

**JOINT STAKEHOLDER BRIEFING FOR DR. KISHORE SINGH,
SPECIAL RAPPORTEUR ON THE RIGHT TO EDUCATION,
REGARDING THE RIGHT TO EDUCATION
IN EMERGENCY SITUATIONS**

This briefing note is submitted by Education Above All, Inter-Agency Network for Education in Emergencies (INEE), Right to Education Project/ActionAid International, Save the Children International and UNICEF as the outcome of a collaborative and consultative process, also including the following organizations: Global Education Cluster, Global Coalition to Protect Education from Attack (GCPEA), Human Rights Watch, Institute of International Education, International Rescue Committee, Scholars at Risk Network, UN Department of Peacekeeping Operations, UNESCO, UNHCR, UN Office for the Coordination of Humanitarian Affairs, Watchlist on Children and Armed Conflict, and Professor Dana Burde of New York University.

1. BACKGROUND

In 2008, the Special Rapporteur on the Right to Education submitted a report on the right to education in emergency situations, noting that education, a basic human right, is frequently interrupted, delayed or denied during emergency response and early reconstruction.¹ He indicated that emergency situations should not entail suspension of domestic and international obligations to guarantee the human rights of those affected, and that State institutions, the international community and humanitarian organisations should be guided by those rights.

Paragraph 21 of the 2010 General Assembly Resolution on the right to education in emergency situations requested the Special Rapporteur to update the 2008 report, in order to identify gaps and remaining challenges in ensuring the right to education in emergency situations. A breakfast meeting was hosted by the Qatar Mission to the UN on 21 September 2010 to introduce the Special Rapporteur to some of the UN and civil society organizations that had worked to prepare the initial draft of the Resolution. A technical discussion after the breakfast led to a decision by participants to prepare a joint briefing note for the Special Rapporteur.²

The brief also provides guidance and recommendations for states and other international actors in the follow up to Resolution 64/290, in terms of actions that can be taken immediately and policy development over the longer term.

The notes which follow are structured according to six themes highlighted in Resolution 64/290:

1. Political will and financing
2. Protecting education from attack
3. Disaster risk reduction
4. Inclusion and gender equality
5. Promotion of quality education
6. Monitoring access

For each of these themes, gaps and challenges are reviewed and several recommendations for action are proposed. Section 2 shows the *principal recommendations* and Section 3 provides *detailed analysis*. These recommendations are complementary to those of the Special Rapporteur's 2008 report.

¹ As per the Special Rapporteur's 2008 Report, emergencies are taken here to include any crisis situations due to natural causes such as earthquake, tsunami, flood or hurricane, or to armed conflict, and post-conflict situations, where the right to education is impaired.

² A further meeting was held on 5 May 2011. Participants and others contributed to and reviewed the current text.

2. PRINCIPAL RECOMMENDATIONS

2.1 Political will and financing

States and international actors including donors should make *public policy commitments* to ensuring that children and young people worldwide enjoy the right to education in situations of emergency, fragility and recovery, and are thereby empowered to contribute to the development and stabilisation of their societies. This requires *stronger national, bilateral, and multilateral funding commitments* for education as a key pillar of humanitarian response and to cover the gap between humanitarian and development funding.

2.2 Protecting education from attack

States and international actors should place greater emphasis on *guaranteeing the right to education during armed conflict and other situations of violence, insecurity and emergency* by *strengthening the capacity of education providers* to prevent and respond to attacks; undertaking and supporting *systematic monitoring, documenting, and reporting* of violations of international human rights and humanitarian law and, where applicable, criminal law committed against members of education communities and education institutions and settings; assessing and *strengthening legal capacity building and rule of law development*; intensifying efforts to *diminish impunity* and strengthen accountability for state and non-state violators and violations of applicable; and developing and implementing appropriate, concomitant *reparations programmes*.

2.3 Disaster risk reduction

To meet the human rights obligation to provide education that is as safe as possible, states and international actors should *embed disaster risk reduction into educational policies, programmes and plans at national and local level*, including the development and active use of appropriate hazard-resistant building specifications, preventive curriculum and teacher training, and local hazard assessment and preparedness, and the integration of disaster risk reduction into education sector planning.

2.4 Gender equality and inclusion

States and international actors should include specific commitments to *gender equality and inclusion of marginalized groups* in education policies, programme planning and implementation, and agreements between partners, for populations which have been affected by emergencies, ensuring that disadvantaged or previously excluded learners enjoy quality, safe, relevant and participatory education.

2.5 Promotion of quality education

States and international actors should *systematically prioritize and fund equitable access to quality education* in which learners achieve sustainable literacy, numeracy, essential life skills, critical thinking and wellbeing, together with specialist subject matter as appropriate, as a basic right and an essential prerequisite for national stability, peace-building and development. States and international actors can refer to the INEE Minimum Standards for guidance on quality and access to education in emergencies.

2.6 Monitoring access

States and international actors should *improve needs assessments and the collection, collation and analysis of education data* in areas affected by conflict and natural disasters, including assessment of met and unmet needs. Special attention should be paid to data collection and analysis on the education of refugee and internally displaced children and young people, including at least sample household data on out-of-school children. A global statistical report on education in emergency and post-conflict situations should be prepared through an appropriate inter-agency mechanism over the period 2012-2014, in advance of the Education for All target date of 2015; including recommendations for strengthening data collection and reporting mechanisms.

3. BRIEFING NOTES

3.1 ACTIONS TO STRENGTHEN POLITICAL WILL AND FINANCING

7. *Urges* Member States to implement strategies and policies to ensure and support the realization of the right to education as an integral element of humanitarian assistance and humanitarian response, to the maximum of their available resources, with the support of the international community, the United Nations system, donors, multilateral agencies, the private sector, civil society and non-governmental organizations;

8. *Requests* Member States to ensure that the best possible systems of education are in place, including through the allocation of sufficient resources, the appropriate adaptation of curricula and training of teachers, the implementation of risk assessments, disaster preparedness programmes in schools, the legal framework for protection, and health and basic social services, so as to withstand emergencies;

9. *Recommends* that Member States ensure access to education in emergency situations to all affected populations, in accordance with their obligations under international law and without discrimination of any kind;

18. *Reaffirms its commitment* to supporting the efforts of developing countries to ensure that all children have access to and complete free and compulsory primary education of good quality, to eliminating gender inequality and imbalances and to renewing efforts to improve the education of girls, and to continuing to support the efforts of developing countries in the implementation of the Education for All initiative, including with enhanced resources of all types through the Education for All fast-track initiative in support of country-led national education plans, and urges donors to honour their pledged contributions;

19. *Calls upon* States, as primary duty-bearers, to ensure the realization of the right to education in all phases of emergency situations, in a manner that meets the essential needs of the affected populations, recognizing the role of the donor community and humanitarian agencies in assisting those efforts;

20. *Calls upon* all Member States, including donors, and invites the private sector and all concerned individuals and institutions to continue to support diverse humanitarian funding channels and to consider increasing their contributions to education programmes defined in humanitarian appeals, including humanitarian consolidated and flash appeals, based on and in proportion to assessed needs, as a means of ensuring adequate, timely, predictable, flexible and needs-based resources

CONTEXT

- Education is a human right, life-saving and life-sustaining, and is indispensable for **child protection** in emergency situations, protecting children and youth from trafficking, sexual or economic exploitation, child recruitment, child labour, and other harmful activities. Education is vital to meeting psychosocial and developmental needs of the growing child especially when exposed to traumatic situations. Moreover, chronic emergency situations can last for years or decades, and the education of children and young people cannot wait, nor can their countries develop without their skills. The longer that children and youth wait to access education following an emergency, the greater their chances of never going back to their school or college.
- Save the Children estimates that the education of millions of children is affected every year by natural disasters, with the potential of dropping out of school and not returning if education is not restored in the initial stages of a response. Natural disasters include sudden onset disasters, earthquakes and tsunamis, but also slow, chronic, onset disasters, including blizzards and droughts.
- The Millennium Development Goals for education will not be met until all children and youth currently living in countries affected by emergencies, are enrolled in school and receiving a

quality education. At least 28 million children of primary school age are out-of-school in conflict-affected poor countries (UNESCO 2011).

