

Education Under Attack

A guidance note for journalists and photographers

ABOUT THE RIGHT TO EDUCATION INITIATIVE

The Right to Education Initiative (RTE) is an international human rights organisation focusing on the right to education. We promote education as a human right, striving for a world where everyone, without discrimination of any kind, can fully enjoy the right to education in all its dimensions.

We link global, national and local research and evidence based policy dialogue to campaigning and advocacy with the aim of accelerating progress towards the realization of the right to education for all through positive and concrete changes on the ground.

ACKNOWLEDGEMENTS

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All photographs by Diego Ibarra Sánchez, taken in Eastern Ukraine in 2018 © Diego Ibarra Sánchez / Right to Education Initiative

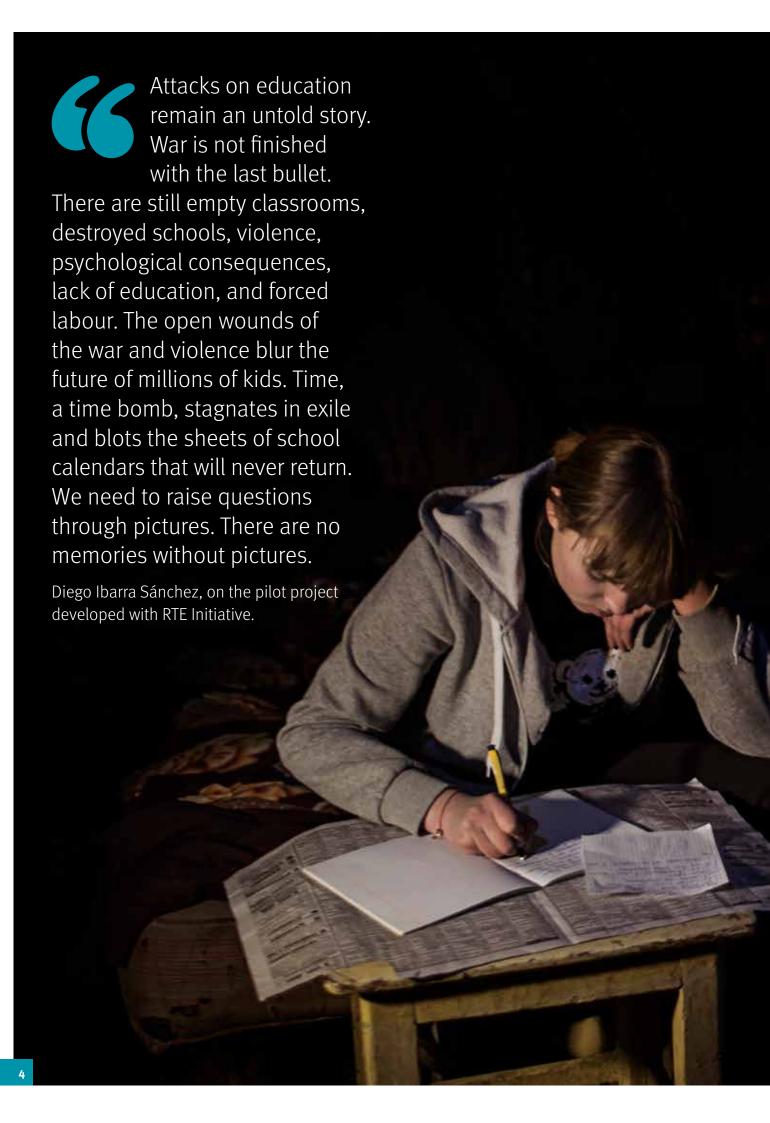
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Changes in the media market following the end of the cold war, the development of new technologies and the hindering consequences of multiple economic crises have strengthened collaboration between journalists, photographers, videographers, and NGOs¹. But despite a long history of partnerships, mutual cooperation falls short when the issue is monitoring violations of the right to education in times of crises. Media reporting on conflict zones could play an enhanced role in helping civil society organisations' (CSOs) efforts to document attacks on education, and CSO knowledge and connections could help journalists uncover important stories from the front lines.

