

The World's Displaced and the Human Right to Education: A Generational Challenge for Global Higher Education

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Note: In preparation for the IIE Summit's discussion of the failure to protect the human right to education of the world's refugees, I prepared this short essay as an introduction to the right to education and as a way to share my own thoughts on the question of failure and to highlight some current programs helping to address it. It is also me laying down a challenge to colleagues and higher education institutions to acknowledge our collective professional responsibility to advocate for, protect and promote the human right to education, especially for those being denied that right because of their status as refugees, displaced peoples and vulnerable migrants.

Within months of the end of World War II, representatives from across the world met under the leadership of Eleanor Roosevelt to draft the *Universal Declaration of Human Rights* (1948). Among the rights established in that document is the human right to education — [Article 26](#).

For the authors of the UDHR the realization of that right would mean more than just more seats in classrooms or more students in schools. Rather, education-as-a-right would be a tool for economic and material development *and* serve as the basis for the creation of a new, moral and just international order. Remember: the framers of the UDHR had just lived through World War II and saw how Nazi Germany's extensive, well-funded and rigorous educational system fostered ideologies of hate and a compliant population. Education, built on the human rights idea would be the way to free people from demagogues and dictators and create a world of equal citizens of a democratic, peaceful and prosperous world.

In the 70 years since, that right has been reaffirmed and refined in subsequent UN and regional treaties and [covenants](#), most recently in the [UN's Millennial Development Goals](#) and [Sustainable Development Goals](#); it is an undisputed international norm; and national law codes and policies protect and extend it.

Equity in access to higher education is a particular and forward-looking element of the human right to education, especially when one considers that at the time it was established, higher education was reserved primarily for a given society's social, ethnic, and economic male elite. As stated in the obligations of the *International Covenant of Economic, Social and Cultural Rights* (1966) which turned Article 26 into human rights law:

Higher Education shall be made equally accessible to all, on the basis of capacity, by every appropriate means; and in particular by the progressive introduction of free education

Still, despite tremendous success in the implementation of this right, refugees and other displaced peoples around the world have little or no ability to exercise it.

Generations Lost

Expanding access to education has been among the most concrete human rights achievements of the last 50 years, this is the case at all levels of education, including at the very highest.

In 1965, fewer than 3% of university-age young people attended any form of higher ed in Latin America. Now that number is over 50%. At the same time, some quarter million young people were enrolled in universities in the Middle East, a number that had more than doubled since the decade before. Just under 20 million young people attend university in the region now.

That rate of enrollment — globally estimated at 38% — has left behind a group no less entitled to the human right to education. The UNHCR estimates that fewer than one percent of all refugee and displaced young people have equitable access to higher ed; this is the population that most needs to meaningfully exercise that right as they seek to rebuild lives in exile or gain the skills that will serve them as they return and rebuild their homelands.

We speak often about preventing a lost generation of university students. With the Syrian war in its 7th year not just the generation of young people who had been in university when the war is now lost, but 7 years-worth of 18/19 year olds haven't even begun to attend.

In Lebanon, home to some 1,000,000 refugees, fewer and fewer Syrian refugees are being supported through high school because of discrimination and adverse economic conditions. A time is at hand when virtually no refugees will enter that country's universities. One will often hear — from academics and governmental officials — that no Syrian refugees are enrolling in higher ed because none of them are qualified. This has always reminded me of Jim Crow-era explanations for why there were no African Americans in southern universities.

Their human right to education is being violated. As is our broader human right to their education.

A lost generation means a generation of a community's leaders is not trained and empowered: journalist, engineers, teachers, lawyers, artists and historians who could support and build successful communities. To borrow from the text of **Article 26**, a lost generation denies humanity of the "full development of the human personality" of talented and smart young people. Without this education and an empowered generation, poverty, radicalization, crime, and social and political exclusion follows. The human right to education is not just about laying down a path to a job or an element of material development, it's about security, human dignity,

and in our modern world, where advanced education plays a role unimaginable 70 years ago, it's about being human.

Origins of Failure

This ongoing disaster, which is a global failure to protect and defend the human right to education for all detracts from two generations of success in expanding opportunity, and to some extent is a consequence of that very success. As countries like Venezuela, Syria, Iran and Iraq with well-established higher ed sectors have descended into war and chaos, these countries have produced the bulk of displaced refugee university students.

