

**Committee: Human Rights Council**

**Issue: Enabling access to education for refugee children**

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## **INTRODUCTION**

Of the 22.6 million refugees in the world today, half are recorded to be younger than 18 years of age. It is known that the universal declaration of human rights sees no distinction based on race, religion, ethnicity or sex. However, one must wonder the extent to which such vulnerable refugees are ensured their fundamental human rights, one of them being the right to education.

Apart from the countless efforts made to enable access to education, there are still thousands of children fighting to survive and are unaware that they also have the right to education. Stigmatized by their status, refugee children can be left vulnerable and disoriented as they embark on their journey through life. Education can empower them to set their own goals and strive to achieve them.

## **DEFINITION OF KEY TERMS**

### **Education**

According to Oxford Dictionary, education is the process of receiving or giving systematic instruction, especially in a school or university. Education is also a fundamental human right as outlined by Article 26 of the Universal Declaration of Human Rights. This article states that everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages.

When considering education as a fundamental human right, it is important to understand the different levels of education, namely primary, secondary and tertiary. Primary education is considered to provide “the rudiments of knowledge or early/elementary schooling.”<sup>1</sup> Secondary education usually follows primary education and is necessary for

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<sup>1</sup> “The Right to Education”, UNESCO <<http://www.unesco.org/new/en/right2education/>>

tertiary education. Tertiary education is defined as education “for people above school age, including college, university and vocational courses.”<sup>2</sup>

### **Human Rights**

According to the Human Rights Office of the High Commissioner, human rights are rights inherent to all human beings, regardless of nationality, residence, sex, national or ethnic origin, color, religion, language, or any other status. Additionally, the same source explains that “universal human rights are often expressed/guaranteed by law, in the forms of treaties or customary international law.”

### **Refugee**

According to the 1951 Convention Relating to the Status of Refugees, a refugee is a person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of particular social/political group, has left their country of origin and is unable/unwilling to avail themselves of the protection of that country.

### **Asylum Seeker**

According to Amnesty International, an asylum seeker is a person who has left their own country in search of international protection but is yet to be recognized as a refugee. Bearing this definition in mind, Article 14 of the Universal Declaration of Human Rights also states that everyone has the right to seek and to enjoy asylum.

### **Migrant**

According to the Special Rapporteur of the Commission on Human Rights, migrants are those who are outside the territory of the State in which they are citizens, are no longer subject to legal protection, and are in the territory of another state. They also do not enjoy the general legal recognition of rights which is inherent in the granting by the host country of the status of refugee.

### **Gross Enrollment Ratio (GER)**

The Gross Enrollment Ratio (GER) “measures the share of children enrolled in a specific level of education regardless of age, and is expressed as a percentage of the population in the official age group for that level of education.” (*Peterson*)

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<sup>2</sup> “Tertiary Education”, Oxford Dictionaries  
<<http://www.oxforddictionaries.com/definition/english/tertiary-education?q=tertiary+education>>

## BACKGROUND INFORMATION

When considering the access to education for refugee children it is important to consider all aspects of the issue. Though there have been efforts made to enable access there are still many barriers that children face in fields such as social, economic, geographic and administrative.

### Understanding the Current Refugee Crisis

Even though there have been many refugee crises throughout history, the current one involves mainly the instability in the Middle East, Asia and Latin America. Recently, the Syrian Crisis (2011-today) has forced approximately 4.1 million refugees to settle in countries such as Turkey, Lebanon, and Jordan, whilst many countries of intended settlement are in the European Union. This has led to multiple political contradictions within the European Union, particularly on the basis of the inconsistent refugee policies.

In addition to the Syrian Crisis, other conflicts in Asia have contributed to causing the massive influx of refugees around the world. For example, the 2015 issue in Burma caused the displacement of approximately 819,000 persons, many of which became refugees. The U.S. invasion of Iraq also displaced 1.9 million citizens between 2003 and 2015, leading many to seek asylum in neighboring countries. Displacement is also common in other regions of the world particularly in Africa and Latin America. For example, the South Sudanese War, which broke out in 2013, has displaced approximately 2.2 million civilians. Similarly, the conflict in Colombia has resulted in over 5 million displaced persons. This conflict however has recently come to an end due to a peace accord between the government and rebel forces.

