



Save the Children Rewrite the Future

Preventing attacks on schools Policy brief 2009

In January 2009, the Israeli army shelled a UN school during the intense conflict in Gaza, causing outrage across the world. In the Democratic Republic of Congo only months earlier, Ugandan rebels of the Lord's Resistance Army attacked a primary and secondary school and abducted as many as 90 children to use as child soldiers or 'wives'¹.

These are not isolated incidents; attacks on schools are widespread and form a pattern of grave human rights violations.² Since the beginning of 2009, hundreds of thousands of children have been unable to go to school as they and their teachers were caught in conflict and often subjected to violent assault.

Schools under attack

The targeting of schools is not new; but the changing nature of conflict, with civilians, including children, increasingly becoming the subject of violence and atrocities,³ coupled with a culture of impunity, means it is an ever-increasing risk.

Schools should be safe places where children's development is fostered and opportunities created. Instead they are often sites of violent attack with little retribution.

- In **Colombia**, paramilitary groups and some rebel forces have targeted schoolchildren and teachers during decades of civil war. Between 2000 and 2006, 310 teachers were murdered,⁴ and in 2003, Human Rights Watch estimated that there were more than 11,000 child combatants.⁵
- During the 30-year conflict in **Northern Ireland** and even since the signing of the peace agreement, schools have been subject to sectarian attacks – children and their education are considered legitimate targets for expression of hatred and anger.
- In **Afghanistan**, the Taliban has led a vicious campaign to prevent children – especially girls – from receiving an education. They have attacked schoolgirls with acid,⁶ killed teachers and workers from non-governmental organisations,⁷ and closed schools. Between January 2005 and June 2006 alone, there were 204 attacks on schools, teachers, and students.⁸
- In **Iraq**, parents are afraid to let their children make the journey to school. Schools have been damaged and destroyed. Attendance at schools dropped from 75% to 30% between 2005 and 2006.⁹

While there are no global statistics¹⁰ on attacks on schools, it is clear that violence against students, their teachers and other staff, and schools is a growing problem. Data on terrorism, of which attacks on schools accounts for only a portion, suggests that the number of terrorist attacks on educational institutions increased six-fold between 2003 and 2006.¹¹ International and national laws prohibiting such violations are not enough on their own to prevent these attacks.

"The worst day was the first day. I was in the school when they started the air strikes, and the window fell on me and my friend. Many girls started vomiting, and I kept shaking. When I came back to the school, I was so happy to see my friends again. But one of my closest friends came without her uniform because they destroyed her home. When I saw her, I started to cry with her in the schoolyard."

Nawal, 12, of Maghazi girls' school in Gaza, which was bombed in December 2008 and January 2009

Contravening international law

As the Special Rapporteur on the Right to Education, Vernor Muñoz Villalobos, states: ‘Security in schools, meaning not only physical, psychological, and emotional safety, but also an uninterrupted education in conditions conducive to knowledge acquisition and character development, forms part of the right to education. This means that states have a responsibility to punish perpetrators and devise effective methods of protection.’¹²

Where national governments are unwilling or unable to prevent such attacks, or where they are responsible for such atrocities, the international community has a responsibility and a mandate to act. Failure to do so condemns children and their communities, to immediate dangers and blights their future.

Attacking a school violates international law, as outlined in:

- the Hague Conventions, which state that institutions dedicated to education must not be targeted for attack;
- the Geneva Conventions, specifically the Fourth Geneva Convention, Additional Protocol I, and Protocol II, which address the protection of civilians in times of war;
- the Rome Statute, which defines all attacks on civilians and on non-military targets as war crimes; these attacks can be prosecuted through the International Criminal Court.

Attacks on schools clearly violate children’s fundamental human rights. They threaten their right to life, as stated in Article 3 of the Universal Declaration of Human Rights (UDHR) and Article 6 of the United Nations Convention Rights of the Child (UNCRC). And they undermine children’s right to education, as enshrined in Article 26 of the UDHR and in Articles 28 and 29 of the UNCRC.

