

ACCESS TO EDUCATION FOR SYRIAN REFUGEE YOUTH

LIFTING LIMITATIONS FOR REFUGEES TO
GAIN OFFICIAL DIPLOMAS

POLICY PAPER

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DISCLAIMER

Basmeh & Zeitooneh and Women Now for Development made all possible efforts to represent only accurate data and crosscheck all the information in this report. This does not rule out the possibility of inaccuracies or oversights, for which the team hereby expresses its regrets.

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1. INTRODUCTION

The war in Syria caused many Syrians to flee to Lebanon, and by September of 2013 there were more Syrian children of school-going age in Lebanon than there were Lebanese children in public schools.¹ The increase in the amount of children of school-going age prompted academics, international organizations and international non-governmental organizations to study the barriers to education for Syrian children in Lebanon.² However, very few of these studies focus on the specific needs of Syrian youth, who spent their formative years studying in Syria and face different barriers than younger children. Out-of-school youth are especially at risk of becoming a ‘lost generation’ because they are close to adulthood and to being excluded from efforts tailored to refugees of school-going age.

This paper focuses on the barriers facing Syrian refugee youth, and is based on a survey that was conducted to gauge the impact of one specific barrier to education; Decree number 40 of 17.03.2016, confirmed in Council of Ministers Decision number 4, Minutes of Meeting 10, 17.2.2017. This Decree makes the provision of official transcripts a requirement to get an official Brevet or Baccalaureate diploma, even though the provision of official transcripts is not a requirement to sit for those exams.³ Syrians that do not have the required documents get an ‘evidence of success’ document if they pass their exams, the status of this ‘evidence of success’ is unclear. Basmeh and Zeitooneh and Women Now for Development decided to focus on this barrier to education because it only requires a government decision to lift Decree number 40.

Before discussing the results of the survey in section 3, impediments that are not directly related to education but that have a significant impact on Syrians’ freedom of movement and ability to provide in their subsistence will be discussed in section 2. These impediments negatively impact all aspects of the lives of Syrian refugees, and therefore also have a significant effect on Syrian youth’s ability to access education. Section 2 also discusses the human rights obligations of the Government of Lebanon (hereafter: GoL) and youth-specific barriers to education.

¹ In 2013, there were 310.558 students enrolled in public schools; USJ, “Analysis of Child Education Survey”, March 2016, p. 5, while 53% of 654.000 registered Syrian refugees in Lebanon were under 18; UNDP, “The Syrian Crisis: Implications for Development Indicators and development planning”, October 2012, pp. 6, 24

² For more information consult the following reports: HRW, “Growing up without an education: Barriers to education for Syrian refugee children in Lebanon”, 2016; AUB, “Responding to Crisis: Syrian Refugee Education in Lebanon”, 2016; UNICEF, “Curriculum, Accreditation and Certification for Syrian Children in Syria, Turkey, Lebanon, Jordan, Iraq and Egypt”, 2015

³ UNFPA, UNICEF, UNESCO, Save the Children, UNHCR, “Situation Analysis of Youth in Lebanon Affected by the Syrian Crisis”, 2014, p. 83

2. POLICY FRAMEWORK

2.1 Legal status of Syrian refugees

As of November 2017, there are 997,905 Syrian refugees registered with the UN Refugee Agency (hereafter: UNHCR) in Lebanon,⁴ in addition to an estimated 500.000 unregistered Syrian refugees.⁵ The lack of a comprehensive asylum framework means that Syrian refugees do not hold special status or rights and protections that conform to international standards; registration of refugees is left entirely to UNHCR and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (hereafter: UNRWA) and this registration can be authorized or suspended by the GoL.

Lebanon is not a signatory to the 1951 Refugee Convention, but it is bound to the UN Human Rights Declaration, which recognizes the right to freedom of movement and residence,⁶ and the universal right to “seek asylum from persecution”.⁷ The GoL's 2015 decision to revoke a fundamental part of UNHCR's mandate, namely the mandate to register newly arrived refugees and renew the registration of people already in the country, leaves an estimated 74% of Syrian refugees without residency documents,⁸ and is not in line with Lebanon's human rights obligations.

