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South-Eastern Europe regional synthesis

Climate change, displacement and
the right to education



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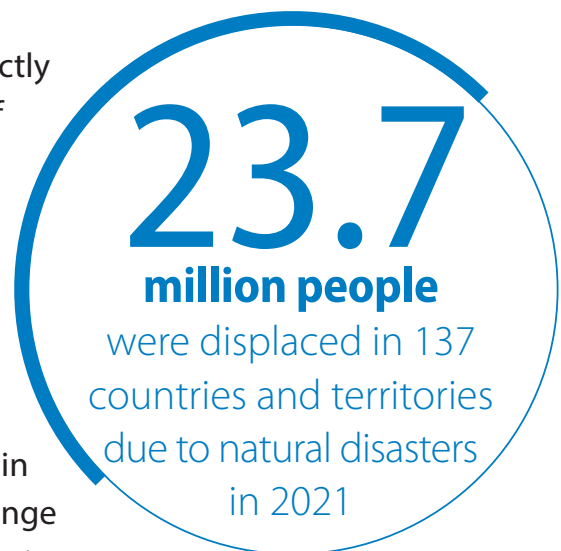
Climate change and displacement: Impact on the right to education in South-Eastern Europe

In 2021 alone, 23,7 million people were displaced in 137 countries and territories due to natural disasters, which the scientific community has recognized have become more frequent and intense due to climate change.

Climate change and displacement is currently taking place in Europe, with particularly disastrous consequences in South-Eastern Europe due to regional specificities. Comparative country case studies were carried out in Bosnia and Herzegovina, the Republic of Moldova, and Serbia, as they exemplify clear, present patterns of climate displacement, to examine the impacts of climate change on the right to education in the region.

The case studies show that climate change directly threatens education through the destruction of schools and property. It also indirectly puts learning in peril by leading people across borders where their legal residency nor right to education is ensured.

This publication aims to guide policy-makers by providing recommendations on how to ensure the protection of the right to education in South-Eastern Europe in the face of climate change and displacement. It is one of four regional reports that will lead to the development of a global report providing global policy guidance.



South-Eastern Europe
regional synthesis

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the right to education

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Executive summary

In 2019, 24.9 million people were internally displaced as a result of disasters (IDMC, 2019). This number jumped to 30.7 million in 2020. Catastrophic events related to climate change are no longer isolated incidents but have become the new global norm, a reality that is intensifying each year. While there is significant literature regarding the nexus between climate-induced displacement and other rights—such as the right to claim legal residency abroad—there is very limited knowledge on the linkages between climate change, displacement and the right to education.

The right to education is a human right for all people. The fulfilment of this right for certain vulnerable and marginalized groups, such as refugees, girls and women, and indigenous communities, is well-studied, while those affected and displaced by flooding, drought, sea-level rise, hurricanes and other effects related to climate change are notably missing from the picture.

Populations around the globe face significant barriers to education that are related to climate change effects, and the barriers to education caused by climate-induced displacement are affecting a larger number of the global population each year. To fully realize SDG 4 and protect and fulfil the right to education for all, it is critical to ensure this growing, but politically invisible, population can continue to access education, including those in south-eastern Europe.

People in south-eastern Europe already face significant barriers to education. Many suffer from generational poverty, longstanding discrimination against ethnic minorities (particularly the Roma community), war-torn infrastructure and housing crises. It is common to drop out of education to pursue economic activity. High numbers of the populations in south-eastern Europe were displaced following the Balkan wars in the 1990s, leading to large numbers living in temporary shelters and displacement camps, and many continuing to live in unstable housing infrastructure. Bosnia and Herzegovina and Serbia also make up part of the Western Balkan route, a migratory path that leads thousands of migrants and asylum seekers through the countries yearly, and often in need of shelter and education, adding complexity to the situation.

While such displacement might be initially driven by conflict or politics, climate change poses an additional threat to these populations. In the event of large-scale flooding, which is increasing in frequency over time, those living in unstable housing conditions and poverty are more likely to experience secondary displacement, rendering their continued access to education particularly precarious.

Furthermore, in the Republic of Moldova particularly, many that might be considered economic migrants at first glance are actually driven by climate change. A large number of Moldovans work in the agricultural sector, and repeated and severe droughts and flooding are leading to agricultural losses and related poverty, making it more challenging for families to pay school fees and, in some instances, inducing dropout to pursue economic activity. Some families are forced to move in search of a more stable livelihood, interrupting their children's education.

Climate change also directly threatens education in this region, destroying school infrastructure and blocking roads and transport. Even where schools remain intact, governments often use schools as emergency shelters post-disaster, interrupting normal educational activity. While certain Disaster Risk Reduction (DRR) policies are in place, fractured and decentralized governance systems render it difficult to have a uniform, effective response to ensure educational continuity in the context of disasters.

The impacts of climate change and the patterns of climate displacement in south-eastern Europe are complex and intricate, but there is no doubt that they present barriers to education in this region. Overall, this report finds that:

- Infrastructural damage to schools and school closures following extreme flooding, linked to climate change, pose the most direct barrier to education, and occurs in each country studied
- The Republic of Moldova is experiencing displacement among its agricultural and rural populations due to climate-related livelihood losses
- In Bosnia and Herzegovina and Serbia, the high numbers of internally displaced persons, refugees, asylum seekers and migrants in unstable housing are at high risk of future displacement as floods continue to worsen
- Disaster risk reduction and disaster risk management plans focus on the impact that education can have on climate resilience, rather than, inversely, considering education continuity in post-disaster response
- While there are comprehensive policies addressing refugees and their needs, there are few policies dedicated solely to internally displaced persons (“IDPs”), and those displaced by climate change are not considered IDPs according to the national legislation of any of the countries studied
- Climate displaced persons remain politically invisible in national frameworks and therefore strategies to ensure the right to education of these groups are non-existent, despite the very real barriers

Until each nation has a clear legal definition of IDPs that includes those displaced by climate change, and until legislation clearly ensures the right to education for all IDPs, addressing the barriers to education for such a population will remain a fractured and uphill battle.



Chapter 1

Introduction

Climate change is no longer a crisis foreseen in the distant future. For many, it is already having grave consequences for livelihoods, physical security and human movement, leading to the migration or forced displacement of millions of people each year. Academic literature, media coverage and empirical data are copious with regard to climate displacement and environmental migration in the most infamous climate change hotspots such as Asia and the Pacific, the Caribbean and the Horn of Africa. In contrast, there is little attention paid to climate-induced displacement and migration in south-eastern Europe.

Nevertheless, south-eastern Europe, and more specifically the Balkan region, is increasingly drawing attention as the next potential climate change hotspot, and although information is scarce, there is growing evidence that the effects of climate change in these countries are already leading to migration and forced displacement. In 2014, for example, a powerful cyclone designated *Tamara* and *Yvette* touched down in the Balkans, yet due to climatic shifts in atmospheric circulation, this cyclone remained stationary. Relentless torrential rainfall hit the region, lasting up to 21 consecutive days in some areas, and causing disastrous flooding. As a result, 90,000 people from Bosnia and Herzegovina were evacuated, 32,000 in Serbia and 15,000 in Croatia (Montalto Monello & Carlone 2020).

In addition to the catastrophic flooding that was seen in 2014 and has become a common occurrence in the intervening years, south-eastern Europe is simultaneously experiencing severe heatwaves, as well as more frequent and sustained drought. Other European countries are also suffering extreme climatic events, with flooding in France and Germany, and wildfires and heatwaves across Europe, becoming increasingly frequent.

Nevertheless, what sets south-eastern Europe apart is its heightened vulnerability to the effects of climate change. Due to the relatively high rates of poverty and unemployment in this region, as well as more limited possibilities for legal international mobility, given that Bosnia and Herzegovina, Serbia and the Republic of Moldova are not members of the European Union, these countries are experiencing significant internal climate displacement. Moreover, their socio-economic characteristics lessen their ability to adapt, rendering them possibly three of the most vulnerable countries in Europe in the face of climate change.

As governments attempt to deal with mass internal climate displacement, it will be critical to ensure that human rights are still protected and fulfilled for all climate displaced persons, including the right to education for people on the move.

In order to fully examine the impact of climate change and climate displacement on education, this report aims to:

1. Examine the characteristics and profiles of climate displaced persons in the region
2. Identify barriers and obstacles to education that exist for climate displaced persons
3. Analyse existing national laws, policies, actions and measures for climate displaced persons in the field of education

4. Recommend ways that states can improve the preparedness and resilience of the national education system to protect the right to inclusive, quality education of climate-affected and climate displaced persons

Therefore, Section II gives an overview of the impact of climate change in the three selected south-eastern European states: Bosnia and Herzegovina, Serbia and the Republic of Moldova. This section includes patterns of displacement and highlights populations with heightened vulnerability to climate change, increasing their likelihood of displacement. With this context of the local climate change impacts and the existing adaptive capacities and vulnerabilities, Section III presents the direct and indirect barriers to education that are created by climate change and related displacement.

Section IV then examines the law and policy frameworks that surround education, climate change, displacement and disaster risk reduction in these countries, while Section V analyses the policy measures already in place that might help ensure the right to education for populations affected by climate change.

Lastly, Section VI develops some preliminary policy recommendations that would support the full enjoyment of the right to education for the most vulnerable populations in the face of climate change and displacement, taking into account the region's specific characteristics.

A short note on terminology

Recognizing the lack of settled definitions in this context and the complexity of this area of analysis, this regional report prefers to simply refer to "climate displaced persons" for those populations that move *for reasons related* to climate change. The use of this term recognizes that climate change and its effects are often one of many reasons that people move, and often interact with other factors such as poverty and livelihood opportunities. These persons may be forced to move in desperation, or there may be some degree of agency in the decision. Movement may be internal or cross-border (though where relevant to the analysis, specific terminology will be used), and may be permanent or temporary.



Chapter 2

**Climate change and
displacement in Bosnia and
Herzegovina, Serbia and
the Republic of Moldova**

A. Types of climate hazards

Bosnia and Herzegovina (“BiH”) and Serbia, lying in south-eastern Europe and making up part of the Balkan states, and the Republic of Moldova each have quite varied topographies with rich biodiversity. BiH enjoys a very short Adriatic coastline that gives way to a Mediterranean climate and fertile plains to the south, a mountainous centre and hills and agricultural land to the north. Serbia also enjoys fertile plains in the north and some ancient valleys and mountains in the southern regions, while Moldova’s landscape contains gentle hills and forests. The three countries enjoy a varied climate that comes with climate-related risks.

Floods

Among the many risks in the south-eastern European states posed by climate change, devastating flooding is perhaps the greatest. As in many countries around the globe, climate change is expected to decrease overall annual rainfall, increasing the number of consecutive dry days, as well as the frequency of intense rainfall events. Although less rain will fall overall, the diminished amount is expected to fall more intensely and over shorter periods of time, leading to riverbank inundation and flash flooding.

South-eastern Europe is no exception. BiH and the Republic of Moldova have already observed wetter winters and springs and it is predicted that there will be a 31% increase in precipitation on extreme rainfall days in Serbia by 2050 (USAID, 2017). Erratic rainfall leading to severe flooding and subsequent displacement has already been observed in all three states, and notably more frequently during the 21st century in comparison to previous years, making it highly likely that this trend will continue to pose risks to south-eastern Europe’s vast farmland and many rivers.

Serbia experienced consecutive major floods in the years 1999, 2002, 2005 and 2006 (Orlovic-Lovren, 2014). Likewise, in the Republic of Moldova in 2008, torrential rains caused flooding that resulted in USD \$120 million in damages to infrastructure, damage to 7,500 hectares of agricultural lands (USAID, 2017) and the evacuation of 5,000 people to temporary shelters in schools, hostels and tent camps (ReliefWeb, 2008). Just two years later, heavy rainfall led to the overflow of the Prut River, ultimately affecting over 33,000 hectares of agricultural land, and forcing the evacuation of 3,000 people (Swiss Cooperation, 2010). Due to the high level of damage to Cotul Morii, a village bordering Romania, the government of the Republic of Moldova requested all residents to evacuate. Nevertheless, 60 families stayed behind, while the village remained without basic essential services such as drinking water, schools and medical services. The families displaced from the village were relocated to the “new” Cotul Morii, which the government built 15 kilometres away, out of the high-risk flood zone. However, the previous landowners had never been officially dispossessed of their property and to this day no residents have been able to obtain title documents to their houses (Esanu, 2020). This type of relocation is likely to become commonplace if climate change continues to aggravate cyclonic activity and rainfall patterns, given that an estimated 42% of settlements in the Republic of Moldova are at risk of flooding (Mkrtchyan, 2021).

Although these floods resulted in significant economic loss and the displacement of several thousand people within the Republic of Moldova, they pale in comparison to the catastrophic flooding that came several years later in 2014. During the month of May, a cyclone passed over the Balkan states,

but with peculiar behaviour linked to climate change, the massive cyclone remained stationary, bringing rain for 21 consecutive days in some regions of BiH, Serbia and Croatia. Many major rivers in BiH and Serbia broke their levees, resulting in an outpour of storm water that remained for three days, decimating infrastructure and causing almost USD \$4 billion worth of damage and losses. The 2014 floods provoked the most severe level of climate displacement, both internal and international, in south-eastern Europe to date. In BiH, 90,000 people were evacuated, with an additional 32,000 evacuated in Serbia, causing many to claim that climate change had caused the “worst exodus [in the region] since the [Bosnian] war” (Montalto Monello & Carlone, 2020).

For those that could emigrate internationally, some displaced persons fled to the wealthier neighbouring nations such as Germany and Austria, reuniting with family members and friends who had migrated to such countries before the flooding. Those who did not possess a Schengen visa often remain trapped *in situ*, or became internally displaced, searching for shelter (*ibid*).

Temperature rise and wildfires

A reduction in annual precipitation overall is predicted to worsen as the century progresses, and droughts are likely to become prolonged and more severe. Combined with an increase in the number of consecutive dry days, all three countries face the risk of wildfires. In 2012, for example, extremely high temperatures combined with drought led to wildfires that raged through south-western Serbia, resulting in the evacuation of thousands of citizens from the town of Cacak (FireRescue1). More recently, vast wildfires spread throughout eastern Europe, the Balkans and the Mediterranean in July 2021, during the second hottest July ever recorded. Although there is evidence that these wildfires affected the Republic of Moldova, BiH and Serbia, no information is available in English as to whether they resulted in forced displacement, although this is highly likely (Deutsche Welle, 2021).

Simultaneously, temperature rise comes with its own risks. In BiH, experts predict a temperature rise of 1 degree Celsius by 2030 (USAID, 2016), while temperatures could rise by up to 2.2 degrees and 3 degrees Celsius by 2050 in Serbia and the Republic of Moldova, respectively (USAID, 2017). Extreme heat can trigger exhaustion and heat stroke and exacerbate other health conditions, as well as affect agricultural conditions and crop yield.