- The primary responsibility for education in emergency situations rests with the national government, which has a duty *to preserve the right to education at all levels, even in emergency and transitional situations*. In some cases, the financial implications are overwhelming and international assistance must be sought. The humanitarian community must ensure that this right is protected and mechanisms are in place to deliver education, even when a government is not able to ensure this right.

DEVELOPMENTS AND CHALLENGES

- Restoration of access to education is always *cited as a top humanitarian priority by families and young people affected by emergencies*, often before many other sectors traditionally seen to be part of humanitarian needs. There has been a historical resistance to this concept among some international actors, who have focused on immediate health and nutrition needs. Education is a basic right and a basic need for the mental health and development of children and young people. It is also a vital input for post-crisis national reconstruction and development, and supports the delivery of other sectors. Given that *humanitarian crises often last longer than anticipated*, and can continue for months, years or decades, education which is life-saving and life-sustaining, and critical to child and adolescent development, has to be accepted as a key pillar of front line humanitarian response.
- Despite the importance of securing education for all children and youth in an emergency, education continues to be underfunded. The 2011 *Education for All Global Monitoring Report* states that “Education is the *poor neighbour of a humanitarian aid system that is underfinanced, unpredictable and governed by short-termism*. It suffers from a double disadvantage: education accounts for a small share of humanitarian appeals, and an even smaller share of the appeals that get funded.” (UNESCO 2011: 30)
- A major challenge is to ensure that the **international humanitarian system**—including decision-makers in OCHA, Humanitarian Coordinators and Resident Coordinators, and donors —supports education interventions, and understands their crucial role in the context of a humanitarian response.
 - *Humanitarian accountability* is critical. The 2008 Sphere and Inter-agency Network for Education in Emergencies (INEE) Companionship Agreement constitutes a partnership to promote quality and accountability in humanitarian response including education.
 - *Mindsets are slowly changing*, in that education is increasingly identified as a crucial intervention in the needs assessments conducted for humanitarian appeals and pooled funds.³ *Policy and funding must follow suit* to ensure education is part of every humanitarian response.
 - Despite the clear need for education provision in emergencies, only a few donor agencies – including Canada, Denmark, Japan, Norway and Sweden – have or have had *clear policies that include education as part of their humanitarian policies*. In 2010, AusAid highlighted education in emergencies in its development strategy. In February 2011, USAID included education in emergencies as its third strategic goal. In spring 2010, Vietnam has begun work to develop national norms on education in emergencies with guidance from the INEE *Minimum Standards for Education: Preparedness, Response, Recovery*.

³ INEE (2010a: 30). The 2008 revision of the Central Emergency Response Fund guidelines includes education as a sector. Country-level pooled funding mechanisms have incorporated education, including Common Humanitarian Funds and Emergency Response Funds (SC (2009a): 12; CERF Underfunded Emergencies Window: Procedures and Criteria).

- Insufficient funding allocated to an education response prevents or interrupts the right to education of millions of children living in emergency situations. It is indefensible that education receives *less than 2%* of an already underfunded humanitarian aid effort, when a third or more of the crisis-affected population are children and young people (see Annex 1).
- There are further difficulties in funding education during the *transition* from humanitarian to development assistance.
- Support for *refugee and IDP education* and for “scholar rescue”⁴ programmes is seriously insufficient at all levels. Funding for secondary and higher education of refugees is minimal.

⁴ More precisely, for a range of programmes to provide protection and support for scholars at risk.

KEY RECOMMENDATIONS

States and international actors including donors should make *public policy commitments* to ensure that children and young people worldwide enjoy the right to education in situations of emergency, fragility and recovery, and are thereby empowered to contribute to the development and stabilisation of their societies. This requires *stronger national, bilateral, and multilateral funding commitments* for education as a key pillar of humanitarian response and to cover the gap between humanitarian and development funding.

States should:

- Make a *policy commitment* to maintain the right to education for children and young people affected by acute emergencies, chronic crises and during early reconstruction; including recognizing the link to achieving the MDG and Education for All goals.
- Ensure that education is fully represented in *inter-sectoral disaster- and crisis-preparedness mechanisms*.
- Make every effort to increase *national, bilateral, and multilateral financial commitments to education* in humanitarian, transition and post-crisis situations;
- Take steps to ensure the *right to education of internally displaced and refugee students*, at primary, secondary and higher education levels, as appropriate, and likewise others whose education has been interrupted, adapting *education regulations* to meet the needs and challenges of the specific crisis situation.

Donors should:

- Strengthen *bilateral and multilateral funding commitments* to support the right to education in all crisis-affected and post-conflict/post-natural disaster settings.
- Support coordination mechanisms in-country and through the Global Education Cluster.
- *Make a policy commitment* on the right to education in humanitarian crises.
- Ensure that all levels of education are fully represented in needs assessment processes, including the *Consolidated Appeal Process (CAP)* and Flash Appeals, and that sufficient funding is committed, disbursed to intended recipients and utilised.
- Explore *innovative funding mechanisms*, such as country-led Education Pooled Funds, the Fast Track Initiative Education for All Fund, and the Peacebuilding Fund (as recommended in the 2011 *Global Monitoring Report*);
- Ensure a *smooth transition between temporary humanitarian funding and long-term funding for development* to ensure that the right to education is not interrupted.
- Meet the *funding requirements for all levels of refugee education and teacher training* to ensure refugees' right to education and promote durable solutions; and support protection of endangered *scholars*.

The Committee on the Rights of the Child should:

- Ensure it develops a General Comment on the Right to Education in Emergencies, to implement the guiding recommendations issued following the CRC Day of Discussion in September 2008.

