



AMERICAN JOURNAL OF SOCIETY AND LAW (AJSL)

ISSN: 2835-3277 (ONLINE)

VOLUME 2 ISSUE 2(2023)



PUBLISHED BY
E-PALLI PUBLISHERS, DELAWARE, USA

The Refugee Children Legal Rights to Education: The Case of Bambasi Refugee Camp in Ethiopia, Africa

Workye Tadesse Awoke¹, Fe Nangcas Jalon De La Cruz^{2*}

Article Information

Received: April 02, 2023

Accepted: May 04, 2023

Published: May 07, 2023

Keywords

*Children's Rights, Refugee
Children's Right to Education,
Refugee Children's Protection,
Qualitative Research, Bambasi
Camp, Ethiopia, Africa*

ABSTRACT

This study aimed to investigate the legal rights of refugee children in Bambasi Refugee Camp, Ethiopia. Qualitative methods via case study were used. There were 11 participants interviewed from the selected officials such as teachers and other officials from Bambasi Authority for Refugee and Returnees Affairs (ARRA) and Benishangul Gumz Regional State (BGRS) Education Bureau. Some refugees children aged from 12 to 17 years old were included in the interviews too, however all of them were given the consent to be interviewed by their parents, principal and camp authorities. They were chosen based on their academic performance, age and grade level. The whole process were reinforced with field observations and journaling. Within the periphery of this articulation, results showed that the refugee camp school lack classrooms, library room was not functional, and no laboratory room as well. The school curriculum need to be revisited as there was no special education in curricular offerings. Lack of qualified teachers was another issue, language barrier and financial scarcity were among the identified challenges faced by refugee children. Their rights to education need to be protected. This implied for the Government of Ethiopia and the United Nations High commissioner for Refugees (UNHCR) to look into the situation of the refugee camp school so children's right to education will be protected be reinforced with quality education.

INTRODUCTION

In the whole world, every child has the right to an education but only 50 percent of refugee children have gone to school which is much worse than the global average. This is a problem faced by refugee children because they were affected by poverty, strained resources in the host country, humanitarian agencies and donors. Their right must be protected in order to come to school since they play essential roles in society (Esveld, 2023). There were crisis in schooling for displaced children. There are limited data about education of refugee children, more than 41 million (UNHCR, 2022b) children who have been forcibly moved to evacuate, yet just half of the academic year 2020-2021 at the gross enrolment rate. In primary school was greater than 100 percent worldwide, but just 68 percent were refugees, it was noted by UNHCR (Sheppard, 2022). In fact, million children who the UNHCR considers as refugees are out of the school (UNHCR 2022a).

In addition, the gross secondary school attendance exceeded 100 percent in lower-middle class areas. Revenue for high-income nations fell to 37 percent for refugees. Secondary education completion rates for refugees are unknown, but they probably fall much below the global average of 45 percent (UNICEF, 2022). More than 75 percent of refugees had been displaced for over five years. The average length of time that a refugee spends in these protracted situations is 20 years and this is 10 years longer than childhood age according to the UN Educational, Scientific and Cultural Organization as the number of years in exile is about 2 decades (UNESCO 2019).

In Africa, forced migration is a bigger issue than in any places due to conflicts in different countries. It resulted in both internal and foreign displacement. Regarding the number of refugees as of January 2017, Africa is home to 5,478,950 refugees and 52,743 individuals in similar circumstances, for a total of 5,531,693 refugees and individuals (UNHCR, 2018). Recently, the stateless populations figured it out to be 71,611,252. Alongside with this problem, the African Union (AU) has a big role. Considered as one of the UNHCR's most crucial allies and a pioneer in an international efforts to address forced displacement the union offers essential reliefs supplies, financial aid, and housing to vulnerable individuals in order to increase access to education. This year, its emphasis is on improving protection monitoring and emergency response while working with development programs to find long-term solutions. In this light, through its Ambitious Agenda 2063, the Union unites its 55 member states to work together to address pressing political, social, and economic concerns, such as preventing and ending war and fostering pan-African development and integration (UNCHR, 2023).

In Ethiopia, the number of refugee children enrolled in primary has climbed up from 118,275 in 2016/17 to 132,563 in the 2017/2018 academic year, according to preliminary data on the school enrolment rate. This raises the overall enrollment rate in elementary schools to 72 percent, which is very close to the Ethiopian government's pledged aim of raising the enrollment rate in primary schools for refugees to 75 percent. However, there are gaps in education delivery in Ethiopia, including a lack of readily accessible classroom space, a shortage of

¹ Attorney, Commercial Bank of Ethiopia, Addis Ababa, Ethiopia

² International Development Worker, Bahir Dar City, Amhara Region, Ethiopia

* Corresponding author's e-mail: lady.feus3819@gmail.com

qualified teachers, and a dearth of high-quality teaching resources, such as textbooks, lab supplies, and stationery. Only 56 percent of instructors are formally qualified to instruct at the primary school level, and the average ratio is 1:80. (UNHCR, 2016).

In this lens, previous studies in the country investigated most of the time for the protection refugee as a general project in that they give less emphasis for the protection of child right to education, whom are double vulnerable to human rights violation most of the time Even those studies on refugee protection give much emphasis to Somali and Eritrean refugee, the protection of refugee who came from other countries as a whole and the protection of child refugee to education in particular was not studied well. Therefore, taking in to consideration the existence of significant number of children refugees and their vulnerability to various forms of human rights violation it is worth giving to investigate the legal and practical protection of child refugees' right to education in Ethiopia, Bambasi Refugee Camp.