Drought and water shortages

Along with rising temperatures and increased evaporation, south-eastern Europe faces a major risk of drought and water shortages related to climate change, having implications on human health, agriculture, as well as energy production. While the particular vulnerability of the agricultural sector to the effects of climate change will be explored in more detail below, a preliminary glance shows a clear impact in all three countries studied. Only 1% of agricultural land is under irrigation in BiH, implying a near total reliance on rainfall (USAID, 2016). Maize production in Serbia is predicted to decline by up to 58% due to diminished rainfall and drought, and a 73% reduction in maize production following the 2007 drought in the Republic of Moldova suggests that the imminent drought and water shortages will undoubtedly affect the agricultural sector and the many lives that depend thereon in south-eastern Europe (USAID, 2017).

Furthermore, two major rivers of the Republic of Moldova, the Dniester and Prut, provide two thirds of the country's water resources and are predicted to have decreased surface flows of up to 20%. For households that do not rely on the Dniester and Prut rivers, such as those living in the southern regions and relying on local surface water sources, drought will have devastating effects, as was already seen during the severe 2007 drought that dried up several important reservoirs (USAID, 2017).

Outside of household usage and agriculture, drought and decreased rainfall is also expected to affect these states' energy production. Over 30% of all electricity is produced by hydropower in Serbia and water is used for cooling thermal powerplants, both of which will be put at risk in the case of increased evaporation and drought (USAID, 2017). Similarly, in the Republic of Moldova, the industrial sector in Transnistria and municipal use in Chisinau will be the hardest hit, as they consume up to 80% of the diminishing water supply (USAID, 2017).

B. Compounding vulnerabilities

Agriculture, urbanization and migration

Agriculture is one of the sectors that is most vulnerable to climate change globally, due to the heavy reliance in many countries on rain-fed agriculture as well as the production of crops that are not suited to withstand higher temperatures and frequent flooding. With increased drought and flooding predicted in all three states, not only is agricultural production likely to decline—leading to rising food prices nationally—but it also leads to the possibility of climate-related loss of livelihoods for those that work in agriculture, in turn causing socio-economic difficulty. Extreme weather will also lead to difficulties in subsistence farming, having a marked impact on those reliant on home gardens for much of their produce.

Ultimately, global trends and initial empirical evidence show strong linkages between climate change and agricultural losses, agricultural losses and poverty, and resultant displacement and migration, both internally and internationally. South-eastern Europe is no exception. While rural-urban human movement is often categorized as economic migration, in many cases it is climate change that is putting livelihoods at risk, and therefore the movement of these populations should be considered strongly linked to the effects of climate change.



Box 1: The Case of the Republic of Moldova: Climate-driven livelihood loss, urbanization and international migration¹

Moldova is heavily dependent on its agricultural sector. Half of Moldova's population lives in rural areas, and about one in three Moldovans owns agricultural land. The fact that agriculture, and especially rain-fed production, is such an important sector for the country, further jeopardizes the nation's economy, in so many ways centred on agricultural outputs. The intensifying decline in agricultural land quality leads to increasing urbanization. As a result, the country has been gradually facing significant migration of rural population to cities, especially the larger ones. This negative trend may further be exacerbated by the growing inequalities between cities and the countryside.

¹ This excerpt originates from a report commissioned by UNESCO, undertaken by Arsen Mkrtychyan with the aim of reviewing policy and patterns concerning climate displacement in south-eastern Europe. All future text in such boxes originates from this report.

The ongoing urbanization may increasingly be aggravated by the impact of gradually developing climate shifts. In the north of the country, there is still a good deal of arable land that can be explored for agricultural and other value-chain production purposes. In the meantime, down to the south of the country, the rising temperatures and lack of water (or irrigation) are steadily diminishing the efficiency of agriculture. This is one of the bigger drivers for internal migration (or also fair to say, ultimately forced displacement). Confronting ever-expanding risks and potential setbacks, people are often forced to move from the south towards north (or simply higher elevations), in order to overcome the heat. The resettlement of the population from the low and river-side areas to higher elevations, especially after some devastating floods, is a vital move.

Extreme high temperatures, heatwaves, floods, and droughts also lead to poor economic prospects, widespread poverty, and as a result, internal displacement of the population and loss of opportunities to receive quality education. The growing competition for arable land and the lack of resources in agriculture ultimately trigger migration to bigger cities, as well as abroad. As resources are depleted, local conflicts arise, sometimes forcing people to leave their homes and the country as a whole. About 100 Moldovans, especially from among the younger population, leave the country every day in a quest for better-paying jobs abroad.

At a quick glance, migration (especially outward) caused by the quest of better educational and economic opportunities may seem to be a voluntary act and result of a social choice. However, some of the underlying reasons may be directly linked to the massive detrimental impact that climate-related slow-onset changes have on the livelihoods of the local, especially rural population in the country. In 2021, Moldovans accounted for 50-60% of all asylum seekers in Germany. Remittances from abroad are one of the positive outcomes of migration. They average about 25% of GDP, having reached in 2006 the maximum level relative to GDP -- 38% (based on the data of the National Bank of Moldova). According to the International Organization for Migration, 27 percent of all Moldovans of working age have secured a job abroad.

A significant proportion of the population in the three study countries are employed in the agricultural sector: 20% in BiH, 15% in Serbia (a drastic reduction from 25% in 2010, indicating the reducing sustainability of the livelihood) and 30% in the Republic of Moldova (Trading Economics, 2022). These populations are observing first-hand the effects of slow and rapid onset climatic shifts, with significant reductions in their yields and hits to their livelihoods caused by floods, droughts and extreme temperatures.

In Serbia, for example, a heatwave in 2012 with 50 consecutive days at 35 degrees Celsius or higher, resulted in the loss of over one million hectares of agricultural production and more than USD \$141 million in damages. Just two years later, the infamous floods of 2014 resulted in USD \$2 billion in damages, not only affecting food security for the nation and the region, but also the income of agricultural workers and their livelihood security (USAID, 2017). 50,000 jobs were temporarily lost, and a general economic decline ensued (Orlovic-Lovren, 2014).

Similarly in the Republic of Moldova, the 2007 drought caused maize production to fall by 73% and resulted in a loss of USD \$305 million for livestock producers (USAID, 2017). These losses are significant for south-eastern European states, which already experience high rates of poverty and unemployment in relation to other European countries. These repeated agricultural losses illustrate the real possibility that climate change, while indirect, may be the principal cause for much of the displacement and urbanization in the region.

Poverty, development and socio-economic factors

Vulnerability to climate change is inherently linked to socio-economic status. A low socio-economic status reduces a population or individual's resilience to climate change and their ability to adapt to its effects. According to Esperón-Rodríguez *et al.* (2015), "[s]ocio-economic factors that determine the adaptive capacity to climate change include technology and infrastructure, information, knowledge and skills, institutions, equity, social capital, and economic development".

The Human Development Index (HDI) ranking is often used to indicate the socio-economic status of a country.

Table 1: HDI ranking of BiH, Serbia and the Republic of Moldova in 2022

Year: 2022	BiH	Serbia	Moldova
HDI ranking	74	63	80

Data Source: <https://hdr.undp.org/en/content/latest-human-development-index-ranking>. Available under CC BY 3.0 IGO. [accessed 05/10/22]

Although these rankings are relatively high in comparison to developing nations in Africa and Asia, they are nevertheless significant when compared to European counterparts. Other states of eastern Europe tend to rank higher than BiH, Serbia and the Republic of Moldova. For example, Romania achieves an HDI ranking of 48, Bulgaria reaches 56 and Belarus is at 53 (UNDP, 2022). The lower status of the three study countries indicates that, within Europe, they may be at heightened risk of climate change, with a more limited ability to adapt.

At an individual or household level, a low socio-economic status means reduced means to rebuild or repair housing, move or afford basic living needs, especially following a crisis when food and necessities can become prohibitively expensive. From a wider, societal perspective, vulnerability to climate change and climate displacement is systemically higher in certain nations due to a variety of factors, including strength of policies, governance, infrastructure, institutions, geography and social capital.

Weak and fractured governance systems

In addition to economic development and social capital, Esperón-Rodríguez *et al.* also highlight the importance of stable institutions to a nation's ability to adapt to climate change. Where institutions are strong and governance structures are demographic and effective, a nation will be better equipped to respond to climatic disasters and build systemic resilience to climate change. In this light, the Bertelsmann Transformation Index ("BTI")—measuring the status of governance, political and economic transformation within a country—gives some perspective as to the three states' institutional strength. According to the BTI Index, BiH has a Governance Index ranking of only 3.8 on a scale of one to ten. Despite moving towards democracy since the war-torn period of the early 1990s, BiH has been characterized by political instability and stagnation in reforms.

According to the BTI Project, this political instability can be linked with the institutional and governance structures set up post-war:

After the war, the country was divided into three zones – de facto para-states – dominated by largely illiberal wartime ethno-national elites. BiH's constitution (i.e., the Dayton Agreement) was designed to end the war by reconciling competing visions of statehood, borders and self-determination rights for the country's three constituent peoples.

It established a highly decentralized, fragmented state with weak central institutions and two sub-state entities: a majority Serb, highly centralized Republika Srpska (RS) and the Federation of BiH, with a weak federal center and strong cantons. It allowed the warring elites to agree to a joint state, but failed to guarantee institutional functionality or offer a common state identity (BTI Transformation Index, 2022).

According to Mkrtychyan, this complicated, fractured and decentralized governance system not only renders it complicated to effectuate nation-wide measures that could reduce vulnerability to climate change (such as counter-poverty measures, housing initiatives, agricultural reform, etc.), but also limits the possibility to have a harmonized disaster risk reduction (DRR) strategy:

In the case of the Federation of Bosnia and Herzegovina, there is an extra layer of cantons in-between the entity and municipal governance levels. Overall, this highly decentralized picture has contributed to the enduring challenge of devising a harmonized legal framework, as well as some serious differences in the terminology used in the existing laws and even the execution of the standard operating procedures in case of emergencies (Mkrtychyan, 2021).

BiH is not the only south-eastern European country rendered more vulnerable to climate change due to weak governance; indeed, the Republic of Moldova has its particularities, as well. Immediately after its independence from the Soviet Union in 1991, the Republic of Moldova faced its own separatist movement, with the eastern-most part of the country known as Transnistria declaring independence from the Republic of Moldova. Though never recognized as a separate state by the international community, Transnistria nevertheless continues to function to this day under *de facto* separatist rule, inhibiting the central government of the Republic of Moldova from implementing comprehensive, nation-wide measures on DRR, IDP protection and emergency response plans. Furthermore, while the Republic of Moldova has made advances in civil protection planning at the local levels, governance efforts nevertheless remain decentralized and fractured as there is no overarching, national and centralized disaster risk management policy (Mkrtychyan, 2021).

Overall, identifying climate risks, monitoring climate displacement and finding comprehensive, systemic solutions to ensure that climate displaced persons are able to fully exercise their human rights, including to education, during temporary and permanent displacement, will continue to prove difficult under governance structures that remain decentralized, fragmented and weak.

Secondary displacement, asylum seekers and the Roma population

One of the most notable characteristics of south-eastern Europe that renders the populations particularly vulnerable to climate change and climate displacement is the large number of people already internally displaced, the extremely high numbers of asylum seekers and refugees, and the Roma population.

a. Previously internally displaced persons and secondary displacement

As Mkrtchyan states in his analysis, the history of IDPs in Serbia dates back to the turn of the century, with the first mass influx of IDPs originating from the, at that time, autonomous provinces of Kosovo and Metohija. In the mid-1990s, Serbia saw the arrival of huge numbers of refugees from BiH and Croatia—at its peak in 1996 reaching a total of 600,000 refugees. While the number of refugees in Serbia has been decreasing rapidly since the early 2000s, with only 26,000 refugees formally registered in 2021, the number of existing IDPs remains extremely high. As of the end of 2020, there were still 201,047 IDPs in Serbia, only a 10% reduction since 1990, with current statistics showing that very few IDPs are willing to return to their original homeland (Mkrtchyan, 2021).

The situation in BiH is relatively similar to that of Serbia. As a result of the 1990s war era and the breakup of the former Yugoslavia, 2.2 million people were forced to flee, with 1.2 million people fleeing across borders, and the remaining 1 million staying displaced internally. Following significant policy initiatives to return war IDPs to their place of origin, the total number of IDPs decreased significantly. In comparison to the 1 million IDPs in the 1990s, estimates show that the period of 2009-2014 recorded approximately 114,000 IDPs in BiH, with a relatively slow rate of return over this five-year period. As of the end of 2021, there are still 91,734 IDPs in BiH. Yet, the infamous floods of 2014 rendered an additional 90,000 persons internally displaced, some of whom were displaced for the second time, due to the destruction linked to the crisis (Mkrtchyan, 2021).

In the Republic of Moldova, following the breakup of the former Soviet Union, 130,000 people were uprooted in total, with approximately 80,000 fleeing immediately to third countries, and a remaining 51,000 forcibly internally displaced. While a truce agreement in 1992 permitted a large majority of the IDPs to return home, certain categories of IDPs were essentially banned from returning to Transnistria, such as members of the military who participated in the separatist conflict and families who left Transnistria for political reasons. While overall the number of conflict-displaced persons has decreased enormously, there are still an estimated 1,000 people living in extreme hardship. It is also critical to note that there is no legal notion of “internal displacement” defined in Moldovan legislation, subsequently *de facto* IDPs in the Republic of Moldova are not eligible for official registration and recognition, and therefore the low estimate of current IDPs should be taken with caution (Mkrtchyan, 2021).

Certainly, the high numbers of IDPs in Serbia, BiH and the Republic of Moldova are largely displaced due to war-time conflict, not climate change. Nevertheless, it is critical to recognize that, while climate change is not the cause of displacement, the characteristics of IDPs render such populations extremely vulnerable to climate change and at a high risk of climate displacement in the future, as Mkrtchyan describes below:



Box 2: A history of internal displacement in south-eastern Europe and the risk of secondary displacement due to heightened vulnerability

Of special consideration are those who suffer from secondary displacement (which implies more than one episode of displacement, irrespective of the original cause). In some cases, IDPs are forced into a new round of migration, while the consequences of their original displacement have not been resolved. On the other hand, there is a different scenario when conflict- or violence-driven IDPs become exposed to a rapid-onset disaster (such as floods) and thus face a newer challenge of a repeated forced migration. Apparently, secondary displacements may further aggravate the prospects of full rehabilitation for IDPs, thus leaving them hopeless or at least increasing their risks in many aspects, including the realization of their rights (such as the right to education).

