Moving towards integration

Overcoming segregated education for IDPs

Case study on education and displacement in Georgia

September 2011

iDMC internal displacement monitoring centre

NRC NORWEGIAN REFUGEE COUNCIL

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Cover photo: School near Tblisi, Georgia, for children displaced from Abkhazia *(Photo: IDMC/Alice Farmer, July 2011).*

Introduction

Internally displaced children have the same right to education as other children; this right cannot be suspended even in emergencies. Yet in reality, many internally displaced children struggle to go to school. Even when they do have access to education, they are often taught apart from local students, for example in separate schools or at different times in the same school. Segregated schooling for internally displaced children may violate their human rights as defined in a number of international norms, especially as the period of displacement grows. This briefing paper addresses the legality and appropriateness of segregated educational systems for internally displaced children, observing that while they may be appropriate in initial phases of displacement, the need to integrate schools becomes more pressing as displacement continues.

The paper aims to guide policy makers, including governments of countries facing internal displacement and international actors supporting them, by examining legal and policy considerations for determining the appropriateness of segregated education. It outlines the international legal framework on segregated education, noting that while segregation may be an appropriate response in the emergency stages, it is not permissible as a long term solution.

The paper takes as a case study the situation in the Republic of Georgia. The situation there illustrates the complexity of issues facing those responsible for the provision of education to internally displaced children, and both good and bad practices which arise. Finally, it recommends practices to promote the integrated education of IDPs in any displacement situation.

Youths graduating from an education programme for former IDPs in Gulu district, Uganda. During their displacement they struggled to access adequate education in IDP camps *(Photo: IDMC/Alice Farmer, January 2011)*.

Legal considerations for segregated education

All people, including those who have been internally displaced, have the right to education. The Convention on the Rights of the Child (CRC) defines the right to education in Articles 28 and 29, asserting that states must, among other duties, make primary education compulsory, available and free to all, and make secondary school available and accessible to every child. Further, education should be directed towards "the preparation of the child for responsible life in a free society".

Human rights law and humanitarian law firmly establish that the right to education continues during all stages of displacement. Principle 23 of the Guiding Principles on Internal Displacement stresses that the right to education "shall be made available to internally displaced people… as soon as conditions permit" and that "the authorities concerned shall ensure that such persons… receive education which shall be free and compulsory at the primary level."

The right to education always applies, even in conflict and emergencies.[1] The Committee on the Rights of the Child has emphasised that "the implementation of the right of the child to education in emergency situations must meet the requirements set out in articles 28 and 29 of the Convention without limitation". The Committee goes on to say that "in situations of emergency, the child's need to enjoy his / her right to education is reinforced by the fact that it is a protection measure, as well as a relief measure and a life saving measure that provides physical, psychosocial and cognitive protection."[2]

Education is vital for internally displaced people (IDPs), not only as a means to establish more normal lives during their displacement but also to facilitate durable solutions by providing them with the skills they will need whether they return to their place of origin, integrate locally or resettle elsewhere.[3]

States must provide education in a non-discriminatory manner, and, as in almost all areas governed by child-ren's rights law, take into account the best interests of the child. In certain limited situations in early stages of displacement, these duties may best be met by the provision of segregated schooling. For instance, where displacement has occurred recently and where the size of the displaced population or the location of displaced children makes integrated schooling impracticable, separate schooling may be a permissible temporary measure. Where the displaced and local populations have linguistic or religious differences, optional segregated schooling of an equivalent quality to that offered in schools for non-displaced children may also be appropriate.

Some governments establish separate education systems; elsewhere segregation arises through unlawful discrimination in mainstream schools, or through patterns of indirect discrimination in school assignments, and from the isolation of IDP settlements. Displaced students might attend the same school as local children but take lessons in separate classrooms or during separate periods.

In practice, the segregation of internally displaced children's education has a significant impact on levels of quality. The separate schools or separate classrooms often suffer from inferior infrastructure and equipment. The curriculum may be different and the quality of instruction may be inferior to that in mainstream schools.

As the period of displacement continues, the legal and practical arguments for segregated education become weaker. Separate schools can limit children's ability to adjust to their displacement and diminish their social integration with non-displaced children.