3.2 ACTIONS TO STRENGTHEN PROTECTION OF EDUCATION FROM ATTACK

10. Urges all parties to armed conflict to fulfil their obligations under international law, in particular their applicable obligations under international humanitarian law and international human rights law, including to respect civilians, including students and educational personnel, to respect civilian objects such as educational institutions and to refrain from the recruitment of children into armed forces or groups, in accordance with their applicable obligations under international law, urges Member States to fulfil their applicable obligations under international law, including international humanitarian law, related to the protection and respect of civilians and civilian objects, and urges them, in order to prevent and combat impunity, to criminalize under their domestic law attacks on educational buildings, and stresses that such attacks may constitute grave breaches of the Geneva Conventions and, for States parties, war crimes under the Rome Statute of the International Criminal Court

CONTEXT

- Since 2008, *the reported number of attacks on education*⁵ has increased, especially in conflict situations and other situations of violence or insecurity. Significant numbers of staff and students have been killed or injured, thousands of education institutions have been destroyed or damaged, and many thousands of students have been unable to attend school or university due to conflict-related closures.⁶
- Approximately 42% of the 67 million out-of-school children of primary school age live in conflict-affected nations (UNESCO, 2011), while tens of millions of young people find themselves without educational opportunity in such contexts.
- State and non-state parties to armed conflicts are increasingly targeting civilians and civilian objects—namely, students, teachers, academics, schools, and universities—with combatants viewing them as legitimate targets in clear violation of international law (UNESCO, 2011).
- The Institute of International Education’s Scholar Rescue Fund⁷ reports that applications from threatened scholars doubled during the period 2008-2011 as compared to the previous period.

DEVELOPMENTS AND CHALLENGES

- Since the Special Rapporteur’s last report on Education in Emergencies (2008), key actors have worked to highlight the incidence and impact of attacks on education during armed conflict and other situations of violence, insecurity, or emergency in order to cultivate public support for safe education (see Annex 1). Following a UNESCO expert seminar in 2009, which brought together representatives from the legal, protection, and education sectors, a *Global Coalition to Protect Education from Attack (GCPEA)* was established in 2010.
- Following the 2007 publication of *Education Under Attack*, the first global study on targeted violence against educators, UNESCO has published the 2010 edition, which takes a deeper look at the nature and extent of the problem and its impact on education and highlights opportunities for positive action, as well as a state of the art review on protecting education from attack.

⁵ Attacks on education can be defined as any threat or use of force, including coercive or physical force, carried out for political, military, ideological, sectarian, ethnic, religious or criminal reasons, with the intention or reasonably foreseeable effect of harming or intimidating any individual in their capacity as a member of an education community (including service and security personnel) or gravely damaging or creating risk of grave damage to any educational buildings, resources, materials or facilities, including transport (Boothby et al., 2011).

⁶ O’Malley, B. (2010).

⁷ The Institute of International Education (IIE), an independent nonprofit, has participated in the rescue of persecuted scholars since its founding in 1919. In 2002, IIE launched the Scholar Rescue Fund (SRF) as a formalized response to this ongoing international dilemma. SRF cooperates closely with the Scholars at Risk Network, the Council for Assisting Refugee Academics, and similar organizations.

UNESCO's *Global Monitoring Report* for 2011 focuses on the damaging consequences of conflict on Education For All goals.⁸

- Human Right Watch's 2011 report, *Schools as Battlegrounds*, highlights the rise of attacks on education in different parts of the world. A variety of other reports published since 2008 detail case studies of attacks on education in specific countries affected by disaster and/or conflict, together with solutions/response at the community and/or international level.

Challenges remain and include the following:

- ***A climate of impunity and lack of accountability***
 - Relevant international human rights, humanitarian and, where applicable, criminal law, remains **underutilized**, with systematic violations indicating poor respect for, inadequate dissemination and understanding of this law, and/or weak implementation by state and/or non-state actors alike.
 - Such underutilization **embeds and perpetuates a culture of blatant impunity and lack of accountability** for its violation, by state and non-state actors, against members of education communities, including teachers, students, academics, and against education institutions and settings, during armed conflict and other situations of violence, insecurity, or emergency.
- ***Lack of capacity for prevention of and response to attacks***
 - The 2011 *Global Monitoring Report* stresses the lack of awareness among policy makers of the two faces of education:
 - as a factor ***potentially contributing to conflict***, where there are long-standing grievances among certain sections of the population;
 - as a factor ***potentially contributing to conflict prevention and peacebuilding***, through ensuring more equitable access to quality education, through national and international recognition of qualifications awarded by the state, and through curricula that support peace and citizenship.
 - There is a need to ***identify and institutionalise good practices*** such as involving the community in preventive and protective action, development of safety and security plans, adjustments to curriculum – to promote peaceful citizenship – and to education planning and investment – to reduce inequitable access to the ladder of education.

⁸ See O'Malley (2007, 2010), UNESCO (2010, 2011), SC (2010).

KEY RECOMMENDATIONS

States and international actors should place greater emphasis on *guaranteeing the right to education during armed conflict and other situations of violence, insecurity and emergency* by *strengthening the capacity of education providers* to prevent and respond to attacks; undertaking and supporting *systematic monitoring, documenting, and reporting* of violations of international human rights and humanitarian law and, where applicable, criminal law committed against members of education communities and education institutions and settings; assessing and *strengthening legal capacity building and rule of law development*; intensifying efforts to *diminish impunity* and strengthen accountability for state and non-state violators and violations of applicable; and developing and implementing appropriate, concomitant *reparations programmes*.

A. COMBATTING IMPUNITY AND STRENGTHENING ACCOUNTABILITY

All domestic, regional, and international judicial, quasi- and non-judicial accountability mechanisms (including those of the military) should take steps to be fully cognizant of, as well as specifically and systematically address:

- the *obligations* of state and non-state actors under international human rights and humanitarian law and, where applicable, criminal law, with respect to the right to education and other legal protections guaranteed to members of education communities and education institutions;
- the immediate, short-, and long-term *impact of the violation of these laws* by state and non-state actors during armed conflict and other situations of violence, insecurity, or emergency;
- the imperative of *combating impunity and strengthening accountability* for such violations – for example, through special investigations, special procedures, and prosecutions of crimes and violations committed against members of education communities and education institutions – and the impact of a failure to do so;
- the need for appropriate individual and collective *targeted reparations* for these education-related violations.

To this end these mechanisms must, *inter alia*, collaborate and work in partnership with NGOs and civil society, including the directly impacted populations themselves.

States, civil society, and donors should:

- Undertake *legal capacity building and rule of law development* needs assessments and, subsequently, prioritise and implement comprehensive legal capacity building and rule of law development strategies and programs that are able to respond appropriately to education-related violations of international human rights, humanitarian, and, where applicable, criminal law.

States should:

- Emphasize and take measures to realize the positive obligations within the right to education and to proactively respond to education-related violations of international human rights, humanitarian, and criminal law during armed conflict and other situations of violence, insecurity, or emergency including:
 - *At a minimum, fully incorporate and take steps to implement relevant international law* into their national legislative frameworks, including criminalizing attacks on education institutions.
 - *Consider imposing greater restrictions on the use of education institutions* by military, security, and non-state armed actors.

- Systematically *monitor, document, and report* on education-related violations of international human rights, humanitarian, and where applicable, criminal law committed against members of education communities and education institutions.

The UN Security Council should:

- Establish attacks on schools as a *trigger* for the UN-led Monitoring and Reporting Mechanism on Children and Armed Conflict and *request improved monitoring and reporting of attacks on schools* by MRM country task forces.
- Address the safety and security of members of the education community and education institutions in its thematic debates and in consideration of specific contexts and, when appropriate, consider taking *targeted measures* against those who ‘attack education’ and perpetuate education-related violations of international human rights, humanitarian law, and where applicable, criminal law by subjecting them to *sanctions*, referring them to the International Criminal Court, or interacting with other justice mechanisms (domestic, regional, and international) in order to pursue accountability through various available legal and non-legal means.
- Adopt a *resolution* seeking intensified efforts from all relevant parties to protect the education community from attacks during armed conflict and other situations of violence, insecurity, or emergency, including a request that the Secretary General *address the safety and security of members of the education community and education institutions in his country reports, as relevant*.