...

Having added more than 90,000 newly displaced people, the natural disasters of 2014 (and the floods, in the first place) almost doubled the-then *de facto* existing population of IDPs. What is worse is that many of those forced to leave their new homes (or having them devastated by the hazardous event) had experienced conflict- and violence-driven displacement a decade or more ago. It should come as no surprise that the impoverished inhabitants of rural areas, and particularly former IDPs, emerged as some of the most disproportionately affected. There is evidence indicating that the so-called “people on the move,” including all types of migrants (and especially sub-groups like Roma IDPs) can be particularly susceptible to the negative impacts of natural hazards. Among factors facilitating their heightened vulnerability are the erratic nature of movements, higher likelihood for settling in unsafe areas, as well as restricted access to general information or specially issued warnings on potential risks.

One post-flood assessment revealed that many of more than 43,000 houses affected by the disaster had been built “illegally in at-risk areas.” At the same time, many of the houses in this category were populated by IDPs, and particularly displaced Roma.

b. Asylum-seekers, refugees and international migrants

While it is clear that existing IDPs are extremely vulnerable to current and future climatic events— notably flooding and landslides—due to their often-informal housing settlements in high-risk zones and lack of strong housing infrastructure, it is important to take into account that refugees, asylum seekers and the Roma population also share these characteristics, and that these states are a major target destination for such populations.

Due to its geographic location between the Middle East, southern Europe and the European Union, the Western Balkan Route is one of the main migratory routes into Europe. Asylum seekers often originate in countries such as Syria, Iran, Afghanistan and Pakistan arriving in Turkey or Greece, then attempt to make their way into the European Union by moving north through the Western Balkan States (Refugees in Town, n.d.). Concerted efforts to limit irregular and illegal border crossings in the Balkan States and at the European Union border has led to a decline in crossings from its height at 764,033 in 2015, to 60,541 in 2021 (Frontex, 2021).

**Box 3:****The Western Balkan Route: Homeless asylum-seekers in BiH**

Of heightened relevance to the general context of migrations in BiH is the topic of uncontrolled inflow of international migrants to the country, as well as some of the neighbouring nations, which could be the primary motivator for the Council of Europe's Special Representative's visit to the infamous emergency camp Lipa in the city of Bihać, located in the north-western part of FBiH. Apparently, the history of the Lipa camp (as well as another "overcrowded, unsanitary" Vucjak camp in close proximity of the same city of Bihać) may be held as a symbol of a chaotic and unthoughtful response to a crisis, risking growing into a large-scale humanitarian disaster.

The year of 2015 saw the onset of an unprecedented wave of international migrants travelling from the east and south through the so-called "Balkan route" to the "prosperous" West associated with the most advanced countries of the EU. As a result, during 2018-20, the temporary registrations of illegal migrants reached about a stunning figure of 60,000. In 2018 alone, more than 21,000 asylum seekers crossed the BiH border, having expressed clear intentions to file asylum claims respectively. At the same time, the Government had only two state-run centres for migrants in place, with a cumulative capacity of less than 500 people.

The public authorities in BiH had largely failed in providing food and shelter to all those migrating along the "Balkan route," thus facilitating them in challenging the law and order in the streets of Bosnian cities, as well as creating "bottlenecks" at the EU border-crossing points, such as the city of Bihać. As one reporter had eloquently put it, "Bosnia risks becoming a parking lot for refugees and migrants." With all the unresolved needs for many of the IDPs, this would only amplify the pressure on the public institutions in the country.

With 21,000 registered asylum seekers in BiH in 2018, yet a cumulative capacity of less than 500 persons in the official state-run centres for migrants, thousands were left on the street or in deplorable emergency camps without stable shelter able to withstand the growing risks of flooding and landslides. Thus, as with IDPs, the growing attractiveness of the Western Balkan Route and the subsequent growing number of vulnerable asylum-seekers is increasing the number of people likely to undergo secondary displacement by climate change in the future.

Most recently, given the war in Ukraine, it is important to note that due to the Republic of Moldova's geographic location, over 460,000 refugees have crossed into the country since the beginning of the conflict. 100,000 of them have decided to remain permanently at this stage. Fortunately, 95% of the refugees are hosted by Moldovan families and have the right to live, work and receive education in Moldova, reducing worsening the crises associated with IDPs, refugees and displacement camps (Dunmore & Odobescu, 2022).

c. The Roma population

Lastly, the large and present Roma population, predominantly residing in Serbia and BiH, are experiencing many of the same vulnerabilities to climate disasters due to their marginalized and poor status. According to the World Bank:

The Roma are the largest ethnic minority in Europe, as well as one of the most deprived and socially excluded groups. They typically have only limited access to basic services and economic opportunities. Although there are no reliable data on the Roma population in south-eastern Europe, estimates suggest that the share of national populations represented by Roma ranges between 1.7 percent in Bosnia and Herzegovina and 9.6 percent in North Macedonia.

Roma have only limited access to education, economic opportunities, health care, housing and essential services, and documentation, even relative to their non-Roma neighbours who live in close physical proximity. (...) Marginalized Roma are not well endowed; the returns to education among them are low; and their ability to accumulate assets is constrained (The World Bank, 2019).

According to Mkrtchyan, among all IDPs in urgent need in Serbia, the Roma population comprises 15%, amounting to 10,000 people. Following the flooding of 2014, 6,000 of the 32,000 displaced were of the Roma community, many of whom were experiencing secondary displacement. Given the exceptionally dire circumstances, marginalization and extremely limited assets, Mkrtchyan explains that:

While the incidence of poverty among the domicile Roma in Serbia is still less than 80%, its prevalence among the Roma IDPs is more than 90%, compared to less than 25% of the “at risk of poverty” rate for Serbia overall. As a result, 98% of Roma IDPs may stay malnourished or stripped of any personal funds to cover basic healthcare or hygiene products, utility or local transport costs. This may further impair many of the displaced Roma in their accessing social services and receiving proper protection. (Mkrtchyan, 2021).

In BiH, where the Roma population makes up an estimated 60,000–100,000 of the 3.81 million residents, informal settlements are most often the homes of the Roma (Yee, 2017). As in Serbia, between the lack of financial assets and human capital, and the prevalence of poor housing in the Roma population, they are extremely vulnerable to the threats of climate change and, in addition, have almost no capacity to adapt thereto.

Gender

Even among vulnerable populations, there are some that face more severe risks than others in the case of displacement. South-eastern Europe is a hotspot for human trafficking and sex trafficking, and those that are displaced or migrating in the Balkan states are particular targets for human traffickers given their vulnerabilities. Many families, and particularly women, that are displaced are in a state of poverty or economic dependence and traffickers exploit this lack of resources, often promising employment in other parts of Europe that results in entrapment in trafficking (Vocks and Nijboer, 2000).

A study conducted by the ICMPD (International Centre for Migration Policy Development) and TRAM (Trafficking Along Migration Routes) highlights the vulnerabilities that migrants and refugees experience and the risks associated with migration and human trafficking, particularly for girls and women (Forin & Healy, 2018). Although this study primarily applies to international migrants following the West Balkan Route, the same risks are highly likely to apply to IDPs and migrants that are fleeing climate-related crises.



Box 4: **Violence against women in BiH among the displaced population**

Feeding into the unresolved needs of housing/property, as well as vulnerability due to the factors aggravating poverty (such as the ones noted above) is the documented incidence for discrimination against IDP women in BiH. In 2013, the UN Committee on the Elimination of Discrimination Against Women was reporting that the victims from trafficking comprised primarily IDP women (particularly those leading or living in female-dominated households) and women and girls of Roma origin. The Council of Europe Parliamentary Assembly estimated that over the course of conflict in BiH, accompanied by massive displacements, some 20,000 women had been abused, including the most violent forms of rape. In the post-war reality, displaced women could often find themselves side-lined or marginalized, and thus deprived of any chances to be politically active and engage in socio-economic initiatives. Instead, they could often be stigmatized and hence traumatized.

The officially reported rate of unemployment among women aged 15–24 in BiH could almost be twice as high as the rate for the general population. IDP women are prone to going unemployed at even greater rate. According to the Al Jazeera reporting (as recent as December 2020), facing a profound lack of government-funded programs (including income-generating initiatives), IDP women may have no choice other than to resort to sporadic self-employment barely providing the minimal subsistence income.

This harsh reality may further be reinforcing the hard choices by many affected women to refuse the option of return and stay settled in the area where they first secured their temporary shelter. The fear of added discrimination upon return to areas where they can perpetually stay part of an ethnic minority only (in addition to all their other vulnerabilities) may only serve as another reason to delay any moves. Potential solutions may lie in the realm of education (as already noted, the central need that needs to be addressed among all those forcibly displaced at the time) and include both awareness raising on gender non-discrimination issues and training of skills (or capacity building) most required in the labour market.

C. Summary of Section II

The aim of this report is to shed light on the barriers to education posed by climate change and climate displacement in south-eastern Europe, however these barriers can only be fully understood in the context of the complex vulnerabilities that exist in the populations of these countries.

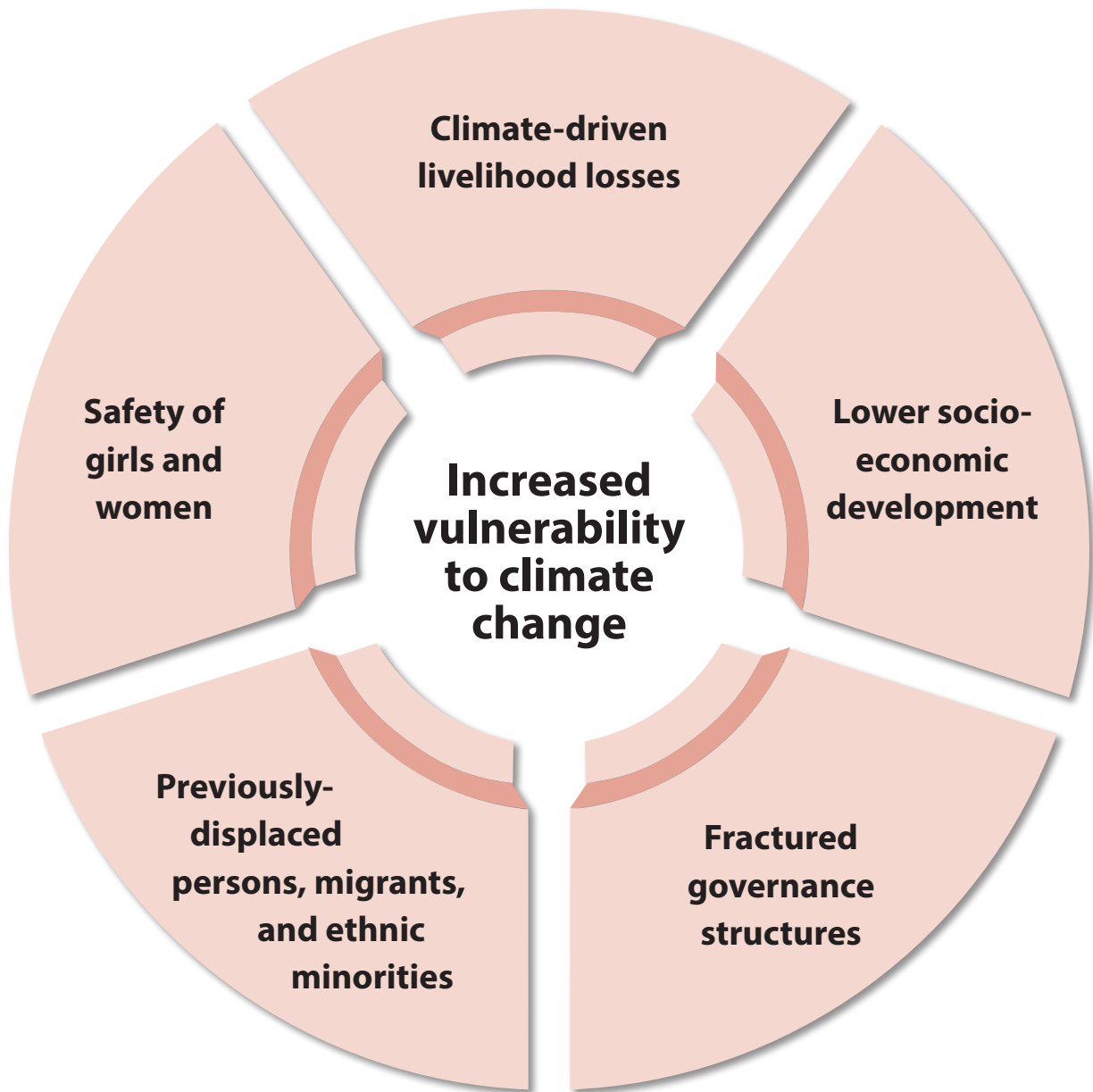
In summary, BiH, Serbia and the Republic of Moldova are **prone to the following direct effects of climate change**:

- Unusually intense, prolonged flooding that destroys infrastructure and displaces thousands
- Intensified heatwaves and drought, with impacts on human health, the energy sector and the agricultural sector
- Due to increased heat and drought, south-eastern Europe has already seen massive and more frequent wildfires causing huge displacement

However, understanding these direct effects alone is not sufficient to fully comprehend the impact of climate change in the region. One must pay careful attention to the **particularly heightened vulnerability of these states to the effects of climate change in comparison with many other European countries**:

- Due to repeated **climate-related livelihood losses**, the impact on the large number of workers employed in the agricultural sector—particularly in the Republic of Moldova—is leading to internal displacement (often rural-urban) and cross-border displacement in search of new livelihoods
- In the face of repeated disasters, the countries' **low levels of socio-economic development, high rates of poverty and high unemployment** diminish their ability to adapt to and recover from the threats of climate change. This could be offset, however, by comprehensive education for sustainable development and climate change education
- Overall, addressing the intersectoral vulnerabilities and implementing comprehensive policies to protect the rights of climate displaced persons is less feasible in south-eastern Europe due to the **weak, fractured and decentralized governance structures** in BiH, Serbia and the Republic of Moldova
- Particularly pertinent to BiH and Serbia, the large number of **previously displaced persons, asylum seekers and migrants, and Roma are at heightened risk**, as floods can easily destroy the informal settlements with weak housing infrastructure in which much of this population currently resides
- Given the already large prevalence of human trafficking for sexual and labour exploitation in the Balkan states, the risk of future displacement due to climate change more acutely affects the **safety of girls and women** as traffickers often target displaced populations

Figure 1: Factors of increased vulnerability to climate change



Source: Authors.



Chapter 3

**Barriers to education related to
climate change and climate
displacement**

Climate change and climate displacement create some direct and visible barriers to education, though there are many more hypothetical barriers that can be inferred, considering the socio-economic and political vulnerabilities that are occurring in this region.

