



**HUMAN RIGHTS:
FICTION OR REALITY?**

REFUGEES' RIGHT TO EDUCATION



PSEUDONYM: MARCELLO



"[.]His name is Handala and he has promised the people that he will remain true to himself. I drew him as a child who is not beautiful; his hair is like the hair of a hedgehog who uses his thorns as a weapon. Handala is not a fat, happy, relaxed, or pampered child. He is barefooted like the refugee camp children, and he is an icon that protects me from making mistakes. Even though he is rough, he smells of amber. His hands are clasped behind his back as a sign of rejection at a time when solutions are presented to us the American way.

Handala was born ten years old, and he will always be ten years old. At that age, I left my homeland, and when he returns, Handala will still be ten, and then he will start growing up. The laws of nature do not apply to him. He is unique. Things will become normal again when the homeland returns.

I presented him to the poor and named him Handala as a symbol of bitterness. At first, he was a Palestinian child, but his consciousness developed to have a national and then a global and human horizon. He is a simple yet tough child, and this is why people adopted him and felt that he represents their consciousness."

-Naji al-Ali (1938-1987), a revolutionary Palestinian cartoonist.

*To all the "Handalas" out there in the world
and to all the past ones, such as my ancestors*

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P R E L U D E

Ever since I can remember, when my parents turned on our big and old fashioned television, the only image that comes to my mind is the suffering and the pain of those who were forced to abandon their homeland to look for a safe place because of the war situation in their respective countries; or as they are known for: refugees. Primarily, the first refugees I was aware of were the Palestinians, and it wasn't until I discovered that I was a Palestinian myself and that my family had to go through this entire crisis that it led me to fight for their rights, our rights, and dream about being an activist.

For me, one of the most important rights that we own is the *right to education*. It represents the beginning of a fair and a good life, full of knowledge and tools that enables humans to not only survive, but to live. For this reason, this research project, titled *Human Rights: fiction or reality?* is going to be based mainly on the education that is provided to refugees. However, it has a general title because I perceive this project as a life plan, an opportunity to keep extending my studies with other essential rights in the near future, for my own satisfaction.

As it is well known, *the right to education* is universal and has to be imparted to all people on earth, whether you are a refugee or not. Thus, the hypothesis that I base this research project on is:

“How is the situation of *the right to education* for refugees?”

I want to uncover the reality that the ones who are suffering the consequences of this issue are facing, and see how education is affecting their resilience and helping them to pursue their dreams. And, because my aim is to study this right on Palestinian and Syrian refugees, I would like to compare both of their education systems, because I am sure that it has many differences due to the fact that Palestinians have been in refugee camps since 1948 and Syrians have been refugees since 2011, which is very current. In brief, I want to

discover if their education is fictional, it does not exist, or if it is real, as it should be.

In order to carry out this project, I am going to experience this whole refugee crisis flying to Jordan during the 2017th summer and visiting two refugee camps (of course with permissions that I am going to work on): *Al Baqa'a* (the Palestinian camp) and *Al Zaatari* (the Syrian camp). Also, I will have the pleasure to enter a school that provides non formal education in a host community centre in Jordan, to have a more general sight on the education given to refugees in this country. So, for this project it is essential to ask another question:

“How does Jordan respond in order to educate all its refugees?”

Actually, it has a crucial paper on hosting a large amount of Arab refugees. This way it is going to be interesting to see how the country is dealing with this whole crisis.

From my viewpoint, I expect to find a lacking education in both cases, for Palestinians and for Syrians, because I fear that the education will not be given the same importance as for other basic needs due to the circumstances, although I believe that it should be their main focus. However, I suppose that the situation for Palestinians is much better than for the other group just because they have been living in Jordan for a longer amount of time, enough to develop a good educational system. However, I also predict that young Syrians are adapting themselves to the Jordanian environment and developing their resilience. Thus, although I believe that the education has improved notably for them, we still have a lot to accomplish.

This research project is going to be divided into three sections. The first section is *Fiction* and as an introduction to the subject I will use a theory to base my work on. This will give the reader a basic understanding of the topic. In this section, I am going to introduce Human Rights and focus on the right to education, what is the meaning of the term refugee and how does this right apply to them. Afterwards, I

am going to present Jordan with the refugee crisis that is facing and the two camps that I am going to be visiting, their history and their current situation. It is named *Fiction* because in there we will find what the education is supposed to be. Moving onto the second part, we find the *Research*, where my hard work is going to be shown. This is the most important section because I will examine my documented experience in the camps, the methodology used to evaluate the education in both of them through an exhaustive analysis, surveys and interviews that can be found in the annex. Finally, we have the *Reality*, where all the results can be found of this research, the comparisons between the camps, the lacks and needs, and effectively, the answers to my hypothesis, the real truth. After the conclusion, there will be my personal thoughts on the project, the glossary with all the terms and expressions to be explained for a further understanding and, the webgraphy and bibliography. And, to conclude, there is going to be an annex with all the details for a better comprehension of this work, which contains from legal documents to interviews and all my digital footage recollected in a documentary produced by me, so you can have a more real experience where you will see what I have observed in the camps.

My eyes have an important role in this project because I am going to become a fearless journalist willing to get into an alien environment, perceived as a very far away and insignificant conflict, to extract data useful to make a change in this situation. Although I am going to face many challenges and difficulties to do my work, I know that it will be worth it. The passion that I have for this topic comes because I want equality to be the centre of our world, and if we start not having a good quality education, then we begin with issues that emphasize our differences and lack of opportunities because we won't be perceived as equal. Thus, I invite you to take a look on this project and to judge for yourself the importance of education.

F i c t i o n

“To deny people their human rights is to challenge their very humanity.”

– Nelson Mandela

1. HUMAN RIGHTS

1.1 A brief introduction to Human Rights...

The term *Human Rights* can sustain an on-going debate, not only because it is always present in the media and heard all the time, but because we are not fully educated on this topic, leading it to cause several misunderstandings. Many of us perceive *Human Rights* as the centre of our existence, a law of nature, that has to always be present; but for others, this can be seen as an illusion, a faraway dream that may not be achieved because it isn't realistic, as a utopia*. For this reason, *Human Rights* can have different definitions, and they are all going to be subjective, seen from an individual perspective. However, to make an objective analysis alongside with my thoughts, I am going to define both words per separate and then put them together to make it perfectly clear.

Firstly, we have the adjective *human* (*humanus, from Latin*), which is related or characteristic to humans. Here we can see that the most important word becomes *humans*, and defining us, *humans*, is not an effortless task. What are we, then? We can be defined as a race, as destroyers of nature, as beings distinguished by our perception of animals, or simply inhabitants of this planet that have built our own conception. Thus, all we know is that I am human and you, who are reading this, just because you are able to decipher it are a human yourself. And *human* in this context means that it is related to you and me.

Then, we have *rights* (*riht or reht from Old English*), that based on the Stanford Encyclopedia of Philosophy are “legal, social, or ethical principles of freedom or entitlement; that is, rights are the fundamental normative rules about what is allowed of people or owed to people, according to some legal system, social convention, or ethical theory”. As it is known, *rights* can be subjective and different according to

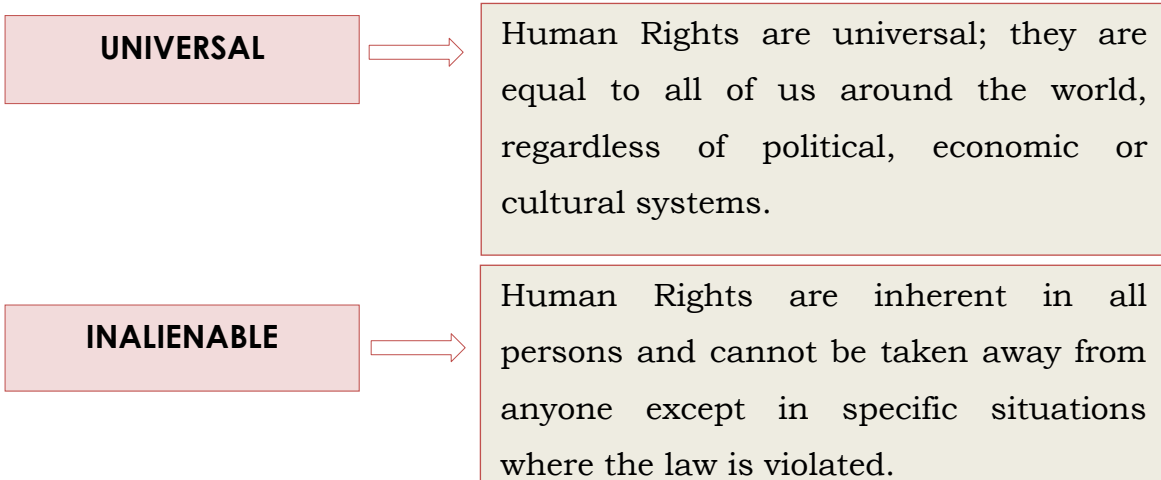
everyone's ideology, but as I perceive it, they constitute a universal truth. *Rights* are the determinants of what we are, what we can do and what we can't do. They can be our limitations and our permissions at the same time.

Now, if we put together these two words we obtain *Human Rights*, or as extracted from the two definitions: the principles of freedom or entitlement that anyone has, anyone like you and me. However, the United Nations¹ had the duty to define the term as “rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human Rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination”.

From the definition, we can interpret that no matter from which culture someone comes from, that person will always have the same opportunities. Thus, there are other characteristics that support this explanation for a further understanding.

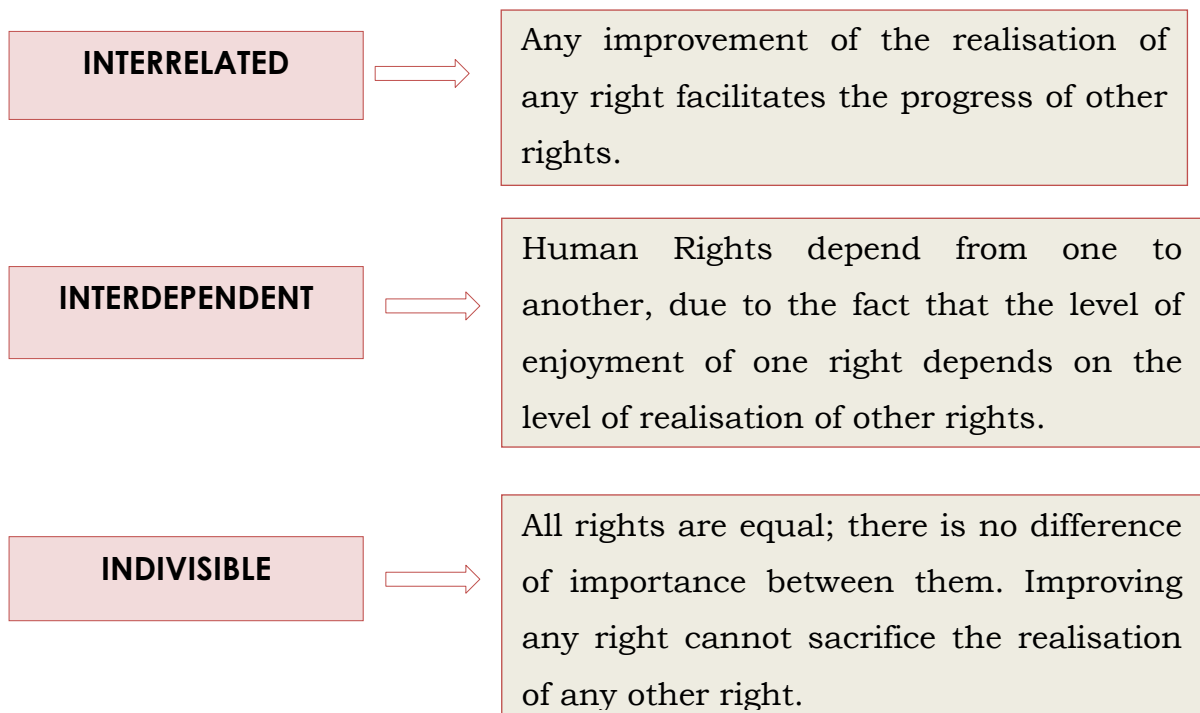
1.1.2 Human Rights characteristics

Human Rights are determined by these four features²:



¹ Defined in page 13.

² Referring to the UN *Human Rights Indicators* 2012.



1.1.3 Human Rights Obligations

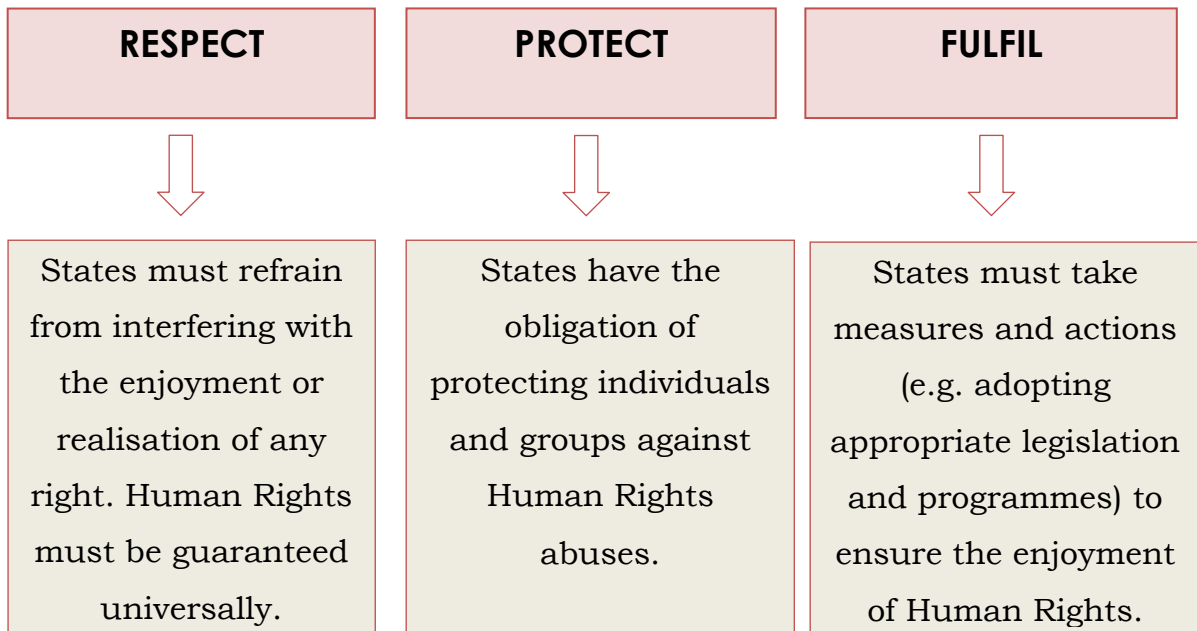
Human Rights involve both rights and obligations. Whenever we speak about Human Rights, it is often forgotten that we, as humans, have an obligation to ensure these rights; not only governments have the responsibility to promote them. This is stated in the UDHR³:

“Every individual and every organ of society ... shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance.”

As we can prove, not only Governments but businesses, civil society and individuals are responsible for them.

³ The Universal Declaration of Human Rights, 1948
Stated in page 15.

States assume duties under international law* to respect, protect and fulfil Human Rights. Thus, when a government ratifies a Human Rights treaty, it must do the following⁴:



⁴ These are referred to in the *Maastricht Guidelines*, January 1997. They define the scope of State obligations.

1.2 The history behind Human Rights

Human Rights themselves cause controversy all around the world, but their origin is still a big debate for humanity. *Where do they come from? When did they start, thousands of years ago, or just sixty nine? Who had the moral authority to approve them? Why are there still injustices if they were set long time ago?*

These questions have never had the same answers, and they still cause controversial discussions that lead into real issues. However, for a better understanding of Human Rights, we need some history behind, because they are not an empty idea, they are more than that.

For this reason, in this project, we are going to start from the year 1945, when the United Nations was created, and then move onto 1948, when the Universal Declaration of Human Rights (UDHR) was founded and became a universal reality. After that, there were some conventions that complete the original document with more specific rights and the creation of a crucial organ in the realisation of them, the Office of the United Nations High Commissioner for Human Rights (OHCHR).

To begin with, I could mention all the revolutions that we have had in the past, from when Cyrus the Great, commonly known as the king of Persia, conquered Babylonia in 539 BC and announced that all his slaves were free to go; to when the French Revolution in 1789 started. In other words, I am not going to analyse all these historical events because I believe that the rights that we commonly know in the present were the ones that the United Nations has set up for us, and are the ones that we follow. That is why my starting point is going to be the 1945.

1.2.1 The UN and its Charter

After all the atrocities that the world had faced during World War I and World War II, the globe wasn't able to continue in such conditions, we weren't able to handle this. The only thing that we needed and that could save us was peace. For this reason, and to promote all our rights, the **United Nations** was created in 1945; its duty was our protection.



The UN flag

The 24th October of 1945, this international organisation was founded by 5 permanent members on the Security Council (France, the Soviet Union, China, the UK and the US) and other 46 countries amongst the world. But, most importantly, the UN that started this journey with only fifty one united countries is now joined by 193 Member States.

This institution contributes to world peace in all aspects, due to the fact that it takes action in security, climate change, sustainable development, human rights, disarmament, terrorism, humanitarian and health emergencies, gender equality, governance, food production, and more.⁵

The main bodies of the UN are the General Assembly*, the Security Council*, the Economic and Social Council*, the Trusteeship Council*, the International Court of Justice*, and the UN Secretariat*. Also, it includes agencies for specific fields such as UNESCO (The United Nations Educational, Scientific and Cultural Organization), and UNICEF⁶ (The United Nations International Children's Emergency Fund). This way, the UN is a tool for all the states to debate about certain issues, because this organisation connects them in order to put measures and solutions to any injustice that the world is facing.

⁵ According to the UN official webpage.

⁶ View page 40.

Nevertheless, for this organisation to be valid, it had to run according to a foundational treaty that was signed the 26th June and came into force on the 24th October 1945 in San Francisco at the United Nations Conference on International Organization: the **Charter of the United Nations**.

This Charter, drafted by a 44-nation Committee of Jurists which had met in Washington in April 1945, is divided in a preamble and nineteen chapters; in total, we find 111 articles. The preamble is a call for world peace and sets the fact that this is the first document in history regarding Human Rights. Then, the content of the chapters can be divided in four sections: the general purposes of the organization, its principles, membership, its bodies and the ratification of the Charter; the powers and responsibilities of the General Assembly; the Security Council; and, finally, the draft for the Statute of the International Court of Justice.

When the Charter was signed, President Truman⁷ addressed these words in the session, and that was an important moment for history; there we realised that we could change all the injustices that we had faced.

"The Charter of the United Nations which you have just signed is a solid structure upon which we can build a better world. History will honour you for it. Between the victory in Europe and the final victory, in this most destructive of all wars, you have won a victory against war itself. . . . With this Charter the world can begin to look forward to the time when all worthy human beings may be permitted to live decently as free people."

⁷ Harry S. Truman (May 8, 1884 – December 26, 1972) was the 33rd President of the United States.

1.2.2 The Universal Declaration of Human Rights

On the 10th December 1948, the world took the first step that would lead it to look for all the citizens on the planet and perceive them as a union: the world declared that humans had rights.

This was proclaimed through the **Universal Declaration of Human Rights (UDHR)**⁸, a document that was adopted by the United Nations General Assembly as a road map to guarantee the rights of every individual everywhere.

The drafting committee consisted of nine representatives coming from different political, cultural and religious backgrounds that altogether managed to create the most universal and legal document of the world. Eleanor Roosevelt⁹ directed the UDHR committee, and, joined with representatives from Lebanon, the USSR, China, France, the United Kingdom, Australia, Chile and Canada created the document.

The UDHR is composed of a preamble, where it mentions the causes and the needs of a Human Rights document; of, 30 articles. Each article contains a right or a group of rights that relate to a specific field. These articles can be distinguished into four sections: the independent individual's rights and freedoms; people's rights in relation with other groups; the rights of political nature; and, to conclude, the economic, social and cultural rights.

However, in order to give it more importance in history, the UN declared another two treaties, the International Covenant on Civil and Political Rights (ICCPR)¹⁰ and the International Covenant on Economic, Social

⁸ The document can be found in the glossary.

⁹ Eleanor Roosevelt (October 11, 1884 – November 7, 1962) was an American politician, diplomat and activist. She was the longest-serving First Lady of the United States, married to Franklin D. Roosevelt.

¹⁰ The International Covenant on Civil and Political Rights (ICCPR) is a multilateral treaty adopted by the United Nations General Assembly that entered in force on the 23rd March 1976. It sets the civil and political rights of individuals, including the right to life, freedom of religion, freedom of speech, freedom of assembly, electoral rights and rights to due process and a fair trial.

and Cultural Rights (ICESCR)¹¹. These three documents form what is known as **The International Bill of Human Rights**. Moreover, to address the situation of specific populations or issues, the UN completed its UDHR with some conventions¹² to promote and protect other Human Rights.

In conclusion, this treaty, the declaration of rules in which we base our current society on, the document that has been translated into over 500 languages, and the one that we have so assumed that we consider it as “normal”, was a hard step to accomplish, but once achieved, we haven’t stopped defending our rights since then.



Eleanor Roosevelt holding the Universal Declaration of Human Rights the 10th December 1948 in the United Nations General Assembly

“Where, after all, do universal human rights begin? In small places, close to home – so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighbourhood he lives in; the school or college he attends; the factory, farm or office where he works. Such are the places where every man, woman and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere. Without concerned citizen action to uphold them close to home, we shall look in vain for progress in the larger world.”

-Eleanor Roosevelt, 1948.