When covering an attack on a school, journalists have the opportunity to thoroughly explore the conditions in which the attack took place and the consequences on those affected by it. They gather information which can later be used as evidence not only on the nature of the attack, but also on when the attack happened, on the number of casualties, and who is reported as responsible for it. With their cameras, photographers and filmmakers capture military presence in schools, destruction of infrastructure, proof of attacks, and the impact of such attacks on students, teachers, and the wider community. All this information nourishes the stories they unravel.



Journalists, photographers, and videographers are storytellers. When they report on a conflict, they break stories of political and military instability, and show how conflict affects everyday lives of people. Stories of schools being hit by a missile or taken over by military forces to serve as storage for ammunition. Stories of children who have abandoned school books to bear guns. Of teachers that are struggling to cope with the consequences of the psychosocial effects of the war on their students' learning abilities. Of school buses caught in crossfires and of underground community libraries and schools set up in tents in a refugee camp. When journalists and photographers report on a conflict, they tell stories of human beings. In doing so, they unveil stories of human rights.

This brief encourages a systematic collaboration focused on collecting and sharing data that may help advance the right to education in emergency situations. It is part of a Right to Education Initiative (RTE) series of briefs designed to help civil society organisations monitor and advocate for the right to education, and includes documents such as a guide on Monitoring Education Under Attack from a Human Rights' Perspective.

In 2018, RTE developed a pilot project with the photojournalist <u>Diego Ibarra Sánchez</u> to explore creative and collaborative ways to monitor the impact of the conflict on the right to education in eastern Ukraine. The partnership also involved the Ukraine Education Cluster, translators, journalists, videographers and other international non-governmental organisations. The result of this collaboration can be seen in the multimedia essay <u>Caught in the crossfire</u>. The <u>right to education in Eastern Ukraine</u>. It combines testimony, photographs, videos, infographics, and a human rights analysis revealing powerful stories of how attacks have undermined the right to education in the region, impacting the physical and emotional health and wellbeing of students, their parents and teachers.

¹ International Crisis Group, Working together, NGOs and journalists can create stronger international reporting.

1. Why is it important to monitor the right to education in conflict and post-conflict situations?

The right to education is a human right, and as such, it is not waived when military hostilities break out.

Under international human rights law, states have a legally binding obligation to ensure the full realisation of the right to education for all and at all times. The Geneva Conventions and their Additional Protocols set the boundaries for the legal protection of civilians in armed conflicts, establishing obligations to all parties in conflict, including non-state armed forces. International criminal law ensures that individuals can be prosecuted for international crimes, such as war crimes and crimes against humanity, and refugee law protects those who have been forcibly displaced by conflict. A whole range of regional human rights instruments, such as the European Convention on Human Rights, the African Charter on the Rights and Welfare of the Child, and the Arab Charter on Human Rights reinforce the protection of the right to education at the regional level.

In addition, a large number of soft law instruments and international policy frameworks, including the Education 2030 Incheon Declaration and Framework for Action and the 2030 Agenda for Sustainable Development, recognise the importance of the right to education and set goals for its implementation. Currently, more than 110 States have made a political and ethical commitment to protect students, teachers, schools and universities from attack during armed conflict by endorsing the Safe Schools Declaration

(2015), which includes a commitment to implement the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict. The Declaration also includes specific commitments to collect and report on attacks on education and to hold perpetrators accountable for such violations.

Despite this solid legal architecture protecting the right to education, state and non-state armed groups continue to perpetrate attacks on education, putting children, teachers, and educational staff in physical, social, and psychological danger. Documenting the violations of their duty to respect, protect, and fulfill the right to education is thus fundamental to minimise the impact of conflict on education and to ensure accountability.

According to the <u>Education Under Attack 2020 Report</u>, more than 11,000 attacks on education were reported in the past five years, affecting over 22,000 students, teachers, and academics. In Yemen, an average of one attack on education per day was reported between



More than

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22,000

students, teachers, and academics were afected



2015 and 2019². In Syria, nearly 280,000 children have had their education interrupted because of the ongoing conflict and at least 180 schools in the area were non-operational because they were damaged, destroyed or are sheltering displaced families³. In the Democratic Republic of Congo, multiple cases of rape and forced marriage were perpretated by armed groups during or after attacks on schools. All over the world, schools and universities have been used as barracks, weapon storage, training camps, interrogation centers⁴.

