



Journal Homepage: -www.journalijar.com

INTERNATIONAL JOURNAL OF ADVANCED RESEARCH (IJAR)

Article DOI:10.21474/IJAR01/10678

DOI URL: <http://dx.doi.org/10.21474/IJAR01/10678>



RESEARCH ARTICLE

THE RIGHT TO EDUCATION AND CHILDREN ON THE MOVE IN GREECE

Dr. Marina Sounoglou¹ and Dr. Charikleia Pitsou²

1. Post Doc Researcher, University of Thessaly, Greece.
2. Special Laboratory Teaching Staff, University of Patras, Greece.

Manuscript Info

Manuscript History

Received: 15 January 2020

Final Accepted: 17 February 2020

Published: March 2020

Key words:-

The Right to Education, Refugee and
Migrant Students, Children on the Move

Abstract

It is estimated that more than 20,000 of the refugee and migrant population in Greece are children. The access to education is a key area of concern. According to national legislation, children are entitled to education irrespective of their legal status. Yet, access to education, including formal, non-formal and informal, remains challenging for many. Limited data on refugee and migrant children's access to education in Greece currently exists, including on access rates and barriers to education. The Right to Education is a fundamental right that affect all children worldwide. This study initially refers to the Right to Education on the basis of the International Conventions and the official latest data are presented about the Children on the move in Greece. Subsequently, two formal national texts are examined through a qualitative content analysis. The one is from Ombudsman in Greece and the other from the Scientific Committee on the Support of Children of Refugees of Greek Ministry of Education and Religious Affairs in order to highlight issues related to prevailing conditions on the Right to Education for these children. In discussion are listed suggestions for the education of these children for as long as remain in Greece.

Copy Right, IJAR, 2020,. All rights reserved.

Introduction:-

The Right to Education is a fundamental right that affect all children worldwide. Although according to the Convention on the Rights of the Child there is an authoritative international definition of a child — “every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier” — there is no comparable definition of a migrant child. The Inter-Agency Working Group on Children on the Move has described this population as: “Children moving for a variety of reasons, voluntarily or involuntarily, within or between countries, with or without their parents or other primary caregivers, and whose movement, while it may open up opportunities, might also place them at risk (or at an increased risk) of economic or sexual exploitation, abuse, neglect and violence” (Bhabha, et al., 2017:4-5).

Taking into account the above and having in mind that more than 20,000 of the refugee and migrant population in Greece are children we try this study. At the first level this study refers to the Right to Education on the basis of the International Conventions. At the second level, the official data are presented about the Children on the Move in Greece. Subsequently, two formal national texts are examined through qualitative content analysis. The first text is from Greek Ombudsman (2017) and the second one from the Scientific Committee on the Support of Children of Refugees of Greek Ministry of Education and Religious Affairs (2017). These texts are examined in order to

highlight issues related to prevailing conditions on the Right to Education for Children on the Move in Greece. In discussion are listed suggestions for the education of these children for as long as remain in Greece.

Law provision:

International law:

All children have the same right to public education without discrimination.

Article 26 Universal Declaration of Human Rights (1948)

Article 22 Geneva Convention (1951)

Article 2 European Convention on Human Rights (1953)

Article 13, 14 International Covenant on Economic, Social and Cultural Rights (1966)

Article 28 Convention on the Rights of the Child (1989)

European Law:

Article 14 of Directive 2013/33/EU

Article 14 Schooling and education of minors

According to Article 14 “Member States shall grant to minor children of applicants and to applicants who are minor’s access to the education system under similar conditions as their own nationals for so long as an expulsion measure against them or their parents is not actually enforced. Such education may be provided in accommodation centers. The Member State concerned may stipulate that such access must be confined to the State education system. Member States shall not withdraw secondary education for the sole reason that the minor has reached the age of majority. Access to the education system shall not be postponed for more than three months from the date on which the application for international protection was lodged by or on behalf of the minor. Preparatory classes, including language classes, shall be provided to minors where it is necessary to facilitate their access to and participation in the education system as set out in paragraph 1. 3. Where access to the education system as set out in paragraph 1 is not possible due to the specific situation of the minor, the Member State concerned shall offer other education arrangements in accordance with its national law and practice”.

National Law:

Article 13, 14 Law 4540/2018 (Article 14 of Directive 2013/33/EU)

The Article 13, 14 of the Greek Law 4540/2018 (Article 14 of the Directive 2013/33/EU) mentions that the third-country or non-native minors have access to the public educational system during their stay in Greece under the same preconditions with the Greek citizens. The registration to public schools must be facilitated in case they lack the required documents. The students who have reached adulthood cannot be excluded from secondary education because of their age. The registration and integration to the educational system has to be done no later than three (3) months after the completion of the minor’s identification. Finally, non-formal educational activities are allowed to be offer in the accommodation centers as a supportive mechanism to the minor’s integration to public education.

