

Principle versus practice

Poverty and discrimination as barriers to the enjoyment of the right to education for internally displaced children



Case study on education and displacement in Turkey

August 2010

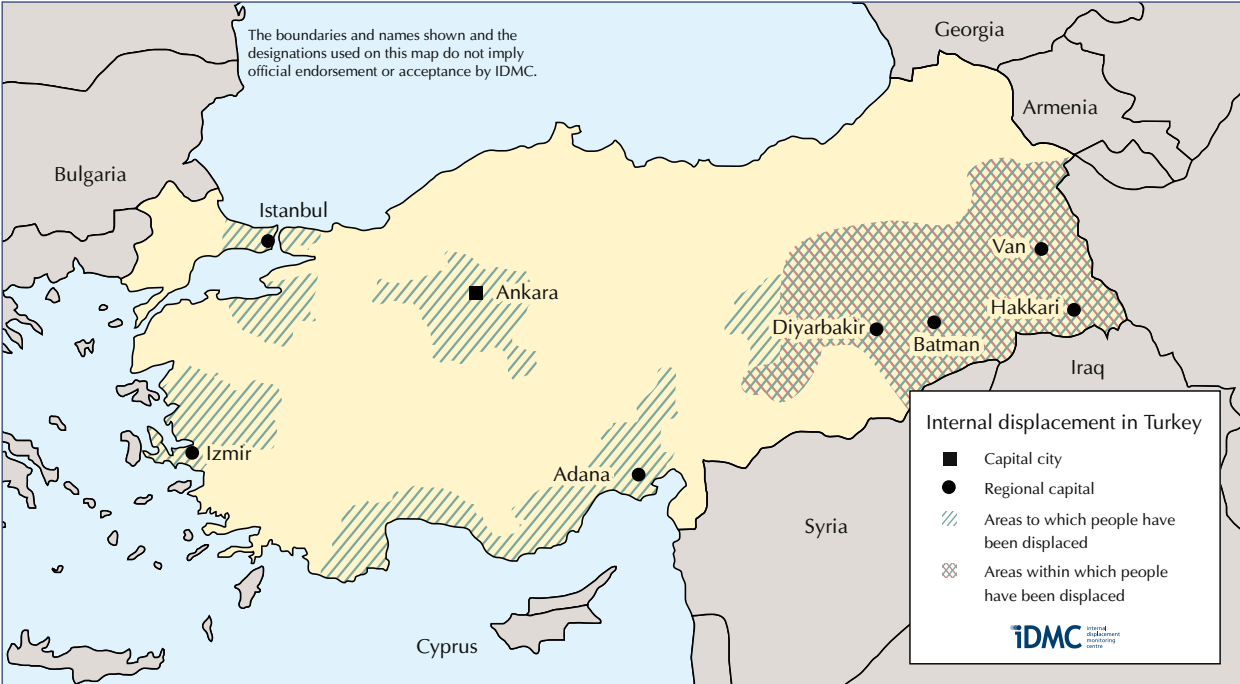
Principle versus practice

Poverty and discrimination as barriers to the enjoyment of the right to education for internally displaced children

Case study on education and internal displacement in Turkey

August 2010

Map of internal displacement in Turkey





Contents

1. Introduction	4
2. Background on internal displacement in Turkey	5
3. Comparative educational outcomes for IDPs	6
4. The right to education in displacement and Turkish law	8
5. Discrimination and its impact on IDP education	9
6. Displacement-induced poverty and its impact on education	10
7. Interventions to promote education of IDPs	12
8. Best practices	13
Notes	14
About the Internal Displacement Monitoring Centre	16



Introduction

Internal displacement can jeopardise children's right to education, in both protracted and emergency situations. This case study focuses on two factors that affect displaced children's ability to exercise their right to education: poverty and discrimination. It is based on IDMC research in Turkey in November 2009, on IDMC's routine monitoring of internal displacement in Turkey, and on desk study of relevant publications.

Being forced to flee conflict, generalised violence or human rights violations frequently increases poverty among the population displaced. Families may lose possessions and documents in flight as well as access to their homes and land, and may be displaced to areas where their traditional livelihoods and skills are not relevant or cannot be exercised. Many IDPs move to areas where there is great competition for few opportunities, such as urban slums or other poor areas, and their arrival among host communities can stretch existing resources there. The resulting poverty can be accompanied by a decline in access and quality of education; children may be forced to work to provide family income or else to marry early, while families may be unable to pay school fees or associated expenses.

Forced displacement can disproportionately affect minority groups, who may suffer discrimination before or during displacement. Additionally, IDPs may find themselves in a minority in the place they were displaced to. Discrimination reinforces barriers to education: displaced children may find themselves unable to access schools in places of displacement, or may find that the education provided is inappropriate culturally or linguistically.

Protracted displacement has had a profound impact on the education of internally displaced children in Turkey, many of whom live in marginalised socio-economic conditions in urban areas, and who are unable to attend school because of poverty and discrimination.

Turkey – the subject of this case study – illustrates how both factors can reduce internally displaced children's access to education. As with many situations of protracted displacement, we lack sufficient data to understand fully the impact of the displacement on children.^{page 14} As in many countries, many IDPs live in difficult conditions in slums of major cities and towns, but there is a lack of data on their particular needs.² Nonetheless, the evidence that does exist suggests that children in protracted displacement lack access to meaningful education. The

poverty that has resulted from displacement, as well as the discrimination which most IDPs have faced as Kurds, have both acted as significant barriers to education. Coming to a better understanding of the impact of internal displacement on children's education in Turkey, and the specific educational needs of these children, may allow us to draw lessons for other situations.

This report starts by giving an overview of internal displacement in Turkey. Next, the paper looks at Turkish laws relating to the right to education and to discrimination, examining how discrimination impairs the education of internally displaced children. Thirdly, the paper discusses the consequences of the socio-economic impact of displacement on their education. Finally, the paper looks at Turkish government policies intended to address the situation, and draws lessons from this case study applicable to other areas of protracted displacement, which can help ensure the right to education for all internally displaced children.

