlying conditions affecting the refugee populations would not change. A respondent from a local NGO explained how the signing of the peace agreement could result in less attention and funding to the issues in Ecuador:

“Yes, but it seems to me that this discourse of post conflict and, well, of the effect of a peace process in Colombia is a double-edged sword to be honest. Because unfortunately if we approach the reality of the border, that’s not so real, I mean the problems that continue to affect the population are still there and pitifully that’s the discourse that is managed, it’s a political discourse. But in reality in the affected communities that’s not happening, and as we know that peace processes are not just for a few months, I mean they are very long processes that take years...Then it becomes an excuse to remove resources, say, close projects, close offices and unfortunately it’s not like that, I mean establishing a social fabric isn’t something you achieve from one moment to another.”

The new Education Cannot Wait fund for education in emergencies has been created to address the persistent challenges highlighted by the participants in this study. The fund aims to bridge humanitarian and development funding through new financing mechanisms; engage existing and new donors in closing the US\$ 8.5 billion funding gap needed to reach the 75 million children and youth affected by crisis, including refugees; and engage in political advocacy to shore up support and resources by governments and donors for education, to name some of the primary objectives of this new fund (Education Cannot Wait, 2016). While there is much enthusiasm for this fund, actors in the field of education in emergencies are waiting to see exactly how effective this new funding platform will prove to be.

Part IV. Shifting Roles and Responsibilities

The emphasis on government provision in urban settings requires that other actors – UN, NGOs and CBOs – adapt the ways in which they engage in supporting education for urban refugees in at least two ways. First, given that organizations are working in a dispersed urban area, often in conjunction with national and local governments, there is a need for a clearer definition of what role government should play and what role civil society and other organizational actors should play. Organizations will likely play a less prominent role in provision and a more important role in supportive and complementary programming. Secondly, given the integration of urban refugees in host communities, organizations should build coalitions and alliances at the local level with broad constituencies, including local governments, local NGOs, refugee associations, and the private sector to support common interests.

Tension between Formal vs. Non-Formal Education Sectors

Given the enhanced role governments play in providing education for urban refugees, international and national organizations that provide educational services for urban refugees can find themselves in competition with governments. In these cases, there is a tension about how both the formal and non-formal sectors can best work together to meet urban refugees' needs. Important questions remain about when it is best to provide non-formal education programs, for whom, and to what degree they might serve as a bridge into the formal education system.

On the one hand, we recognize that integrating urban refugees into national education systems provides the best hope for access and completion of certified schooling. In line with this approach, our survey found that integrating refugees into public schools was the top policy recommendation across all world regions, recommended by 48% of respondents. Nonetheless, we also found that opening public schools to refugees, while necessary, is rarely enough to ensure fully inclusive, and high-quality education. In fact, government policies of universal access cannot guarantee full access when there is not space in schools to absorb all refugee students. Our survey results point to this key tension: while the least-cited barrier to urban refugee education among all survey respondents was that governments are not accepting students into national schools (27%) over-crowding was the most cited (86%). Furthermore, we recognize that even if students have access to government schools this does not necessarily mean access to quality and inclusive education, as urban refugee students still experience distinct barriers as noted in [Text Box 2](#).

We also see a lack of consensus concerning the role of formal and non-formal sectors in survey respondents' priority policy recommendations. While integrating students into public schools was the top recommendation, supporting community run schools (28%) was the third most-mentioned recommendation, and comparatively large percentages of respondents also stated they wanted to see more support to alternative types of provision including bridging programs (21%), non-formal schools (21%), and scholarships (19%) (see [Table 3](#)). The vignette about the tension over non-formal education in Lebanon (see [Text Box 9](#)) captures some of the complexity that

Text Box 9: Tensions over Non-Formal Education in Lebanon

Tension over Non-Formal Education in Lebanon

Lebanon's Reaching All Children with Education (RACE) policy establishes the public sector as the primary gateway for refugee education: in 2015, 238 double-shift schools were opened and donor funding was tied to per-student enrollments. However, there has been significant tension over the question of provision. International and local NGOs point out that given the huge numbers of refugees, the government lacks the space and capacity to meet the educational needs of all refugees in the public sector. In fact, some NGOs run full-fledged community schools in refugee communities where public schools are far away or at capacity, although this is not technically allowed by MEHE.

There have been tensions concerning who should provide non-formal education in Lebanon, which has been exacerbated by the government's desire to enter the non-formal space. Since 2011, various non-state actors have been providing non-formal education (NFE) services in the form of remedial and catch-up classes, language support, community outreach, and homework help. Recognizing the diverse needs of refugees, RACE set clear goals for NFE and per-student funding allocations, ranging from \$75-\$363 per child (Life Skills — \$75, Accelerated Learning Programs — \$350, Basic Literacy and Numeracy — \$250, and Early Childhood Education — \$363 per child). RACE establishes MEHE as playing the lead role in regulating NFE; however, it outlines NGOs as primary providers of NFE.

In January 2016, MEHE issued its NFE Framework, which outlines a detailed set of procedures and pathways, which consolidates NFE provision and regulation under MEHE purview. It stipulates that any organization providing education outside of the Framework is considered to be operating illegally and could be shut down. However, delays in implementation — including delays in the finalization of the NFE Framework and Terms of Reference for implementation, and in the creation of an NGO sub-committee — has resulted in a great degree of frustration among civil society actors, who feel their operational space is being squeezed and they are operating with very little clarity over expectations.

Respondents also mentioned the importance of teacher training (30%) and advocacy (23%). Respondents from Asia (52%) and MENA (29%) were particularly likely to say supporting community schools was a priority. This is not a surprise, given Malaysia's current policy to not allow refugees into public schools and the MENA governments' challenges meeting the huge numbers of Syrian refugees.