Current situation in Greece:

UNHCR with UNICEF support the Greek Ministry of Education (MoE) to prepare the Children on the Move to attend formal and non-formal education and ensure that all refugee boys and girls attend regularly. According to the UNICEF (2019) over 10,000 unaccompanied or separated children registered in Greece still lack the necessary continuum of care and protection, as national legislation, policies and resource allocation have yet to align with international best practices. These circumstances undermine the capacities of children - accompanied or unaccompanied to recover from their ordeals, jeopardize their social inclusion, and compromise child rights. From these 3,790 school-age children, including adolescents, participating in structured non-formal education activities. Also, 11,500 school-age children benefit from a strengthened and more inclusive formal education system.

Methodology:-

Research aim:

This study tries to analyze two formal national texts which are examined through a qualitative content analysis in order to highlight issues related to prevailing conditions on the Right to Education for migrant children in Greece.

Research method:

Content analysis: this analysis is preferred for examining written data (Mayring, 2000). It examines in depth texts, which contains a big amount of information (Fairclough, 1995). The initial step is to read the written data. At this point the researcher starts to get ideas of what the main points or ideas are of the written data. Then he needs to start dividing up the data into smaller parts, namely, into meaning units and he condenses these meaning units further. While doing this, he needs to ensure that the core meaning is still retained. The next step is to label condensed meaning units by formulating codes and then grouping these codes into categories (Erlingsson & Brysiewicz, 2017).

Research sample:

The texts which analyzed are two: one is from Greek Ombudsman "Assessment Report on the Integration Project of Refugee Children in Education" (2017) and the other from the Scientific Committee on the Support of Children of Refugees of Greek Ministry of Education and Religious Affairs "Migration flows and refugee protection Administrative challenges and human rights issues" (2017).

Results:-

From the analysis of the texts emerged three categories related to education: 1. Reception facilities, 2. School dropout, 3. Special criteria of teachers

Data from Scientific Committee in Support of Refugee Children "Assessment Report on the Integration Project of Refugee Children in Education" (2017).

Reception facilities:

According to the data of the above text there is a failure to set up kindergartens due to the bureaucracy of service and financial mechanisms outside the Ministry of Education.

As concerning the non-mandatory education of refugee children 15+, MoE did not manage to find solutions to the problem that arises when children do not have junior high school certificates so that they can enroll in the existing facilities or to implement alternative programs to integrate them in education facilities.

Moreover, the organization and operation of Reception Facilities for Refugee Education (RFRE) presented several problems, weaknesses and delays, which are: (p.77).

-the numerous children stranded with their parents on the Aegean Islands did not have access to RFREs owing to a decision made by the Ministry of Migration Policy.

- the inadequate and delayed information and sensitization of the education community and local societies and, as a result, there were few, but vociferous local reactions which were reproduced by the Mass Media.

- the mass transfer of refugees to flats, shelters or hotels in urban centers without receiving timely information from the Ministry of Migration Policy and the UNHCR to enable the organization of RFREs. (p.77)

School dropout:

Furthermore, there was a relatively high percentage of dropouts, while irregular attendance was observed mainly in schools in mainland Greece (although these were similar to the those observed in other countries), mainly due to the unstable and adverse conditions under which refugees live, which are intensified by institutional and educational omissions and deficiencies. (p.77)

Special criteria of teachers:

More specifically, the absence of special criteria in the recruitment of teachers, their continuous substitution and their insufficient training and support created many problems in the RFRE operation and the fulfillment of their pedagogic role.

Data from Greek Ombudsman "Migration flows and refugee protection Administrative challenges and human rights issues" (2017).

According to the Ombudsman there are obstacles, related to the Right to the Education to the Children on the Move, that arise from the lack of coordination and a systematic method, as well as partially from the lack of experience in administrative procedures and the use of funds.

Reception Facilities:

Moreover, there was no provision at the high schools of the country for the operation of reception classes, resulting in many cases in the exclusion of the relevant age group (13-18) from school, as a) inter-cultural educational schools have limited capacity, b) some senior high schools (lyceums) refuse to enroll minors from third countries, with the (erroneous) argument that, since attendance in senior high school (lyceum) is not compulsory, they do not have to accept them, and c) the curriculum of high school courses is particularly difficult for children who do not know the Greek language, and becomes prohibitive unless there is proper support (p.63).