2

Background on internal displacement in Turkey

Between 1984 and 1999, conflict between the Turkish army and Kurdish militants displaced more than a million people, mainly Kurds, from their homes in south-eastern Turkey.³ The evacuation of villages by the government in areas under emergency rule, and by Kurdish militants when villagers refused to support them, and the insecurity due to the conflict, were the primary drivers of migration. Most people fled either to cities near their place of origin in south-east Turkey, or to cities in western and northern Turkey including Ankara, Istanbul and Izmir.

Estimates of the numbers of IDPs in Turkey have been contested. However, the best current estimates are that around a million people continue to live in protracted displacement.⁴ Children typically make up around 60 per cent of displaced populations, or around 600,000 children in this case. Around 36 per cent of the internally displaced population are believed to live in the south-east, around 30 per cent in central-eastern regions, and ten per cent in Istanbul.⁵ The displacement affects primarily people of Kurdish origin.⁶

The vast majority of Turkey's IDPs remain in protracted displacement, unable to return to their place of origin or to integrate in the place they were displaced to. Their return is hampered by continuing insecurity, the large number of mines in certain areas, and the lack of infrastructure in many villages of origin.⁷ Not all IDPs want to return; several studies have indicated that younger IDPs are less likely to want to return to rural places of origin;⁸ however their local integration is hampered by the urban poverty in which many IDPs live; the government has not assisted or facilitated integration in these settings.⁹

Internally displaced children are unable to access educational opportunities to the same extent as non-displaced children, whether they live in the south-east or in urban areas elsewhere in the country.¹⁰ Other indicators – including health indicators – are also less good for internally displaced children than for non-displaced children.¹¹

The lack of resolution of the displacement situation is also tied to the government's refusal to recognise the Kurdish identity.¹² In general, the government of Turkey does not recognise Kurds as a minority, leading to a lack of data reflecting the extent of problems faced by (displaced and non-displaced) Kurdish children. The UN Committee on the Rights of the Child expressed concern about the absence of disaggregated data in Turkey that could make it easier to understand specific children's needs,¹³ and

directed the government "to collect data and statistics in order to know how many children are displaced and what their needs are, with a view to developing adequate policies and programmes."¹⁴

The government has taken notable steps to address protracted displacement, but these initiatives have failed to address the difficulties faced by internally displaced children. The Return to Villages and Rehabilitation Project, launched in 1994, aimed to establish the necessary social and economic infrastructure to provide sustainable livelihoods for IDPs, but the programme was criticised for the lack of consultation with IDPs, its lack of transparency, and the disparate rates of assistance for those who returned.¹⁵ A Law on Compensation was enacted in 2004, and the Van Action Plan was launched in 2006 in Van region; both these initiatives attempted to address the internal displacement situation in line with international standards, and the Van Action Plan is intended to be replicated in the 13 other provinces affected by internal displacement in south-eastern Turkey (forming an integral part of a national action plan). Despite these initiatives, problems remain, and the situation for children has not substantially changed; more still needs to be done to address the needs of internally displaced children in Turkey.

3

Comparative educational outcomes for IDPs

Displacement has profoundly affected educational outcomes for internally displaced children in Turkey. School attendance is consistently lower among internally displaced children – both girls and boys – across all age groups.¹⁶ Likewise, according to the limited data available, areas with high concentrations of IDPs have comparably lower rates of educational achievement; for instance, the rate of illiteracy in the south-east is more than twice the national average.

In general, disaggregated data on school enrolment, attendance, and results is lacking, in part because Turkish law prohibits distinction by ethnicity.²¹ This has been criticised by the UN Committee on the Elimination of Racial Discrimination, which stated “the application of restrictive criteria to determine the existence of ethnic groups... may, in turn, lead to de facto discrimination in the enjoyment of the rights and freedoms referred to in Article 5 [of the Convention on the Elimination of Racial Discrimination, which includes the right to education].”²² Some studies have struggled to differentiate between the internally displaced population and the Kurdish minority population, as it is hard to gather data on these minorities. Nonetheless, the existing data shows consistently lower rates for IDPs than for the general population,

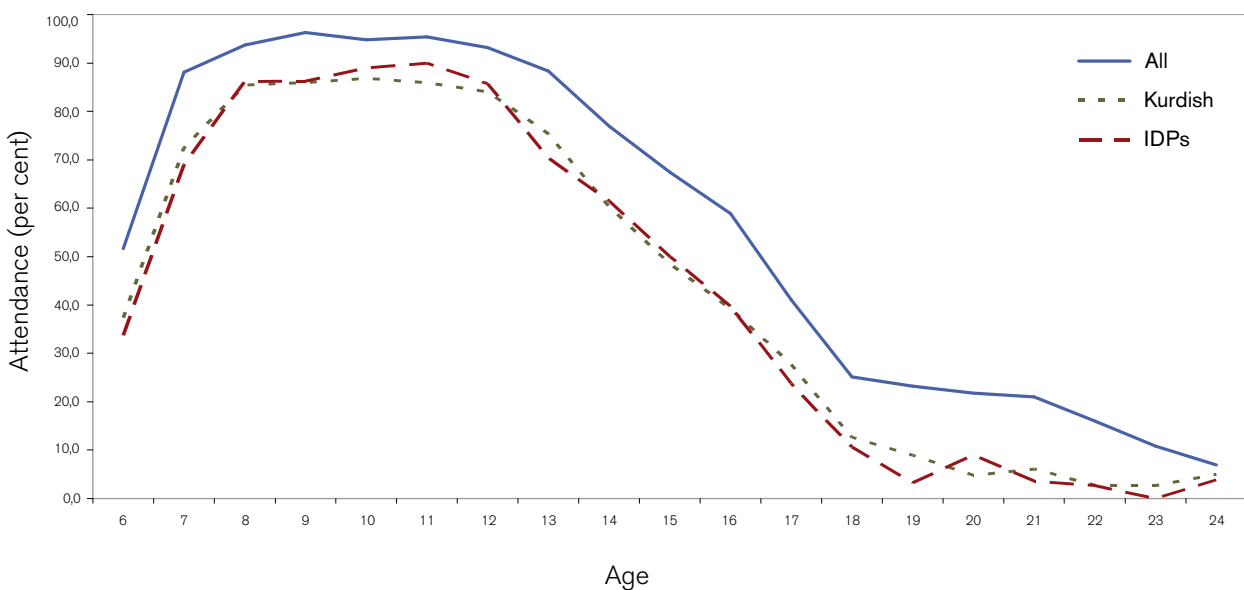
The disparity between school attendance rates for IDPs and for the general population persists throughout the

