The Surrogate State?

The Role and Capacity of Non-State Organizations in Substituting the Responsibilities of the State for Providing Education to Venezuelan Refugee Children in Trinidad and Tobago

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Abstract

According to the *1951 Refugee Convention*, it is the state's responsibility to protect and provide basic services to the refugees within their border. However, even if ratified to the *Convention*, it is common that the state decides to relinquish its responsibilities for various reasons.

In Trinidad and Tobago, no national refugee policy has been adopted since the ratification of the *1951 Refugee Convention*, despite the country having the largest number of Venezuelan refugees per capita. Consequently, UNHCR-determined refugee children continue to be excluded from accessing local schools. In this regard, this thesis aims to explore the role of non-state organizations in replacing the State's responsibilities to provide education to Venezuelan refugee children in Trinidad and Tobago (TT), and to investigate their capacity as the Surrogate State.

The research was conducted through thematic analysis of 8 semi-structured interviews with staff from non-state organizations in TT involved in the provision of refugee education, combined with document analysis. The results suggest that non-state actors, while respecting state sovereignty and operating within the national government's framework, have significant control over decisions and programs for refugee education in the country. This allows them to function as the non-sovereign Surrogate State, especially concerning refugee education.

Acknowledgement

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List of Abbreviations

CCHR – Caribbean Centre for Human Rights

CRC – Convention on the Rights of the Child

IOM – International Organization for Migration

LAC – Latin America and the Caribbean

LWC – Living Water Community

NGO – Non-Governmental Organization

PNM – People's National Movement

R4V – Response for Venezuelans: Inter-agency Coordination Platform for Refugees and Migrants from Venezuela

RSD – Refugee Status Determination

TT – Trinidad and Tobago

UN – United Nations

UNC – United National Congress

UNESCO – United Nations Educational, Scientific and Cultural Organization

UNHCR – United Nations High Commissioner for Refugees

UNICEF – United Nations Children's Fund

1. Introduction

1.1. Background Information

According to the United Nations (UN) Convention on the Rights of the Child, quality education is a fundamental human right for every child regardless of their "race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status" (Article 2). In the long term, education is believed to play an important role in reducing poverty and child labour, and simultaneously contribute to democracy, peace, and economic development of the whole country, and the entire world in a broader scope (Preece, 2014).

However, in reality, children's education, particularly of refugee children, is far from being a priority. In 2021, 244 million children between the ages of 6 and 18 were estimated to be excluded from education worldwide. Refugee children represented 3.7 million of this number, which is more than half of the total of 7.1 million refugee children around the world who are within the school age range (UNESCO, 2022). Looking at the rate of access to education of refugee children, the percentage of enrolment in each education level is 63% in primary school (ages between about 6 and 11), 24% in secondary school (ages between about 12 to 14), and 3% in higher education (ages between about 15 and 17), in comparison to the global rate of 91%, 84%, and 37%, respectively (UNHCR, 2019)). It is clear that the education access rate of refugee children is significantly lower than that of non-refugee children in every stage.

The Republic of Trinidad and Tobago, hereafter TT, is a southmost Caribbean island located 7 miles away from Venezuela, with a population of 1.5 million people (UNHCR, 2022). In addition, nearly 24,600 refugees and asylum seekers are registered by UNHCR and are made up of 38 different nationalities (*ibid*., 2022). Due to its geographical location, the majority of the refugees come from Venezuela, accounting for over 80% of the total number of refugees—which the country is known to hold one of the largest Venezuelan refugees per capita in the world (Maharaj-Landaeta, 2019).

Venezuela, officially named the Bolivarian Republic of Venezuela, was once South America's richest, most prosperous country holding the world's largest oil reserves. However, after the country became both politically and socioeconomically unstable due to oil corruption between 2013 and 2016, Venezuela experienced widespread unemployment, poverty, violence, and

chronic shortages of food, medicine, and basic needs (ENCOVI, 2020; Caarls *et al.*, 2021). Such pervasive disorder in the country significantly contributed to the exodus of 7.24 million Venezuelans, of which over 6 million have migrated into the surrounding Latin American and Caribbean countries including TT (R4V, 2023).

According to Response for Venezuelans: Inter-agency Coordination Platform for Refugees and Migrants from Venezuela (R4V) (2022), the estimated number of Venezuelans residing in TT is 34,100, of which over 22,000 are registered as asylum seekers and refugees by UNHCR. TT has ratified major internationally recognized conventions regarding refugees and children, such as the *1951 Convention on the Status of Refugees and its 1967 Protocol* (*1951 Refugee Convention*), the *1954 Convention relating to the Status of Stateless Persons*, as well as the *Convention on the Rights of the Child* (*CRC*). The country has also drafted a national policy for refugees to identify their protection principles and to provide a specific action plan for TT to build its capacity to receive refugee populations. Nevertheless, although the drafted policy was approved by the national cabinet, an official refugee policy has not been enacted until today. Thus, the country does not yet have the system to recognize the status of "refugees". This indicates that the country still treats all Venezuelans as "migrants" regardless of their circumstances.

It is crucial to distinguish the difference between "refugees" and "migrants". According to the *1984 Cartagena Declaration on Refugees*, "refugees" are defined as "persons who have fled their country because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order". One of the core principles established in international law is that refugees should not be forcibly removed or sent back to their countries as it could lead to life-threatening consequences. Those who seek to obtain refugee status are referred to as asylum-seekers (UNHCR, no date b). On the other hand, migrants choose to relocate not due to immediate threats of persecution or danger, but primarily to seek better opportunities in employment, education, etc. (*ibid.*).

According to Buckner, Spencer and Cha (2018), states are the primary duty-bearers for education. Nevertheless, in addition to TT not having the framework to recognize refugees, the country also does not allow any migrant children to be enrolled in local schools, regardless of whether the school is public or private (Maharaj-Landaeta, 2019). As a consequence, more than

60% of Venezuelan children residing in TT are not receiving education (De Silva, 2023). Out of the children that do attend school, almost all of them are enrolled in informal education designed and provided by UNICEF and local NGOs (Maharaj-Landaeta, 2019).

Education shapes one's life, and its provision is crucial for all children around the world regardless of status. Nevertheless, many children, especially refugee children, are left out of the education system because of many reasons, and oftentimes it is caused by the lack of protection and recognition by the government of the country in which they reside. In such cases, non-state organizations such as UN organizations, NGOs, and other humanitarian organizations often step in as the Surrogate State to supplement the necessary protection for those who are in need (Slaughter and Crisp, 2009). Due to the lack of national refugee policy in TT, refugees from Venezuela and other nations have almost no legal status, and thus the government makes little or no emphasis on their living conditions, well-being, or fundamental human rights. Therefore, almost all investigations conducted as well as protections and services provided within the country, including the provision of education, are substituted by international organizations and other local NGOs (Maharaj-Landaeta, 2019).

Generally, Latin American countries such as Colombia, Peru, and Chile have often been selected for a case study to investigate the situation of Venezuelan refugees and refugee education, due to the large number of refugees those countries receive in an absolute term (Summers, Crist and Streitwieser, 2022). On the other hand, despite the significance of the issue and the country holding the largest per capita of Venezuelans, there is a serious lack of studies that examine the role of non-state actors specifically in TT to provide appropriate educational services for refugee children in the country, who are often predominantly ignored by the national government and excluded from the national legislations. This thesis, therefore, aims to fill in this gap. Furthermore, this study will respect the definition and determination of refugees and asylum-seekers by UNHCR. Therefore, although the national government of TT does not recognize the given status, the terminology "refugee" will be used throughout the paper instead of "migrant".

1.2. Purpose and Aim

This research aims to examine to what extent non-state actors, including UN organizations and local NGOs, can act as Surrogate States to have a role in providing education to Venezuelan

children in TT when the State fails to fulfill its responsibility. The concept of a *Surrogate State* explores the expanded role of non-state organizations in delivering essential services to refugees, filling gaps left by the state's limited capacity, although unable to fully replace the responsibilities of the host government (Moschopoulos, 2023). This theoretical framework of the *Surrogate State* will be further introduced in Section 3.2. The number of refugees and migrants is increasing significantly around the world, yet there is a prevalent lack of their basic human rights being realized regardless of the presence of a national refugee policy or ratified international conventions in the country. Taking this into consideration, this study is believed to have great significance not only in TT but around the world to recognize the roles and capabilities of non-state actors in providing essential services for refugees on behalf of the state.

1.3. Research Questions

In order to fulfill the purpose of the research, this thesis sets out to answer the following research question:

> *To what extent do non-state actors perform as the Surrogate State with regard to the provision of education for Venezuelan refugee children in Trinidad and Tobago?*

To address the given research question, the following three sub-questions will be explored as guidance:

1) Based on the theoretical framework of *Refugee Education*, to what degree is there a gap between ratified international convention and its implementation in the education of Venezuelan refugee children in Trinidad and Tobago?

2) What are the roles of non-state actors in providing education for refugee children from Venezuela in Trinidad and Tobago, and what is the relationship between non-state actors and the national government?

3) Built upon the theory of *Surrogate State*, to what extent do non-state actors have the authority to make decisions on refugee education on behalf of the national government and to substitute the role of the government?

1.4. Thesis Outline

The thesis is structured into seven sections. The first chapter of the thesis introduces the background information of the research and provides research questions. In chapter two, existing research on refugee education and the role of non-state actors in responding to the refugee crisis is explored, as well as providing contextual background. Chapter three presents the two theoretical frameworks, *Refugee Education* and *Surrogate State,* that will guide the study. Thereafter, the methodological framework is discussed in chapter four, including considerations of potential ethical risks that this research may pose. In chapter five, collected data is introduced and analyzed along with the theoretical frameworks, with an aim to address the three sub-questions as a way to answer the main research question. The sixth chapter will summarize and discuss the findings, and lastly, chapter seven exhibits concluding remarks of the thesis and make suggestions for future research.

2. Literature Review and Contextual Background

The following chapter introduces relevant past literature related to refugee education and the role of non-state actors in providing refugee education to find a research gap and to emphasize the significance of this research. Additionally, a contextual background is provided to further enhance the understanding of the research context.

2.1. Challenges of Refugee Children in Accessing Education, and the Role of Non-State Actors in the Provision of Refugee Education

Education at all levels is vital for refugee children. It promotes physical development, social integration, economic mobility, and a sense of normalcy, while also preparing them for the future (Nicolai and Triplehorn, 2003; Martone, 2007; Tienda and Haskins, 2011). According to del Castillo *et al.*, (2020), access to early childhood education such as child-friendly spaces is especially crucial at preschool level, considering the adverse effects migration journeys can have on their physical development, posing risks such as immobility, muscular lesions, malnutrition, and inadequate stimulation.

While education has been a significant aspect of development work, it had not been widely considered a part of the humanitarian agenda until relatively recently (Nicolai and Triplehorn, 2003). A decade ago, education was not viewed as essential for human survival or subsistence (*ibid.*). However, attitudes have shifted, and education is now gaining importance as a priority in humanitarian concerns (Machel, 1996). The absence of education for children leaves them dependent on aid, and the Humanitarian Charter's emphasis on the right to life with dignity supports the inclusion of education in humanitarian responses (Nicolai and Triplehorn, 2003).