Although some internally displaced children and parents may prefer separate education, for example where there they face discrimination in integrated schools or they hope one day to return to their place of origin, segregation is not in the long-term best interests of children. Similarly, while some states consider the closure of separate schools a threat to the political support of internally displaced communities, these considerations cannot justify the permanent maintenance of segregated education.

If they are to prevent discrimination and provide for the best interests of internally displaced children, governments must undertake to end segregated educational systems, guarantee non-discrimination in integrated schools, and ensure that the substance of instruction is both relevant and culturally appropriate to internally displaced children and their parents.

Non-discrimination

Education must be provided to all. According to the Committee on Economic, Social and Cultural Rights, states party to that convention have a "minimum core obligation

Young schoolgirls in a village to which IDPs were resettled in West Seram, Maluku province, Indonesia *(Photo: IDMC/Frederik Kok, December 2007).*

. . . to ensure the right of access to education on a non-discriminatory basis".[4]

This applies regardless of people's displacement status. Guiding Principle 1 states: "Internally displaced persons shall enjoy, in full equality, the same rights and freedoms under international and domestic law as do other persons in their country. They shall not be discriminated against in the enjoyment of any rights and freedoms on the ground that they are internally displaced." Other legal documents reiterate this concept. For instance, the World Declaration on Education for All emphasises that "those displaced by war... should not suffer any discrimination in access to learning opportunities".[5]

Internal displacement often disproportionately affects ethnic, linguistic, and religious minority groups. Article 1 of the UNESCO Convention defines as a form of discrimination the establishment or maintenance of "separate educational systems or institutions for persons or groups of persons" on the basis of their "race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth".[6] Further, the Convention on the Elimination of Racial Discrimination condemns segregation on the basis of race, colour, descent, or national or ethnic origin, and requires states parties to "undertake to prevent, prohibit and eradicate all practices of this nature".[7]

The UN Secretary-General's Special Rapporteur on the Right to Education has noted that segregation "invariably results in discrimination and thus impedes social mobility through education."[8] Likewise, the European Court of Human Rights, in a decision on segregated education of Roma children, has affirmed that racial segregation, including in the absence of intent, which disadvantages members of a particular racial or ethnic group amounts to discrimination and violates the European Convention on Human Rights.[9]

However, the Committee on Economic, Social and Cultural Rights considers that temporary measures designed to bring about equality for disadvantaged groups do not violate the right to non-discrimination in education, "so long as such measures do not lead to the maintenance of unequal or separate standards for different groups, and provided they are not continued after the objectives for which they were taken have been achieved."[10]

The notion of non-discrimination ensures not only equal access to education, but also dictates aspects of the content of the education. According the Committee on Economic, Social and Cultural Rights, separate schooling may not breach the right to non-discrimination where students, for religious or linguistic reasons, have the option to attend a separate educational system that conforms to the standards approved by competent authorities for education of the same level.[11] Guiding Principle 23 specifies that: "Education should respect cultural identity, language and religion". This is in keeping with the CRC, which, in Article 29(1)(c) dictates that a child's education shall develop "his or her own cultural identity, language, and values".

Even in the context of internal displacement, these provisions allow for the development of the child's individual heritage.[12] The Fourth Geneva Convention, which applies to conduct during international armed conflict, meanwhile requires that education "shall, as far as possible, be entrusted to persons of a similar cultural tradition."[13]

The best interests of the child

Education policies should take into account the best interests of the child. As displacement can last for decades,[14] education should help children adapt to their current situation as well as prepare them for the different settlement options which may enable a durable solution to their displacement; these include not only return to their original home but also integration in the place they have been displaced to, and resettlement elsewhere.[15]

Education must be relevant and evolve with the child's context. As stressed by the Committee on the Rights of the Child, the "curriculum must be of direct relevance to the child's social, cultural, environmental and economic context and to his or her present and future needs and take full account of the child's evolving capacities; teaching methods should be tailored to the different needs of different children."[16]

Educational programmes should be developed so that internally displaced children can remain in or re-enter mainstream education as appropriate.[17] Integrated education may serve the best interests of internally displaced children by supporting their reintegration into wider society, supporting durable solutions to displacement, and ensuring they receive quality education relevant to their situation.