Table 1 Indicators comparing educational outcomes of IDPs and of the general population

	General population (per cent)	IDPs (per cent)
Primary school attendance rate ¹⁷	89	79
Secondary school attendance rate ¹⁸	50	20
Illiteracy ¹⁹	13 (national average)	27 (average in south-eastern Turkey)
First grade repetition ²⁰	3.1	7.9

educational system, and becomes larger at higher levels of education. While there is a difference of ten percentage points between IDPs and the general population in school attendance rates at primary level (89 per cent for the general population and 79 per cent for IDPs), that difference widens to 30 percentage points at secondary level (50 per cent for the general population, and 20 per cent for IDPs).²³ In addition, IDPs repeat grades at far higher rates than the general population, suggest-

Table 2 School attendance ratios by age (TDHS, 2003)



ing that even when they are able to attend school, the quality and appropriateness of education they receive is inadequate.²⁴

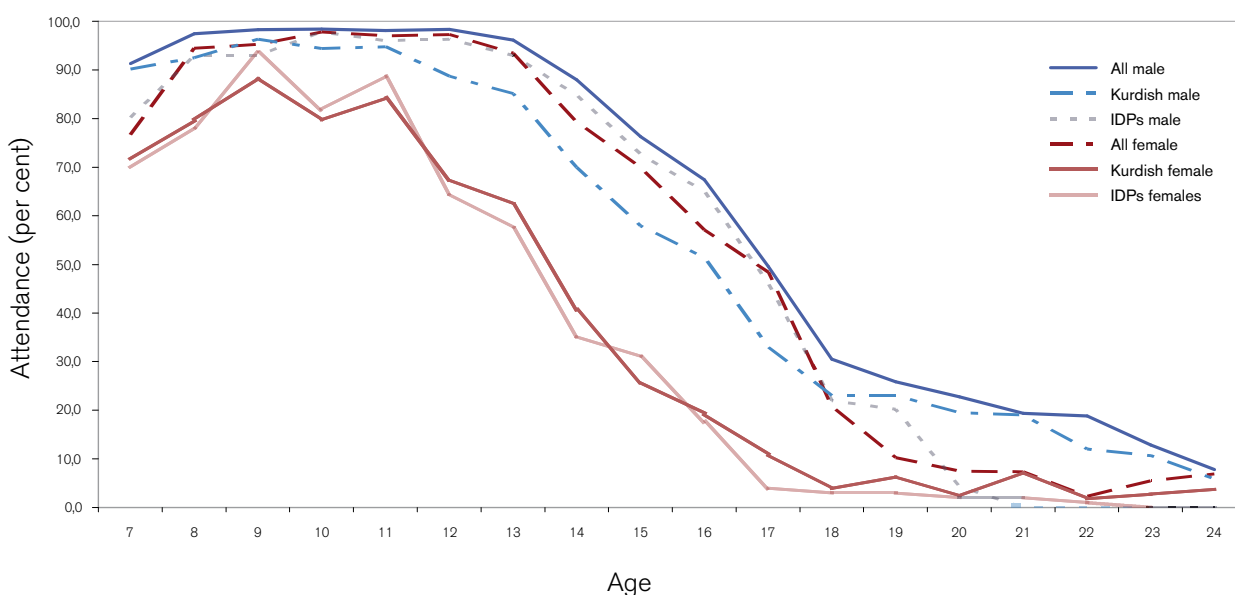
For the most part, internally displaced children attend school at lower rates than Kurdish children as a whole, though the difference here is far smaller.²⁵ At ages 10 and 11, in fact, the IDP attendance rate is marginally higher than that of the Kurdish population. At the higher education level (ages 18 and beyond) attendance rates for the Kurdish and the internally displaced population are roughly the same. IDPs as a group tend to experience higher rates of poverty than the overall Kurdish population (though both groups are in greater poverty than the general population);²⁶ this may contribute to the slightly lower overall school attendance rates among IDPs.

When school attendance is disaggregated by sex, we quickly see that there is a strong divergence between internally displaced boys and girls.²⁷ Displaced boys attend school at consistently higher rates than girls, though still at lower rates than their counterparts in the general population. Attendance rates are lowest for internally displaced girls and Kurdish girls; and internally displaced girls have the lowest rate of secondary attendance (9.3 per cent) of any group.²⁸ The UN Committee on the Elimination of Discrimination Against Women has expressed concern over both lower enrolment rates and completion rates for girls, a phenomenon which they note is exacerbated by ethnic differences.²⁹

Other education indicators also suggest disparities between IDPs and the general population, though specific data is lacking. For instance the literacy rate (measured in

2000) in the south-east was 73 per cent and the central-eastern region 76 per cent (two regions with high concentrations of IDPs), whereas the national average was 87 per cent.³⁰ Education levels in the south-east are “far below the national average,” with extreme overcrowding in classrooms and high rates of contracted teachers instead of permanent staff (contracted teachers are often younger and less qualified).³¹

Table 3 School attendance ratios by age and sex (TDHS, 2003)