Despite states being obligated by international law to provide education to all children, refugee children often face various challenges when seeking to enter formal education in their countries of residence (IRAP, 2020; Lowe, 2020; Padrón, 2020; R4V, 2021). For instance, Summers, Crist and Streitwieser (2022) discovered that many Venezuelan children in Colombia, Peru, and Chile equally encounter challenges to access education due to financial difficulties, high levels of child labour, and lack of documentation or required visas to prove the legal stay. Particularly, refugee children often experience additional barriers in accessing tertiary education, which include non-recognition of prior degrees or instances of reported xenophobia, leading to bullying in schools (R4V, 2021; Summers, Crist and Streitwieser, 2022). Moreover,

Zeus (2011), whose study explored barriers for Burmese refugees to access higher education in Thailand, claimed that even if a child is able to obtain a certification for a Thai-recognized curriculum, the more significant question that arises is whether this certification will be accompanied by inclusive policies and enhanced legal rights for the refugees in the host country.

With more than half of the global refugees living in urban settings outside of designated camps with protection, their livelihoods depend greatly on the government of their country of residency (UNHCR, 2016; Mendenhall, Russell and Bruckner, 2017). For instance, in Caribbean countries such as Aruba, Curaçao, and the Dominican Republic, national laws mandate school attendance for all children in the country regardless of their national status, including Venezuelan refugee children (R4V, 2021). In Guyana, refugee and migrant children from Venezuela are allowed to attend public school free of charge (*ibid.*). However, challenges remain in these four countries which restrict children to be enrolled in local schools, including limited capacities in schools, unattainability of mandatory insurance due to lack of required documents, limited resources to acquire uniforms and learning materials, and inadequate transportation services, just to name a few (*ibid.*). For instance in Peru, 70% of Venezuelan school children concentrate in Lima, straining the overcrowded public school system and raising concerns about education quality (Selee and Bolter, 2020). Nevertheless, these issues are often the consequences of national governments prioritizing their own citizens and limiting services and protection offered to refugees and migrants (Nadig, 2002; R4V, 2021).

In some cases, particularly in the Middle East, Africa, and Asia, UNHCR and other humanitarian organizations have assumed a leading role in assisting refugees when the protection offered by sovereign states is inadequate (Kagan, 2011). Such assistance often includes managing refugee camps, handling refugee status determination, and administering education, health, livelihood, and other social welfare programs (*ibid.*). In Greece, international organizations and NGOs had received a significant portion of refugee protection funding from the EU, leading to an expansion of their responsibility and a diminished state control (Moschopoulos, 2023). In such occasions, the UN and other humanitarian organizations often operate as "surrogate state" (Slaughter and Crisp, 2009) or "blue state" (Bocco, 2010) taking on a "state substitution role" (Türk, 2010), though it lacks the full capacity to replace the host government (Turk and Eyster, 2010). These conditions are considered "legal anomalies" (Verdirame, 1999), thus UNHCR and other organizations usually have a policy to avoid providing services in parallel to sovereign states (UNHCR, 2009). Nevertheless, despite such

policy, multiple research has shown that parallel services remain prevalent, particularly in camp-based settings, where UN organizations often start with emergency relief operations but end up establishing a long-term role to provide basic services to a refugee population as a substitute for the state (Slaughter and Crisp, 2009; Moschopoulos, 2023).

In TT, education for refugee children is not explicitly prohibited. However, there is a requirement for student permits that all children need to carry, which can only be obtained through having a citizen status, making it virtually impossible for refugee children to access education (R4V, 2021). As a result, although TT is not a camp-based setting, UNHCR and other local NGOs take on the responsibility to assist in providing education to Venezuelan refugee children residing in the country (Bishop, 2022). One of the instigations of such a situation is expected to be the absence of national legislation for the protection of refugees or asylum-seekers in TT, which is further discussed in the next section.

2.2. Policies Regarding Refugees in TT

A number of fundamental human rights and freedoms are recognized "without discrimination by reason of race, origin, colour, religion or sex" under the Constitution of the Republic of Trinidad and Tobago. Particularly speaking, Section 4 (a) and (b) of the Constitution guarantees the right of individuals to "life, liberty, security of the person", "equality before the law and the protection of the law", and to the "equality of treatment from any public authority in the exercise of any functions" (*The Constitution of the Republic of Trinidad and Tobago*, Chapter I, Part I, 2000).

Furthermore, Section 7 of *Laws of Trinidad and Tobago: Education Act* (1966) precisely prohibits discriminations when providing education by stating that "no person shall be refused admission to any public school on account of the religious persuasion, race, social status or language of such person or of his parent" (p. 13). The *Education Act* does not specify that school admissions are limited to the citizens of TT, hinting that the policy is also supposed to be applied to the migrant and refugee children in the country.

Beyond the national level, TT has also acceded to international conventions such as the *1951 Convention relating to the Status of Refugees and its 1967 Protocol* (hereafter *1951 Refugee Convention*) in November 2000, as well as the *1954 Convention relating to the Status of*

Stateless Persons in 1966. Although TT "acknowledged the vulnerability of refugees and the role that the international community plays in the protection of the rights of refugees" (*A Phased Approach Towards the Establishment of a National Policy to Address Refugee and Asylum Matters in the Republic of Trinidad and Tobago*, 2014, p. 3), the country lacks a national refugee policy, as well as an established Refugee Status Determination (RSD) mechanism. RSD mechanism is the legal or administrative procedure to ascertain whether an individual seeking international protection qualifies as a refugee according to international, regional, or national law. RSD plays a crucial role in enabling refugees to access their rights under international law. States are primarily responsible for conducting RSD, but when a state is not a party to the 1951 Refugee Convention or lacks a fair and efficient national asylum process, UNHCR may carry out the process within its mandate. In TT, UNHCR manages RSD as a substitute for the national government, which signifies that TT as a country lacks a national legal framework for the recognition and protection of refugees and asylum-seekers. In addition, the country is also in great deficiency of skilled personnel who are able to handle allegations from people who claim to be in fear of persecution or have experienced severe violations of human rights in their countries of origin or habitual residence (*A Phased Approach Towards the Establishment of a National Policy to Address Refugee and Asylum Matters in the Republic of Trinidad and Tobago*, 2014).

Since a national refugee policy does not exist in TT, the UNHCR-recognized refugees and asylum seekers in the country are still subject to the provision under the *1976 Immigration Act* (Nakhid and Welch, 2017; UNHCR, no date a). However, the *Immigration Act* is outdated and does not guarantee *non-refoulement,* or in other words the agreement that ensures that refugees are not sent back to a country where their life or freedom would be at risk. Such circumstance has been contributing to the increase of illegal entries and demand for smugglers and human traffickers as pathways to seek asylum in TT without being charged or deported, as well as to the increased risk of detentions or deportations of refugees (Daily Express, 2022). Furthermore, the *Immigration Act Subsidiary* Section 9(6)(e) specifically states that "[n]o person shall admit to any educational or training establishment in Trinidad and Tobago any person who is not a citizen of Trinidad and Tobago or a resident, unless that person possesses a valid student's permit issued by the Chief Immigration Officer" (Ministry of the Attorney General and Legal Affairs, 1969, p. 59).

Despite TT having ratified international conventions regarding refugees, the implementation of the convention within the national system has still been failing—according to Landau and Amit (2014), this 'convention-implementation' gap is not unique to TT but is prominent around the world. As previously mentioned, while approximately 60% of refugees worldwide are reported to be living in urban settings (UNHCR, 2016), their lives differ entirely from camp-based settings, and the level of protection as well as the guaranteed basic needs they receive depend greatly on local and municipal governments (Mendenhall, Russell and Bruckner, 2017). Nonetheless, in reality, even refugees and asylum-seekers that reside in countries with progressive refugee legislations are oftentimes constrained in realizing their legally-entitled rights (Landau and Amit, 2014). For instance, even in Western countries such as Germany, Greece, and Hungary, children have limited access to formal education (FRA, 2017). In countries, including TT, with limited justice and legal systems with minimum intervention by the national government, where the majority of self-settled refugees reside, basic rights for the refugees that should be protected by existing law, policy, or binding international conventions often do not get translated into practical protection (Landau and Amit, 2014). The right to education is no exception.

Although TT is still in the process of addressing asylum-seekers and refugees, the Government of TT has drafted *A Phased Approach Towards the Establishment of a National Policy to Address Refugee and Asylum Matters in the Republic of Trinidad and Tobago* (hereinafter referred to as *A Phased Approach*) in 2014. The policy outlines not only broad refugee protection principles but also provides a three-phased action plan that, while waiting for enabling legislation to be passed, gradually builds national capacity to accept and adjudicate refugee applications.

Furthermore, *A Phased Approach* considers a number of entitlements to be provided to any recognized asylum-seekers and refugees, which includes "educational opportunities and recreational activities" (p. 14). Nevertheless, it has been nearly 10 years since *A Phased Approach* was drafted and approved by the national parliament, but no official legislation has been enacted until today, resulting in the situation of Venezuelan refugees remaining unchanged. As a consequence, the Venezuelans not only continue to get detained and are still in persistent fear of being expelled back to their home country, the Venezuelan children are still excluded from the national education system, as the refugee recognition mechanism remains absent in TT (Teff, 2019; Bishop, 2022; De Silva, 2023).

2.3. Venezuelan Refugee Situation in TT and the Education Attainment of the Children

The impact of the Venezuelan crisis in the whole Latin America and the Caribbean (LAC) region has resulted in exacerbating xenophobia against Venezuelans, and has imposed economic and integration challenges on the host communities (R4V, 2021). It has contributed to aggravation and prevalence of violations against refugee rights across the region, particularly regarding educational opportunities for refugee children. For instance, a 2018 survey in Brazil, Colombia, Ecuador, and Panama found that 35% of displaced Venezuelan children were not enrolled in school (Norwegian Refugee Council, 2019). In countries including Colombia and Peru, refugees generally have better access to education, however, following the Venezuelan crisis, these countries continue to face challenges with integrating a large number of refugee students into their education systems (Feierstein and Winfield, 2019). This is also largely caused by the fact that Colombia and Peru recognize the majority of Venezuelans within their borders as migrants rather than refugees, which limits the necessary protection to be provided to the refugee population (*ibid.*). Furthermore, refugee children who attend informal schools that are in parallel to national education systems tend to have inferior educational outcomes, with higher dropout rates or non-attendance (Crul, 2013). Similar challenges are observed in Maharaj-Landaeta (2019)'s study, which explored the educational challenges of refugee children in TT from the perspectives of teachers who provide alternative education programmes outside public schools. The research found that students often struggle with lack of social skills and a language barrier, inferring that TT is in serious need of support and inclusion of the displaced group of children into the society.

To seek a solution, multiple regional forums have been formed across the LAC region (Summers, Crist and Streitwieser, 2022). One of the main forums is the Response for Venezuelans: Inter-agency Coordination Platform for Refugees and Migrants from Venezuela (R4V) established in 2018. The R4V is a regional forum that consists of more than 200 organizations, including UN Agencies, civil society groups, faith-based organizations, and NGOs among others. They operate in 17 countries across the LAC region, including TT, to enhance the responses of governments concerning the protection, support, and integration of Venezuelan migrants and refugees, as well as to coordinate fundraising initiatives and to promote the exchange of information throughout the region (R4V, 2020).