Policy considerations for segregated education

Policy makers agree that the best outcome for internally displaced children is their integration into local educational facilities as they arrive in a place of refuge.[18] However, where this is not possible due to the size of the displaced population, or for other reasons such as the remote location of IDPs, separate educational systems may be necessary. In these instances, internally displaced children should be provided with dedicated educational facilities without delay. However, the justifications for such measures weaken as displacement continues.

The quality of education for displaced children must be the same as that for local students of the same level. Inadequate standards of education should be rectified.[19]

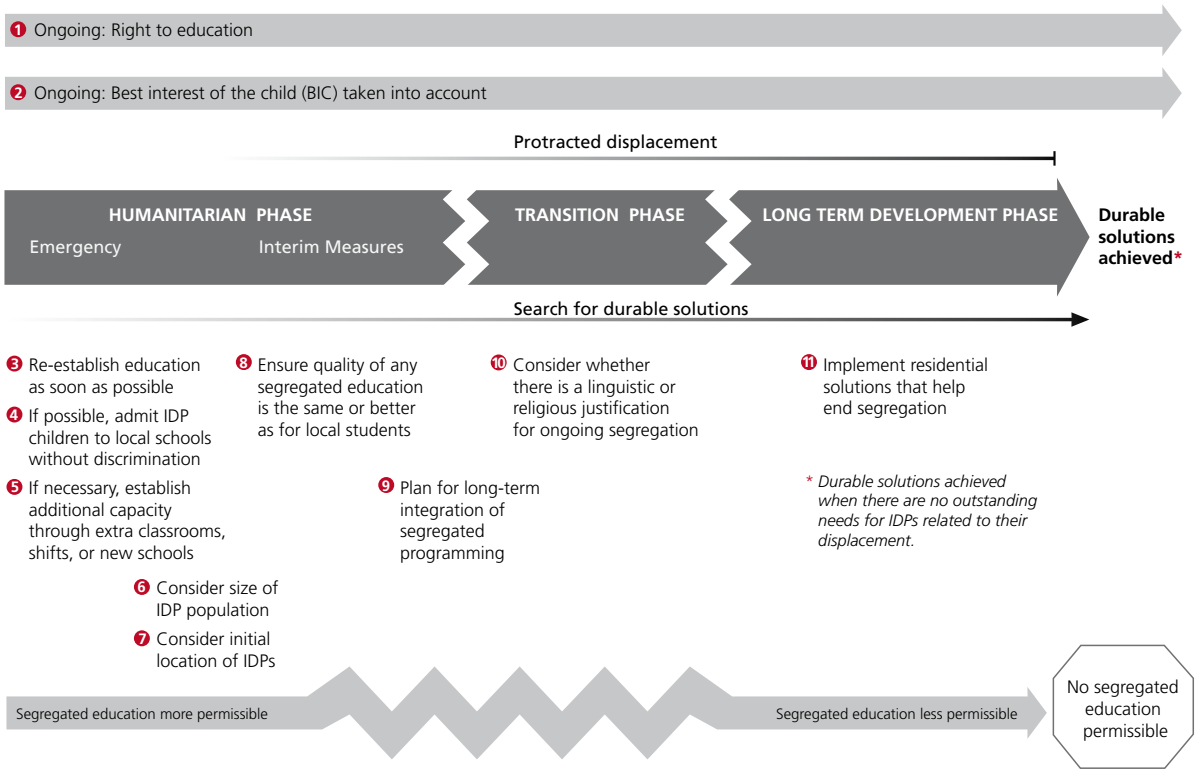
Size of internally displaced population

Whether internally displaced children should be enrolled in local or separated educational facilities depends in part on their number.[20] Where the number of internally displaced children is small, they should be admitted to local schools without discrimination. To achieve this, schools may have to offer "bridging courses" for internally displaced children with a different educational background.

Whenever possible, internally displaced children should be enrolled in local educational facilities in the communities where they are displaced. However, sudden arrivals of large numbers of internally displaced children, with particular psychosocial needs and vulnerabilities, may strain the local school system to the extent that new capacity is needed. To enrol them may necessitate the expansion of existing schools or the provision of additional support to them.