School dropout:

There was a number of cases of student exclusion, usually because they were missing supporting documents, and in other cases because of a lack of reception classes or the school invoking lack of capacity, which is however something that was not always verified. This practice unfortunately in a large number of cases discouraged those interested and resulted in children staying out of school, also bearing in mind the other deterrents (fear due to not knowing the language and the procedures, unregulated residence status, different culture, etc.).

Such types of phenomena unfortunately continued during 2016, when - as already reported - the number of third-country national minors who were requesting to attend the schools of the areas where they lived, within the urban fabric, increased. As a result, applications increased significantly, without a corresponding programming in the school units, and a large number of the applications were referred to the Directorates of Education, in some of which waiting lists were created, and in any case there were long delays until schools were found with the capacity for enrolling the children. (p.63)

Following the Ombudsman's interventions and the relevant report, the Ministry of Education clarified with circulars in the summer of 2016 that, according to the law, children from third countries can normally enroll in Greek schools, even with incomplete documentation. (p.63)

Special criteria of teachers:

In many cases the teachers who had been selected to teach had not been trained on the needs and characteristics of the particular student population. (p.64)

Discussion and Conclusion:-

The study findings indicate a set of conclusions and thoughts. Both Ministry of Education and Greek Ombudsman have as priority for migrant children to enjoy the Right to Education. However, there are impediments in practice. First of all, there is a lack of coordination of the relevant ministries having as a result migrant children to face the danger of dropout. Furthermore, the absence of special criteria in the recruitment of teachers, their continuous substitution and their insufficient training and support create many problems in the pedagogic procedure. These situations in combination with the conditions of life that lead these children make the matters worse.

Our findings are in accordance with the research of Mogli, Kalbeni & Stergiou (2020) that indicated the lack of training of teachers working in RFREs causes multiple problems, which impede educational procedures. It was found that the teachers were not able to successfully approach their refugee students so as to create the prerequisites for the children to be smoothly integrated into the Greek educational system.

Even if a large amount of official papers focus on the right to free education without discrimination to every child, the data, which arise from the specific study, are not complied with the obligations of these papers. The number of unaccompanied minor refugees who attended public schools and the dropout rates show that refugee students are often excluded from school and do not have access to adequate protection, information about the right to education and services offered by agencies and legal support.

The above results coincide with them by Ziommas, Capella and Konstantinidou (2017:1) whose flash report refers that «As 62,300 refugees and other migrants are currently hosted in Greece, among them 20,300 children, there is an

imperative need for their gradual integration. Ensuring their access to education through the implementation of special educational programmes is a positive development in this respect. Yet gaps in the provision of education still exist, while a comprehensive action plan for education of these children needs to be developed».

Although things are improving, there is still more work to be done so that all children have equal access to education. At this point, the question arises: what should be done so as Children on Move enjoy fully the right to education?

An answer that could be given should have as pillars the following points. It should not be proactively engage policies such as these that have enduring repercussions for a growing number of children in the world, whether they are from the Middle East and stuck in Greece (Esmaili, 2018).

First of all, could be more effective coordination of the administrative mechanism in the volatile circumstances of the refugee issue. Also, should have an intensification of training of teachers and executives of education. Furthermore, an extending refugee education to pre-school and non-compulsory levels of education could have a better inclusion and smooth transition to elementary school. Finally, should have more information and awareness rising of the educational community and Greek society on the integration of refugee children and adults in the Greek education system (Scientific Committee in Support of Refugee Children, 2017).

Moreover, Tzoraki (2019:11) proposes the following suggestions in order to improve the integration of refugee children into the Greek educational system: «(a) support in learning Greek; (b) the organization of intensive courses for those children (c) support of these children after school hours; (d) the organization of the mechanism and the procedures to certify secondary level knowledge (e) the formation of parallel classes for the children to continue to study their mother language». Less but not least, Tzoraki (2019:11) put emphasis on the role of «Greek universities as they have responded in various ways to the migrant influx and have taken steps to reduce political, institutional, and societal constraints, which oppose refugee integration».

All in all, children's right to education is independent from their status, background and current country of residence. This means that every child cannot be offered a sort of 'second class-education', but that they receive the support needed to succeed, and that they are protected from any kind of discrimination (Koehler & Schneider, 2019).

It is our duty to look beyond rhetoric and act on behalf of these children who need protection and enjoy the Right to Education. It is urgent to fight against the immigration policies that keep these children on the move but inevitably immobilized (Esmaili, 2018).