As introduced earlier, the approximate figure for Venezuelans residing in TT stands at 34,100 with more than 22,000 individuals registered as asylum-seekers and refugees by UNHCR, as per the latest report from R4V (2022b). However, since illegal entries to TT are extremely prevalent, it is anticipated that the actual numbers drastically exceed the estimated count. Due to its geographical proximity to Venezuela and relatively small population, TT has become a country that accommodates some of the most significant concentrations of Venezuelan refugees and migrants per capita (Maharaj-Landaeta, 2019). Simultaneously, TT is also known to be the only nation that carries a significant number of Venezuelans without having an established official asylum policy in place (R4V, 2022b). Because TT lacks a national legal framework made for refugees, the country fails to recognize any individuals as refugees or asylum-seekers even if they are registered as so by UNHCR—in other words, TT considers anybody without Trinbagonian citizenship who enters into the country through an unofficial route as "illegal migrants", not allowing the UNHCR-recognized refugees and asylum-seekers to be provided with the appropriate protection and rights that they are entitled (Hamilton, 2019).

In June 2019, the TT government took a first major attempt to address the upsurge of unregistered Venezuelans by conducting a two-week registration process for those who resided in the country at the time (Office of the Prime Minister, Republic of Trinidad and Tobago, 2019). During this process, approximately 16,450 Venezuelans were granted photo IDs, a six-month to one-year work permit, and basic medical care (Maharaj-Landaeta, 2019). Ever since, the government has been offering re-registrations for the already-registered Venezuelans under the same conditions. However, numerous unanswered questions persist—such as what happens to the Venezuelans who arrived after the registration period in 2019; when will there be renewals of the permits upon expiration; will the government ever adopt an official asylum law to grant refugee status; and whether the migrant children will be granted the right to enroll in public schools, since the government has claimed that "there is no guarantee to the right to education, training or any other government service for registered Venezuelans" (Office of the Prime Minister, Republic of Trinidad and Tobago, 2019). Moreover, it is also worth noting that no similar initiatives have been implemented subsequently for asylum seekers, refugees, and migrants from the other 37 nationalities in TT (Matroo, 2018; R4V, 2022a). As a response, many human rights and refugee-related organizations, including the Caribbean Centre for Human Rights (CCHR), have been advocating to the TT Government for the urgent need for the establishment of a legal framework to respond to the influx of refugees and asylum-seekers (Felmine, 2023).

According to UNHCR, there are over 6,000 children between the ages of 5 and 17 who are registered as refugees or asylum-seekers in TT (Bishop, 2022; John-Lall, 2022). Because of the absence of legal access to public schools, a local NGO Living Water Community, with support from UNICEF, has been providing an educational initiative called *Equal Place* since 2019 as a temporary solution. Another separate programme called *Child Friendly Spaces* is also provided particularly for refugee and migrant children by NGOs such as Archdiocesan Ministry for Migrants & Refugees (AMMR) with the supervision of UNICEF. However, the number of children participating in the programme was has been limited to 1,662 and 415, respectively, as of June 2022, highlighting that thousands of migrant children are still left without proper educational opportunities (John-Lall, 2022). In fact, IOM has disclosed that 64% of the Venezuelan migrant children residing in TT have no access to education (De Silva, 2023). Moreover, challenges remain even to those who do have access to an educational programme initiated by the local NGOs due to its informality (Maharaj-Landaeta, 2019). Such a challenge causes the children's education to be inadequate or not certifiable, acknowledged, or accepted in TT or internationally for children to advance their level of academics in the future (*ibid.*).

In May 2023, Kamla Persad-Bissessar, the leader of the Opposition Political Party United National Congress (UNC), published a press release to Dr. Keith Rowley, the current Prime Minister of TT, to allow Venezuelans residing in the country to apply for driver's licenses, to access appropriate medical care, to pay taxes, and to enroll the children into public schools (Ramdass, 2023). It is thus evident that no progress has currently been made regarding the status of Venezuelans in TT, especially in terms of the rights to education for the children, and the issue has also been causing a political divide.

In the absence of intervention by the TT Government in providing education to refugee children, it is crucial to investigate the role and level of impact of non-state agencies in fulfilling the government functions. Nonetheless, research that focuses on refugee education in TT is extremely limited in general, and furthermore, there exist no studies that have explored the roles of non-state actors in TT in providing refugee education. Therefore, this research aims to contribute to filling the gap.

3. Theoretical Framework

Presented in this section are two theoretical frameworks, *Refugee Education* and *Surrogate State*, that provide a conceptual understanding of the process of the implementation of refugee education and the stakeholders that are involved in the process, as well as the concept of Surrogate State, to analyze the current situation of Venezuelan refugee children residing in TT.

3.1. Refugee Education

Although TT lacks a refugee education policy, this paper begins by defining the term "policy" and conceptualizes the theoretical role of each stakeholder in relation to refugee education policy. The term "policy" encompasses a range of concepts, however, this thesis refers to Rizvi and Lingard (2009), who defines policy as a factor that "expresses patterns of decisions in the context of other decisions taken by political actors on behalf of state institutions from positions of authority" (p. 4). As per this definition, refugee education policy can be defined as an embodiment of the State's legitimate authority to intervene in the decision-making process regarding educational practices for refugees (Buckner, Spencer and Cha, 2018). Furthermore, the term 'implementation' in this context refers to the "process of carrying out a government decision" (Mugwagwa, Edwards and de Haan, 2015).

However, the question that arises is, how can this theoretical framework of *Refugee Education* be applied to TT when the refugee education policy itself does not exist? To address this question, this study hypothesizes that the implementation of education is conducted not purely by political actors, but multiple state and non-state entities are also deeply involved in the process, regardless of the presence of a national policy. This is supported by Jessop (1991), who argues that a state consists of diverse stakeholders with conflicting agendas and priorities, leading to contradictory challenges that impact their actual implementations of the basic services. Additionally, despite states often being perceived as the primary duty-bearers for education, global actors such as international agencies, NGOs, and civil societies play an increasingly important role in shaping and implementing education today (*ibid.*). Extensive research in comparative education highlights the substantial impact of supranational actors on national education policy, utilizing both normative and coercive approaches (McNeely, 1995; Smith *et al.*, 2007).

Particularly during situations where the state's authority is weakened or a state chooses to relinquish its responsibilities to provide protections to refugees, due to contradicting political motives, lack of resources, conflicts, economic crisis, or political instabilities, international organizations and NGOs often step in as the so-called "Surrogate State" to provide services (Hamer, 2011; Moschopoulos, 2023). Education may be part of the services provided, which is otherwise generally expected to be offered by the government (*ibid.*). This underscores the influence of various non-state actors with diverse political and geopolitical interests in shaping the implementation of basic services, regardless of the presence or absence of national policy. The theoretical concept of the *Surrogate State* will be further described in Section 3.2.

Furthermore, according to Hamer (2011), there exists a multitude of both state and non-state actors within local contexts that are engaged in refugee education under their own legitimacy and authority to a certain degree. Landau and Amit (2014) emphasized the importance of differentiating between actors involved in the formation of refugee policies, which usually is the national government, and those involved in enacting the policies at the local level, such as school administrators, refugee families, civil society organizations within the community, and other stakeholders providing educational programs to refugee children (e.g. local NGOs and international organizations). These local actors often hold their own forms of authority that stem from their proximity or common religious and cultural backgrounds, which may be in tension with the national authority (Buckner, Spencer and Cha, 2018). In TT, the lack of a refugee education policy, despite the State's ratification of international conventions such as the *1951 Refugee Convention* and the *CRC*, has led to the establishment of informal educational platforms such as *Equal Places* and *Child Friendly Spaces* by the UN organizations and local NGOs. These initiatives operate under the appropriate international conventions and cater to refugee children excluded from the national formal education system, which may potentially compete with the authority of the national government.
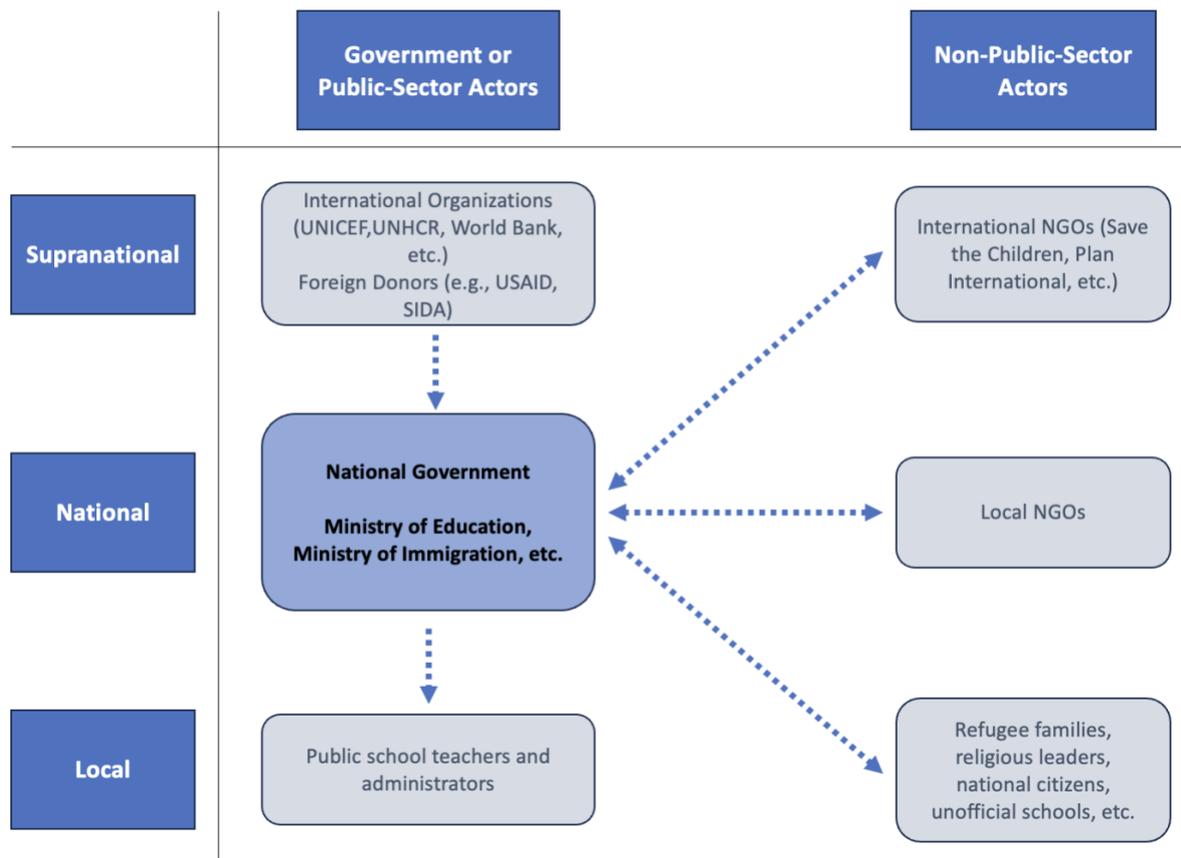
Figure 1: Key actors in refugee education policy formation and implementation in a country with the presence of refugee education policy (Buckner, Spencer and Cha, 2018).