4

The right to education in displacement and Turkish law

Displaced people, like any others, have the right to education.³² The right to education is firmly established in human rights law, including the Universal Declaration of Human Rights (Article 26), the International Covenant on Economic Social and Cultural Rights (ICESCR) (Article 13), and the Convention on the Rights of the Child (Articles 28 and 29). The Guiding Principles on Internal Displacement consolidate in one document the rights inherent to internally displaced people; Guiding Principle 23 stresses that the right to education “shall be made available to internally displaced persons... as soon as conditions permit”. Primary education must be free and compulsory: “To give effect to this right for internally displaced persons, the authorities concerned shall ensure that such persons, in particular displaced children, receive education which shall be free and compulsory at the primary level.”³³

Turkey is bound by international law which requires the state to ensure the right to education to IDPs: it is party to all the major conventions which outline the right to education, including the Convention on the Rights of the Child.³⁴ The government has taken steps in recent years to increase provision of education: compulsory basic education was increased from five to eight years (between the ages of six and 14) in 1997.³⁵ Since the introduction of the law, government statistics indicate that enrolment in primary school has risen from 6.4 million students in 1997 to 10.9 million in 2007.³⁶

IDPs in Turkey cannot fully enjoy their right to education, however, in part because elements of Turkish domestic law impede full exercise of the right. In particular, Turkey’s interpretation of non-discrimination leaves internally displaced children at risk. Turkey’s minority and anti-discrimination laws date back to the Treaty of Lausanne (recognising Turkish sovereignty in its current state), signed in 1923,³⁷ which defines minorities as “Turkish nationals belonging to non-Muslim minorities.”³⁸ Turkey has consistently interpreted this protection as applying to only three minority groups: Armenians, Greeks, and Jews.³⁹ Kurds – who make up the vast majority of the internally displaced population – are not included.

Groups which are not defined as minorities receive no special protection under laws pertaining to education. Article 10 of the Turkish constitution maintains that:

“All individuals are equal without any discrimination before the law, irrespective of language, race, colour, sex... or

any such considerations.” Turkey does not have a general anti-discrimination law, but equality clauses are included in several specific laws, including education.⁴⁰ An NGO consortium has translated Article 4 of the National Education Fundamental Act (Act No. 1739) into English as follows: “Educational institutions are open to all, with no distinction of language, race, sex and religion. No privilege shall be granted to any individual, family, group or class in education.”⁴¹ Only minority groups recognised under the Treaty of Lausanne are entitled to open schools providing instruction relevant to their culture and language; no Kurdish is taught in school, and no government data is gathered on Kurdish or internally displaced children’s particular education needs.

Article 13 of the ICESCR protects parents’ right to control certain aspects of their children’s education: Paragraph 3 protects parents’ liberty to choose their children’s religious and moral education, and Paragraph 4 provides for the liberty of individuals and bodies to establish and direct educational institutions. Turkey has reserved its right to interpret and apply these provisions in accordance with its own constitution and laws.⁴² Turkey does not permit private or public schools to teach in the Kurdish language. In practice, this means that internally displaced children of Kurdish ethnicity experience difficulties accessing education which is culturally and linguistically appropriate, and to which they have a right under the ICESCR. This issue is discussed further below.

Treaty bodies have consistently expressed concern with the government’s reservations and consequent interpretation of minority.⁴³ The Committee on the Rights of the Child observed: “In some cases, in particular in the fields of education and freedom of expression and the right to enjoy their own culture and use their own language, these reservations may have a negative impact on children belonging to ethnic groups which are not recognised as minorities under the Treaty of Lausanne of 1923, in particular children of Kurdish origin.”⁴⁴ Displaced children are deeply affected by these provisions; where they are able to access education, the education provided is insufficient to meet their needs.

5

Discrimination and its impact on IDP education

When education is provided to IDPs, the quality is often poor, and discrimination against Kurds deeply affects IDPs' educational experience. The majority of IDPs in Turkey are of Kurdish origin, yet internally displaced children are not permitted to learn in Kurdish. Unable to learn in a language they understand, and educated in understaffed, under-resourced classrooms in which they cannot catch up, internally displaced children all too often drop out.

Language is a major barrier to their success in schools; the vast majority of IDPs speak Kurdish at home, but schools throughout Turkey are taught only in Turkish and children are given no assistance to help them learn in a new language when they start school at the age of six.⁴⁵ Teachers usually do not speak any Kurdish; they are unable to communicate with children and parents who speak only Kurdish.⁴⁶ A research mission by the Kurdish Human Rights Project (KHRP) to Turkey found that children who are unable to communicate with their teachers may be at "a distinct disadvantage that will place them possibly years behind their peers".⁴⁷ Indeed, children who struggle with language are thought to be less likely to stay in school.⁴⁸ KHRP argues that lack of access to education in Kurdish in the first, fundamental years of education harms the long-term prospects of children throughout their educational careers.⁴⁹

International law requires states to refrain from policies or practices aimed at assimilation of minorities against their will,⁵⁰ but Turkey has either entered reservations or has not signed treaties relevant to this provision. According to these treaties, members of minorities have a right to learn their mother tongue, to receive education in that language, and to set up and manage their own educational institutions; Minority Rights Group International (MRGI) argues that the denial of those rights to Kurdish populations in Turkey discriminates against Kurdish (and therefore IDP) children.⁵¹ Assimilation in Turkish schools is not necessarily desirable, with its connection to loss of Kurdish identity.⁵²

NGOs have repeatedly asked the government to guarantee Kurdish-language education, but this request has consistently been denied.⁵³ Only certain minority groups in Turkey are permitted by domestic law to open private schools; Kurdish people are not among them.⁵⁴ In addition, some aspects of the curriculum and official textbooks promote Turkish nationalism and denigrate Kurdish identity.⁵⁵ These conditions are not conducive to success in school.