The Human Rights Council should:

- Ensure that all fact-finding missions, commissions of inquiry, mapping exercises, and other special investigations *highlight and systematically address violations* of applicable law committed against members of education communities and education institutions.
- Ensure a *proactive and systematic process of reporting and monitoring* of violations of applicable law committed against members of education communities and education institutions during armed conflict and other situations of violence, insecurity, or emergency, together with specific and *targeted associated recommendations* within, amongst others, the framework of its universal periodic review process.

Special Procedures should:

- *Examine, monitor, and publicly report on education-related violations* of international human rights, humanitarian law, and where applicable, criminal law--as they intersect with and impact their respective mandates—during their country visits, in their reports to the UNGA and HRC, and in other studies or reports that they undertake
- Coordinate information and collaborate on responses through *combined action*, including issuing joint statements, conducting joint country missions, undertaking joint studies or reports, and working with civil society groups on activities that highlight the incidence and impact of attacks on education during armed conflict and other situations of violence, insecurity, or emergency.

Human Rights Treaty Bodies should:

- Ensure *greater attention* is given to *education-related violations* of international human rights, humanitarian law, and where applicable, criminal law committed during armed conflict and other situations of violence, insecurity, or emergency.

Civil society actors, including human rights NGOs, should:

- Systematically *monitor, document, and report on education-related violations* of international human rights, humanitarian, and, where applicable, criminal law committed during armed conflict and other situations of violence, insecurity, or emergency.

B. PREVENTION AND RESPONSE

States should:

- Implement educational policies and programs for **prevention of and response to** attacks on education that include the following:
 - ✓ *safe access to education* through measures such as bolstering security at education buildings/settings or transportation routes, providing alternative school sites, rapidly resupplying lost teaching and learning materials, modifying the school schedule to avoid encounter with warring parties;
 - ✓ capacity building for *community-level prevention and response*;
 - ✓ *investigations into attacks*, publication of their findings and appropriate follow-up;
 - ✓ *codes of conduct with warring parties* that explicitly guarantee protections for education, according to existing legal obligations.
- Develop and/or support educational policies and plans that strengthen the **conflict prevention, mitigation and peacebuilding** role of education, as recommended in the 2011 EFA GMR, including adjustments to:
 - ✓ *education planning and management*, to mitigate grievances over unequal access to quality education by different ethnic, religious or political groups;
 - ✓ *curriculum and textbook development*, to remove bias and develop competencies for responsible citizenship, conflict resolution, respect for human rights and humanitarian norms;
 - ✓ *teacher training and support*, to provide a teaching force with competencies for meeting students' psychosocial needs and peace-building, together with equitable recruitment policies;
 - ✓ *school climate*, including an end to violence within schools, from teachers or within the student body;
 - ✓ adequate reconstruction programming for *higher education*, including upgrading and modernisation of education faculties.
- Promote the education of refugee students at all levels under conditions similar to those for nationals, and official certification of studies undertaken in refugee schools.
 - ✓ Member States should open their borders and institutions to *host academic refugees and refugee students* and help ensure that they can continue their education, teaching and research work until conditions permit a safe return to their home country or region.

Donors and other international actors should integrate these approaches into their policies for international educational assistance.

3.3 ACTIONS TO STRENGTHEN SAFETY AND DISASTER RISK REDUCTION (DRR)⁹

11. *Also urges* Member States to ensure that disaster risk and safety considerations are factored into all phases of the planning, design, construction and reconstruction of educational facilities, through the consideration, inter alia, of the recommendations contained in the “Minimum standards for education: preparedness, response, recovery” handbook of the Inter-Agency Network for Education in Emergencies and its “Guidance notes on safer school construction”

CONTEXT

- All students have the right to safe education and teachers have the right to a safe workplace. This requires *systematic development of safety and security measures*, notably through disaster risk reduction (DRR).
- Worldwide, approximately 1.2 billion students are enrolled in primary and secondary school; of these, 875 million school children live in high seismic risk zones and hundreds of millions more face regular floods, landslides, extreme wind and fire hazards (INEE, 2009).
- DRR includes all strategies and practices designed to *minimise vulnerability and disaster risk as well as build resilience* at all levels of society (SC, 2009b). Schools can play a vital role in disaster risk reduction – providing training and involving children in devising local strategies to reduce the risk and consequences of future disasters.
- The increasing number of *small-scale, localized and often chronic disasters* is largely ignored by international actors, although they may have as strong an impact on the poor as more visible large-scale disasters. Frequent local flash floods, landslides, blizzards or wildfires go unreported but affect poor families and cause death, injury, and damage and destroy community property and assets, including education facilities. Strengthening community preparedness to anticipate and respond to the small-scale hazards can help mitigate their impact and prevent disasters.

DEVELOPMENTS AND CHALLENGES

- Over the next six years, the number of people affected by climatic crises is projected to rise by 54% to 375 million (SC, 2010: 1); the frequency and magnitude of extreme climatic events impacting human settlements will continue to rise and *students will be increasingly exposed to and at risk of natural disasters*. DRR has been highlighted by the UN Secretary-General Ban Ki-Moon as the first line of defence in adapting to climate change.
- Save the Children, in a recent policy brief, estimated that *over 2 million children are severely affected every year by natural disasters*, with the potential of dropping out of school and not returning if education is not restored in the initial stages of a response.
- Although children spend up to 50 percent of their waking hours in school facilities, all too often schools are not constructed or maintained to be disaster resilient. Education facilities continue to be built with *unsafe designs* and *without effective monitoring of and accountability for construction standards*. The recent exercise of developing a Children’s Charter for disaster risk reduction, working with children in 21 countries, showed that education was the greatest concern.

⁹ See *The Hyogo Framework for Action 2005-2015: Building the resilience of nations and communities to disasters*. Priority 3 asks states to ‘use knowledge, innovation and education to build a culture of safety and resilience at all levels.’

Children's Charter for Disaster Risk Reduction¹⁰

- 1) Schools must be safe and education must not be interrupted.
- 2) Child protection must be a priority before, during and after a disaster.
- 3) Children have the right to participate and to access the information they need.
- 4) Community infrastructure must be safe, and relief and reconstruction must help reduce future risk.
- 5) Disaster Risk Reduction must reach the most vulnerable.

- In 2010, the Inter-agency Network for Education in Emergencies (INEE) co-led a consultative process to develop INEE *Guidance Notes on Safer School Construction*.¹¹ These Guidance Notes provide a framework of guiding principles and general steps to develop a context specific plan, through the disaster resilient construction and retrofitting of school buildings. (See also Annex 3.)
- Since lead responsibility for DRR in most governments rests mainly with institutions managing emergency response, few countries have ensured comprehensive implementation of disaster preparedness. It is essential to engage ministries of education, planning, water and sanitation, nutrition and agricultural development, as well as national institutes for disaster management, in a *comprehensive risk management strategy*.
- Education ministries need to engage more vigorously on DRR: by raising awareness within school communities; building a culture of prevention by mainstreaming DRR into education curricula and national education systems; and making education buildings safer by assessing the vulnerability of facilities, retrofitting unsafe school/education buildings, building new earthquake and flood resistant schools and higher education facilities, and relocating facilities away from high risk areas.