First, the theory is demonstrated with a condition where an education policy for refugees exists. Figure 1 presents a conceptual framework categorizing actors involved in refugee education policy based on their type (public-sector and non-public-sector) and level (supranational, national, and local). As Figure 1 illustrates, the national government has the central authority and decision-making ability regarding refugee education. The role of the national government is to create appropriate policy and lead its implementation. The supranational state actors consist of major donors that have the capability to influence and guide the primary national state actors, such as foreign governments and international organizations such as the World Bank and UN organizations. However, they do not have direct control over the actions and decision-making of the national government due to the international law of state sovereignty (Buckner, Spencer and Cha, 2018). Therefore, they often rely on leverage such as normative pressures, financial incentives, or technical expertise to guide the state actors (*ibid.*). Likewise, local public-sector personnel including public school principals and teachers also play a significant role in implementing the education policy at the community level.

The dotted arrows in Figure 1 indicate the process of refugee education policy from formation to implementation. Thus, in countries that have a national refugee education policy, foreign and international donors guide the national government to adopt a policy based on the international standards or international conventions ratified by the state, and then local public-sector actors implement the policy at the grassroots level. This flow, however, is represented in dotted arrows rather than solid arrows, as the policy formation-implementation process is frequently disrupted in the course due to various factors such as lack of communication or conflicts in priorities (*ibid.*).

Depicted on the right side in Figure 1 are non-public-sector actors, such as international and local NGOs as well as community-based organizations and individuals that are involved in the provision of informal education to refugee children. Similarly, the dotted arrows demonstrate that the state exercises authority over non-state actors to some extent, though relatively weak. As international and local NGOs are in some cases also able to impact the state's decision-making processes, this flow is represented by double-sided arrows.
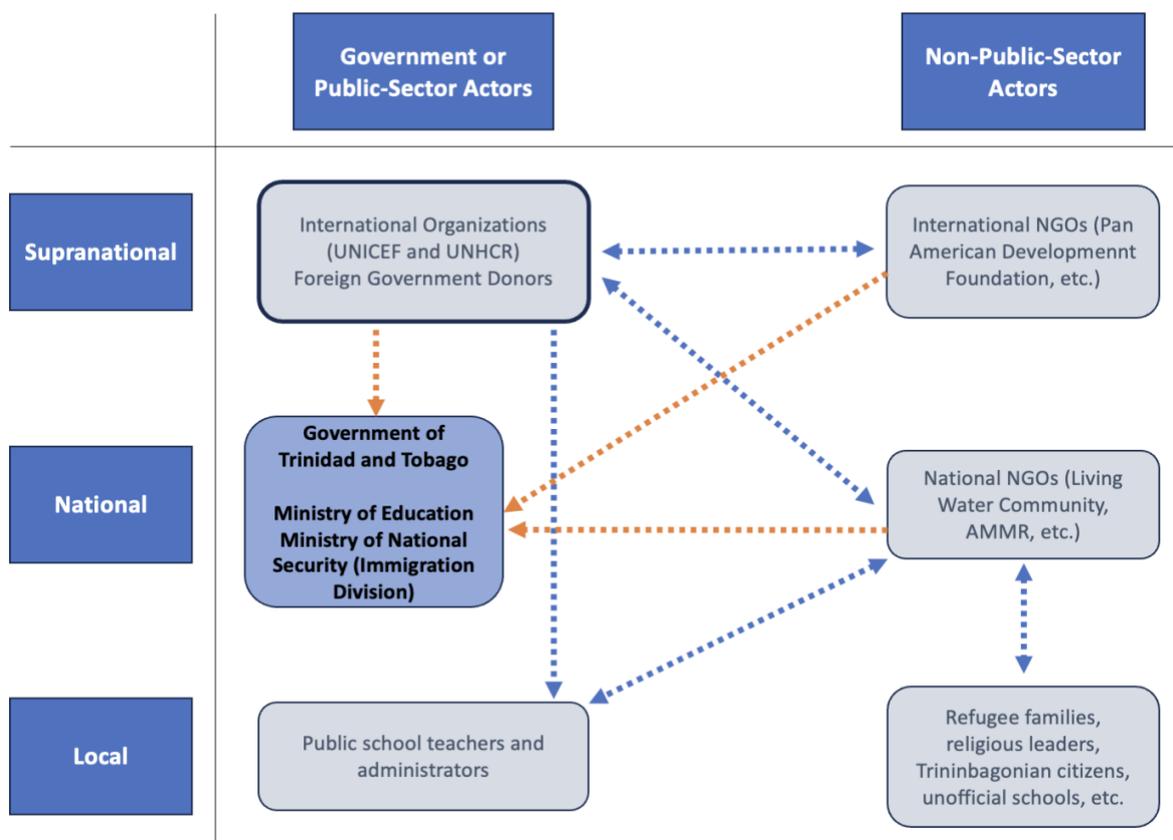
*Figure 2: Key actors in refugee education implementation in TT where refugee education policy is absent (Buckner, Spencer and Cha, 2018).*

Next, the framework is applied to TT as demonstrated in Figure 2, where there exists no national refugee education policy. The national government, particularly the Ministry of Education and the Ministry of National Security, is theoretically responsible for decision-making, formulating, and implementing a national refugee education policy. According to Hathaway (2005), a fundamental principle of international law is that a state, as a party to international treaties, must comply and align its domestic laws and practices with the requirements of the treaties. Nonetheless, because a domestic refugee education policy is absent in TT, and the national government eschews to be involved in refugee education, supranational public-sector actors take the lead instead, which can be seen in the blue dotted arrows. Furthermore, many international and local NGOs in TT collaborate with supranational public-sector actors to implement projects on the ground. Lastly, the orange arrows demonstrate the advocacy efforts that have been consistently performed by international organizations and NGOs to the national government to form a national refugee education policy, as well as to allow the integration of refugee children into the national education system.

Throughout the rest of the paper, Figure 2 will be utilized as a conceptual framework to analyze the relationship between the national government and other stakeholders involved in refugee education, as well as how the education for refugee children residing in TT is carried out. Simultaneously, the theory of *Surrogate State* will be used for the analysis, which the concept is introduced in the next section.

3.2. Surrogate State

The concept of the Surrogate State was first introduced by Slaughter and Crisp (2009) to describe the "care and maintenance model" at the core of UNHCR's response to long-standing refugee situations—the situation where UNHCR assumes a primary role initially aiming as a temporary emergency relief and refugee protection, but subsequently dragging for a longer term than expected with more responsibilities falling onto the organizations over the years. The model considers UNHCR to be the Surrogate State when the organization is complete with its "own territory (refugee camps), citizens (refugees), public services (education, healthcare, water, sanitation, etc.), and even ideology (community participation, gender equality)" (*ibid*., p.8).

Although it is unable to fully substitute the host government, UNHCR may take different roles depending on the situation within the countries they locate. Their involvement can range from working in partnership with the State, acting as an instrument, or even as a substitute for the State by taking on responsibilities beyond their mandate and carrying out governmental functions or providing essential services that are typically the responsibilities of the State (Miller, 2017).

Furthermore, as claimed by Tezel Mccarthy (2017), any humanitarian organization other than UNHCR could also be equally considered a Surrogate State when they have extended their role of providing basic services in the absence of government involvement, at least until the state establishes proper mechanisms to include refugees into the national system (Kagan, 2011). In this paper, the concept of Surrogate States refers mainly to UNHCR, though also includes other local NGOs that are involved in the provision of education for refugee children in TT. These organizations combined will be referred to as 'non-state actors'.

Kagan (2011) suggests that if there is a clear division of responsibilities between non-state organizations and states, where the UN is responsible for providing services to ensure positive liberties (e.g., education, and healthcare), then states are more inclined to safeguard negative liberties (e.g., freedom from detention or non-refoulement). However, as non-state organizations begin to have an increased role as Surrogate States, the states' influence over national policies has a tendency to diminish (*ibid.*). This arrangement results in a reduced application of the principle of 'state responsibility,' the expectation where the states are supposedly assigned the primary responsibility for the well-being of refugees within their state borders according to the *1951 Refugee Convention*. Meanwhile, this may lead to UNHCR and its humanitarian partners taking on an expanding set of long-term responsibilities for refugees, extending beyond the scope of countries that have ratified the *1951 Refugee Convention*. Under such circumstance, UNHCR and other humanitarian organizations gradually increase having features of states, such as being transferred with tasks of registering refugees and asylum-seekers (*identification of refugees*), providing refugees with basic services such as healthcare, education, food, shelter, etc. (*intervention*), and establishing policing and justice mechanisms or advocating for such to the national government to allow refugees to be protected under the Rule of Law (*advocacy*) (Slaughter and Crisp, 2009). According to Nah (2019), having such features is another indicator that makes a non-state organization to be potentially considered the Surrogate State.

In some cases, states may willingly relinquish their responsibilities towards refugees due to political reasons, different priorities, or resource constraints. However, in other cases, UNHCR can assume the role of a Surrogate State in situations where they do not hold sovereignty or clear authority (Moschopoulos, 2023). Consequently, the scope of UNHCR's mandate as an international organization functioning within a national context can lead to tensions and misinterpretations between UNHCR and local stakeholders. In cases where UNHCR lacks sovereignty, its collaboration with national authorities may restrict its capacity to publicly advocate for protection issues, despite UNHCR holding certain characteristics of a state (Nah, 2019).

The presence of a Surrogate State creates a spectrum of relationships between international organizations and governments, ranging from partnership to abdication (Moschopoulos, 2023). Partnership implies genuine collaboration between the government and the international organization, whereas abdication occurs when the government relinquishes its responsibilities to the international organization. This relationship is subject to change as governments may try to restrict or exert influence over the actions of non-state organizations (Miller, 2017).

Based on the given theoretical frameworks, this study will investigate the extent of the ability of UNHCR and other NGOs to substitute the role of a state as Surrogate States, particularly in the provision of education for Venezuelan refugee children in TT.

4. Methodological Framework

The following section outlines the methodological approach used for this thesis, including the research design as well as the data sampling and analysis methods. Furthermore, at the end of the chapter, ethical considerations and limitations of the research are discussed.

4.1. Research Design

Considering the aim of the study, I carried out a qualitative case study. Unlike the quantitative method which is considered suitable to make generalizations as it allows one to draw broad inferences about a concept or phenomena from particular and smaller-scale observations (Overton and van Diermen, 2014), qualitative research is useful to conceptualize research as the process to reduce ambivalence about specific complex phenomena with a focus on the interpretation of individuals (Sofaer, 1999; Bryman, 2011). The case study adopted in this research was the informal education programmes provided by non-state actors to Venezuelan refugee children in TT as a substitute for the public education, considering the refugees being excluded from the national education system. Since case studies often focus on unusual or outlying cases, the selection of a qualitative research design in this study enables one to gain insight into the complex issue of national refugee education in TT and develops a comprehensive understanding of real-life conditions (Flyvbjerg, 2006).