Revealing the existing challenges in Bambasi Refugee Camp which hinders the right to education of refugee children will help donors, state government and non-governmental organizations working on refugees in general and child refugees right to education in particular to easily understand those challenges refugee children are facing on their education in Bambasi refugee camp, Ethiopia. Furthermore, this research can be taken as a reference for further research on the issue.

General Objectives

To investigate the legal rights to education of refugee children in Bambasi Refugee Camp, Ethiopia, Africa.

Specific Objectives

- To examine the protection of children refugee right to education at existing international human rights system both in the legal and institutional frameworks.
- To overview the protection of children refugee right to education under regional human rights systems.
- To evaluate the legal and institutional framework protection of the right of refugee children to education under Ethiopian legal system.
- To assess the practical protection given for the right of refugee children to education in Ethiopia, Bambasi refugee camp.

LITERATURE REVIEW

The Refugees

People who have fled from their own nations in quest for safety are considered refugees (Guler, 2013). In similar way, the person who lives outside of their own country because of a legitimate fear of abuse brought on by their nationality, religion, or relationship and because they do not desire to get access to benefits related to their political beliefs or social group membership, this person is referred to as a refugee (Dictionary of Migration Terms, 2009). Although forced migration has always occurred, nations

and policymakers are frequently taken aback by the entrance of refugees (Kleist, 2017). The movement of individuals across borders, both internally and externally affects the entire world and is a problem that affects the entire world and is becoming more frequent (Tadele, 2017). Moving, whether within a country or across an international boundary, is referred to as migration, encompassing all types of migration, regardless of their size or origins; this includes economic migrants, internally displaced people, uprooted people refugees, and asylum seekers (International Organization of Migration Glossary on Migration, 2004).

In Turkey, Syria's prolonged civil war affects economy. Due to the conflict and the conditions it creates, many families are compelled to move to foreign nations. Families are the group most hit by this circumstance, and the youngsters relocate with their parents there. Turkey has taken precautions to prevent this disruption from influencing their future. Any of these measures that are taken to provide protection gives these kids an opportunity to continue their education (Uzun & Butun, 2016). However, one of the major problems Syrian refugees have is the potential for access to information, which is maybe the most important in the medium and long terms. for the education of their kids (Tunc, 2015).

Right to Education

The legal of education as a human right dates back to the publication of the Universal Declaration of Human Rights (UDHR) in 1948 has been reaffirmed in a number of international human rights agreements, such as the Convention against Discrimination in Education (1960), the International Covenant on Economic, Social, and Cultural Rights (1966), the Convention on the Rights of the Child (CRC), and the Convention on the Elimination of All Forms of Discrimination (CED). All students are guaranteed a right to free, universal primary education under these treaties, and they also place obligations on public schools to provide and support secondary education. All children should have equitable access to it and higher education, and there is a duty to provide basic education for those who have not finished primary school (UNICEF, 2017).

International law mandated to provide strategic goal for education to work and persuade authorities to give refugee children the right to have been educated. Their rights must be uphold. In fact, it is the host nation's responsibility to provide the right of displaced children to an education. Many domestic laws, do not ensure that everyone has the right to learn. In many countries, domestic laws do not always allow on education for all. If they permit on free access to education they may impose certain conditions as proof of legal status, place of residence, or a certification from previous school attendance (Norwegian Refugee Council, 2021).

Problem Issues

In this vein, the desire for study among refugee children

is frequently stifled by a lack of opportunities for a more expensive education and a better job. Jordan's requirement that Syrian refugees pay foreign-student tuition for higher education pushes universities out of reach for many. reach for most students, even those with excellent test scores on their high school graduation exam examinations (HRW, 2016b). The scarcity of qualified teachers in mass-influx scenarios is a problem that frequently arises. They instruct the additional students despite the fact that refugee teachers are prohibited from teaching or cannot have their credentials accepted. Syrian refugee teachers in Jordan and Lebanon are not permitted to work as teachers in either public or private institutions (HRW, 2106a), but in Bangladesh, the government Community-led schools run by Rohingya refugee teachers were forcibly closed (HRW) 2022a).

It is stated that teaching in Turkey and Germany, two of the main nations that welcome refugees, is a significantly difficult. The lack of management skills prevents significant numbers of refugee children from being mainstreamed in national school systems. Classroom diversity and there was lack of proper orientation and training for teachers to deal with it with the educational requirements of children from refugee families. The proficiency in learning a second language in immigrant children in both Turkish German school became an issue (Seker & Sirkeci, 2015; Baumann, 2017).

Although children do not have the exclusive right to education, they appreciate it the most. It is crucial to their development and in many cases, their survival and safety. A minimum level of education is required in order to enjoy many civil, political, socioeconomic, and cultural rights like the freedom of information and expression, the right to vote and be elected, the right to choose one's employment, the right to equal pay for equal work, among many others. This is why the human right to education is referred to as an enabling right (Tomasevski, 2001).

The school buildings are made of bamboo in accordance with the semi-permanent constructions guideline; tables and seats are likewise constructed of bamboo and are cemented into the ground. The bamboo walls that make up the classrooms don't do a good job of blocking out the noise from other "classrooms." As a result, schools are packed, busy, and warm. The schools lack electricity, same as the rest of the camps. Additionally, due to a lack of resources, there are no science laboratories and no tables or chairs for the teachers in the classroom. The physical and educational demands of students with special education needs are not fully met by the infrastructure of school grounds and buildings (ZOA, 2009).