¹¹ The International Covenant on Economic, Social and Cultural Rights (ICESCR) is a multilateral treaty adopted by the United Nations General Assembly that entered in force on the 3rd January 1976. It sets the economic, social, and cultural rights including labour rights and the right to health, the right to education, and the right to an adequate standard of living.

¹² The conventions can be found in the glossary.

2. THE RIGHT TO EDUCATION

2.1 A global view on Education

“...for the object of education is to teach us to love beauty.”

-Plato

Plato¹³ believed that education was the only step to reach justice. For him, knowledge, which was only possibly approached through education, was the way to reach the universal truth. For that reason, we are meant to be educated in order to reach beauty, therefore, harmony.

Our 21st century society has adapted its ideas differently. For some of us, education is the process of going to school, anything that involves learning, or the process that our parents follow to force us to have good manners, to behave correctly. Likewise, Plato’s idea of education, as you can notice, has been lost, yet remodelled into different ideas.

To begin this chapter, I am going to define this term in its widest sense in order to achieve a global view on the subject. Thus, education means “all activities by which a human group transmits to their descendants a body of knowledge and skills and a moral code which enable that group to subsist”.¹⁴ According to this explanation, education is seen as a method to survival, the way to accomplish a successful life. For instance, education enables us to be aware of the reality that surrounds us and how to deal with it, how to act in certain moments of our life because this term helps the development of our critical thinking and our own ideologies. Furthermore, to fulfil it, education is always going to be transmitted from one generation to another; in other words, the education you have received is going to be influenced by your

¹³ Plato (428/427– 348/347 BC) was a philosopher in Classical Greece and the founder of the Academy in Athens, the first institution of higher learning in the Western world. He is considered one of the most important figures in the development of philosophy, especially in the Western society.

¹⁴ M’Bow, A., “Introduction”, in: Mialaret, 1979, p. 11.

ascendants and the same one is going to be addressed to your descendants.

However, this definition has led to what actually is the most common connotation of the term education, and the one that our institutions are in charge of. In a narrower sense, education means “instruction imparted within a national, provincial or local educational system, whether public or private”¹⁵. As it is stated, it exclusively involves formal education, the one instructed at specialized public or private centres. This is the definition that is going to be studied in this research project because the *right to education* is based on this idea.

In addition, education does not mean the fact of only attending educational classes, but actually learning and benefitting from them. It is an interactive right; it can only be possibly reached if both sides – the institution that provides it and the subject – cooperate to make the learning process possible. Therefore, this right has to be perceived as the right to *be educated*.

Education, as any other right, has always been subjected to the different stages that the world has faced, mainly influenced by the government and the ideologies of the period. The schools that we have today and the educational system we run on is technically new to us, the same as the fact that we can all acquire education and as well as the fact that we have formally established what should be imparted on these institutions. This means that the world had to go through when education was taught on Plato’s Academy¹⁶, to when education was attached to the church and our parents, to when education was the movement that the enlightened defended in the eighteenth century, to when it became a public obligation thanks to all the American and French revolutions, and to all the phases that this term had to go through until it became a right. Again, because there is not much need

¹⁵ M’Bow, A., “Introduction”, in: Mialaret, 1979, p. 11.

¹⁶ The Academy was founded by Plato (428/427 BC – 348/347 BC) in 387 BC in Athens. It is considered the first educational institution and the only requirement to get into it was to know math (this message was written on the entrance).

to specify its history, and because it can be ambiguous due to the fact that there are hundreds of theories of its origin, we will be starting this analysis with the first international and legally accepted document that set up our fundamental rights, the Universal Declaration of Human Rights.

Thereby, to achieve a proper study on the *right to education*, I will be introducing education as a right, in other words, what makes education a right and how it can be classified. Afterwards, there is going to be a long analysis of it since the UDHR to posterior conventions that show the importance of this fundamental right and organisms such as UNICEF and UNESCO; this means that the analysis is going to be based on the United Nations Framework. To conclude with the chapter, there is going to be an explanation of the *4 as*, a new term that determines what this right has to fulfil to be exercised; and, finally, its predetermined evolution and goals for the future according to the *2030 Agenda*.

The purpose of this section is to prove how important it is the right to education and how legally protected it is in our society. But, despite how guaranteed it is by agencies such as the UN, there is currently many challenges that this term is facing that we still need to solve.

2.2 Education as a right

Now that we have stated what is the meaning of education it is important to understand what rationales make this term a Human Right. The arguments¹⁷ used in favour of education as a right are the following:

❖ **The social utilitarian.**

This argument is related to the importance of education in society. For instance, education is necessary for the performance of public responsibilities and for the exercise of citizen rights. Indeed, a minimum level of education is required in order to vote and participate in political activity effectively, because educated inhabitants are the ones who are going to maintain the democratic and ideal structures of our society. Thus, it is going to be the tool to transmit its values to the next generation.

❖ **Education as a prerequisite for individual development.**

If there is a lack of education, individuals are going to be unable to develop as human beings and to use all their potential. Education is needed to flourish someone's personality and to realise one's abilities in the best way.

❖ **The individual welfare.**

Education has to be perceived as *the right to be educated*, because it is a welfare necessity which individuals cannot provide by themselves. For this reason, they should be helped to reach a standard of literacy and numeracy in order to coexist within their community. Education should be a way to place persons on a position where they can secure a job and satisfy their needs.

¹⁷ Referred to *The Protection of the Right to Education by International Law – Klaus Dieter Beiter*.

❖ **Someone's inherent dignity.**

The last rationale can be seen as the most important one, due to the fact that human dignity is recognised as the basis of Human Rights¹⁸. The human dignity requires an education that provides knowledge and skills and trains the human being in logical thought and critical thinking. For this reason, the *right to education* has to be part of the human dignity.

The right to education, out of the four types of rights¹⁹, is classified as an **empowerment right**. Empowerment rights provide the individual with control over the course of his or her life, but most importantly, control over the state. Some of these rights are the right to a free press and freedom of association. In addition, these rights determine the direction of someone's life, enabling the exercise of other Human Rights. They make possible participation in **political, economic, social and cultural life** for various reasons.

Firstly, this right is closely attached to freedom, because although the curriculum that educational institutions follow may be controlled, all the skills developed there will be helpful for the development of our own ideologies. Therefore, education enables us to examine and analyse issues and make choices based on these examinations.

Secondly, education develops **political empowerment**. Some rights, such as the right to association, assembly, freedom of information and expression, the right to vote and be elected depend on a minimum of education. Only someone who is informed will express his or her decisions and take part in political life.

¹⁸ The first paragraph of the preamble of the UDHR of 1948 states that “whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world, [...] the General Assembly proclaims this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, [...].

¹⁹ According to Jack Donnelly and Rhoda Howard rights can be classified in four groups: survival rights, membership rights, protection rights and empowerment rights. These types are defined in the glossary (except empowerment rights, because they are defined here).

Thirdly, education influences our **social** and **economic lives**. For instance, people who have been taught how to read and write are going to achieve a level of knowledge and skills that will enable them to satisfy their needs, e. g securing their own food supply. Indeed, the right to work or to health care are some of the examples that require a certain level of education to be exercised.

Lastly, this right is highly important to take part in **cultural life**. For religious, linguistic and ethnic minorities, education is their mechanism to preserve their cultural identity, and, therefore, to keep it alive for next generations.

In brief, education is an incredibly versatile right that is going to make someone's life more enjoyable because it holds a large amount of other important rights behind. Thus, it can be seen as a set of human guarantees, a key for a more aware and better life.

2.3 The Right to Education in the Universal Declaration of Human Rights (UDHR)²⁰:

“Everyone has the right to education”

“1. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

3. Parents have a prior right to choose the kind of education that shall be given to their children.”

This passage constitutes article 26 of the Universal Declaration of Human Rights²¹, the first document in history where we can find education quoted as a Human Right.

For a further understanding of this right, we will be analysing profoundly each paragraph per separate to take the most important ideas of the whole article.

The first paragraph, that reflects the **social aspect of the right to education**, is based on these points:

- ❖ Education is a right that anyone in this world has.

²⁰ All the analysis of the Right to Education is going to be based on the UN International Framework.

²¹ View page 15.

- ❖ Elementary and fundamental education must be free. Elementary education refers to a formal education for kids in primary school; and fundamental education consists of education for anyone from children to adults who hadn't had the opportunity to finish primary education.
- ❖ Elementary education must be obligatory.
- ❖ Technical and professional education, which must be accessible for everyone, means all types of education that include the study of technologies and all the development of practical skills directed to occupation in sectors of economic and social life.
- ❖ Higher education refers to post-secondary education, superior education such as university. This type of education has to be equally accessible to anyone who has the qualities to study it, which are evaluated through the student's academic achievements.

This right relies on the state's effective response to the realisation of all the levels of education, due to its obligation to fulfil this right.

As we can see, the state has set priorities in its system of education. The main priority is the realisation of education at the elementary level, mainly because it has to be compulsory and free. Then, we find secondary education and lastly, higher education. The fact that only elementary education is free shows the capability and the resources of the state, and a lack of elementary education would mean the scarcity of these resources.

The second paragraph constitutes the **ethical goals of education**:

- ❖ The full development of the human personality.
The human personality integrates all the aspects of the human being, such as the physical, intellectual, social and psychological.
- ❖ The strengthening of respect for Human Rights and fundamental freedoms.

Education must not contradict the UDHR; it has to be based on our fundamental rights.

- ❖ The promotion of understanding, tolerance and friendship among all nations, racial and religious groups.

Education has to be the tool to develop the thought of equality of all nations and people as well as to show the different views that can coexist within each other. This quote reflects pluralism and equality.

- ❖ The furtherance of the activities of the UN for the maintenance of peace.

Only when education is based on the Human Rights that the UN has set it will be capable of bringing on world peace, which is the principal aim of this organism.

The third paragraph of the article shows the **freedom aspect of the right to education**. It guarantees the right of parents to choose the school which their children should attend.

Thus, the state must respect parents' ideals regarding their ethics, philosophy and religion as well as the educational methods that they believe in. The fact that it is a *prior right* means that parents have it in first place, so if they didn't have such right it wouldn't be difficult for the state to reflect its own ideologies in education, that is to say, this right regulates the protection against state indoctrination.

In conclusion, the *right to education* in article 26 of the UDHR, the first legal article that contains this right, shows the importance of this right in a social, ethical and freedom aspect.

2.4 The Right to Education in the International Covenant on Economic, Social and Cultural Rights (ICESCR)

The International Covenant on Economic, Social and Cultural Rights²², an agreement that was set up in 1966 and entered into force in 1976, sets up in a more detailed way *the right to education* than in the UDHR. For that reason, Article 13 and 14 –based on *the right to education*– are considered the most important formulations of this right that have ever been made in a legal treaty. In addition to this covenant, ratified by 165 countries all over the world, the *Committee on Economic, Social and Cultural Rights*²³ has interpreted posteriorly these articles on several comments, but there are two important ones: the General Comment 13 (1999) and the General Comment 11 (1999).

To begin with this interpretation, I will show each article followed by a study of the most important ideas of each passage.

Article 13 provides as follows:

“1. The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious

²² The ICESCR is briefly explained in reference 10.

²³ The Committee on Economic, Social and Cultural Rights (CESCR) is the body of 18 independent experts, persons of high moral character from 18 different countries, which secures the realisation of the International Covenant on Economic, Social and Cultural Rights by its States parties. One of the functions of this Committee is to publish interpretations of the different articles of the Covenant, actualizing them to the different stages in society. The two most important comments for this research project are General Comment 13 and 11, both referring to article 13 and 14 of the ICESCR, which analyse in detail the right to education. The study in this research project is going to be based on these comments and in *The Protection of the Right to Education by International Law – Klaus Dieter Beiter*.

groups, and further the activities of the United Nations for the maintenance of peace.

2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:

(a) Primary education shall be compulsory and available free to all;

(b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;

(c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;

(d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;

(e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.

3. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions.

4. No part of this article shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of this article and to the requirement that the education given

in such institutions shall conform to such minimum standards as may be laid down by the State.”

The first paragraph of Article 13 recognizes everyone’s *right to education* and **sets its aims**. We can prove that it corresponds to the second paragraph of Article 26 (UDHR) because it repeats its objectives but with two extra additions. The first addition refers to *the development of human dignity*, which constitutes the base of Human Rights, and appears to show that education must make individuals aware of their worth and inherent Human Rights. Then, we find *that education should enable all persons to participate effectively in a free society*, which means that education does not just have to be theoretically directed but it also has to teach us to satisfy all our practical needs in our lives.

Article’s 13 second paragraph sets the state’s obligation towards education, **the social aspect**. This passage is an extension of the first paragraph of Article 26 (UDHR) but making reference to the *availability* and *accessibility* criteria.²⁴ To introduce these new terms we will see their respective definitions:

- ❖ **Availability** refers to the State’s duty to ensure that schools, teachers and materials are available, at one’s disposal. This can be improved by providing more schools and anything related to the education field.
- ❖ **Accessibility** refers to the fact of being admitted to one or other school once they have been available. This can be improved by removing any obstacles that difficult admission.

The first point of this paragraph (a) sets that education must be compulsory and free for everyone. The fact that it must be compulsory requires that it has to be available, because it will only be compulsory if there are enough schools to take all students. Also, if it must be free it

²⁴ The study of these two criterias out of the *four As* is in page 44.

means it must be accessible, because if we eliminate school fees we will finish with all obstacles to admission. Thus, these two ideas are related due to the fact that individuals are going to attend school only if they can afford it.

Paragraph (b) of the second passage, which treats secondary education, sets that it must be available and accessible to all. This means that there has to be all the educational facilities needed for the secondary level. Moreover, accessibility can only be reached *by every appropriate means*, which are any measures that the state considers effective, such as the progressive introduction of free education.

Paragraph (c) relies on the fact that higher education must be *equally accessible to all on the basis of capacity*, in other words, the admission of students are related to their future potential, not on their past achievements such as in Article 26 of the UDHR. It also mentions the progressive introduction of free education.

Paragraph (d) mentions that fundamental education, the one destined to anyone who has not received primary education, must be *encouraged or intensified as far as possible*. Although this clearly sets that the state has to make its availability and accessibility possible, it does not go as far as to mention that it must be free.

Lastly, we find paragraph (e), which is a new point that the UDHR did not contain. In there, we find three basic ideas: the on-going development of a system of schools at all levels, the establishment of scholarships and the improvement of the material conditions of teaching staff. This takes a further step on education than in Article 26 covering other aspects that will make availability and accessibility more achievable.

Finally, the last two passages of Article 13 (paragraph 3 and 4) treat **the freedom aspect of education** and are similar to the last paragraph of Article 26.

On the one hand, the third passage covers *the freedom to choose*: states have to respect the liberty of parents or legal tutors to choose for their children non-state schools which follow the standards that the state has set up and to ensure the morally and religiously based education that they believe in.

On the other hand, the fourth passage covers *the freedom to establish*: all individuals have the liberty to create educational institutions as long as the education provided there follows the minimum standards the state has fixed.

Then, we find Article 14:

“Each State Party to the present Covenant which, at the time of becoming a Party, has not been able to secure in its metropolitan territory or other territories under its jurisdiction compulsory primary education, free of charge, undertakes, within two years, to work out and adopt a detailed plan of action for the progressive implementation, within a reasonable number of years, to be fixed in the plan, of the principle of compulsory education free of charge for all.”

This article is a way of commitment for all the states that have signed this convention, because it puts the theory that it is found on Article 13 on action. Moreover, the states that have agreed to the treaty must specify a plan to secure compulsory and free primary education in practise within two years with an addition of several years to implement the scheme. However, it only ensures part (a) of the second passage, affirming that the content of this point is one of the most important and required ones of the whole article.

2.5 The Right to Education in Posterior Conventions

During all these years, from the creation of the United Nations until today, this organism has made several conventions regarding all Human Rights for different collectives. After the UDHR, *the right to education* has been present in these declarations and, although they don't have the same importance as the first two analysed in this project, they are helpful to delimit the research and focus on my matter of study. For this reason, I will be analysing *the Convention on the Rights of the Child* and *The Convention relating to the Status of Refugees*. In addition, I will mention other less relevant conventions with their respective *right to education* just to show how this right has evolved.

2.5.1 The Convention on the Rights of the Child

The Convention on the Rights of the Child (CRC), adopted the 20th November of 1989 and entered into force the 2nd September of 1990, is the document that ensures all the rights of the children below 18. According to UNICEF²⁵ the aim of the CRC is “to protect and promote their rights to survive and thrive, to learn and grow, to make their voices heard and to reach their full potential”. Therefore, this convention, ratified by 196 countries, incorporates all children's civil, cultural, economic, political and social rights, including the most important one for this project, *the right to education*, which can be found in Articles 28 and 29. As well as the ICESCR, this convention has posteriorly been interpreted in several comments such as General Comment 1, one of the most outstanding comments that are going to be helpful for my analysis.

²⁵ View page 40.

Article 28 states:

1. States Parties recognise 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, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;

(c) Make higher education accessible to all on the basis of capacity by every appropriate means;

(d) Make educational and vocational information and guidance available and accessible to all children;

(e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

As we can see, this article is completely influenced by Article 13 of the ICESCR, it contains the same general ideas but with a couple of nuances that make it more specific and directed to children.

The first paragraph is based on the state's duty to provide equal opportunities in education. As in previous articles, it guarantees compulsory and free education, the availability of secondary education, its progressive freeness and financial aid in case of need, and the accessibility of higher education on the basis of capacity. The rest of the passage (c) and (e) have new additions. This article has taken a further step stating the availability and accessibility of information and guidance for children in order to orient them to give them all the support needed. Also, paragraph (e) shows the initiative that this Convention has to stop drop-outs and to make children attend school regularly, because all these rights won't be exercised if the child does not go to school.

The second paragraph adds a new point to these articles: the fact that the educational system has to adapt to the needs of the child and according to his or her human dignity. All the measures set up in the actual Convention must not interfere with the principles of the child.

The third paragraph encourages international help and cooperation to eliminate ignorance and illiteracy. As we have seen in previous sections, a minimum standard of education, such as literacy and general knowledge, will enable us to make good decisions in life, in any aspect. That is why we can see the state's concern about this subject. Also, the UN wants to facilitate access to technical and scientific knowledge. In order to achieve all these goals, developed countries must help developing countries to reach all of this, because these issues are more accentuated in these last territories.

Article 29 states:

1. *States Parties agree that the education of the child shall be directed to:*
 - (a) *The development of the child's personality, talents and mental and physical abilities to their fullest potential;*
 - (b) *The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;*
 - (c) *The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;*
 - (d) *The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;*
 - (e) *The development of respect for the natural environment.*
2. *No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.*

The first paragraph of Article 29 sets all the aims of education, and they are similar to the ones in de UDHR and ICESCR, but even more amplified. Paragraph (a) and (b) refer to the development of the child's personality and respect for all Human Rights. Paragraph (c) introduces a new idea: the respect for the child's origin and parents. This paragraph gives a big importance on the child's background because by

respecting his or her own culture he or she will learn to respect other cultures from different countries, and this can only be reached through education. Paragraph (d) directs the achievement of necessary values for society through education and the participation of the child in society. Last paragraph (e) directs education towards the respect of the environment and nature. This is a new idea added to *the right to education*, which shows that through education children can be more conscious about the earth and can learn how to take care of it.

Finally, the second passage of Article 29 treats the freedom to establish educational institutions. This contains the same information as the fourth paragraph of Article 13 of ICESCR.

2.5.2 The Convention Relating to the Status of Refugees

The Convention Relating to the Status of Refugees was adopted the 28th July of 1951 and entered into force the 22nd April of 1954. This convention, ratified by 145 countries all over the world, holds all the rights that any refugee has.

In Article 22, we find *the right to education*, which is going to be essential for this project:

Public education²⁶

1. *The Contracting States shall accord to refugees the same treatment as is accorded to nationals with respect to elementary education.*

2. *The Contracting States shall accord to refugees treatment as favourable as possible, and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, with respect to education other than elementary education and, in particular, as regards access to studies, the recognition of foreign school certificates, diplomas and degrees, the remission of fees and charges and the award of scholarships.*

²⁶ The interpretation is based on the Commentary on The Refugee Convention, published by the Division of International Protection of the United Nations High Commissioner for Refugees 1997.

The title “Public education” shows the intention of the Article; it only applies to education provided by public authorities from public funds, or to scholarships derived from them.

In general, this Article shows that there must not be any difference between the education that a refugee receives and the one that nationals receive. For this purpose, the first paragraph of the Article refers directly to the first passage of Article 26 of the UDHR respect to elementary education.

Lastly, the second paragraph determines the state’s obligations to treat a refugee with the same opportunities as any foreigner or national. That is why education does not have to vary whether it is applied to refugees or not, they have to be treated equally in terms of higher education or vocational training, not only elementary school. Moreover, education must be accessible because they have the right to be admitted at any school due to their same treat. Diplomas, degrees and foreign school certificates must be recognised in order to get access to any type of education and, finally, as well as in Article 13 (e) of the ICESCR refugees must enjoy the award of scholarships when needed and also the remission of charges and fees.

In conclusion, Article 22 of the Convention Relating to the Status of Refugees deals with the response of the state towards the educational needs of refugees, which are treated no differently from nationals. Thus, this treats **the social aspect of education**.