Table 3: Top Recommendations Related to Provision of Education

Recommendations by Survey Respondents	% Listing Recommendation
Integrate refugees into national schools	48.00%
Provide teacher training	30.40%
Support community-run schools	28.00%
Advocacy	23.20%
Bridging programs	20.80%
Provide education in non-formal education programs	20.00%
Provide scholarships	19.20%

Clearly, there are important roles for both government and civil society to play in meeting urban refugees' distinct needs. Amidst the call to integrate refugees into national schools, attention must also be given to the complementary role the non-formal education sector can play in supporting government to meet the different needs of all refugee learners. It is also important to recognize that in some cases non-formal actors may be an important stop-gap measure when there are challenges accommodating all refugee learners into the formal education system. Clear policies also need to be established and communicated to ensure that education providers fully understand the long-term implications of their approaches (formal or non-formal). In Kenya, for example, organizations interested in starting schools may not meet the requirements set out by the government and therefore cannot be considered part of the formal education system, which ultimately leads to the proliferation of non-formal, community-based educational programs that do not put learners on a path toward certification and future educational opportunities.

New Opportunities for Engagement

While presenting a number of challenges, urban spaces also provide new opportunities to organizations working in refugee education. Study participants offered the following recommendations and promising practices as examples of the way forward. We will offer a final, culminating set of recommendations in the next and final section of this report.

Make refugee issues visible to government

One area where civil society must support government is to make refugee issues visible to educational policymakers. In Kenya many NGOs described having strong relationships with people in the MoE and Members of Parliament which allowed them to influence the way people in the government understand refugee issues. One NGO representative in Kenya explained how she was able to take government authorities from the MoE to the field during the creation of the new Guidelines for the Admission of Non-Citizens to Institutions of Basic Education and Training in Kenya (2015). These guidelines were a product of an inter-agency effort, including the GoK, UN, NGO and CBO stakeholders. By bringing government officials to schools with refugee students in camp-based and urban settings, the NGO exposed those in charge of developing national educational policies to the daily realities of access and quality in education for refugees. The NGO representative recounts this collaboration and the comments made to her after visiting the schools by her colleague at the MoE:

“[F]or me [the *Guidelines for the Admission of Non-Citizens to Institutions of Basic Education and Training in Kenya* is] one of the greatest achievements...Not because we sat down to do the guidelines on a table, but we went out with them out of the office context, into the field. They were able to see, by themselves, the situation under which the refugees live...”

The visit deeply impacted the MoE official (see her comments in [Text Box 10](#)).

Text Box 10: Ministry Officials Reflections on Refugee Education in Kenya

Ministry Official's Reflections on Refugee Education in Kenya

“This could happen to me. I could have easily become a refugee in 2007 when war broke out in Kenya. What would have happened to me? Would my children have been denied education if I went to Uganda? Would my children be in school learning? And how will they be learning?”

It not only raised awareness about the realities refugees face in their efforts to access school and the quality of schooling they receive, it also encouraged empathy – which in and of itself is a huge success. Similarly, one NGO representative in Ecuador said: “So with UNHCR what we have done precisely is to coordinate actions to make these border problems more visible so that we can at least get visits from the Ministry [of Education].”

Support teacher training

Supporting teacher training was the second most commonly mentioned policy recommendation, mentioned by 30% of respondents. Many of the participants interviewed in the case studies also indicated that they felt there was a need for teacher training designed to help teachers understand the lives, needs, and backgrounds of refugees. One teacher interviewed in Kenya mentioned that he never received any training around the needs of refugees, despite working in a school with a sizable refugee population of more than 300 learners. Teacher training is important both for bolstering the skills of national teachers who need to accommodate refugee learners in their classrooms, but also for recognizing trained teachers among the refugee population who would make valuable contributions to education sector (Burns and Lawrie 2015). Teacher training under these circumstances could include psycho-social support; second language support; classroom management and positive discipline; culturally responsive pedagogical training; active learning techniques; host country curriculum support; and countering physical, sexual and gender-based violence in schools, to name a few. The British Council’s Language Project (see [Text Box 11](#)) illustrates a promising approach for supporting multilingual teaching methods. The focus on teacher training benefits teachers of both refugees and national students and contributes to larger system strengthening initiatives.

Text Box 11: Supporting Multilingual Teaching Methods and Social Cohesion

Strengthening Educational Systems by Supporting Multilingual Teaching Methods and Social Cohesion

The British Council’s Language Project in Lebanon is funded by the European Union and intends to integrate Syrian refugees into the formal Lebanese education system through training government teachers on multilingual teaching methods. This initiative also serves to strengthen the MEHE through capacity building and helping teachers in the classroom manage different languages and cultures, with an emphasis on the added value of diversity. Although it is called the Language Project, its main aim is to foster social cohesion. The British Council uses a cascade training approach and works directly with the Ministry to train teachers in multicultural methodology and language awareness. So far, the program has reached 1,200 teachers and 60,000 students in the areas of the Bekaa Valley, Sidon, and Tyre.

Focus on complementary programming

Although some organizations may play a smaller role in education provision, they must play an even larger role in providing services governments cannot or will not provide. In our survey and case studies, respondents highlighted numerous types of complementary programming NGOs could offer. For example, in Lebanon, there were calls for continued support to non-formal education programs that would serve as bridging programs into the formal sector. In Kenya, there is interest by refugees from French-speaking communities to support community-run schools that would help maintain French language of instruction.

In Ecuador, several respondents gave examples of alternative approaches to integrate refugee and local students through arts, theater, and sports. This indicates a tension between formal education and NFE as a solution to support educational needs for urban refugee populations. However, as the examples above have shown, urban settings exacerbate the tension between who will be providing what services to whom. Additionally, as described throughout the report, governments play the lead role in education provision in urban settings. Therefore, it is paramount that all actors (government, UN, INGO, NGO, and CBO) collectively decide on their roles and how formal education and NFE can effectively meet the needs of the host country and refugee students alike.

Broaden advocacy coalitions

Supporting advocacy was the fourth highest recommendation from survey respondents overall, with roughly a fourth of respondents (23.3%) stating it as one of the top three ways to improve urban refugees' access to education. However, the complexity of working in urban settings demands broadening coalitions to ensure implementation of policies among local government and host communities. As made clear above, changing national policies, while critical, is not enough to ensure inclusive educational policies are implemented at the local level. Policies made at the national level, with support from international actors, may not fully reflect the concerns of sub-national actors, including educational districts and municipalities, who play an important, and arguably unprecedented, role in urban refugee education. We believe that policymaking must be more inclusive of local actors – representing the voices of mayors, school districts, and others working directly with refugee students in urban settings.