Syrians without valid documents risk being detained, harassed, or served with a deportation order if they get stopped by the Lebanese security forces on the street or at a checkpoint. Thus, the increase in the number of people without papers leads to a decrease in their mobility, which negatively impacts Syrian's access to services and livelihood opportunities. As a result, 76% of Syrian households in Lebanon now live beneath the Lebanese poverty line.⁹

2.2 Education-related Human Rights obligations

Although, as detailed in 2.1, there are limited legal avenues for refugees to access protection in Lebanon, national laws applicable to children generally reflect Lebanon's commitment to protect individuals under the age of 18 and contribute to their physical, mental and psychosocial development. Moreover, Lebanon endorses Article 22 of the 1990 Convention on the Rights of the Child (CRC), which stipulates that refugee children must be protected and

⁴ <http://data.unhcr.org/syrianrefugees/country.php?id=122>, last updated November 30 2017, last accessed 21 December 2017

⁵ Human Rights Watch, “World Report: Country Summary Lebanon”, 2017, p. 4

⁶ Universal Declaration of Human Rights, 1948, art. 13(1)

⁷ Universal Declaration of Human Rights, 1948, art. 14(1)

⁸ UNHCR, UNICEF, WFP, “Vulnerability Assessment of Syrian Refugees in Lebanon”, 2017, p. 13

⁹ UNHCR, UNICEF, WFP, “Vulnerability Assessment of Syrian Refugees in Lebanon”, 2017, p. 60

granted special status and other rights set forth in the Convention, such as the right to registration, nationality,¹⁰ education and healthcare.¹¹

Under Lebanese law, education is free for all Lebanese children until the age of twelve.¹² Despite the fact that the law only grants the right to free education to Lebanese children,¹³ the Ministry of Education and Higher Education (hereafter: MEHE) issued a memorandum in 2012 calling upon schools to “enroll Syrian students regardless of their legal status and to waive school and book fees”.¹⁴ Additionally, in an effort to implement a comprehensive strategy to increase access to public schools for Syrian refugee children and vulnerable Lebanese children, the “Reaching All Children with Education in Lebanon” (hereafter: RACE) program was launched in January of 2014. Now in its second phase, the program aims to benefit vulnerable Lebanese and Syrian refugee children equally by recognizing “the education rights of Syrian refugee and vulnerable Lebanese children and minimizing disruption to the education of Syrian refugee children.”¹⁵ Recognizing that the poor quality of public education was already a problem before the Syria Crisis in Lebanon,¹⁶ only 30% of Lebanese children were going to public schools in 2012,¹⁷ and that the MEHE is not equipped to address the problems in the system,¹⁸ RACE is centered on three pillars: 1) enhancing access to public school education, 2) improving the quality of public school education, 3) improving the capacity of MEHE and affiliated institutions to run the public school system.

¹⁰ Lebanon grants the right to acquire the Lebanese nationality to a child born in Lebanon to unknown parents or to parents who do not have a nationality; Article 1 of Decree No. 15 of January 19, 1925 (and amendments) on the Lebanese Nationality reads “Every person born on Lebanese territory to unknown parents or parents of unknown nationality (stateless) is considered Lebanese.”

¹¹ Article 22 of the 1990 Convention on the Rights of the Child states that “State Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.”

¹² The Lebanese Constitution, art. 10; Law No. 686 of 1998, art. 43 & 44; Decree No. 26 of 1955, art. 17

¹³ Law No. 686 of 1998 and Decree No. 26 of 1955 as well as clauses of the Lebanese Constitution

¹⁴ Ministry of Education and Higher Education, Lebanon, “Reaching All Children with Education in Lebanon R.A.C.E.”, June 2014, p. 20

¹⁵ Ministry of Education and Higher Education Lebanon, “Reaching All Children with Education in Lebanon R.A.C.E.”, June 2014, pp. 6-7

¹⁶ The last Human Development report on Lebanon states that one third of teachers only had, at the most, a Baccalaureate secondary school degree; UNDP, “National Human Development Report Lebanon 2008-2009”, pp. 132-133. Less than 1% of students in public schools passed the Baccalaureate exam without repeating one or more years while more than 25% of students in private schools managed this; MEHE, CRI, “Compulsory Education in Lebanon; The Need for Public Education, Final report for the CERD”, Beirut, Lebanon, 2000

¹⁷ Ministry of Education and Higher Education Lebanon, “Reaching All Children with Education in Lebanon R.A.C.E.”, June 2014, p. 4

¹⁸ According to RACE II MEHE suffers from “opaque recruitment policies, limited accountability, and low quality of service delivery”; Ministry of Education and Higher Education Lebanon, “Reaching All Children with Education: RACE II 2017-2021”, August 2016, p. 11

2.3 Barriers to education for Syrian youth

RACE II focuses on education up until grade 9 (age 15) and contains little analysis and few provisions on the barriers to education facing Syrian youth. The vast majority of Syrian youth were in school before the war and are literate, yet the plan focuses on providing basic literacy and numeracy classes for ages 10 to 18 instead of access to accelerated learning programs.