This section theorizes some of those direct and indirect barriers that can be envisaged for those affected or displaced by climate change in south-eastern Europe, but these hypotheses will need to be confirmed through empirical data collection.

A. Direct barriers to education

Direct barriers to accessibility and acceptability of educational institutions

As has been found in all regions across the globe facing the effects of climate change, the most direct barrier to education related to climate is the destruction of school facilities by extreme flooding and rainfall events; the impairment of infrastructure such as roads and transport; insufficient capacity of schools to accept large amounts of displaced persons; and the use of schools as emergency shelters, thus preventing their use as purely educational facilities.

For example, primary school children along the Sava River in BiH had their education suspended following the 2014 floods when a primary school with 160 students was converted into an emergency shelter for 200 displaced residents. Not only was education itself disrupted, but the school—which was over-capacity and not equipped for 200 persons—had floors damaged by residents bathing in classrooms, subsequent hygiene problems, restroom facilities damaged, and more. It was only thanks to the intervention of a humanitarian aid organization, World Aid, that the school was able to be repaired and re-open its doors to students on time for the following term following a one-month loss of education in the spring (ReliefWeb, 2015).

Not only does flooding force people out of their homes and into schools, but the perilous rains in late 2021 in BiH also demonstrated the impact of climate on other infrastructure—notably roads and transport. When the river Miljacka in Sarajevo reached unprecedented levels, local and regional roads were submerged and buildings along the riverbank placed in peril. As a result of blocked roads and transport, local schools were forced to cancel classes for the safety of their students (Brezar, 2021).

Outside of educational disruptions due to schools being used as emergency shelter, as well as blocked roads and transport, the ILO highlighted the direct impact on physical infrastructure and assets in Serbia following the 2014 floods, finding the following:

In the period from 18 to 21 June 2014, the RNA team carried out an analysis of the situation in 24 municipalities and performed a needs analysis on 35 identified facilities. It was found that the floods water in buildings was between 50 cm and 2.5 m high and that it remained in facilities for between 3-30 days.

The floods wave severely damaged the 35 educational institution buildings examined which were distributed as follows: 12 preschool institutions; 13 elementary schools and 10 secondary schools located in seven municipalities (see Table 2 below). In those buildings the educational activities are realised with 45,329 children/students - of which 14% are preschool children, 62% are elementary school students and 25% are secondary school students (The Government of the Republic of Serbia, 2014).

These direct impacts of climate change impede education continuity—irrespective of whether a population is displaced or remains trapped. But it is important to note, as Mkrtchyan describes below, that those that are forcibly displaced by floods also face direct barriers to education, particularly when it comes to school and teacher capacities:

Among the age-disaggregated groups of IDPs, children of 5-14 years old comprise the largest category of IDPs in the ECA region. To them, from among all fundamental human rights, perhaps of the most heartfelt and acute loss is the right to full-fledged educational support. Unfortunately, yet quite naturally, education is one of the first daily activities to suffer as a result of a disaster strike and subsequent displacement. Moreover, once disrupted it is not easy to restore to the required standards.

The issues that displaced families start confronting once uprooted from their settlements are multifaceted and can be even systemic. These include, but are not limited to, deployment in areas (such as temporary camps) lacking schools in their proximity or providing access only to facilities that are seriously damaged, short of qualified teachers (and other key personnel) or operating at the limits of their operational capacity (thus, with no room to absorb newly arrived children) (Mkrtchyan, 2021).

B. Indirect barriers to education

Poverty and housing: existing barriers exacerbated by climate change and displacement

Poverty and lack of stable housing of school-age children are some of the main barriers to education worldwide, even outside of the context of climate change and displacement. Though these barriers already exist in the three countries studied, with the percentage of the population living below the poverty line in Serbia, BiH and the Republic of Moldova at 24.3% in 2017 (The World Bank, 2020), 16.9% in 2015 (The World Bank, 2022) and 23% in 2018 (The World Bank, 2020), respectively, climate change is significantly exacerbating these barriers, causing a larger proportion of the population to experience loss of livelihood, income and housing.

Section 1.b described how particularly vulnerable groups, including IDPs, migrants, refugees and the Roma population are all at heightened risk of displacement by floods and landslides due to their often-precarious housing situations. The same populations also often experience greater poverty than their counterparts residing in the same country. Lack of resources and issues with instable housing can be exacerbated by climate displacement and it can then be even more difficult to find acceptable housing near quality schools. As climate change thrusts more and more of the populations of BiH,

Serbia and the Republic of Moldova, and particularly their estimated 250,000 Romani (Minority Rights Group International, 2022) into poverty, the connection between climate change and education access and achievement is made clearer.

The situation of the Roma in Serbia, as described by Mkrtchyan below, can provide insight into the complex challenges that are faced by many IDPS living in the region.



Box 5:

Basic Insecurities: Poverty, housing and climate change in the Roma population

The Roma population in Serbia represents perhaps one of the most vulnerable groups of Serbia's population. As argued previously, IDPs in need is a special group of people comprised of those displaced and still vulnerable at the same time who may require most of the support of the state and other stakeholders, including on the continuum of fundamental rights and entitlements. Subsequently, Roma IDPs find themselves in the most precarious position and at the very bottom of the ladder of people in need, vulnerable and disadvantaged in too many aspects of those terms. Allegedly, displaced Roma may be deemed to be comprising the category within the entire population of Serbia that lives in the most extreme poverty. Thus, they merit special consideration within the general context of this paper, which is also in line with the heightened focus placed on Roma not only nationally, but also internationally.

All major ethnic affiliations are represented within the broader group of IDPs in need; however, aside from Serbs, the only other sub-group coming up on the list in double digits of percentage points are Roma (making up almost 15% of all IDPs in need). This means that more than 10,000 of the Roma inhabitants in Serbia continue to be particularly vulnerable in both economic and social terms. A targeted assessment conducted in 2015 estimated the share of Roma households "in urgent need" equal to 63% of the displaced Roma families in total (whereas for the domicile Roma, the respective statistic happened to be less than 40%).

The Roma population, especially Roma IDPs, have been unfortunate enough to experience multiple (or as it is commonly referred to "secondary") displacements. Having settled in the disaster-prone parts of Serbia during (or after) the initial wave of conflict-driven displacement, Roma IDPs (alongside many domicile Roma, as well as other IDPs) confronted the whole fury and then dire consequences of the 2014 floods that devastated Serbia (as well as BiH). As a result of the flooding, the number of those in need among Roma IDPs only increased, as many of them had lost their hard-earned housing and scarce sources of limited income (selectively secured in agriculture). Overall, the floods directly affected more than 6,000 Roma, including almost 800 earlier displaced IDPs, many of whom experienced considerable damages to their land, livestock, and crops, ultimately left alone with exorbitant reconstruction costs, extremely slim chances for further employment and dramatically shrunk social network.

No wonder, poverty is widespread among the Roma population. As one study has concluded, "nearly ALL displaced Roma households are at risk of poverty." While the incidence of poverty among the domicile Roma in Serbia is still less than 80%, its prevalence among the Roma IDPs is more than 90% (compared to less than 25% of the "at risk of poverty" rate for Serbia overall). As a result, 98% of Roma IDPs may stay malnourished or stripped of any personal funds to cover basic healthcare or hygiene products, utility or local transport costs. This may further impair many of the displaced Roma in their accessing social services and receiving proper protection."

Discriminatory practices and realities adversely affecting displaced Roma and vulnerable groups

The factors presented above clearly contribute to the barriers to education that are experienced by Roma IDPs; Mkrtchyan goes on to cite statistics showing the lower educational attainment of this vulnerable group:

Indeed, perhaps the greatest setbacks the Roma IDPs may have been facing lie in the area of education. One underlying factor is the impermissibly low level of educational attainment that is characteristic of the Roma community as a whole. Almost half of the domicile Roma in Serbia have not completed (or attended at all) a primary school. This is by itself a stunning indicator; however, even worse has been the same statistic for the Roma IDPs (65%), compared to only 8% for the general population in the country (Mkrtchyan, 2021).

Some of the reasons cited for such low educational attainment, Mkrtchyan (2021) purports, include: harsh, stereotype-driven discrimination; ending up in “special needs” schools despite a lack of actual special needs- with Roma comprising over 30% of children in special education despite making up only 6% of the population (Open Society Institute, 2010); overly-simplified curriculum for this population; and poor command of language when attending schools primarily functioning in Serbian (for the Roma IDPs in Serbia) – given that only 7% of displaced Roma speak Serbian at home. The situation is similar in BiH, with 86% of the Roma population identifying Romani as their first language (*ibid*).

While this barrier is not exclusive to climate displaced persons, Roma families in BiH who might have found an educational institution permitting their children to study in Romani could lose such a constitutional right should they be displaced by flooding and landslides, and ending up in a location which only teaches in one of the official languages—a practice which can be considered discriminatory and contrary to the right to education, according to the Special Rapporteur on minority rights (UN News, 2020). Therefore, climate change and climate displacement yet again exacerbate an existing educational barrier. It is worth recalling that a general discriminatory nature of educational practices has existed for over thirty years in BiH and applies to those beyond the Roma population. While such discrimination is not *prima facie* linked to access to education in the face of climate displacement, those who are displaced by climate change will be inadvertently more prone to the discriminatory practice known as “two schools under one roof” as described in the excerpt below:



Box 6:
Two Schools Under One Roof – Discrimination more poignantly affecting the displaced

There are still too many municipalities where ethnic segregation in schools is commonplace. For quite a while, the BiH education system has been dominated by a model of school organization known as “two schools under one roof.” This is an approach which assumes hosting two distinct ethnic and linguistic bodies of students within the same premises and yet in two parallel streams, with each of the two running a unique curriculum, hiring its own teaching staff and employing an isolated set of administrative procedures.

The “two schools under one roof” system was introduced following the violence and large-scale displacements in BiH in the late 1990s. Back at the time, it was meant to serve as an interim solution, called primarily to accelerate the rate of returns of IDPs to their places of original residence. Over time, the proposed arrangement proved to have done more harm than good. First and foremost, it has effectively been preventing any meaningful integration of IDPs (upon their return) across the ethnicity lines, the most important prerequisite for reconciliation and further development.

On a more general note, the “two schools under one roof” system led to a deeply rooted culture of segregation and mono-ethnic centrality in compulsory education. As a result, if a child that belongs to a constituent nation representing a minority in a given locality attends a school nearby, s/he may easily be marginalized. On the other hand, the same child appears to be deprived

of a constitutional right to attend a so-called “national group of subjects,” developed for each of the three BiH constituent peoples (Bosniaks, Bosnian Serbs and Bosnian Croats) and meant to claim their own interpretation of “contested” disciplines, like languages, history, geography, and religion. At the same time, it is to the discretion of a given educational authority to grant a permission for practicing the “national group of subjects.” Disagreements over the decisions by local authorities often leads to litigations in courts.

Gradually, some of the subnational authorities in the area of education started realizing the need to close the institutions that operate under the “two schools under one roof” arrangement. Still back in August 2012, the cantonal ministers of education drafted a two-year plan aimed at ending the era of forced segregation in schools. Nonetheless, the Universal Periodic Review Compilation on BiH submitted to the UN General Assembly in August 2019 was still citing the lingering “persistence” of mono-ethnic practices in the country’s schools. To the UN Rapporteurs, this essentially meant that the state in BiH as a whole did very little to uphold the “principle of inclusiveness,” otherwise well enshrined in the country’s legal framework. As of early 2020, there were at least 56 ethnically segregated schools, primarily throughout the central and southern cantons of FBiH, separating Croat and Bosniak children.

Once again, this discriminatory practice is not unique to persons affected by or displaced by climate change. However, climate-driven displacement can force students out of their habitual school where they might have experienced a more inclusive atmosphere into a new environment which, as Mkrtyan states, could likely be mono-ethnic with a deeply rooted history of segregation, threatening their right to quality, inclusive education.

Outside of discriminatory practices which affect the displaced population disproportionately, Mkrtyan brings the narrative back around to the poverty trap, adding that:

In addition to the issues, like discrimination and language, falling mostly on human rights continuum, there is another, rather pragmatic reason as to why school attendance may be problematic for Roma schoolchildren, especially those from displaced households. The incapacity to afford school supplies has been cited as the main reason of no schooling in almost one third of cases for local Roma families.

The problem is even more acute for Roma IDPs, as the respective share has been reaching 35%. Overall, this could be a much bigger concern for the Roma IDPs than locally based Roma, since Roma IDPs are more likely to have children as dependents (while a higher number of the elderly in families are more typical to domicile Roma). Hence, ever more so it is important to raise the awareness among Roma IDPs about the entitlements they may be eligible for, such as financial or non-financial forms of support from the national/local systems of social protection (Mkrtyan, 2021).

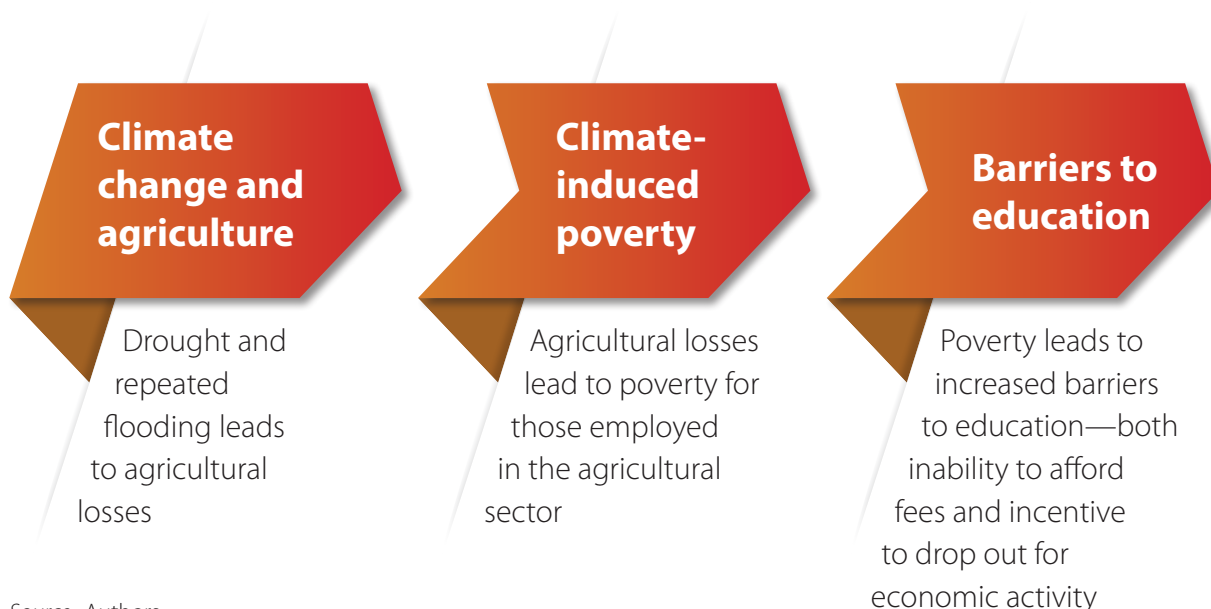
Lastly, when discussing the realities adversely affecting minorities or vulnerable groups, the right to education of women must not be forgotten. As described in Section 1.b on compounding vulnerabilities, women displaced either temporarily or permanently face a heightened risk of trafficking—be it labour exploitation or sex trafficking. Girls faced with financial distress following displacement may drop out of school, deceived into what they believe to be legitimate economic activity, only to find themselves in a trap of exploitation. This is clearly a major barrier to continuing in

or returning to education for many girls and women.