¹⁰ The Charter was developed by more than 600 children in 21 countries, with support from a coalition of organizations including UNICEF, Save the Children, Plan International and World Vision, and launched in May 2011.

¹¹ Partner agencies comprised the Global Facility for Disaster Reduction and Recovery (GFDRR) at the World Bank, the Coalition for Global School Safety and Disaster Prevention Education, the IASC Education Cluster and the International Strategy for Disaster Risk Reduction.

KEY RECOMMENDATIONS

To meet the human rights obligation to provide education that is as safe as possible, states and international actors should *embed disaster risk reduction into educational policies and programmes at national and local level*, including the development and use of hazard-resistant building specifications, preventive curriculum and teacher training, and local hazard assessment and preparedness.

States should:

- Develop clear *government policy and legislation on DRR in general and for DRR education in particular*, as well as capacity and resources for identifying and implementing appropriate action at the local level.
 - ✓ Establish *preventive measures*, including *developing and piloting guidelines for safety of education buildings*, multi-hazard early warning systems, and rapid response systems to alert officials and communities to both slow and rapid onset disasters.
 - ✓ Ensure that *all new education buildings* constructed to permanent or semi-permanent standards are DRR-compliant; and introduce *retrofitting* on a phased basis.
 - ✓ Ensure DRR strategies are included in the *school curriculum* and are child-centred.
 - ✓ Draw on *existing good practice*, including the INEE *Guidance Notes on Safer School Construction*, and disseminate good practice guidelines to the national education community.
- Develop *funding mechanisms*, internally and through seeking external funding where needed, to specifically assure that education becomes as safe as possible through DRR-compliant structures, training for all education personnel and curriculum enrichment.
 - Devolve responsibilities and allocate budgets so that local level education authorities have more autonomy to develop, support and fund context-specific local initiatives
- Develop and support *local preparedness initiatives* that include active participation by children, youth, parents and educators themselves at all stages of an education response.
- Draw on the *skills and expertise available among civil society* to support initiatives locally and nationally

Donors should:

- Revise education policies and frameworks developed prior to the 2005 Hyogo Conference to *“institutionalize” DRR in assistance programmes*, taking note of relevant INEE Minimum Standards and guidelines.
- Devise *technical and funding initiatives* to help states achieve the integration of DRR into national and local education sector strategies, infrastructure investments and programming.

3.4 ACTIONS TO STRENGTHEN GENDER EQUALITY AND INCLUSION

12. *Further urges* Member States, in their support for education, to specifically address the gender-specific needs of girls in emergency contexts, including their increased vulnerability to gender-based violence;

14. *Urges* Member States to implement gender-sensitive policies and programme interventions, in order to ensure that populations affected by emergency situations have equal access to safe, quality and relevant education

CONTEXT

- Providing access to quality education for the *most marginalized girls and boys* in conflict-affected contexts and natural disasters, including those with disability, is key to child protection, peace building and development. In particular, female literacy and learning achievements are directly correlated with improvements in national health and economic indicators. In acute emergencies and chronic crises, meeting the distinct needs of girls and young women and ensuring their literacy, wellbeing, and protection, is critical in order to achieve sustainable development.
- All children have the right to education, without discrimination. *Inclusive education* ensures the presence, participation and achievement of all children and young people in education. It involves adapting the culture, policies and practices in education institutions so that they can respond to the diversity of students in their locality.¹²

Inclusive education:

- Acknowledges that all children and young people can learn;
- Acknowledges and respects differences: age, gender, ethnicity, language, disability, HIV and TB status, etc.;
- Includes refugees, the internally displaced, asylum-seekers, children who are unaccompanied or in detention;
- Enables education structures, systems and methodologies to meet the needs of all;
- Is part of a wider strategy and dynamic process to promote an inclusive society.

DEVELOPMENTS AND CHALLENGES

- Emergency situations can *aggravate gender disparities* in access to suitable education. Insecurity on the route to and from school or college, and while attending the institution, mean that parents may keep girls away from school, for fear of sexual violence. Both sexes may be at risk of forced recruitment by armed groups.
- Impoverished families may *prioritize boys' education over that of girls*, specifically in times of crisis, due to economic considerations. Households may give low priority to education of *children with disability*, having less expectation of economic benefits. These problems can increase where the economy has been disrupted by conflict.
- As emphasised in the 2011 *Global Monitoring Report*, the use or encouragement of *rape as an instrument of war* causes insecurity and fear that deters girls and young women, and female teachers, from participating in the education process.

¹² See INEE (2009b; 2010b,c).

- Programmes to enhance inclusion of marginalised groups often require significant resourcing to counter the effects of poverty, cultural and other barriers; and political will may be required where there is exclusion due to ethnicity, religion, language or other issues, and for assuring the education of refugees and asylum-seekers.

KEY RECOMMENDATIONS

States and international actors should include specific commitments to *gender equality and inclusion of marginalized groups* in education policies, programme planning and implementation, and agreements between partners, for populations which have been affected by emergencies, with the aim that disadvantaged or previously excluded learners can access quality, safe, relevant and participatory education.

States should:

- Include specific commitment to gender equality in *programme planning and policies, inter-sectoral agreements and in coordination statements and agreements with partners*, e.g. UN agencies, NGOs, and governments.
 - ✓ Issue *regulations that specifically improve male and female access to education in crisis and post-conflict situations*, including provision of separate toilets for males and females, ensuring some female staff are employed in schools attended by girls, flexible educational opportunities through extending the age for school attendance, and certification of non-formal classes (e.g. accelerated learning programmes, classes for working adolescents) (see INEE, 2010b)
 - ✓ Require education institutions to promote the safety of learners and teachers through *gender-sensitive safety procedures*, such as escorts to and from school for girls, placing learning spaces close to the learners' homes and away from potential dangers such as soldiers' quarters or dense bush.
 - ✓ Promote the right to education by *reducing the cost of schooling for girls' families*, e.g. through feeding programs; provision of take-home rations, non-food items, uniforms, and sanitary supplies.
 - ✓ Work with local organisations/communities, religious leaders and media to promote the right to *culturally acceptable female education*.
 - ✓ Require education institutions to enforce a *gender-sensitive code of conduct for teachers*, with reporting guidelines for violations and follow-up procedures.
 - ✓ Require *disaggregation of education data*, particularly by sex, age, and other categories that impact on inclusion, such as disability.
 - ✓ Require that *school curricula and textbooks, teacher training programmes and supervision* are gender-sensitive and inclusive.
 - ✓ Put policies in place to ensure *gender-balanced selection processes, recruitment, deployment and compensation* of teachers.
 - ✓ Utilize *INEE's Pocket Guides: Gender; Inclusive Education; and Supporting Learners with Disabilities*
- Identify and work to overcome barriers to education or inequitable education provision for groups marginalised by ethnicity, language, religious or political affiliation, remoteness, health status, disability, displacement (refugees, internally displaced, asylum seekers), children in prison, etc.
- Ensure adherence to the Salamanca Statement and Framework for Action on *Special Needs Education*, including in emergency situations;

- Work with community members to *identify all out of school children* and find ways to enrol them in schooling and provide needed support despite the emergency situation.