2.5.3 Other Conventions

To show *the right to education's evolution* throughout the different conventions from the United Nations, here we can see listed some of them with a brief explanation of their respective *right to education*:

- ❖ The **International Convention on the Elimination of All Forms of Racial Discrimination** (ICERD) prohibits any type of racial discrimination in the exercise of human rights, including economic, social and cultural rights. This Convention was adopted the 21st December of 1965. Article 5 guarantees the right to education without any distinction or inequality as to race, colour or origin. Article 7 advocates for states to battle prejudices with measures to promote understanding, tolerance and friendship.
- ❖ The **International Covenant on Civil and Political Rights** (ICCPR) was adopted the 16th December of 1966 and does not have an exclusive article for the right to education. However, Article 18 guarantees the freedom of thought, conscience and religion in teaching and recognises the liberty of parents to choose the religious and moral education for their children.
- ❖ The **Convention on the Elimination of All Forms of Discrimination against Women** (CEDAW) sets up an international bill of rights for women which was adopted the 18th December of 1979. Article 10 guarantees their *right to education*. It promotes equality between the education a man and a woman receives, free of stereotypes and prejudices. They must have the same treat and access to education, vocational guidance, opportunities, scholarships and adult learning. It also sets the elimination of illiteracy.

- ❖ The **International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families** (ICMW, 1990) seeks to prevent and eliminate the exploitation of migrant workers by providing standards to address the treatment, welfare and human rights of documented and undocumented migrants. Articles 12.4, 30, 43, and 45 guarantee for each child of a migrant worker, *the right to education* on the equality of treatment with nationals of the state. It provides other rules for migrants and their families, in education, and assures the liberty of parents in the moral and religious education of their children.

- ❖ The **Convention on the Rights of Persons with Disabilities** (CRPD) reaffirms the insurance that all persons with all types of disabilities must enjoy all Human Rights and fundamental freedoms. This convention was adopted the 13th December of 2006. Article 24 recognises the right of persons with disabilities to education, without any type of discrimination and on the basis of equal opportunity. For this reason, the state has the obligation to ensure an inclusive education system.

To conclude, *the right to education*, as we have seen, has been present in many legal documents throughout history, in other words, it has been given an important and essential part of our Human Rights. For this reason, thanks to all of these conventions, from the UDHR and ICESCR to the posterior ones, we have achieved or we are in the path to achieve a complete education, full of the guarantees that these conventions hold.

2.6 UNESCO and UNICEF

As we have seen in the *Human Rights' chapter*, the United Nations is compounded by some bodies that have a specialised approach to different collectives, all this for the purpose to defend and improve the realisation of Human Rights. In the field of education, there are special bodies such as UNICEF and UNESCO that undertake this task.

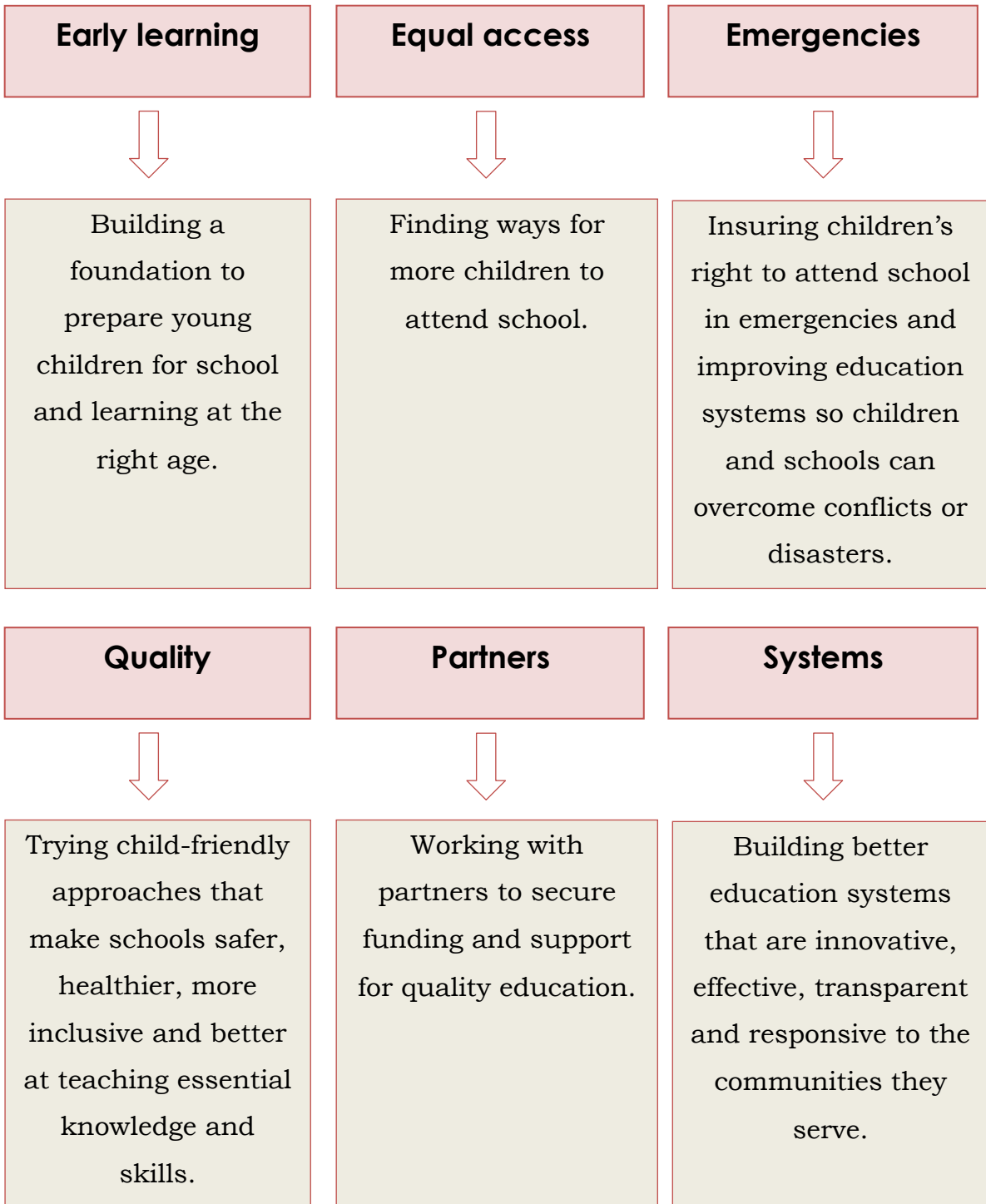
UNICEF (*The United Nations Children's Fund*) is a UN programme that was created the 11th December of 1946 to help children affected by World War II. At the beginning, the acronyms meant *The International Children's Emergency Fund* (ICEF), because it was destined only for child health purposes. However, in year 1953 this programme became a permanent agency and the words *international* and *emergency* were eliminated, due to the fact that it evolved to promote the wellbeing of children in general. According to UNICEF, it was created "to work with others to overcome the obstacles that poverty, violence, disease and discrimination place in a child's path. We advocate for measures to give children the best start in life, because proper care at the youngest age forms the strongest foundation for a person's future".

This body protects the right of every child to an education by²⁷:

- ❖ Providing children around the world with access to learning.
- ❖ Making sure that once children get to school, their education prepares them for the future.

²⁷ Information taken From UNICEF's official webpage, which can be found in the webgraphy.

For this reason, UNICEF currently focuses on:



UNESCO (*The United Nations Educational, Scientific and Cultural Organization*) is an agency of the United Nations that was formed the 16th November of 1945 as a result of a conference in London directed to embody a genuine culture of peace after World War II. The aims of this body are to contribute to peace and security by promoting international collaboration through educational, scientific, and cultural reforms. For this reason, it covers education, science and culture.

UNESCO develops and promotes all types of standards in order to achieve the implementation of *the right to education*. Some examples of its projects and focuses are²⁸: ensuring state legal obligations in legal frameworks and translating them into policies and programmes; raising public debate on key issues to build better understanding; developing global partnerships to raise awareness on key issues relating to its implementation such as privatisation of education, protection of refugees' rights, *the right to education* of persons with disabilities, the status of teachers, *the right to education* of girls and women, or *the right to education* of indigenous populations; and monitoring the implementation of its instruments, that are its conventions.

The Organisation has adopted two conventions relating to education, one on *non-discrimination* and the other on *technical and vocational education*²⁹. It has also adopted some recommendations such as *the status of teachers, higher education, adult education, and Human Rights education*. However, these recommendations are not obligatory but morally important. The UNESCO Committee on Conventions and Recommendations controls the exercise of these conventions and recommendations.

²⁸ Based on the UNESCO's official webpage, which can be found in the webgraphy.

²⁹ This last one, the UNESCO *Convention on Technical and Vocational Education* was adopted the 10th November of 1989 but it is not as important as the previous one mentioned because it only has 18 ratifications. UNESCO is considering to revise it or create a new Convention in the future with this matter.

The UNESCO *Convention against Discrimination in Education* (CADE) was adopted the 14th December of 1960 and expresses non-discrimination and equality of opportunity in education.

Article 2 sets that any private educational institution is permitted as long as it doesn't exclude any group but provides good educational facilities as a complement to the public institutions as long as it follows some standards that the State has set.

Article 4 states the state's duty towards education; it is exactly as in Article 26 of the UDHR and article 13 of the ICESCR.

Lastly, Article 5 quotes all the aims of education, which are also identic to the first conventions analysed³⁰. Moreover, it also recognises minorities' right to do their own education activities. We can also find in this convention teacher training and qualification and quality education.

³⁰ The first articles of the conventions analysed are from the UDHR and the ICESCR. All these conventions present similarities in *the right to education*.

2.7 The 4 As

The right to education, in order to be meaningful and true to all the conventions studied in this chapter³¹, has to guarantee these four features: *availability*, *accessibility*, *acceptability* and *adaptability*. These government duties are helpful whenever there is the need to assess the situation of the education.³² However, to the complete fulfilment of this method there has to be also an impulse from the students, parents or formal tutors and teachers.

The 4 As scheme was developed by the first UN Special Rapporteur* of *the right to education*, Katarina Tomasevski³³, and adopted by the Committee on Economic, Social and Cultural Rights in its General Comment 13 on this right. These are the 4 as³⁴:

AVAILABILITY

The purpose of this feature is to make education available, to anyone's disposal.

Education is free and government-funded; there is adequate infrastructure and trained teachers able to support education delivery.

To study this feature in education, these are the general parameters to be analysed:

- ❖ The freeness and compulsoriness of schools, their funding and the freedom to establish them.
- ❖ The teachers: working conditions, salary, training, etc.
- ❖ The infrastructure: the safety, sanitation facilities, safe drinking water, etc.

³¹ See the *right to education* in the UDHR (page 24), the ICESCR (page 27) and in posterior conventions (page 32).

³² The Research part of this Project is based on these features as a way to study the situation of *the right to education* for refugees.

³³ Katarina Tomasevski (8 February 1953 – 4 October 2006) was, from 1998 to 2004, the first United Nations Special Rapporteur on *the right to education* of the United Nations Commission on Human Rights. She wrote more than 200 articles and is the first developer of the 4 as scheme.

³⁴ Extracted from the document *Human rights obligations: making education available, accessible, acceptable and adaptable* by Katarina Tomasevski.

ACCESSIBILITY

The purpose of this feature is to make education accessible, to not put any type of obstacles to admissions.

The education system is non-discriminatory and accessible to all, and positive steps are taken to include the most marginalised.

To study this feature in education, these are the general parameters to be analysed:

- ❖ The elimination of legal and administrative barriers.
- ❖ The elimination of financial obstacles.
- ❖ The identification and elimination of discriminatory denials of access.
- ❖ The affordability of education in terms of indirect costs such as the transport facilities, uniforms, textbooks, etc.

ACCEPTABILITY

The purpose of this feature is to make education acceptable, to insure that the education provided at educational institutions is appropriate.

The content of education is relevant, non-discriminatory and culturally appropriate, and of quality; schools are safe and teachers are professional.

To study this feature in education, these are the general parameters to be analysed:

- ❖ The pluralism in education and respect for diversity.
- ❖ The enforcement of minimal standards: quality, safety, environmental health.
- ❖ The parental choice of education for their children.
- ❖ The language of instruction.
- ❖ The curriculum.

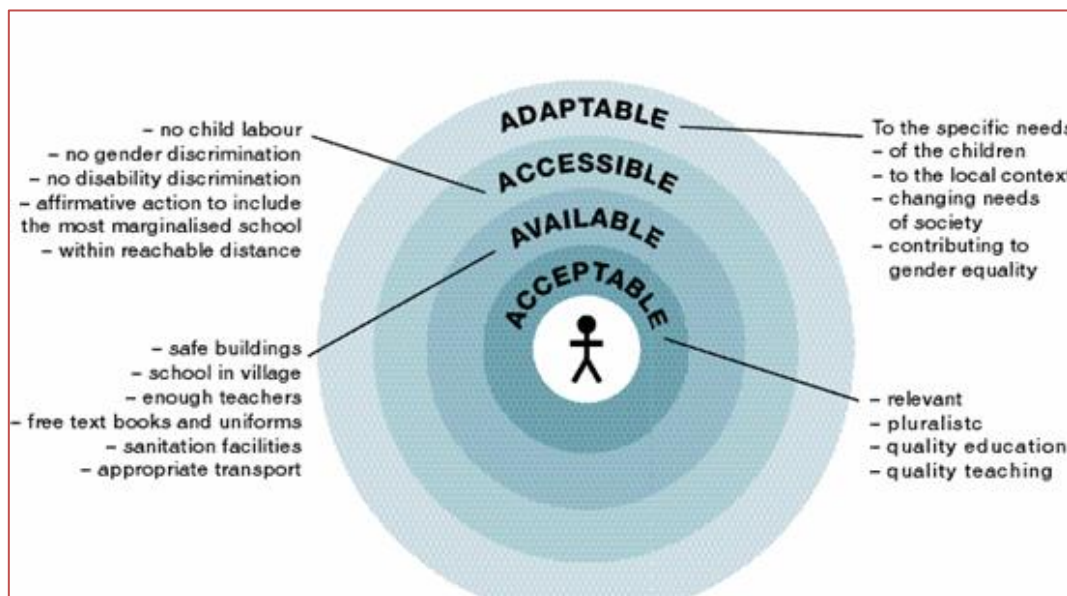
ADAPTABILITY

The purpose of this feature is to make education adaptable, making the system of education adapted to the students and not the contrary.

Education evolves with the changing needs of society and challenges inequalities, such as gender discrimination; education adapts to suit locally specific needs and contexts.

To study this feature in education, these are the general parameters to be analysed:

- ❖ The special needs for children with disabilities, indigenous children, migrant children, *refugee* children, etc.
- ❖ The prevention from child marriage, child labour and other issues.
- ❖ The adaptation of education to the changing needs of society.



The 4 as circle diagram from the Right to Education Project webpage, found in the glossary

2.8 The future of Education: 2030 Agenda

To secure the fulfilment of Human Rights, the United Nations sets some objectives to achieve in a certain period. As we have seen, we have several conventions that hold a large amount of rights; we have mechanisms for their implementation and also organisms that work in order to defend them. However, there is the need to prove the effectiveness of all these measures, and this is possible thanks to the *2030 Agenda for Sustainable Development*.

The *Agenda 2030 for Sustainable Development* is an instrument that was adopted the 2015 by the United Nations which sets 17 goals³⁵ that by 2030 must be achieved. According to the Agenda, sustainable development aims at “eradicating poverty in all its forms and dimensions, combating inequality within and among countries, preserving the planet, creating sustained, inclusive and sustainable economic growth and fostering social inclusion”.

The 4th goal is, indeed, related to the right to education, and this is what it sets:

“Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all”

This goal contains other 10 more specific objectives that are:

4.1 By 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes.

4.2 By 2030, ensure that all girls and boys have access to quality early childhood development, care and pre-primary education so that they are ready for primary education.

³⁵ The goals of the 2030 Agenda can be found in the annex.

4.3 *By 2030, ensure equal access for all women and men to affordable and quality technical, vocational and tertiary education, including university.*

4.4 *By 2030, substantially increase the number of youth and adults who have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship.*

4.5 *By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations.*

4.6 *By 2030, ensure that all youth and a substantial proportion of adults, both men and women, achieve literacy and numeracy.*

4.7 *By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable lifestyles, human rights, gender equality, promotion of a culture of peace and non-violence, global citizenship and appreciation of cultural diversity and of culture's contribution to sustainable development.*

4.a *Build and upgrade education facilities that are child, disability and gender sensitive and provide safe, non-violent, inclusive and effective learning environments for all.*

4.b *By 2030, substantially expand globally the number of scholarships available to developing countries, in particular least developed countries, small island developing States and African countries, for enrolment in higher education, including vocational training and information and communications technology, technical, engineering and scientific programmes, in developed countries and other developing countries.*

4.c *By 2030, substantially increase the supply of qualified teachers, including through international cooperation for teacher training in*

developing countries, especially least developed countries and small island developing States.

The focus of this Agenda is in *quality education*, because it is the foundation of the improvement of people's lives and sustainable development.

In brief, we can see that the goals to achieve *quality education* are related to accessibility: women, men and children must get the same access to elementary, pre-primary and tertiary education; the elimination of gender discrimination; the achievement of literacy and numeracy; the acquirement of knowledge and skills to promote sustainable development; a better environment for the inclusion of all children; the increase of scholarships specially in developing countries; and, finally, the increment of more qualified teachers. All these aims are going to be the motor to reach *quality education*.

2.8.1 The importance of Quality Education

To promote the sustainable development of our planet, we need *quality education*. If we are provided with education lacking in quality, we wouldn't be exercising effectively *the right to education*. For this reason, I am going to define the meaning of this term. According to ASCD³⁶ and EI³⁷:

A quality education is one that focuses on the whole child—the social, emotional, mental, physical, and cognitive development of each student

³⁶ ASCD is an organisation founded in 1943 in Washington DC is “dedicated to excellence in learning, teaching, and leading so that every child is healthy, safe, engaged, supported, and challenged.” It comprises 115,000 members—superintendents, principals, teachers, and advocates from more than 128 countries—and it also includes 51 affiliate organizations.

³⁷ Education International is a Global Union Federation that represents organisations of teachers and other education employees based in Brussels, Belgium.

regardless of gender, race, ethnicity, socioeconomic status, or geographic location. It prepares the child for life, not just for testing.

A quality education provides resources and directs policy to ensure that each child enters school healthy and learns about and practices a healthy lifestyle; learns in an environment that is physically and emotionally safe for students and adults; is actively engaged in learning and is connected to the school and broader community; has access to personalized learning and is supported by qualified, caring adults; and is challenged academically and prepared for success in college or further study and for employment and participation in a global environment.

A quality education provides the outcomes needed for individuals, communities, and societies to prosper. It allows schools to align and integrate fully with their communities and access a range of services across sectors designed to support the educational development of their students.

To conclude, *quality education* is important because of these motives:

- ❖ It lifts people out of poverty and stops the perpetuation of it from generation to generation.
- ❖ It empowers marginalised groups.
- ❖ It permits the exercise of other Human Rights.
- ❖ It reduces inequality.
- ❖ It permits inclusive and sustainable economic growth.
- ❖ It facilitates peace, tolerance, and respect for Human Rights.

3. REFUGEES :

the victims of the violation of Human Rights

3.1 The term Refugee

“No one leaves home unless home is the mouth of a shark.”

-Home, Warsan Shire³⁸

There are 22.5 million refugees worldwide³⁹, 22.5 million people that have abandoned their home to move to another country, to start a new life, and not because it was their choice. The term *refugee* has always been existent, although currently it is more present on the media, but, what is the real meaning of the term *refugee*?

A *refugee*⁴⁰ is a person who has been forced to flee his or her country because of persecution, war or violence. Refugees have the fear of persecution because of reasons of race, religion, nationality, political opinion or membership in a particular social group. The situation in their country is so dangerous that they cross national borders to seek safety in nearby countries; their home cannot give them protection anymore. When this happens, these people become refugees and as so, they have the right to get assistance from the States, the UNHCR⁴¹, and other organisations.

Whenever we mention this term, it is often misunderstood with the word *migrant* or *asylum seeker*; however, these three concepts have a

³⁸ *Home* is a poem written by Warsan Shire (born 1 August 1988), a British writer and teacher who was born in Somali but migrated to England at age 1. The poem *Home* shows the situation that refugees are facing. This poem can be found in the glossary.

³⁹ UNHCR 19 June 2017.

⁴⁰ According to the UN definition in Article 1 of The Convention Relating to the Status of Refugees (1951), (view page 54), and the UNHCR (view page 57).

⁴¹ View page 57.

different meaning and carry different international obligations and consequences. A *migrant*⁴² is someone who moves from one place to another in order to improve her or his life by finding work, or in other cases education, family reunion, etc. The point is that *migrants* choose to leave the country, they do not face any impediment to return back home, whereas refugees do. If *migrants* choose to come back to their homeland, they will continue to receive the protection of their government.

Also, another unclear concept is *asylum seeker*, which can often be confused with *refugee*. The difference between these two terms is the fact that they are two stages that refer to the same person. In other words, refugees, before being recognized by the state as so, they are *asylum seekers*. Thus, an *asylum seeker*⁴³ is someone who flees his or her home because of the same reasons as a *refugee* and applies for asylum, the right to be recognized as a *refugee* and receive protection and assistance. *Asylum seekers* must demonstrate that they fled their country because of a fear of persecution. This means that in order to be a *refugee* you must be an *asylum seeker*: when you ask for help you are an *asylum seeker* and when the aid is given, you become a *refugee*.

To give these three terms the same meaning (most importantly to confuse a *refugee* with a *migrant*) can hold serious consequences for the safety of refugees. This group of people are in this situation because of a violation of Human Rights: they are the consequences of not implementing the Universal Declaration of Human Rights in society. However, this collective, despite suffering a transgression of their rights, they are internationally protected by law, they have a special convention and organisations that regulate an implementation of the most basic rights to a decent life in the host country.