In situations where the number of internally displaced students exceeds the capacity of local schools to expand and integrate them, separate education programmes may be necessary. These programmes should initiate immediate support for community-based schooling and aim to quickly ensure equivalent quality to mainstream schools, including

Graph 1 Timeline: Moving toward integrated education



Displaced children in the Kabo IDP site, Central African Republic, sit in the only temporary classroom still standing after heavy rains *(Photo: IDMC/Laura Perez, July 2008).*

though processes of certification. Teachers should be recruited through proper selection procedures from the displaced community, and should be properly rewarded.[21]

Location of internally displaced population

The location of the internally displaced population influences the decision on whether or not to establish separate schooling. Where it is located far from non-displaced communities, this may be necessary. Similarly, security may be a factor. Internally displaced children may not be able to walk or take public transport to a local school without risk of attack or other threats along the way.[22] Yet in these instances, separate schooling is only appropriate in the short term; as displacement persists, governments must plan to integrate schools, for example through resolving residential isolation or improving security.

But where longer-term segregation results from the geographical distance between IDP settlements and non-segregated schools, the extent of the resulting discrimination depends on the displaced population's willingness to remain in that area and their capacity to move. Thus the European Commission has stated that where a displaced population wishes to move so that their children may attend integrated schools, but cannot due to their poverty or other restrictions, the state has effectively maintained discriminatory segregation.[23]

Separate schooling for internally displaced children may persist where there is residential segregation. Such segregation may also limit, for example, people's access to livelihoods and health care. Governments should consider these impacts before establishing isolated settlements, and use them if necessary only on a temporary basis, and with a clear plan to phase them out.

Linguistic or religious differences between IDPs and host communities

The Committee on Economic, Social and Cultural Rights has highlighted the importance of linguistically and culturally appropriate education.[24] Respect for cultural identity and language is especially relevant to displaced children from minority backgrounds, who may find themselves in areas dominated by different ethnic groups.[25] The Convention on the Rights of the Child (CRC) also emphasises that a child's education shall be directed to the development of "his or her own cultural identity, language and values."[26]

As such segregated educational systems for internally displaced children may not constitute a violation of non-discrimination where:

- Such schools provide appropriate education for internally displaced children whose language or religion differs from the host community;
- The education offered is in keeping with the wishes of the pupils' parents or legal guardians;
- Participation or attendance at such institutions is optional; and
- The education provided conforms to such standards as may be laid down or approved by the competent authorities, in particular for education of the same level.[27]

Entirely separate schooling or "bridging courses" within integrated schools may be appropriate where internally displaced children speak another national language, or a language which is not considered official in the coun-

Formerly internally displaced children who have returned to the school in their village of origin, Gulu district, Uganda *(Photo: IDMC/Alice Farmer, January 2011).*

try. IDPs may take refuge within safe reach of existing facilities but may not understand the local language of instruction. Where there is an immediate prospect that IDPs may be able to return, separate educational facilities may be appropriate to focus on language maintenance and skills for reintegration.[28]

Education in a child's mother tongue may be particularly appropriate at the early primary level, when children are adapting to school for the first time.

Parental choice

While some sources regard parental choice as a necessary condition for separate education to be considered non-discriminatory, recent rulings have underlined that segregated education to which parents consent may still be discriminatory.

The UNESCO Convention Against Discrimination in Education allows separate education for linguistic or religious reasons, in part, where "the education offered by such systems or institutions is in keeping with the wishes of the pupil's parents or legal guardians".[29] Similarly, the Committee on Economic, Social and Cultural Rights has noted that the form and substance of education must be acceptable (both relevant and culturally appropriate) to children and parents.[30] Thus where available, parents of internally displaced children should be permitted to choose between segregated and non-segregated education.

However, the European Court of Human Rights, in its landmark decision on the segregation of Roma children, held that: "[…] no waiver of the right not to be subjected to racial discrimination can be accepted, as this would be counter to an important public interest." In considering whether a individual can consent to racial discrimination, the court also noted that parents, who as members of a disadvantaged group, were often poorly educated, and not fully informed of the consequences of their decisions, faced a dilemma in choosing between schools where their children risked "isolation and ostracism" and "special schools where the majority of the pupils were Roma".[31]

Georgia: Moving towards integrated education

Over the past 20 years, conflicts between Georgia and the breakaway regions of Abkhazia and South Ossetia has caused two massive internal displacements, including of an estimated 100,000 children.[32] While the Georgian government has endeavoured to provide displaced children with the schooling they are guaranteed under national and international law, some have been, or still are, educated in separate schools.