On the other hand, there are a host of other actors who can and should be engaged in helping ensure policy enactment at the local level, including not only local government, but also religious institutions, refugee and migrant associations, and the private sector. Diffuse but personalized advocacy facilitated by diverse coalitions may be more effective at ensuring that educational policies are implemented in urban areas.

Expand cross-sectoral collaborations

One approach to broadening advocacy collaborations to new constituencies and communities is to work across multiple sectors. Both our survey and case study data suggest avenues for cross-sectoral work, and also shed light onto the necessity of combining education with livelihoods, housing, and health programming.

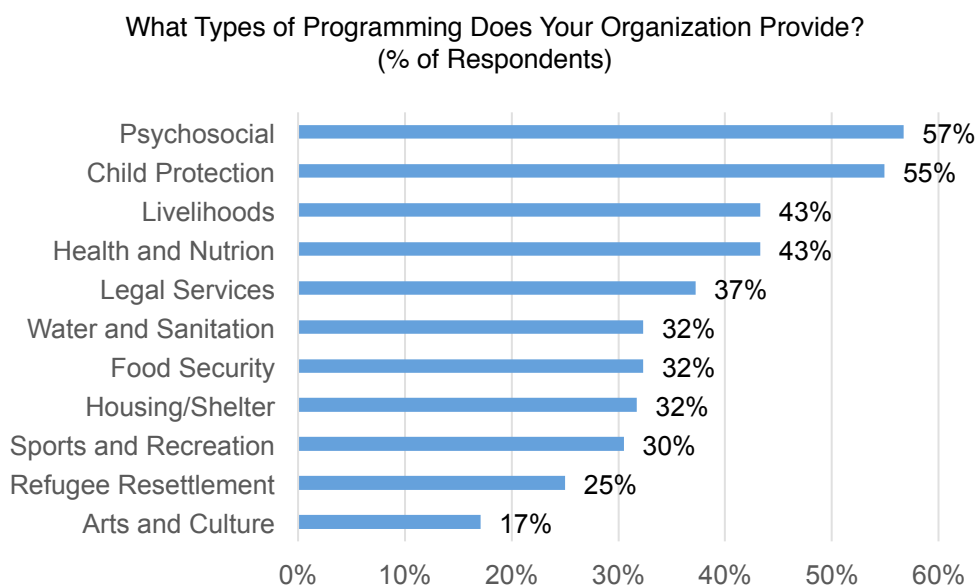
Figure 10 shows the percentage of survey respondents who state that their organizations work in other areas of programming in addition to their work facilitating education for urban refugees. The figure shows that the majority of organizations working in the educational space are also already providing services in psychosocial support and child protection, while a small minority of organizations are also working in other spaces, such as refugee resettlement.

There are a number of areas where many organizations are already working: livelihoods, health and nutrition, legal services, as well as food security, housing, and sports and recreation may lend themselves to joint programming with education.

For example, integrating psychosocial support into teacher training, integrating vocational training into educational programs, and using schools as sites for reaching refugee populations with health and nutrition information are all existing areas of cross-sectoral programming that could be expanded.

That said, we know that most organizations' existing programming is sector-specific and that cross-sectoral work poses both technical and logistical challenges for program design, and that funding for such programming may be limited. There is a need to better understand the opportunities and challenges cross-sectoral work raises.

Figure 10: Organizational Programming in Addition to Education



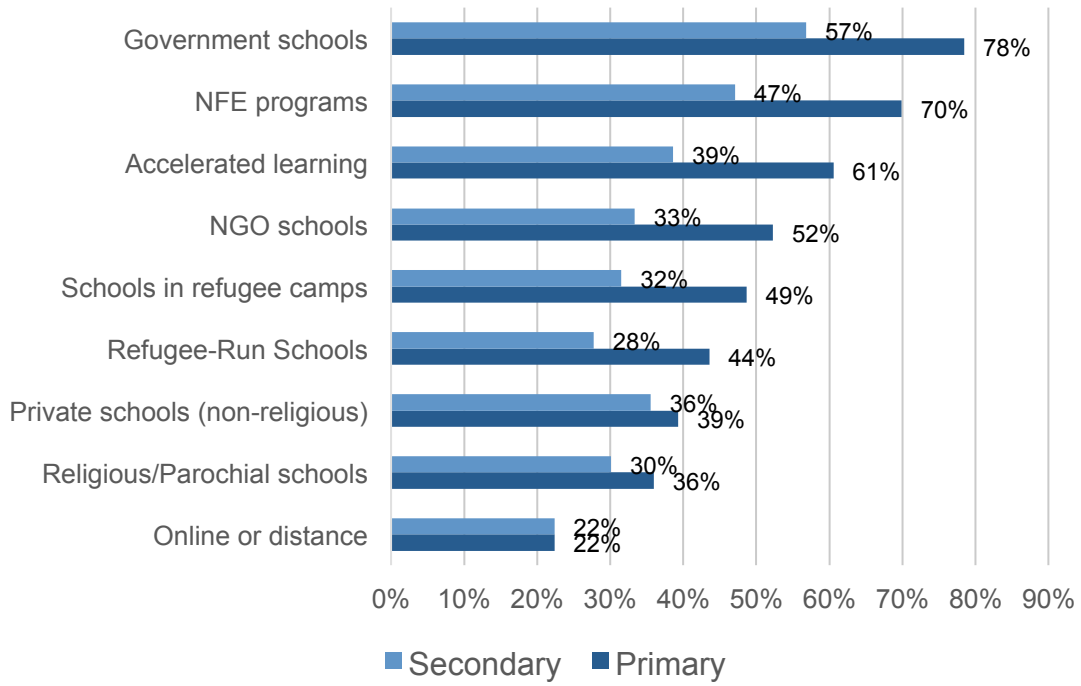
Expand opportunities for secondary education

Secondary education, both technical and educational, is a major gap in urban refugee education, for many reasons. Global statistics indicate that refugees' secondary enrollment rate (22%) is less than half their primary enrollment rate (50%), and that these figures are well below international averages for non-displaced populations (UNHCR, 2016). Moreover, from the educational perspective, the barriers refugees face accessing and staying in school are compounded as they grow older: pressures from livelihoods or marriage are higher, the language skills needed to succeed are higher, and in many countries, many more documents, including legal status and transcripts, are required to sit for secondary placement and graduation exams.