The Ethiopian Context

Ethiopia has passed The Refugee Proclamation No. 409 of July 19, 2004, Federal Democratic Republic of Ethiopia, revised by Proclamation No. 1110/2019, in an effort to demonstrate its commitment to and desire to adopt national legislation (UNHCR, 1992). It summarizes Ethiopia's legal system for refugees, highlights important

protective concepts, and states that it will be applied without regard to a person's race, religion, nationality, membership in a particular social group, or political position. The Refugee Proclamation is the primary national legal document that expressly addresses concerns relating to refugees living in Ethiopia, along with the FDRE Constitution (Kleist, 2017). In support, The UNHCR's major government partner with whom close coordination is maintained to ensure the protection of refugees in Ethiopia is the Administration for Refugee and Returnee Affairs (ARRA) (UNHCR, 2016). A new refugee proclamation, number 1110/2019, has been created to give refugees extra rights. The law now makes it possible for refugees to register life events officially, get work permits, and to access basic education (FDRE, 1995).

In essence, there have been a number of studies conducted on the topic of refugee protection. Accordingly, a study on rights in displaced situations: challenges and prospects for enforcing reproductive rights of refugee women and girls. The paper revealed that financial issues and limited resettlement opportunities, the existence of reproductive rights violations, the social, cultural, and religious challenges on the provision of reproductive health services, and a lack of awareness about sexual reproduction and reproductive health. The study focuses in particular on the female refugees' and girls' reproductive rights. Refugee children can be grouped with girls, but the study primarily examines the reproductive rights of girls and does not take them into account rights of other refugee girls, notably those relating to education. As a result, it has a research gap that has to be looked into in relation to the right to education of child refugees rights of other girls who are refugees, including rights to education (Tefaye, 2011).

In addition, Diress (2011) study on the right to asylum, A Case Study with Particular Reference to Somali and Eritrean Asylum-Seekers and Refugees in Ethiopia, reveals that access to asylum procedures is sometimes denied or delayed at Eastern Ethiopian camps, and refugees are not always guaranteed safety and security while seeking asylum. The study, which is still general in nature, did not elaborate about Ethiopia's actual or legal protection of children seeking asylum there having access to education.

MATERIALS AND METHODS

This study was conducted at Bambasi Refugee Camp School. It is located in Assosa Zone, a few kilometers away from Benishangul Gumuz Region, Western Ethiopia, Africa. Qualitative method via case study was employed. This hatched the idea of Yin (1984) that in case of analysis, the data is most frequently carried out in the context of its application. The researchers selected this approach because they believed that it is the way to address the research objectives and to have a detail understanding of the experiences of the study participants. There were 11 key officials in the refugee

camp involved in the interviews alongside with the refugee children who were students that selected based on their academic performance, age and grade level who were authorized by their parents to be included in the focus group discussions.

In Benishangul Gumuz area, Bambasi is the third refugee camp after Sherkole (the oldest camp since the Sudan and South Sudan war) and Tongo. It started taking in refugees in June 2012 after two other camps surpassed their capacity. Primarily Sudanese refugees from hostilities between the Sudanese army and the Sudan People's Liberation Movement-North were housed in the camp when it first opened (IOM, The Migrant, 2012). As of June 2018, 17,287 refugees are living in the Bambasi Refugee Camp, including 8,606 men and 8,681 women. Ninety-seven percent of the migrants came from North Sudan and the Blue Nile State of Sudan, while the remainder refugees came from Burundi, South Sudan, and the Democratic Republic of the Congo. Children under the age of four (2160 males, 2,140 females, totaling 4,300), between the ages of 5 and 11 (1955 males, 1910 females, totaling 3865), between the ages of 12 and 17 (1264 males, 1139 females, totaling 2403), between the ages of 18 and 59 (6119 males, 3196 females, totaling 29,23), and over 60 (304 males, 296 females, totaling 600 refugees) make up this population. According to this figure, the proportion of refugees in the camp who are under 18 is greater than 50% (Hailu, 2018).

ARRA ran the school in collaboration with UNHCR, which starts educating refugees since 2012 and it operates from grade 1-8. The class schedule is a double shift system, from grade 1-4 in the morning session and from grade 5-8 in the afternoon session. In the school there are 39 classes, within this 23 of the class rooms are permanent one, which are built for class purposes, whereas the remaining 16 classrooms are temporary (semi-permanent) which built to solve the shortage of classrooms for temporary classes. At the time of this investigation, there were 6 female, 64 male total 70 teachers who were teaching in the Bambasi refugee camp primary school. Among the total teachers, 3 female 20 male totally 23 teachers were degree holder permanent teachers employed by ARRA, who were Ethiopian by nationality and they mostly teach from grade 5-8 refugee students. They are qualified and recruited based on the Ministry of Education (MoE) and Benishangul Gumz Regional State (BGRS) teacher recruitment standards. 3 female 44 male totally 47 teachers are refugee incentive teachers, within this 10 of them are degree holders, 8 have diploma and the remaining 29 incentive teachers were below grade 12. The school has one library, but it is not functioning well due to the absence of a librarian and it is too small to serve for many students.

RESULTS AND DISCUSSION

It could be deduced from the interview results that the refugee right to education in Bambasi Refugee Camp was not properly protected. Various challenges which

hindered the refugee children enjoyment of their right to education showed up. These issues are the following:

Mixed Learning

The interviews with officials in the camp, revealed that all refugee children were required to enroll the basic education program. All would start in Grade One regardless of age. In that case, all children were given equal chance of getting education in the primary school. However, the informants mentioned that there is no special class for visually, mentally and physically impaired refugee children in the camp. In that, the right to education of refugee children with special needs is highly affected (Hailu, Zyenu & Meskerem, 2018).

In this context, it is admirable that the government is imposing towards education for all regardless of a person's status in life. The government mandate that requires everybody to enrol in Grade one is an indication that the educational policy of Ethiopia as stipulated in Rights and Obligations Access to Education of Asylum - Seekers and Recognized Refugees Proclamation No. 1110/2019 is serious in implementing the rule of law to give equal rights to education against all odds. Hence, the educational leaders must bear in mind that conducting classes with heterogeneous age from both genders must be looked into in order to be given ample attention to properly dispose quality teaching and learning on the part of the teachers and the learners. On the other side of the story, it was mentioned by some officials that despite this advantageous advocacy on the part of the government efforts to implement this educational system, inclusive education was not included in the school curriculum in Bambasi Refugee Camp School.

In like way, a research literature on multigrade instruction were tackled by some researchers too. Others mentioned that mixed learning is becoming more significant in a variety of nations. these nations work to provide universal access to basic education, like in Sri Lanka (Hargraves, Montero, & Chau, 2001), Peru, and Vietnam (Aikman & Pridmore 2001). Turks and Caicos Islands (Berry, 2001), Columbia (McEwan, 2001), just to name a few. Additionally, multigrade classes are available in nations having formal education systems with a long history, such those in Australia (Maxwell 2002), Canada (Brown & Martin, 1999), the United States (Mason & Burns, 1999) Additionally, multigrade instruction may be advantageous in refugee camps and extreme circumstances that a re identical. Despite the fact that there are numerous definite advantages to multigrade classes, there is still disagreement on the results of multigrade teaching (Mason & Burns 1998; Veenman 1995, 1996). Additionally, as pointed out by (Little, 2001b) of multigrade teaching that it is frequently applied in environments where the necessary knowledge, abilities, and resources are insufficient.

Additionally, considering what teachers think, combining pedagogies in the classroom can assist in delivering education of high caliber in Syria. These are in similar to the opinions of other authors, including Barrett (2007),

O'Sullivan (2004), Vavrus (2011), Schweisfurth (2013), Gutrie, 2011; Alexander, 2017; & Thompson, 2013). But this result is not consistent with INEE. (2010a), which encourages LCE adoption as "Best practice" when it comes to refugees. The the case study research's findings were emphasized many obstacles and forces that had an impact the choices made by teachers, their opinions of LCE, and effective teaching.

On the issue on special education need, many refugee children struggle to get an education, but those who have special needs are particularly at risk of being excluded from social and educational contexts. Despite being regarded as a great practice, mainstreaming may not always be possible due to the scarce resources found in refugee camps (Crea...*et al.*, 2022).

Financial Budget

As the researchers continued to excavate the information about the issues surrounding the Bambasi Refugee Camp school, additional problems emerged. One of the biggest issues that came into the picture was relating to numbers of teachers, classrooms, lack of teaching aids and devices, textbooks which are mainly associated with the budget problem (P2-Indpeth). Some interviewees mentioned that the problems in the refugee camp with regard to the enjoyment of the right to education by refugee children's are associated with money issues (P3-Indepth). The camp has shortage of budget and those allocated are not released. As a result, the ratio on number of students per class and student to teacher and book ratio is always below the national standards.

Naturally, financial constraint is common to many organizations especially in educational sector. As spoken by the officials in the camp, it is a sad reality that due to lack of financial support, children rights to quality education was hampered due to lack of school facilities. Teachers were handling large classes in a room where textbooks are incomplete. This is a clear indication that quality education was not properly impose as evidently observed by the researchers in the camp.

Related literature speaks about similar situation. The organizations like UNHCR have attempted to create programs in collaboration with numerous NGOs or other non-profit organizations, but "UNHCR has been going through a financial crisis for the last few years. Poor quality in refugee education is largely due to inadequate funding. Even schools may close as a result (Brown & Martin, 1989). In similar manner, financial assistance and educational resources are lacking Analogous to the Kakuma Interviews with teachers at the Buduburam Refugee Camp conducted in a refugee camp noted problems with inadequate funding for schooling. both male Buduburam Buduburam Male Teacher 1 (BM1) and Buduburam Female Teacher 1 (BF1) discussed the inadequate teacher salary at the school and pupils' inability to afford purchases food or even materials for schools. Additionally, the absence of funding resulted in The amount of textbooks and other learning resources that

teachers can give students kids' ability to learn, impeding that ability (Rubenstein, 2013)

Inadequate Classrooms

It is noteworthy, that in Bambasi Refugee Camp Primary School the presence of classrooms were insufficient to hold classes. A participant said that due to its inadequacy, class size ballooned to 100-150 learners in one lecture room. Another interviewee elucidated that holding classes on this scenario was hard for them. There were times that students from Grades 1 to 4 classes will rise into more than 150 per lecture. Many of the students cannot sit down. Chairs were inadequate, they merely sat down on floors and others were succumbed to just indulging in a standing position at the back of the room.

As a result teachers could not manage well in handling class discussions. Student assessment whether the children are learning, hearing or writing etc. was impossible. Evaluation and monitoring were difficult. More so, many children had having same names, teachers elaborated that an overpopulated classroom memorizing or familiarizing of student's face was not easy to do.