Agriculture, “economic” migration and dropout

While barriers to education in BiH and Serbia are more strongly tied to systemic poverty stemming from the wartime period and previous displacement (which nevertheless will be worsened by climate change), the Republic of Moldova is seeing very direct barriers to education posed by climate change, notably due to the country’s large agricultural/rural population with the 40.7% employed in agriculture (Climate Change Post, 2022) at risk of poverty and displacement following loss of livelihoods.

Figure 2: Impact of climate change on the right to education of agricultural populations in the Republic of Moldova



Source : Authors.

As was also explored in Section I.b on vulnerable populations, the Republic of Moldova is a nation with high levels of with poverty, with 23% of the population living under the national poverty line in 2018 (The World Bank, 2020). While not the sole cause of economic strife, the population’s reliance on agriculture for income greatly reduces revenue adaptability in the face of the effects of climate change—notably drought, high temperatures and floods—which result in a three percent loss of GDP annually (USAID, 2017). As a result, the Republic of Moldova illustrates the clearest case of climate displacement among the three countries studied, albeit often indirect. As families can no longer cope with climate-related agricultural losses, many are displaced to urban hubs internally, and others internationally, in search of income. These displacement patterns—be it trapped, internal or international—lead to several scenarios which all impact the right to education:

- An agricultural family remains trapped: climate effects decrease their income; the child may

drop out of school to help the family economically

- One member of the family migrates internally to an urban setting or internationally in search of economic activity, leaving the child vulnerable without support for their developmental needs
- Children move with their families but cannot access education in their destination due to either legal, financial or other barriers

An excerpt from Mkrtchyan's study elaborates on these complex barriers further:



Box 7:
Agriculture, Labour Migration, Poverty and Education: The case of the Republic of Moldova

Climate change and internal displacement combined may have a strong impact on children's right to education. There is a risk that almost half of the children living in the central and southern regions of Moldova may drop out of school due to the high incidence of drought and the fact that families may need additional active labour force to engage in agricultural activities and save the harvest.

School interruptions due to extreme summer temperatures could result in school closures for longer periods, with possible extended summer vacations and reduced winter vacations. In all areas, rising night temperatures can reduce the quality of children's sleep, leading to higher stress levels and lower school performance records. Children are extremely vulnerable to climate change and disaster risks. Frequent natural disasters— heat, droughts, floods and rapidly changing weather— all negatively affect the health of children.

The chances for continuous improvements in the education sector are largely contingent on how successfully the Moldovan economy will be in fighting the widespread poverty in the country. The problem of poverty may also be exacerbated by the lack of modern communication and transport. In that respect, occasional school closures further violate the right for education of affected children. Whether already displaced or not, many parents are willing to get their children enrolled in schools, even if located at a far greater distance, thus ensuring they uphold their children's right to education.

The increased levels of labour migration, challenging the Republic of Moldova with displacements within the country, as well as across the national borders, leave many children deprived of the opportunity to live with their parents, thus making them socially more vulnerable and less protected when it comes to their personal and future professional development.

With growing problems in agriculture and the economy as a whole, rampant emigration from Moldova is especially troubling. It may have long-term impact on children as it upsets the hard-maintained balance in families. The government records show that about 13,000 children having at least one parent alive reside not with their full and/or immediate families but instated with other caregivers (such as the parent left behind, grandparents and other relatives) who are often unable to take care of the entire spectrum of developmental needs of the younger generation, including formal education in particular. Children and adolescents are also often deprived of the emotional and mentoring support they need. As one longer-term consequence (albeit, indirect) this may serve the increasing level of violence in communities.

As some families emigrate, they may even choose to completely abandon their children and leave them on their own. Naturally, many of these children start exploring ways to also leave the country, completely pushing back their own commitments in education. They often flee to Ukraine or Russia, dreaming of an easier life and a better future. Unfortunately, their hopes and expectations are usually scrapped when they arrive in a new country where there is not enough social/public service targeted

at welcoming and caring for them. They often live on the streets in constant danger, thus becoming targets of those unlawfully engaged in human trafficking or looking around to take advantage of the most vulnerable.

Policy barriers

As with the majority of regions studied within this global project, south-eastern Europe presents no direct, *de jure* barriers to education for persons displaced by climate change; each of the three states guarantees the right to education for all and without discrimination in the legislation. Yet it is the absence of certain policies and legal definitions that creates an indirect barrier to education for climate displaced persons: notably, the omission of climate displaced persons within the legal definition of an “internally displaced person,” or the lack of legal definition for an “internally displaced person.” As will be further explained, the incompleteness or in some cases complete absence of a definition of “internally displaced person” inevitably results in climate displaced persons remaining politically invisible. This is not only the case at the national level, but the international level as well, given that international law has no single, comprehensive definition of a climate displaced person. Nevertheless, while not violating any international human rights law, the absence of a legal definition at the national level still presents one of the most major barriers to developing strategies to help ensure all human rights for those displaced by climate change, including the right to education.

To begin, Mkrtychyan (2021) states that “[i]t must be noted upfront that the Moldovan law does not define the concept of internally displaced persons (or IDPs), and the authorities do not provide any official data on IDPs as such.” It goes without saying that if there is no concept of an IDP in the Republic of Moldova, there is consequently no policy to ensure the basic rights of this population. In comparison, while BiH law does recognize and define the concept of an internally displaced person, “ever more outstanding is the outright position in BiH implying that anyone displaced because of a natural hazard (or disaster) cannot officially be recognized as an IDP” (Mkrtychyan, 2021).



Box 8:

Policy Barriers to Human Rights for Climate Displaced Persons: Limiting legal definitions

The first piece of legislation addressing the phenomenon of displacements was the 1999 *Law on Refugees from Bosnia and Herzegovina and Displaced Persons in Bosnia and Herzegovina*. This landmark legislation was the first attempt to capture and reflect on the human rights dimension of displacements. Among the other fundamental entitlements elaborated in the Law, its Article 18 commits to upholding the right to primary education in particular.

However, an even more central role in the Law has been reserved for the definitions of some of the key terms determining the entire legislation on migration in the country. First, the Law delineates the notion of a “refugee from BiH” as a “*citizen* of Bosnia and Herzegovina who is *outside* of Bosnia and Herzegovina, and who has been *expelled* from his/her habitual residence” because of an actual conflict or fear of persecution, thus lacking permanent residence outside of BiH and yet without a chance to make a safe return to BiH either. Then, the Law similarly defines a “displaced person” along the same lines as above, with the only key difference being the fact that s/he has stayed within the country and settled temporarily in a location different from his/her area of habitual residence. And finally, the Law described “returnees” as either refugees or displaced persons who have “expressed their wish to return to their former habitual residence. (Article 8).

While the nuance is subtle, it is critical to note that the legal definitions of refugees and displaced persons include only conflict and fear of persecution as the cause of human mobility and, therefore, those who are forced to move as a result of climate change do not fall within this restrictive definition. The omission of climate displaced persons from the legally recognized population of IDPs in BiH is therefore extremely problematic, as any policy initiatives to ensure the human rights of IDPs will not benefit those displaced by climate change; they will remain a politically invisible and non-existent population and efforts to ensure their human rights, notably the right to education, will remain unaddressed.

Lastly, and as is the case with the overall comparative legal framework explored in Section V, law and policy regarding refugees and IDPs in Serbia is more developed than that of BiH and certainly that of the Republic of Moldova. Beginning in 2002, Serbia has aimed to address issues relating to refugees and IDPs through their *National Strategy for Resolving the Problems of Refugees and Internally Displaced Persons*. Yet as Mkrtychyan explains, this policy too has some shortcomings in its implementation:



Box 9:

Policy Barriers to Human Rights for Climate Displaced Persons: IDPs overshadowed by refugees

- There is no law in the country dedicated to IDPs exclusively (as opposed to the Law on Refugees adopted still in 1992). This may be due to the fact that all those internally displaced are by default considered to be “citizens” of the Republic of Serbia and thus entitled to all the rights guaranteed by the Constitution of the Republic of Serbia. Consequently, as with other citizens in the country, they nation’s legal framework in every given area is fully applicable to IDPs. In reality though, IDPs, as we have found out, may be significantly impaired in exercising their rights.
- There is a need to include here a brief disclaimer on the notion of “citizenship” for IDPs in Serbia. Some experts deny the existence of the “formal IDP status”, because, as they argue, there is no formal difference between IDPs and the rest of the citizenry in the country. With all fairness, a dissenting opinion also exists: it contends that IDPs may have been experiencing “gross violations of their civil rights on an everyday basis” to such an extent that it may be more appropriate to call them “*de facto* ‘quasi citizens’ of Serbia’.
- The National Strategy noted above (*National Strategy for Resolving the Problems of Refugees and Internally Displaced Persons*) has brought refugees and IDPs under one umbrella. This may to some extent be justified, as many of the needs of these two broader categories of migrants have much in common. As one case study focusing on education has indicated, refugees in Serbia received treatment very much in line with that granted to IDPs, particularly with respect to exercising the most fundamental social and political rights.
- At the same time, some experts argue that the National Strategy has been placing a much greater emphasis on refugees than IDPs. Again, while this may sound judgmental, there is some evidence that the integration of refugees in the Serbian society has been proceeding at a greater pace. The same experts may go as far as to suggest that IDPs remain “voiceless for the most part” and their “presence is hidden in statistics about refugees, the homeless, the sick and the impoverished”.

While it is positive that there is a strategy that expressly includes IDPs, the lack of a policy dedicated solely to their needs often results in this population being overshadowed by refugees. Again, they do have some similar needs. Yet, identifying IDPs in general, and more specifically attempting to identify climate displaced persons and ensure their human rights, will remain a challenge until there is a comprehensive, broad, yet clear definition of IDPs—one which expressly includes persons displaced by climate change—and a policy developed expressly for such a group.

C. Summary of Section III

The impacts of climate change and climate displacement on the right to education are many, yet some of the most important barriers to education are not necessarily obvious at first glance. Of course, the impacts of flooding on maintaining education access are clear. As was particularly evident during the 2014 floods, **climate change directly destroys schools themselves**; damages transport and other infrastructure which leads to school closures for safety; results in schools being used as emergency shelters, as opposed to educational centres; and displaces families to temporary camps or other cities, in which schools in proximity might be lacking or in which school facilities have insufficient capacity.

However, what is critical in ensuring the right to education for all in the face of climate change is taking into account the specific socio-economic and cultural contexts of south-eastern Europe. Only when doing so, do other barriers to education become evident.

The previously displaced population, migrants, asylum seekers, refugees and the Roma population in BiH and Serbia face existing barriers to education due to their struggles to find stable housing and systemic poverty. While these barriers exist outside of the context of climate change, they are **exacerbated by climate change**. As many of these populations live in risk-prone areas with physically unstable housing, they are the populations most likely to be displaced in the face of future flooding and landslides, finding themselves newly without shelter and facing further financial strife. Similarly, while these populations already cope with certain discriminatory practices in accessing equitable and quality education, such discrimination could be worsened upon being displaced by climate change and attempting to access schooling in a new, culturally unfamiliar location.

While the climate-related barriers to education identified for the populations in **BiH and Serbia are largely forward-looking—meaning the greatest risks are yet to come upon increasing climate change displacement projections—the Republic of Moldova is already grappling with indirect yet significant climate displacement** and therefore the associated barriers to education. Most notably, climate change is causing agriculture-related livelihood losses that are likely to increase in scale, and is forcing families to move either to urban hubs or abroad in search of income. Due to climate-driven poverty, the risk of school dropout is notably high as students feel pressure to contribute to their family economically, with an over 14% dropout rate of secondary school age adolescents in Moldova as of 2015 (CIEC, 2021). In addition, upon arrival to the urban centres or destinations abroad, families might not have the immediate financial means to pay for auxiliary school costs, presenting yet another barrier to education as a result of climate displacement.

Most critically from a rights-based perspective, however, is the general invisibility of climate displaced persons in national legislation. Until each nation has a clear legal definition of IDPs that includes those displaced by climate change, and until legislation clearly ensures the right to education for all IDPs, addressing the barriers to education for such population will remain a fractured and uphill battle.



Chapter 4

**Legal and policy frameworks
relevant to education,
climate change, displacement
and disaster risk reduction**

In order to analyse whether barriers to education as a result of climate change and climate displacement exist in south-eastern Europe, one must not only examine *de facto* vulnerability, but *de jure* provisions in the national legal frameworks—beginning with commitments to international conventions that, when fully implemented, help protect and fulfil the right to education for all.

A. Ratification of key international instruments

Table 2: State of ratification of key international instruments by BiH, Serbia and the Republic of Moldova

	Ratified in		
	BiH	Serbia	The Republic of Moldova
Convention against Discrimination in Education (1960)	1993	2001	1993
Convention on Technical and Vocational Education (1989)	Not ratified	Not ratified	Not ratified
Global Convention on the Recognition of Qualifications Concerning Higher Education (2019)	Not ratified	Not ratified	Not ratified
International Covenant on Economic, Social and Cultural Rights (1966)	1993	2001	1993
International Covenant on Civil and Political Rights (1966)	1993	2001	1993
Convention relating to the Status of Refugees (1951)	1993	2001	2002
International Convention on the Elimination of All Forms of Racial Discrimination (1965)	1993	2001	1993
ILO Convention n° 138 concerning Minimum Age for Admission to Employment (1973)	1993	2000	1999
Convention on the Elimination of All Forms of Discrimination against Women (1979)	1993	2001	1994
Convention on the Rights of the Child (1989)	1993	2001	1993
Convention on the Rights of Persons with Disabilities (2006)	2003	2009	2010
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)	1996	Not ratified	Not ratified

As can be seen above, BiH, Serbia and the Republic of Moldova have all ratified a large number of the conventions which include provisions for the protection and fulfilment of the right to education through a variety of lenses. Notable is the ratification of the 1960 Refugee Convention,

which would be particularly relevant to the large number of pre-existing refugees in the region that are at heightened risk of being displaced by flooding in south-eastern Europe and would, at the international normative level, protect their right to education despite any potential future displacement.