Despite these strong legal provisions, forms of legal redress often prove inadequate and are not properly administered. In some cases this is because schools are appropriated by military or armed groups, casting doubt on the sanctity of a school as a civilian structure dedicated to learning. But in most instances continued impunity stems from a lack of monitoring and reporting of human rights violations and concrete action to hold perpetrators to account.

The UN Security Council Monitoring and Reporting Mechanism (MRM) can and should be able to fill this gap. Established in 2005, it enables the UN Security Council to monitor and respond to six grave violations of children’s rights during conflict, including attacks on schools¹³. The MRM has helped reduce the recruitment and use of child soldiers.¹⁴ But it has yet to effectively address other grave violations, including attacks on schools.¹⁵

UNESCO’s 2007 *Education Under Attack* report¹⁶ outlined different types of attacks on schools – bombings, targeted killings, illegal detention and torture of teachers and other staff, abduction of students, rape, and forced recruitment of child soldiers¹⁷. It also outlined different approaches to preventing them, from employing armed guards to removing children from school.¹⁸ However, these initiatives must also be supported by greater international action.

David and Gerard, both 16, were abducted from their school in the Democratic Republic of Congo.

“Where we used to go to a school, we’d sometimes see the armed group pass by, looking to recruit children. One day, as we were walking home, the road in front of us was blocked by the soldiers. We were taken to their camp. There were 12 of us. In the camp, they taught us how to fight and shoot. And they beat us often.

“The training camp was an old school that the armed group had captured. They’d sent the girls and older teachers home. The younger teachers were made to stay.”

David and Gerard escaped from their captors after two days and are now being cared for by the UN.

Education is an investment in peace

More must be done to safeguard schools and enable children to access quality education. Even as war rages around them, the benefits – short and long term – are too great not to act.

Education helps children overcome the trauma of conflict. In her 2008 report, the Special Representative of the Secretary-General for Children and Armed Conflict, Radhika Coomaraswamy¹⁹ notes that “education and schools must be treated as ‘safe zones’ for children in the midst of conflict.” She also highlights how education can play a crucial role in reintegrating children affected by armed conflict back into their communities.

Safeguarding schools against attack supports children’s immediate wellbeing because it:

- upholds children’s rights to an education;
- offers children and teachers immediate protection from death or bodily harm;
- means they can receive education about the dangers of landmines and unexploded ordnance, and HIV and AIDS, and learn about health and hygiene;
- provides safe areas for children’s play and temporary learning centres that can provide an effective way to identify and reunite separated children with their families;
- ensures children who attend school are less vulnerable to being recruited into armed groups, to abusive work, or to being trafficked.

Ensuring schools are safe is also vital for the long-term development of children – and their country:

- Studies show that one year of education can raise the living wage of men and women by an average of 10%; and that increased levels of decent primary and secondary quality education in a country reduce conflict, helping it to escape the ‘conflict trap’.²⁰
- Every additional year of formal schooling for males reduces the risk of their becoming involved in conflict by 20%.²¹ Of the world’s 20 poorest countries, 16 have experienced civil war during the last 20 years.²² If children’s access to high-quality education is protected it can help lift the country out of cycles of conflict and poverty and onto a positive development trajectory.

What we are calling for

Attacks on schools constitute a war crime. Save the Children strongly condemns the targeting of schools for attack under any circumstances. We’re calling on the governments to use all possible influence and work with the international community – governments, donors and the UN – to bring an end to the impunity with which these attacks are carried out and prevent further violations against children and their teachers, in or en route to school.

- Preventing attacks on schools and bringing those responsible to justice must be given higher priority by international human rights monitoring bodies such as the UN Security Council and the Human Rights Council.
- The UN Security Council should work with member states to ensure the prosecution of perpetrators of attacks on schools, either through domestic law or the International Criminal Court.
- A new Security Council resolution is urgently required to expand the trigger for the application of the MRM to all six grave violations, not just child soldiering as is currently the case.²³
- Schools must always be used as civilian structures dedicated to learning, and must never be used for military purposes.
- Governments and the international community must guarantee safe places for children’s education during conflict-related crises.
- Quality education in conflict-affected fragile states must be a priority for donor investment.

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References

¹ A term used to describe girls forced into sexual slavery by armed militia

² In July 2005, UN Security Council Resolution 1612 requested the immediate implementation of a monitoring and reporting mechanism to keep under review six categories of grave violations of children's rights during armed conflict, which include attacks on schools. See *Full of Promise: How the UN's Monitoring and Reporting Mechanism can better protect children*, the Humanitarian Practice Network, Paper Number 62. Overseas Development Institute <http://www.odihpn.org/report.asp?id=2961>

³ Report of the Special Representative of the Secretary-General for Children and Armed Conflict A/62/228 pp16

http://www.un.org/children/conflict/_documents/machel/MachelReviewReport.pdf

⁴ Federación Colombiana de Educadores, 7 January 2007, 'La Lucha Integral por los Derechos Humanos y Fecode'

http://fecode.edu.co/index.php?option=com_content&task=view&id=159&Itemid=31

⁵ Human Rights Watch (2003) *You'll Learn Not to Cry: Child Combatants in Colombia*

<http://www.hrw.org/reports/2003/colombia0903/>

⁶ For example, according to Afghan police, 15 schoolgirls had acid sprayed in their faces near a school in Kandahar, in November 2008. BBC correspondents said the attack was probably carried out by those opposed to the education of women, "Acid attack on Afghan schoolgirls", BBC News, <http://news.bbc.co.uk/1/hi/world/south-asia/7724505.stm>

⁷ Nicole Dial, Jackie Kirk, Shirley Case and Mohammad Aimal of the International Rescue Committee were killed on 13 August 2008

⁸ Human Rights Watch (2006) *Lessons in Terror: Attacks on Education in Afghanistan*.

<http://www.hrw.org/en/reports/2006/07/10/lessons-terror>

⁹ Fred van Leeuwen, General Secretary, Education International, 16 November 2006, Letter to President Jalal Talabani of Iraq.

¹⁰ Information is available for individual countries from government sources and from reports such as those by the UN Special Representative for Children in Armed Conflict. However, as the Special Rapporteur on the Right to Education said in his 2008 report: "Statistics on conflict-related emergencies remain disturbingly vague, as most are based on estimates, which vary dramatically," Annual Report of the Special Rapporteur on the Right to Education UN A/HRC/8/10 paragraph 22, 2008.

¹¹ Terrorism Knowledge Base, Memorial Institute for the Prevention of Terrorism (<http://www.mipt.org>), quoted in Brendan O'Malley, *Education under attack: A global study on targeted political and military violence against education staff, students, teachers, union and government officials, and institutions*, UNESCO, 2007.

¹² Annual Report of the Special Rapporteur on the Right to Education UN A/HRC/8/10 paragraph, 2008

¹³ These six violations the MRM covers are: killing or maiming of children; recruiting or using child soldiers; attacks against schools or hospitals; rape or other grave sexual violence against children; abduction of children; and denial of humanitarian access for children.

¹⁴ For a full assessment of the MRM see Katy Barnett and Anna Jefferys (2008) 'Full of Humanitarian Practice Network (HPN) Number 62, September 2008 promise: How the UN's Monitoring and Reporting Mechanism can better protect children'.

¹⁵ Ibid

¹⁶ O'Malley, 2007

¹⁷ Ibid, p 13

¹⁸ See Ibid pp 32

¹⁹ UN report A/63/227, 6 August 2008

²⁰ P Collier et al, 'Breaking the Conflict Trap: Civil War and Development Policy, World Bank, Washington DC, 2003

²¹ Ibid

²² *Rewrite the Future: Education for children in conflict affected countries*, International Save the Children Alliance, p 14, 2006

²³ See *Full of Promise: How the UN's Monitoring and Reporting Mechanism can better protect children*, the Humanitarian Practice Network, Paper Number 62: pp 16. Overseas Development Institute