IMMIGRANTS' AND POOR EDUCATIONAL RIGHTS

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Abstract

Within the set of human rights agreed and universally recognized, the right to education occupies a priority place. Everyone assumes that education must be guaranteed, compulsory and free, at least for minors. However, there is still a very significant group of people who do not enjoy their educational rights. Migrants, excluded persons and poor are those that most *de facto* lack this universal basic right. The United Nations has made some proposals to resolve this problem, such as Objective No. 4 of the Sustainable Development Goals: Ensure equitable and quality education. This article thoroughly analyzes the main initiatives taken in recent years in the international context.

Keywords

Education. Migrations. Exclusion. Poverty. Development. Sustainable development goals.

Summary

1.Contextualization. 2. International society and educational exclusion. 3. Final considerations.

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1. CONTEXTUALIZATION

Unfortunately, today we cannot affirm that a right as basic and fundamental as the right to education is completely universalized. This is especially visible in environments with fewer resources. It is not risky to establish a direct relationship between poverty and educational exclusion. It is proven by undisputed realities like that 50% of the 57 million children not going to school are living in sub-Saharan Africa.[2] Especially dramatic is the situation of people from countries in conflict, where school attendance rate are minimized. In recent years, especially since 2000, progress in international cooperation and multilateral agreements have gradually reduced this gap, which remains very large and unacceptable in today's world. Another difficulty in the educational debate is that of the definition of conceptually elusive terms such as equality or equity.[3]

In the opposite direction, this relationship can also be clearly seen. The probability of relative poverty is more than three times higher for people with low educational level than for people with higher education,[4] more specifically 30.1% compared to 8.4% in 2016. López *et alii* also analyze in their research on unaccompanied minors the importance of this conditioner in the situation of this particular group, especially vulnerable to exclusion.[5]

The UNICEF State of the World's Children 2019 report[6] reveals that at least one in three children under five years old suffer from malnutrition or overweight, and one in two from hidden hunger, that is, lack of essential vitamins and nutrients. The report states that most of the different forms of malnutrition have their cause in poverty and inequality. One of the most

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[2] UNITED NATIONS 2019.
[3] MARTÍNEZ 2017.
[4] AYALA and RUIZ-HUERTA 2018.
[5] LÓPEZ *ET AL* 2019.
[6] UNICEF 2019.

disastrous consequences of malnutrition is that it compromises the entire evolutionary process of the child and involves a gigantic burden that often hinders or directly prevents its correct educational development or even school attendance:

> Children living in extreme poverty in low-income countries, especially in remote areas, are more likely to be undernourished and malnourished. They are also less likely to have access to clean water, sanitation and medical care. Given their disadvantage, they are also less chances to finish school; they have a greater tendency to get sick and, finally, to continue in the cycle of poverty.[7]

In 2018, the growth retardation rate stood at 21.9%, the overweight rate at 5.9%, and the emaciation rate at 7.3% although The global commitment is to try to reduce them to 12.2%, 3% and 3% respectively in 2030. The report makes it very clear that much remains to be done and that we are far from what would be desirable.

2. INTERNATIONAL SOCIETY AND EDUCATIONAL EXCLUSION

In 2015, more than 150 heads of State and Government adopted the 2030 Agenda at the UN.[8] This is made up of 17 Sustainable Development Goals and 169 specific goals to be achieved before that date, and which are

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[7] *IBIDEM.*
[8] UNITED NATIONS 2015.

interrelated by three basic elements: economic growth, social inclusion and environmental protection. The 2030 Agenda proposes an inclusive and equitable sustainable development model in which 'the eradication of poverty in all its forms and dimensions is an indispensable condition'.[9] The first example of this, is that the first of the 17 objectives refers precisely to the eradication of poverty.

With regard to education, the 2030 Agenda establishes as the fourth Sustainable Development Goal to achieve Quality Education, specifically: 'Ensure quality inclusive and equitable education and promote lifelong learning opportunities for all'.[10] The achievement of this general objective implies effectively ensuring a series of specific objectives related to: the completion of compulsory and free education by reaching minimum learning standards, access to quality preschool education, access of women and men to training technical, professional and superior quality in conditions of equality, increase the number of youth and adults with the necessary skills to access decent employment, eliminate gender inequalities in education and ensure equal access to all levels of education and training professional for vulnerable people, ensure literacy for all young people and as many adults as possible and promote education for sustainable development.

A series of procedures are foreseen to achieve these objectives. The procedures should be gradually implemented and monitored, both as far as their execution and their effects is concerned. They are related to the provision of facilities and infrastructure, increasing scholarships and financing and also increase the supply of qualified teachers:

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[9] *IBIDEM.*
[10] *IBIDEM.*

Build and adapt educational facilities that take into account the needs of children and people with disabilities and gender differences, and that offer safe, non-violent, inclusive and effective learning environments for all.