6

Displacement-induced poverty and its impact on education

The majority of IDPs in Turkey live in poor socio-economic conditions; the marginalisation which has prolonged this situation is deeply connected to their inability to access and enjoy educational opportunities.⁵⁶ Conversely, poverty has decreased their access to education, in part because “internal displacement of a considerable part of the population has resulted in child labour being considered normal in many cities.”⁵⁷ Likewise, UNICEF argues that poverty is a major contributor to the gaps in girls’ and boys’ attendance in schools in Turkey.⁵⁸

Increase in poverty following displacement

Forced displacement increased poverty by causing the loss of “traditional” livelihoods (such as agriculture and animal husbandry), when IDPs were forced from rural areas to urban ones.⁵⁹ During the conflict and related forced evictions that caused rural-to-urban migration, many homes were destroyed and, despite the Law on Compensation, many IDPs have remained unable to seek effective remedies for lost property.⁶⁰ A child social worker interviewed by IDMC emphasised the link between poverty and displacement, saying that IDPs have experienced culture shock in the cities, where parents found themselves without resources and without the ability to work.⁶¹

Children have frequently become the main family breadwinners, as as they have been able to find menial labour to supplement family income.⁶² Many factors contributed to children taking on responsibility for labour, including parents’ inability to find work, economic insecurity, and costly housing in urban areas.⁶³

Child labour leaves little time for school

With the increased poverty in their families and the migration from rural to urban areas, displaced children took on many forms of labour, including working on the streets, in workshops, as porters, or in garment sweatshops.⁶⁴

KHRP estimates that 30 per cent of internally displaced households use child labour as a survival strategy,⁶⁵ while UNICEF estimated in 2009 that 4 per cent of children in Turkey between the ages of six and 14 were working.⁶⁶ Displaced children who work often have no time remaining for school, and the few that are able to attend school as well as work have no time left to study.

No money available for school

Within internally displaced families affected by poverty, children are frequently unable to go to school. A study by

Bogazici University observed that: “Poverty was found to give rise to a set of problems in accessing the most basic levels of services in the areas of health, education, and housing.”⁶⁷ There are reportedly almost a million children in Turkey who do not attend school for financial reasons.⁶⁸

Displaced children, given the poverty of their families, are particularly likely not to attend school. MRG found that more than 30 per cent of the IDP families living in Diyarbakir and Istanbul do not attend school, due to poverty and the need to work.⁶⁹ This estimate may be on the low side; according to data collected in 2003, 43 per cent of displaced children have cut ties with the school system and have started some form of child labour.⁷⁰

Reasons for lack of school attendance are directly related to poverty. Parents may not send their children to school to minimise expenses, or they may choose which children to send (meaning in practice that girls are frequently kept at home).⁷¹ If a child can make a contribution to the family income through labour, as both boys and girls do, that child may be unable to go to school or unable to succeed while at school.⁷² Inability to attend school takes its toll over time: as protracted displacement continues, more families remain in “persistent poverty”⁷³ and more children are sent to work.

Even when children are able to attend school, poverty still affects their quality of education. The Bogazici University study noted that when children were enrolled in school, they experienced problems with costs of school, with lack of suitable study spaces at home, and with overcrowded classrooms.⁷⁴ As the authors observed: “Education is often the key to escaping the generational transfer of poverty.”⁷⁵

Lack of government resources invested in IDP education

Schools in areas populated by IDPs are overcrowded and understaffed.⁷⁶ The Committee on the Rights of the Child expressed concern, in its most recent report on Turkey, over the “lack of trained personnel and insufficient infrastructure, especially classrooms, in particular in large metropolitan areas and in the south-east.”⁷⁷ The south-east has one of the lowest rates of spending per pupil.⁷⁸

The government expends limited resources to ensure that internally displaced children are in school. Some internally displaced children had been out of school prior to displacement, because rural schools were already closed

due to the armed conflict.⁷⁹ No catch-up programmes were offered to assist children in making up for this gap. While school is mandatory for certain ages, the government does little to ensure that internally displaced children attend school. Children may be enrolled in school to meet the legal requirements, but then may quickly drop out and administrators and teachers do not follow up their situation.⁸⁰

UNICEF notes that the large-scale migration to cities in recent decades (by IDPs and voluntary migrants) has led to a high rate of urban poverty and an under-resourcing of schools.⁸¹ Educational opportunities in the IDP areas of Istanbul are lacking; the quality of education is poor and the number of children in the classroom is very high.⁸² KHRP points to significant variations in the quality of education delivered in different districts of Istanbul, with districts with high poverty rates and Kurdish and IDP populations receiving inferior services.⁸³ KHRP argues that the reasons for discrepancies in access to education for Kurdish and internally displaced children are gender, political discrimination against Kurds, and poverty.⁸⁴

Street children

Displacement is thought to have increased the number of children working on the streets; by one estimate, 98 per cent of street children are thought to have come from families who have been displaced.⁸⁵ A 2001 ILO study on street children found that 13 per cent of the research group had never attended school.⁸⁶ There is no comprehensive strategy for responding to the needs of street children; the mayors of different towns approach the issue differently.⁸⁷ Yet street children will complete primary school at best and rarely if ever go on to secondary education.⁸⁸

An IDMC interview with a social worker focusing on street children in Istanbul emphasised the connection between displacement and children working on the streets.⁸⁹ His organisation, the Child and Youth Center, had conducted a series of surveys with children they worked with, who were overwhelmingly from the internally displaced families. They found the average age of children working in Istanbul was between 12 and 14, with most of them engaged in informal labour, begging, selling tissues, cleaning cars, shoe-shining, and other activities. The majority (around 70 per cent) of children they worked with were boys. Many of the children working on the streets did not live there but went home at night or every few days.⁹⁰