The government's approach to separate schools has varied according to the place of origin of the displaced children, and it has also evolved gradually to favour integrated schooling. Examining the development of these policies presents an opportunity to explore the challenges to providing quality, non-segregated education for internally displaced children.

1990s: The beginnings of displacement

In the early 1990s, conflicts between Georgia and the breakaway republic of Abkhazia and the district of South Ossetia displaced some 300,000 people from the western and northern regions of Georgia.[33] With neither of the conflicts resolved, both Abkhazia and South Ossetia have since functioned as *de facto* autonomous states outside Georgia's control.[34]

Insecurity due to the conflicts, targeted ethnic violence, and the destruction and confiscation of property caused the displacement of populations from Abkhazia and South Ossetia into Georgia proper, and in the opposite directions. In Abkhazia, the vast majority of ethnic Georgians fled to Georgia proper, while an unknown number of Abkhaz were displaced within Abkhazia.[35] Ethnic Georgians fled from South Ossetia, while Ossetians were displaced within South Ossetia and several thousand more fled from Georgia proper.[36]

The majority of IDPs were accommodated in areas adjacent to the conflict zones or in the main cities of Tbilisi, Kutaisi and Zugdidi. The government housed IDPs in collective centres in government buildings, schools, hotels and hospitals; frequently these centres were isolated from local communities and in very poor condition.[37] As of 2011, some 235,000 people remain displaced from the 1990s conflicts.[38] This figure includes children born in displacement with at least one internally displaced parent, who under Georgian law may also register and receive benefits as IDPs.[39]

1995 - 2005: A decade of "temporary" Abkhaz schools for IDPs

Overall, the majority of children internally displaced in the 1990s, including those from Abkhazia and South Ossetia, attended local community schools.

Given the smaller size of the displaced population from South Ossetia, the government did not set up either a parallel education ministry[40] or separate schools for these displaced children, who instead integrated into local schools near their places of accommodation in Georgia.

In contrast, for children displaced from Abkhazia between 1995 and 2005, the Georgian government established the Ministry of Education and Culture of the Autonomous Republic of Abkhazia (the "parallel ministry") and some 45 public "Abkhaz schools" providing both primary and secondary education.[41] These schools maintained a focus on return: both students (through study of Abkhazia) and school operations (directed by the parallel ministry) were kept separate to prepare for IDPs' eventual return. Creating a separate educational structure was a practical response to the mass influx of students but was also seen as desirable in that it would reinforce IDPs' identity, help them retain links to their places of origin, and employ displaced teachers and administrators.

In addition, internally displaced children at Abkhaz schools did not pay school fees,[42] while – contrary to Georgian law which guaranteed nine years of free education – IDP and non-IDP students enrolled in local schools were often asked to pay unofficial fees in addition to purchasing their books and supplies.[43] Georgian law also guaranteed internally displaced students free secondary education.[44]

Initially intended to provide education only until return became feasible, these schools were located within collective centres and in nearby vacant public buildings, which were not designed for use as schools and often in poor condition. Some Abkhaz schools also operated in local school buildings, but with internally displaced children taught in separate shifts, apart from non-displaced children.

While in principle internally displaced children could attend any school, families in residentially segregated areas without the means to send their children to distant mainstream schools had little choice but to enrol their children in Abkhaz schools near their places of accommodation.

Instruction in Abkhaz schools followed the same curriculum as mainstream schools, but their administrative control differed. Local schools operated under the centralised planning authority of the Georgian Ministry of Education and Science (MoES) and received funding through local government budgets. While Abkhaz schools also reported to the MoES, their daily operations were subject to the authority of the parallel ministry, which controlled funding and provided pedagogical support.