RACE II also aims to create a couple of thousand technical and vocational training places in state-run schools by 2021.¹⁹ Although there has been some progress in identifying the problems with the technical and vocational training sector, suggested reforms have not been implemented.²⁰ Like the public primary and secondary education sectors, state-run technical and vocational training suffers from low public spending,²¹ low quality of instruction, inadequate and poorly equipped training spaces,²² and lower enrollment rates compared to the private sector.²³ Moreover, vocational training is closely linked to the right to work and Syrians are only legally allowed to work in three sectors: agriculture, construction and ‘environment’, which includes garbage collection and cleaning jobs.²⁴

Additionally, several bureaucratic barriers impede Syrian youth’s access to education. Considering that an estimated 74% of Syrians in Lebanon lack legal residency, the need for a residence permit to get a certified equivalency statement from MEHE’s Equivalence Committee to enroll in secondary or tertiary education with school transcripts or diplomas from Syria,²⁵ creates a significant impediment to enrollment. And, because of Decree 40, Syrian youth that manage to enroll in Lebanese public schools need official transcripts to receive their Brevet and Bacalaureate diplomas.

Given the continuing war in Syria and Lebanon’s adherence to the principle of non-refoulement under the law, return to Syria to acquire the necessary official documentation, either for enrollment or for obtaining an official diploma upon passing state exams, goes against essential principles of protection granted to people fleeing armed conflict.²⁶

¹⁹ The program aims to raise the number of places for non-Lebanese students in state technical and vocational schools from 750 to 2.505 by 2021, and to create an additional 20.000 places in regulated non-formal schools by the year 2021. Ministry of Education and Higher Education Lebanon, “Reaching All Children with Education ANNEXE 1: RACE II LOGFRAME (2017-2021)”, August 2016

²⁰ European Training Foundation, “Mapping vocational education and training governance in Lebanon”, EU Law and Publications, September 2016, p. 12.

²¹ Loo, Bryce and Magaziner, Jessie, “Education in Lebanon.” WERN – World Education News and Reviews. May 2, 2017; BankMed - Market & Economic Research Division, “Analysis of Lebanon’s Education Sector”, June 2014, p. 5; UNESCO & UNEVOC, World TVET Database - Lebanon, November 2012, p. 14.

²² UNESCO & UNEVOC, World TVET Database - Lebanon, November 2012, p. 14; ETF & The World Bank. “Reforming technical vocational education and training in the Middle East and North Africa experiences and challenges”, 2006, p. 36

²³ ETF & The World Bank, “Reforming technical vocational education and training in the Middle East and North Africa experiences and challenges”, 2006, p. 10

²⁴ Lebanon Support, “Formal Informality, Brokering Mechanisms, and Illegality. The Impact of the Lebanese State’s Policies on Syrian Refugees’ Daily Lives”, 2016, p. 12

²⁵ UNHCR, UNICEF, UNESCO, Q&A for the ‘Back to School’ Campaign 2017/2018, August 2017, pp. 2-3

²⁶ Asylum may be granted based on a decision issued by a committee composed of representatives of the Ministries of Interior, Justice and Foreign Affairs, and the Directorate General for General Security. The possible scenarios based on which the committee may decide to either grant, cancel or limit refugee status are not

3. SURVEY RESULTS

As described in Section 2.3, there are numerous challenges facing Syrian refugee youth that are trying to continue their education. The impact of the absence of special provisions tailored to the needs of youth in RACE is compounded by the fact that there are several bureaucratic barriers to their re-entering the public-school system. As mentioned in 1, this study was conducted to show the effects of one of those barriers; Decree number 40, which dictates that students that pass their exams will not get an official diploma unless they can provide transcripts of the grades they passed, even though providing transcripts is not a requirement to take the exam. Because of this Decree, the merit of Syrian youth's performance at standardized tests is retroactively tied to their ability to produce documents proving that they went to school, instead of being tied to their performance at the exam.