Attacks on education have long term impacts on the educational system, affecting at least a generation of students: children in fragile, conflict-affected countries are more than twice as likely to be out of school compared with those in countries not affected by conflict. Similarly, adolescents are more than two-thirds more likely to be out of school⁵. The psychological

consequences on students and teachers of attacks on education are incalculable. The Covid-19 crisis reminded the world that schools are supposed to be safe places where children and youth can thrive. It brought to light the importance of socialising while learning and reinforced the need to assure quality education for all, at all times.

Monitoring and reporting on attacks on education is crucial to evaluate the short-and-long-term impacts of conflict on the educational system and to enable the development and implementation of policy strategies to prevent, minimise and reduce its consequences.

Furthermore, monitoring is also essential to:

- > assess the needs of affected children and teachers
- verify compliance with <u>international</u> and <u>national</u> laws
- raise awareness to the state of the right to education as conflict is unfolding
- ensure that those responsible for violations of the right to education are made accountable for their action (commission) and/or inaction (omission)

² GCPEA, Education under Attack 2020, Executive Summary, p. 8.

³ UNICEF, press release, 20 february 2020, https://www.unicef.org/press-releases/children-and-teachers-killed-schools-and-kindergartens-attacked-idlib

⁴ GCPEA reports at least one case of military use of schools in 34 countries in the last five years. <u>Education under Attack 2020.</u>

⁵ Education For All, Global Monitoring Report, Policy Paper 21, June 15, available at https://en.unesco.org/gem-report/humanitarian-aid-education-why-it-matters-and-why-more-needed.

2. What to look for when monitoring attacks on education from a human rights perspective?



Attacks on education take 'various forms and may be carried out for political, military, ideological, sectarian, ethnic, or religious reasons. In some cases, attackers use explosive weapons, arson, or gunfire to damage or destroy school or university facilities. In other cases, attackers directly target students and education personnel with force or threats of force, including sexual violence. Armed forces, law enforcement, other state security entities, and non-state armed groups, also use schools and universities for military purposes, (sometimes while students and teachers continue to

attend classes), or use schools, or school routes, to recruit children to their groups'6.

When monitoring attacks on education, you may want to look at qualitative and quantitative indicators that cover both the enjoyment of the right to education and progress made by States in ensuring the full realization of this right.

⁶ GCPEA, Education under Attack 2020, p. 9.

When monitoring attacks on education, you may want to look at qualitative and quantitative indicators that cover both the enjoyment of the right to education and progress made by States in ensuring the full realization of this right.

BOX I: ASSESSING STATES' OBLIGATIONS TO RESPECT, PROTECT AND FULFILL THE RIGHT TO EDUCATION

Because the right to education is a human right, it is protected by legally binding instruments. It is thus important to assess the <u>international commitments</u> made by states. You might also want to access <u>national laws</u> and policies - the latter will help you verify if the state is making progress in respecting and enforcing the right to education. A few research questions can guide you through this process:

- 1. Is the State <u>signatory</u> to the following international conventions?
 - The International Covenant on Economic, Social and Cultural Rights
 - The Convention on the Rights of the Child
 - The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict
 - The four Geneva conventions and its Additional Protocols
 - The Rome Statute
- 2. Has the State endorsed the <u>Safe Schools Declaration</u> and the <u>Guidelines for Protecting Schools and Universities</u> from Military Use during Armed Conflict?
- 3. Has the government made steps to implement the Safe Schools Declaration by incorporating the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict into national law and/or policies, military doctrine, codes of conduct, rules of engagement and other operational frameworks?
- 4. Has the government adopted specific measures to prevent and combat attacks on education, including military use of schools and universities?
- 5. Are there any specific military orders, policies or programs to prevent sexual violence at, from, and on the route to school by national armed forces and/or foreign forces present in the country (e.g. «zero tolerance policy»)?
- 6. Do national armed forces provide security to educational facilities in conflict-affected areas?
- 7. Are there any provisions in domestic policy or any operational frameworks that addresses the use of and/or requisition of educational facilities (abandoned or functioning) by armed forces during armed conflict?
- 8. Are there legal provisions and/or policies which establish that if schools are blocked or attacked the state can require other public facilities to serve as classrooms in order to ensure continuity of education during hostilities?
- 9. