**Submission to the Special Rapporteur on the Right to Education from the Global Coalition to Protect Education from Attack, January 13, 2023.**

1. The [Global Coalition to Protect Education from Attack](https://protectingeducation.org/about-us/who-we-are/) (GCPEA) makes this submission to the Special Rapporteur on the Right to Education as part of the “**Call for Contributions: The right to education, advances and challenges**.”
2. GCPEA was established in 2010 by organizations from the fields of education in emergencies and conflict-affected fragile states, higher education, protection, international human rights and humanitarian law who were concerned about on-going attacks on educational institutions, their students, and staff in countries affected by conflict and insecurity. GCPEA is an international coalition of organizations that includes: Amnesty International, Education Above All Foundation through its program Protect Education in Insecurity and Conflict, Human Rights Watch, Plan International, Save the Children, UNICEF, UNESCO, and UNHCR.
3. **Assessing the achievements made by the mandate of the Special Rapporteur on the right to education over the last 25 years.**

***International advancements***

1. GCPEA requests that the following progress in protecting education from attack at the international level be considered when evaluating achievements over the last 25 years, and that, in the future, the mandate of the Special Rapporteur fully incorporates the protection of education, to build on these advances.
2. In 2015, the [Safe Schools Declaration](https://protectingeducation.org/publication/safe-schools-declaration/) (SSD) – championed by Argentina and Norway – was opened for endorsement in Oslo, Norway. The SSD is a political commitment to protect education from attack during armed conflict.
3. Today, [116](https://ssd.protectingeducation.org/endorsement/) UN Member States have endorsed the SSD and begun to take concrete steps to implement its commitments, as documented in GCPEA’s [Factsheet](http://protectingeducation.org/wp-content/uploads/documents/SSD-Fact-Sheet.pdf) on the Practical Impact of the SSD and the SSD [Implementation Resource Bank](https://ssd.protectingeducation.org/implementation/).
4. States that endorse the Declaration also commit to implementing the [*Guidelines for Protecting Schools and Universities from Military Use During Armed Conflict*](https://protectingeducation.org/publication/guidelines-for-protecting-schools-and-universities-from-military-use-during-armed-conflict/) (the *Guidelines*). The *Guidelines* offer a set of simple, clear and practical actions that can help parties to conflict (armed forces and non-state armed groups) to exercise restraint with respect to the military use of educational facilities or mitigate the impact on students’ safety and education when military use does occur. **The *Guidelines* are the only international guidance on military use of educational infrastructure**.
5. In UN Security Council Resolutions [2225 (2015)](http://unscr.com/en/resolutions/doc/2225) and [2427 (2018)](http://unscr.com/en/resolutions/doc/2427), the UNSC expressed “deep concern at the military use of schools in contravention of applicable international law, recognizing that such use may render schools legitimate targets of attack, thus endangering children’s and teachers’ safety as well as children’s education,” and “encourage[d] Member States to take concrete measures to deter the use of schools by armed forces and non-State armed groups.”
6. In 2017, the UN Department of Peacekeeping Operations (DPO) developed a [child protection policy](https://peacekeeping.un.org/sites/default/files/1._protection_-_3_child_protection_policy_0.pdf) that strengthens its policy banning use of educational facilities by peacekeepers, and notes that UN peace operations have an obligation to promote and adhere to the *Guidelines*. UN DPO has subsequently released a range of training materials that reference the child protection policy and ban on military use of schools. GCPEA has not recorded incidents of UN peacekeepers using schools or universities since 2017.
7. The SSD has also been highlighted during the UN Security Council Open Debates on Protection of Civilians, Children and Armed Conflict, and Women, Peace, and Security, as well as at the Human Rights Council.
8. On September 10, 2020, the Security Council, under the presidency of the Republic of Niger, held an Open Debate on Attacks against Schools as a Grave Violation of Children’s Rights - the first formal debate by the Security Council on attacks on education.
9. The UN Security Council issued a Presidential Statement (PRST) on September 10, 2020 – the first outcome document solely focused on attacks on education. The PRST noted the efforts of states endorsing the SSD to protect education and highlighted the impact of attacks on education on women and girls.
10. In 2019, the annual UN International Day to Protect Education from Attack was established by a unanimous decision of the UN General Assembly and celebrated on September 9 each year since then to galvanize action to protect education.
11. The UN Security Council Open Debate and [Resolution 2573 (2021)](http://unscr.com/en/resolutions/doc/2573) on the protection of objects indispensable to the survival of the civilian population held on April 27, 2021, referenced the military use of schools in contravention of applicable international law, and recognized the risk that such use might make schools targets of attack and threaten the safety of teachers and students.
12. At the 47th session of the Human Rights Council, in July 2021, the [Resolution on the Right to Education](https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FRES%2F47%2F6&Language=E&DeviceType=Desktop&LangRequested=False) was adopted. It referenced the SSD and the *Guidelines* for the first time, and called on states to consider implementing them.
13. On October 29, 2021, the UN Security Council unanimously adopted [Resolution 2601 (2021)](http://unscr.com/en/resolutions/doc/2601) on the protection of education during conflict, the first thematic resolution on attacks on education. It condemns attacks against schools, children, and teachers and urges parties to the conflict to immediately safeguard the right to education. The resolution references the SSD, and makes explicit the links between education, peace, and security.
14. A UN Security Council Arria-Formula Meeting was held on December 6, 2021, to discuss concrete steps for implementing Resolution 2601, including through implementing the SSD.
15. High-level UN officials have expressed support for the Declaration, including UN Secretary-General António Guterres, who urged all states to endorse the Declaration in his annual reports on children and armed conflict in 2018, 2019, 2020, 2021, and 2022.
16. The Secretary-General’s Special Representative for Children and Armed Conflict, Virginia Gamba, regularly calls for endorsement of the Declaration, and conducts bilateral advocacy with states to encourage endorsement and implementation.

***Domestic Measures to Protect Education from Attack***

1. GCPEA collects examples of good practice by states in implementing the SSD or protecting education from attack in national legislation, policy, and military doctrine. Some examples include the following:
2. **Denmark, Ecuador, New Zealand,** and **Switzerland** have updated their military manuals including explicit protections for schools from military use.
3. The **United Kingdom** and **Norway** have updated their military policies to reflect their commitments under the SSD.
4. **The Central African Republic** promulgated a Child Protection Code in 2020, which criminalizes attacks on schools and their occupation. This is the first piece of legislation in Africa banning or criminalizing military use of schools.
5. In **Mali** in early 2019, the education ministry established a Technical Committee for operationalizing the Declaration, including two representatives from the Ministry of Defence. Seven sub-committees have since been established at local levels. In March 2020, the Technical Committee launched an Action Plan with concrete activities to disseminate the *Guidelines* and incorporate protection of schools and universities into national legislation.
6. In **Mali** in May 2020, the Ministry of Education and the Technical Committee issued a letter to the Ministry of Defense asking them to respect the spirit of the *Guidelines* while schools were closed due to the pandemic, and not use schools for military purposes. In October 2020, the Technical Committee held a capacity-building workshop on implementing the SSD and the *Guidelines*. Mali is also reportedly working on a draft law on Protecting Schools and Universities during the Armed Conflicts in Mali.
7. In 2021, **Nigeria** released its National Policy for Safety, Security and Violence-Free Schools. The Nigerian Ministry of Defense, in collaboration with the Education in Emergencies Working Group Nigeria, developed a Safe Schools Declaration Trainer's Guide and Participants' Manual for Nigerian Security Agencies and Human Rights Institutions.
8. In December 2022, **Nigeria** launched its National Plan for Financing Safe Schools (2023-2026). The Plan will be implemented over four years (2023 – 2026), with a total investment of N144.77b ($325m).
9. **South Sudan** developed ‘Safe School Declaration Guidelines’ to disseminate the Guidelines and their incorporation into the South Sudan People Defense Forces’ code of conduct.
10. The **Philippines** adopted [Children in Situations of Armed Conflict Bill](https://www.officialgazette.gov.ph/downloads/2019/01jan/20190110-RA-11188-RRD.pdf) in January 2019, which criminalizes the occupation of schools or disruption of education activities during armed conflict. In addition, the Department of Education issued a [National Policy Framework on Learners and Schools as Zones of Peace](https://www.deped.gov.ph/wp-content/uploads/2019/11/DO_s2019_032.pdf) in November 2019.
11. **Main challenges and crucial issues for the future**
12. **Attacks on education and military use of schools and universities, constitute some of the most critical impediments to the realization of the right to education**.
13. In 2020 and 2021, GCPEA identified over 5,000 reported attacks on education and cases of military use of schools and universities. Over 9,000 students and educators were abducted, arrested, injured, or killed in these attacks.
14. Globally, attacks on education increased in 2020 and 2021, as compared to 2018 and 2019.This upward trend appears to be continuing in 2022, according to the SRSG CAAC’s recent [press release](https://childrenandarmedconflict.un.org/2022/12/attacks-on-schools-increased-a-year-after-adoption-of-resolution-safeguarding-right-to-education/).
15. According to GCPEA’s report, [*Education under Attack 2022*](https://protectingeducation.org/publication/education-under-attack-2022/), at least 84 countries experienced attacks on education or military use in 2020 and 2021, including 28 countries with a systematic pattern of attacks on education (Afghanistan, Azerbaijan, Burkina Faso, Cameroon, Central African Republic, Colombia, Democratic Republic of Congo, Ethiopia, India, Iraq, Kenya, Libya, Mali, Mozambique, Myanmar, Niger, Nigeria, Pakistan, Palestine, Philippines, Somalia, South Sudan, Sudan, Syria, Thailand, Turkey, Ukraine, and Yemen).
16. Attacks on education constitute one of the six grave violations committed against children during armed conflict and monitored by the UN Monitoring and Reporting Mechanism. These attacks can harm or even kill students and educators, and destroy schools and universities, which has long-term consequences for students in the community, such as the inability to continue studies.
17. GCPEA advocates for parties to armed conflict to refrain from using schools and universities for military purposes (such as bases, barracks, shelters, weapon stores, detention or interrogation centers, or for training). Military use of schools or universities may render them legitimate targets of attack.
18. In addition to the risks of death or severe injury from attacks, students may be exposed to recruitment or sexual violence perpetrated by armed parties, they may witness violence or suffer psychological trauma, and their safety may be jeopardized by the presence of weapons or unexploded ordnance.
19. The use of educational facilities for military purposes can also result in damage or destruction of infrastructure and the loss of education materials, impacting the quality of education in the long-term.
20. Women and girls can be disproportionally affected by attacks on education and military use of schools. Women and girls are often directly targeted by attacks on education – including through the bombing of girls’ schools - and victims of sexual and gender-based violence, such as rape, and abductions for sexual slavery, and forced marriage, taking place at, or on the way to and from school and university. This violence often results in social stigma and grave health consequences, further impeding their access to, and continuation of, education. Families are also particularly wary of sending girls to schools used by the military, due to the risk of sexual violence. See more [here](https://protectingeducation.org/publication/what-can-be-done-to-better-protect-women-and-girls-from-attacks-on-education-and-military-use-of-educational-institutions/) on what can be done to better protect women and girls from attacks on education.

38. GCPEA’s key recommendations to the Special Rapporteur are as follows:

* **Call on all UN Member States to endorse and implement the Safe Schools Declaration**;
* **Call on all parties to armed conflict to immediately cease unlawful attacks on schools and universities,** and incorporate the [*Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict*](https://protectingeducation.org/wp-content/uploads/documents/documents_guidelines_en.pdf)intomilitary doctrine, operational frameworks, codes of conduct, and training;
* **Call on all parties to armed conflict to provide access to safe, quality education, including for girls, during armed conflict**. States should work with school and university communities and all other relevant stakeholders to develop strategies to reduce the risk of attacks and comprehensive safety and security plans in the event of these attacks;
* **Call on all parties to armed conflict to strengthen monitoring and reporting of attacks on education.**States should collect and disseminate disaggregated data on attacks on education to strengthen mitigation and response plans;
  + GCPEA’s new [*Toolkit for Collecting and Analysing Data* *on Attacks on Education*](https://protectingeducation.org/publication/toolkit-for-collecting-and-analyzing-data-on-attacks-on-education/)offers guidance to ensure fewer attacks go unreported and more effective prevention and response plans can be developed;
* **Call for greater accountability and redress for attacks on education**, including by investigating allegations of violations of applicable national and international law, duly prosecuting perpetrators, and providing non-discriminatory assistance to victims of attacks; and
* **Include recommendations on protecting education from attack and schools and universities from military use in communications with Member States** (allegation letters, urgent appeals, and other letters), particularly to countries directly affected by attacks on education, such as the 28 profiled countries in GCPEA’s *Education under Attack 2022* report.