This chapter, besides picturing the real conception of a *refugee*, as we have seen, to eliminate all the stereotypes, is going to reveal the legal

⁴² According to the UNHCR.

⁴³ According to the UNHCR.

protection that they have, such as the legal documents and organisations. This will give an understanding of their *right to education*⁴⁴. Lastly, there will be a section that will demonstrate the current worldwide situation and figures that are related to their education, that is to say, what is known now about the issue.

This part of the project is crucial for my study; it gives a global view on what it means to be a *refugee*, and how is now the planet dealing with it. We are starting from the fact that I will show how the current situation on education for refugees is in Jordan, so I am going to deal with a right that must be exercised for everyone, but the point is: what is the meaning of studying the *right to education* in a collective named refugees if the same term is a violation of rights?

Well, as studied in previous chapters, we have seen that when education is provided, within it we have opportunities and chances to develop and be in charge of our own lives, so if this right is implemented to refugees, we can be sure that it will help to change their situation and to erase this tag that society has put on them.

⁴⁴ Analysed in page 36.

3.2 The International Refugee Protection

Refugees are legally protected by many conventions, which states must fulfil, that secure their basic rights in their host country. Thus, since their national governments do not protect these citizens, the United Nations has taken a further step to look for refugees with the creation of *The Convention Relating to the Status of Refugees* (1951) and *The Protocol relating to the Status of Refugees* (1967) to ensure this community's rights. Moreover, the UN created an organisation that plays an essential role for this issue: *The United Nations High Commissioner for Refugees*.

3.2.1 The Convention Relating to the Status of Refugees

The Convention Relating to the Status of Refugees, adopted in 1951 in the city of Geneva and ratified by 147 states, sets refugee's rights and duties and defines the term *refugee*.

However, because this convention was drafted after World War II it refers only to citizens that became refugees as a result of all the episodes that occurred during the war, but most importantly in Europe, before the 1st January of 1951. Although that date is its focus, this convention has adapted to all the new crisis with the help of another convention, *The Protocol relating to the Status of Refugees* (1967).

Definition of the term refugee

According to the *1951 Convention relating to the Status of Refugees*, a *refugee* is someone who:

has a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country;

or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

The centre of the whole convention relies on the right to **non-refoulement** (the prohibition of expulsion or return). According to Article 33, a *refugee* must not return to the country of where he or she faces serious dangers and threats to his or her life. However, this protection cannot be exercised to any *refugee* who has committed several crimes in the country of asylum or could be a danger to the security of the territory.

Other rights that apply to refugees are:

- ❖ The right not to be punished for illegal entry into the territory of a contracting State.
- ❖ The right to work.
- ❖ The right to housing.
- ❖ The right to education.⁴⁵
- ❖ The right to public relief and assistance.
- ❖ The right to freedom of religion.
- ❖ The right to access the courts.
- ❖ The right to freedom of movement within the territory.
- ❖ The right to be issued identity and travel documents.

Despite all these rights, all refugees must fulfil one obligation: they must conform to the laws and regulations of the country of asylum and respect measures taken for the maintenance of public order.

⁴⁵ Analysed at page 36.

3.2.2 *The Protocol Relating to the Status of Refugees*

The 1967 Refugee Protocol is an addition to the 1951 Refugee Convention that extends its applicability. As we already know, the 1951 Convention only applied to all the population that had to abandon their homes due to World War II circumstances, before January the 1st of 1951. Thus, because there were still conflicts and crisis that left the same consequences, this legal protocol was made to widen all these rights to all refugees independently of their nationality, race, religion or political opinion.

In brief, thanks to this new addition, both conventions have been the fundamental supports for all refugees around the world.

3.3 UNHCR and UNRWA's role

In order to ensure the realisation of *The Refugee Convention*, the United Nations created organisations and campaigns responsible to advocate for refugees all around the world and to help them in all aspects in their asylum country.

The United Nations High Commissioner for Refugees (UNHCR) is a United Nations organism created the 14th December of 1950, at the end of World War II, for the initial purpose to help millions of Europeans who had become refugees due to World War I and II.

Today, this programme seeks international protection and solutions to all refugees by implementing *The Refugee Convention* (1951) to ensure their rights.

In brief, the UNHCR works either to integrate refugees in the asylum country, to repatriate voluntarily refugees in their home or to resettle them in a third country. Meanwhile, this organism provides critical emergency assistance in the form of clean water, sanitation and healthcare, as well as shelter, blankets, household goods and sometimes food. It also arranges transport and assistance packages for people who return home, and income-generating projects for those who resettle.⁴⁶

Although the UNHCR applies to all refugees worldwide, there is another agency that covers this work only for Palestinian refugees: *The United Nations Relief and Works Agency for Palestine Refugees in the Near East* (UNRWA). This organism, which was set up in December 1949, was established to protect and support all the Palestinians who lost their homes as a consequence of the 1948 Arab-Israeli war*. For this purpose, the definition of the term *refugee* for this agency is:

⁴⁶ According to the UNHCR webpage.

“Persons whose regular place of residence was Palestine during the period 1 June 1946 to 15 May 1948, and who lost both home and means of livelihood as a result of the 1948 conflict”.

Currently, this organism provides education, health care and social services to Palestinians in five areas of operation: Jordan, Lebanon, Syria, the Gaza Strip* and the West Bank*.

Even though we find two organisms, they have the same purpose: the protection of refugees. The only difference between them is the fact that UNRWA deals specifically with Palestine refugees and UNHCR provides international protection globally. Moreover, the UNHCR is also responsible for Palestinians whenever they are outside UNRWA’s areas of operation.

3.4 Current situation on education

Everyone has the right to education. This is the statement that summarizes *the right to education* in society according to the Universal Declaration of Human Rights. As we can see, the first word of the sentence, which is the most emphasized, is *everyone*. *Everyone* refers to all people coming from all countries, all cultures, all economic situations, all races; simply, to all. For this reason, refugees must also enjoy this right.

The right to education for the refugee community is specified in Article 22 of *The Refugee Convention* (1951), where the most remarkable fact is that the education provided to refugees must not be less favourable for them than the nationals.⁴⁷ Moreover, we have seen the importance of education, but in this context it is much more needed. Providing education for refugees is crucial for the development and improvement of their lives, their asylum country and their abandoned homeland. This is going to give them the sufficient tools to be in charge of their life and not to depend on anyone or anything.

However, although we have organisations such as the UNHCR to ensure that all their rights are respected, the situation on education is not as easy as that. In this project, we will see in first person the situation of the education in two specific groups in Jordan: the Palestinians and the Syrians. But, nowadays, how is the status of education of refugees all around the world? If we take a general look out there, we will find this reality, according to UNHCR figures:

In 2016, 3.5 million school-age refugees, under the UNHCR control, didn't get any day of school. Nowadays, only 61% of refugee children attend primary school, 23% of refugee teenagers attend secondary school and only 1% of refugees continue higher education.

⁴⁷ This right is studied in page 36.

These figures have increased throughout these last years thanks to a higher concern about this issue and the increase of help to the UNHCR. Despite this improvement, there is still a lot to achieve, especially to fulfil the 4th goal of the *2030 Agenda for Sustainable Development*.⁴⁸

These statistics are caused by several factors that difficult the implementation of a decent education for refugees; here we have some of these problems listed⁴⁹:

- ❖ Access to education for refugees is limited and uneven, particularly for girls, where in some places of Africa only 5 girls are enrolled for every 10 boys; and at secondary levels, where there is a big difference compared to primary school enrolment, because it decreases notably.
- ❖ Refugee education is generally of a very low quality. In many cases, teachers do not have even the ten days of training that would define them as *trained*. Also, some data indicates that many refugee children are learning very little in schools; among Eritrean refugees in Ethiopia, less than 6% of refugee children had reached a fluency reading by grade 4.
- ❖ There is a lack of focus on learning because there is more attention to identify protection issues.
- ❖ The UNHCR cannot accomplish to provide high quality and protective refugee education with the current level of human and financial resources. In 2010, education received only 4% of this organism's total budget.

⁴⁸ The goal can be found in page 47.

⁴⁹ These problems listed are extracted from the UNHCR's report named *Refugee Education: A global view*.

This is just a general look, but, the research part of this project is going to show the situation of education analysed more precisely and specifically in the two collectives mentioned previously in Jordan.

4. J O R D A N: a place for refugees

4.1 An introduction to Jordan



Extracted from Encyclopædia Britannica, Inc.

The *Hashemite Kingdom of Jordan*⁵⁰ is an Arab country located in Western Asia, on the Arab Peninsula*. This territory is limited by Saudi Arabia to the east and south, Iraq to the north-east, Syria to the north, the Dead Sea* and Palestine/Israel to the west, and the Red Sea to the south-west.

Jordan is 89,341 square kilometres large and is divided in twelve governorates*, amongst them we find Amman, the capital of the country and the most crowded city. This territory is a constitutional monarchy, whose monarch is Abdullah II and the Prime Minister is Hani Al-Mulki, however, Abdullah holds wide executive and legislative powers.

⁵⁰ It became the Hashemite Kingdom of Jordan when it became independent from Britain the 25th May of 1946.

This year, 2017, the country is populated by 10,011,820 inhabitants, who speak Arabic, the official language of Jordan, and 92% of those believe in Islam, the most important religion of the country which influences the way of life of its population.



Jordan's flag

The curious fact about Jordan is that it has been during decades the home for all refugees coming from countries that border it. Thus, we find a mixed population that holds many nationalities. For this reason, this country represents solidarity amongst its citizens, who have always welcomed millions of Palestinians, Syrians, Iraqis... with the creation of several refugee camps. As an example to other countries, I have chosen to study there *the right to education* that is provided to Palestinian and Syrian refugees to show the capacity of the territory to respond to all their needs.

"I believe that if we want our children to understand the world beyond their classroom, we must bring the world into their classroom."

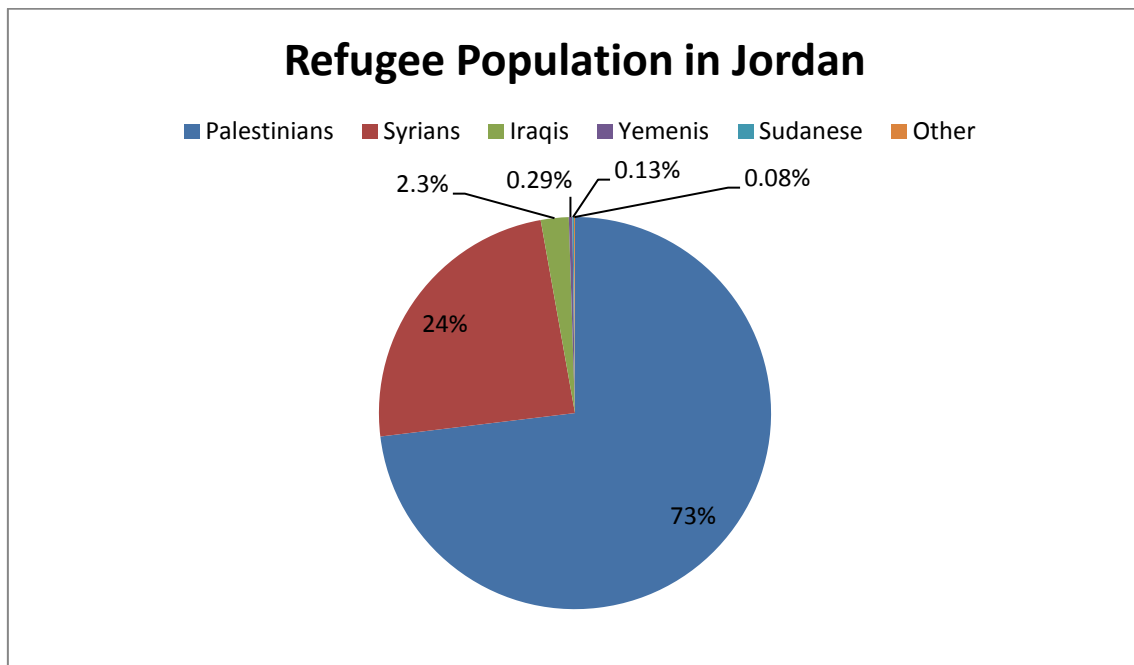
-Queen Rania Al Abdullah of Jordan⁵¹

⁵¹ Rania Al-Abdullah, born the 31st August of 1970 in Kuwait due to the fact her family was a Palestinian refugee family, became the queen of Jordan the 22nd March of 1999.

4.2 The Current Refugee Crisis in Jordan

Jordan has been one of the most welcoming countries for thousands of refugees around its borders despite its limited capacity and not overdeveloped economy.

As we have stated previously, the population in Jordan is currently around 9,792,311 citizens. However, it is surprising the fact that 2.7 million of inhabitants⁵² are refugees, coming from Palestine, Syria, Iraq, Yemen, Sudan, etc. In other words, refugees represent the 28% of the total population.



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As we can see, this pie chart shows the percentage of refugees that Jordan hosts, out of the 28% of population, from several different countries.

We can clearly appreciate that this chart is divided mainly into two groups: refugees who come from Palestine and Syria. The fact that they represent most refugees in Jordan shows more concern from part of the government to protect these two collectives. Moreover, these are going to

⁵² Figures coming from 2017 data from the UNHCR and UNRWA.

⁵³ I did the chart based on figures coming from 2017 data from the UNHCR and UNRWA.

be the ones studied in the project more profoundly. However, a smaller proportion of refugees, that altogether do not reach a 5%, come from Iraq, Sudan, Yemen and other places.

To begin, the largest amount of refugees come from Palestine. Jordan hosts 2 million of Palestinians, which represent a 73% of the refugee population. As a matter of fact, every citizen out of 5 in Jordan is a Palestinian refugee.

Following up, we find 659,593 refugees in Jordan who come from Syria. Thus, they represent a 24% in the refugee population.

Finally, Jordan hosts a smaller proportion of other nationalities. Iraq takes the lead with 63,024 inhabitants, who stand for a 2.3% of the total refugee population; this figure, according to the UNHCR, is expected to increase to 78,900 in the year 2018. Afterwards, we have 7,916 Yemenis, who represent a 0.29%; however, because the Jordan government introduced a visa regime in 2016, the UNHCR does not expect higher levels of Yemenis in a near future. After all these nationalities that come from the Arabic Peninsula, we find 3,567 Sudanese, which correspond to a 0.13%; and, lastly, 2,296 people from other nationalities coming from diverse parts of the world that represent only a 0.08% of the refugee total population in this territory.

In conclusion, Jordan hosts the second highest number of refugees per 1,000 inhabitants in the world.⁵⁴

⁵⁴ The first country which hosts the highest number of refugees per 1,000 inhabitants is Lebanon.

4.3 The Refugee Protection in Jordan

Jordan, despite hosting a large community of refugees, has surprisingly never signed *the 1951 Refugee Convention* neither its *1967 Protocol* which, as stated previously, are the international instruments that regulate the protection and rights of all refugees. For this reason, this country lacks a legal framework to deal and treat with refugees.

In Article 21 of the Jordanian Constitution*, it is stated that *political refugees shall not be extradited on account of their political beliefs or for their defence of liberty*. However, the only legislation that regulates the refugee status in Jordan is the *Memorandum of Understanding*, established between the Government and the UNHCR.

The *Memorandum of Understanding* (MOU), which was signed in 1998, sets the parameters of cooperation between the UNHCR and Jordan. It is the basis of UNHCR's activities and implication to provide international protection to refugees. In brief, this document is a substitute of *the 1951 Refugee Convention* because it is based on the same principles, such as the same definition of a refugee and the right to non-refoulement.

However, the document states that all refugees in Jordan can only remain for six months after recognition, although it has been extended to a year for Syrians, which are going to be used by the UNHCR to find a durable solution for them, which could be a voluntary return, a resettlement in a third country or any other solution to the problem. This measure accorded by the country is the consequence of the overpopulation that receives, making difficult the stay of a refugee in Jordan. Whenever an *asylum seeker* enters the country he or she must go to a police station within forty-eight hours of the arrival, where the authority will determine each case whether the person gets the recognition or gets deported.⁵⁵ This regulation is controversial because

⁵⁵ Law No. 24 of 1973 on Residence and Foreigners' Affairs. This Jordanian Law regulates the entry, the residence and the registration of foreigners in the country,

it causes a lot of illegal refugee entry to the country, also because it does not impose any sanction against this.

In Jordan there are several refugee camps, which are settlements of refugees in some areas where they are provided with services, facilities and shelter. People who live in refugee camps are expected to return back to their countries when the circumstances permit it. For this reason, they are temporary.

Although Jordan runs on harsh measures to provide refugee assistance, there are more specific laws and schemes for Palestinians and Syrians due to their significant presence in the country.

4.4 Palestinian Refugees in Jordan

Currently, Jordan hosts approximately 2 million⁵⁶ of Palestinian refugees, who are under UNRWA's mandate⁵⁷ and live in refugee camps as well as in cities, villages and towns among Jordanian citizens. In fact, this country hosts the largest amount of Palestinians of all the UNRWA fields.

The *Palestinian Refugee Crisis* was a result of many wars and conflicts that happened during the 20th century. The first Palestinian exodus was provoked by the Arab-Israeli War in 1948, thus any *refugee from 1948*⁵⁸ refers to an individual whose residence used to be what is known now as the State of Israel and who searched for refuge in countries such as Jordan and was prevented from returning. Then, as a result of the 1967 Six-Day War*, a *displaced from 1967* is a refugee who left Palestine during this conflict and who wasn't a *refugee from 1948*. Moreover, there are also *Refugees from 1948, then displaced in 1967*; they are people who were first forced to abandon their home due to the 1948 war and settled in the West Bank and then had to flee for the second time because of the 1967 war. We can also find *Refugees from the Gaza Strip* who arrived in Jordan from Gaza, mostly as a result of the 1967 war and were unable to return. Finally, nowadays we have another group of Palestinians that come as a result of the Syrian Civil War*, they are all the Palestinians that were refugees in Syria because of the previous reasons but, because of the Syrian recent conflict they had to flee to Jordan, they are known as the *Palestinian Refugees from Syria (PRS)*.

Due to the fact that all these Palestinians have been living in Jordan for decades, most of them have acquired a Jordanian nationality, with a Jordanian ID number that has made them Jordanian citizens, with the

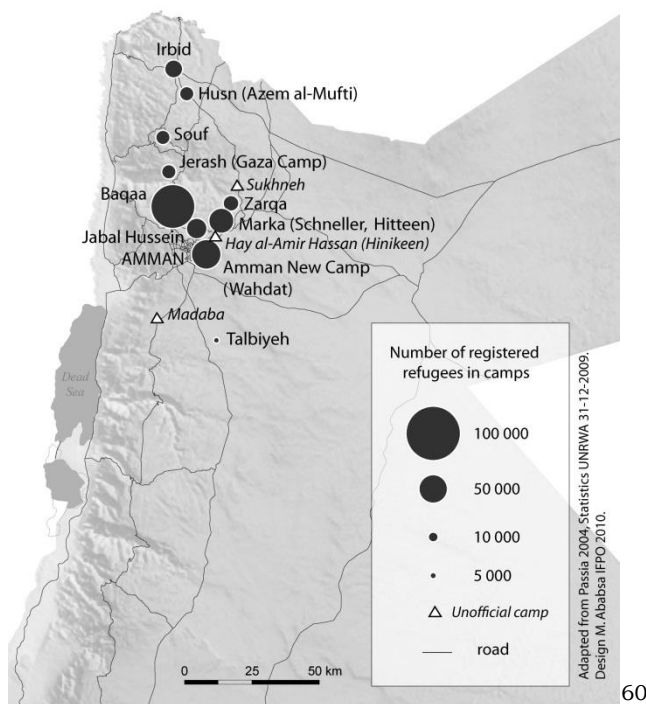
⁵⁶ The number can always vary because it is not fixed. In the year 2017, Jordan reached 2,175,491 Palestinian refugees.

⁵⁷ They are registered with the agency, which means that are eligible for its services. UNRWA creates family files for each person registered.

⁵⁸ UNRWA categorises different Palestinian refugees according to the different war periods they suffered: *refugees from 1948*, *displaced from 1967*, *refugees from 1948 then displaced in 1967*, *from the Gaza Strip* and *Palestine Refugees from Syria (PRS)*.

same political and civil rights as any other non-refugee. This is important because it permits the access to services and to the entire labour market. The UNRWA found out that only 167,000 do not have citizenship, but nearly all of them hold temporary Jordanian passports, without a national number. Because nowadays, thanks to these measures, Palestinian refugees have been integrated in the Jordanian community, it is a fact that in many resources they are not considered as refugees, meaning that there is little awareness of the crisis and even less financial support and help for them.

To accommodate all Palestinian refugees, Jordan has built ten official refugee camps⁵⁹, which actually do not hold all of them because most of Palestinians live outside: in cities, villages and towns; this has been possible thanks to the full citizenship that they now have, which has made them pursue a new life close to the Jordanian society. Amongst the ten refugee camps in Jordan, we find these ones listed in the Jordan map, with the number of registered refugees in each camp:



As we can see, the largest refugee camp is Al Baqa'a camp, the one that hosts approximately a 100,000 refugees, which is the one that our research part is going to be based in.

⁵⁹ There are another three unofficial camps in Jordan, not recognized by UNRWA.

⁶⁰ Source: *Publications de l'Institut français du Proche-Orient* webpage.

4.4.1 Al Baqa'a Refugee Camp



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Al Baqa'a Refugee Camp was established in Jordan in 1968 in an area of 1.4 square kilometres as an *emergency* camp, although it was formalized the same year, as a result of the 1967 Six-Day War, which caused thousands of Palestinians to leave their territory in the Gaza Strip and West Bank in order to look for refuge in Jordan.