4.2. Data Collection and Sampling Methods

I obtained the primary data through semi-structured interviews. Additionally, I conducted a document analysis using relevant secondary documentation such as newspaper articles, policies, institutional publications, and journal articles to support the primary data collection. Both methods for data collection are delineated below.

4.2.1. Semi-Structured Interviews

I conducted semi-structured interviews between May to July 2023. The interviews were held in English with a total of eight individuals—five individual interviews and one group interview with three individuals—working for different organizations involved in providing education to Venezuelan children in TT, namely IOM, Living Water Community (LWC), Archdiocesan Ministry for Migrants & Refugees (AMMR), Heroes Foundation and one UN organization which is anonymous. Initially, I had drafted an interview guide with an emphasis on the gap between international conventions and their implementations in regard to refugee education in

TT. This interview guide was revised after conducting a pilot interview, and the research question was also adjusted to incorporate the role of non-state organizations in recognizing the rights to education for Venezuelan refugee children who are excluded from the national education system in TT. The finalized interview guide can be found in Appendix I. Although I utilized the interview guide to establish a thematic structure during the interviews, the actual direction of the interviews was left to the interviewees to decide along the flow of the conversation.

All interviews except for one were recorded with prior consent before the interview began. One interview was not recorded since the recording was not permitted by the interviewee, thus no quotes from the interview is used in the analysis. I conducted four individual interviews and one group interview in person, and one interview with the video conference software Microsoft Teams. The group interview was initially planned to be an individual interview with one interviewee, however, when I visited the office to conduct the interview, two additional personnel had kindly joined to provide me with a deeper insight into the research topic. See Appendix II for the complete informant overview. The name of the organizations are presented with prior consent, but otherwise, it is referred to as N/A.

I carried out a mix of purposive and snowballing sampling methods. Purposive sampling was employed to deliberately select respondents according to specific criteria, aiming to gather focused and relevant insights on the research topic that would enable the research question to be effectively addressed (Bryman, 2011). The first point of contact was a staff at a local NGO Living Water Community, which is one of the major implementing partners of UNHCR in TT that provide protection, assistance, and information regarding housing, healthcare, education, documentation, security, and other services, and advocate for refugees and migrants. It was also the only organization besides UNHCR that had a responsibility to pre-register those seeking asylum in TT[1]. After conducting the first interview with the personnel at LWC, a snowball sampling approach was utilized, where other individuals possessing relevant expertise were referred to by interviewees. This sampling method is appropriate, especially with the sensitive or covert research topic (*ibid.*).

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[1] As of 1 April 2023, UNHCR took over the role completely (https://help.unhcr.org/trinidadandtobago/applying-for-asylum/how-do-i-apply-for-asylum/)

4.2.2. Document Analysis

Document analysis is another practical and often underused approach for qualitative research which is effective for reviewing and evaluating various types of documents (Bowen, 2009; Patton, 2014; Morgan, 2022). Similar to other qualitative research methods, document analysis involves examining and interpreting data to extract meaning, enhance understanding, and generate empirical knowledge from a variety of documents including books, articles, policies, newspaper articles, academic journal articles, and institutional reports (Cardno, 2018; Morgan, 2022). In this study, I analyzed relevant secondary data such as newspaper articles, policies, institutional publications, and journal articles. Additionally, I attended two seminars held by R4V, namely: 1) Humanitarian Breakfast Series – Part VI: Child Protection and Launch of the 2023-2024 Refugee and Migrant Response Plan (in-person seminar); and 2) Humanitarian Breakfast Series – Part VII: Education (virtual webinar). The notes taken at these seminars were also used as subjects for analysis.

Often times, studies are based on the combination of document analysis with other qualitative methods such as interviews, participant or non-participant observations, and physical artifacts to investigate multiple sources of evidence as a means of triangulation—"the combination of methodologies in the study of the same phenomenon" (Denzin, 1970, p. 291; Yin, 2003). Through the examination of information collected using diverse methods, researchers can corroborate findings across multiple data sets, thus mitigating the impact of potential biases that may be inherent in a single study (Bowen, 2009). With such evidence of the benefit of triangulation research in mind, this study has used semi-structured interviews with the support of document analysis to address the research question.

4.3. Data Analysis

I employed a thematic analysis in this research to interpret the collected data, which is a common method to be utilized in qualitative research designs (Braun and Clarke, 2006). The thematic analysis aids in uncovering and comprehending shared meanings and experiences, enabling the identification of patterns that are pertinent to addressing the research question (Bryman, 2011). To conduct a thematic analysis using the collected data, I first transcribed all interview recordings and uploaded them to the NVivo software tool, where they were coded and analyzed into themes prevalent throughout the interviews. Additionally, I paid particular attention to the use of language in each interview to analyze the relationship between the

interviewees and the State to address the main research question revolving around the concept of the *Surrogate State*. The final overarching themes that were coded can be found in Appendix III. The categorization of these codes laid the foundation of analysis to effectively address and answer the research question. Additionally, I also analyzed the secondary documentation to support the data drawn from the interviews.

4.4. Ethical Considerations

When conducting research on a sensitive subject, it is crucial to give careful attention to various ethical considerations. Particularly, 'children' and 'refugees' are two vulnerable groups of people, of which a number of researchers have raised methodological and ethical concerns when conducting research with the populations (Dona, 2007; Block *et al.*, 2013). Therefore, I avoided having direct contact with these populations throughout the research, and the research only targeted the perceptions of staff members of relevant organizations involved in the implementation of Venezuelan refugee education.

However, even if there is no direct involvement with the previously mentioned vulnerable populations, it is critical to understand the level of the topic's sensitivity and to avoid any potential risks that the research may pose to participants. Thus, I prioritized safety, dignity, and privacy of the participants throughout the research process (Banks and Scheyvens, 2014). In the process of arranging the interviews with the participants, information including the purpose, condition, and focus of the study was articulated to ensure the participants understood the intention of the research. Furthermore, I received prior informed consent before every interview was conducted and recorded (Bryman, 2012; Banks and Scheyvens, 2014). Before starting each interview, I had also verbally informed the participants on their rights to pause or terminate the interview at any moment, that the study will ensure their anonymity throughout and after the research, and the confidentiality regarding the data collection (*ibid.*). In this manner, the participants are referred to as Participants 1, 2, 3… in the same order as *Table 1: Informant Overview* in Appendix II. I will also be sharing the study results and findings with the participants once the research is completed to ensure transparency.

4.5. Positionality and Reflexivity

Positionality and reflexivity were also taken into consideration when conducting the study. First of all, concerning the significance of reflexivity, it is important to acknowledge how

personal characteristics may influence the research process (Bilgen, Nasir and Schöneberg, 2021). This aspect is relevant in this study since I traveled to TT to conduct the research in a relatively unfamiliar context. Therefore, I aimed to exercise utmost caution and maintain awareness of my positionality in relation to both the research and the participants involved. As a young, foreign (Japanese) female academic who has never experienced being a refugee or migrant, and who currently works as an official of the Embassy of Japan, it is crucial to reflect on my position in the study. For instance, my positionality has a risk to unintentionally lead to a lack of cultural or contextual understanding throughout the research. However, I approached the field with as much caution as possible, consciously avoiding the pitfalls of preconceived assumptions, and instead engaged respectfully with a willingness to learn about the research topic.

4.6. Limitations

First, it is important to highlight the lack of diversity in the interview participants as a major limitation. For this research, I conducted interviews solely targeting the staff members of non-state organizations, including UN organizations and local NGOs who implement educational projects for refugee children in TT. This was done intentionally to avoid direct contact with the refugee children for ethical reasons. Nevertheless, due to the limited number of participants and lack of variation in perspectives, the research findings face a risk of bias in the perceptions of those individuals. Furthermore, since this research is primarily based on the data gained from interviews conducted with eight individuals due to time constraints, there is a limitation to its overall generalizability as well as to the saturation of the data (Almeida, Faria and Queirós, 2017). To overcome such limitations, the triangulation of the research was attempted by collecting and analyzing data through document analysis in addition to the data derived from interviews. In future studies, data collection should be carried out with a more diverse and larger number of participants including the government, local teachers, and refugee children/teachers, while being extra cautious of ethical guidelines especially when interacting with vulnerable populations.

Another limitation may have been observed when I conducted one of the interviews remotely due to the preference of the interviewee. This may have impacted the natural interaction between the researcher and the interviewee that may have existed if the conversations were held face-to-face. Furthermore, as Lobe, Morgan and Hoffman (2020) point out, virtual interviews require participants to possess technological literacy and access to a stable internet

connection for sufficient quality. Although the former suggestion was not an issue for this specific interviewee, there was occasional internet connection instability during the interview. The instability, however, was not severe enough to pose a significant impact on the quality of the data retrieved.

5. Results and Discussion

In this section, major findings of the research based on the conducted interviews and document analysis are presented with reference to the conceptual frameworks of *Refugee Education* and *Surrogate State* in order to answer the research question: *To what extent do non-state actors perform as the Surrogate State with regard to the provision of education for Venezuelan refugee children in Trinidad and Tobago?*

For clarification, specific quotes spoken by participants are indicated with quotation marks, while other general findings are derived from analysis across multiple interviews and document analysis. Furthermore, although this research focuses on refugee children particularly from Venezuela, the 'refugee children' referred by interviewees are often not limited to Venezuelans but is inclusive of all refugee children with any other nationalities, unless specified. This is because both refugee educational programmes offered by non-state organizations in TT, *Equal Places* and *Child Friendly Spaces*, have no nationality restrictions, thus the programs are offered to refugee children from multiple countries of origin.

5.1. Convention – Implementation Gap: Expectation vs Reality

In this section, the first sub-research question will be addressed: *Based on the theoretical framework of Refugee Education, to what degree is there a gap between ratified international convention and its implementation in the education of Venezuelan refugee children in Trinidad and Tobago?*

To a certain extent, the gap between the adoption of a national policy or ratification of an international convention and its implementation is prominent (Rizvi and Lingard, 2009). The implementation phase occurs after the introduction of a policy, and it is often considered the most critical stage in the policy lifecycle, as it involves translating ideas into actions to achieve desired outcomes (Abdullahi and Othman, 2020). While policymaking receives significant attention, it has been demonstrated that implementing a policy as intended by policymakers is the most complex stage of the policy lifecycle (*ibid.*). This section will aim to investigate any gap between policy and implementation in refugee education in TT, and the causes and reasons behind such gap. Furthermore, the term "policy" in this chapter specifically refers to international conventions that TT has ratified, since national refugee policy is absent in the country.

5.1.1. Different Interests and Priorities Between and Within Political Parties

To briefly introduce the background, there are two dominant administrative parties in the TT political system, namely the People's National Movement (PNM) and the United National Congress (UNC). When *A Phased Approach* was drafted in 2014 to be adopted as the first national policy in TT regarding refugees and asylum-seekers in line with the ratified *1951 Refugee Convention*, the country was still under the UNC administration. Notwithstanding, before the policy was officially adopted as a legal national policy, the UNC lost the general election in September 2015 to the PNM administration. As a result of the regime change, the enactment of the drafted policy was inevitably interrupted due to a shift in priorities, as multiple interviewees claimed:

> *"They (the government) lost elections and then the [new] government doesn't feel that it[refugee issues] should be a priority"* (Participant 1).