Donors and other international actors should integrate *inclusion and gender equality measures*, including those cited above, into their policies for international educational assistance.

3.5 ACTIONS TO STRENGTHEN PROVISION OF RELEVANT QUALITY EDUCATION

15. *Also urges* Member States to provide quality education in emergency situations that is gender-sensitive, centred on learners, rights-based, protective, adaptable, inclusive, participatory and reflective of the specific living conditions of children and youth and that pays due regard, as appropriate, to their linguistic and cultural identity, mindful that quality education can foster tolerance and mutual understanding and respect for the human rights of others;

16. *Calls upon* all parties concerned to ensure that all peace processes and agreements and post-conflict recovery, peacemaking and peacebuilding efforts, as well as reconstruction planning, are sensitive to the special and specific needs of women, children and youth and include specific measures for the protection of civilians, including the facilitation of early access to education, learning and training, and to ensure the participation of women, children and youth in those processes;

17. *Calls upon* States and other relevant actors to ensure the facilitation of early access to education and training for children and adults in secure and friendly environments in the aftermath of emergencies, including through the implementation of specific related measures in early recovery initiatives, peacemaking and peacebuilding processes, capacity-building strategies, the participation of children and youth and the mobilization and prioritization of human, technical and financial resources

Ensuring quality education in acute emergencies and chronic crises is critical for lasting peace and development. Such education requires:

- a safe and inclusive learner friendly environment;
- competent, well-trained and appropriately supported teachers who are knowledgeable in the subject matter and pedagogy;
- an appropriate context-specific curriculum that is comprehensible and culturally;
- linguistically and socially relevant for the learners;
- adequate and relevant materials for teaching and learning;
- participatory methods of instruction that respect the dignity of the learner;
- appropriate class sizes and teacher-student ratios;
- an emphasis on recreation, play, sport and creative activities, in addition to areas such as literacy, numeracy and life skills so learners are able to improve not only their cognitive skills, but also prevent a cycle of anger and human destructiveness at a social and generational level (INEE, 2010d).

CONTEXT

- The Dakar Framework stresses ***literacy, numeracy and “life skills” education*** appropriate to the needs of young people in particular locations as vital aspects of quality, but in many emergency settings these objectives are not met.
- Data presented in the recent ***Education for All Global Monitoring Report*** (UNESCO, 2011) show ***achievement gaps*** within countries correlated with socio-cultural and economic factors; these gaps are often widened in situations of emergency and post-conflict. Narrowing the gaps requires attention to provision of qualified teachers and education materials, ensuring adequate real teaching time, improved classroom environments.

DEVELOPMENTS AND CHALLENGES

- Insufficient attention to quality issues in needs assessments, and ***inadequate and short-term funding of emergency education and transitional programmes***, contribute to poor morale, poor achievement, and high levels of drop-out in many emergency and post-conflict settings.

- Quality in emergency settings includes *effective teaching of literacy, numeracy and life skills to meet crisis needs* (e.g. health/safety/disaster preparedness, conflict resolution/tolerance/peace)
- Quality in emergency settings includes special attention to *psychosocial needs*, which requires capacity building, resources and timetabling arrangements that allow for recreational and expressive activities, as well as referral of severely affected students for specialist support.
- Quality of schooling issues noted in the 2011 *Global Monitoring Report* as critical to prevention of conflict or its recurrence include:
 - ✓ *language of instruction* – ensuring that children from different language groups can study initially in their mother tongue and transition to languages of study according to a consensus-based national policy;
 - ✓ rethinking the teaching of history and religion, including the **development of history curricula that illustrate different perspectives** on conflict-sensitive issues;
 - ✓ promoting *non-violent* school environments; *curriculum development for peace and citizenship*, including competencies for tolerance, conflict resolution and development of an inclusive sense of civic identity.
- Quality issues for other parts of the education sector are often neglected during emergencies and reconstruction.
 - ✓ Weakening of the quality of *higher education* means that it will be difficult to replace professionals in all sectors of the economy who have lost their lives or emigrated. Student discontent is also destabilising in post-conflict situations.
 - ✓ Priority should be given to funding of university *education faculties as well as teacher training institutions*, to staff the expansion of schooling and its quality, and to provide resource persons to serve as teacher trainers, evaluators, examiners and researchers.
 - ✓ Quality issues for *technical and vocational education* entail adequate resourcing, and adjustment of course offerings and content to meet the labour market requirements and opportunities in the particular crisis or recovery setting. Apprenticeship and internship arrangements are important in learning to cope with difficult work-place realities.
 - ✓ Quality issues for *early childhood and non-formal education* require specialist attention to the requirements of the emergency or post-conflict setting, and dedicated resourcing.
- *Certification of learning achievements* is an integral part of quality education, and must be ensured even in times of crisis. Special attention is needed to ensure *official certification of studies in refugee schools*, and of in-service training provided to refugee teachers.¹³
- Recent efforts to meet the challenge of access to quality education included a consultative revision of the *INEE Minimum Standards for Education: Preparedness, Response, Recovery* (INEE, 2010d), engaging over 1,300 education specialists from 50+ countries; preparation of the accompanying *INEE Guidance Notes on Teaching and Learning*; and the International Save the Children Alliance *Rewrite the Future* campaign which achieved significant gains in access to and quality of education in emergency contexts.

¹³ Access to education and education quality are especially problematic for refugee students, and the quality dimension clearly includes official certification of studies. If countries have not signed the 1951 refugee convention, they may refuse access for refugees to public education on a par with local students. Host governments, and governments of countries of origin, may refuse to recognize the education provided in refugee schools., and the training provided to refugee teachers. Provision of language training is also necessary for quality of education if refugees are to enter a host country education system with a different language of instruction.

KEY RECOMMENDATIONS

States and international actors should *systematically prioritize and fund equitable access to quality education* in which learners achieve sustainable literacy, numeracy, essential life skills, critical thinking and wellbeing, together with subject content as appropriate, as a basic right and an essential prerequisite for national stability, peace building and development. Quality is essential to prevent drop-out and to ensure sustainable learning achievements. States and international actors can refer to the INEE Minimum Standards for guidance on quality and access to education in emergencies.

States should:

- Mobilise *funding for education* in emergency and early recovery contexts to cover quality issues, including:
 - ✓ textbooks and other reading materials for all students, especially those from marginalized groups; *adequate classroom space* (including to minimize the use of multiple school shifts which reduce teaching time); *class size in schools below 40*; *psychosocial/recreational* activities.
 - ✓ ongoing *teacher training and support* geared to better teaching of literacy, numeracy, critical thinking, subject content and life skills (including competencies for disaster preparedness and peace-building) of emergency-affected students and to meeting their *psychosocial needs*.
 - ✓ *review and renewal of curriculum content, textbooks and teacher training*, to promote better learning achievements, oriented to personal and national development and peace-building (see also section 3.2.2 above);
- *Institutionalize the good practices* contained within the *INEE Minimum Standards for Education: Preparedness, Response, Recovery* and accompanying *INEE Guidance Notes on Teaching and Learning*.
- Assure the right in chronic crises and in early reconstruction to *quality education in higher, vocational and technical education and teacher colleges*, such that they have updated curricula, adequate teaching materials, and professional development opportunities for staff, with due attention to disaster risk reduction and education for peaceful reconstruction.
- *Coordinate national programmes and donor assistance* to ensure that quality education is supported at all levels of the education system, notably so that the quality and effectiveness of schooling can be enhanced through deployment of teachers who have received quality education and professional training.