Seasonal labour and inability to complete grades

Seasonal labour hinders internally displaced children's success in school. Many IDPs move around the country to perform seasonal agricultural labour. Because many internally displaced families need to take their children to agricultural areas at certain times, children miss consider-

able periods of the academic year and are then forced to repeat the grade.⁹¹

Educational opportunities in place of origin

In many villages in the south-east, schools were closed after the villages emptied, and returnees have found it hard to have the schools reopened.⁹² In some returnee villages, the government has proposed sending the children to regional boarding schools instead, though parents may not want to send their children away.⁹³ There is very little infrastructure for education in many villages (for instance, there may be no early childhood education) and few teachers; one interviewee questioned whether IDPs knew this before returning.⁹⁴

7

Interventions to promote education of IDPs

The government has made some progress in developing programmes to assist IDPs and reduce the poverty in which they live. For instance, in 2009 it was working with UNDP on a national IDP framework, which when completed would guide the response to the situation of IDPs throughout the country.⁹⁵ Yet the national framework has stalled, and it remains to be seen whether it will include effective initiatives to ensure access to education.

Some government policies have had a positive impact on IDP education. For instance, the increase in the minimum duration of compulsory basic education from five to eight years (ages six – 14)⁹⁶ has contributed to an increase in primary school enrolment (from 6.4 million students in 1997, to 10.9 million in 2007).⁹⁷ Budgetary allocations to education have increased in recent years, but it remains unclear to what extent the most vulnerable children – including internally displaced children – have benefited from these increases.⁹⁸ Nonetheless, none of these changes or those detailed below have significantly improved IDP education to the extent that displaced children are receiving the education to which they have a right.

Return to Villages and Rehabilitation Project

The Government of Turkey initiated the “Return to Villages and Rehabilitation Project” (RVRP) in 1994, to provide necessary social and economic infrastructure (including educational facilities) in villages for IDPs wishing to return.⁹⁹ The government description of the programme refers to allocations for “repairing and rebuilding schools and village clinics”.¹⁰⁰ However, NGOs in Turkey claim that the programme lacked adequate consultation with the displaced population.¹⁰¹ A national survey in 2005 revealed that 88 per cent of returnees surveyed had returned without assistance from the government, and that nearly half of them were unaware of the programme’s existence.¹⁰² As of 2009, there had been no substantial progress in implementing the RVRP, leading to concerns as to when sustainable returns might become possible.¹⁰³

Van Pilot Project

The Van Provincial Action Plan for Responding to IDP Needs, initiated in 2006, included a number of provisions aimed at increasing internally displaced children’s enrolment and attendance, among them the provision of free hot lunches in urban schools.¹⁰⁴ The plan was intended as a pilot policy framework to be replicated in the 13 other provinces affected by displacement in the south-east (as part of the nascent national plan).¹⁰⁵ The Van

programme reportedly included consultation with IDPs regarding their needs, and it did have a positive impact; it led to higher rates of home occupancy, among other improvements.¹⁰⁶ Despite its emphasis on a participatory approach, the programme has been criticised for failing to address various Kurdish issues including those related to minority education.¹⁰⁷

Private language classes

In 2003, the Turkish Ministry of Education issued a by-law permitting private courses for teaching languages traditionally used in Turkey, including Kurdish.¹⁰⁸ Classes – offered for a fee – commenced in seven cities from April 2004, but all were closed by 2005 because tuition was unaffordable for members of the minority.¹⁰⁹ Minority groups reported serious problems paying for the courses, and strongly emphasised their wish to study in their mother tongues in public schools.¹¹⁰ As relayed by MRG, the Director of the Association for the Research and Development of Kurdish Language argues that provision of education in the mother tongue is the duty of the state, and should be part of public education.¹¹¹ As of 2009, it remained impossible to study Kurdish in either private or public schools.¹¹²

Conditional cash transfer

As part of the “Social Risk Mitigation Project” developed in cooperation with the World Bank in 2001, a “conditional cash transfer” initiative was launched, offering cash benefits to poor families – displaced or not – whose children attend schools. This programme is intended to counter some of the incentives families have to withdraw children from school so that they can work. Internally displaced families had access to this programme; however, there have been no particular assessments of its efficacy among the internally displaced population and more data is needed.¹¹³

8

Best practices

The state of IDP education in Turkey demonstrates common problems that affect full exercise of the right to education in displacement. Forced displacement can increase poverty in the IDP community. Poverty in turn impacts access to education: parents cannot afford even the small costs that come with school, and children are often needed for labour. As seen in Turkey, discrimination against the minority group affected by forced migration further diminishes the chances of IDPs receiving quality education.

Better efforts must be made to ensure that IDPs in poverty – and suffering from discrimination – receive the education to which they are entitled by law. Concrete steps to achieving this include:

- Data collection:

Governments concerned should collect data and statistics to know how many children are displaced and what their needs are, with an eye toward developing adequate, appropriate policies and programmes.

- Gender considerations:

Special efforts must be made to ensure the full and equal participation of women and girls in educational programming; programmes for displaced children must be designed to accommodate the needs of displaced girls.

- Consideration of durable solutions:

Education is a vital part of finding a durable solution to displacement. Efforts must be taken to minimise disruption of education during conflict, and to reinstate education as early as possible in displacement. Efforts must be made to provide education in areas of displacement, areas suitable for local integration, and in return areas.

- Non-discrimination:

Neither law or policy should bar IDPs from accessing adequate education, and programmes should be designed with IDPs' specific needs in mind. Likewise, efforts must be made to ensure non-discriminatory access to education for all minority groups. Public schools should be opened with instruction in minority languages where there is sufficient demand.

- Poverty alleviation and catch-up programmes

Measures should be taken to improve the education-related conditions in areas where IDPs live and their areas of origin. Programmes to combat child labour and ensure school attendance may be appropriate in urban areas with large numbers of IDPs. Where displaced children have been out of school because of migration or labour, age-appropriate efforts should be made to reintegrate them into the education system.

Notes

- 1 Koc, Ferris.
- 2 Ismet Koc and Turgay Unalan, The extent of internal displacement in Turkey and its consequences on the child educational attainment and health in Turkey, 25th IUSSP International Population Conference, Session 506, 1 (2005).
- 3 IDMC Turkey overview: Need for continued improvement in response to protracted displacement, p. 3 (2009).
- 4 IDMC, *Ibid*, p. 3 (2009).
- 5 Ismet Koc and Turgay Unalan, *Ibid*, p.12.
- 6 IDMC, *Ibid*, p. 3 (2009).
- 7 IDMC, *Ibid*, p. 4-6 (2009).
- 8 IDMC, *Ibid*, p. 6 (2009).
- 9 IDMC, *Ibid*, p. 6 (2009).
- 10 IDMC, *Ibid*, p. 6 (2009).
- 11 Ismet Koc and Turgay Unalan, *Ibid*, pp.19-20.
- 12 IDMC, *Ibid*, p. 9 (2009).
- 13 CRC/C/15/Add.152, para 21 (2001)
- 14 CRC/C/15/Add.152, para 60 (2001)
- 15 IDMC, *Ibid*, p. 6 (2009).
- 16 Ismet Koc and Turgay Unalan, *Ibid*, p.14. This survey by Ismet Koc and Turgay Unalan looks at demographic surveys from the 1985 -2003 period using proxy identifiers for IDP status and gives us guidance on school attendance rates.
- 17 Ismet Koc and Turgay Unalan, *Ibid*, p.15 (“Table 9: Basic Educational Outcomes of Children”).
- 18 Ismet Koc and Turgay Unalan, *Ibid*, p.15 (“Table 9: Basic Educational Outcomes of Children”).
- 19 Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, *Report following his visit to Turkey on 28 June – 3 July 2009*, para. 122.
- 20 Ismet Koc and Turgay Unalan, *Ibid*, p.15 (“Table 9: Basic Educational Outcomes of Children”).
- 21 KHRP, The Situation of Kurdish Children in Turkey: Fact-finding Mission and Research Report, 62 (2010).
- 22 CERD/C/TUR/CO/3, para 12 (2009)
- 23 Ismet Koc and Turgay Unalan, *Ibid*, p.15 (“Table 9: Basic Educational Outcomes of Children”).
- 24 Ismet Koc and Turgay Unalan, *Ibid*, p.15 (“Table 9: Basic Educational Outcomes of Children”).
- 25 Ismet Koc and Turgay Unalan, *Ibid*, p.14.
- 26 See, e.g., Ismet Koc and Turgay Unalan, *Ibid*, p.13 (“Table 8: Basic demographic indicators of the study populations,” detailing indicators suggesting higher poverty among the IDP population, including dependency ratios and mean person sleeping per room).
- 27 Ismet Koc and Turgay Unalan, *Ibid*, p.14.
- 28 Ismet Koc and Turgay Unalan, *Ibid*, p.15 (“Table 9: Basic Educational Outcomes of Children”).
- 29 CEDAW A/60/38 para 371 (2005)
- 30 Thomas Hammarberg, Commissioner for Human Rights of the Council of Europe, *Report following his visit to Turkey on 28 June – 3 July 2009*, para. 122.
- 31 Thomas Hammarberg, *Ibid*, para.123.
- 32 See IDMC, “Briefing Paper: The Right to Education for Internally Displaced Persons” (2010) (discussing the right to education in the Universal Declaration of Human Rights and various other international and regional human rights treaties).
- 33 GP 23(2).
- 34 Turkey ratified the UN Convention on the Rights of the Child on 4 Apr 1995. http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11&chapter=4&lang=en#EndDec. Turkey included the following reservation: “The Republic of Turkey reserves the right to interpret and apply the provisions of articles 17, 29 and 30 of the United Nations Convention on the Rights of the Child according to the letter and the spirit of the Constitution of the Republic of Turkey and those of the Treaty of Lausanne of 24 July 1923.”
- 35 CEDAW A/60/38 para 346 (2005)
- 36 KHRP, *Ibid*, p.16.
- 37 Eridine Roma Association, European Roma Rights Centre, and the Helsinki Citizens’ Assembly, *We are Here! Discriminatory Exclusion and Struggle for Rights of Roma in Turkey*, p. 41 (2008) (providing a history of Turkey’s domestic legal framework for protection against discrimination).
- 38 Treaty of Lausanne, Section III, Article 39 (1923).
- 39 Minority Rights Group International, *Forgotten or Assimilated? Minorities in the Education System of Turkey*, p.8 (2009).
- 40 Eridine Roma Association, European Roma Rights Centre, and the Helsinki Citizens’ Assembly, *Ibid*, p. 43 (2008).
- 41 Eridine Roma Association, European Roma Rights Centre, and the Helsinki Citizens’ Assembly, *Ibid*, pp. 44-45 (2008) (translation in text).
- 42 Thomas Hammarberg, *Ibid*, para.21.
- 43 See, eg. CERD/C/TUR/CO/3, para 8 (2009); CRC/C/15/Add.152, para 10 (2001)
- 44 CRC/C/15/Add.152, para 11 (2001)
- 45 KHRP, *Ibid*, p.68.
- 46 Kalkinma Merkezi, Development Centre Research, *Forced Migration and its Effects: Diyarbakir*, 34 (2006).