Taking into consideration each crisis separately, many of the neighboring countries which provide primary settlement for said refugees are Less Economically Developed Countries (LEDCs) rather than More Economically Developed Countries (MEDCs). Consequently, LEDCs that do not have proper infrastructure to document refugees and provide asylum cannot ensure that human rights (i.e. education) are not violated.

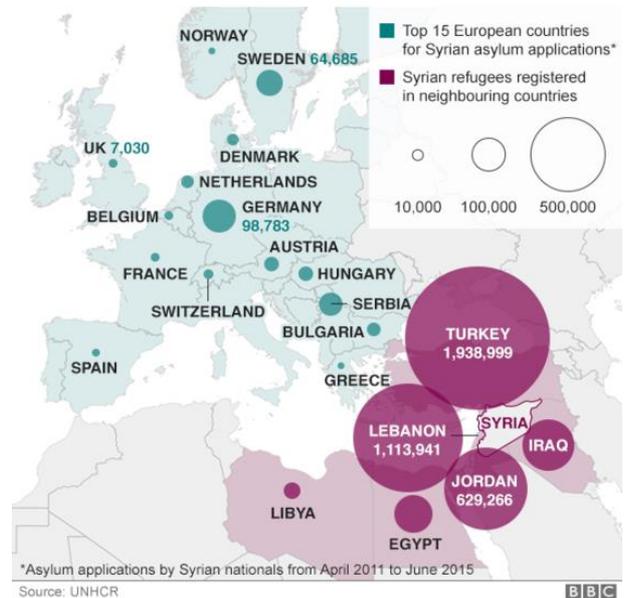


Figure 1: Syrians in neighboring countries and Europe

## Differing Policies: Integration vs. Separation

For a refugee child seeking education, differing policies between countries of primary settlement and countries of intended settlement can act as a barrier. Although policies on this issue are designed for the circumstances of each state, the inconsistency of such policies between states can induce a similar effect on the education of a refugee child.



**Figure 2: Refugee children in a separated school funded by the UNHCR**

For instance, common differences in such policies are on the basis of integration rather than separation. Integration is a proposed UNHCR policy which many nations have adopted and suggests that refugee children are integrated in the national school system in order to readily ensure that they receive access to education. On the other hand, separation is a policy that suggests the creation of separate schools in refugee camps designed specifically to cater for the needs of refugee children. Such schools teach in the native language of the child and aim to ensure an easier transition for the student. However, considering the inconsistent settlements of refugees, a child can move to a country with a different policy which can disrupt their access to education (e.g. moving from a Turkish refugee camp's school to a Central European integrated school). This can hinder the child's access to education particularly since it is common for integrated schools to not accept a child refugee due minimal knowledge of the national language.

As such, the UNHCR has outlined certain issues of utmost significance with the issue of contradicting educational policies. For instance, the number of volunteers capable of teaching in separated schools may be limited, leading to a lack of teaching personnel. This is particularly true as many available volunteers are not fluent in the particular language and hence cannot accept such responsibility. Additionally, the training for specialized volunteer/teacher is not only costly but time consuming.

Furthermore, access to education can differ amongst countries due to the status of ratification of important conventions/resolutions. For example, the UNHCR noted that many nations which have not signed/ratified the 1951 Convention on the Rights of the Refugee do not acknowledge certain rights of refugees, including their access to education.

### The Importance of Refugee Status in Accessing Education

One of the first difficulties that any refugee faces is achieving refugee status in their country of (primary) settlement. As mentioned, in many of the modern refugee crises, neighboring countries do not have adequate resources to document/register such an influx of movement along the borders, allowing for the undocumented/unregistered movement of individuals. This lack of registration has proven to be detrimental, particularly in this issue.