By 2030, the number of scholarships available to developing countries, particularly the least developed countries, small island developing states and African countries, will increase significantly worldwide so that their students can enroll in higher education, including vocational training programs and technical, scientific, engineering and information and communications technology programs, from developed and other developing countries.

By 2030, significantly increase the supply of qualified teachers, including through international cooperation for teacher training in developing countries, especially least developed countries and small island developing States.[11]

It is true that progress has been made in recent years and that the planning is ambitious, well-articulated methodologically, has a comprehensive approach, and has the legitimacy of international consensus. However, the detailed analysis of the proven reality is not so hopeful. According to the Report on the Sustainable Development Goals,[12] 55% of children and adolescents have not reached the minimum skills in reading or mathematics. If the data themselves are shocking, in our view it is even more important to highlight the fact that within this figure there are one out of three children who have not been enrolled and, most surprising of all, there are two out of three that, despite having been schooled, have not achieved the skills. The figures vary greatly from one region to another. In Europe and North

[11] *IBIDEM.*
[12] UNITED NATIONS 2019.

America the number stands at 14%, while in Sub-Saharan Africa it is 84% in mathematics and 88% in reading. Central and South Asia is the second region with a higher index of under-education with 76% in reading and 81% in mathematics.

In terms of schooling in the early childhood period, the index has increased considerably from 63% in 2010 to 69% in 2017. However, the gap between countries remains huge. The average schooling one year before the start of primary education is 42% among the least developed countries. The countries with the lowest enrollment rate in this period are in Sub-Saharan Africa (42%), North Africa and West Asia (52%) and Central Asia (56%). In the rest of the countries, it exceeds 80%.

Despite the progress in schooling, there are still 262 million children and adolescents between 6 and 12 years without schooling. This figure represents 1/5 of the population of its age. The figures are especially high in the upper secondary stage with 67% in the case of women and 71% in the case of men. It must be said that much progress has been made since 2000, when the number of people out of school in this age group amounted to almost 400 million. However, despite efforts to reduce this gap, the reality is that the global non-schooling index continues to be unassuming and incompatible with the objectives of fair, equitable and sustainable development that the International Society has set as a goal.

In many cases, deficiencies in infrastructure and facilities are an insurmountable limitation, especially, once again, in Sub-Saharan Africa, where less than half of its lower primary and secondary schools have access to drinking water, electricity, computers and the Internet. The asymmetry with the rest of the world is abysmal.

In the last 25 years, women's literacy has increased more than that of men in all regions. However, there are still 750 million illiterate adults. Of them, 2/3 remain women. Within this figure, almost half, 49%, is in South Asia and 27% in Sub-Saharan Africa. That is, more than 75% of adults without literacy are living in these two regions. Only 5% live in developed countries.

The situation is especially dramatic in the case of people from conflict environments. According to the UNESCO *Report on Monitoring Education in the World*,[13] about half of the asylum seekers in Greece and Italy who have completed primary education lack a minimum level of literacy. A figure well above the world average, this is the result of the enormous difficulties faced by people in this situation. Comprehensive and real-time monitoring of people in these circumstances is not always possible, because the complexity of their situation, and how quickly it can change.

This is coupled with the fact that samples on displaced population are mainly taken in camps where there are barely around 40% of asylum seekers and an even smaller proportion of internally displaced persons. So the data referred to this group must be considered with caution. It is possible that the illiteracy rate is even higher. As stated in the Report: 'for a while, monitoring the educational level of these people worldwide will undoubtedly remain a mosaic of various approaches'.[14]

Fig. 1. Literacy level of asylum seekers in Greece and Italy

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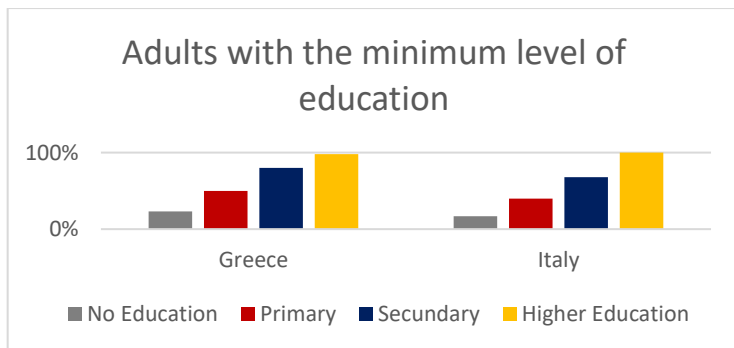
[13] UNESCO 2019.
[14] *IBIDEM.*

Source. *Global education monitoring report*. UNESCO 2019

According to UNHCR data in its report *Stepping Up: Refugee Education in Crisis*, there are about 7.1 million refugee children of school age, of which 3.7 million are out of school. This is more than half of them. In the primary education stage, the schooling rate is broader, but it is still well below the desirable level: 63%, compared to 91% of the global rate. Although the figure exceeds two points the previous year's level, the gap remains huge and the data devastating: 1.6 million refugee children out of school. Many of the minor refugees are in developing countries. These countries already have difficulties in themselves to provide quality education to their own populations, which limits their ability to meet the educational needs of newcomers. Another difficulty is that in many occasions refugees, who arrive fleeing from their own countries, do not have the necessary documentation to be able to go to school. All this enlarges the problem even more.