The researchers have personally witnessed on the actual situation of the refugee children in the camp. We can share the idea of the teachers, due to the absence of chair and space to sit them sometimes not allowed entering in the class. In general the school lacks minimum basic facilities including basic furniture, windows, and ventilation. In our observation in classrooms I had witnessed that in almost all classes the number of student chairs are few, the class are shallow and does not have window. The semi-permanent classrooms have open walls that expose children to dust and wind gusts and the majority of schools are not accessible to children with disabilities. Due to this refugee children cannot get the necessary education, as stipulated in international, regional and national human rights instruments.

The situation of the refugee children in Bambasi Camp in Ethiopia was not alone in this world. The idea was sought after Sharif (2020) mentioned that teachers in Syria also experience difficulties that prevented Learner-Centered Education (LCE) implementation because the physical layout of the classroom, as well as the serious absence of instructional aids and resources (Sharif, 2020). Furthermore, Several challenges are faced by schools in refugee camps challenges, such as inadequate financing, crowding, and a lack of outdated instructional materials, inadequate teacher preparation insufficient technology (Mendenhall...*et al.*, 2015).

The School Curriculum

At the onset of the interview, a participant mentioned that the Bambasi Refugee Camp school followed the Ethiopian Ministry of Education's system. The FDRE education curriculum has a policy that if the children acquire Minimum Learning Competencies (MLC), the whole students from grade1- 4 shall pass to the next grade. The application of this policy in Bambasi

refugee camp has a negative impact on children's right to education. As discussed before the camp have a shortage of classrooms, therefore, it is impossible for the teachers to assess whether the children are acquiring the necessary knowledge or not. It was mentioned by another informant that the refugee children are not getting a good background in their education. For him the capacity of grade 4 and 1 are the same and it seems they are in the same level.

The UNESCO (2015) elaborated the challenges with regard to curriculum is the contents of the student books. Some teachers and students said that the textbooks are not published taking in to consideration the refugee children's background. Instead, the textbooks are translated to English language without any modification as to the contents. The names of plants, foods, places, and persons are totally Ethiopian, which is difficult for the teachers to teach with the examples and students to understand. Students cannot differentiate the image of man and women in the text books, since no hijab is made on women's head among the massively numerous Syrian's UNICEF assisted in the establishment of a using a Syrian children's education system updated Syria's curriculum to promote enrollment at the host's schools societal groups.

Language Barrier

The importance of the mother tongue, and more specifically of mother-tongue education, is recognized globally. The use of the mother tongue is regarded as one of the most effective ways to act and perform cognitively, socially and communally (Chuur, 2013). The Media of instruction in Bambasi Refugee Camp Primary School in the whole grade is only English. English language is selected because many of the refugees are from different background in their home country. Whereas, the media of instruction is a barrier for refugee children right to education in Bambasi refugee camp. According to Kerima Bahida, making English as the only media of instruction is not enough, it also better for the children to learn Arabic and Amharic. For her she cannot coach her child in education because of the media of instruction in textbooks is English, which she does not understand at all. Furthermore, it is difficult for the children to understand and it may affect their future. Refugee students feel as they will start class again in Arabic when they return to their home country. It also has its own negative impact on student to teacher relationship in the school, because teachers cannot speak and translate to their native languages. For Mupenzi J. refugee children are unable to recognize the English accent, they do not give attention for learning rather they will laugh in what and the way they heard other speaking. The researchers also observed in an interview with the refugee students that they cannot speak English even those students who belong the upper grade level.

Academic and language-related problems were identified as the main concerns in education in the refugee camp. Participants brought up concerns about academic

achievement, overall integration and communication, and connected these to the limited language skills of refugee young children . skills because they lack the ability to communicate clearly and effectively, which compromises the process of integration (Seker & Serkici, 2015). Although schools provide refugee children with a secure atmosphere, their background experiences, heritage disparities, and a lack of capacity to communicate in the host society's language may produce school integration problems (Hart, 2009). Interesting results revealed that respondents pointed out that refugee children could not exercise their right to school fully. Children who have fled their homes have a tough time adjusting to school and their new environment. conflicts of cultures and are accepted by their peers. All of these result in exclusion and decline. school achievement. The literature frequently mentions the linguistic barrier as the a significant issue that refugee families and children experience (Patiadino, 2008).

In addition, there were many difficulties encountered by students in the refugee camp, these are access to school, the language barrier and education gap, overcrowding, a lack of proper school documents for children, child labor (Aras & Yasun, 2016); Dinçer *et al.* 2013), Dorman & Chatty *et al.* 2014), Kirişci, INEE, 2014, and Save the Watkins & Zyck, 2014).

Economic Problems

From the storylines of the participants it came out that refugee children in the camp commonly shared financial woes. They were all dependent from the international support from agencies like ARRA in collaboration with UNHCR and other donors. The ration distributed to them was not enough. Many suffered in poverty and this forced them to leave the camp and find ways and means to earn for a living. They fled and live with their relatives in other places to some extent they find refuge in other refugee camps.

Alongside with their need to sustain a living, many just returned home in Bambasi when it is time to distribute ration again and received their share of pie. In addition most of the refugee families cannot buy cloth, shoe, hijab, stationeries for their children. As such, refugee children left the school to avoid the feeling of shame. Economic factor are the main reason for the dropout in Bambasi Refugee Camp school.