This is primarily because, whereas registered refugees are entitled to receive support from resettlement agencies, undocumented refugees are left to fend for themselves unless they receive support from an NGO. Therefore, children who have not yet received refugee status from their host country are not guaranteed access to education from resettlement agencies or from



**Figure 3: Refugee children going through the registration process**

previous agreements in conventions (given they are ratified). A survey conducted by Klugman and Pereira in 2009 shows the importance of documentation through an investigation of 14 developed and 14 developing countries. Their survey showed that 40% of the MEDCs and 50% of the LEDCs did not allow children with irregular status access to education. This goes to show that some host countries make clear distinctions in the definitions of terms like migrant/immigrant/refugee in order to relieve themselves of the responsibility of ensuring access to education for refugee children.

Additionally, achieving refugee status can become a barrier in accessing education for children with an irregular status, due to a fear of deportation. This is because in the case that children with irregular status seek formal schooling, legal issues can result in their deportation depending on the host countries' law. This particular barrier has other consequences involving statistical investigations. In the 2012-2016 Refugee Plan of the UNHCR it was stated that in order to ensure access to education for refugee children, there should be an increase in the statistics collected.

### Barriers of Access to Education: Economic

As previously discussed, many of the countries of primary settlement are LEDCs, and face such economic restrictions which can lead to inadequate infrastructure, including the

availability of schools. An example of this is the case of Syrian refugee children in Lebanon. A report by the Human Rights Watch has shown that the housing of Syrian Refugees has a cost of \$13.1 billion, which has strained the government's economic ability to make education accessible. Taking into consideration the fact that Lebanon has adopted an integration policy, whilst only 30% of Lebanese students are enrolled in public schools, Lebanon is now facing a financial and social strain.

Even though the situation involving Syrian refugees in Lebanon is very specific, such phenomena and strains are present in many other host countries. The combination of economic strain and increased presence of refugee students in public schools can lead to both inadequate access as well as potential discrimination towards the refugee students. This does not mean to say that no LEDCs or MEDCs should host refugees; yet, the nation's economic capacity should always be taken into consideration before their approval of housing more refugees.

### **Barriers of Access to Education: Geographic**

Geographic barriers that can prevent access to education for refugee children include the availability of schools from area to area as well as the lack of transportation. Primarily, the availability of education in every area is very important, seeing how many refugees are forced to migrate depending on uncontrollable factors.<sup>3</sup> This movement can be national or international; and it is common for refugee children to be moved from one area that provides education to one that does not. In several occasions, depending on the geographic characteristics of a nation, transportation to/from schools may not be available leaving the refugees unable to access education.

### **Barriers of Access to Education: Cultural & Social**

The Human Rights Watch (HRW) and the UNHCR have released statistics and observations on the potential cultural/social barriers that refugee children face with regards to accessing education. A prominent example found in the EU, following the new relocation suggestion of the commission, is a wave of racial discrimination stemming from hatred towards migrants and refugees. Racial discrimination towards refugees can be caused from stereotypes as well as a lack of social identity. This wave of racial discrimination is present in many countries around the world and can have negative consequences for the refugee children particularly as they avoid education due to a fear of racism.

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<sup>3</sup> Some factors include forced relocation by the government, or voluntary migration to areas where work for the family is easier to find.

Additionally, barriers involving the culture of the refugee families can prevent the children's access to education. Some common cultural barriers include:

- Child labor
- Early marriage
- Lack of value towards education (i.e. agricultural knowledge valued more)
- Gender discrimination (i.e. males forced to work and provide for the family, females forced to stay at home)

### **Barriers of Access to Education: Administrative**

Administrative barriers involve a combination of managerial and governmental issues that may prevent access to education also related to governmental policies. These administrative issues mainly involve space shortages and school fees. Space shortages can be found in integrated and separated refugee education. In integrated refugee education, school shortages are present in the case that public schools do not have the capacity to educate more students (e.g. the situation in Lebanon). Such issues are commonly solved by creating afternoon classes in addition to the standard morning lessons. On the other hand, space shortages in specialized refugee schools can come as a result of a refugee camp overflow and is usually solved through the creation of more refugee camps.

School fees are also an administrative barrier present mostly in integrated schools. Although laws vary, some public schools require a fee for enrollment which many refugees are unable to afford.