- 47 KHRP, *Ibid*, p.69.
- 48 KHRP, *Ibid*, pp.68-69.
- 49 KHRP, *Ibid*, p.69.
- 50 Minority Rights Group International, *Ibid*, p.14, citing the Framework Convention for the Protection of National Minorities.
- 51 Minority Rights Group International, *Ibid*, p.14.
- 52 Minority Rights Group International, *Ibid*, p.4.
- 53 Minority Rights Group International, *Ibid*, p.17.
- 54 Minority Rights Group International, *Ibid*, p.17.
- 55 Minority Rights Group International, *Ibid*, pp.25-27.
- 56 Deniz Yukseker, *Internal Displacement and Social Exclusion: Problems Encountered by Internally Displaced Persons in the Provinces of Istanbul and Diyarbakir* p.256.
- 57 Bianet: News in English, *Turkey has Failed its Promise to Children*, June 25, 2007.
- 58 UNICEF Turkey, Girls' Education: Let's Go to School, Girls! (2009).
- 59 Deniz Yukseker, *Ibid*, p.257.
- 60 Thomas Hammarberg, *Ibid*, paras.107-108 and 113.
- 61 IDMC interview with Abdullah Karatay, November 7, 2009.
- 62 IDMC interview with Abdullah Karatay, November 7, 2009.
- 63 Deniz Yukseker, *Ibid*, pp.259-64.
- 64 Deniz Yukseker, *Ibid*, pp.269-270.
- 65 KHRP, *Ibid*, p.78.
- 66 UNICEF Turkey ,Children First: Eliminating Child Labor (2009).
- 67 Fikret Adaman and Caglar Keyder, Poverty and Social Exclusion in the Slum Areas of Large Cities in Turkey, Bogazici University, p.viii.
- 68 Thomas Hammarberg, *Ibid*, para.122.
- 69 Minority Rights Group International, *Ibid*, p.17.
- 70 KHRP, *Ibid*, p.82.
- 71 Deniz Yukseker, *Ibid*, p.273.
- 72 Deniz Yukseker, *Ibid*, p.273.
- 73 IDMC interview with Abdullah Karatay, November 7, 2009.
- 74 Fikret Adaman and Caglar Keyder, *Ibid*, p.88.
- 75 Fikret Adaman and Caglar Keyder, *Ibid*, p.xii.
- 76 KHRP, *Ibid*, p.63.
- 77 CRC/C/15/Add.152, para 55 (2001)
- 78 KHRP, *Ibid*, p.71.
- 79 Deniz Yukseker, *Ibid*, p.273.
- 80 IDMC interview with UNDP official, November 8, 2009.
- 81 UNICEF Turkey, Children First: Child-Friendly Cities (2009).
- 82 IDMC interview with Abdullah Karatay, November 7, 2009.
- 83 KHRP, *Ibid*, p.64.
- 84 KHRP, *Ibid*, p.67.
- 85 KHRP, *Ibid*, p.80.
- 86 KHRP, *Ibid*, pp.82-83.
- 87 IDMC interview with UNICEF protection officer, November 8, 2009.
- 88 IDMC interview with UNICEF protection officer, November 8, 2009.
- 89 IDMC interview with Abdullah Karatay, November 7, 2009.
- 90 IDMC interview with UNICEF protection officer, November 8, 2009.
- 91 KHRP, *Ibid*, p.71.
- 92 IDMC interview Bade Uysaler, ACEV, November 10, 2009.
- 93 IDMC interview Bade Uysaler, ACEV, November 10, 2009.
- 94 IDMC interview Bade Uysaler, ACEV, November 10, 2009.
- 95 IDMC interview with UNDP official, November 8, 2009.
- 96 CEDAW A/60/38 para 346 (2005)
- 97 KHRP, *Ibid*, p.16.
- 98 CRC/C/15/Add.152, para 17 (2001)
- 99 Ismet Koc and Turgay Unalan, *Ibid*, p.1.
- 100 Government of Turkey, Comments of the Republic of Turkey on the Report Regarding "Human Rights of Minorities" by Mr. T. Hammarberg, Commissioner for Human Rights of the Council of Europe, following his visit to Turkey (28 June - 3 July 2009), p.47.
- 101 Ismet Koc and Turgay Unalan, *Ibid*, p.1.
- 102 IDMC Turkey overview: Need for continued improvement in response to protracted displacement, p. 7 (2009).
- 103 Thomas Hammarberg, *Ibid*, para.21.
- 104 Elizabeth Ferris and Rebecca Winthrop, *Education and Displacement: Assessing Conditions for Refugees and Internally Displaced Persons affected by Conflict*, Background Paper for the Global Monitoring Report, 13 (2010).
- 105 IDMC, *Ibid*, p. 7 (2009).
- 106 Thomas Hammarberg, *Ibid*, para.21.
- 107 IDMC, *Ibid*, p. 8 (2009).
- 108 Thomas Hammarberg, *Ibid*, para.30.
- 109 Thomas Hammarberg, *Ibid*, para.30.
- 110 Thomas Hammarberg, *Ibid*, para.31.
- 111 Minority Rights Group International, *Ibid*, p.15.
- 112 Thomas Hammarberg, *Ibid*, para.21.
- 113 Deniz Yukseker, *Ibid*, p.262.



About the Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre (IDMC) was established by the Norwegian Refugee Council in 1998, upon the request of the United Nations, to set up a global database on internal displacement. A decade later, IDMC remains the leading source of information and analysis on internal displacement caused by conflict and violence worldwide.

IDMC aims to support better international and national responses to situations of internal displacement and respect for the rights of internally displaced people (IDPs), who are often among the world's most vulnerable people. It also aims to promote durable solutions for IDPs, through return, local integration or settlement elsewhere in the country.

IDMC's main activities include:

- Monitoring and reporting on internal displacement caused by conflict, generalised violence and violations of human rights;
- Researching, analysing and advocating for the rights of IDPs;
- Training and strengthening capacities on the protection of IDPs;
- Contributing to the development of standards and guidance on protecting and assisting IDPs.

For more information, visit the Internal Displacement Monitoring Centre website and the database at www.internal-displacement.org

For more information, contact:

Kate Halff

Head of IDMC

Tel.: +41 22 799 0703

Mobile: +41 79 551 8257

Email: kate.halff@nrc.ch

Alice Farmer

Child Rights Advisor

Tel: +41 22 795 0737

Email: alice.farmer@nrc.ch