Education reform: Moving toward integration

The government started reforming the registration, administration and funding of public schools in 2005.[45] Schools became financially autonomous and boards of trustees were established to manage their operations and budgets. They have since been funded by the MoES on a basis of the number of pupils, and have had to pass quality control requirements in order to register. Families, including internally displaced families, became able to select the school they wished their children to attend; non-displaced children could also attend Abkhaz schools. The reforms also included the creation of regional resource centres in place of the former regional divisions of the MoES, to support the training and capacity needs of local schools. However, insufficient funding and the MoES's re-assertion of central control through its appointment of school trustees have reportedly undermined these reforms.[46]

Georgia also adopted the State Strategy on IDPs in 2007. The Strategy demonstrated the government's increased willingness to invest in improving IDPs' current situations rather than waiting for their eventual return.[47] It expressed the aim to close segregated schools located at collective centres and instead integrate displaced children into the mainstream educational system.[48] The Strategy envisaged that the closure of Abkhaz schools would follow the resettlement of IDPs from collective centres; it aimed to support IDPs' integration in their current place of residence.

Although Abkhaz schools were subject to these reforms, they remained distinct from mainstream schools. By August 2008, some 20 Abkhaz schools in Georgia had shut down, and by 2010, only 14 remained.[49] In 2011, the figure stands at 13 schools with some 2,300 students attending, including 800 non-displaced children.[50] Schools that did not meet registration standards closed, including most of the second shift schools and schools with very small student numbers. The closure of collective centres also made some Abkhaz schools redundant.

The remaining Abkhaz schools, like local schools, have established boards of trustees and receive funding from the Georgian MoES under the per pupil system. However, they have continued to receive pedagogical and logistical support from a single resource centre controlled by the parallel ministry, rather than from the regional resource centres run by the MoES.[51] Through this resource centre the ministry acts as a gatekeeper between the Abkhaz schools and the MoES, filtering information and instructions between them.

Meanwhile, the parallel ministry also runs two resource centres serving schools for ethnic Georgian students in the Upper Abkhazia and Gali regions of Abkhazia.[52]

Internally displaced students in an "Abkhaz school" in Georgia (*Photo: NRC Georgia, 2010*).

2008 displacement: Integration thwarted by residential segregation

In August 2008, new conflict broke out between Georgia and South Ossetia, which spread to Abkhazia. Georgia lost territories it had previously controlled within both regions. More than 138,000 people were displaced to Georgia proper and within its limits.[53] Within a few months the majority of IDPs returned to their home areas, but an estimated 22,000 people, most of them from South Ossetia, remain displaced in 2011[54], including approximately 12,000 children.[55] Most of these "new" IDPs live in 38 purpose-built or refurbished settlements, and the rest in temporary shelters including collective centres and private housing.[56]

In response to the 2008 displacement, the government ensured the rapid provision of education for newly displaced children without establishing a separate school system as it had for children displaced from Abkhazia in the 1990s.[57] For instance, it refurbished a disused military base for use as a school in Phrezeti within two weeks of the first IDPs arriving at the settlement constructed there.[58]

Most children displaced in 2008 now attend existing or newly-established public schools under the authority of the MoES, while a minority attend Abkhaz schools which are connected to collective centres where recent IDPs have also been accommodated.[59]

However, the settlements for new IDPs were frequently built far from other communities or in sparsely populated areas. Given their isolation, many schools established at these settlements are attended and staffed almost exclusively by internally displaced students and teachers. Having been recently constructed or refurbished, these schools enjoy better infrastructure than the Abkhaz schools established for the first wave of displaced children. However, students have reported that some of the new schools lack recreational facilities and are poorly equipped with learning materials.[60]

Toward mainstream schooling for IDPs: Integration, quality and non-discrimination

While some IDPs have returned to the Gali region of Abkhazia, the vast majority of IDPs from Abkhazia and South Ossetia remain in protracted displacement. They have no immediate prospect of return; however, through the 2007 State Strategy on IDPs and an action plan adopted in 2009, the government has assumed responsibility for improving their living conditions, including by helping them integrate locally. Among the activities intended to support their social integration, the action plan calls for IDPs to be "fully mainstreamed into the state wide educational programs" and for a steering committee to be set up to identify barriers to this and to advocate for the inclusion of displaced children in state education programmes.[61]

Most children from internally displaced families now attend local schools in Georgia's mainstream education system, but 13 Abkhaz public schools remain open. As envisaged in the State Strategy, the fate of these schools appears to depend largely upon the status of collective centres. For instance, when in 2010 the Abkhaz school closed at Tsneti after the IDP settlement was slated for privatisation, 300 internally displaced children were integrated into another school some distance away.[62] This school had to introduce a second shift to accommodate them. The continued privatisations and evictions of residents[63] from collective centres may lead to the closure of other Abkhaz schools.