### **Accessibility: Refugee Children in Urban Areas**

Statistics released by the UNHCR indicate that about half of the 22.9 million refugees live in urban areas rather than in refugee camps. Moreover, statistics from 2008 showed that primary school enrollment for refugees was greater in urban areas (32%) in comparison to refugee camps (29%). The same report also showed that secondary education is more accessible in urban areas than in refugee camps. This information shows that refugees living in urban areas are more likely to have access to education. Such statistics also complement the policies adopted that support integrated rather than separated schooling.

### **Accessibility: Primary vs. Secondary/ Tertiary Education**

When enabling access to education for refugee children, all three levels of education should be considered. Even though numerous efforts have been made for all levels of education to be accessible, an official report by the UNHCR has shown that whereas 50% of

refugee children are enrolled in primary school, only 25% have access to secondary school and 1% have access to tertiary education. These decreasing percentages show that although efforts need to be continued, importance should be placed in enabling access to secondary and tertiary education as well as primary. This becomes particularly true, where tertiary education is favorable in the job market.

Additionally, the availability and access to secondary and tertiary education is important to avoid disrupted education. For example, in 2013 93% of males and 91% of females in Syria were enrolled in secondary education.

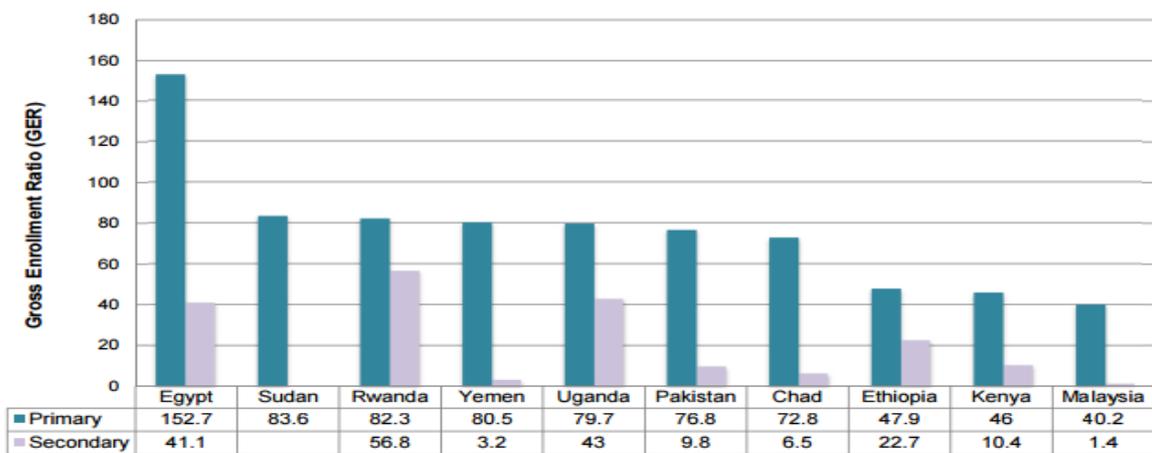


Figure 4: Primary and Secondary GER for refugee children in selected asylum countries

### The Importance of Educating Refugee Children

Endless research has been conducted showing that education is crucial to every child’s development and preparation for adulthood. Education helps cultivate children and enables them to become successful and insightful citizens of the world. For refugee children, education can be the key to recovery and integration into a new society. Educated refugee children can strive to become independent and determine their own path in life, not being stigmatized by their refugee status.

It is important to note that education for refugee children also aids the fight against taboos. In many occasions, younger uneducated children may succumb to radicalization. Yet, educated refugee children are considered to be more self-aware and less likely to resort to radicalism or be swayed by demagogues. Thus, the education of refugee children is in effect a fight against indoctrination. Of equal importance is the fact that education helps refugees become more willing to fight for equality, as well as more willing to participate and contribute to the progress of society. Lastly, it enables mutual integration and respect on both sides.

## MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

### European Union (EU)

Today, the EU faces a great influx of refugees from crisis and instability in the Middle East. Through bordering countries like Greece, Turkey and Italy, refugees are able to enter Europe (both legally and illegally) in hopes of receiving asylum. As the EU is comprised of multiple member states which have different policies regarding this issue they will be divided by receiving, preventative and countries of intended settlement.