This camp, which is about 20 kilometres north of Amman, is the largest one in Jordan: it hosts 119,000 Palestinian refugees registered in UNRWA, but it is considered to accommodate in total 140,000 refugees because there is a big amount who is not registered in the agency.

UNRWA, the agency that runs the camp, has settled 11 schools, two health centres that provide primary health services, a general clinic, a kindergarten, a nursery and two sport groups. There are also 17 charities and a market called Souq Al-Hal-lal, where inhabitants can sell their wares or food to earn some money.

The curious fact about this camp is that it doesn't look like a refugee camp anymore; it actually seems to be a neighbourhood that faces many poverty issues. This camp is turning into a city because it has been functioning for so long that its inhabitants are not considered

⁶¹ Source: Wikimedia user Hasanisawi.

refugees. Moreover, because it is known as a low rent area, many non-refugees or other refugees coming from Syria and Iraq are settling in because they cannot afford living in Amman. The major challenges that this camp faces are poverty, the camp is ranked 3rd out of the 10 in poverty; and high unemployment, this is why it is ranked 2nd out of all the Jordanian camps in unemployment. Also, amongst other challenges we find that 46% of the citizens in the camp don't have health insurance and there is an urgent need to improve the camp infrastructure.

This was the camp chosen to carry out a study on the education provided to Palestinian children refugees that can be found in the following section: the Research.

4.5 Syrian Refugees in Jordan

Jordan registered with the UNHCR, in 2017, 659,593 Syrian refugees. But in fact, there are close of 1 million Syrians in Jordan that are not registered in the organisation. However, most of them, a 79%, live in host communities, non-camp settings amongst Jordanian citizens in cities or villages. While the 21% resting live in refugee camps.

The fact that Syrian refugees are leaving refugee camps is because their financial situation permits them have a living in Jordanian cities and they also do not contemplate the idea of coming back to Syria, although the UNHCR registered in 2016 close to 7,000 Syrians coming back to their country of origin. Lately, this figure is increasing and they are leaving Jordan to come back to Syria or travel to Europe.

This Syrian refugee crisis has been caused by the Syrian Civil War, this conflict has provoked 11 million Syrians flee their homes since the start of the conflict, in 2011. They have looked for safety in near countries such as Lebanon, Turkey, Iraq, Egypt and Jordan; and in countries in Europe such as Germany, Serbia, Hungary and Greece, amongst others.

In Jordan, in order to respond to the needs of Syrian refugees, there is a humanitarian assistance. Jordan has elaborated the *Jordan Response Plan* (JRP) to the crisis, which constitutes the strategic mechanism for 3 years to ensure that humanitarian measures and interventions are implemented. Currently, the strategy that is being used is the JRP of 2018-2020, which its goal is ensuring respect for the principle of non-refoulement and access to safety for people of concern, through close coordination and advocacy with the Government of Jordan, protection from deportation, and freedom of movement for refugees.⁶²

Syrian refugees in Jordan must hold an accreditation of their status to enjoy their rights in the country of asylum, for this reason the UNHCR

⁶² Quoting the UNHCR official webpage.

ensures documentation for all people of concern, including protection documentation, civil status documentation and birth registration. This includes full coverage of Ministry of Interior Service Cards for Syrian refugees. Thanks to these cards, Syrian refugees can get access to cash grants, being given each month 100 JD.⁶³ Thus, these Service Cards suppose the protection that Syrians have in the country of Jordan.

Despite the fact that most of Syrians live in host community areas with Jordanians, there are 3 official Syrian Refugee Camps in the country and other 2 camps that are temporary.



Among the 21% of the Syrian refugees who reside in refugee camps, an 8% resides in Azraq Camp, hosting 32,000 refugees; a 1% resides in Mrajeeb Al Fhood Camp, hosting 4,196 refugees; and, the last camp, which is the largest one, Al Zaatari, hosts a 12% of the total, 78,908 Syrians, which is the Camp studied in the following section.

⁶³ 117 euros.

⁶⁴ Extracted from *Wikipedia, the free encyclopedia*.

4.5.1 Al Zaatari Refugee Camp



Al Zaatari Refugee Camp was first built on July 28th of 2012 to host Syrian refugees who fled their country due to the Syrian Civil War that started in 2011.

This camp, which is located in the Mafraq Governorate, in the north of Jordan, only 12 km away from Syria, is 5.2 square kilometres large and it hosts 78,908 refugees. It is now considered the 4th largest city in the whole kingdom, because although it started all full of tents it has evolved now into a large village with caravans, other type of shelters, many shops, markets and even restaurants. It is divided in 12 districts; each one has its own facilities.

Amongst its population, a 50.4 % of people are males and the 49.6 are women; but what is the most surprising is that a 55% of the whole population is under the age of 18.

This camp is funded and supported mainly by the UNHCR, and these last years there has been built many different facilities and services, which make life at Zaatari easier and permits its citizens to create businesses in order to win some money.⁶⁶

⁶⁵ Source: *Wikipedia, the free encyclopedia*.

⁶⁶ You can find the facilities map in the annex.

The major problems of the camp are the quickness in which everything has been built that the security of the infrastructures is not good enough, the increasing crimes, prostitution, drug-dealing, the child labour and early marriage. This is visible around the camp, because it is evident that the situation in general is not in a good condition.

This was the camp chosen to carry out the study on *the right to education* for Syrian refugees due to how large and known around the world it is.

R e s e a r c h

“To penetrate and dissipate these clouds of darkness, the general mind must be strengthened by education.”

– Thomas Jefferson

5. RESEARCH PRESENTATION

The second part of the project, the *Research* section, is the most significant out of the whole work because it captures actual data that I personally was in charge of collecting, thus it is not information extracted from other sources such as books, the Internet, ratified documents, etc., it is the reflection of my whole experience, the one I evidenced with my own eyes.

This section consists of an exhausting analysis represented in a report of the status of the education provided to Palestinian refugees and Syrian refugees who live in Jordan.

In regard to Palestinians, the study is going to be based in the education provided to children who attend general and secondary education⁶⁷ in Al Baqa'a Refugee Camp, a camp analysed previously. Although this analysis is specific to the children in the camp I have chosen, it can be taken as reference for the education provided in all Palestinian Refugee Camps in Jordan, because the situation is very similar.

In regard to Syrians, the study is based in the education provided to children who attend general and secondary education, in Al Zaatari Refugee Camp, studied previously. The study is going to be the same for both cases, because it is going to be a comparison between both educations. However, the Syrian Refugee Crisis, due to how recent it is in our society, the conditions in education are still not developed, as you will see, thus there is a need to study the education provided to Syrian refugees outside the camp, in a non-formal environment in Amman.

For this reason, there is going to be a study about non-formal schools role in this issue. There are non-formal schools inside the camps and

⁶⁷ In page 82 there can be found some notes on the Jordanian education system for a further understanding.

outside the camps, and their paper is exactly the same. Thus, we will see an example of a non-formal school in Amman, named Al Makani, an institution run by the NGO Save the Children. This school provides education to Syrian children refugees, who do not live in refugee camps, but in the city of Amman.

The analysis consists of the study of the 4 As⁶⁸ in the education provided to each group of refugees. I chose this method to study the *right to education* because I consider that for this right to be fulfilled it must comply with the 4 As: Availability, Accessibility, Acceptability and Adaptability. There is going to be an analysis of each parameter that I believe must be crucial for an education specified to refugees, thus it is going to follow this structure⁶⁹:

1. AVAILABILITY:

- School and student distribution.
- The education funding.
- The teachers' working conditions.
- Schools' infrastructure condition.

2. ACCESSIBILITY:

- The elimination of discrimination.
- Legal and administrative barriers.
- The affordability of education.

3. ACCEPTABILITY:

- Diversity in classrooms.
- The curriculum and schedule.
- Religious indoctrination.
- The environment.
- Attendance rates.

⁶⁸ The 4 As are mentioned in page 44.

⁶⁹ The parameters to be analysed are adapted to a refugee education, because normally they are quite general. This is why it may not be exactly the same parameters viewed in page 44.

4. ADAPTABILITY:

- Schools' adjustment for refugee needs.
- An ethical based education.
- Current issues: child labour and marriage.

Altogether, this section is going to comprise an initial introduction to the Jordanian educational system to clarify the system in which refugees must deal with; the analysis of the education in both camps according to the 4 As; and, to conclude, the role that non-formal institutions take in the education of Syrian refugees. This report is going to be composed by all the photos I have taken while my stay there. Thus, I introduce you to my personal work, to what I have evidenced.

6. METHODOLOGY⁷⁰

In order to carry out the Research part of the project I travelled to Jordan in the summer of 2017 to collect my own data about the issue. I base this part in interviews, surveys, images and videos I have made while my stay in the country.

This is a small scale research due to the lack of resources that I had as an under-aged student and the fact that the study was destined to the right to education at a time it was summer and most schools were closed. For this reason, the analysis takes my study as a reference that is a close approximation to the whole situation of Palestinian and Syrian refugees in general.

Another clarification is that this report is based on *the right to education* as a whole. This means that although it is more focused on children who attend primary and secondary school, there you can find a mention to education in kindergartens and for adult people as well. The importance of the study does not rely on a specific group, but depends on the situation of the education that is provided to all refugees who aim to be educated.

For the Palestinian part, I stayed during a whole day in Al Baqa'a Refugee Camp. There, guided by a Save the Children ex member, I walked around the camp to document everything I saw. The Palestinian analysis is based on my visits to a kindergarten, where I interviewed the principal and two teachers, there I also met up with a man who works for the UNRWA who had lived most of his life in the camp; my documentation of two primary and secondary schools from the outside (they were closed); my visit to three houses to interview various family members; my interviews to the guide I had, who worked for Save the Children, and to another teacher of primary and secondary school; but, most importantly all my interviews and surveys to the children. Due to

⁷⁰ You can find the most relevant interviews in the annex.

the fact that schools were closed, I wanted to ensure that I got all the data I needed, for that reason I elaborated specific surveys for children about their education at their specific schools. In these surveys I got information about the infrastructure of their institutions, their curriculum, their schedules and other basic information that could help me to achieve a vision of their schools. I handed 20 surveys, half for girls and the other half for boys between 10 to 17 years old. Therefore, due to the fact their situation is very similar, these surveys only helped me to get a general idea about the situation of the education, which is why there wasn't a need to hand a big amount of them.⁷¹ I also interviewed 6 students individually.

For the Syrian part of the project, the study was much more complicated. Al Baqa'a Refugee camp is conceived as a village, with access to any Jordanian, whereas the entry to Al Zaatari Refugee Camp or any other Syrian refugee camp required specific permissions from the Syrian Refugee Affairs Directorate of Jordan, which were very difficult to get due to my circumstances. However, I was able to visit Al Zaatari Refugee Camp twice. There, due to the strictness of the permissions, I managed to take some photos and videos. I visited the Kuwaiti School, which was opened because the teachers were preparing the return of the school courses of the year 2017-2018. During my entire visit I was accompanied by two police officers, so I didn't have the liberty to do the study the way I wanted. I was limited to the visit of this school, the interview with the director, a teacher and a student. I also was censored to film the respondents. Before leaving the camp, I was driven by the police officers to a tent where Save the Children together with UNICEF ran a non-formal school. There, because it was a class specific for girls, I could interview two of them about their education. Thanks to the visit, I could see the two sides of the education in a Syrian refugee camp, the formal and non-formal side. Moreover, I went to Save the Children's office, where I interviewed Aya Abu Sitteh, a leader advocacy who

⁷¹ There is an answered student survey in the Annex.

explained me all the work that they carry out in the camp and their paper in education; and, finally, I got in touch with a member of UNICEF, thanks to a contact I got from the UNHCR, and I had an interview with him where I got all the data needed in order to do the Research section. There may not be as many statistic data as in the previous camp because of the difficulty to extract it from students and the fact that the situation of the education in this camp is very similar, with the same issues and challenges.

To conclude, to carry out the non-formal section of the education provided to Syrian refugees, I got in contact with the NGO Save the Children and I spent a day accompanied by their staff in a non-formal institution in Amman, in Abu Nser, named Al Makani School. There I documented the experience through videos and photos. I saw the children attending classes and I interviewed 6 of them, half girls and half boys; I also interviewed the director who made me a tour of the school, who explained me all about the non-formal schooling system, a Syrian teacher and a Jordanian teacher.

In the annex, there can be found some of the interviews that I have made throughout the whole project. However, in the documentary that I will produce there are going to appear the ones that are not in the annex, because this way it does not feel repetitive. Some of those are going to be the interviews to past refugees, such as my father and the UNRWA officer. These interviews show how important is education to achieve resilience and to be able to erase the *refugee* tag.

To conclude, despite the fact that the path to the extraction of the data was arduous, I consider that all the information collected has been helpful to elaborate the following representation of the situation of the education for refugees in Jordan.

7. JORDANIAN EDUCATIONAL SYSTEM

Once Palestinian and Syrian refugees come to Jordan, they must adapt to the Jordanian educational system, this is why I am going to start the report with some notes about this system for a further understanding of all the explanations in this chapter.

The Ministry of Education (MoE) is responsible for school education and the Ministry of Higher Education and Scientific Research (MoHESR) is in charge of higher education in the country.

The structure of the system of education in Jordan starts with two years of pre-primary school, which are optional and last for two years, from age 4 to 6. These two years are offered in kindergartens and pre-primary schools.

Then, we have primary education, which is compulsory, and lasts 10 years, from age 6 to 16; this period provides arithmetic and language skills, a notion of science and the environment, history and the Arab world, fine arts, and a foreign language, which is commonly English. In Jordan, school is compulsory until the age of 15.

Afterwards, there is secondary education, which is optional and lasts for two years, from the age of 16 to 18. There are two types of secondary education: *comprehensive secondary education*, which comprises two different streams that are sciences and literature and prepares the student for higher education; and, applied secondary education, which provides intensive vocational training that prepares the student to the working environment. Students that get into secondary education must study these subjects: Arabic, English, mathematics, social studies, computer studies, earth science, chemistry, biology, physics and Islamic studies to all Muslim students, because in Jordan the study of

Islam in education is mandatory for all schools in the country, except for Christian schools, which are only a few.

To get access to higher education, students must sit for the general secondary exam (*Tawjihi*) and the ones who pass get the *General Secondary Education Certificate*. Higher education is offered in colleges and universities, and covers a wide range of bachelors, masters and doctorates.

8. EDUCATION FOR
PALESTINIAN
REFUGEES IN JORDAN

A l B a q a ' a
R e f u g e e C a m p



8.1 AVAILABILITY

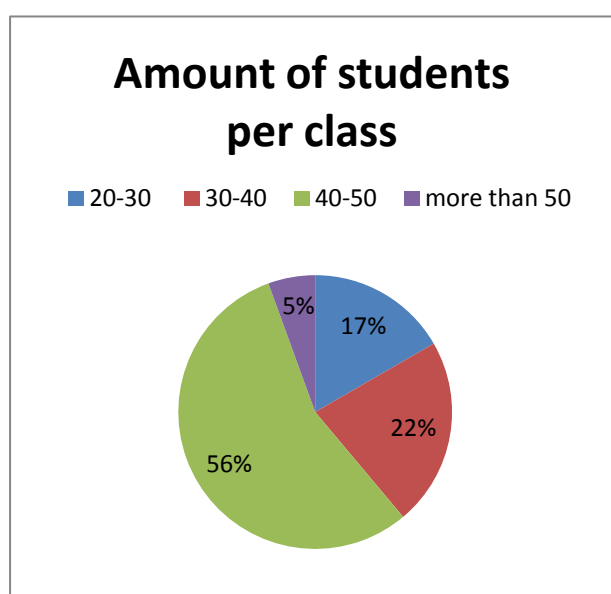
Education must be free and government-funded; there is adequate infrastructure and trained teachers able to support education delivery. Its purpose is to make education to anyone's disposal.

School and student distribution

Al Baqa'a Refugee Camp offers 12 schools in an area where there are approximately 18,000 school aged students. This means that each school receives 1,500 students. Among these schools we find a kindergarten where all students are mixed independently of their gender; 5 school buildings that offer primary and secondary education for girls; and, finally, 6 buildings that offer primary and secondary education for boys.

As you can see, schools in the camp offer primary and secondary education in the same building, so children who want to access to higher education can spend 12 years of their lives in the same venue.

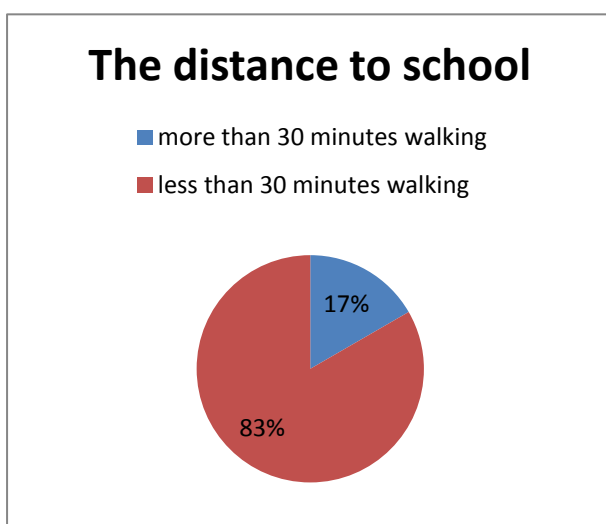
Each class in a primary and secondary school contains, according to the children interviewed, this amount of students:



Most students in Al Baqa'a Camp have between 40 and 50 schoolfellows in their class; these represent a 56% of the total. However, a 5% agrees to have more than 50 students in their class. The ones that have between 30 and 40 classmates represent a 22%, and the kids who have between 20 and 30, a 17%.

The UNRWA's assistant interviewed states that "one of the major problems in education in the camp is that there can be between 50 and 55 students in a class, this affects the whole environment."

All of these schools run on double shifts. This system permits schools to receive more students, because they get used twice in a day: a certain amount of students come to school at a fixed time early in the morning and when these ones finish another amount of children come afterwards. This is a way of taking turns at the same day to take advantage of the buildings to enrol the maximum number of kids possible in schools. Each turn is changed every month, thus this enables children to feel satisfied with their schedules.



Another factor to have in mind is the distance between schools and the place where students live because they must be well distributed in order to be available for all children in the camp. In general, schools are not too distant from the kids interviewed. An 83% of students ensure that they are relatively

close, because it takes for them less than 30 minutes by foot. Only a 17% agree to have their schools very far away from their house.

Lastly, in this refugee camp there can only be provided pre-primary, primary and secondary education. There is no higher education because there is not any university or college. Students who want to develop even more their studies and get a degree are not able to do it in the camp, this is why they must leave their home and go to cities in Jordan, such as Amman.

The education funding

Most schools in Al Baqa'a Refugee Camp are financed by UNRWA, this organisation is the responsible for their foundation, always accorded with the MoE.

The funding that this institution receives comes from the support of the UN Member States, the European Union, regional governments and private donors. The last ones have an important role in emergencies.

However, these last years there has been a lack of funding because UNRWA hasn't got a specific budget fixed for education and the donations have decreased. The UNRWA's assistant who I interviewed states that "if private donors in European countries such as the United States, German and Japan stopped donating to the organisation, UNRWA would remain without enough resources to educate all children in the camp". Moreover, all families are aware of this lack of funding, just as Zahra, a mother of four children, who told me that "years ago there was financial support to schools that came from foreign countries such as China and other countries that helped students. However, currently there is no support at all."

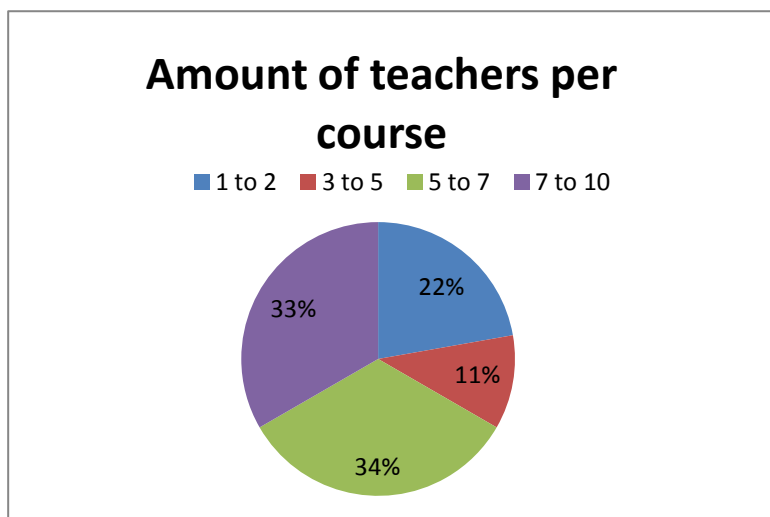
Some schools are public and UNRWA is not in charge of them, the funding comes from the Government of Jordan. These schools are in the same situation as the UNRWA schools, because although the funding comes directly from Jordan, this country lacks of resources because of its deficient economic situation.

The teachers' working conditions

There is a good amount of Jordanian and Palestinian teachers who work in the camp. Some of them, who have lived in the camp all their lives due to the fact they come from the first generation of refugees have decided to stay in there and pursue a teaching career; while many of

them come from other cities in Jordan and decide to work in the camp because their vocation is to help children who are facing this refugee crisis, or simply they conceive it as any other place to work in; just as Rawan, a kindergarten teacher who I met that told me she came to Al Baqa'a because her friend said to her that there was a vacancy in the school she is currently working in.

From the analysis I have made, I can ensure that the amount of teachers in the camp is enough; there are sufficient teachers for each student, because a 67% of students agreed to have



between 5 to 10 teachers in their respective grades. However, a 22% only have from 1 to 2 teachers for their total classes.