> *"There are a lot of policies we could have but it just gets stuck in the line because of shifting priorities with the government"* (Participant 3).

The quotes above depict that the advent of a new administration caused changes in governmental priorities and interests, which impacted the way the national government responds to refugee and migrant issues in the country. According to Wilson (2000), such shifts in national priorities and agenda caused by a change in regimes are ordinary. As interviewees had mentioned, it has been clear that the UNC had the intention *"to accept its obligations under the Convention"* and to fill the existing gap between the policy (*1951 Refugee Convention*) and its implementation in the nation, whereas the newly elected PNM did not carry the same motive. One interviewee also described, "*it's just how that party [PNM] thinks…They think very differently within politics [in comparison to the UNC]"* (Participant 1).

Furthermore, as mentioned previously, because of the geopolitics of TT where the country is located just 7 miles off the coast of Venezuela, and the TT economy relies heavily on oil and gas in the shared Gulf, "*it's a very complicated situation*" (Participant 1). What makes the situation more intricate is the fact that "*[the Government of Venezuela] don't see them[the Venezuelans in TT] as refugees. They don't see Venezuela as being politically unstable or having any instabilities or anything. To them, their government is running ordinarily"* (Participant 5). Because the Government of TT desires to maintain a good relationship with the

Government of Venezuela due to its significant dependence on oil and gas, it can be presumed that the TT Government, especially the PNM, has been extra cautious with the recognition of the refugees from Venezuela. Such an increase in the emphasis on the economic relationship with the Venezuelan Government under the PNM administration inevitably reduced the priority of refugee protection within the country. Although TT once came close to complying with the national policy with the ratified international convention, the change in priorities among political parties has once again widened a gap between the ratified international convention and its implementation in the country.

Additionally, not only are the differences in priorities and interests limited between distinct political administrations, but multiple interviewees also addressed the existence of priority distinctions within the same political party among different ministries:

> "*There are government ministries that are interested in seeing migration policy*" (Participant 3).

> "*The Ministry of Education is fully supportive…[and] the Ministry of Labour actually has opened its agencies to take complaints and reports from migrants on labor exploitation against the employers…They have been very open about that."* (Participant 1).

> "*We have had meetings with the Minister of National Security which sounded very promising, and nothing comes of it because there's a lack of political will at the top…But that doesn't mean that within each ministry, there aren't people who really think the children should be in schools"* (Participant 7).

As Fisher (2017) emphasizes the complexity of the government, it is clear that the government is composed of many different Ministries that pose contradicting beliefs and interests. As is evident, there are Ministries within the current TT Government such as the Ministries of Education and Labour that are relatively supportive to make changes to the current situation to recognize the rights of refugees/migrants in accordance with the international conventions that the country has ratified, as mentioned by the participants. Furthermore, generally speaking, individual public servants working for the government do not necessarily have the same opinions as the administration in power (Ripoll and Rode, 2023). However, one of the important characteristics of the state is "*the government is a whole*" and "*no ministry is going*

to take any steps or work independently from whatever the guidance is from the top"
(Participant 7). Therefore, one of the causes of the gap between policy and implementation
regarding the education of Venezuelan refugee children in TT is the differences as well as
changes in the priorities among and within the political parties.

5.1.2. Occurrence of Unexpected Circumstances

Following the collapse of oil production in the mid-2010s, neighboring countries of Venezuela,
including TT, began to experience an upsurge in the arrival of Venezuelan refugees in 2015
(Rodríguez and Collins, 2021). Taking this into consideration, when *A Phased Approach* was
drafted in 2014, the country had not yet experienced the influx of Venezuelan refugees. Such
drastic change in the situation had also played a role in causing a gap between policy and
implementation, as pointed out by multiple interviewees:

> "*This[the drafted policy] would have also been before the large influx of the Venezuelan
> population, so the context also changed*" (Participant 2).

> "*We saw an exodus of the Venezuelan migrants coming into the country and we have the
> view that the document was created not anticipating the kind of volume of migrants that
> will come seeking asylum and attaining refugee status*" (Participant 1).

Because the Government of TT was not expecting such a large number of Venezuelans to enter
the country in such a short period, the country did not have a proper infrastructure or system to
be able to receive them (Rodríguez and Collins, 2021). As a result, "*the Government [of TT]
just did not know what to do*" (Participant 1). The refugee policy drafted in 2014 was not
anticipating the kind of volume of migrants that will come seeking asylum and obtaining
refugee status, thus what the government did instead was, "*they said, you know what, this is a
draft policy. It was never passed by cabinet and therefore we have no obligation to respect it.
So what we will do is we go back to the Immigration Act, which is the law*" (Participant 1).
However, as described in Chapter 2.2, *Immigration Act* in TT significantly lacks the protection
that refugees are supposed to be entitled to, based on the regulation under UNHCR.
Consequently, the Venezuelan refugees in TT "*would fall within prohibited migrants*"
(Participant 1) under the *Immigration Act*, where "*the State can actually deny certain rights or
privileges*" (Participant 4) of those who are registered as refugees under UNHCR. This signifies
that due to the unexpectedly large population of Venezuelans overflowing into the country

which was not anticipated when the policy was drafted, the TT Government did not have the capacity to supervise the situation. As a result, the State failed to establish a national system to comply with the ratified convention, which has created a gap in the implementation of the ratified *1951 Refugee Convention.*

Additionally, a recent *Trinidad and Tobago Newsday* article reported that the National Security Minister Fitzgerald Hinds has said, "'as a matter of international principle, once you are present in TT, even constitutional rights are accorded to you'" and the laws of TT apply for all (Fraser, 2023). However, there is an obvious gap between the comment he made and the reality. The *Constitution of the Republic of Trinidad and Tobago* (1979), "recognised and declared that in Trinidad and Tobago there have existed and shall continue to exist, without discrimination by reason of race, origin, colour, religion or sex" (p. 17) "the right of a parent or guardian to provide a school of his own choice for the education of his child or ward" (p. 18). This statement conflicts with what is being indicated in *Immigration Act Subsidiary* Section 9(6)(e), which prohibits the admission of any person who is not a citizen or resident into the national education system. Such contradiction is a clear example of "inadequate collaborative policymaking" (p. 3) which Hudson, Hunter and Peckha (2019) claim as one of the contributors to policy failure.

5.2. Use of Language

According to Poulin (2007), it is critical for a researcher to pay careful attention to the use of language, such as word choice and repetition of words especially in interviews during qualitative research, as word choice often impacts perceived meanings. The language and choice of particular terminologies play a significant role especially in this research, in digging deeper into the understanding of the perceptions of individuals as well as the role and positionality of each organization in relation to the State within the framework of *refugee education* in TT. The following sections will focus on and analyze the distinction of the word choice between the following terminologies: "school" and "places/spaces", "teacher" and "facilitator", and "refugee" and "migrant".

This section as well as Section 5.3 aim to shed light on the second and the third sub-research question: (2) *What are the roles of non-state actors in providing education for refugee children from Venezuela in Trinidad and Tobago, and what is the relationship between non-state actors*

and the national government?; and (3) Built upon the theory of Surrogate State, to what extent do non-state actors have the authority to make decisions on refugee education on behalf of the national government and to substitute the role of the government?

5.2.1. "School" vs "Places/Spaces", "Teacher" vs "Facilitator"

All participants that were interviewed in this research are involved in the provision of refugee education in TT, whether as programme managers, donors, or education implementers. Since these educational programmes take place outside of local schools, they are considered informal education based on how Gerber, Marek and Cavallo (2001) define it as "the sum of activities that comprise the time individuals are not in the formal classroom in the presence of a teacher" (p. 570). With this in mind, the usage of terminology when referring to the educational facilities and those who provide the education to the children in their educational programmes becomes the key to identifying whether or not the interviewees have the intention to provide the education services in parallel to the state education programmes.

Notwithstanding, one of the similarities that was witnessed among the interview participants was indeed the consistent attention paid to the usage of particular terminologies. To being with, all interviewees clearly mentioned that their programmes are not considered "schools" but rather they referred them as "spaces" or "places", and those who provide lessons were referred to as "facilitators" instead of "teachers" throughout the interviews:

> "*Some other NGOs and UNICEF provide Child Friendly Spaces, or what you would call Child Friendly Spaces. **It is not school** in a proper sense, but it's an alternative*" (Participant 1).

> "*I mean one, **they can't call it a school**. So it's not a school. So **it's a space** and that's why they call it and they use proper terminology. So it contradicts with a school…[and] there are **facilitators***" (Participant 2).

> "*What we try to do is set up systems where children can be, at least in a pseudo what I would call the **pseudo space**, because **you can't call it a school**, right? You can't set up a school like that, but it's really a **safe space** for the children…In some spaces, we have paid our stipend for the facilitators. Now the **facilitators are not teachers**, because they can't be considered teachers because it's not a school*" (Participant 5).

> "***It's not a school***. *So we call it Child Friendly **Spaces** because the children can come there, they do get some academic content but generally, it's more social interaction and so on…And then from then to now, our **facilitators** have undergone tremendous training*" (Participant 7).

> "***It is not a school***, *but they have created a **space** with a concept of a school, a space that we teach*" (Participant 8).

All five participants had clearly denied that their programmes are schools, and three of them also used the terminology "facilitator" when referring to the providers of the education, out of which one interviewee also made it perspicuous that the facilitators are not teachers. Such consistency in the usage and distinguishment of terminologies among all interviewees is clear evidence that the non-state actors involved in the provision of refugee education in TT act with the awareness that "*there is no substitution for national schooling*" (Participant 5), and with respect towards the State to ensure that their services do not "*have a parallel system[with the State]…[as]that's not ideal and it's also not sustainable*" (Participant 7).

5.2.2. "Refugees" vs "Migrants"

Next, distinguishing the usage between "refugees" and "migrants" when referring to the Venezuelan population in TT is also crucial to understand the approach of each individual and their organization in perceiving and handling the current situation of the influx of Venezuelans and the provision of their education. Taking into consideration the fact that the Government of TT recognizes the Venezuelan population solely as economic migrants regardless of the Refugee Status Determination (RSD) by UNHCR, the difference in the usage of the terminologies would demonstrate the relationship and positionality the organization has with the State. For instance, if an interviewee only uses the term "migrant" throughout the interview, that would denote that the individual and their organization are strictly in line with the government. On the other hand, an interviewee may also use the term "refugee" or mix the two words during the interview, which could indicate that they allow some room for flexibility and to a certain extent have the ability to make a decision independently and act accordingly depending on how they perceive the Venezuelan population notwithstanding the government's viewpoint.

Out of the eight organizations represented in the interviews, one organization, namely IOM, strictly used the term "migrants" throughout the interview when referring to the Venezuelans in TT, indicating that the organization is rigorously in parallel to the national government. In contrast, all other organizations were inconsistent with the usage of the terminologies and mixed the two terms depending on the context. All except for IOM had a similar stance in terms of how they view and recognize the Venezuelans, as two interviewees had summarized it precisely:

> *"We do respect the government's definition and approach of how they are to be named… so we regard them as migrants, but we also recognize them as asylum seekers and refugees as they apply for asylum and Refugee Status Determination"* (Participant 1).

> "*It depends on the circumstances. But we don't have that blanket categorization...We do assume that they are seeking asylum when they come here though, and that's why we facilitate the process*" (Participant 7).

All participants, other than those from IOM, emphasized that their organizations respect the government and they "*work within the framework of the government*" (Participant 5). Nevertheless, these organizations "*also recognize our[their] mandate to the UNHCR as an implementing partner and also to the UN Convention"* (Participant 1) depending on the circumstance of each Venezuelan individual. Additionally, this quote is exceptionally significant as it accentuates the presence of UNHCR in the country and how other organizations follow along in the same direction, in spite of its mandate being divergent from the government's.

Furthermore, on a different note, it is also important to bear in mind the role of religion, specifically Christianity, in distinguishing between "migrants" and "refugees" in the context of Trinidad and Tobago:

> "*I think you have to look into Catholic social doctrine to have an understanding of how the Catholic Church views migrants and refugees, etc. So really, honestly, and truly the way in which we approach it is when people come, if they are deemed to be refugees, which is when they consider themselves to be in need of aid we render aid or we run the assistance in that regard*" (Participant 5).

This quote demonstrates that this Catholic-based organization acts around faith, which the religion believes that one of the most significant contributions of the Catholic Church to society today lies in its service to those in need (Wormald, 2013). Thus, this represents a slightly different dimension that Catholic organizations are positioned in TT in comparison to other non-religious organizations. They do not act solely within the national or UNHCR frameworks, including how they define "migrants" and "refugees", but they also perform within the scheme of their own religious beliefs, with an assumption that those who claim to be refugees should be treated as refugees to be protected. Many of the local NGOs working for the refugees/migrants in the country, including LWC and AMMR, are religious institutions "*owned by the Catholic church*" (Participant 5). Furthermore, on top of the Catholic church, multiple interviewees expressed the influence of the Presbyterian church on refugee education in TT as well (Participants 7 & 8). Despite TT being an extremely diverse country made up of various races and religions, 57.7% of the population is considered to be Christian (CIA, 2023), which is by far the largest percentage out of all other religions, thus posing a significant impact on the country.

5.3. Relationship with State Sovereignty

In this section, the impact and involvement of each level of stakeholders in the provision of Venezuelan refugee education are analyzed. Towards the end, the relationship state sovereignty and *Surrogate State* is discussed.

5.3.1. Policy Implementation by Local Level of Actors

First referring back to the theory of *Refugee Education*, although the national government is the primary duty-bearer for providing education to refugees and migrants within the state, the actual implementation of the education is impacted by the presence of numerous actors, including both state and non-state entities. These entities are involved in the provision of refugee education with their separate level of legitimacy and political authority to a certain extent (Hamer, 2011; Hudson, Hunter and Peckham, 2019). Applying this concept to the situation in TT, despite the lack of a national education policy for refugee and migrant children, it is evident that different actors perform according to their source of authority to a certain degree, both within the framework of the national government and the mandate of UNHCR. For instance, looking at the local state actor level from *Figure 3*, an interviewee revealed that

"they [some principals] lend the building of the public school, and the principals let them stay like an after-school kind of support" (Participant 1).

Furthermore, one of the interviewees also mentioned that,

"[the local teachers] have basically given us spaces…[so] children are on the same compound with local children, they're basically feeling a part of something. They get invited to school activities…and then sometimes…they actually invited our kids to help teach the younger ones Spanish" (Participant 8).

These quotes demonstrate what Hudson, Hunter and Peckham (2019) claimed in their study, that the local actors "often enjoy discretionary powers which accord them *de facto* autonomy from their [central authorities]" (p. 3) according to their own faith. In other words, although it has not been possible to officially integrate refugee/migrant children into national formal schools in TT, the implementation of the education itself, regardless of the absence of the national policy, is still highly dependent on local contexts (*ibid*.). In this case, teachers or principals have a separate degree of political authority.

In addition, going back to the role of religious groups, particularly Catholic and Presbyterian churches in refugee education in TT, one interviewee mentioned that "*the Archbishop was given verbal permission from the Prime Minister to take care of the migrants and refugees*" (Participant 7). This demonstrates that the national government has approved and permitted the authority of religious institutions and personnel to carry a great impact in providing education to refugee children within the state, whose roles are equally influential yet they also function in a different dimension than UNHCR and other organizations. As these religious organizations take on the roles to identify, intervene, and advocate for refugees, they can also be considered Surrogate States according to Nah (2019)'s theory of *Surrogate States*.

Taking this into consideration, Figure 2 from the *Refugee Education* theory was slightly revised to reflect the relationship that was disclosed between each stakeholder involved in the provision of refugee education.
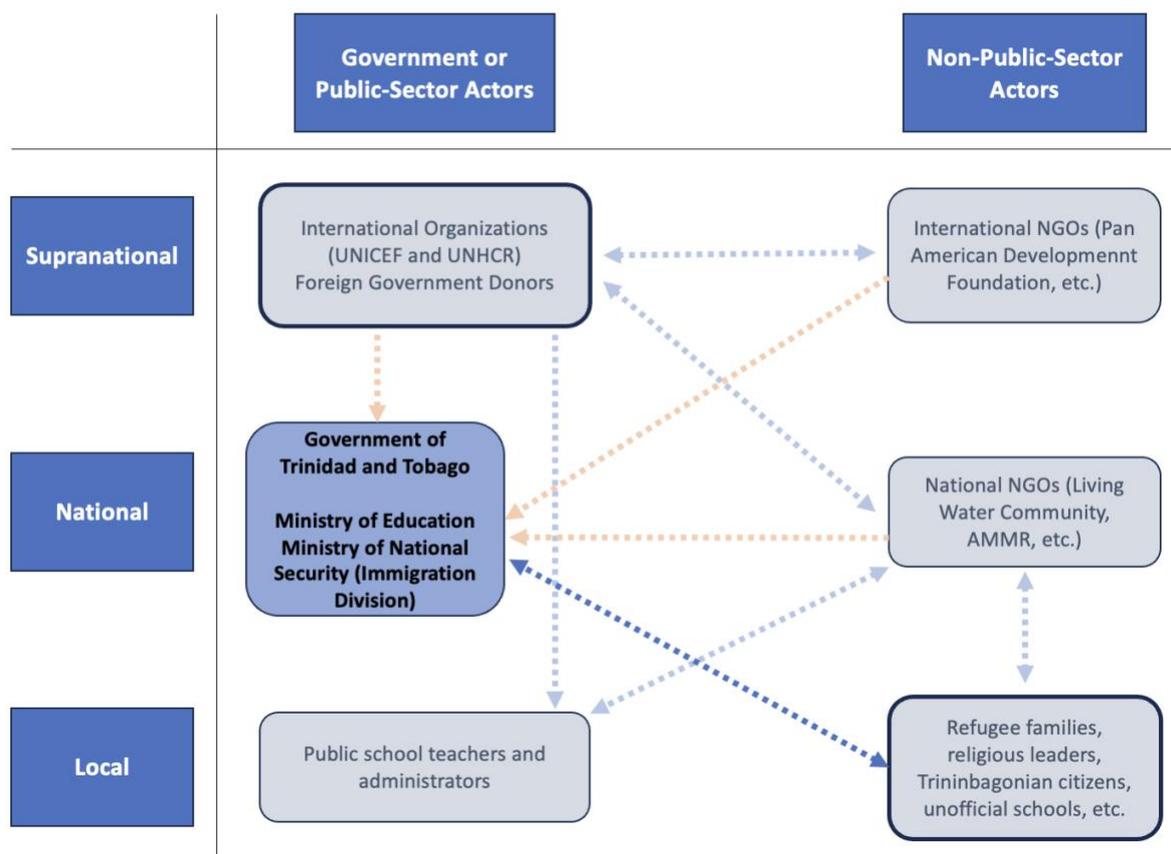
Figure 3: Key actors in refugee education implementation in TT where refugee education policy is absent (Both-ended dotted arrow added between National Government and Local Non-Public-Sector Actors)

Illustrated in *Figure 3*, a double-sided arrow between the national government and the local non-state actors was added. This arrow emphasizes the function of local non-state actors, particularly religious institutions, in having a reciprocal influential relationship with the national government in terms of the provision of refugee education.

5.3.2. Presence of Surrogate State in a Sovereign State

As this research focuses on the roles and responsibilities of non-state actors in providing education to Venezuelan refugee children, it is essential to analyze the positionality and the relationship of such organizations with the government. In fact, one of the common themes that appeared repeatedly and consistently throughout the interviews was the concept of "state sovereignty". This was most relevant especially when the interviewees spoke concerning the authority and decision-making ability that their organizations have for the education of refugee children:

"*This is a sovereign state…[we can't] tell them[the government] what to do*" (Participant 1).

"*Remember, Trinidad and Tobago is a sovereign government, so we can encourage, advocate, but we can't force*" (Participant 3).

"*At the end of the day, we are a sovereign state, a very successful sovereign state…so keeping that in mind, [we] still have to operate within different systems*" (Participant 5).

The concept of state sovereignty is defined as "the supreme, absolute, and uncontrollable power by which any independent state is governed" (Fowler and Bunck, 1996, p. 384). Even though "*there is no government intervention into any of the [refugee education] programs*" in TT, thus the non-state actors "*determine the programing…[and] decide what to offer*" (Participant 5), such repetition of the concept of state sovereignty in interviews signifies that no non-state organizations performing in TT try to act in parallel to the government or go outside of the national government's scheme, but rather, they always aim to "*work within the framework of the government*" (Participant 5) and to "*work along with the government*" (Participant 2).

To prove the point, even in the absence of a national policy, and despite different levels of stakeholders having some degree of independence and authority to act, one interviewee also stated that

"*it's not that any of the agencies go outside of the government policy, but they may use existing conventions that the government would have agreed on…So it's not like they do things that the government does not approve of, but that is in fact something that they've agreed to, it is just in this case are not national*" (Participant 4).

This is exceptionally important to take into account, as it denotes that no organizations in TT are trying to go against the national government. Although these organizations do not act within the framework of a national policy as it is absent, they interpret the ratified international conventions as the tentative policy to be applied in the country. It is thus important to understand that the non-state organizations in TT do not go against the government's will, but rather, they may substitute the role of States within the international conventions that the State has approved.

Furthermore, the interviewees also often used terminologies such as "assist" or "support" when describing the relationship with the national government:

> "*We support the government, so whatever we do is based on their request and the needs that the government would have identified*" (Participant 2).

> "*We do offer technical assistance. We also offer financial assistance in some cases under certain projects that target, for instance, victims of trafficking*" (Participant 3).

According to the theory of *Surrogate State*, the role of non-state actors varies based on the country's circumstances. It may collaborate with the state, act as a facilitator, or even assume functions exceeding its mandate, providing essential services usually handled by the government (Miller, 2017). The terminologies such as "assist" and "support" exemplify that non-state organizations cooperate with the state and occasionally replace the role of the state as necessary to reflect any needs of the government, rather than acting autonomously. This was also supported by an interviewee who revealed a power balance between the TT government and non-state organizations, mentioning that "*UNHCR a couple of years ago spoke out against the government, that was trying to strong-arm the government, and then that person was removed from a head of UNHCR*" (Participant 5).