Although the infrastructure of Abkhaz schools is generally poor and the government has only made limited investment in them due to the uncertainty over their continued operation, the quality of education which they offer does not substantially differ from that in mainstream schools. Tests against international standards found "no sizeable difference" between the academic achievement of students in Abkhaz schools and local schools.[64] However, a smaller percentage of students from Abkhaz schools enter higher education and fewer receive merit-based grants. This discrepancy may result from inadequate facilities, but also from displaced families' generally poor housing conditions and limited financial resources to purchase textbooks or pay for private tutoring for university entrance exams.[65]

Discrimination in local schools remains a problem for some displaced children. A 2010 study sponsored by the Norwegian Refugee Council (NRC) found that children displaced as a result of the 2008 conflict, and now attending a newly-built school located within the Tserovani IDP settlement, preferred to study with a majority-displaced student population as they had suffered persistent discrimination while previously enrolled in local schools with non-displaced students. Psychological trauma was also identified as a particular concern for recently-displaced children.[66] While internally displaced children attending Abkhaz schools also reported incidents of discrimination and some had transferred from local schools for this reason, discrimination appeared less frequent than among new IDPs and had reportedly decreased over time.[67] Numerous evaluations have linked this discrimination to differences in their socio-economic standing and to their rural origin rather than their IDP status.[68]

The NRC study also found that IDPs experienced positive discrimination in some local schools[69], while other investi-

gations have found that internally displaced children had attended local schools without suffering discrimination.[70] In Abkhaz schools and in a local school composed almost entirely of recently displaced children, the majority of children interviewed for the NRC study were happy in the school they attended and wished to remain there.[71] Both students and parents have reported that children are well integrated, with many non-displaced friends and that attending a separate school did not harm their integration.[72]

Learning from Georgia's approach to IDP education

While the provision of segregated education may be an appropriate initial response to mass displacement or to the particular needs or situation of displaced children, national authorities must develop and implement strategies to move away from segregated education when the emergency diminishes and the duration of displacement becomes protracted. For Georgian policy makers this moment has already passed, but as the government seeks to provide housing solutions for those displaced in the 1990s as well as more recent IDPs, it should take further steps to integrate internally displaced children into mainstream education.

Although Georgia's State Strategy entails the closure of the Abkhaz schools, this might not be necessary to achieve integration and could impede the access to education of children in isolated areas. Where IDPs and non-IDPs live close to each other, integration can take place by attracting non-displaced students to attend Abkhaz schools. The rehabilitation of the physical infrastructure already underway in three Abkhaz schools can help to achieve this. Already two Abkhaz schools enrol more non-IDPs than internally displaced students: the schools in Chkhorotsku and Poti enrol three to four times more non-displaced than displaced students.[73] But where Abkhaz schools shut down because collective centres privatise or close, the government must ensure that children can safely access quality education within reach of their homes; the establishment of second shifts at distant mainstream schools is not an appropriate alternative.

The government's provision of new and refurbished schools for recently-displaced children within the mainstream education system demonstrates a marked improvement in the educational support provided to IDPs compared to the 1990s. But while officially these are local schools, establishing them in isolated IDP settlements has simply replicated residential segregation in the schools, and resulted in effective segregation.

Committing to integrate internally displaced children from Abkhaz schools and educating recently-displaced children within mainstream local schools are important steps toward non-segregated education. But if residential segregation remains unaddressed, the *de facto* separation of internally displaced students will continue and their integration into the mainstream of society will take place only in name.