Receiving/bordering countries are perceived as the gateway for refugees in Europe. The stay of the refugees is mainly temporary, so these countries can also be considered as countries of primary settlement. Such countries include Spain, Italy, Greece and Cyprus. Currently many of these countries are overwhelmed by the influx of refugees and do not have the adequate infrastructure to document and enable access to education for refugee children. The Common European Asylum System (CEAS) has also stated that the lack of registration of refugees has hindered the refugees' ability to enjoy their fundamental human rights.



**Figure 5: Map showing the movement of refugees in the EU**



**Figure 6: Border fencing put up by Hungary to prevent refugees entering the country**

As many documented/undocumented refugees continue their journey to other European countries they pass through other European countries many times unexpectedly. The lack of documentation of such refugees has led to many countries such as Hungary, Austria, and Bulgaria to take cautionary measures in order to prevent undocumented refugees and migrants. Such measures are in the form of border fencing and control.

The third category of European states are countries of intended settlement. Such countries include Germany, France, Sweden, Poland, Belgium, the UK and many others. These countries are mostly developed and are sought after refugees due to their organization/favorable infrastructure. Most of these countries have favorable policies for refugees, and aim to ensure their human rights. However, previous policies made it extremely difficult for refugees to be granted asylum.

## Syria

Since the Arab Spring in 2011 Syria has faced great political instability which has resulted in a civil war. This war has killed millions of citizens and displaced 4.7 million of them. The magnitude of the war has made the majority of Syria unsafe for many refugees particularly due to guerilla fighting and bombing attacks. Many of these refugee children with their families are forced to flee to neighboring countries including Turkey, Lebanon, Iraq, Jordan and Egypt. According to statistics released by the UNHCR, Syria is currently the second largest origin of refugees.

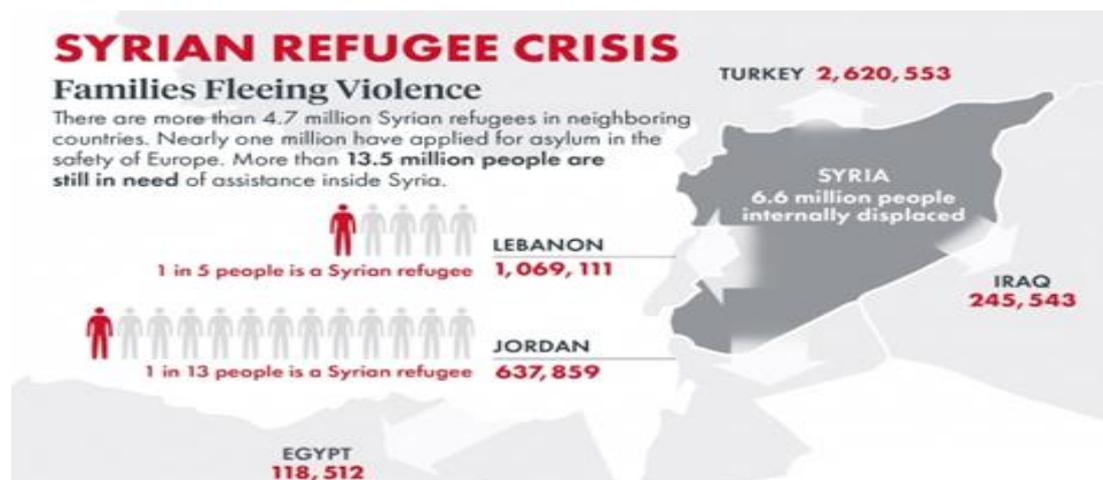


Figure 7: Statistics of Syrian refugees in neighboring countries

## Turkey

As a neighboring country, with an important geopolitical position, Turkey is home to many refugees from the Middle East. A report by the Human Rights Watch (HRW) noted that even though the Turkish government has been very generous to refugees, they are still struggling with enabling access to education. The same report stated that in 2014, Turkey adopted a new policy where all refugees were granted access to Turkish public schools. However, statistics show that although 90% of refugee children have access to education in the camps, only 20% have access to Turkish public school education.