Despite being in a refugee camp, their working conditions are similar to any teacher who works in any city of Jordan; they receive the same salary and have the same schedule. The schedule that they have is according the working hours that any Jordanian teacher must do, which is 48 hours per week, and the salary that they receive is between 300 and 400 JD⁷² a month. In UNRWA schools teachers have higher salaries that can reach the 450 JD.

Teaching in a refugee camp holds a big responsibility for children, meaning that teachers must be trained in order to do this. In Al Baqa'a Camp most of the teachers have never had any training or experience to know how to work in such environment, mostly because it is not

⁷² The minimum salary that any Jordanian must receive is 180 JD. The equivalence between JD and euro is: 1 JD = 1.17 euro. This means that any teacher in Jordan receives between 350 and 467 euros. In UNRWA, 526 euros.

perceived as a refugee camp anymore. It is evident that they must have an accreditation of their teaching skills, minimum a bachelor degree for teachers of basic education and a post-graduate diploma for secondary school teachers. However, once in a while, in UNRWA schools there are some short term courses to train the teachers in order to give psychosocial support for their students, but this has decreased notably due to a lack of funding.

Lastly, there is an important role on ensuring a good environment in a school: the treat between teachers and students. In Al Baqa'a, this is a serious issue because all families agree that all the problems in education are related to a lack of understanding between these two subjects. Im Ali, a mother who lives in the camp, states that "the concern of the teacher is to get his or her salary, neither our students want to study nor our teachers want to teach". She also agrees that there is not a good communication between the parent and the teacher, which is fundamental for the child because there has to be a comprehension between the two to focus on the child's education. Zahra also said that "teachers do not care about them (the students). They finish their lessons and that is it".

In fact, a 39% of the students interviewed believe that there are problems between the teachers and students, and that it is not easy to discuss their personal problems with them.

After all, this environment does not favour teachers anyway because they get to a point where they have more than 50 students in each class, which makes it more difficult for them in order to respond to everyone's needs. "Students come to class with no vocation at all, they come obligated by their parents and it is very difficult to cope with them", these are the words of a primary and secondary teacher in Al Baqa'a.

In conclusion, there is no understanding between teachers and students in this refugee camp because of the overcrowding of the

schools, which does not allow teachers to control a class and generates a lack of attention amongst their disciples.

Schools' infrastructure condition



A primary and secondary school for boys

Any normal primary and secondary school in Al Baqa'a Refugee Camp incorporates more than 11 classrooms, a playground, a canteen where students can buy snacks and drinks, at least a laboratory, a library and an informatics classroom with a considerable amount of computers, since 72% of the students interviewed have more than 15 computers in their respective schools.



A primary and secondary school for girls. There are posters because there were elections.

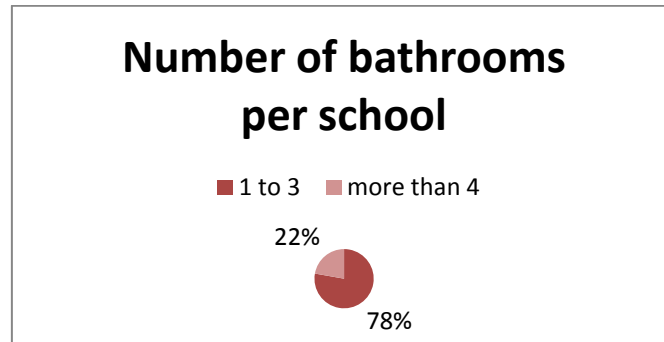
However, there are no gyms for the physical education lesson, which means that they can only practise sport in the

playground. This is favourable during summer, but in winter the situation is not pleasant.



The playground of the previous primary and secondary school for girls

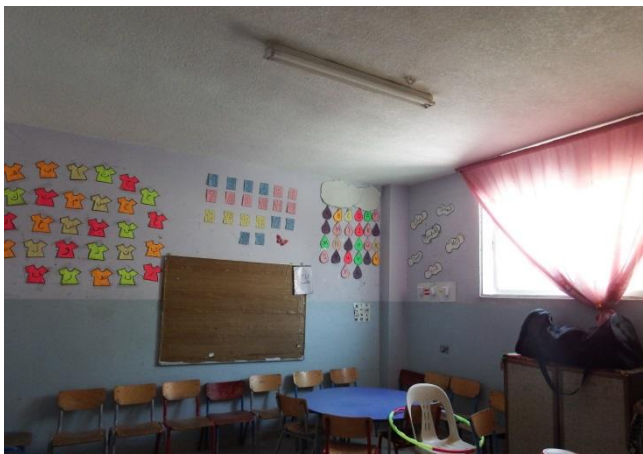
An important issue is the lack of bathrooms, a 78% of students ensure to have only 1 to 3 bathrooms that can be used only for students; while only a 22% consider having enough bathrooms.



Also, not all schools have heating or air conditioning sources. In terms of winter, the temperatures in Jordan decrease notably so it is needed an increase of heating sources, since only a 17% of students have calefaction in their classrooms. Another factor to considerate is summer in this camp; the temperatures rise up to a point there must be a provision of vans, because only a 44% of students have them.

However, the major problem in Al Baqa'a is that there are no water resources for the students, the water in fountains that there can be found are not drinkable, so children must bring their bottles of water with them to school, or buy them in the canteen.

In a normal class of primary and secondary school you will find the basic: a typical blackboard with chalks and seats with tables for all



A kindergarten normal classroom

students. But, a surprising fact is that in the survey, a 17% of students answered to not have enough seats for all their mates in their classes, which shows again how overcrowded they are.

Moving to the kindergarten visited, the situation is

slightly different: teachers believe that there is a lack on basic needs in a class for the kids and that the space is limited. There are no educative games and toys for them and classes are too small to hold the large amount of children that there are in school. Hiba, a kindergarten teacher, considers that although UNRWA does a great job on delivering a good environment for the kid to learn, there are not enough toys and books.



*Another classroom
of the same
kindergarten*

To conclude, although in general some basic needs are supplied, a 55% of the students believe that their schools are not in a very good condition.

8.2 ACCESSIBILITY

The education system is non-discriminatory and accessible to all, and positive steps are taken to include the most marginalised. Education must not put any type of obstacles to admissions.

The elimination of discrimination

Education in Al Baqa'a Camp is not discriminatory: all children are accepted in schools without any type of prejudice, mostly because all students are in the same situation.

However, there is a distinction between girls and boys; this comes from the Islamic culture that is present in the education environment. There must be schools for girls and for boys separately, but the



*Little kids playing on the streets in Al Baqa'a
durina summer time*

issue comes from the fact that meanwhile there are 6 school buildings for boys, there are 5 for girls. The feminine gender has a school less in the camp; this does not show equity and can provoke a tendency for girls to drop out from school.

Other than that, schools in the camp are acceptable of students coming from diverse origins: the students interviewed affirm to have Syrian, Iraqi and Jordanian fellows in their classes. Actually, there are also disabled children; they can access education in Al Baqa'a without any type of discrimination.

Legal and administrative barriers

There are no legal and administrative barriers in education in the camp. Almost all refugees have a Jordanian citizenship and are registered with the UNRWA, and the ones who do not have a Jordanian ID are registered with the UNRWA, and vice versa.

If they have a Jordanian documentation they can have access to any public school in the camp, because they are considered Jordanian citizens, with their same rights. In the contrary, the refugees registered with the UNRWA have access to any UNRWA funded school, because this agency provides all the basics for all Palestinian refugees.

In brief, education is accessible to any person living in the camp.

The affordability of education

In Jordan, public education is totally free. All students can access education without the payment of the course or grade, but they have to pay all the indirect costs such as books, school supplies, the uniforms, etc. This is how the educational system works for Jordanian citizens.

In UNRWA, all schools are also free and they even provide books to the children for the learning. In fact, a kindergarten teacher declared that sometimes in the institution visited, the UNRWA gives bread to the children, because they know that the financial situation of the families is not always efficient.

An important cost for school is the transport, but as we have seen most children go to school by foot and do not have to spend money on this; but, the students who go by transport take public buses that are not a big expense.

In conclusion, talking to the families about this issue has shown me that schools are affordable and that educating their children does not suppose a worry for them, because it is in their financial means.

8.3 ACCEPTABILITY

The content of education is relevant, non-discriminatory and culturally appropriate, and of quality; schools are safe and teachers are professional. The education provided at educational institutions must be appropriate.

Diversity in classrooms

As we have seen before, there is a lot of diversity in Al Baqa'a Camp, it is not exclusively for Palestinian refugees because it also welcomes any person coming from anywhere, and so schools do.

Apart from Palestinian refugees, an 11% of the students interviewed said that there are Syrian refugees in their classes. This shows that the camp is getting more universal and reachable for other refugees coming from different countries, which can decrease the capacity of the schools to educate all the population. The burden of the camp to welcome other refugees is getting bigger, but there are also students that have been living in the camp longer such as Jordanians and Iraqis, who also are enrolled in schools.

Moreover, disabled children are equally accepted in classrooms, because a 16% of students coexist with disabled persons, who get a special attention and care from part of the schools.



A boy posing for the picture who is walking down the streets of Al Baqa'a to meet his friends.

The curriculum and schedule

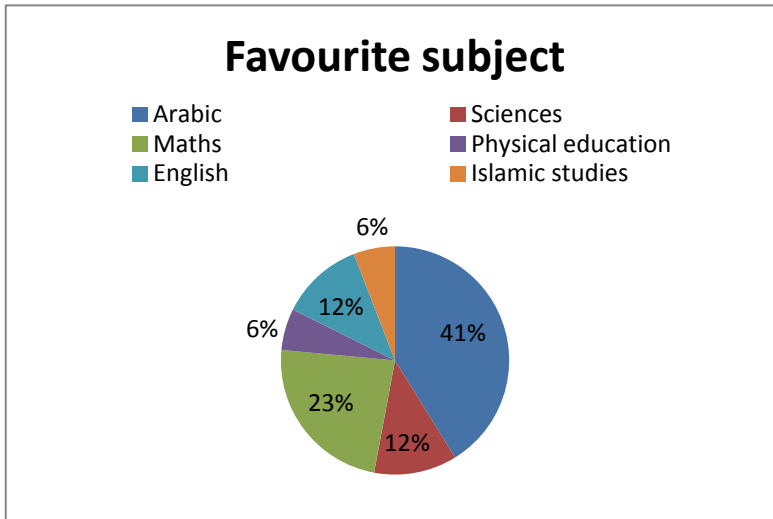
The schedule in all schools of Al Baqa'a is determined by the double shifts established in the camp. The first turn starts at 6:45 am and ends up at 11:45 am; and the second turn starts at that same time and finishes at 16:45 pm. Students spend 5 daily hours at school and each lesson in Al Baqa'a lasts for 45 minutes. Also, they get breaks where they can go to the playground that last from 10 to 20 minutes. Each year they get 4 months of vacation.

In all schools in the camp, all subjects are taught in Arabic, because it is the official language of the country. However, English is taught as a foreign language.

The content of the curriculum follows the same one that all schools in Jordan have, because this comes from the MoE. In basic education, the smallest stages study Islamic education and culture, Arabic, English, Mathematics, Physical education and general sciences. These are the most basic subjects that schools must provide, but there can also be art and music lessons, and social education every now and then. One of the questions I have asked to students is if they have special rooms for art or music, but a 78% of students ensured to not have. Out of the 22% of children who consider having these types of classrooms, most girls, amongst the 70% have these lessons. In buildings destined to the masculine gender, this education is not always provided, fact that shows inequality between both genders. In further stages of basic education they get added new subjects such as computer studies, history, geography, physics, biology and chemistry.

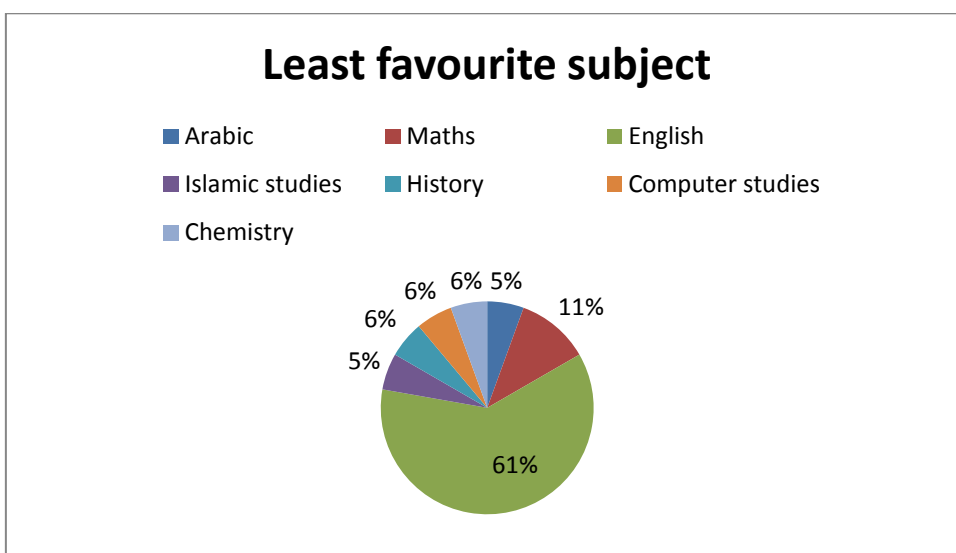
In secondary education, the subjects depend on the stream followed, but the subjects that are the same are Islamic studies, English, Arabic, scientific education and civics. On the one hand, the scientific studies add sciences, maths, physics, biology and geology, which are optional. On the other hand, the literary studies add more Arabic, English, history and geography as optional modules.

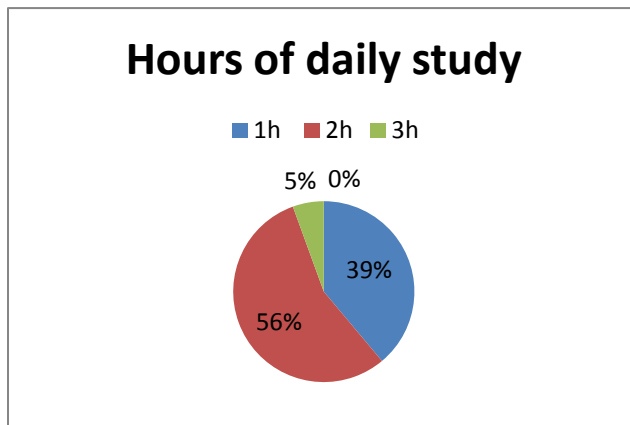
The assessment method is through exams and excursions at school are not very common, due to the fact that out of the 72% of students who go on trips, the 69% of these go to trips but not very often. This is due to the low financial situation of the education.



Among the subjects that children study, the most popular and enjoyed ones are Arabic and maths, with respectively a 41% and 23% of students who like them.

Also, most students do not like English; they prefer not to study it, because a 61% of the students have it as their least favourite subject. Actually, a 16% of students who have failed a subject agree that it is English.





Most of students interviewed affirm to study and do homework for two hours every day when they come home. These represent a 56%, however there is a big amount, a 39%, who only study for an hour.

None of the students do any type of extracurricular activities when they get home, due to the lack of financial capacity and the lack of establishments that offer these services to children.

To conclude, all students get certificates of their stages in education because it works as if they were Jordanians. To get access to higher education, they must present to the Tawjihi exam and if they pass it they will get a *General Secondary Education Certificate*, which is going to be their key to enter university outside the camp.

Religious indoctrination

All Muslim children in Al Baqa'a Camp must have as a compulsory subject Islamic studies; it is going to always be present throughout their education, because Jordan gives a big relevance to the religion. As we have seen in previous chapters, 92% of the population believes in Islam and it is the state's official religion.

For the students who do not follow the religion but believe in Christianity, which is the other religion that coexists in Jordan, they must study it in their curriculum.

Nevertheless, all schools in Baqa'a are Muslim based and the education is going to be delivered in base of the principles of this religion.

The environment

There are many issues in the camp that affect the study environment that are related to its overpopulation.

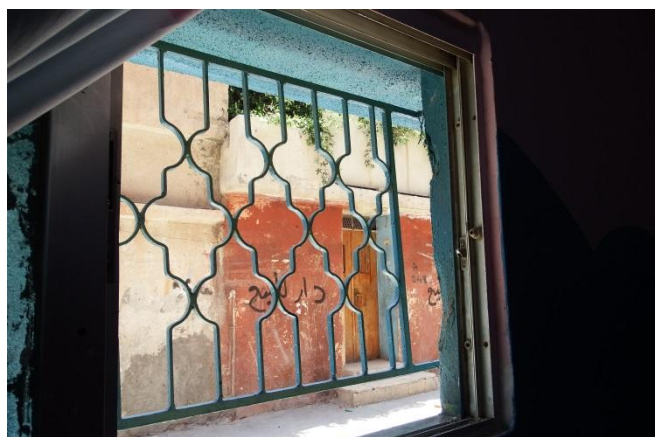


A normal street in Al Baa'a

The first problem is the clumping of the houses; they are distributed very close to each other due to the large amount of population in a small area. This causes a difficult environment for the focusing of the children at school,

because they are all the time hearing noises from the outside. Zahra, a mother of four children, stated that “The houses are very close to each other, there are many problems and issues around these neighbourhoods and these affect us, all the noises, the cars that are very close to us and the principal road...”. It also can distract the children whenever they study at home.

Another issue is the fact that having 50 students in a class can create sometimes a hard atmosphere to cope in. Some students interviewed declared that there are many classmates who only bring trouble; there is a lot of harassment in classes. Mustafa, a 15 year old student, affirmed that “The worst thing at my school is when my classmates get in arguments and get harassed”.



The view of the streets from a kinderaarten

Finally, the overpopulated classes difficult an understanding and a good relation between the teachers and the students. Both parts have their own thoughts about this problem. On the one hand, teachers feel they cannot control a class this overcrowded, which makes them show preferences among the students. They believe that there is a lot of disrespect among the students; a teacher I met stated “the education should start at home, there is where respect begins and in the classrooms there are a lot of bad behaved children”. On the other hand, families and students believe that teachers only come to classes to be paid, without any type of vocation, because they do not show interest in them. In fact, a 39% of the students interviewed believe that there are problems between these two parts.



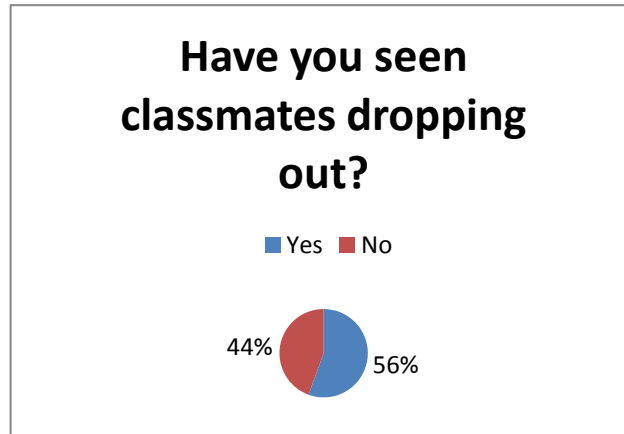
A kid sitting down the streets of the camp

The environment of study in the camp, as seen, is one of the main problems about the education in Al Baqa'a, it is all due to the lack of understanding between the teachers and the students.

Attendance rates

Living in a camp with major poverty issues and a growing tension that leads to an uncontrolled overpopulation causes many children to leave their studies and get into the work world.

In schools, the dropping out rates are present, because a 56% of the students have seen between 2 to 5 fellows from their class dropping out, and all because this motive: child labour.



Out of the 56% of students who have evidenced children dropping out from school, a 70% are boys and a 30% are girls. This shows that there is a tendency for boys to get into labour. However, the UNRWA assistant told me that girls often leave their studies between the 1st and 10th grade of basic education to focus on house chores and marriage.

Finally, I asked the students if they wanted to study higher education or if they wanted to stop after secondary education, and the surprising fact is that only an 11%, which are boys, would stop their studies.



Kids playing on the streets in Al Baqa'a

8.4 ADAPTABILITY

Education evolves with the changing needs of society and challenges inequalities, such as gender discrimination; education adapts to suit locally specific needs and contexts. The system of education must be adapted to the students and not the contrary.

Schools' adjustment for refugee needs

Being in a refugee camp means that the education must be adapted to the precarious situation that refugees are living.

For this reason, there is the double-shift system mentioned previously, which adapts to the increasing amount of refugees who are settling in the camp. Having two turns each day brings the opportunity for a big amount of children to get enrolled; however, it supposes an expense to the schools, which are functioning twice a day. In brief, having the double shift system can be positive to increment the attendance rates but can suppose more chaos to the schools.



Some older men who have lived since the opening of the camp

Also, people who have lived in an environment of conflict and war zones sometimes they have lost the opportunity to finish their studies. In the

Camp, there are a couple of institutions that provide fundamental education to adults who still want to finish their education period.

Finally, schools must provide safety and protection to its children whenever they get harmed. This is why schools in the camp must have sources of medical aid. However, a 22% of students, which are all boys, affirm to not have any medical aids when they get injured at school.

An ethical based education

An education based on ethics to promote Human Rights is necessary, especially in their circumstances. There is an additional subject that treats this topic named social education, but it is not present in all schools. A 39% of the students do not get this subject.

In the past, the NGO Save the Children operated in the camp doing “activities for the children that promote social and psychological support”, according the ex-worker in Save the Children, Basel. However, these activities were only for kids who dropped out or directly didn’t attend school. This NGO does not work in the camp anymore because it is currently focusing on the Syrian refugee crisis.

Current issues: child labour and marriage

Child labour and early marriage are present in the camp, however this issue does not happen in a worrying amount. It is also a topic that it is treated neither in schools nor in general in Al Baqa’a.