Concerning, however, is the fact that only BiH has ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990). As climate-driven migration is becoming more and more evident in these states, children of migrant workers need to have their right to education protected. This Convention includes specific provisions for the protection of the right to education and equal access to education for families in which at least one parent is a migrant worker. However, with neither Serbia nor the Republic of Moldova having ratified such a key piece of international legislation, *de jure* protections for the right to education of climate-induced migrant workers, is significantly lacking.

With regard to soft law instruments, it is important to draw attention to the timely development of the *New York Declaration on Refugees and Migrants*, which Mkrtychyan analyses below:



Box 10:

The two prongs of the New York Declaration on Refugees and Migrants

The New York Declaration has ultimately produced two offspring (both brought to life in December 2018), each one of which has had important ramifications for policy making in both the international and national contexts of individual countries worldwide. One is the *Global Compact on Refugees*, which focuses on the needs of refugees specifically and thus is out the scope of the current study. The other is the *Global Compact for Safe, Orderly and Regular Migration* (GCM), which, by interpreting the notion of ‘migrant’ most broadly, defines 23 objectives, referring, among others, to the rights reserved also for those forcibly displaced.

Of special interest for this paper are *Objective 5: Enhance availability and flexibility of pathways for regular migration*, as well as *Objective 15: Provide access to basic services for migrants* and *Objective 16: Empower migrants and societies to realize full inclusion and social cohesion*.

In particular, Objective 15 highlights the need to ensure high standards for equity in the access migrant children are granted for education. In addition to staying inclusive, education systems need to constantly enhance their own internal capacities and reinforce the non-discriminatory practices.

Objective 16, on the other hand, calls for promoting school environments that are safe, as well as smart enough to welcome migrant children and help mingle with their local peers, by disseminating unbiased information about migration and thus reinforcing diversity, tolerance and multiculturalism in classroom.

Finally, Objective 5 of the Global Compact establishes a direct link between the forced displacement as a consequence of a sudden-onset natural hazard and the entitlement to education by deeming the latter as one specific measure to empower effective and dignified stay in the host country for displaced people who choose to do so.

While the Global Compact is perhaps the only international soft law instrument that touches upon the nexus of climate-driven migration and displacement and the right to education, it is nevertheless non-binding on Member States and therefore creates no concrete, enforceable obligations.

B. Constitutional framework ²

While BiH technically consists of two entities and a third, separate administrative district, the [Constitution of Bosnia and Herzegovina](#) of 1995 nevertheless remains the highest legal and political document of the State, which expressly enshrines the right to education in Article II.3.1: “All persons within the territory of Bosnia and Herzegovina shall enjoy the human rights and fundamental freedoms referred to in paragraph 2 above; these include: l) The right to education.”

To ensure that this right to education applies equally without discrimination, Article II.4 specifies that “The enjoyment of the rights and freedoms provided for in this Article or in the international agreements listed in Annex I to this Constitution shall be secured to all persons in Bosnia and Herzegovina without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status”—in theory covering both internally and internationally displaced persons. Given the decentralized state, it is also worth noting that Article 38 of the [Constitution of the Republic of Srpska](#) provides that “Everyone has the right to education under equal conditions under the Constitution of the Republic of Srpska. Primary education is compulsory and free. Everyone has access to secondary and higher education under the same conditions,” while the [Statute of the Brcko District of Bosnia and Herzegovina](#) stipulates, in Article 16, that “each individual in the District has an equal right to education without discrimination. Primary education is compulsory and free. Secondary education is free.”

Much more centralized than Bosnia and Herzegovina, the [Constitution of the Republic of Serbia of 2006](#) clearly enshrines the right to education for all in Article 71: “Everyone shall have the right to education. Primary education is mandatory and free, whereas secondary education is free. All citizens shall have access under equal conditions to higher education.” In addition to a non-discrimination clause similar to that of BiH, Article 79 adds that “Members of national minorities shall have a right to: [...] education in their languages in public institutions and institutions of autonomous provinces [...]”—a progressive measure that, if applied and implemented in practice, could help ensure that the national minorities and Roma populations that are particularly prone to displacement can continue to receive education in their native languages even during and after displacement.

Lastly, with slightly different wording, the [Constitution of the Republic of Moldova of 1994](#) (amended in 2016), protects the right to education in Article 35.1

- “(1) The right of access to education is put into effect through the compulsory comprehensive public school system, lyceum (public secondary school) and vocational education, as well as the higher education system, and other forms of instruction and training.
- (2). The State will enforce under the law the right of each person to choose his/her language in which teaching will be effected.
- (3). In all forms of educational institutions the study of the country’s official language will be ensured.
- (4). State public education is free.”

² It should be noted that all text quoted from respective Constitutions and legislation should be considered an unofficial translation.

Article 16(2) preceding stipulates that all rights enshrined in the Constitution shall be applied without discrimination: “(2). All citizens of the Republic of Moldova are equal before the law and public authorities, regardless of the race, nationality, ethnic origin, language, religion, sex, opinion, political affiliation, property or social origin,” though it is important to take into account that this article utilizes the word “citizen”—possibly excluding persons who are displaced in the Republic of Moldova, yet citizens of surrounding countries (UNESCO, 2022).

C. Legislative framework

While national legislation concerning education primarily expands upon and reinforces the right to education enshrined in all three constitutions, and therefore will not be detailed in depth to avoid repetition, there are certain legislative provisions that expand upon the right to education for certain vulnerable groups relevant to this study and are therefore worth mentioning.

In BiH, the [Framework Law on Primary and Secondary Education \(2003\)](#) stipulates that education is free and compulsory for nine years beginning from the age of six. Moving beyond basic education, however, in 2008, BiH adopted a revised Framework Law on Secondary Vocational Education and Training. According to the European Training Foundation (ETF), significant progress has been made in the country’s vocational education and training (VET) framework under this legislation, including strengthening of the VET system governance, improving relevance of VET to the labour market, developing competence-based curricula, and more. It is important to note that any efforts towards strengthening VET in the countries studied could inadvertently prevent poverty following climate-driven livelihood losses as such training would permit climate-driven migrants to find work in other sectors and still be able to afford school fees and affiliated costs with minimal interruption (ETF 2012).

In addition, BiH passed [The Gender Equality Law](#) which introduces an obligation to eliminate curricula that contain stereotypes regarding the social role of men and women in Article 11. Article 6 also stipulates that “Violence on grounds of gender shall be considered every action that causes or may cause physical, mental, sexual or economic damage or suffering, as well as threat to such action which prevents this person or group of persons to enjoy their human rights and freedoms in public and private sphere of life.” This law is particularly relevant, as the previous section demonstrated that climate change can put girls and women at risk of trafficking – preventing them from enjoying their human right to education.

In Serbia, the principal educational legislation is the [Law on the Foundations of the Education System](#) (No. 62/2003 and 64/2003), amended in 2009 and again in 2021, laying out the fundamentals of pre-school through secondary education with Article 3 stating that “Every person has the right to education and upbringing. Citizens of the Republic of Serbia are equal in exercising their right to education.” Quite interestingly is the last stipulation of Article 3, which applies not only to Serbian citizens but also to the group of persons concerned by this report: “Foreign citizens, stateless persons and persons seeking citizenship have the right to education and upbringing under the same conditions and in the manner prescribed for citizens of the Republic of Serbia.” Article 4 goes on to ensure that education is provided free of charge beginning with one year of pre-primary education through the end of secondary education up until the age of 17. While it is positive that secondary

education is provided free of charge, it is worrisome that compulsory education only continues through grade 8—possibly incentivizing teenagers to drop out of school and engage in economic activity following climate-driven livelihood losses and displacement, given the lack of obligation to continue schooling.

As in BiH, Serbia has also passed legislation aiming at gender equality, non-discrimination and specifically gender equality within the educational sphere. Notably, the [Law on Prohibition of Discrimination of 2009](#) provides that “discrimination” and “discriminatory treatment” mean any unjustified distinction or unequal treatment, or omission (exclusion, restriction or priority), in relation to persons or groups as well as to members of their families, or persons close to them, based on ... gender, gender identity, sexual orientation, ...” (Article 2). Article 19 then specifies that “It is forbidden for a person or a group of persons on the basis of their personal capacity to make it difficult or impossible for them to enrol in an educational institution, or to exclude them from these institutions, to make it difficult or deny them the opportunity to monitor the teaching and participation in other educational activities, abuse them, and otherwise make an unjustified difference and treat them unequally.”

Similarly, the Republic of Moldova passed legislation in 2006 to help ensure gender equality in all areas, with a specific section dedicated to education. According to [Article 13\(3\) of the Law on Equality between Men and Women](#), “In derogation to paragraph 2 above, the state, through educational and training institutions, shall undertake affirmative actions to promote balanced participation of women and men in exercising specific professions, where over-representation of persons of a certain sex has been ascertained” (Official Monitor of the Republic of Moldova, 2006). Specifically for women employed in agriculture, this affirmative action to diversify skillsets and given women the same training as men in diverse fields could help build resilience when women face the disproportionate consequences of climate change. Nevertheless, the [Education Code of the Republic of Moldova](#) – the primary piece of legislation governing the education system in the Republic of Moldova, states in Article 13 that compulsory education begins with preschool and ceases at the age of 16, putting teenagers at the same risk of dropout before completing upper secondary school as those in Serbia and BiH when pursuit of economic activity has a comparative advantage (UNESCO, 2022).

D. Policy framework on disaster risk reduction (DRR)

When theorizing about the impacts that climate change and displacement can have on the right to education, it is vital to also look at disaster risk reduction (DRR) and disaster risk management (DRM) frameworks, as well, as provisions contained therein could either directly or indirectly reduce the impacts of climatic disasters and subsequently reduce its impacts on educational continuity, including reducing displacement before it occurs.

Appendix A – quoted, with cuts and re-organization from Mkrtychyan’s work commissioned by UNESCO- explores some of the most notable laws and policies on DRR and DRM and their evolution, which is summarized in the conclusion of this section. However, for overall comprehension, it is important to note here that Serbia, BiH and the Republic of Moldova all have a multitude of DRR and DRM policies. Most relevant for this report is Serbia’s “Risk Register”, which is a digital database bringing together all risks linked to natural hazards in the territory of Serbia. This permits the government to

identify “immediate risk zones”, to keep construction away from those territories most vulnerable to climatic disasters, thus pre-emptively avoiding heightened possibility of displacement.

In BiH, the 2003 Federation of Bosnia and Herzegovina law specifies that children and students should be granted priority during evacuation following disasters, as well as receive first exposure to DRR concepts. However, there is a lack of an overarching DRR strategy in BiH, rendering response plans as decentralized as the government itself. Similarly, in the Republic of Moldova, there is a strong emphasis on response plans at the lower administrative levels, but the country is nevertheless operating without an overarching, national strategy. For more detailed information on DRR and DRM policies in these countries, please see Appendix A.

E. Summary of Section IV

Overall, the constitutions of these three states provide strong protection for the right to education. The right to education is expressly enshrined in the highest laws of the land, and each contains a clause stipulating non-discriminatory application of all rights. Furthermore, the legislative frameworks reinforce certain aspects of the right to education that target vulnerable groups, including those that are most vulnerable to the effects of climate change and climate displacement. Legislative efforts to ensure technical and vocational education, economy-specific skills training and provisions to reinforce gender equality will inadvertently help protect women, the rural population and minorities in the face of climate change.

With regard to these countries’ policies on DRR and DRM, it becomes clear from Mkrtchyan’s work, in appendix, that while Serbia has a relatively centralized, comprehensive strategy to mitigate climate risks, both BiH and the Republic of Moldova remain decentralized and relatively underdeveloped in their disaster risk reduction and management—rendering any sort of systematic, consistent response to the threats of climate change and displacement unlikely.

Most notably, however, is that this section shows the stark lack of cross-cutting policies and intersectoral cooperation. Overall, education policy does not include much education on DRR, and overall DRR and DRM policies do not take into account the toll climate change has on education. As will be explored in the section below, the lack of policy coherence and the strictly sectoral policy approaches are barriers to education in the face of climate change and displacement. **If there is no policy that addresses both disaster risk management and education, it is very likely that education will be among the lowest of priorities in the face of disaster and displacement, resulting in short-term and/or long term educational disruptions due to climate change.**



Chapter 5

**Measures taken to ensure
the right to education in the
face of climate change and
displacement**

The previous sections have illustrated the lack of measures in place to protect the right to education for people displaced by the effects of climate change. In a large part, this is linked to the lack of established definition or conceptualization of climate displaced persons, preventing the possibility of a dedicated strategy for their protection. Nevertheless, this section aims to present some initiatives that have been applied to other at-risk groups, such as conflict-displaced persons, migrants and refugees—which may be useful if applied to those affected by climate change—as well as any measures that might inadvertently or indirectly decrease climate displacement or the barriers to education in the face of climate change.

Measures taken to limit ethnic divides and discrimination in education upon displacement

As mentioned in the previous section, ethnic divides, language barriers and certain discriminatory practices already affect marginalized communities such as conflict-displaced persons, refugees and the Roma. As these populations continue to face heightened vulnerability to climate displacement, they risk losing the inclusive communities they have built over the years and could likely find themselves attempting to access schools in new locations that are culturally non-inclusive, as exemplified below:



Box 11:

Combating Segregation and Ethnic Divides in Schools: The case of BiH

Soon after the DPA had been signed, the Ministers of Education of BiH, representing the two entities, officially agreed to start the process of mutual recognition of teacher professional credentials across the respective jurisdictions. In the best interest of the children from IDP families (especially those who chose to become returnees), the authorities expressed political will to hire and retain core teaching staff that will help cater to the rights and needs of the displaced. As to whether the agreement has realized the best intentions and provided real value is rather debatable as the track record for their implementation may be uneven.

Several other temporary solutions may help offset the harsh reality of segregated educational settings. Some of them may require targeted assistance of international development agencies. In response to the dividing lines in the education system, UNHCR, for instance, introduced special bus lines, meant to help those IDPs who were willing to access some of the basic social services (including education) in the areas of their former residence. This service could have made huge difference especially for those children who received a chance to attend schools in localities where they felt more secure and “at home.” This single initiative appeared to be in line with a broader and concurrent effort to facilitate movement across some of the “inter-entity” borderlines, including the introduction of commonly issued license plates across FBiH and RS.

Another reactive measure to the unwanted implications of the segregation in education for the displaced was the careful distribution of children among schools, which would then allow children from one family (or identifying themselves with the same culture and/or speaking the same language) to be placed in the same school. Regardless of any reference to a specific status (a displaced person, refugee or returnee) or the trigger of forced migration, this measure may help lessen the discomfort caused by the fact of belonging to a numerical minority in the school or community.