Donors and other international actors should prioritise quality in their policies for international educational assistance and support states in the actions described above.

- Ensure that *needs assessments and funding for education* in emergency and early recovery contexts include attention to quality issues, including:
 - ✓ supply of *educational and recreational materials and textbooks*;
 - ✓ *teacher training and support* geared to better teaching of literacy, numeracy and life skills, coping with large/multi-grade classes, and meeting the *psychosocial needs* of emergency-affected students;
 - ✓ *capacity building for curriculum enrichment and renewal*.
- Ensure *continuity of funding* for education between humanitarian and development assistance.

3.6 MONITORING ACCESS: ACTIONS TO ENHANCE DATA COLLECTION AND DOCUMENTATION

13. *Invites* relevant United Nations entities and partners to allocate sufficient technical expertise to enhance, in close consultation with concerned Member States and relevant authorities, data collection on and documentation of the impact of emergencies on the access of children and young people to quality education, disaggregated by age and gender, and on attacks on educational institutions, students and educators, with due consideration given to information provided by concerned States and relevant authorities;

CONTEXT

- *The EFA Global Monitoring Report (GMR)* collates global data on national education systems. An independent unit housed within UNESCO, the EFA GMR is an authoritative reference that aims to inform, influence and sustain genuine commitment towards Education for All. It complements aggregated statistics with information related to education of marginalized groups, such as children affected by conflict.
- *Collecting education data in emergency and post-conflict situations is extremely difficult.* Obstacles include difficult logistics, physical insecurity, political and ethical implications of activities in rapidly changing environments, and the technical challenges of working with mobile populations and populations with unusual demographic compositions.¹⁴
- The 2011 EFA GMR stresses that needs assessments for education in situations of crisis and fragility often *under-estimate the actual requirements*. In practice, needs assessments and programme proposals are often tailored to low expectations of donor funding, ignoring qualitative aspects of schooling, such as textbook supply, hours of study (reduced when a shift system is used), in-service teacher training (often intensive training is required). Moreover, agencies rarely report in full the lack of material and human resources and infrastructure required to support the rights to secondary and post-secondary education.
- In times of conflict, insecurity, disaster, and/or repression, it is important to collect data on *attacks on education*, their nature and motives, as well as impact, and measures of prevention and response (see section 3.2 above).

DEVELOPMENTS AND CHALLENGES

- States affected by conflict and disaster continue to face *difficulties in collecting and processing standard statistical data*, even though good data would help in identifying and remedying disparities in education access that negate the right to inclusive education and contribute to social tension and/or violent conflict.
- The Global Education Cluster is developing *needs assessment and knowledge management tools* for the detailed information needed to support education response in humanitarian crises. It has developed the *Joint Education Needs Assessment Toolkit* (2010) as well as a *Short Guide for Rapid Needs Assessment* (2010) for guidance on data collection in emergency situations. There is

¹⁴ Schlecht and Casey (2006: 28). Statistics on enrolment and net enrolment ratios computer for emergency situations must be regarded as approximations only. Often, sample household surveys may give more accurate figures regarding how many children and young people are missing out on the right to education in an emergency situation.

a growing interest in rights-based data which reflects *real needs* rather than assessments tailored to low funding expectations.¹⁵

- Data collection on *refugee education needs and programmes* remains difficult to collect due to the numerous national and international actors involved in education provision, with the result that many children and young people are deprived of educational opportunity.

Attacks on education:

- The 2011 *Global Monitoring Report* stressed the damaging consequences of attacks on education for Education For All goals. It suggested that ‘What is missing is a reporting system that systematically and comprehensively *records, analyses and corroborates reported attacks*, identifies those responsible and evaluates efforts to prevent and respond to such attacks.’ (UNESCO, 2011: 196). Such monitoring should address all levels, types and settings of education.¹⁶
- In countries where the MRM is operational, reports from country Task Teams may indicate the occurrence of attacks on schooling (not currently other levels of education), often on a qualitative basis focusing on individual attacks.¹⁷
- The CPC Learning Network and Education Above All have consulted key stakeholders as part of a *Feasibility Study for A Global Monitoring System for Attacks on Education* (due to be completed in July 2011).
- The Institute of International Education (IIE) has published an analysis of *scholars seeking temporary visiting fellowships outside their country of residence* due to threats and persecution from a variety of sources, including state and non-state actors.¹⁸ IIE, the Scholars at Risk Network, and the Council for Assisting Refugee Academics, among others, monitor the world-wide situation of attacks against scholars, noting increases in certain countries in recent years.

¹⁵ As part of its *2011-2013 Strategic Plan*, the Education Cluster envisions instituting a number of as-of-yet unfinanced activities to improve information management at both the global and country levels. Funding is needed to enable the Cluster to develop a comprehensive information and knowledge management system on humanitarian education provision and needs.

¹⁶Participants at a workshop convened by the Child Protection in Crisis Network and EAA in May 2011, to discuss an ongoing feasibility study for a global monitoring system, suggested that an investigative network able to collate available global data and in-depth studies would be the most practicable model.

¹⁷ For a discussion of attacks on education in the context of strengthening legal accountability, prevention, and response, see section 3.2 (above).

¹⁸ Jarecki and Kaisth (2009). This study correlated data from the Institute of International Education’s Scholar Rescue Fund with factors such as GDP, population, and level of conflict and with rankings that measure failed state status, press freedom, and country freedom. Such correlations may be important to the identification of indicators of nascent crises in the education field, which may then trigger early warning and response.

KEY RECOMMENDATIONS

States and international actors should *improve the collection, collation and analysis of education data and needs assessments* in areas affected by conflict and disaster, including assessment of met and unmet needs. Especial attention should be paid to data collection on the education of refugee and internally displaced children and young people, including at least sample household data on out-of-school children. A global statistical report on education in emergency and post-conflict situations should be prepared through an appropriate inter-agency mechanism over the period 2012-2014, in advance of the Education for All target date of 2015; including recommendations for strengthening data collection and reporting mechanisms.

States should:

- *Improve the collection of education data and include all levels and types of education in needs assessments* for areas affected by conflict or disaster.
- Collect and analyse data on *inequalities in access to primary, secondary and tertiary schooling, and on quality issues*, using sample surveys and focus groups as appropriate, in order to quantify inequalities between different ethnic/religious groups that may be drivers of conflict or fragility; and to monitor progress in reducing such inequalities.

Donors should:

- Take steps to improve the quality and coverage of local, national and global statistics regarding *met and unmet education needs of emergency-affected populations, including refugees and other displaced populations, and returnees*, for all levels of education. Building local and national capacity to collect statistics is essential and UN agencies as well as civil society should prioritize building a government's capacity to collect data. Additionally, building the strengths of local communities in monitoring numbers of out-of-school children is an important step to ensure ground-work data is available.
- Support the development of *improved needs assessment and monitoring processes* at local, national and international level, including through the Education Cluster's Knowledge Management initiative.
- Create ongoing support to UNESCO's Institute of Statistics for a *specialized section on education in emergencies and recovery*, with monitoring of out-of-school children.
- Ensure the coverage of *education in emergency and post-conflict situations* in the Education for All Global Monitoring Report. Data on refugee and IDP populations, from UNHCR, UNRWA and other UN agencies, should be included.
- Support the preparation of a *global statistical report on education in emergency and post-conflict situations* through an appropriate inter-agency mechanism over the period 2012-2014, in advance of the Education for All target date of 2015; including recommendations for strengthening data collection and reporting mechanisms.
- *Strengthen global data collection on attacks on education* and related issues through enhancement of current monitoring systems and inclusion of attacks on higher education. An

independent inter-agency initiative should be supported to guide and oversee this process, possibly through the Global Coalition to Protect Education from Attack.