Good practices for integrating IDP education

Throughout displacement

- The right to education may not be suspended at any point during displacement; governments (with the support of other actors) must re-establish education as soon as possible after the start of the crisis. Internally displaced children must have access to meaningful education throughout their displacement.
- Internally displaced children must not be discriminated against in accessing education. In line with the Guiding Principles, governments must take measures to avoid situations of discrimination, including by waiving registration requirements and fees or other school-associated costs, by providing appropriate transport, and by preventing violence against internally displaced students and their families in local schools and in host communities.[74]
- Parents and community members should have an active role in their children's schools, including by cooperating with school officials to plan and organise educational services from the initial stages of displacement and on an ongoing basis. National monitoring and assessment mechanisms should ensure that children, parents and teachers can contribute to decisions relevant to education.

During the humanitarian phase: emergency measures

- The right to education may not be suspended during the emergency phase of displacement. Internally displaced children must have their access to education restored as soon as possible, and that education must be of a comparable quality to that available to local populations.
- Integrated schools should always be the first option for educating internally displaced children. The ideal practice is for internally displaced children to be admitted to local schools without discrimination as soon as possible after their displacement.
- Segregated education may be permissible in early phases of displacement if, for example, the size of the internally displaced population would overwhelm the capacity of local schools, or if the displaced population is not within safe reach of existing facilities.
- Where segregation is necessary, access to education may be ensured by establishing additional shifts at existing schools or building emergency school facilities as soon as possible. Internally displaced teachers may provide the extra capacity, while ensuring continuity of education and livelihoods.
- Whether internally displaced children attend segregated or integrated local schools, governments should provide them with appropriate psychosocial care to address their experiences of displacement, and relevant instruction including "bridging classes".

During the humanitarian phase: interim measures

- Segregated education may still be permissible where the size of the internally displaced population may overwhelm local capacity, or where the displaced population is not within safe reach of existing facilities.
- Where segregated education occurs in early phases of displacement, it should be viewed as an interim measure, with integrated schooling as the ultimate goal.
- Where governments establish temporary segregated education systems, the quality of education must be equivalent to that in local schools. To avoid the perception of preferential treatment, local students should also benefit from any improvements in access and quality that arise from the provision of separate education for internally displaced children.
- Whether internally displaced children attend segregated or integrated local schools, governments should provide them with psychosocial care and other special instruction, including catch-up classes, to address their experiences of displacement and their differing educational needs.
- Segregated education may continue to be permissible where such schools provide appropriate education for internally displaced children whose language or religion differs from the host community, especially when return remains a realistic possibility.

During the search for durable solutions or during protracted displacement

- Segregated education arrangements must be phased out as displacement continues, and particularly in situations of protracted displacement.
- Planning for durable solutions must take into account residential segregation patterns and policies which prevent IDPs from moving to integrated areas.
- Where residential segregation is necessary, governments should ensure that internally displaced children can integrate in local schools, for example by providing

transport or special protection measures to ensure the safety of students travelling to and from school.

- Governments should consider whether proposed settlements will result in de facto school segregation. Whenever possible, settlements should be located close to established local populations to prevent isolation and facilitate integration. Both educational and residential segregation should be avoided as potential barriers to durable solutions.
- The legitimate interest of parents in avoiding discrimination and hostility cannot justify governments' continued segregation of education. Governments should phase out segregated schools in a timely fashion when the permissible objectives of temporary segregated education (for instance, ensuring access to school for large numbers of recently displaced children) have been met.

Notes

1 Inter-Agency Network for Education in Emergencies, *Minimum Standards for Education: Preparedness, Response, Recovery*, 2nd edition, p. 7.
2 Committee on the Rights of the Child, Day of General Discussion on "The Right of the Child to Education in Emergency Situations" (19 September 2008), Recommendations, para.14.
3 IDMC, *Learning in displacement: Briefing paper on the right to education of internally displaced people* (November 2010), p. 6
4 Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 13 *The right to education* (1999), para. 57.
5 UNESCO, *World Declaration on Education for All* (1990) art. 3(4).
6 UNESCO Convention Against Discrimination in Education (1960), art. 1(c).
7 Convention on the Elimination of All Forms of Racial Discrimination, art. 3.
8 Special Rapporteur on the right to education, *The right to education of migrants, refugees and asylum-seekers* (16 April 2010), para. 38.
9 European Court of Human Rights *D.H. and Others v. the Czech Republic* [GC], no. 57325/00, ECHR 2007-IV (13 November 2007).
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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 Inter-Agency Standing Committee, 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

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