A surprising anecdote I was told in the camp, which is something common, is the story of a little kid who dropped out from school. He decided to start his own business selling corn in a small market stall in a street of Al Baqa'a. Nowadays, he is married and continues having this post in the camp.



The real corn Market Stall



Some children selling vegetables in Souq Al-Halal

9. EDUCATION FOR
SYRIAN REFUGEES
IN JORDAN

A l Z a a t a r i
R e f u g e e C a m p



9.1 AVAILABILITY

Education must be free and government-funded; there is adequate infrastructure and trained teachers able to support education delivery. Its purpose is to make education to anyone's disposal.

School and student distribution



A map of the facilities of the camp that is located in the Directory of Al Zaatari

In Al Zaatari Refugee Camp there are 12 complexes of schools, in which each school is located in each respective district, so students are placed in schools according to their district. A surprising fact is that in 2014, there were only 3 complexes. However, each complex is separated into 4 different schools, because each one can contain a primary school, one for girls and one for boys; and a secondary school, also separated by genders. But actually, not every complex holds these 4 schools, because there are some which only have 2, a primary school for girls and another one for boys.

In Al Zaatari Refugee Camp, the buildings for primary and secondary schools are separated.

There are currently 29 schools in total, 23 of them are for primary education, from age 6 to 16; and, only 6 are destined to secondary education.

Out of the 23 schools for primary education, there are 13 for girls and 10 for boys. Out of the 6 schools for secondary education, half are for each gender.

Altogether, 13 schools are destined to boys and 16 to girls.

| School Name by UNICEF | School Name by Community | School Name |
|-----------------------|---------------------------------|---|
| School 8 | Saudi school | Al Hashmi Girls Primary school |
| | | Al Hashmi Boys Primary school |
| School 6 | Kuwaiti school | Hind bint amro Girls Primary school |
| | | Al Mohleb bin abi saqra Boys 1 Primary school |
| School 4 | American School (Relief school) | Maysoun al damesheh Girls Primary school |
| | | Jaefer al-talar Girls Primary school |
| School 1 | Bahraini school | Zaatari camp Girls Primary school |
| | | Zaatari camp Boys Primary school |
| | | Zaatari camp Girls Secondary school |
| | | Zaatari camp Boys Secondary school |
| School 9 | | Wasfi al tal Girls Primary school |
| | | Wasfi al tal Boys Primary school |
| School 2 | Suadi School | Ruqia bint al rusool Girls Primary school |
| | | Khaled bin al waleed Boys Primary school |
| | | Aiesheh bint abi baker Girls Secondary school |
| | | Amro bin al khatab Boys Secondary school |
| School 5 | Omani School | District 7 Girls Primary school |
| | | District 7 Boys Primary school |
| School 10 | Kuwaiti School | Al Karameh Girls Primary School |
| | | Al Kara meh Boys Primary School |
| School 3 | Qatari School | Um kulthom Girls Primary school |
| | | Saed bin abi waqas Boys Primary school |
| | | Khadejeh bint khwelid Girls Secondary school |
| | | Othman bin afan Boys Secondary school |
| School 11 | Kuwaiti School | Al Yarmook Girls Pimary School |
| | | Al Yarmook Boys Pimary School |
| School 12 | | Al Qadesyeh Girls Primary School |
| School 7 | Kuwaiti School | Jumana bint abi Taleb Girls Primary school |
| | | Mohammad bin al qasem Boys 2 Primary school |
| | | 29 schools |

UNICEF's database of the schools in the camp

In 2016-2017, there were in total 18,470 students enrolled in primary and secondary formal education. Therefore, the average is 637 of students per each school. However, this figure varies because in Kuwaiti School, the primary school for boys that I visited, there are 445 of students enrolled; while in Bahraini School primary school for girls, there are more than a 1,000 of students enrolled. This depends in the capacity of each centre.

According to Kuwaiti School, in each class there are between 30 and 40 students, with a maximum of 50. Nevertheless, this can also vary, but according to the average of classes and students, each class should contain at least 30 students.

Related to kindergartens in the camp, there are 10 spaces for early education that are attached to some schools. We can find 896 students enrolled to pre-primary education in the camp.

Each complex in the school works with double shifts, which in this camp means that each complex has the same building for girls and for boys, due to the fact that girls attend classes during the morning shift and boys in the afternoon shift.

As we have seen, the camp is 5.2 square metres large, and each complex of school is distributed in each district. Only having one school per district, and bearing in mind that not all schools offer secondary education, can suppose an issue for students to reach their schools, because they can be very far away from their houses. In the camp there are no buses or cars that can take their students to school, so they can only arrive walking or by bicycle, which can difficult their school attendance.

Obviously, the camp does not offer any type of higher education. If students want to develop their studies, they must go outside Al Zaatari, always with the permission of the authorities, to do the Tawjihi exam in order to get access to university. Then, they can move outside the camp. However, there are only 6 schools that provide secondary education within all the camp, so this means that the system in Al Zaatari is not focused on the students to further their education.

The education funding

All the school institutions in Al Zaatari are funded by UNICEF. This organisation is in charge of the education, the planning of the schools, the operation, etc. “Everything that is related to education has to go through us”, says a humanitarian field officer from UNICEF that I interviewed. Also, it is all with the collaboration of the Ministry of Education of Jordan.

However, there are some schools that have the names of neighbour countries, such as the Kuwaiti schools, the Bahraini schools, the Saudi schools... These ones were funded by its respective country when

constructed, but UNICEF takes the responsibility after that and deals with all the costs. Not because they were built by other countries means that they are in better conditions, because the ones that are better it is because they are newer.

The teachers' working conditions

There can only be official teachers in the camp from Jordan, qualified Syrian teachers cannot exercise the right to work in this sector but they can work as school assistants, helping the maintenance of the school, controlling overcrowded classes, etc.

There are 781 Jordanian primary and secondary teachers in total in the camp, which leaves 27 teachers per school. There are only 17 teachers for the 10 kindergarten spaces there are. And, we find 342 Syrian assistants. This way each school has approximately 12 of them.

The working conditions of the Jordanian teachers are the same ones as in the Jordanian working system. They must work for 48 hours per week and win a salary of 300 to 400 JD. Syrian assistants do not have fixed measures, because for each hour they work they gain 20 JD.

In general, there are courses by UNICEF that are destined to the training of the teachers in order to treat with refugee kids, specially being Jordanians and the fact they had not lived what children had to go through in war zones. But actually there is a lack on these courses, for example, the teacher interviewed told me he didn't get any training to work with refugees; and, Aya Abu Sitteh, an advocacy leader of Save the Children believes more work needs to be done, such as training the teachers.

Schools' infrastructure condition

Due to the speed in which schools in the camp were constructed, because they were needed as an emergency, there have been some of them built in only two months. This is why there are many schools that are an association of caravans and have a tarpaulin roofs. Also, although this is going to be a general description, schools vary from each other depending on the time of construction and the funding used for the time.



Al Kuwaiti School from the outside

Each school has an average of 20 classrooms, 2 teacher rooms and an administration room. There are only 7 schools with a playground. In the case of the Kuwaiti School, the director told me that within the camp there are leisure areas in which the student can go and play, but they are very limited. This same school presents 12 bathrooms. Moreover, there are no labs, libraries, gyms or computer rooms in any school of Al Zaatari.

An important issue in the camp is the lack of an electric wiring system. Schools do not have electricity, which cuts off the incorporation of

heating or air conditioning systems. This camp is in the middle of the desert, so this is one of the major problems in in Al Zaatari. The UNICEF humanitarian field officer affirmed that “the conditions and environment inside the schools is not perfect. It’s too hot, it’s too cold. Now is my major duty, to provide and enhance the interior and exterior environment of the school.” Thus, winters and summers are harsh for the students and teachers.

Each school has 2 disposables of potable water in order to provide this need for students and teachers; it is necessary due to the climate conditions.

In a normal primary or secondary classroom in Al Zaatari, you can see that it is spacious, with many desks in which two students can sit on, at least two windows to the exterior and a blackboard. Despite how simple classes are, the fact that they have been built a couple of years ago, can be appreciated, because the material is still new.



A primary classroom in Al Kuwaiti School

For the previous kindergarten sections mentioned, there are only 66 kindergarten classrooms in all the camp, which leaves each kindergarten area with an average of 6 classrooms.



A primary teacher of the Kuwaiti school in front of the board

9.2 ACCESSIBILITY

The education system is non-discriminatory and accessible to all, and positive steps are taken to include the most marginalised. Education must not put any type of obstacles to admissions.

The elimination of discrimination

In the camp, there can only live Syrians; any Jordanian citizen that does not work in Al Zaatari is banned to enter the refugee camp.

For this reason, schools only accept Syrian refugees as students. There cannot be accepted any student coming from any other country.

The only discrimination in terms of the situation of the students is that there are three schools more for girls, which provokes a bigger tendency for girls to get enrolled in schools. Whereas school aged boys, between 5 to 17 years old, represent an 18.6% of the total population in the camp, girls of the same range of age, represent a 17.7%. This shows the inequality of the access of male children to the education.

Also, there is no good access to secondary education, because there are only 6 schools that offer this level. This demonstrates the lack of access of Syrian refugees to higher education, because with a deficiency in secondary schools they will not be able to develop their studies.

Lastly, the ban on Syrian qualified teachers to work in their profession and only exercise as assistants shows a clear discrimination on this collective, because there can only be Jordanian teachers in the whole refugee camp.

Legal and administrative barriers

The legal and administrative barriers that Syrian students face in Al Zaatari provokes many children to not get enrolled in schools.

To enter any school in the camp, according to the Jordanian legal system, Syrians must show an accreditation of their birth certificates and must obtain identification documents, which are *service cards* that come from a registration in the UNHCR or the Ministry of Interior of Jordan.

The lack of these accreditations is caused by many reasons: some Syrians didn't bring with them the birth certificates, the ones who did not hold those couldn't demand the other documents, others couldn't pay the costs of the *service cards*, these documents require a lot of time, etc.

Altogether provokes these barriers that cause many Syrian children to be out of schools.

Also, there are measures in Jordan that bar school enrolment to all children who are three or more years older than their grade levels. This is known as the *three year rule*. This is an issue for Syrian children, because of the Syrian Civil War there were thousands of kids who had to stop attending schools and lost some years in their education.

The affordability of education

Education in Al Zaatari Camp is accessible in terms of affordability, because UNICEF provides everything for the students. It is all free: the books, the stationary, the school bags, etc. It evens provides bread, biscuits and water every day for children, so parents must not pay anything.

The only issue is the transport, because the schools can sometimes be distant to the houses of the students, and there is not any public transport or any other measure provided from UNICEF. They must go walking or by bicycle.

9.3 ACCEPTABILITY

The content of education is relevant, non-discriminatory and culturally appropriate, and of quality; schools are safe and teachers are professional. The education provided at educational institutions must be appropriate.

Diversity in classrooms

As we have seen, there is no diversity in classrooms: all students come from Syria.



*A Syrian student of
The Kuwaiti primary
School for boys*

Related to disabled children, they are accepted in all schools in Al Zaatari. However, schools in the camp lack of accessible toilets, ramps, handrails and wide doors for wheelchairs. Thus, physical disabled children face challenges in order to attend school.

Additionally, mental disabled children have the support of the NGO International Medical Corps (IMC), which operates in the camp providing officers to give psychosocial support to these students in schools. These are in charge of mental disabled children.

The curriculum and schedule

The schedule in Al Zaatari Camp depends on the double shift system. The morning shift is destined to girls, and it starts from 7:30 am to 11:30 am. The afternoon shift is for boys, and it starts from 11:45 am to 2:45 pm. This shows another inequality, because while boys get only 3 hours per day, girls get 4 daily hours. Each lesson lasts for 30 minutes in Al Zaatari. Girls get 8 lessons and boys, 6.

The curriculum system works as the Jordanian educational system, with the same grades and the same subjects. However, there is no physical education. All the rest follows the same pattern as in Al Baqa'a Refugee Camp.

The assessment method is through exams and schools in the camp do not do excursions due to a lack of funds, how far the camp is from the centre and the climate.

Children in Al Zaatari do not do extracurricular activities, but they can go to public playgrounds that each district has and play with the other kids. In fact, there are officers from UNICEF and other NGOs such as Save the Children or Oxfam that do activities for the students, in order to enhance their physical abilities and for their enjoyment.

The formal schools that Syrians attend give them official certificates, because they are under the Jordanian educational system. To get access to higher education, they must present to the Tawjihi exam and if they pass it they will get a *General Secondary Education Certificate*, which is going to be their key to enter university outside the camp.

Religious indoctrination

All schools in Al Zaatari offer Islamic studies as a compulsory subject. All Syrian families in the camp believe in this religion and it is always present in their daily lives. For this reason, the education of the student

is based on this ideology, which does not only influence the subject, but their behaviour in general.

A clear example is the teacher of the Kuwaiti School I interviewed; his discourse is very much influenced by Islam, which he always predicates to his students. When I asked Es Al Din what was the message he wanted to share he told me that “The person itself needs to know where he is going, what does he have, what does he want to communicate and where he is going to end up. All of this is going to be judged by Allah one of these days.”

The environment

The major problem relating to the study environment is the climate. The camp is in the middle of the desert, and not having air conditioning and heating resources difficult the education in schools. “The climate is maybe the worst problem. In our schools we do not have vans for the summertime, the caravans get very warm and this difficults the educational exchange between the teacher and the student”, this is the teacher’s opinion of the Kuwaiti School. This makes students feel less motivated to attend the classes due to these circumstances.



The view of the camp from its outskirts. It is located in the desert

An important issue in the camp is the treat between the teachers and the students, because teachers in Al Zaatari beat their students. This measure is known and accepted by Jordan's government, but during these last years it was not being implemented in schools around the country. Apparently, this is an important problem in classrooms. The Syrian student interviewed told me about this issue with his teacher in front of him: "The thing I don't like is the beating, they beat us a lot."

Related to bullying or harassment, Syrian children do not face this as one of their main problems, because they all come from the same country and have lived in the same circumstances.

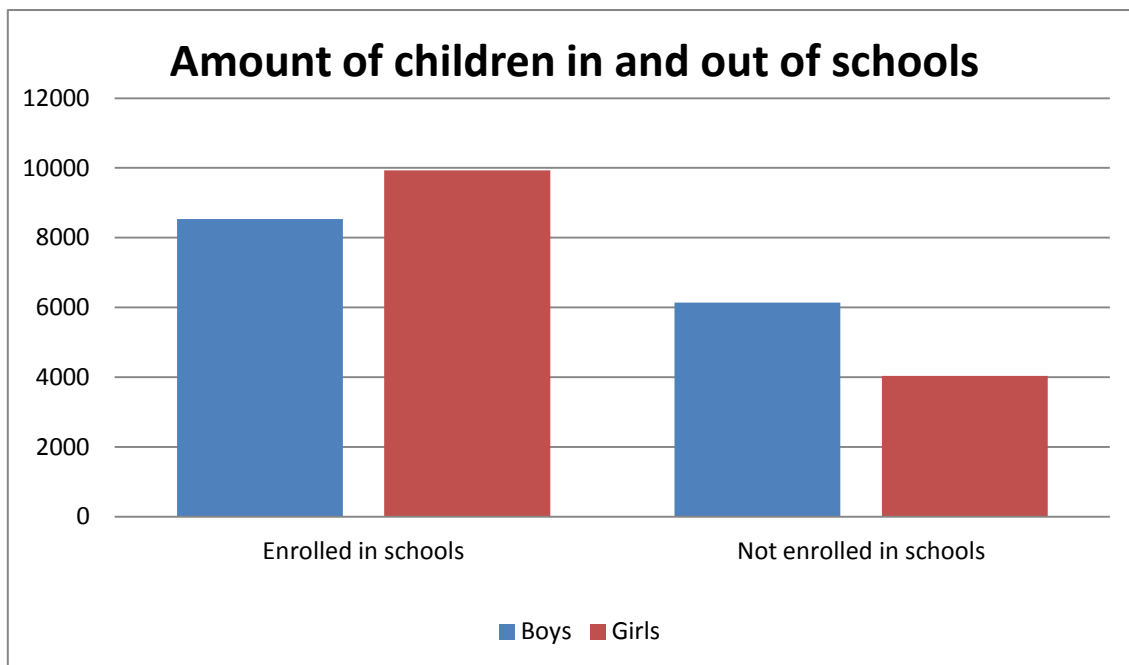
Finally, due to the war environment some children have come from, there are a lot of trauma cases in classrooms that must be treated. This is why, IMC, amongst other NGOs, offers psychosocial support to the youth.

Attendance rates

The major issue in the education in the camp is that there is a large amount of children that are dropping out or directly are not enrolled in schools.

There are 28,643 school aged children between 5 and 17 years old in Al Zaatari. Out of these, there are only 18,470 kids who attend school. This leaves us with 10,173 students who are not studying, a 36% of the total of school aged children.

As you can see in the graph below, there is a major enrolment of girls in schools than of boys. A 28% of the school aged girls, 4,036, are out of school; while a 41% of school aged boys, 6,137, are not enrolled.



One of the biggest causes of this issue is the lack of birth certificates and *service cards* of the kids; without these documents children cannot enrol to schools.

Another cause is the climate conditions of the classes, because the environment does not stimulate the learning of the student. Furthermore, the long distances that students have to walk to get to their schools in the unbearable weather of the camp also provokes a lot of dropping out. The director of The Kuwaiti School states that “The problems that we face in this school is the delay of students. Every day between 20 to 30 students come late and the cause is the long distance they have to walk”.

Moving onto personal problems, poverty makes a lot of children give up school to work in order to help their families; this is why there are more boys who leave education. However, Aya from Save the Children told me that “Ones (children) who have gone to school have managed to

continue whereas others go to school and then work. We face this issue in the camp where children work during the morning from four am until eleven and then go to school, so there is too much pressure put on children to learn and to bring income to their families. Children do not have to be put in this position at such a young age when they are supposed to be learning and growing.”

Finally, girls who drop out do it in order to get married to men who are at least a decade older than them to bring money to their families. They also work a lot doing house chores.



Some Syrian girls and I in Al Zaatari Camp

9.4 ADAPTABILITY

Education evolves with the changing needs of society and challenges inequalities, such as gender discrimination; education adapts to suit locally specific needs and contexts. The system of education must be adapted to the students and not the contrary.

Schools' adjustment for refugee needs

The double shift system, as in Al Baqa'a, has been a factor that has helped refugee education, because it has helped emplace more refugees in schools of limited capacity. It has also been useful for the security and protection of girls. Little girls in the camp are exposed to a lot of danger, because in the camp there are many crimes and problems such as raping and kidnapping. So, having the morning shift for girls has enhanced their security.

Another adaptation is the psychosocial support that they receive from NGOs that operate in the camp. Save the Children offers a child protection programme, "because we know that most of these children have been affected by war we provide psychosocial support to most of them including extracurricular or sports activities", says the leader advocacy of the organisation.

Finally, we have the role of non-formal schools, which are going to be seen in the final section of the Research part.

An ethical based education

Education in Al Zaatari Camp is not focused on subjects that promote ethics or the study of our Human Rights, although we find the social education subject, it is not too explored due to a lack of time in the schedule. Students only get 30 minutes per lesson, so these type of

subjects are not given a big importance in the camp, especially in formal institutions.

However, as we have mentioned before, NGOs like Save the Children, Oxfam and IMC provide activities to children based in a more social approach. In fact, these are treated better in non-formal schools.

Current issues: child labour and marriage

Child labour and early marriage are two issues that are increasing throughout the years in Al Zaatari. They are present more than ever because they are conceived as solutions to the poverty that families face.

The UNICEF officer told me about child labour: “One of the main reasons is that they need to work in order to provide their basic needs for their family. This is the main issue there, they drop schools to work.”

Jordanian law states that the legal minimum age for work is 16, however this is not being considered due to the illegality of the situation for little boys. Most of them work as street vendors and garbage collectors.



Painting in Al Zaatari that says “Our strength is in our hands.”

I interpreted this painting as a vindication of child labour in the camp, because we can see a child holding stones with his or her hand.

Syrian girls, at the age of 15 or less, marry older men that are at least a decade older. Usually what happens in the camp is that Saudis come to look for girls to marry, so they make a small celebration in the camp. The Saudi husband returns to his country, but there he assures to have a pregnant woman. Syrian women do it in order to have someone who cares for them and gives them money.

9.5 THE ROLE OF NON-FORMAL EDUCATION FOR SYRIAN REFUGEES



A class in Al Makani Centre in Amman

As we have seen before, there are many Syrian refugee children who are not enrolled in schools; mainly because of the legal and administrative barriers of formal education, the distance of their houses to school due to a lack of transport, the fact that their level is much lower than their grade because they have been out of school in Syria due to the war, etc.

In this context, non-formal schools are created. These are institutions funded by UNICEF and run by the NGO Save the Children that provide education to all children without these obstacles. Non formal schools are not destined to substitute formal schools, but to provide education to all of the people who cannot enrol into formal schools or do not want to. This shows why the education in these institutions focuses mainly on basic contents.

Save the Children, an NGO created in 1919, after World War I which stands out for children's rights, runs these institutions named *Al Makani Schools* inside Syrian refugee camps and host communities, in cities or villages around Jordan. Their function is the same in all places and there are actually 120 of them in all the country.

For the children who do not attend formal schools, non-formal education is an option for them in order to not lose track of their studies and to enhance their numeracy and literacy skills. It is also for those who work and cannot spend too many hours studying, because there they get 3 hours.

For the children who already attend formal schools, because they only get 3 to 4 formal education hours per day, they can come to Al Makani Schools and improve in their studies.

However, non-formal education does not provide certificates to the students, so it is just conceived as reinforcement.