- Include attacks against education, as well as other violations of the right to education in situations of emergency, fragility and recovery, among other factors when assessing national progress in the broader areas of health, education, economy, and development on a global, regional or national basis.
- ***Add attacks against education into existing assessments, publications, and reports*** as an important factor affecting the social, economic, and political progress of countries and regions.

ANNEX 1. FINANCING GAPS FOR EDUCATION IN EMERGENCIES, FRAGILITY AND RECOVERY

- The 2008 global financial crisis continues to resonate in diminished aid to education. This affects countries suffering from the effects, or at risk, of conflict or disaster.
- Current trends indicate a donor prioritization of countries tied with donor security priorities (thus limiting funding for protracted ‘forgotten emergencies’). Save the Children estimated that education represented on average 4.2% of the requests for immediate humanitarian funding, yet it received only 2.3% of the funding available between 2006 and 2009. (SC, 2010: 38).
- Education is underfunded in humanitarian crises, only reaching significant funding peaks in the context of highly impactful and publicised emergencies, including the 2005 Indian Ocean tsunami, the Haiti earthquake and the 2010 Pakistan floods.¹⁹ Over the period of 2001-2010, education has accounted for 4.1% of all funding requests, but only 2.4% of the funding.²⁰ In 2009, for example, only 31% of the total funding requests were met for education in emergencies (SC, 2010: 38) and humanitarian aid for education amounted to only 2% of total humanitarian aid (UNESCO, 2011:30).
- Official Development Assistance (ODA) to fragile states remains highly concentrated, with 51% of 2008 ODA for 43 fragile states benefitting just six countries, which account for only 23% of the population of the total fragile states group. Concentration of aid has also been increasing over the past decade: Afghanistan and Iraq account for 34% of all increases in ODA since 2000, while 10 fragile states have seen lower ODA levels in 2008 in real terms compared to 2000 (OECD-DAC, 2010: 2).
- Addressing education finance in emergency contexts is an urgent and essential component of improving the delivery of education in disaster- and conflict-affected states. The Education For All -Fast Track Initiative can provide funds in protracted crisis, but has lacked the capacity to deliver financing in acute emergency settings. In addition to bi-lateral support a number of additional financing modalities exist²¹ to finance education in emergencies, but these are still not adequately bridging the gap between what funding is needed and what is committed (SC, 2008: 14). While strong arguments are made for donors to engage with fragile states (rights-based, but also in the interest of global security and economy), in reality, aid allocation patterns are biased against them. With regard to total ODA levels, the increasing use of performance-based allocation systems is hard to reconcile with the discourse of priority to addressing fragility (Dom, 2009:8).
- Traditional and emerging donor countries should cooperate to ensure that education is adequately funded in every humanitarian response, through the transitional phase to development funding. Donor agencies and countries need to adopt a medium- to long-term funding perspective, yet retain the flexibility to address changes in the short-to-medium term (INEE, 2010a).

¹⁹ Unpublished, Global Education Cluster Funding trends summary (April 2010) .

²⁰ Unpublished, Global Education Cluster Funding trends summary (April 2010) and SC (2010,a).

²¹ For further discussion, see: Thomson and Karachiwalla, N., with Hinchliffe (2009).

ANNEX 2. DEVELOPMENTS RELATING TO PROTECTING EDUCATION FROM ATTACK, 2008-2011

- Special Rapporteur on the Right to Education's Report on *The Right to Education in Emergency Situations* (May 2008)
- Day of Discussion on Education in Emergencies, Committee on the Rights of the Child (September 2008)
- GA Thematic Debate on Education in Emergencies (March 2009)
- Institute of International Education report: *Scholar Rescue in the Modern World* (May 2009)
- International expert UNESCO seminar on Protecting Education from Attack (September 2009)
- UNESCO publications (2010): *Education under Attack 2010*; *Protecting Education from Attack: a State of the Art Review*
- UN/NGO Global Coalition for Protecting Education from Attack (GCPEA) established in February 2010
- Security Council Presidential Statement on Children and Armed Conflict specific condemnation of the growing number of attacks and threatened attacks against education (June 2010)
- GA Resolution on the Right to Education in Emergency Situations (July 2010)
- Revision of Inter-agency Network for Education in Emergency (INEE)'s *Minimum Standards for Education* handbook with greater focus on protecting education from attack and conflict mitigation (July 2010)
- Draft resolution on education of migrants, refugees and asylum seekers adopted by Human Rights Council (November 2010)
- Education under Attack Workshop sponsored by UNICEF in Bangkok (September 2010)
- Human Right Watch report: *Schools as Battlegrounds* (January 2011)
- Publication of *Education for All Global Monitoring Report (EFA GMR) 2011* with a focus on education and conflict (March 2011)
- GCPEA briefing of the Office of the Prosecutor, International Criminal Court, on the need for accountability for attacks on education (March 2011)

ANNEX 3. INEE MINIMUM STANDARDS: NOTES ON BUILDING STANDARDS FOR DISASTER RISK REDUCTION

(see INEE, 2010d)

“It is important to consider the following elements in the design and construction of temporary and permanent education facilities.

- **Safe site selection:** the structural safety of damaged school buildings needs to be assessed by qualified professionals, and buildings prioritised for re-occupancy, repair, retro-fitting or replacement, based on need and cost.
- **Inclusive and disaster-resistant design and construction:** international planning and building code standards for schools (or local codes when they are of a higher standard) should be applied to temporary and permanent construction. School facilities should be designed, constructed and maintained to be resilient in the face of known hazards and threats such as fire, storms, earthquakes and landslides. Reconstruction efforts should ensure that going to school will not expose learners, teachers or other education personnel to avoidable risks; design and construction should ensure adequate lighting, cross-ventilation and heating (as appropriate) to promote a quality teaching and learning environment.
- Whether the structure can be ***maintained by local authorities and the local community*** at an affordable cost: locally procured materials and labour should be used to build the structure wherever feasible. Steps should be taken to ensure that structures are cost-effective and that physical features (e.g. roofs, floors) are durable.
- **Available budget, possible current and long-term uses**, and involvement of communities and education planners and managers.”

See also the Standards for Assessment and Response Strategies.

- Analysis Standards 1: Assessment. “Timely education assessments of the emergency situation are conducted in a holistic, transparent, and participatory manner.” Key actions related to this standard include awareness of local perceptions, developing capacities, and participation, in addition to stressing inclusive and gender-sensitive strategies.
- Analysis Standard 2: Response Strategies. “Inclusive education response strategies include a clear description of the context, barriers to the right to education and strategies to overcome those barriers.” Ensuring that disaster risk and safety considerations are incorporated into response strategies necessitates their inclusion in the needs assessment process, planning and implementation programmes.

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