At the same time, we found that there is much less programming for urban refugees at the secondary level. As Figure 11 shows, more than 80% of our respondents are supporting urban refugees' education in government primary schools, while less than 60% of respondents said the same for secondary schools. There are also large gaps in support for non-formal programming and accelerated learning at the secondary level, the two most common types of programming.

Figure 11: Programming Supporting Urban Refugee Education, by Level (%)

What Types of Education Programming Does Your Organization Provide, By Education Level? (% of Respondents)



Conclusions and Recommendations

In light of the protracted nature of today's crises, the increasing movement of refugee populations into urban centers, and the quality of opportunities provided through national education systems, the results of this study underscore the current push and global recommendation for supporting refugee children and youth's inclusion and integration into national education systems in host countries. By facilitating their access, retention and learning achievement in national education systems, we can collectively uphold children's right to education while also providing the best preparation for their "unknowable futures" (Dryden-Peterson, in press), which may include remaining in host countries, repatriating to their countries of origin, or being resettled to a third country. The results of this study also acknowledge that inclusion and integration of all refugee children and youth into the national system may not always be possible for a variety of reasons ranging from political opposition, to capacity limitations, to the needs of refugee children and youth that are not well met in national schools. As a result, there is also a need for providing non-formal education opportunities that contribute to skills development, livelihoods and other life skills of children and youth from the refugee (and host) communities.

With these two overarching recommendations in mind, national governments, donors, UN agencies, non-governmental organizations and community-based organizations engaging across humanitarian and development sectors to support urban refugee education should also note the following recommendations, which aim to improve both the policymaking and programmatic decisions relevant to urban contexts. The uptake of these recommendations should pay concomitant attention to both the short- and long-term needs of refugee and host communities. Further, policies and programs should aim to benefit both the needs of urban refugees and vulnerable host communities.

To ensure that policymaking and program development decisions draw on the best and most reliable data...

National governments, donors, and implementing partners need to *design a multi-stakeholder data collection and management system that is shared across all key actors to gather high quality data that is accessible to all stakeholders. Improved data will allow for close monitoring and protection of refugee students' information in terms of educational access and achievement, as well as data for advocacy and decision-making among stakeholders.*

The donor community could create and offer an innovation fund to a group of stakeholders to create an effective and shareable data collection and management system across interested partners.

To establish constructive and meaningful policymaking environments...

National governments, donors, and partner organizations need to *raise awareness and create opportunities through field visits and related activities for government authorities and policymakers to visit and interact with representatives from refugee communities as well as host schools and communities to ensure that policies reflect the distinct needs of urban refugees.*

The opportunity for face-to-face engagement will lead to more effective and humane policies that take into consideration multiple perspectives and concerns by both refugee and host communities.

National governments, with support from donors and other partners, need to ensure that different governmental offices (e.g. immigration, security, labor, education) align their policies in support of the provision of urban refugee education in an effort to avoid contradictory policies that hinder educational access. Donors and other partners can encourage this internal alignment through their financing mechanisms and guidelines.

To support effective policy implementation...

National governments, with support from donors and other partners, need to *establish, disseminate and build capacity for the use of standard operational procedures to guide policy implementation across all actors. UN agencies and NGOs can work with national governments to help develop these procedures. UNHCR and UNICEF can collect and share good practices identified in certain countries with refugee hosting governments.*

Donors and international partners need to *support contingency planning for national governments that encourages coordination and planning across different actors for the provision of formal and non-formal education for urban refugees in the event of refugee inflows. Contingency plans should include information about curricula, in-service teacher training, government monitoring and evaluation, the role of civil society, equivalency programs, funding, and coordination that prepares all actors in advance of a crisis.*

The Global Partnership for Education, donors and other partners can support these proactive efforts in countries most susceptible to refugee displacement.

National governments, with support from donors and other partners, need to *establish mechanisms to inform and support local civil servants and school principals to effectively implement policies by holding meetings, offering training workshops, and facilitating school visits.*

National governments should *expand their documentation requirements to access social services (such as education) to include alternative forms of documentation (i.e. UN issued ids, temporary state issued ids, etc.).*

UNHCR and other partners can document and share good practices about national contexts in which alternative approaches have proven to be successful.

National governments, donors, and partner organizations should *coordinate aims and activities to avoid duplication and to ensure that needs of urban refugees are being met within the education sector and to limit competition over beneficiaries and funding.*

To foster inclusive and supportive learning environments for both refugee and host country students...

National governments, donors and other partners need to *augment pre- and in-service teacher training approaches to help host country teachers better understand the needs of refugee learners in their classrooms*. Teacher training under these circumstances could include psycho-social support; second language support; classroom management and positive discipline; culturally responsive pedagogical training; active learning techniques; host country curriculum support; and countering physical, sexual and gender-based violence in schools.

To promote social cohesion among host and refugee communities...

National governments, donors and other partners need to *develop new models and programs, through education, sports and the arts, that raise awareness and combat xenophobia and stereotypes against refugee populations*. Myriad approaches will be needed to stave off rising xenophobia directed toward refugee populations.

National governments, donors and other partners *need to improve communication and coordination with host communities who are expected to integrate refugee populations*. Preparing communities for the imminent arrival of refugee populations would go far in easing the transition for both host and refugee populations while simultaneously identifying what additional types of support and services may be needed.

To strengthen international solidarity for the countries hosting refugees...

Donors and civil society organizations should *work closely with national governments to ensure innovative models for funding and funding pipelines that bridge the persistent humanitarian-development divide*.