The approach taken in this research involved the design of a questionnaire, which focused on the academic background of the youth, their ambitions, and the difficulties they face in completing their education. The respondents were divided into three age groups: 13 to 15 (15 is the age at which students should take the Brevet exam), 16 to 18 (18 is the age at which students should take the Baccalaureate exam), and 19 to 24. The questions focused on school enrollment before displacement, enrollment in Lebanon, marital status, legal status, obstacles to education, such as work and early marriage, and aspirations for the future.

The questionnaire was administered in informal tented settlements and Palestine refugee camps as well as other areas with a high concentration of Syrian refugees in three main locations: the Bekaa Valley, Northern Lebanon and Beirut. Outreach was done in teams of two, one man and one woman, and the teams surveyed youth on the streets, paid home visits and went door to door. Because data collection was done during working hours, the outreach teams did not meet many respondents who are working outside the informal settlements and Palestine refugee camps, for example in the agricultural sector.

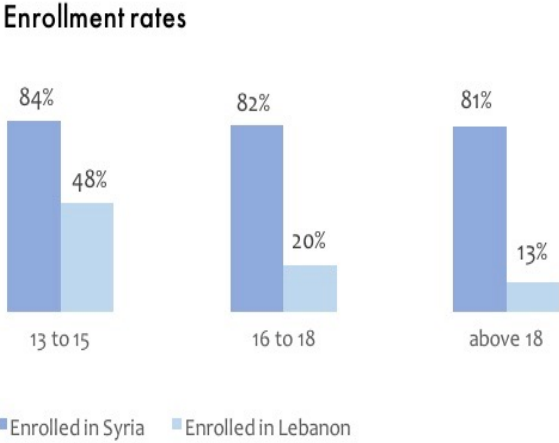
The outreach teams conducted the surveys after receiving oral consent from the parents of children under the age of 16, and from the respondents themselves if they are older than 16.

In total, 2,484 questionnaires were filled out from late July to early September 2017; 915 by 13 to 15 year olds, 882 by 16 to 18 year olds and 687 by 19 to 24 year olds. The gender distribution was kept at a balance, approximately 50% of the questionnaires were answered by female respondents.

specified; the law does not contain specific procedures, conditions or criteria to determine who is a refugee and who may be granted asylum, and does not mention the rights granted to a refugee residing in Lebanon, besides the conditions provided by article 26.

3.1 Enrollment rates

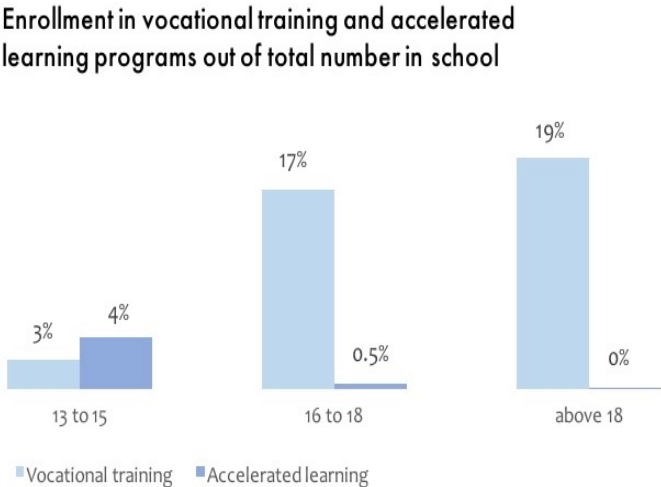
Prior to the war in Syria, 8 out of 10 Syrian youth surveyed were enrolled in school. Even though respondents that are in short-term vocational training courses, non-formal education, or literacy classes were counted as in school, the school enrollment rates of Syrian youth in Lebanon are considerably lower. Less than 50% of children aged 13 to 15 are enrolled in some form of education, this number drops to 20% for those aged 16 to 18, and is only 13% for the over 18 year olds. The reasons for these low enrollment numbers will be discussed in the next sections.



3.2 Average last grade attended, vocational training, and accelerated learning

On average, survey respondents that are in school are not learning at the grade level corresponding to their age; 13 to 15 year olds are, on average, studying in Grade 5 (corresponding to age 11) and 16 to 18 year olds are, on average, studying in Grade 9 (corresponding to age 15). The out-of-school rate of over 18 year olds is too high to extract representative data on the average grade attended by those that are in school. The fact that, on average, none of the respondents are studying at grade level underscores the need for accelerated learning programs which allow youth to re-enter the school system with a view to receiving a diploma.