A related research connived with the situation that refugees experiences in Bambasi Camp, a literature said that over 90% of Syrians live below the poverty line, making poverty and unemployment a pervasive problem in the country. Many individuals are unable to buy essential products and services due to high rates of inflation and a record price increase of more than 800 percent in the last two years. The economic crisis has resulted in food insecurity for an estimated 12.1 million individuals. Many refugees have lost their jobs and are struggling to satisfy even the most basic demands, such as getting access to clean water, electricity, food, and medicine, as well as

paying their rent. The slump in the economy has also made children more vulnerable to many dangers to their personal safety, including child labor, gender-based abuse, early marriage, and other types of exploitation (UNHCR, 2023).

Shortage of Qualified Teachers

There are 23 qualified teachers who have an education background and skill of pedagogy in Bambasi refugee camp primary school. The remaining 47 teachers are an incentive teacher who does not have any education background, skill of pedagogy and they are under standard. Most of them do not have any documents which show their status. In that only 32.85 % of the teachers are having a formal qualification to teach at the school. ARRA recruits the remaining teachers based on the information they give when screening to be a refugee. The student-to-teacher ratio is above the standard, it remains at 1:83. Almost all teachers teach four classes in a day, which has more than 100 students in one class.

In addition to the above main challenges the absence of laboratory rooms, the absence of special need education, the hulata ayw sa jud biyae si shortage of text and reference books, the problem of refugee village and lack of awareness by refugee children parents and guardians about the importance of education are the factors that negatively affects the right to education of refugee children in Bambasi refugee camp.

The researchers Vogel and Stock (2017) said that in Germany which has 16 federal states and a decentralized system for implementing education policy. The amount of schooling provided to refugees and those seeking asylum varies greatly between states based on their population. of the number of refugees being handled, prior encounters with migrant pupils, and understanding of local policy. Many newly certified or contract teachers had no formal training to welcome classes, give children German language skills and prepare them to integrate into regular teacher classrooms training.

Implications for Practice

The study reveals the existing problems in Bambasi Refugee Camp in Ethiopia that affects refugee children right to education. It implied that there is a need to effectively implement of the right to education of refugee children's in the camp as specified below;

Firstly, withdraw from reservation. Ethiopia is a state party to the 1951 UN convention and its 1967 Protocol by accession on 10 Nov 1969. But according to the terms of Article 42, Para. 1 of the convention Ethiopia made reservations on of article 22 (1) of the right to public education and take it as a recommendation than legally binding. Ethiopia does not make a clear withdrawal from such reservation as stipulated by the convention under article 42(2). This provision provides that, the Contracting States shall accord to refugees the same

treatment as is accorded to nationals with respect to elementary education.

Secondly, improve the qualifications of refugee incentive teachers. The Majority of the refugee camp teachers are an incentive teacher, whom lacks professionalism in teaching. To make effective the teaching-learning process in the camp, ARRA in collaboration with UNHCR shall provide short and long training that improves their skill in teaching and makes their way to become professional teachers.

Thirdly, take further measures. As discussed above, various challenges affect the refugee children right to education in Bambasi RefugeeCamp like shortage of qualified teachers, laboratory rooms, textbooks etc. Therefore, Ethiopia shall take additional measures to solve such problems like providing pedagogy training for incentive teachers, publishing more textbooks and reference materials and policy measures on the provision of education.

Fourthly, upgrade temporary class rooms. The numbers of classrooms in Bambasi refugee camp is not sufficient to deliver the service in accordance with the standard set by MoE and BGRS Education Bureau. Therefore, ARRA and UNHCR and other NGOs working on refugee education shall consider in constructing additional classrooms which can accommodate students, at least upgrade the existing temporary classrooms.

Fifthly, revise the education curriculum. The education curriculum implemented in Bambasi refugee camp is the national and regional education curriculum of Ethiopia and BGRS. The contents of the text are not prepared taking into consideration of the culture, language, religion of the refugee community, rather the whole things are typically Ethiopian. Therefore, the government of Ethiopia and UNHCR have to work together to improve the legal provisions and policy matters that affect refugee children right to education. Revising the education curriculum taking in to consideration the interest of the refugee community and best of interests of refugee children.

Sixthly, make education Inclusive. The education provided in Bambasi refugee camp primary school does not take in to consideration those physically, mentally, visually impaired refugee children's. Therefore, to make education inclusive the school with ARRA, UNHCR and others organization working on refugees should provide education services for those vulnerable refugee children's by fulfilling the necessary equipment's, teachers and assisting materials.

Lastly, generate additional income for refugee parents and students. Economic problems are the main challenges for refugee children to pursue education in the camp. Therefore, ARRA and UNHCR should increase the monthly ration and facilitate another means that generate income for refugee families and children to increase enrolment rate and decrease dropout rate in education.

Implications For Future Research

This qualitative approach using case analysis gathered some important issues surrounding the Bambasi Refugee Camp in Ethiopia. Hence, the results of this investigation might challenge future legal researchers to look closer into the difficulties encountered by refugee children and the legal protection to their rights to education. It is embolden that future readers as well will give their comments not only in the area in which they work but within the context of the study.

The discoveries of this study has restricted validity. In this lens, the researchers are convinced that it will be good if future researchers will increase the number of participants by expanding the areas covered in this inquiry. The reason is to provide a better and more convincing implications if similar investigation would have a sequel. As of the time of this writing, there are still lot of refugee camps that are unexplored. We could see the significance if a multiple case study might be considered in the future to cover large areas to further research investigations. The researchers are in standing ground that the efficacy value of this research investigation is necessary as future reference in any research pursuits.