### Other Middle Eastern Nations

As previously mentioned, one of the largest causes of refugees today is the instability present in the Middle East. Countries such as Syria, Afghanistan, Iraq and Iran have faced war forcing many citizens to seek refuge in neighboring Middle Eastern countries. All states with the help of the UNHCR have made countless efforts to ensure the human rights of refugees. For example, Lebanese policies allow for refugee children to enroll in public schools without any legal residency documents. Lebanon has also adopted the Reaching All Children with Education (RACE) policy which has significantly helped increase the number of refugee children enrolled in school by implementing policies such as waiving school fees for all Syrian refugee children enrolled in Lebanese public schools.

### United Nations High Commissioner for Refugees (UNHCR)

The UNHCR was established on December 14<sup>th</sup>, 1950 by the UN General Assembly. At the time it was established to help the millions of European refugees after World War II and has since been making active efforts to help refugees across the globe. The UNHCR aims to ensure that all human rights of refugees are ensured through means such as sending volunteers, creating schools, collecting data, and much more. The organization also cooperates with other bodies in order to achieve its goals.

### United Nations Educational Scientific and Cultural Organization (UNESCO)

UNESCO was established on November 16<sup>th</sup> 1945 and aims to promote the United Nations Charter as well as ensure no violation of rights in relation to education, science and culture. This particular organization is significant for this issue mainly due to its focus on education and its access. Throughout the years, UNESCO has released a plethora of statistics and propositions regarding this issue, which has helped enable access to education for refugee children.

### TIMELINE OF EVENTS

Date	Description of Event
December 10 <sup>th</sup> 1948	Proclamation of Universal Declaration of Human Rights
December 14 <sup>th</sup> 1950	Founding of the UNHCR
July 28 <sup>th</sup> 1951	Convention and Protocol Relating to the Status of Refugees

November 20 <sup>th</sup> 1989	Convention on the Rights of the Child which specifies the right to education for all children.
October 7 <sup>th</sup> 2001- December 28 2014	War in Afghanistan causing the largest number of refugees ever recorded.
September 2014	Turkey's ministry of education issued an integration policy for refugee children in order to enable their access to education.
June 2014	Creation of Lebanon's RACE policy
May 27 <sup>th</sup> 2016	European Union Commission unveiled new proposition for relocation of refugees in Greece & Italy

### **UN INVOLVEMENT: RELEVANT RESOLUTIONS, TREATIES AND EVENTS**

There have been numerous resolutions and conventions related to this issue. The following three have however played the most significant role in resolving the issue:

- The right to education in emergency situations (Resolution 64/290) Human Rights Council
- Convention on the Rights of the Child (1989)
- Convention on the Status of Refugees (1951)

These conventions/resolutions are significant to this issue particularly since they highlight and specify the rights refugee children are entitled to.

### **PREVIOUS ATTEMPTS TO SOLVE THE ISSUE**

As a pressing issue, there have been numerous efforts made by organizations as well as member states in order to enable the access to education for refugee children. As outlined by the UNHCR Education Strategy for 2012-2016 UNHCR has aimed to “develop strong working partnerships with Ministries of Education”, strengthen the cooperation with other organizations, as well as collect relevant data. Organizations such as UNHCR and UNESCO have helped increase the number of volunteers and also act as protectors to the millions of documented and undocumented refugees in their host countries. Additionally, they have cooperated in order to create “IDEO”, which is an online platform where people can suggest

ideas to solve the issue. Many of these ideas have been implemented, such as one on teacher training and volunteers.

Additionally, numerous member states such as Lebanon, Jordan, Turkey, and Greece have made efforts through their ministry of education to enable access to education for refugee children. Mainly, this has come through the form of integrating their public schools, as well as offering both morning and afternoon lessons. Furthermore, the European Commission has also launched a program called “Erasmus” which uses technology and other means to enable access to education.

Albeit being reasonably successful in their goal, these organizations should persist their efforts as the number of new refugees is ever increasing.