Of the respondents that are in school, 8% are in vocational training, while almost none are in an accelerated learning program. As the chart shows, over 18 year olds are most likely to be in vocational training, and 13 to 15 year olds are most likely to be in an accelerated learning program. Only 1 respondent in the 16 to 24 age group is in an accelerated learning program. None of the respondents that are in vocational training or accelerated learning programs are in a state-run school.

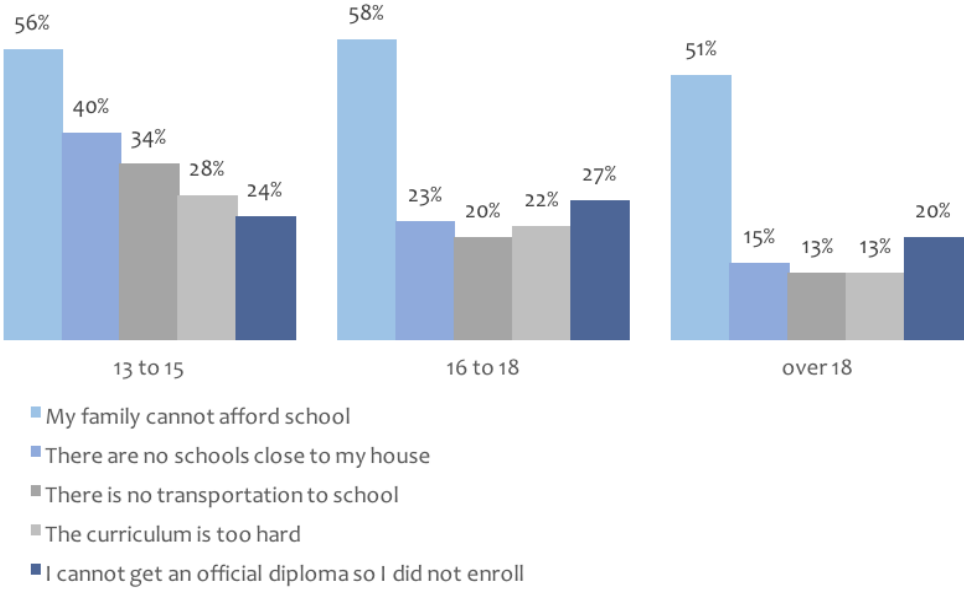


3.3 Impact of Decree number 40

The data shows that Decree number 40 has a two-fold impact on Syrian youth’s access to education. The first is related to enrollment rates. As can be seen in the below chart, for the age group between 16 and 24 not being able to get an official diploma is the second biggest reason that they are out of school, after the fact that their families cannot afford their education, which will be discussed in 3.4. 23% of all respondents give not being able to get an official diploma as a reason not to enroll in school, while the data shows that 68% of respondents do not have official transcripts.

The second negative impact of Decree number 40 is that Syrian youth that managed to enroll in a public school, to reach the required grade level to take the Brevet exam, and to pass the exam, are left without an official diploma. Because a significant number of respondents in the over 18 age group took the Brevet exam when they were still in Syria, this mostly affects 16 to 18 year olds. Out of a total number of 962 16 to 18 year-old respondents, only 147 took the Brevet exam in Lebanon. This low number corresponds to the high out-of-school rate and the fact that, on average, 16 to 18 year olds are learning 1 to 3 levels below the grade corresponding to their age. 12% of 16 to 18 year-old respondents that passed the Brevet exam in Lebanon did not receive an official diploma because they were unable to produce the required documents. The number of respondents that took the Baccalaureate exam in Lebanon is too low to extract representative data on the impact of Decree number 40 on those that passed this exam.

Main reasons for not enrolling in school
 note: respondents could select multiple options



3.4 Work and early marriage

As the chart in the previous section shows, the biggest barrier to education for Syrian youth is connected to the high rate of poverty in the refugee community: 56% of 13 to 15 year olds, 58% of 16 to 18 year olds and 51% of over 18 year olds stated that they are not in school because their families cannot afford it. The lack of economic opportunities and increasing vulnerability of the Syrian refugee community directly contribute to the large number of youth that are out of school. The data shows that boys that are out of school tend to be working, while out-of-school girls marry at a young age.