Fig. 2. Schooling in Primary Education

Minors enrolled in primary education

Global: 91% Refugees: 63%
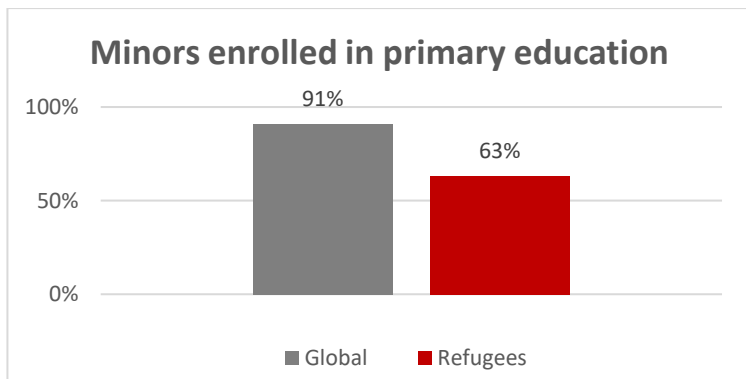
Source. *Stepping Up: Refugee Education in Crisis*. UNHCR 2018

As children grow, the gap in schooling is growing. The number of children left out of the education system during the secondary stage is enormous: only 24% are in school. The global average is 84%.[15] The difference is truly great. Secondary education is the door to higher education and increasingly necessary to access a job. Low schooling greatly limits the chances of having a future with minimum welfare conditions.

Fig. 3. Schooling in Secondary Education
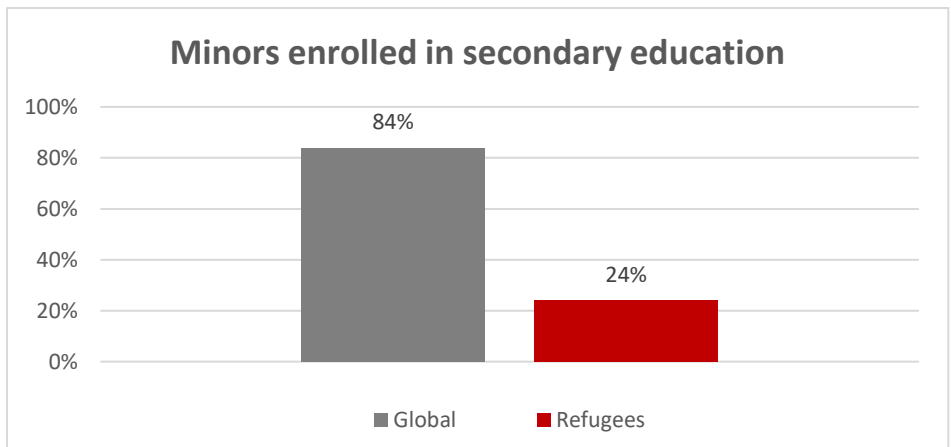
Source. *Stepping Up: Refugee Education in Crisis*. UNHCR 2018

UNHCR's proposal to improve this situation consists of coordinated work among all sectors of society. To this end, he insists that responsibility must

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[15] *IBIDEM.*

be shared and poses a series of specific actions to be carried out by governments, companies, schools and universities, NGOs and citizens.[16]

UNESCO also emphasizes in its 2019 Report that there are very few countries that have developed precise policies on multicultural or intercultural education.[17] Among the few experiences that exist, the example of Ireland, which has created the Intercultural Educational Strategy 2010-2015, stands out. Its priority objectives were to provide education, promote language proficiency, promote alliances with civil society and improve educational monitoring. Immigrant children constituted 15% of the population under 15 in the country in 2015. Another essential factor in strengthening good integration is maintaining links with the home society. The intercultural model is based on mutual exchange and enrichment through interaction between the various cultures that make up the community. In detail:

> The intercultural model, contemporary to multicultural, was born in France in the 70s. It arises as a reaction to the social reality that immigration was configuring at that time. The model extends to Canada, Switzerland and Belgium, acquiring an international dimension. Strongly influenced by French republicanism, it is based on the fundamental principle of equality - facing freedom, the main axis of the multiculturalist approach. The intercultural model states that cultural diversity should not be an obstacle to social equality and considers that there must be a shared, common social context, in which cultural differences remain in the private sphere. The social context in which the intercultural model is born is very different from that of the multicultural model. It arises in countries without a

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[16] About all this, see the full report. UNESCO 2019.