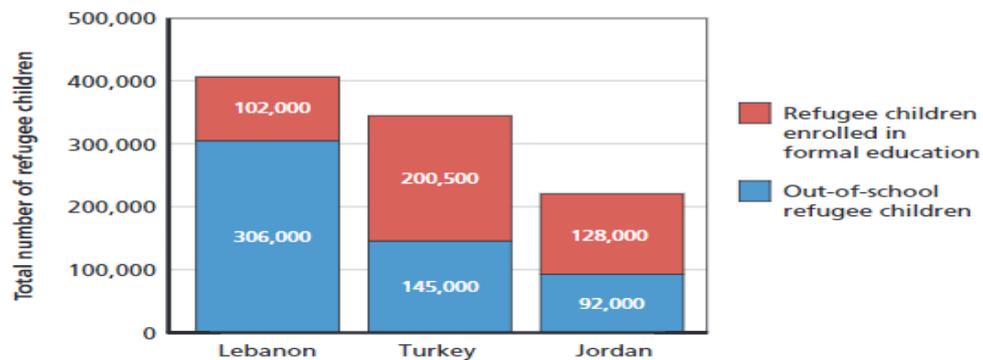


Figure 8: School enrollments of Syrian refugees in Lebanon, Turkey and Jordan in 2015

## POSSIBLE SOLUTIONS

In order to combat this issue as a whole it would be important to focus on the economic, geographic, cultural and administrative barriers respectively. Unfortunately, the economic situation of each country hosting refugees is uncontrollable; however, the integration of refugees in pre-existing public schools seems to be most economically friendly. Yet in the case that integration policies are enforced, complementary measures should be taken in order to ensure that the education received is ideal and meets the national standards.

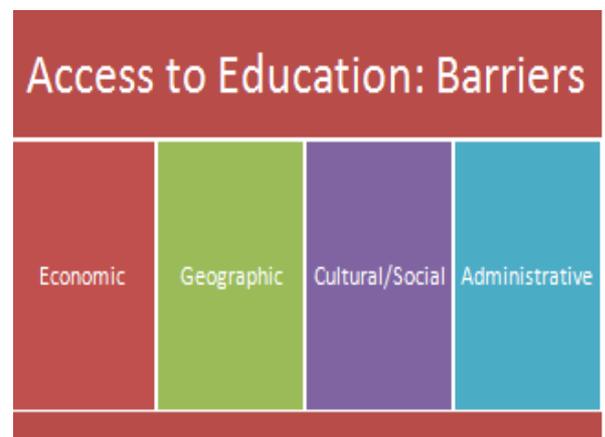
With reference to the geographical barriers, there could be a promotion for the use of technology in education. This can involve the creation of virtual schools that kids can access in multiple locations, which is complementary to the reality that refugee children face. However, when considering the increased use of communication and information technology in enabling education for refugees, the accessibility to such technology should also be kept in mind.

In order to ensure that cultural/social issues do not prevent the access to education for refugee children there can be several measures taken. Firstly, the spread of information about refugee children can help sensitize the public whilst allowing them to have compassion on the issue. Secondly, targeting cultural barriers should be approached differently, particularly due to the fact that cultures should be respected and are of great importance to vulnerable refugees. In order to promote refugee children’s access to education there could be a provision of a wide range of education (i.e. practical). For example, practical education can be perceived as more direct and act as an incentive for families to support the education of their children.

Lastly, there can be propositions made to counter the administrative barrier on this issue. The collection of data as shown by the UNHCR is significant in understanding the scope of the issue. If sufficient data is collected, administrators and policy makers of each country can better understand the efforts which need to be made. Needless to say that data and statistics promote efficiency and improvements in respective plans/policies. Yet, when considering the data and statistics it is important to note that there are undocumented refugees as well. Additionally, in order

to address the issue of educational staff shortages, refugees can be employed as teachers for the refugee children. This way a linguistic as well as administrative barrier is countered.

Another form of potential administrative solutions includes the cooperation between specialized organizations (e.g. UNESCO, UNHCR) and the respective Ministries of Education for each member state. This cooperation can promote governments into taking action to enable access to education for refugee children.



**Figure 9: Visual representations of barriers to be considered**

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Figure 7: <https://www.mercycorps.org/articles/iraq-jordan-lebanon-syria-turkey/quick-facts-what-you-need-know-about-syria-crisis>

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Figure 9: [www.migrationpolicy.org/sites/default/files/.../FCD\\_Dryen-Peterson-FINALWEB.pdf](http://www.migrationpolicy.org/sites/default/files/.../FCD_Dryen-Peterson-FINALWEB.pdf)