Sensitive to ethnic issues and the many cultural divides following the Balkan wars, authorities in BiH developed some inclusive policies to help permit all children to access quality education, even after conflict-driven displacement, as is presented above. While these measures were developed to ensure culturally sensitive education following war displacements, such initiatives such as special bus lines to access previous schools and careful distribution of students could prove extremely useful following climate displacement in all three states, given the still very present aspect of ethnic and cultural diversity.

Disaster risk reduction, child protection and education

Another challenge in practically ensuring the right to education during climate displacement is the lack of a systematic DRM response that prioritizes education on an equal footing as other provisions and rights during emergencies. While it is not a piece of legislation relating directly to education, the Federation of Bosnia and Herzegovina in 2003 nevertheless passed a law that could indirectly and, if built upon further, help prioritize educational continuity in the face of climate-related disasters: the *Law on Protection and Rescue of People and Material Goods from Natural and Other Disasters*, as analysed below:



Box 12: Child protection, primary school and education in BiH's DRM & DRR

More specifically, the 2003 Federation of Bosnia and Herzegovina Law explicitly refers to the “children and students of primary schools” as the privileged group that must be granted outright priority should they be facing an evacuation from a disaster-hit area (Article 64). The Law also reserves a right for children in primary schools to receive the first exposure to DRR and related concepts. To what extent this provision has been realized in BiH at large is subject to debate and to a certain extent referenced later in the paper.

On the other hand, the 2012 Republika Srpska Law, in a similar manner, prioritizes DRR trainings for citizens in the collective sense, but with a special reference to the primary and secondary education levels.

It is important to note that while this law might be one of the few that addresses both students, disasters and evacuation in the same breath, it still does not address the continuation of education after evacuation and during displacement. Similarly in Serbia, the Planning, Preparedness, and Economic Security (PPES) Initiative, which aims to improve community emergency and disaster resilience, has successfully placed posters on DRR practices in primary schools throughout Belgrade as part of a prevention campaign (Orlovic-Lovren, 2014).

More generally, according to Orlovic-Lovren (2014):

The renewed approach to DRR education in schools [in Serbia] focus not only to children and teachers, but also to surrounding communities. It is a process aimed at understanding of causes of and ways to protect from hazards, incorporated not only in curricula, but in planning of school infrastructure, initiating campaigns and community actions, where school is not isolated, but integrated part of community. The role of students is not only to study ABOUT, but to participate IN building safety culture within and outside the school. As seen in many examples, students of different ages are capable of participating in assessments of risks and hazard mapping, supported by the community organizations, education and expert institutions.

Even at the international level, the UNDP's "Social Capital: The Invisible Face of Resilience" strongly emphasizes the role that education plays in disaster risk reduction and resilience in the face of natural disasters, stating that education is a key component of human capital which can reduce vulnerability. Yet even on the international stage, the discourse remains centred around how education can reduce vulnerability, not how disasters can reduce educational continuity. The UNDP report goes as far as to state that a higher number of schools in disaster-prone areas is positively correlated with resilience as these schools can be used as care centres post-disaster, despite impeding educational continuity (UNDP, 2016).

DRR training for all citizens, including school children, is undoubtedly important. It is true that training in DRR—from a lifelong perspective beginning in early childhood education and continuing through to adult and informal education—could help prevent, or at least lessen the extent, of damage from climate change and displacements. Nevertheless, south-eastern European states should expand upon their DRR and DRM strategies to expressly include the prioritization of education during emergencies with the same importance as providing food, shelter, health, etc., from a rights-based perspective, to ensure the right to education in the face of any disaster.

Building resilient infrastructure

The first major barrier to education identified in Section III, to recall, was the most direct: infrastructural damage to schools as a result of the increasing risk of frequent flooding. Addressing this barrier to education begins with moving away from disaster risk management and towards disaster risk reduction or, in other words, from reaction to prevention. In the case of preventing damage to schooling infrastructure, this may entail clarification of zoning laws to prevent building schools in flood-risk areas, addressing building codes for the construction of future schools and implementing retrofitting (modification of the structure of buildings after their initial construction). As Mkrtchyan explores below, Serbia has made some policy efforts to build infrastructure resilient to climate disasters, yet schools seem to be completely absent from the picture—as is also the case in BiH and the Republic of Moldova.



Box 13:
Building Disaster-Resilient Infrastructure: Schools absent in practice

In the wake of the 2014 floods, both Serbia and BiH adopted a broad-based principle of *Build Back Better*, which denoted the countries' attempt to shift from the "rescue and protect" tactic to one that places a greater emphasis on risk reduction. It seeks to reveal the gaps in the existing requirements for building and maintaining the vital infrastructure and consecutively upgrade them with a purpose to counteract in a case of a similar disaster, capable otherwise to result in more tangible damages to the same or adjacent areas and population base. To this end, customized disaster-proof protocols and materials may be required to apply.

The *Build Back Better* principle assumes a three-pronged approach, including 1) "building back stronger" aimed at ensuring more resilient structures in place, 2) "building back faster," meant to cut the red tape (as much as feasible) and use various arrangements (such as pre-approved contracts) to facilitate the recovery response, 3) "building back more inclusively," thus considering the acute needs of the most vulnerable (which would certainly include also those previously displaced).

Notable was the fact that while reporting on the implementation of the HFA Priority 5, the Serbian authorities failed to cite a single incidence of a specific programme or policy meant to contribute to the safety of schools across distinct municipalities.

In line with the previous finding was also Serbia's zero investment in retrofitting the vital social infrastructure, such as schools (as well as hospitals), then much needed in order to continue cutting the risks associated with natural hazards (as assumed by the HFA Priority 4). Here, it may be helpful to draw some parallels between Serbia and Moldova. The Moldovan infrastructure has been as much (if not more) craving for critical retrofitting, which, if/when undertaken, may go at scale that would require an elaborate "investment program" linked to a beforehand conducted needs assessment. It has been suggested that such a comprehensive assessment may form the foundation of a national strategy aimed at risk reductions, particularly in the area of seismic safety.

Reinforcing the findings based on the NPR for Serbia is the complete absence of any evidence for school safety measures undertaken in the past in either Serbia (or BiH as well, for that matter). It remains unclear if the significant contribution by the UN in the immediate aftermath of the 2014 floods, which helped BiH rehabilitate up to 250 buildings (at least 100 of them of public significance, thus, allegedly, including schools) and more than 1,500 houses and 4,000 dwellings, factored in the importance of retrofitting school buildings in particular, and thus making them disaster-resilient.

Policies for the general registration and protection of IDPs

As mentioned previously, one of the main barriers in ensuring the right to education for climate displaced persons is the lack of a legal concept acknowledging the climate displaced population. The Republic of Moldova has no definition of IDPs; BiH's definition of an IDP excludes those displaced by climate change; and, while Serbia's legislation is more developed, the rights of IDPs are often overshadowed by initiatives focusing on the more visible and clearly definable refugee population.

Nevertheless, and thanks to Serbia's relatively more developed framework, this Balkan state has implemented an important initiative that is the basis for protecting all rights of IDPs: one that not only provides for an extensive IDP registration service, but also establishes a database of vulnerable IDP households in need. In the face of climate change, this registry and database could be used to identify

vulnerable households who have been displaced in order to provide them with the information and finances needed to ensure their family members can continue education despite emergency circumstances and relieve socio-economic concerns thereafter.



Box 14:

IDP Registry and Database of Vulnerable IDP Households: A noteworthy initiative in Serbia

At the centre of it all stands the Commissariat for Refugees and Migration of the Republic of Serbia, which has a legal mandate for, among others, the following activities: IDP registration, provision of accommodation for them at the collective centres, as well as humanitarian support for the displaced people, on an individual basis or collectively. Most importantly, the Commissariat is responsible for extending full protection to IDPs in their exercising of their basic rights and fundamental freedoms. The Commissariat is also the distinct state body authorized to conduct IDP registration, as well as manage and stream data related to IDP situation in the country. It also serves as the focal point that directly collaborates with UNHCR and jointly with them publishes reports on IDPs need using the previously collected information (which is then reflected in the special Registry of Vulnerable IDP Households).

For instance, with respect to IDPs, the Ministry of Education, Science, and Technological Development has a responsibility to take into account the needs of those displaced when planning and implementing educational standards from the pre-school to university education level. Further, it is expected to directly intervene any time when there is a need to validate and/or officially transfer educational credentials from a foreign educational system to the one in Serbia. Last, but not least, the Ministry may be well positioned to support integration of IDPs into local communities by extending extra care for the needs of IDPs in schools. All these functions are of direct significance to facilitating IDPs pursuit of their right to education.

BiH also, but to a lesser extent, attempts to ensure the right to education for displaced persons generally through their legislation, as Mkrtychyan (2021) notes below:

Very much in line with the overarching constitutional provisions, the legal frameworks regulating forced migration and effective at an Entity level only reiterate the entitlements to quality education. The Law on Displaced Persons, Returnees and Refugees in the Republika Srpska (2005) reserves the right to education (among several other rights) to all displaced persons, as well as returnees (Article 14). The same Article includes a special clause highlighting the entitlement of those affected to “elementary education” over the entire duration of their respective status (of IDP or returnee) as defined by the law. With slightly different wording, Article 27 essentially repeats the same provisions in relation to the holders of a status of a refugee.

Nevertheless, one must not forget that any measures to protect the general rights of IDPs in BiH must be taken with caution, as populations displaced by climate change do not fall within the definition of an IDP according to BiH law. However, if BiH were to expand the legal definition of an IDP, the legislation above would be a magnificent start to expressly ensuring the right to education for persons displaced by climate change.

Measures to prevent initial climate displacement

While the majority of climate displacement in Serbia and BiH is a result of sudden-onset disasters, the Republic of Moldova's primary displacement scenarios are a result of slow-onset climate effects: notably, the effects of prolonged drought and repeated flooding on agricultural livelihoods. As such, identifying this slow-onset displacement scenario presents the unique opportunity to prevent displacement from happening at all, and therefore preventing associated barriers to education, through increasing agricultural resilience.

As Mkrtchyan presents below, the Republic of Moldova's new National Development Strategy aims at reducing the agricultural sector's vulnerability to climate change through several methods, thus indirectly reducing climate displacement internally and internationally:



Box 15: Reducing Agricultural Vulnerability in the Republic of Moldova: Indirectly preventing climate displacement

The [2021–30 National Development Strategy of Moldova] places a special emphasis on the protection of environment as a primary means to reduce the vulnerability of the Moldovan agriculture sector to climate change, thus attempting to diminish the ever-growing trend for internal displacement, as well as emigration due to adverse changes in weather patterns and other slow-onset events. Overall, a number of specific priorities and measures has been developed, aimed at suppressing the key sources of environmental pollution in the affected areas. Under spotlight comes the need to properly design and run waste management, as well as water resource distribution. Of added relevance is then the acquired ability to counter deforestation and land degradation. These all are factors which indirectly may help significantly deter the negative impacts of climate change on potential migration flows in a long run, thus protecting the respective segments of the local population from disruptions in their determination to realize their most fundamental human rights, including the right to education.



Chapter 6

**Conclusion and
the way forward**

South-eastern Europe is possibly the most vulnerable area in all of Europe to the effects of climate change, due to the region's lack of adaptive capacity and socio-economic characteristics. Floods continue to devastate land and human settlements, causing widespread and repeated displacements. Droughts and heatwaves are affecting energy production, and alongside wildfires are creating issues for agricultural production, livelihoods, and causing direct and indirect displacement. There is grave concern for those living in poverty; those previously displaced, currently migrating and refugees; and ethnic minorities. All of these vulnerable groups have particularly large and notable populations in the three states studied in comparison with other European countries. With weak and fractured governance systems and decentralized legislative initiatives, implementing an effective and systematic response to the threats of climate change is doubly difficult.

Yet the possibility of widespread displacement is not the only risk climate change poses in the region; climate change also threatens—directly and indirectly—the right to education, and some of these risks are already occurring. Floods have destroyed schools; seen schools transformed into shelters, interrupting learning; forced school closures for safety reasons; displaced people to temporary camps without schools in proximity; and thrust vulnerable populations deeper into poverty and housing insecurity, affecting families' abilities to afford auxiliary education costs. As climate change destroys livelihoods, children are forced to drop out of school to help their family economically or pushed to move internally or internationally to find stable income in a destination where their right to education is not necessarily ensured.

Climate change and displacement already severely threaten the right to education in south-eastern Europe, both directly and indirectly.

The question now is how these states can— in both policy and practice— develop ways to protect the right to education for the most vulnerable. It is important to note that this report was based solely on a literature review conducted, and to develop evidence-based policy recommendations, the collection of empirical data to support this review should be envisaged.

Nevertheless, some of the measures highlighted in Section IV, though not directly protecting the right to education for climate displaced persons, highlight policy gaps and policy options. Some possible areas of policy action to consider could be among the following:

Law and policy recommendations

- Create a clear, legal definition of “internally displaced person” in the case that there is an absence of one (as in the Republic of Moldova); if policy does define “internally displaced person,” expand the legal definition to include persons displaced, both temporarily and permanently, by climate change.
- Create a policy initiative, along with the necessary government personnel support, that is dedicated specifically to ensuring the rights of internally displaced persons—a policy separate from initiatives to aid refugees—to give IDPs a clear voice and priority. Such policy should expressly protect the right to education for IDPs.

Data and monitoring recommendations

- Create a registry and database of IDPs in the country following the Serbian model to identify, track and evaluate the needs of all IDPs as their situation evolves.
- Use such a database to map and forecast which populations are at the highest risk of primary or secondary displacement to inform and develop targeted, preventative policies.

School-level recommendations

- Use funding from international organizations and partners to increase the resilience of physical infrastructure such as schools, through retrofitting, ensuring new schools are built to withstand climate threats and develop zoning policies for school construction.
- Identify other public buildings, as opposed to schools, to be used as dedicated emergency shelters following flooding and disasters.
- Use the BiH post-war displacement initiatives to ensure minorities can access a safe school of their choice without discrimination, for example through setting up special bus lines between displacement camps and former schools.
- Build upon distance learning technology developed globally in response to the COVID-19 pandemic to ensure learning continuity when schools are inaccessible following disasters.
- Increase funding for TVET programmes to upskill and reskill agricultural workers, ultimately creating resilience in the face of climate change, fewer climate-driven livelihood losses and less poverty.
- Enhance measures to prevent school dropout among secondary school children and provide school guidance counselling.
- Integrate comprehensive Education for Sustainable Development into curriculum, adapted to each country's specific situation and socio-economic characteristics, so that students can become an active part of the solution in mitigating and fighting the effects of climate change.
- In order to ensure access to quality education, provide targeted teacher training on hybrid learning pedagogies, teaching at the right levels, assessment of learning losses, and more.