While these recommendations strongly encourage host countries, which may also be suffering from weak governance and economic hardships, to support education for the refugee populations they are hosting, it cannot be overstated that the greater international community must assume its responsibility for supporting host governments through more adequate political, economic and social support and that middle-to-high income countries must increase their willingness to resettle more significant numbers of refugees.

It is incumbent upon a diverse range of actors to make concerted efforts to provide quality education and training to urban refugees if we want to create the circumstances that allow the children and young people who, to no fault of their own, find themselves with little to no opportunities to go to school or develop meaningful skills that would benefit themselves, their families, and their communities in the future.

Acknowledgements

First and foremost, we would like to thank all of the individuals from 16 different countries who shared their expertise and time as participants in the urban refugee education study that our team from Teachers College, Columbia University conducted during 2015-16. Their responses, reflections, concerns, and ideas were instrumental in shaping the various deliverables developed as a result of this study.

There is a long list of generous individuals who contributed to this study by sharing their ideas, their feedback, and/or their translation support. We extend our appreciation to: Elizabeth Adelman, Sonia Aguilar, Kayum Ahmed, Sonia Ben Ali, Judit Barna, Emily Bishop, Dean Brooks, Sandra Carolina Herrera Cardenas, Maritza Córdova, Lucia Diaz-Martin, Rebecca Donaldson, Sarah Dryden-Peterson, Ali Ezzatyar, Sonia Gomez, Nini Guerrero, Aiman Haddad, Sonia Khoury, Edmund Lang'at, Amna Mahmoud, Katie Mahoney, Emeline Marchois, Mustafa Menai, Margaret Njayakio, Funling Ong, Claudio Osorio, Angela María Escobar, Sophia Palmes, Oren Pizmony-Levy, Shanza Quereshi, Marlana Salmon-Letelier, Terry Saw, Ann Scowcroft, Ita Sheehy, Jennie Taylor, Peter Transburg, Zeynep Turkmen, Suha Tutunji, and Barbara Zeus.

We also extend a special thanks to Bettina Dembek and Cornelia Janke from the USAID Education in Crisis and Conflict Network (ECCN) for generously funding the urban refugee education roundtable event held in Washington DC on October 3, 2016, which provided the opportunity for us to not only share and receive feedback on the findings and recommendations that emerged from this study, but also to expand the event to include a range of diverse stakeholders who were also working to support urban refugee education through policies, practices, and research.

The graduate students who worked on this study deserve a special thanks for their tireless contributions through every step of the process that we undertook over the past year, from writing the initial concept note to preparing the final outputs. We extend a heartfelt thank you to Peter Bjorklund, Jihae Cha, Danielle Falk, Sarah Horsch, Diana Rodríguez-Gómez, and Dominique Spencer. We hope that you learned as much from us as we did from you during this intense and exciting collaboration. The graduate students enrolled in Professor Mendenhall's Education in Emergencies course during the Fall 2015 semester also helped lay the foundation upon which the research study continued to evolve. We thank these students for their wonderful contributions.

Finally, this study would not have been possible without the generous support of the U.S. State Department's Bureau of Population, Refugees, and Migration. Special thanks to Bryan Schaaf for supporting us through the process.

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Appendices

Appendix 1: Research Methodology

Our study draws on three different data sources. We first conducted a comprehensive desk review of the existing international treaties and policies that inform access to education for urban refugees, as well as the national legal and policy landscape for our three country cases.

We then conducted a global survey with **190** respondents employed by UN agencies, international NGOs, and national NGOs and community-based organizations (CBOs) working in **16** different countries from the Global South across **four** different regions—the Middle East and North Africa (MENA), Latin America and the Caribbean (LAC), Sub-Saharan Africa, and Asia.¹ We stratified countries by the four world regions, and then purposively selected four countries from each region with a high proportion of urban refugees out of the total refugee population. Some countries were excluded due to the political situation or feasibility issues (such as Thailand or Yemen). In addition, we selected countries to represent a variety of legal frameworks (signatory or not to the 1951 convention) and approaches to providing educational services to urban refugees.

Given the sensitive nature of our topic and difficulty of locating organizations, we drew on a non-random convenience sample of organizations providing services to urban refugees. We sent our survey to UNHCR headquarters, national and field offices, as well as to local implementing partners in the 16 countries, as recommended by UNHCR and other national and international organizations working in the field.

We piloted the survey questionnaire with six key organizations and conducted cognitive interviews to ensure that the questions were reliable and also relevant across different national contexts. We then adapted the questions based on this feedback.

We sent an invitation email to take the survey online via Qualtrics to the organizations. Respondents also had the option to complete the survey off-line and send us the responses in a Word document. The survey was sent to 1191 organizations and 190 organizations completed the survey, which is a response rate of 16%. The low response rate might be explained by the sensitive nature of our topic, the complexity of locating organizations working in this area, as well as challenges with internet access.

Due to the variation in respondents from the different countries, which ranged from 26 from Pakistan to four in Costa Rica, survey results were not disaggregated at the country level but only at the regional level (see [Figure 12](#)). Respondents were from the four world regions targeted: 22% from Asia, 31% from MENA, 19% from LAC, and 28% from Africa. In addition, our respondents represented a range of actors including NGOs (40%), INGOs (40%), and UN agencies (20%) (see [Figure 13](#)).

¹ We also conducted a survey with government officials but due to the small sample size, we do not report the findings here.

The survey covered topics related to use of global and national policies, different organizational roles and relationships, and challenges and recommendations. The survey was translated into seven local languages (including Spanish, French, Urdu, Malay, Turkish, Arabic, and Farsi). Data collection ran from February 2016 to August 2016.

While results from the global survey provide an overview of the organizational landscape and main barriers and opportunities around the provision of education for urban refugees, there are also limitations to the survey. The sampling strategy provided a non-random convenience sample that is global in nature but not necessarily representative of all countries or organizations working in the selected countries. In addition, we only surveyed representatives of organizations working in the field on issues related to education for urban refugees, and thus, our survey does not include the perspectives of teachers, students, parents or the host communities. We hope to pursue this line of inquiry in future studies.