In fact, state sovereignty is considered to be of primary importance in TT, which is also evident from the comment provided by the TT National Security Minister Fitzgerald Hinds published in the local newspaper *Newsday*. When it referred to the fact that TT had signed on to the 1951 Refugee Convention but no domestic legislation has been enacted, Minister Hinds spoke about how multiple international treaties are ratified and implemented by various countries but "*have different processes for incorporation into domestic law if the state desired to do so*" (Fraser, 2023). Such a comment demonstrates the absolute power of the state in the political hierarchy, as well as how the national government is aware to be possessing the power in comparison to non-state actors or any ratified international conventions.

Going back to the theory of *Surrogate State*, the concept has two separate perspectives on how to identify an organization as a Surrogate State. One is in accordance with the "Care and Maintenance Model", where the model views UNHCR and other non-state organizations to be the Surrogate States when they possess all elements of a sovereign state, including its "own

territory" in the form of refugee camps, "citizens" who are refugees, "public services" such as education, healthcare, water, sanitation, and an "ideology" (Slaughter and Crisp, 2009). Corresponding to the model, the non-state organizations in TT cannot be considered the Surrogate State, as there are no refugee camps where UNHCR would have a territory to sovereign within the country, and no non-state actors are fully responsible for providing all types of services. The State has in fact "*[given the refugees] access to primary healthcare, emergency services and maternity benefits for female migrants, and they have access to that free of charge*" (Participant 2).

Nevertheless, this study has disclosed the role of non-state organizations that goes beyond just an "assistance" or a "supporting counterpart" of the state. Based on the second definition of the Surrogate State presented by Nah (2019), the non-state organization could be contemplated as a Surrogate State under three roles, namely *identification, intervention,* and *advocacy*. Starting with the first function of *identification*, according to the 1951 Refugee Convention, if the state is a party to the Convention or the Protocol, it is the responsibility of the state to conduct the Refugee Status Determination (RSD) process. Nevertheless, although TT is accredited to the Convention, it does not have any legislation to recognize the status of refugees or asylum-seekers within the national system, thus UNHCR is substituting the responsibility to perform the RSD procedure in TT and provide them with refugee cards.

> "*TT themselves does not have refugee legislation that captures what a refugee is… [and] the integration or determination factor does not at this time lie within the government. So UNHCR has that responsibility at this point in time. They do the duty, what they call the Refugee Status Determination. What UNHCR does is anyone who wants to seek asylum, they give them the UNHCR cards*" (Participant 4).

Such status and UNHCR-issued refugee cards are not yet appropriately recognized in the national system. However, multiple international organizations and NGOs act accordingly to the identification determined to distinguish the difference between economic migrants, and refugees and asylum-seekers in TT, including when providing education to them. To support this point, one interviewee mentioned, "*we recognize our mandate to the UNHCR as an implementing partner and also to the UN Convention, so we regard them[the Venezuelans] as migrants, but we also recognize them as asylum seekers and refugees as they apply for asylum and refugee status determination*" (Participant 1).

The second function, the *intervention*, by non-state actors takes place in various different shapes in TT. The provision of education falls under this category, where non-state actors "*determine what programing [to offer]…and what [they] can offer*" (Participant 7) to the refugee children, as TT lacks the national legislation to allow the refugee children to be included in the local schools. The organizations substitute such roles to "*be in line with the rights of a child and what children should have access to*" (Participant 2). According to the interviews, non-state actors in TT take full responsibility today as "*the government takes a very passive rule when it comes to the education of migrants and refugees…[and] they're not supporting in any way of action*" (Participant 7).

Notwithstanding, one interviewee mentioned that the government "*reaches out to us[them] to get them[the refugee and migrant children] into education, to get them into the program, and they actually come back to us to get reports on how they're doing*" (Participant 7). Such reality can be regarded as the TT Government knowingly giving consent to the non-state actors to take over the role of the State to provide education in the situation where the State does not have its capability—which allows the non-state actors to take on the role as the Surrogate State.

Another important issue experienced in TT due to the lack of national refugee policy is the absence of respect for the principle of *non-refoulement*—the international law that averts the deportation of refugees to their country of origin where their life and liberty would be at risk—which is where another form of *intervention* takes place by the non-state actors. In cases where UNHCR-recognized refugees fall at risk to be forcibly deported back to their country, non-state organizations "*intervene on a case by case basis…[they] write to the government, asking them to reconsider a deportation order because this person is a refugee*" (Participant 1).

Such action also falls under the category of *advocacy*, as the non-state actors do not have the direct authority to stop the deportation, but they are only able to advocate and time-to-time offer advice, technical assistance, financial assistance, or training to the national government.

In terms of education as well, non-state actors often advocate to the national government for the integration of refugee children into the public education system, as interviewees had mentioned that:

"*[the role of non-state actors] is to advocate for the refugees*" (Participant 7), and "*to look after the care and protection of asylum seekers and refugees until the government is ready, able, and willing to take that over*" (Participant 1).

To conclude with all findings from the collected data, non-state actors in TT not only work in partnership with the State, but occasionally act as advocates towards the government and also as substitutes for the State by extending their role to take on State responsibilities and provide basic services to refugees to compensate the absence of the State involvement. This does not signify that the non-state actors are able to fully replace the State's responsibilities, and their roles are also expected to only last until the State implements effective mechanisms to integrate refugees into the national system. Nevertheless, based on the theory of the *Surrogate State*, the characteristics that the non-state actors have clearly depict that these actors have the role of the Surrogate State in TT, especially in the provision of education to Venezuelan refugees.

7. Conclusion

This research investigated the role of non-state actors in providing education for Venezuelan refugee children in Trinidad and Tobago, and the extent to which they act as the Surrogate State, given that TT lacks a national refugee policy. Built upon the theoretical frameworks of *Refugee Education* and *Surrogate State,* the study was conducted through informal interviews with eight individuals who work for local NGOs or international organizations that are involved in providing refugee education in TT. Moreover, the analysis of existing policies/conventions and other related documents including local news articles in TT was conducted to support the primary data from the interviews. Reflecting on the analysis of findings from the collected data led by the three sub-questions, a conclusion that can be drawn from the analysis is that, although non-state actors respect the state sovereignty and always act within the framework of the national government, they have the role to *identify*, *intervene*, and *advocate* for Venezuelan refugees residing in TT. Particularly, decisions and programmes for refugee education within the country are fully dependent on the non-state actors, which are also under the recognition of the national government. Since the provision of refugee education is usually expected to be the responsibility of the state, the non-state actors can therefore be considered as non-sovereign Surrogate States, particularly with regard to refugee education.

This study focused specifically on the perspectives of non-state actors that are primarily responsible for refugee education provision in TT. Nevertheless, the complete, more generalized answer to the research question cannot be addressed without having perspectives of other stakeholders, including the TT Government, facilitators of the programmes, local school teachers, and most importantly, the Venezuelan children and their parents who benefit from the education programmes. Although ethical risks must be exceptionally considered when having physical contact with refugee children, who are one of the most vulnerable populations, shedding light on their viewpoints in addition to other stakeholders' will surely lead to a critical contribution to future research.

On 13 July 2023, right when this research was about to be completed, the Government of TT announced that they are aiming to include migrant children in the local primary school system, hopefully starting in the next academic year this coming September. In the announcement speech, Minister of Foreign and Caricom Affairs Dr. Amery Browne expressed, "*I thank all the local stakeholders who've been carrying this burden of care…I want to thank the external*

stakeholders as well…and other diplomatic missions and international organizations who have been working very hard on this issue and who have also been the advocates, consistently encouraging the government to review its position and to take actions in pursuit of the rights of children within our shores". This one statement directly coming from the Government of TT is the clear evidence highlighting the actions taken by non-state actors on behalf of the State, which allowed the government to begin moving forward to create a more inclusive society.

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Appendices

Appendix I: Interview Guide

Interview Guide

1. In March 2023, the Guardian released a news article reporting that 64% of Venezuelan refugee children in T&T have no access to education, and their situation has been unchanged for years. Additionally, on 14 May, the Opposition Leader Kamla Persad-Bissessar published a press release demanding the Government to allow all Venezuelans to apply for driver's licenses, access to medical care, pay taxes, and their children to be enrolled in TT local schools. **I am aware that the government of Trinidad and Tobago had adopted** *A Phased Approach Towards the Establishment of a National Policy to Address Refugee and Asylum Matters in the Republic of Trinidad and Tobago* **in 2014, but has there been any changes/impacts/progress in the economic/basic human rights situations for Venezuelans residing in TT since then (other than the 2019 registration)?**

2. What role does your organization have for the protection of the refugees?

3. Do you consider Venezuelans in TT 'refugees' or 'migrants'? Why? How do you define the difference between the two?

4. I am aware that multiple international organizations such as UNICEF and UNHCR and NGOs/civil societies such as LWC and AMMR provide temporal education to the refugee and asylum-seeker children in Trinidad (*Equal Place* and *Child Friendly Space*). **What are the strengths and roles of your educational programmes, and what are the major challenges that remain?**

5. To what extent does your organization play a role in providing education to Venezuelan refugees in TT? How much freedom/authority does your organization have? To what extent are local NGOs in TT connected/involved in the national government? To what extent is the TT national government involved in the activities/projects carried out by your organization?

6. To what extent is your organization involved in the provision of services such as education, healthcare, food, shelter, etc.?

7. Who has the most authority/legitimacy to make educational decisions on behalf of refugees in TT?

8. Do you consider your organization (or UNHCR) to be playing a role as a "replacement" of the State in the field of refugee education?

9. To what extent are there conflicts between interests of the TT national government and of the local NGOs or international organizations?

Appendix II: Informant Overview

Participant Number	Name of Organization	Date	Time Duration
1	LWC: Ministry for Migrants and Refugees	May 23, 2023	53:03
2	IOM	May 25, 2023	51:04
3	IOM	May 25, 2023	51:04
4	IOM	May 25, 2023	51:04
5	AMMR	June 21, 2023	33:34
6	N/A	June 26, 2023	36:42
7	LWC: Ministry for Migrants and Refugees	July 4	56:49
8	Heroes Foundation	July 14, 2023	1:47:44

Appendix III: Nodes of NVivo

Name ∧

- ∨ ⬤ Government Involvement
  - ⬤ No
  - ⬤ Yes
- ∨ ⬤ Government substitution ability
  - ⬤ No
  - ⬤ Yes
- ∨ ⬤ Level of actors – Influence
  - ⬤ Local
  - ⬤ National
  - ⬤ Supranational
- ∨ ⬤ Policy – Implementation Gap
  - ⬤ Change of priorities
  - ⬤ Different interests within a government
  - ⬤ Different political parties
  - ⬤ Number of migrants in the country
- ∨ ⬤ State Sovereignty
  - ⬤ Language – Assist, Encourage, Advocate
  - ⬤ No
  - ⬤ Yes
- ∨ ⬤ Use of Language
  - > ⬤ Migrant vs Refugee
  - ⬤ School vs Place or Space
  - ⬤ Teacher vs Facilitator