To evidence this new trend amongst refugees, I visited two formal schools: one in Al Zaatari Refugee Camp and the other one in a host community in Amman.



Some Syrian children and I during my visit to Al Makani School

My visit to Al Makani School in Amman was accompanied by Save the Children, who made me a tour of the whole institution and let me interview many students and attend some classes.

Banan Al Harani, the director of the institution, explained me the functioning of a non-formal school. She told me that in the school “the student learns these four essential subjects: Arabic, maths, science and English; in which we add the subject of life skills and the psychosocial support. There is a preparation period of time that lasts for 6 months in which the student, when he or she wants to sign in, must do an exam that will evaluate his or her level. After the 6 months of trial, he or she can get officially enrolled in the institution by making another exam to assess all the contents that he or she has assimilated. Another important thing is that the students in the same class cannot be three years old apart from each other.”

The classes are separated by gender and start from 8 am to 11 am, because in this host community there is an afternoon Syrian shift in formal schools. In Al Makani, the student gets a meal, some biscuits, and water. There, he or she has a schedule with the planning of the subjects, in which the student goes to classes that contain from 14 to 35 students. Every day they get 10 minutes of break, during this time they go outside the school, where there is a small area for them to play football and other sport activities.



Al Makani School in Al Zaatari Camp

I asked the director the advantages of these types of institutions and she affirmed that “There are so many parents that do not want their kids to study in formal schools to not be attached for so many years in order to make the child work. There are so many parents that take here their little girls because they want to marry them. So, what we do is steal for 3 to 4 hours a day their children in order to have the most basic knowledge that will help them in their lives”.

And when I asked her the disadvantages, she told me that “There are students who instead of going to formal schools and take from 8 to 9 subjects they only come here and take 4 subjects in order to at least know how to write and read, and that is it. All their problems are apparently fixed for them. Instead of attending 5 to 6 hours of classes I come here and only stay for 3 to 4 hours and this way I can take the social skill subject which is not provided in formal schools and the students really like it. This way the student only wants the non formal school because it looks for him or her very appealing, and if they miss out on classes there is not going to be the same pressure as in their formal schools.”

Altogether, centres like Al Makani have accomplished many things, amongst them “we have made almost all students here get to formal schooling, which I think is the most important thing that we have achieved. We have supported all children who had been out of school for several years without any type of discrimination and a very good treat”, according to Banan.

Thanks to Al Makani Schools, children in difficult circumstances, such as refugee kids, have space to feel free, feel comfortable and to enjoy their lives through education.

R e a l i t y

“All I want is an education, and I am afraid of no one.”

– Malala Yousafzai

10. COMPARISON OF PALESTINIAN AND SYRIAN REFUGEE EDUCATION

| | PALESTINIAN REFUGEES | SYRIAN REFUGEES |
|---------------------|---|--|
| AVAILABILITY | <ul style="list-style-type: none"> - 12 schools - 1,500 students per school - 40-50 students per class - Close distance to schools - No higher education - UNRWA funding - Public funding - Palestinian and Jordanian teachers - Enough teachers - 48h per week - 300-450 JD - Lack of training - Each school: <ul style="list-style-type: none"> o Proper buildings | <ul style="list-style-type: none"> - 12 complexes of schools: 29 schools in total - 637 students per school - 30-40 students per class - Long distance to schools - No higher education - UNICEF funding and planning - Some schools only funded by other countries - Only Jordanian teachers - Syrian assistants - Number of teachers depending of each school - 48h per week - 300-400 JD - Syrian assistant 20 JD/h - Lack of training - Each school: <ul style="list-style-type: none"> o Caravans with tarpaulin |

| | | |
|-----------------------------|--|--|
| | <ul style="list-style-type: none"> ○ +11 classrooms ○ Electricity ○ A playground ○ A canteen ○ A laboratory ○ A library ○ An ICT classroom ○ No gym ○ Lack of enough bathrooms ○ Lack of heating and air conditioning resources ○ No drinkable water ○ Lack of basic needs for kindergartens ○ Not very good infrastructure | <ul style="list-style-type: none"> roofs. ○ 20 classrooms ○ No electricity ○ No playground ○ No canteen ○ No laboratories ○ No libraries ○ No ICT classroom ○ No gym ○ 12 bathrooms ○ No heating and air conditioning resources ○ 2 disposables of potable water ○ Lack of kindergarten areas ○ Bad infrastructure |
| <p>ACCESSIBILITY</p> | <ul style="list-style-type: none"> - No discrimination in general - 6 school buildings for boys and 5 school buildings for girls - No legal and administrative barriers - Affordable education: free - UNRWA provides textbooks | <ul style="list-style-type: none"> - Discrimination for non-Syrian students - 16 schools for girls and 13 schools for boys - Lack of access to secondary education - Ban on Syrian teachers - Legal and administrative barriers: birth certificates and <i>service cards</i> - Affordable education: free - UNICEF provides everything |

| | | |
|-----------------------------|---|---|
| | | <ul style="list-style-type: none"> - No transport |
| <p>ACCEPTABILITY</p> | <ul style="list-style-type: none"> - Diversity: Palestinian, Jordanian, Syrian and Iraqi students - Disabled children in general accepted - 5 daily hours for all students - 45 minutes per lesson - Jordanian curriculum system - Arts and music focused for girls - Not enough excursions - No extracurricular activities - Guarantee of certificates - Islam as a compulsory subject - Not good study environment: overcrowded camp - Harassment cases - 56% of students have seen children dropping out. | <ul style="list-style-type: none"> - No diversity, only Syrian students - Lack of services for physically disabled children - Mentally disabled children accepted - 4 daily hours for girls and 3 daily hours for boys - 30 minutes per lesson - Jordanian curriculum system - No physical education - No excursions - Activities in public playgrounds by UNICEF and Save the Children - Guarantee of certificates - Islam as a compulsory subject - Not good study environment: harsh climate - Cases of teachers who beat their students - Children with trauma - 36% of school aged children not enrolled in schools - 41% of the boys and 28% of the girls out of school |

| | | |
|---------------------|---|---|
| ADAPTABILITY | <ul style="list-style-type: none"> - Double shift system for refugees - Schools for adults - Lack of medical aids - Lack on ethical and moral subjects - Child labour and early marriage present in the camp | <ul style="list-style-type: none"> - Double shift system for refugees, focused on girl protection - Child protection programmes - Non-formal schools - Lack on ethical and moral subjects - Child labour and early marriage as something very common |
|---------------------|---|---|

The situation of the education for Palestinian and Syrian refugees in Jordan is not satisfactory for both groups, but this is caused by different factors, which we have been able to see thanks to the 4 As scheme.

In terms of availability, there are enough schools available for both groups, as well as affordable. However, there is not availability in higher education and the infrastructures need to be improved. Both infrastructure conditions are not well, but the Syrian one is worse. Also, Syrian education lacks of an important factor, schools are too far away from students' houses.

In terms of accessibility, there is a massive difference. While Palestinians have no legal or administrative barriers to enrol to schools, Syrians face this obstacle that cannot be defeated due to a lack of documentation. And, another important difference is that, while in Al Baqa'a camp all students from diverse origins have access to schools, in Al Zaatari Camp there can only be Syrian students. This happens with teachers as well, in the Palestinian camp any qualified person can teach but in the Syrian camp, only Jordanians are allowed to teach.

In terms of acceptability, we can appreciate an important difference in the schedule. Palestinians get 45 minute lessons and 5 daily hours of

school. Syrians only get 30 minute lessons and 3 to 4 daily hours of school. Islam is an important subject for both camps and the two also face bad environments. The Palestinian one faces overcrowded classes while the Syrian one has to deal with a harsh climate. There is also a tension between the treat between teachers and students, due to the fact that in Al Baqa'a there is not an understanding between both parts and in Al Zaatari, teachers beat their students. Also, in both camps children tend to drop out, but the situation is much more exaggerated in Al Zaatari Camp despite the extreme poverty that Al Baqa'a faces.

Finally, in terms of adaptability, both camps use the double-shift system to adapt to the needs of its refugees and to benefit from the building spaces. In the two camps there is a lack on ethical education and child labour and early marriage. This last issue though, is more prevalent in Al Zaatari Camp.

11. REVIEW ON THE RIGHT TO

EDUCATION FOR

PALESTINIANS

In reality, *the right to education* for Palestinian refugees as we have seen it in Article 26 of the Universal Declaration of Human Rights can be considered almost fully covered.

We can confirm that the most basic goals of education in this essential article, which are represented in the first paragraph, are accomplished for Palestinian refugees. Everyone can get enrolled in schools, thanks to the UNRWA and the Jordanian citizenship; and elementary education is free and compulsory. Although there can be students who drop out for labour, education is generally affordable, because families must only pay indirect costs. Despite the fact that the camp does not include higher educational institutions, all refugees have access to it because they have the same entry requirements as Jordanians.

If we were analysing the essential aims of education, this camp would be totally acceptable in terms of this topic. However, the right to education is not only evaluated by these superficial points, this right must regulate *quality education*; which in this camp, due to its poverty issues and overpopulation, is not being achieved.

In conclusion, these two factors are provoking all the difficulties that make the education in the camp lacking of quality. Not having specific policies and fixed budgets for the UNRWA and an absence of financial resources for public schools altogether with a massive overpopulation cannot enable the development of the child; it won't prepare the student for life. As we have seen, the environment in which the pupil lives in does not favour his or her progression; there is no personalized attention due to large amount of students in each class and the lack of understanding between the students and the teachers; schools do not

focus on the mental, social and emotional development of each student and there is an absence of programmes that support refugee children. Moreover, the lack of financial resources provokes the deficiency on the attention for each student, because the infrastructure in which he or she lives in does not permit this. All of the mentioned traits are fundamental to provide *quality education*, which means that Al Baqa'a Refugee Camp faces obstacles in order to achieve this.

Quality education is linked to the second paragraph of Article 26 of the UDHR, this indicates that the education for Palestinian refugee children in Jordan is not directed to their full development of the human personality and to the strengthening of respect for Human Rights and fundamental freedoms. Despite accepting diversity and promoting respect amongst other nations and racial groups, it does not focus on an ethical education that promotes the peace that the United Nations works for.

Finally, the third paragraph of the article is considered to be right, because parents can choose the education that their children receive. However, this depends on the ideologies and beliefs of the Jordanian system, which are mainly attached to the Islamic religion.

In brief, the basic objectives of the education are provided to the Palestinian children. But, because we have seen in this research project the 4th goal of the 2030 Agenda, we know that to achieve it we still have a long journey to do, because *inclusive and equitable quality education* are still a challenge for this collective, a challenge that can be accomplished with a larger financial support and a welcoming of Palestinian refugees in other places to decrease the burden of Palestinians that Jordan must deal with.

12. REVIEW ON THE RIGHT TO

EDUCATION FOR

SYRIANS

In reality, *the right to education* for Syrian refugees as we have seen it in Article 26 of the Universal Declaration of Human Rights cannot be fully implemented with the presence of such obstacles.

The first paragraph of the article, which is fundamental for this right, states that education is for everyone; therefore any person should be able to enjoy it, because it must be free, compulsory, available and accessible. However, only two of these four objectives have been achieved. UNICEF is the organisation that funds the schools, thus it provides free education for everyone; and, due to the Jordanian educational system, education is compulsory until the age of 15. Despite these essential accomplishments, there are enough primary educational institutions but there are no sufficient secondary and pre-primary schools available. Moreover, the accessibility is the main barrier to the exercise of this right, due to the strict documentation policies and the long distances of the schools to the students' houses, which can only be done by foot or bicycle.

When these essential goals cannot be achieved, *quality education* is still going to be a major challenge. There is not going to be focus on the social, emotional and mental development of the student if the environment he or she lives in is not in good conditions. The fact that there is no electricity and, consequently, no air conditioning or heating resources in a camp located in the middle of the desert is contradictory to the education itself. And, if the school lacks on electricity, there is no evidence that there won't be classrooms such as libraries, gyms, laboratories or playgrounds in which the child can improve his or her studies. *Quality education* cannot exist if a lesson in Al Zaatari lasts for

30 minutes and there is only between 3 to 4 school hours per day. There won't be access to a personalized learning by qualified teachers if they still use old methods, such as beating, to treat the child.

These obstacles only provoke a large amount of students not to enrol in schools, because they will work in harsh conditions or marry older men.

As we have seen before, the fact that there are no essential objectives insured, the second paragraph of Article 26 is not going to be totally valid. The lack of quality education difficults the full development of the human personality and the strengthening of respect for Human Rights and fundamental freedoms. It does not promote understanding among other collectives, due the ban on Syrian qualified teachers to exercise their profession.

Finally, the third paragraph cannot be achieved because parents do not choose the kind of education given to their children, due to the fact that all students are placed in schools according to their district, not to their choice.

However, when formal education cannot cover basic necessities such as the mentioned before to provide quality education, there are other institutions that are created in order to support the implementation of this right: non formal schools. These have been a great solution for children, but at the same time they cannot formally certificate the education provided there, which at the end, is not going to be useful.

In conclusion, if *the right to education* for Syrian refugees in Jordan must in 2030 *ensure inclusive and equitable quality education and promote lifelong learning opportunities for all*, there must be a hard effort emplaced in it. There is going to be the need of the development of the facilities in the camp, such as the electricity and the transport; and, finally, the destruction of the legal and administrative barriers that obstacles even more the education for Syrian refugees.

PERSONAL CONCLUSION

Human Rights: fiction or reality? has been the most challenging yet rewarding experience ever.

I cannot believe how much my vision has changed since the start of the project until now, how much I have learnt and mentally grown up. When we talk about current and relevant issues around the world, we never actually visualize these conflicts, because we never empathise with them. We see everything through a screen or a photograph, so it looks like an alien issue to us. However, we must challenge ourselves to try and understand everything that we see, to evidence it with our eyes. That way we can get more involved and make little changes that can cause big impacts. I consider that this project has given me the opportunity to do that.

From the beginning, it was a challenge because of the English language, which is not my mother tongue. I know that if I had chosen another language I would have done everything quicker, and I know that it would have been easier but, would I have finished this satisfied with my effort? Thanks to this decision, now I can read legal texts without being scared, I have improved my writing skills and I have interiorized this language even more. After so many pages of suffering and looking up the words in dictionaries, I can say that it has been totally worth it.

Additionally, an important fact which must be held in account is that all my experience was in Arabic. I lived everything in this language, from which I had to translate into English, without even switching into Spanish. I definitely have improved in Arabic.

Another positive thing this project has given me is the opportunity to expand my knowledge in Human Rights, a topic that motivates me to pursue a career in this sector. I have been able to see how the law is applied in practice, not the way we perceive it in books.

The fact I had the opportunity to do this research myself is still a thought I cannot understand. I always have to remind me I actually went to refugee camps, spoke to the most important authorities there, saw the little children who only wanted to play, observed the saddest scenes ever and the happiest as well... it just feels like a dream. I faced many difficulties to get to where I wanted, but I always fought and gave my all for this project, because I believe that everything I have written here is beneficial for society. I have always conceived this project as a window, in which you could poke inside and see the refugee children in their schools, destined for a change in the situation.

I have also understood that we take everything for granted and we do not appreciate what we have. Because we have rights, and sadly, not everyone enjoys them the way we do. We do not have to think about others to feel more blessed for what we own, because they do not deserve our compassion, they deserve our help. Help does not only mean donating money, but doing actions that can integrate minorities in our same society. In fact, this project has led me to participate as a volunteer in an NGO giving reinforcement to migrant children in order to promote their same rights in the country.

Lastly, the most important thing I have learnt with this project is that I have to believe in myself. We are all capable of doing whatever we have in our minds, but only if we work hard. I know that if I had not believed in myself and in the power of education, which is the amazing cause by which I am writing this conclusion, I would not have lived this amazing journey.

“I recommend all of you to take care and focus on your education. To all refugees around the world, our weapon is our school diploma. We cannot do anything in this world without education; it is the only weapon with which we can use to fight for anything that we want.”

- Zahra, a mother in Al Baqa’a who, without knowing, summed up the intention of the project.

A C K N O W L E D G M E N T S

If I had to thank individually each one of the persons who have helped me, I would have to make another research project. However, you deserve to be mentioned because you put a lot of effort in me.

Begoña, I could not have had a better tutor for the project, because you were not only a tutor, you were a friend who was always there for me. You were an important support, because whenever I faced moments of stress and demotivation, I could only see a big smile on your face that reminded me I was capable of finishing this.

Montse Fresno, you were the first one who believed in this project and in me. Thanks to you I started this wonderful journey. You were the one who built with me the idea of the project, and I could not be more thankful for it. Also, to your friend Carmen, who found time from her busy schedule in order to help me.

In Jordan, all my family members and neighbours were more than supportive; thanks to them I entered the refugee camps. From Ayat, who spent a whole day with me doing interviews and surveys in Al Baqa'a; to his cousin Basel, for showing me around the camp; to his mother Zahra, for treating me as if I was part of the family, and to all of the teachers and families who supported my project.

I can ensure that I have the best aunts and uncles of the world. Kefah was always there for me, she had to go through the whole difficult process of entering into Al Zaatari and I will never forget that from her. Mona was always pendent of her mobile phone, because she was always calling acquaintances to find me a way to enter the Syrian Camp. My uncle Amer helped me as well; he met me up with one of the authorities of the Governorate of Mafraq. My aunt Ghada, Nezam, Khaled, Naser... thank you very much for everything.

Thanks to my cousin Alia, who introduced me to the Save the Children team. Nouf and Aya, thanks for doing the labour that you do in the

NGO and thanks for satisfying all my doubts. Banan, thanks for the tour of the non-formal school. Ghalia, you tried so hard for me to get to the camp through the UNHCR without even knowing me.

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Thanks to my parents, you have always been there when I needed you, during my long nights and my worst moments. You calmed me and encouraged me to carry on.

However, I could not finish this project without thanking the subject of my study: the children. Refugee children are not the way you think they are, they are stronger than what you believe. Their resilience and happiness made me feel inspired during the whole journey. They made me feel at home, despite the fact that they lacked of one. I would hug each one of you as a sign of gratitude, but wherever you are, I hope you become the doctors, the policemen, policewomen and the teachers you want to be. Education is the only way.

G L O S S A R Y

- **Arab Israeli war:** political tension, military conflicts and disputes between a number of Arab countries and Israel. In this project it is referred as the wars between Palestine and Israel, which started in 1948 because of the occupation of the Palestinian territory. This war has caused millions of Palestinians to flee their home in order to look refuge in other places.
- **Arab Peninsula:** it consists of the countries Yemen, Oman, Qatar, Bahrain, Kuwait, Saudi Arabia and the United Arab Emirates, and parts of Jordan and Iraq. It is located in Western Asia, in the northeast of Africa.
- **The Conventions:**
 - The International Convention on the Elimination of All Forms of Racial Discrimination.
 - The Convention on the Elimination of All Forms of Discrimination against Women.
 - The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
 - The Convention on the Rights of the Child.
 - The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.
 - The Convention on the Rights of Persons with Disabilities.
 - The International Convention for the Protection of All Persons from Enforced Disappearance.
- **Dead Sea:** salt lake bordered by Jordan to the east and Palestine to the west. It is the lowest point on earth.

- **Gaza Strip:** small self-governing Palestinian territory on the eastern coast of the Mediterranean Sea.
- **Governorates of Jordan:** these are the 12 administrative divisions of the country. The most important ones are Amman, Salt and Irbid.
- **International Law:** set of rules and laws which regulate the relations of the states. International law is also named “Law of Nations”.
- **Jordanian Constitution:** it was adopted on the 11th January of 1952. It regulates the country’s laws and determines its government: a constitutional monarchy.
- **Membership rights:** they are held to assure to the individual an equal place in society, such as family rights and the prohibition of discrimination.
- **Protection rights:** they protect the individual against abuses of power by the state such as habeas corpus and an independent judiciary.
- **1967 Six Day War:** it happened between the 5th June and the 10th of 1967. It was fought by Israel against Egypt, Syria and Jordan. This battle supposed the loss of the West Bank and the Gaza Strip for the Arab communities.
- **Syrian Civil War:** it started in 2011 and it is fought between the Government of President Bashar Al Assad and the population of Syria, which demands democracy. This is an on-going battle that has caused the Syrian Refugee Crisis.
- **Survival rights:** they guarantee individual existence, such as the right to life, food and health care.
- **The Economic and Social Council:** organ of the UN that coordinates the economic and social work for all the agencies.

- **The General Assembly:** representative organ of the UN in which member states reunite to make important decisions for this organisation.
- **The International Court of Justice:** organ of the UN that represents its judicial power.
- **The Security Council:** this organ of the UN has primary responsibility for the maintenance of international peace and security.
- **The Trusteeship Council:** organ of the UN established to ensure that some territories were administered in the best interests of their inhabitants for peace and security.
- **The UN Secretariat:** organ of the UN that represents its executive power.
- **UN Special Rapporteur:** title given to a person who works in the UN to examine, monitor, advise, and report on Human Rights problems around the world.
- **Utopia:** place of ideal perfection especially in laws, government, and social conditions.
- **West Bank:** territory near the Mediterranean coast of Western Asia, it is now controlled by Israel's state.

W E B G R A P H Y

United Nations official webpages:

<http://www.un.org/en/sections/issues-depth/human-rights/>

<http://www.ohchr.org/EN/Issues/Pages/WhatareHumanRights.aspx>

<http://www.un.org/en/sections/about-un/overview/index.html>

<http://www.ohchr.org/EN/AboutUs/Pages/WhoWeAre.aspx>

<http://www.un.org/en/sections/history-united-nations-charter/1945-san-francisco-conference/index.html>

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<http://www.right-to-education.org/page/about-us>

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