Figure 12: Number of Participants by Country

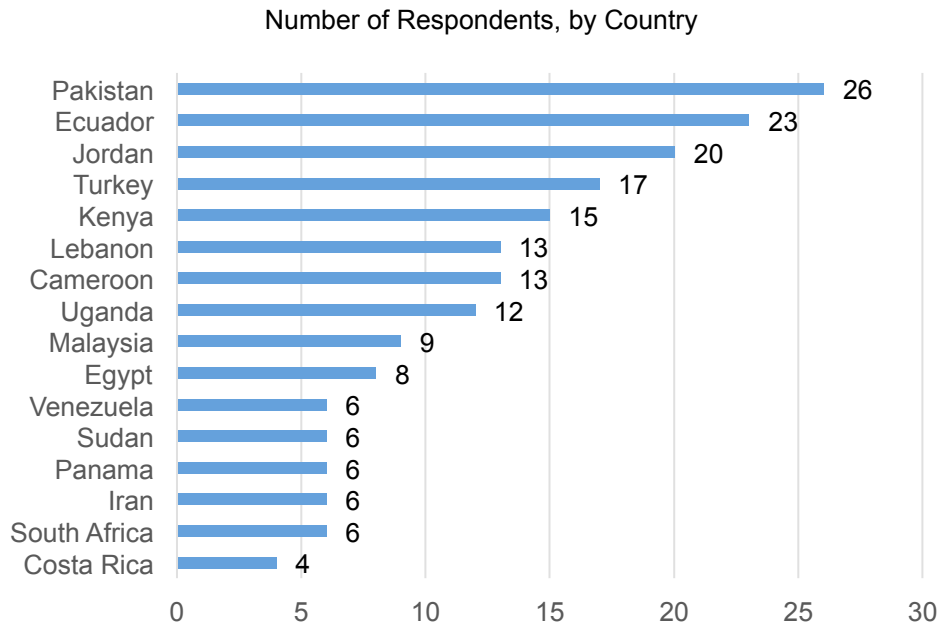


Figure 14: Participants by Region

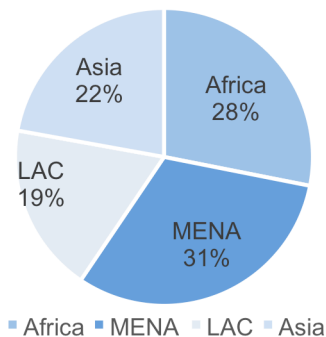
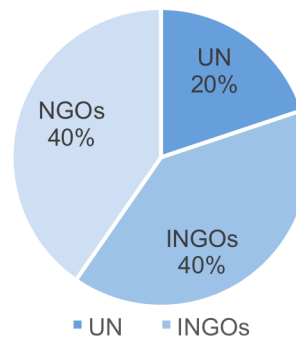


Figure 13: Participants by Organization Type



Following the launch of the global survey, we conducted in-depth qualitative case studies in three countries: Nairobi, Kenya; Beirut, Lebanon; and Quito, Ecuador. We purposively selected three different field sites that represent different commitments to international treaties, different national policy approaches to refugee education, different affected populations, and different models for the provision of education for urban refugee populations. For instance, while Kenya and Ecuador are signatories to the 1951 Refugee Convention, Lebanon is not. While in Ecuador all refugee students attend national schools, in Kenya and Lebanon they attend national, community, and non-formal schooling programs.

Teams of faculty and student research assistants carried out field research for 1-2 weeks in Nairobi in February 2016, Lebanon in March 2016, and Quito in April 2016. The case studies were used to gather contextual data on how global and national policies are interpreted and implemented at the national and school level across different national contexts. The research teams conducted semi-structured interviews with staff members from UN agencies, implementing partners from both international and national NGOs, officials at the Ministry of Education, and other relevant governmental officials. In addition, the teams conducted interviews with principals and teachers in approximately 15 schools (both national and NGO-run) with refugee students. In total, we interviewed 93 individuals across the three country cases. Although we are keenly interested in the perspectives of refugee children and their families, this line of inquiry was beyond the scope of our project at this time.

We analyzed the survey data using STATA; qualitative data was analyzed using NVIVO software.

We obtained approval for our research from the Institutional Review Board at Teachers College, Columbia University and permission to conduct research in schools from the Ministry of Education in the three field sites. Moreover, all survey respondents and interviewees signed informed consent forms. Data collected from the surveys and interviews is confidential and the identity of respondents is not used in order to protect the identity of the person and organization.

Appendix 2: International Treaties Governing Urban Refugee Education

Treaty	Key Provisions	Enforceability
1951 Refugee Convention	Article 22 (Refugee Education): “The Contracting States shall accord to refugees the same treatment as is accorded to nationals with respect to elementary education.”	UNHCR has supervisory authority over the Convention and requires periodic reporting from States Parties on the condition of refugees, as well as periodic reporting on the State’s laws, regulations and decrees relating to refugees. [Disputes between States Parties about interpretation or application can be heard in the International Court of Justice.] No mechanism for individual complaints exists.
International Covenant on Economic, Social & Cultural Rights	Article 13 (Right to education): “the States Parties to the present Covenant recognize the right of everyone to education...(a) Primary education shall be compulsory and available free to all; (b) Secondary education in its different forms...shall be made generally available and accessible to all by every appropriate means.”	States Parties are required to submit periodic reports to the UN Economic and Social Council. The Council can then raise certain concerns to other UN bodies and make recommendations. Individual complaints may also be lodged against Ecuador because it is a State Party to the Optional Protocol.
Convention on the Rights of the Child	<p>Article 28 (Right to education): “States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular: (a) Make primary education compulsory and available free to all; (b) Encourage the development of different forms of secondary education...”</p> <p>Article 22 (Refugee children): “States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.”</p>	States Parties are required to submit reports every 5 years to the UN Committee on the Rights of the Child, which makes recommendations. No mechanism for individual complaints against Ecuador.