References:-

1. Access to Education of Refugee and Migrant Children outside: Accommodation (Open) Sites - Athens and Thessaloniki, Greece, March 2017. Available at: <https://reliefweb.int/report/greece/access-education-refugee-and-migrant-children-outside-accommodation-open-sites-athens>
2. Bhabha, Jacqueline, et al. (2017). Children on the Move: An Urgent Human Rights and Child Protection Priority. Boston: Harvard FXB Center for Health and Human Rights.
3. Greek Ombudsman. (2017). Migration flows and refugee protection Administrative challenges and human rights issues. Available at: https://www.synigoros.gr/resources/docs/greek_ombudsman_migrants_refugees_2017_en.pdf
4. Greek Law 4540/2018; Directive 2013/33/EU. Available at: http://www.immigration.gov.gr/en_US/web/guest/nomoi-metanasteusi
5. Erlingsson, C & Brysiewicz, P. (2017). A hands-on guide to doing content analysis. African Journal of Emergency Medicine, 7, 93–99. Available at: <http://dx.doi.org/10.1016/j.afjem.2017.08.001>
6. Esmaili, E. (2018). Caravans and Containers: Children on the Move, Immobilized. Pediatrics Perspective, 142 (3). DOI: 10.1542/peds.2018-1470. Available at: <https://pediatrics.aappublications.org/content/142/3>
7. European Committee of Social Rights. (2018). International Commission of Jurists (ICJ) and European Council for Refugees and Exiles (ECRE) v. Greece Complaint No. 173/2018. Available at: <https://rm.coe.int/cc173casedoc1-en/168090390c>
8. European Convention on Human Rights. (1953). Available at: https://www.echr.coe.int/Documents/Convention_ENG.pdf

9. Fairclough, N. (1995). *Critical Discourse Analysis*. London and New York: Longman.
10. Geneva Convention. (1951). Available at: <https://www.unhcr.org/1951-refugee-convention.html>
11. HRW. (2018). Greece: Asylum-Seeking Children Deprived of School. Few Classes in Government Camps on the Aegean Islands. Available at: <https://www.hrw.org/news/2018/07/18/greece-asylum-seeking-children-deprived-school>
12. HRW. (2018). "Without Education They Lose Their Future". Denial of Education to Child Asylum Seekers on the Greek Islands. Available at: <https://www.hrw.org/report/2018/07/18/without-education-they-lose-their-future/denial-education-child-asylum-seekers#>
13. International Covenant on Economic, Social and Cultural Rights. (1966). Available at: <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>
14. Koehler, C. & Schneider, J. (2019). Young refugees in education: the particular challenges of school systems in Europe. *Comparative Migration Studies*, 7, (28), 1-20.
15. Mayring, Ph. (2000). Qualitative Content Analysis. *Forum Qualitative Sozialforschung/Forum: Qualitative Social Research (On-line Journal)*, 1.
16. Mogli, M., Kalbeni, S., & Stergiou, L. (2020). "The teacher is not a magician": teacher training in Greek reception facilities for refugee education. *International e-Journal of Educational Studies (IEJES)*, 4 (7), 42-55. DOI: 10.31458/iej.605255
17. Scientific Committee in Support of Refugee Children. (2017). *Assessment Report on the Integration Project of Refugee Children in Education*, Ministry of Education, Research & Religious Affairs, Athens. Available at: https://www.minedu.gov.gr/publications/docs2017/CENG_Epistimoniki_Epitropi_Prosfygon_YPPEH_Apotimi_Protaseis_2016_2017_070_.pdf
18. Tzoraki, Ou. (2019). A Descriptive Study of the Schooling and Higher Education Reforms in Response to the Refugees' Influx into Greece. *Social Sciences*, 8 (72), 1-14.
19. UNICEF (2019) Humanitarian Action for Children. Available at: <https://reliefweb.int/sites/reliefweb.int/files/resources/2019-HAC-Refugee-migrant-crisis-Europe-rev-Sep.pdf>
20. UN High Commissioner for Refugees, Unaccompanied Minors in Greece (01.03.2017). Available at: <https://data2.unhcr.org/en/documents/download/54239>.
21. UNHCR. (2019). Refugee education in crisis: More than half of the world's school-age refugee children do not get an education. Available at: <https://www.unhcr.org/en-my/news/press/2019/8/5d67b2f47/refugee-education-crisis-half-worlds-school-age-refugee-children-education.html>
22. UN. (1948). Universal Declaration of Human Rights. Available at: <https://www.un.org/en/universal-declaration-human-rights/>
23. UN. (1989). Convention on the Rights of the Child. Available at: <https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>
24. Ziommas, D., Capella, A. and Konstantinidou, D. (2017). Integrating refugee and migrant children into the educational system in Greece. *ESPN Flash Report 2017/67*. Available at: <https://ec.europa.eu/social/BlobServlet>.