CONCLUSION

Legally Ethiopia is a state party with too many international and regional human right instruments, which gives a broad range of protection to all human beings. At the same time there are domestic legal instruments which give protection, promotion and respecting of human rights. Ethiopia is a major refugee hosting country in the world and protects refugees based on international and domestic human rights instruments. Regarding refugee protection Ethiopia is a state party to UN Refugee Convention and OAU Convention Governing the Specific Aspect of Refugee Problems in Africa. Those international refugee protection instruments, the FDRE Constitution and the Refugee Proclamation No. 1110/2019 are the main normative frameworks for the protection of refugees in Ethiopia

With regard to the refugee children right to education in Bambasi refugee camp, Ethiopia, the education policy of Ethiopia is applied for each grade level. BGRS the region Bambasi refugee camp located has also its own regional policies regarding education mainly at primary level. In the camp there is only one primary school which operates from grade 1-8. ARRA and UNHCR are the main institutional frameworks for the protection of refugees in the camp. Along with this line, the refugee camp official must be pursuant on their civil rights and responsibilities in aims and objectives to make the district may become suitable to the needs of the refugee children to help them protect their own rights to quality education.

REFERENCES

Aikman, S., Pridmore, P. (2001). Multigrade schooling in 'remote' areas of Vietnam. *International Journal of Educational Development*, 21(6), 521 – 536.

Alexander, R. (2017). Towards dialogic teaching: Rethinking classroom talk (5th Edition). *York: Dialogos*.

Aras, B. & Yasun, S. (2016). The educational opportunities and challenges of Syrian refugee students in Turkey: Temporary education centers and beyond. Istanbul Policy Center. <https://core.ac.uk/download/pdf/78366602.pdf>

Barrett, A. M. (2007). Beyond the polarization of pedagogy: models of classroom practice in Tanzanian primary schools. *Comparative Education*, 43(2), 273-294.

Berry, C. (2001). Achievement effects of multigrade and monograde primary schools in the Turks and Caicos Islands. PhD thesis abstract. *International Journal of Educational Development*, 21(6), 569.

Brown, K. G., Martin, A. B. (1989). Student achievement in multigrade and single grade classes. *Education Canada*, 29(2), 10.

Chatty, D., Ahmadzadeh, H., Çorabatır, M., Al Hussein, J., Hashem, L. & Wahby, S. (2014). Ensuring quality education for young refugees from Syria (12-25 years)

Crea, T. M., Klein, E. K., Okunoren, O., Jimenez, M. P., Arnold, G. S., Kirior, T., ... & Bruni, D. (2022). Inclusive education in a refugee camp for children with disabilities: How are school setting and children's behavioral functioning related?. *Conflict and health*, 16(1), 53. <https://doi.org/10.1186/s13031-022-00486-6>

Dictionary of Migration Terms. (2009). International Migration Law. No. 18. http://www.goc.gov.tr/files/files/goc_terimleri_sozlugu.pdf on 08.06.2018.

Diñçer, O. B., Federici, V., Ferris, E., Karaca, S., Kirişçi, K. & Çarmıklı, E. Ö. (2013). Turkey and Syrian refugees: The limits of hospitality. Washington, D.C.: The Brookings Institution.

Diress, A. (2011). The Right to Asylum: A Case Study with Particular Reference to Somali and Eritrean Asylum-seekers and Refugees in Ethiopia. Unpublished. Addis Ababa University.

Esveld, B. V. (2023). A will and a way: Making displaced children's right to education enforceable. *Laws* 12(1), 16. <https://doi.org/10.3390/laws12010016>

FDRE. (1995, August 21). Constitution of Federal Democratic Republic of Ethiopia. Proclamation. No. 1. Addis Ababa, *Ethiopia: Negarit Gazeta*.

Guler, A. (2013). The international refugee regime: an analysis of regime effectiveness

Guthrie, G. (2011). The progressive education fallacy in developing countries: in favour of formalism. *Dordrecht: Springer*

Hailu, B., Zyenu, S., Meskerem, A. (2018). On the policy of registration. (An Interview).

Hargreaves, E., Montera, C., Chau, N., Sibli, M., Thanh, T. (2001). Multigrade teaching in Peru, Sri Lanka and Vietnam: An overview. *International Journal of Educational Development* 21(6), 499-520.

Hart, R. (2009). Child refugees, trauma and education: interactionnnist considerations on social and emotional needs and development. *Educational*