[17] About the models of cultural diversity management and the intercultural model, see: GARRIDO RODRÍGUEZ 2014.

great immigration tradition that in a few years are forced to respond to a cultural diversity that for them is quite novel. The geographical environment surrounding the emergence of interculturality is characterized by the presence of ghettos based on ethnic or cultural origin. Paradigmatically, interculturality is born as a response to this, as a model to combat this social structure so strongly ethnified. Interculturality thus takes one more step than the multiculturalist approach in search of integration. Interculturality does not seek mere coexistence, but coexistence, exchange and interaction between people of diverse cultures but who make up the same society defined by the equal rights and freedoms of all its members, regardless of particular differences.[18]

In its World Report on Children,[19] Save the Children echoes the dramatic situation in which millions of minors live in the world and proposes three priority recommendations: the increase in investment in children, reaching excluded childhood; taking measures that ensure equal treatment for children, eliminate discrimination and guarantee access to basic services; and the inclusion of all children, regardless of their situation and origin.

The Report includes the measures that, in the opinion of the NGO, are unavoidable in order to achieve the Sustainable Development Goal of guaranteeing quality inclusive and equitable education. First, the creation of national plans to ensure the completion of free basic education and to provide them with the minimum skills. The equitable allocation of public resources to provide safe, inclusive and equitable education to the most excluded children. The persistence in cooperation, with the commitment to increase the items allocated to education in less developed countries. The

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[18] GARRIDO RODRÍGUEZ 2014, 110.
[19] SAVE THE CHILDREN 2019.

increase in investment in education globally. The support of multilateral institutions, such as Partnership for Education and Education Cannot Wait. The fulfillment of the commitments of the G7 to reduce the gap in the access to education of refugees and internally displaced persons, both at the immediate level and in the long-term plans, identifying the specific difficulties of this group.

3. FINAL CONSIDERATIONS

After the detailed analysis of all the issues developed in this article, it is appropriate to make some final considerations. First, despite all the progress, achieved in large part thanks to the international consensus reached within the international system for the protection of human rights, there is a certain and proven basis to objectively affirm that poverty and socio-economic and cultural exclusion continue being insurmountable obstacles to equal access to quality and inclusive education.

Much progress has been made since 2000 until now, but there is still a wide range of people outside the education system. There is also a very large group of people who, being within the educational system, this does not train them or provide them with the most basic skills.

The greatest inequalities are seen in Africa, especially in sub-Saharan Africa, but also, although less, in South and Central Asia. The gap between these regions and the rest of the world is overwhelming.

We could say that there is a certain consensus that it is necessary to increase spending on education, invest in educational infrastructure, support the most vulnerable groups, in short, put the necessary means to correct dysfunctions and asymmetries in education and guarantee an equitable and universal quality education. Education, as a recognized and therefore

enforceable human right, must be fully guaranteed.[20] However, binding commitments by the states are missing. There is consensus that there is a need for greater international coordination in education. But the responsibilities necessary to make it possible are not assumed.

There is also a general consensus by international organizations to propose quality, inclusive and intercultural education. This implies making resources available, being sensitive to the needs of all students and the co-responsibility of all the agents that are part of the educational communities to implement this educational model.

On the other hand, there is also no international consensus to express clear, concrete, technical guidelines on what educational methodologies to use to achieve equitable and quality education. It is a matter of investment, yes. But it is also a qualitative issue. If quantitative, that is to say "how much", is necessary; it is also the qualitative, that is to say "how". Both are interrelated. The Sustainable Development Goals would be, in our opinion, the ideal place. In this sense, a clearer, more inspiring, more decisive pronouncement is lacking, about which are the educational lines, also didactically, more appropriate to achieve an equitable and quality education for all.

Finally, it is necessary to appeal to the agreement, cooperation and co-responsibility between countries[21]. We have pointed out the lack of binding commitments as one of the main weaknesses that prevent the universalization of education. In the face of the growth of protectionism, of exclusive nationalisms and of skepticism in the face of multilateralism, international consensus is imposed even more necessary to achieve minimum standards of well-being and universal norms of living together. A global approach is necessary to reduce the huge current educational gap.

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[20] About the topic of enforceability of social rights, as human rights, see: ABRAMOVICH and COURTIS 2004.

[21] GARRIDO RODRÍGUEZ 2014.

International cooperation is essential to effectively universalize quality and equitable education that offers opportunities to all.

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