Appendix 3: Countries' Reservations on International Conventions and Covenants

Overview of Study Countries' Reservations on International Conventions and Covenants that Concern the Right to Education for Urban Refugees	
Country	The 1951 Refugee Convention
Ecuador	<p>"With respect to article 1, related to the definition of term 'refugee', the Government of Ecuador declares that its accession to the Convention relating to the Status of Refugees does not imply its acceptance of the Conventions which have not been expressly signed and ratified by Ecuador.</p> <p>With respect to article 15, Ecuador further declares that its acceptance of the provisions contained therein shall be limited in so far as those provisions are in conflict with the constitutional and statutory provisions in force prohibiting aliens, and consequently refugees, from being members of political bodies."</p>
Egypt	<p>"With reservations in respect of article 12 (1), articles 20 and 22 (1), and articles 23 and 24. Clarifications (received on 24 September 1981):</p> <ol style="list-style-type: none"> 1. Egypt formulated a reservation to article 12 (1) because it is in contradiction with the internal laws of Egypt. This article provides that the personal status of a refugee shall be governed by the law of the country of his domicile or, failing this, of his residence. This formula contradicts article 25 of the Egyptian civil code, which reads as follows: "The judge declares the applicable law in the case of persons without nationality or with more than one nationality at the same time. In the case of persons where there is proof, in accordance with Egypt, of Egyptian nationality, and at the same time in accordance with one or more foreign countries, of nationality of that country, the Egyptian law must be applied." The competent Egyptian authorities are not in a position to amend this article (25) of the civil code. 2. Concerning articles 20, 22 (paragraph 1), 23 and 24 of the Convention of 1951, the competent Egyptian authorities had reservations because these articles consider the refugee as equal to the national. <p>We made this general reservation to avoid any obstacle which might affect the discretionary authority of Egypt in granting privileges to refugees on a case-by-case basis."</p>
Iran	<p>"Subject to the following reservations:</p> <ol style="list-style-type: none"> 1. In all cases where, under the provisions of this Convention, refugees enjoy the most favourable treatment accorded to nationals of a foreign State, the Government of Iran reserves the right not to accord refugees the most favourable treatment accorded to nationals of States with which Iran has concluded regional establishment, customs, economic or political agreements. <p>The Government of Iran considers the stipulations contained in articles 17, 23, 24 and 26 as being recommendations only."</p>
Sudan	"With reservation as to article 26."
Turkey	<p><i>Turkey's narrow definition of a refugee limits all practical applications of the 1951 Convention and the 1967 Protocol in Turkey. Its reservation reiterates that the 1951 Convention and the 1967 Protocol applies "to persons who have become refugees as a result of events occurring in Europe".</i></p> <p>Reservation: "Upon signature: The Turkish Government considers moreover, that the term "events occurring before 1 January 1951" refers to the beginning of the events. Consequently, since the pressure exerted upon the Turkish minority in Bulgaria, which began before 1 January 1951, is still continuing, the provision of this Convention must also apply to the Bulgarian refugees of Turkish extraction compelled to leave that country as a result of this pressure and who, being unable to enter Turkey, might seek refuge on the territory of another contracting party after 1 January 1951.</p>

Country	The 1951 Refugee Convention
Turkey (Continued)	<p>The Turkish Government will, at the time of ratification, enter reservations which it could make under article 42 of the Convention. Reservation and declaration made upon ratification: No provision of this Convention may be interpreted as granting to refugees greater rights than those accorded to Turkish citizens in Turkey; The Government of the Republic of Turkey is not a party to the Arrangements of 12 May 1926 and of 30 June 1928 mentioned in article 1, paragraph A, of this Convention. Furthermore, the 150 persons affected by the Arrangement of 30 June 1928 having been amnestied under Act No.3527, the provisions laid down in this Arrangement are no longer valid in the case of Turkey. Consequently, the Government of the Republic of Turkey considers the Convention of 28 July 1951 independently of the aforementioned Arrangements. The Government of the Republic understands that the action of "re-availment" or "reacquisition" as referred to in article 1, paragraph C, of the Convention—that is to say: "If (1) He has voluntarily re-availed himself of the protection of the country of his nationality; or (2) Having lost his nationality, he has voluntarily reacquired it"—does not depend only on the request of the person concerned but also on the consent of the State in question."</p>
Uganda	<p>"(1) In respect of article 7: The Government of the Republic of Uganda understands this provision as not conferring any legal, political or other enforceable right upon refugees who, at any given time, may be in Uganda. On the basis of this understanding the Government of the Republic of Uganda shall accord refugees such facilities and treatment as the Government of the Republic of Uganda shall in her absolute discretion, deem fit having regard to her own security, economic and social needs.</p> <p>(2) In respect of articles 8 and 9: The Government of the Republic of Uganda declares that the provisions of articles 8 and 9 are recognized by it as recommendations only.</p> <p>(3) In respect of article 13: The Government of the Republic of Uganda reserves to itself the right to abridge this provision without recourse to courts of law or arbitral tribunals, national or international, if the Government of the Republic of Uganda deems such abridgement to be in the public interest.</p> <p>(4) In respect of article 15: The Government of the Republic of Uganda shall in the public interest have the full freedom to withhold any or all rights conferred by this article from any refugees as a class of residents within her territory.</p> <p>(5) In respect of article 16: The Government of the Republic of Uganda understands article 16 paragraphs 2 and 3 thereof as not requiring the Government of the Republic of Uganda to accord to a refugee in need of legal assistance, treatment more favourable than that extended to aliens generally in similar circumstances.</p> <p>(6) In respect of article 17: The obligation specified in article 17 to accord to refugees lawfully staying in the country in the same circumstances shall not be construed as extending to refugees the benefit of preferential treatment granted to nationals of the states of the East African Community and the Organization of African Unity, in accordance with the provisions which govern such charters in this respect.</p> <p>(7) In respect of article 25: The Government of the Republic of Uganda understands that this article shall not require the Government of the Republic of Uganda to incur expenses on behalf of the refugees in connection with the granting of such assistance except in so far as such assistance is requested by and the resulting expense is reimbursed to the Government of the Republic of Uganda by the United Nations High Commissioner for Refugees or any other agency of the United Nations which may succeed it.</p> <p>(8) In respect of article 32: Without recourse to legal process the Government of the Republic of Uganda shall, in the public interest, have the unfettered right to expel any refugee in her territory and may at any time apply such internal measures as the Government may deem necessary in the circumstances; so however that, any action taken by the Government of the Republic of Uganda in this regard shall not operate to the prejudice of the provisions of article 33 of this Convention."</p>