- Psychology in Practice*, 25(4), 351-368.
- Human Rights Watch. 2016a. Growing up without an education: Barriers to education for Syrian Refugee Children in Lebanon. <https://www.hrw.org/report/2016/07/19/growing-without-education/barriers-education-syrian-refugee-children-lebanon>
- Human Rights Watch. 2016b. We're afraid for their future": Barriers to education for Syrian Refugee Children in Jordan. <https://www.hrw.org/report/2016/08/16/were-afraid-their-future/barriers-education-syrian-refugee-children-jordan>
- INEE (2010a). Minimum standards for education: Preparedness, response, recovery. *New York: INEE*
- INEE (2004). Minimum standards for education in emergencies, chronic crises and early reconstruction. Paris: Inter-agency Network for Education in Emergencies
- International Organization of Migration Glossary on Migration (2004). http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/main/site/published_docs/serial_publications/Glossary_eng.pdf
- Kleist, J. O. (2017). The History of Refugee Protection: Conceptual and Methodological Challenges. *Journal of Refugee Studies*, 30(2). Oxford University Press. <https://academic.oup.com/jrs/article-abstract/30/2/161/3873491>.
- Little, A., (2001b). Editorial. *International Journal of Educational Development* 21(6), 477-479.
- Mason, D. A., Burns, R. B., (1999). 'Simply no worse and simply no better' may simply be wrong: A critique of Veenman's conclusion about multigrade classes. *Review of Educational Research* 66(3), 307- 322.
- Maxwell, T.W., (2002). International in-service collaboration. The Bhutanese Multigrade Attachment Program. *Asia-Pacific Journal of Teacher Education*, 29(3), 289-296.
- McEwan, P. (2001). The effectiveness of multigrade schools in Columbia. *International Journal of Educational Development*, 18(6), 435-452.
- Mendenhall M, Dryden-Peterson S, Bartlett L, Ndirangu C, Imonje R, Gakunga D. (2015). Quality education for refugees in Kenya: pedagogy in urban Nairobi and Kakuma refugee camp settings. Inter-Agency Network for Education in Emergencies. <https://archi-ve.nyu.edu/handle/2451/39669>
- Norwegian Refugee Council. (2021). Documentation for education: Addressing documentation requirements for displaced children and youth to access education. <https://www.nrc.no/globalassets/pdf/briefing-notes/documentation-for-education/documentation-for-education---english.pdf>
- O'Sullivan, M., (2004). The reconceptualisation of learner-centred approaches: A Namibian case study. *International Journal of Educational Development*, 24(6), 585-602.
- Patiadino J. M. (2008), Identifying a theoretical perspective to meet the educational needs of twice-migrated Sudanese Refugees. *Journal of Ethnographic & Qualitative Research*, 2, 197-204
- Rubenstein, J. F. (2013). Exploring the challenges of refugee camp education: Kakuma and Buduburam Refugee Camp. <https://core.ac.uk/download/215321293.pdf>
- Schweisfurth, M. (2013). Learner-centered education in international perspective: Whose pedagogy for whose development? *London and New York: Routledge*.
- Seker, B., & Sirkeci, I. (2015). Challenges for refugee children at school in Eastern Turkey. *Economics & Sociology*, 8(4).
- Sharif, I. (2020). The applicability of learner-centered education in refugee settings: The Syrian refugee teachers' case study. *Global Education Review*, 7(4), 74-92.
- Sheppard, Bede. 2022. It's Time to Expand the Right to Education. *Nordic Journal of Human Rights*. 40, 96-117.
- Taddele, M (2017). Causes, dynamics, and consequences of internal displacement in Ethiopia. German Institute for International and Security Affairs, *Berlin*.
- Tesfaye, M. (2011). Rights in displaced situations: challenges and prospects for the enforcement of reproductive rights of refugee women and girls in Ethiopia. *Addis Ababa University*.
- Tomasevski, K. (2001). Human rights obligations: Making education available, accessible, acceptable and adaptable. *Right to education primers number 3*.
- Thompson, P. (2013). Learner-centred education and cultural translation. *International Journal of Educational Development*, 33, 48-58.
- Tunc, A. S. (2015). Refugee behaviour and its social effects: an assessment of Syrians in Turkey. *Turkish Journal of TESAM Academy*, 2(2), 29-63.
- UNESCO (2015). Education for all 2000-2015: Achievements and challenges. EFA global monitoring report. France: UNESCO.
- UNHCR (2023). Syria Refugee Crisis Explained. <https://www.unrefugees.org/news/syria-refugee-crisis-explained/>
- UNHCR (2023). Africa. <https://www.unhcr.org/about-unhcr/where-we-work/africa>
- UNHCR (2023). Global appeal 2023. <https://reporting.unhcr.org/globalappeal2023/pdf>
- UNHCR. 2022a. All Inclusive: The campaign for refugee education. 6-7. <https://www.unhcr.org/631ef5a84/unhcr-education-report-2022-inclusive-campaign-refugee-education>
- UNHCR. (2022b). More than 100 million people are forcibly displaced. <https://www.unhcr.org/refugee-statistics/insights/explainers/100-million-forcibly-displaced.html>
- UNHCR. (2018). Protection of refugee children in the Middle East and North of Africa. UNHCR Middle East and North Africa Bureau.
- UNHCR. (2016). Missing out: Refugee education in crisis. <http://www.unhcr.org>
- UNHCR. (1992). An introduction to the international protection of refugees.

- UNICEF. (2017). A child is a child: Protecting children on the move from violence, abuse and exploitation. https://www.unicef.org/publications/index_95956.html
- Uzun, E. M., & Butun, E. (2016). Teachers views about the problems Syrian refugee children at pre-school education institution. *International Journal of Early Childhood Education. Studies*, 1(1), 72-83.
- Veenman, S. (1995). Cognitive and noncognitive effects of multigrade and multi-age classes: A best-evidence synthesis. *Review of Educational Research*, 65(4), 319–318.
- Vavrus, F. (2009). The cultural politics of constructivist pedagogies: teacher education reform in the United Republic of Tanzania. *International Journal of Educational Development*. 29(3), 303–311.
- Veenman, S. (1996). Effects of multigrade and multigrade classes reconsidered. *Review of Educational Research*. 66(3), 323 –380.
- Vogel, D. and Stock, E. (2017). Opportunities and Hope through Education : How German Schools Include Refugees. Education International. http://www.fb12.uni-bremen.de/fileadmin/Arbeitsgebiete/interkult/Vogel/17_Vogel_Stock_Refugee_Schools_Germany.pdf
- Watkins, K. & Zyck, S. A. (2014). Living on hope, hoping for education: the failed response to the Syrian refugee crisis. UK: O
- ZOA (2009) Annual Report (2009). Promoting Inclusive Education. Thailand: ZOA Refugee Care