It isn't difficult to identify causes. One is the fact that the responsibility for the human right to education rests with the state. In reality this has almost always meant that what should be the human right to education for all is just a state obligation to educate only its citizens — and not refugees, irregular migrants or even young people from ethnic and religious minorities.

But it is also a product of income inequality and a cruel obsession with austerity that has cut education budgets and restricted access for even the qualified in places as diverse as California, Turkey and India. In this sense, refugee exclusion is just prologue to a new normal where larger social and economic drivers will exclude more and more in the coming generation. Those same drivers fuel the xenophobia and racism that has already begun to unravel the international refugee régime that was established in the late-1960s.

Growing the Human Right to Education Toolbox

Some of what should be done is already taking place within the existing capacity of international organizations and higher education institutions. For example, UNESCO, in a major leap forward, fostered the development of the [Global Convention on the Recognition of Higher Education Qualifications](#). The agreement, which is primarily for high-skilled migrants — students and professionals — includes special accommodation for the recognition of refugee credentials, which are often fragmentary, incomplete or unofficial.

National higher education bodies, like the Norwegian [NOKUT](#) have developed tools including the European Qualification Passport for Refugees, which can help make certain that the unique problems that refugees often face in terms of documents and their transferability don't hinder access. NOKUT successfully piloted their "passport" in Greece last year. World Education Service's refugee Gateway Project is a similar program.

My university, University of California Davis, in collaboration with the American University in Beirut, and the American Association of Registrars and Admissions Officers, developed a digital-human ecosystem, the [Article 26 Backpack](#), to empower young people to plan and structure their higher education, training and career pathways. Backpack provides them with a way to safely store and share with universities, scholarship agencies, and even employers their educational background, employment history, professional achievements and goals. Available

in English, Arabic and Spanish, Backpack is being used by thousands of refugees and at-risk young people in the Middle East and California.

In a similar vein, UNHCR plans to implement a complex digital wallet for its university scholarship students (DAFI) that will help with issues of document transferability and surety – though this may be many years in the making. [IIE's PEER](#) program, which offers counseling and admissions advice holds great promise to increase successful transitions. And that organization's [Scholar Rescue Fund](#), exemplifies elegantly how higher education, the right to teach and to learn often overlaps with the most critical of human rights, including work, freedom of thought, asylum, and even life.

The Unacceptable Ratio and Global Higher Education's Silence

Slowly, a growing body of resources and tools are being elaborated to connect and support refugees. What is missing is the other side of the equation.

Since 2003, and the beginning of the US-led occupation of Iraq, when I first began to study the ways universities and other organizations respond and don't respond to the needs of higher ed refugees and higher education in emergencies, I've seen another cause: the failure of international higher education to effectively mobilize to defend the human right to education for those most in need of it and most often denied it. From positions of complacency to complicity, this inaction is more than a consequence of rules, regulations and funding.

Rather it is a lack of a broad commitment to accept partial responsibility for the meaningful implementation of the human right to education for all, including refugees.

The growing recognition of what I call the *unacceptable ratio* — 38 percent of young people around the world go to university, while only one percent of refugees do — presents an opportunity for global higher education — educators, administrators, national educational bodies, and ancillary institutions — to reimagine its role as the chief defender of the human right to education.

Physicians and journalists often have the most powerful voices in support of the right to healthcare and press freedoms. Educators have a similar shared responsibility and authority, especially where the state or the international community have not stepped in to effectively defend that right. Still, without institutional support, even the strongest of those voices is irrelevant.

Defending the human right to education for all in a climate of eroding international norms, austerity, precarity and xenophobia will be difficult. One could imagine a retrenchment of higher ed's role as a social, economic, ethnic and class gatekeeper; or simply that higher education is reduced to for-profit fungible commodity and students recast as a revenue center.

Ensuring equitable access for refugees will be even harder as ensuring equitable access for all grows even more difficult.

Whether it can develop a coordinated, robust response to the higher education needs of refugees and other similarly displaced and vulnerable peoples is the test of the viability of the human right to education for the next 70 years.

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