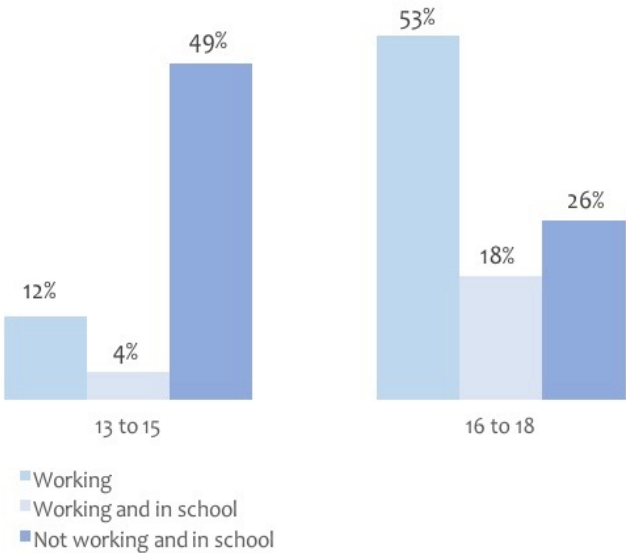
3.4.1 Work

64% of boys aged 13 to 15 that do not want to take the Brevet exam, state that they have to work, compared to 14% of 13 to 15 year-old girls. For the 16 to 24 age group, 43% of male respondents did not take the Brevet exam because they have to work, compared to 12% of female respondents. As mentioned in the beginning of section 3, the number of respondents that are working may be higher because the data was collected during working hours and in locations where a lot of Syrian refugees live, but not necessarily where a lot of Syrian refugees find employment.

As can be seen in the chart, in the 13 to 15 age group there is a linkage between boys working and their being out of school: 4% of working boys are in school, compared to 49% of boys that are not working.

Undocumented Syrian youth are likely to engage in the worst forms of child labour, such as begging, shining shoes, harvesting, and illicit work including prostitution. Besides the inherently dangerous nature of these types of work, precarious work conditions and exploitation are common place. In the agricultural sector, for instance, refugee children are not provided with safe work attire, are often exposed to poisonous chemicals, and are forced to engage in strenuous physical activity for 12 hours or more without more than 30 minutes of rest.²⁷

Work and in-school rate of boys



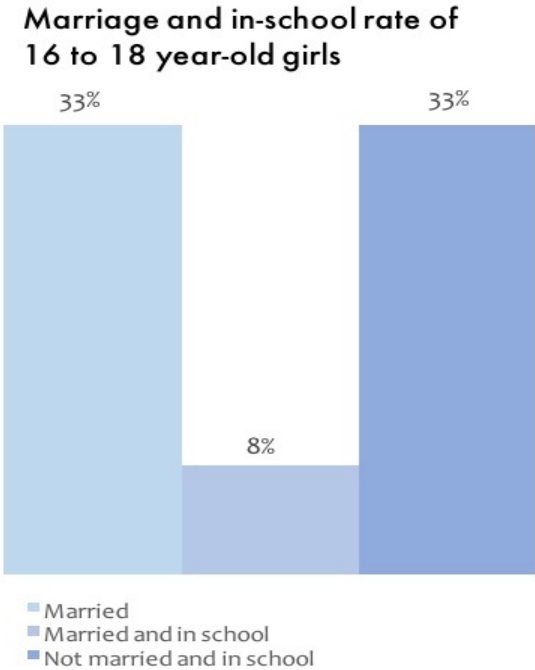
²⁷ Save the Children, UNICEF, “Small Hands, Heavy Burden: How the Syrian Conflict is Driving More Children into the Workforce”, 2015, p. 4

3.4.2 Early marriage

For girls, the high rate of poverty in the Syrian refugee community led to an increase in early marriages; 4% of the 13 to 15 year-old girls and 33% of 16 to 18 year-old girls surveyed are married, compared to 0.22% of 13 to 15 year-old boys and 6% of 16 to 18 year-old boys. These findings indicate that Syrian girls are marrying older men. Before the conflict erupted in Syria, child marriage was significantly less common. Estimates vary, but some show child marriage rates among Syrian refugees to be four times higher than before the Crisis.²⁸

In the 16 to 18 age group, there is a linkage between girls being married and their being out of school; 8% of married girls are in school, compared to 33% of 16 to 18 year-old girls that are not married. For the 13 to 15 age group there is not enough data to make a representative comparison.