Country	The 1951 Refugee Convention
Venezuela	<p><i>Venezuela is not party to the 1951 Convention, but it did sign and ratify the 1967 Protocol on September 19, 1986, with a reservation listed below.</i></p> <p>"Does not include any rights and benefits which Venezuela has granted or may grant regarding entry into or sojourn in Venezuela territory to nationals of countries with which Venezuela has concluded regional or subregional integration, customs, economic or political agreements."</p>
Country	International Covenant on Economic, Social and Cultural Rights (ICESCR)
Egypt	"Taking into consideration the provisions of the Islamic Sharia and the fact that they do not conflict with the text annexed to the instrument, we accept, support and ratify it"
Kenya	"While the Kenya Government recognizes and endorses the principles laid down in paragraph 2 of article 10 of the Covenant, the present circumstances obtaining in Kenya do not render necessary or expedient the imposition of those principles by legislation."
Pakistan	"Pakistan, with a view to achieving progressively the full realization of the rights recognized in the present Covenant, shall use all appropriate means to the maximum of its available resources."
South Africa	Declaration under article 13 (2) (a): "The Government of the Republic of South Africa will give progressive effect to the right to education, as provided for in Article 13 (2) (a) and Article 14, within the framework of its National Education Policy and available resources."
Country	Convention on the Rights of the Child (CRC)
Iran	"The Government of the Islamic Republic of Iran reserves the right not to apply any provisions or articles of the Convention that are incompatible with Islamic Laws and the international legislation in effect."
Jordan	"The Hashemite Kingdom of Jordan expresses its reservation and does not consider itself bound by articles 14, 20 and 21 of the Convention, which grant the child the right to freedom of choice of religion and concern the question of adoption, since they are at variance with the precepts of the tolerant Islamic Shariah."
Malaysia	<p>Reservation: "The Government of Malaysia accepts the provisions of the Convention on the Rights of the Child but expresses reservations with respect to articles 2, 7, 14, 28 paragraph 1 (a) and 37, of the Convention and declares that the said provisions shall be applicable only if they are in conformity with the Constitution, national laws and national policies of the Government of Malaysia."</p> <p>Declaration: "With respect to article 28 paragraph 1 (a) of the Convention, the Government of Malaysia wishes to declare that with the amendment to the Education Act 1996 in the year 2002, primary education in Malaysia is made compulsory. In addition, the Government of Malaysia provides monetary aids and other forms of assistance to those who are eligible."</p>
Turkey	"The Republic of Turkey reserves the right to interpret and apply the provisions of articles 17, 29 and 30 of the United Nations Convention on the Rights of the Child according to the letter and the spirit of the Constitution of the Republic of Turkey and those of the Treaty of Lausanne of 24 July 1923."
Venezuela	"Interpretative declarations: 1. Article 21 (b): The Government of Venezuela understands this provision as referring to international adoption and in no circumstances to placement in a foster home outside the country. It is also its view that the provision cannot be interpreted to the detriment of the State's obligation to ensure due protection of the child. 2. Article 21 (d): The government of Venezuela takes the position that neither the adoption nor the placement of children should in any circumstances result in financial gain for those in any way involved in it. 3. Article 30: The Government of Venezuela takes the position that this article must be interpreted as a case in which article 2 of the Convention applies."

Appendix 4: Leading Policy Documents Impacting Urban Refugee Education

Policy Document	Author	Dates	Focus	Summary
Education for All	UNESCO	2000	Education	The Education for All (EFA) movement is a global commitment to provide quality basic education for all children, youth and adults. At the World Education Forum (Dakar, 2000), 164 governments pledged to achieve EFA and identified six goals to be met by 2015. Governments, development agencies, civil society and the private sector are working together to reach the EFA goals. ²
Core Commitments for Children in Humanitarian Action	UNICEF	2004	[Refugee Education]	The Core Commitments for Children in Humanitarian Action – the CCCs – are UNICEF’s central policy to uphold the rights of children affected by humanitarian crisis. They are a framework for humanitarian action, around which UNICEF seeks to engage with partners. ³
Millennium Development Goals (MDGs)	UN	2000-2015	Education	The Millennium Development Goals (MDGs) are the world’s time-bound and quantified targets for addressing extreme poverty in its many dimensions – income poverty, hunger, disease, lack of adequate shelter, and exclusion--while promoting gender equality, education, and environmental sustainability. They are also basic human rights – the rights of each person on the planet to health, education, shelter, and security. ⁴
Policy on Refugee Protection and Solutions in Urban Areas	UNHCR	2009	Refugees	UNHCR’s policy that outlines goals and activities to improve protection for refugees in urban areas. ⁵
INEE Minimum Standards for Education	INEE	2010	Youth in countries affected by conflict or disaster	A set of standards created by the INEE and over 2,500 actors around the world to help achieve a minimum level of educational access and quality in emergencies through to recovery as well as to ensure the accountability of the workers who provide these services. ⁶
UNHCR 2012-2016 Education Strategy	UNHCR	2012-2016	Refugee Education	UNHCR’s educational objectives and strategies for attaining those objectives to support quality education for refugees. ⁷
UNHCR Policy on Alternatives to Camps	UNHCR	2014	Refugees	UNHCR’s policy document with recommendations to avoid the establishment of refugee camps, wherever possible, while pursuing alternatives to camps that ensure refugees are protected and assisted effectively and enabled to achieve solutions. ⁸

[www.tc.columbia.edu/refugeeeducation.](http://www.tc.columbia.edu/refugeeeducation)