Intersectoral cooperation recommendations

- In upcoming educational policy reforms, include a section on education in emergencies, explicitly laying out a plan for alternative education continuity post-disaster.
- In upcoming DRR and DRM reforms, explicitly include ensured access to education in the systematic response plans with the same urgency as providing food, shelter and health.

- In the case that a centralized DRM/DRR platform, committee or governmental body exists, add a member of the Ministry of Education as a permanent seat.

Resilience recommendations

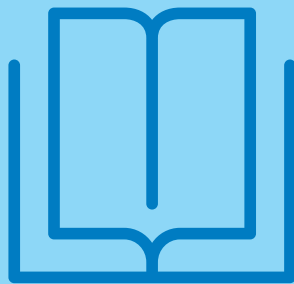
- Work with international organizations such as the FAO and the WFP to implement the utilization of flood-resistant and drought-resistance crop varieties, ultimately diminishing the risk of climate-driven livelihood losses and slow-onset displacement thereafter.
- Consider setting up a conditional cash transfer program for families displaced following disasters—who can be identified should an IDP registry be created—to ensure financial ability to afford transport to school, book and supply replacement and uniform replacement.
- Develop a comprehensive, joint financing strategy to create a fund for climate displaced persons and their right to education- financed by both the Ministry of Education and the departments concerning disaster risk reduction and management while also leveraging private partnerships.

These policy recommendations aim at addressing the nexus between climate change, displacement and education through a variety of angles, yet with the ultimate and critical goal being to protect and fulfil the right to education. When legal frameworks protecting the right to education were developed over 60 years ago, climate change and climate displacement were non-existent concepts on the political agenda. Yet, as the world and its circumstances evolve, so must the right to education to achieve SDG 4 for all.

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Appendix

Appendix A

DRR and DRM Policies in Serbia, BiH, and the Republic of Moldova (excerpts from Mkrtchyan 2021)³

³ This excerpt originates from a report commissioned by UNESCO, undertaken by Arsen Mkrtchyan with the aim of reviewing policy and patterns concerning climate displacement in south-eastern Europe. All future text in such boxes originates from this report.

A. Republic of Serbia

The rise of the new era for the DRR agenda in Serbia began in 2009 when the special Sector for Emergency Management unit (SEM) was established within the Ministry of Interior, concentrating within its power all coordinating functions in the disaster risk management (DRM) area and taking over for running all phases of a typical DRM cycle, starting with prevention and all the way through to rescue or response. The SEM representatives are well embedded in the DRR command chains at various governance levels, from a district to a city or (municipality) respectively.

The same year of 2009 saw the adoption of a landmark Law on Emergency Situations. The Law was intended to lay out some of the most essential and ruling concepts, such as “natural hazard” or “a state of emergency.” The Law was instrumental in delineating the roles and responsibilities of all key actors in the DRM system, including the state bodies, local governments, commercial and non-commercial organizations, and ordinary citizens. Moreover, the Law promotes the right of all to protection from emergency situations as well as, in this regard, the right to transparency and access to information for all. It stresses out the importance of permanent information of citizens on potential natural hazards and of strengthening their preparedness at the local level (Orlovic Lovren 2014). The Law was an early attempt to underscore the importance of risk assessments within the whole system. It proved to be an evolving document, standing by to incorporate necessary amendments over the next few years. The Law been completed by other laws specifically related to certain categories of natural hazards and their specificities to bring them the most relevant answer, such as the Water Law (2010) which define criteria for determination of flood prone and erosion zones and provides for the development of general and operational flood protection plans at each level of governance (Orlovic Lovren 2014).

These laws performed as the backbone of the system and helped guide the response in a real-life emergency when the 2014 floods attacked the civil population in Serbia. This was a serious test for the country’s still immature DRM legislative base, which then immediately revealed all the major loopholes and incapacities. One such gap appeared to be the lack of enforcing and penalizing mechanisms for a major failure to try and prevent the onset of an emergency. While the Law on Emergency Situations was by and large a commendable effort to introduce “an integrated approach” to a likely hazard (including prevention), it achieved relatively little in terms of building the actual community resilience out there on the ground. As it was argued later, the Law on Emergency Situations was designed to be too much skewed towards response (instead of prevention). Faced with such deficiencies, Serbia could not rely solely on its existing legal framework, and had to adopt a *lex specialis*, the Law on Post-Flood Rehabilitation, to fasten the reconstruction of areas that were affected by the floods and landslides of 2014 (Orlovic Lovren 2014).

The remedy would arrive almost a decade later, right at the time when **the draft Law on Natural and Other Hazard Risk Reduction and Emergency Management** would be accepted for deliberations at the National Assembly of the Republic of Serbia. This **would then open the opportunity to bring to the front the missing element of community and individual resilience in the national DRM system**, thus echoing the expectations of the Sendai Framework. What is even more unique about this piece of legislation is its explicit emphasis on human rights, gender, and disadvantaged communities (or those with special needs), including the poor, elderly, handicapped, as well as refugees and displaced persons.

A further eye-catching development foreseen as an outcome of the forthcoming Law was to be the emergence of the first-ever national authority exclusively assigned to DRM functions.

The donor support dedicated to help in operationalizing then-the newly born agency was to come out from the World Bank loan (having the emergence of this new institution as a one of the result indicators in its USD 70m agreement signed in April 2017).

Around the same time when the draft Law became a subject of scrutiny, **the country's legislature adopted another pivotal piece. The Law on Disaster Risk Reduction and Emergency Management (DRRM), adopted in November 2018, defined the "risk reduction plans"** in reference to each of the levels in the multi-layer governance system of the country, specially emphasizing the need for a coordinated, or "harmonized" measures, all across the governing bodies.

Outstanding about this Law is also its provision introducing the "Risk Register," or a digital database bringing together all risks linked to potential natural hazards that can impact the physical territory of the Republic of Serbia. Moreover, the Law goes as far on DRR as to segregate "immediate risk zones," in order to keep any new construction away from the designated areas in the country. Overall, this is the first attempt ever to try and standardize all relevant precautionary and preventive activities, while also laying the necessary groundwork for the future consolidated system of protocols and lines of action for immediate response and even beyond, handling also far-reaching consequences in case of a disaster. On the institutional side of the system, the DRRM Law had further streamlined and reinforced the role of SEM, first and foremost committed to its coordinating role in prevention.

It is important to note that **Serbia pays heightened attention to empowering municipalities in their efforts to mitigate disasters (and combat climate change).** While not every country in Europe prioritizes the localization of its existing national legislative framework, Serbia does. It does demonstrate that by mandating local governments to have their own DRR strategies in place. One other manifestation of the legally elevated role of municipalities is the **Law on Voluntary Firefighting** (adopted in November 2018), called primarily to underpin the local capacities for effective response by plugging in firefighting organizations that operate mostly on a voluntary basis."

B. BiH

The national legislation of BiH on DRM (including emergency preparedness, response, and rescue) may not be as comprehensive (or sophisticated) as the one we find in Serbia.

Moreover, the unique and rather complicated political and administrative structure of BiH has rendered a completely different thinking and practice on designing and implementing DRM measures across the multiple layers of governance in the country.

At the national level, the entire legal framework of BiH centers on the Framework Law on the Protection and Rescue of People and Property in the Event of Natural or Other Disasters in Bosnia and Herzegovina (2008). All three autonomous entities comprising BiH have their own "legs" of the Framework Law (albeit rather independent from each other). **In the Republika Srpska, it**

is the **Law on Protection and Rescue in Emergency Situations (2012)**, while in the **Federation of Bosnia and Herzegovina** the regulatory role for the DRM domain had been long before reserved to a different **Law on Protection and Rescue of People and Material Goods from natural and Other Disasters (2003)**. In 2016, the Government of the **Brčko District** adopted its own **Law on Protection and Rescue of People and Property from Natural and Other Disasters in the Brčko District of Bosnia and Herzegovina**.

Due to the diverging underlying premises and legal coding used in the sub-national legislative instruments, there is not much one could expect for their effective interaction and cross-references. Ambiguity remains a recurring issue across the board. Nevertheless, the laws adopted at the entity levels have one common theme that makes them outstanding. And that is their humanitarian twist and human rights-based approach, among other things addressing, directly or indirectly, the right to education.

More specifically, the 2003 Federation of Bosnia and Herzegovina Law explicitly refers to the “children and students of primary schools” as the privileged group that must be granted outright priority should they be facing an evacuation from a disaster-hit area (Article 64). The Law also reserves a right for children in primary schools to receive the first exposure to DRR and related concepts. To what extent this provision has been realized in BiH at large is subject to debate and to a certain extent referenced later in the paper. On the other hand, **the 2012 Republika Srpska Law, almost in a similar manner, prioritizes DRR trainings for citizens in the collective sense, but with a special reference to the primary and secondary education levels.**

The current DRR strategic system in BiH faces a number of gaps that are still to be resolved. Inter-agency cooperation is not well secured, especially against the backdrop of a non-existent unified and clear response plan, as well as the broadly accepted authority of the centrally placed leadership in Sarajevo that is by and large missing. To that end, it may be viewed as a long-awaited move to follow to the recommendation by the World Bank calling for a “specialized mixed protection and rescue unit.” This core institutional addition may potentially prove capable of resolving the major legal inconsistencies and launching a new, concerted action of refining and realigning legal codes across the country. It may also have a considerable practical significance, as it may consolidate some of the otherwise fragmented capacities in the autonomous entities of the country, as well as the Brčko District.

In 2014, under the lead of UNDP, a Disaster Risk Analysis System was developed and piloted, thus presenting the first ever national web-based medium for the popularization of the science behind the hazard assessment in the country. Later in 2017, a joint UN Programme was launched seeking to model and then operationalize disaster risk management, moving from the lower to higher levels of government. The Programme is still ongoing, and the results are yet to be seen. Apparently, the choice of the Programme’s focus was the right one, as the most recent (2021) assessment found that local/community leaders and relevant groups “have an important role to play in overall disaster risk reduction.” Although the bottom-up approach may well prove to be effective, still for the best results, it will need to be coupled with the top-down approach as well.”

C. The Republic of Moldova

Among all three countries under review, [the Republic of] Moldova has a legal framework that is perhaps the least elaborate and, one would even say, simplistic. The backbone of the national legislation is the Law on Civil Protection adopted at the dawn of [the Republic of] Moldova's independence in 1994. Organic by its scope and nature, the Law lays the foundation of the civil protection system, assuming a mission to protect people's lives and property from the damage that can potentially be caused by both natural and man-made hazards (Article 1). Overall, the Law defines the basic provisions as to how civil protection (or defense) needs to be organized throughout the levels of governance in the country, as well as delineates the rights and responsibilities of all parties that can potentially be engaged in the implementation of protection measures (from national authorities to individual citizens).

To build upon the Law on Civil Protection and better define roles and expectations of all parties at the time of emergencies, a new Law on Declaring the State of Emergency, Martial Law, and War was added in 2004 to the-then existing legal framework. This was an important addition, as it tried to reflect as to how citizens' rights and obligations could be impacted should a state of emergency be declared. It also specifies a methodology that can be commonly employed in conducting assessments during the emergencies.

The central authority governing civil protection in [the Republic of] Moldova is the General Inspectorate for Emergency Situations (GIES) operating as a "subordinate institution" of the Ministry of Interior. Moldova uniquely counterbalances what one would argue is concentration of functions (or power) in the hands of GIES (or formerly, the Civil Protection and Emergency Situations Service) with the rather decentralized setup of Commissions for Emergency Situations (effective at all levels of governance). At the top is the Republican Commission for Emergency Situations, chaired by the Prime Minister and presiding over the commissions representing the territorial and local levels of governance, as well as lower-level units under the authority of GIES (which positions itself as the acting central public management body). Notably, all subordinate actors aim at the utmost level of autonomy possible, which may prove particularly critical at a rapid-response phase when every minute counts.

Despite the meticulous attitude [the Republic of] Moldova's governing institutions have been observing towards the planning of civil protection at the lower administrative levels, **the country's DRM system as a whole has been operating without an overarching national strategy. The Government did attempt to draft a National Disaster Risk Management Strategy in 2015, however, it has never succeeded to have it adopted since.** At the same time, several other strategies targeting sector-specific regulatory frameworks have actually made it to acquiring an obligatory status and thus supplying important sectoral guidelines. Among them are the 2014-23 Environmental Strategy, 2011-20 Program for the Conservation and Increase of Soil Fertility, as well as 2014-18 National Afforestation Plan. Nonetheless, implementation plans for many of the strategic documents in place have been largely missing. An exception worth citing here refers to flood risk management, further emphasizing the importance country's national authorities have been attaching to the potential danger floods may pose to the national economy and population.

Overall, [the Republic of] Moldova seems to have prioritized sectoral mainstreaming over a more all-embracing approach for its disaster preparedness and management functions.

The flood protection planning (with ongoing updates to the existing arrangements) is a strong evidence to that. Another indication could be the long-established practice (first initiated in 2012) to perform technology needs assessment aimed at exposing climate-related risks in individual sectors of Moldova's economy, thus singling out the areas for potential environmental adaptation.

Nevertheless, concerned with the needs of the vulnerable population in particular, UNICEF actively advocated for establishing a broad-based National Disaster Management Platform (NDMP). Unfortunately, despite the Government's intentions to evolve the Republican Commission for Emergency Situations (presented earlier) into a national platform on disaster risk reduction and management, the NDMP has never materialized. This only further underscores the incoherence of **[the Republic of]** Moldova's national leadership in pursuing the DRR agenda in the country. As in the case of the National Strategy, experts believe a widely agreed and launched platform (as in many other countries) has been long overdue."

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United Nations
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and Cultural Organization

South-Eastern Europe regional synthesis

Climate change, displacement and the right to education

Comparative country case studies were carried out in Bosnia and Herzegovina, the Republic of Moldova, and Serbia, as they exemplify clear, present patterns of climate displacement, to examine not only specific vulnerabilities to climate change and related mobility, but also the impacts of climate change on the right to education in the region. The case studies have shown that climate change directly impacts education.

On that basis, this regional synthesis report aims at identifying common and divergent patterns of climate displacement as well as barriers to education for climate displaced persons in the reviewed countries. It also aims to guide policymakers by providing policy recommendations on how to ensure the protection of the right to education in the face of climate change and displacement, using a human rights-based approach. This report is part of a global initiative launched by UNESCO in 2020 to assess the impact of climate change and displacement on the right to education. It is one of the regional reports that will lead to the development of a global report providing global operational policy guidance.