Early marriage is linked to a multitude of protection concerns, such as complications during pregnancy and childbirth, violence, limited education and economic opportunities, as well as limited freedom of movement and social isolation from peers. Moreover, Syrian girls’ marriages are often short-term and unregistered, which leaves them with little protection for themselves or their children, and divorced girls are sometimes stigmatized in their community, which has harmful consequences for their mental health.²⁹



²⁸ <http://www.unfpa.org/news/new-study-finds-child-marriage-rising-among-most-vulnerable-syrian-refugees#>, last accessed 23 November 2017

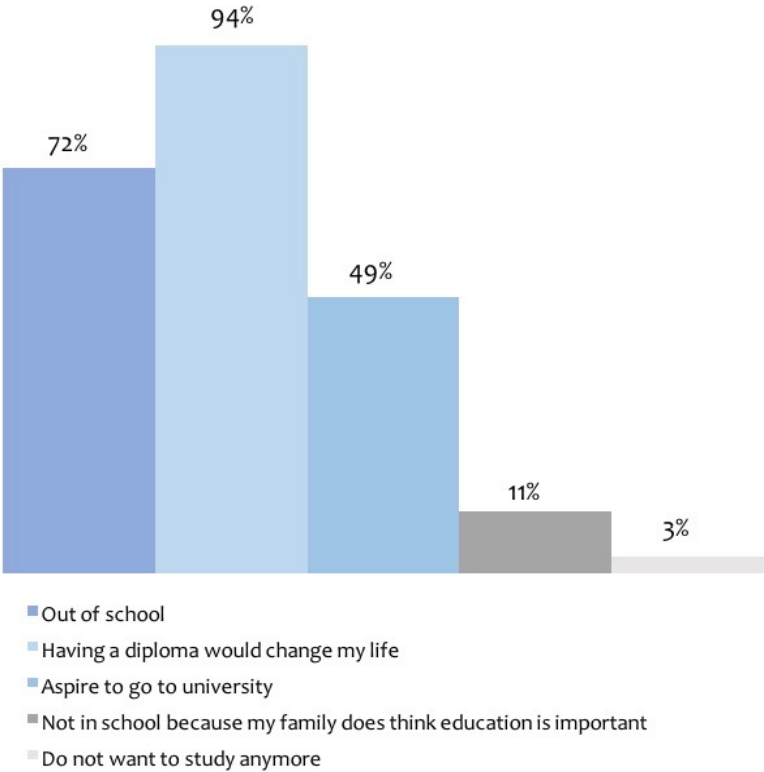
²⁹ Girls not Brides, “Child Marriage in Humanitarian Crises”, October 2017, p. 2

3.5 Aspirations of Syrian youth and family support for education

As the chart shows, 94% of all survey respondents think that having a diploma would change their lives, and 49% aspire to go to university. 11% of respondents stated that their families do not support their education, which contradicts beliefs in parts of the Lebanese host community, encountered by our organizations in the field, that there is a high out-of-school rate among Syrian refugee children because Syrians do not think education is important.

Considering the out-of-school rate, average last grade attended, and bureaucratic barriers to education that Syrian youth face, the current circumstances make it unlikely that many of them will reach their aspirations.

Attitudes to education



4. RECOMMENDATIONS

To the donors in the RACE Steering Committee:

- Earmark funding for accelerated learning programs and secondary education
- Link funding for the RACE program to performance indicators, and include the number of Syrian graduates as a performance indicator
- Incentivize the Ministry of Education and Higher Education and the Government of Lebanon to implement the recommendations of this policy paper

To the Ministry of Education and Higher Education:

- Lift Decree number 40 and provide all Syrian students that passed the Brevet and Baccalaureate exams with official diplomas instead of giving those that do not have official transcripts an ‘evidence of success’ document
- Accept flexible regulations allowing Syrian students without a residence permit or official transcripts to sit for official exams and enroll in secondary schools
- Lower the minimum age to apply independently for the Brevet and Baccalaureate exams from 18 to 15 and 21 to 18 respectively
- Open accelerated learning programs specifically tailored to the needs of out-of-school youth over the age of 15
- Prioritize reforms in the technical and vocational training sector that allow Syrian refugee youth to attend high-quality training that is linked to real job opportunities
- Develop innovative strategies to increase enrollment and retention rates in public schools, especially for the 16 to 18 and over 18 age groups

To the Government of Lebanon:

- Facilitate access to protection and legal documentation for all Syrians in Lebanon by reinstating the UNHCR registration framework
- Lift bureaucratic barriers for Syrians to enter the formal labour market and broaden the sectors in which Syrians may apply their acquired skills



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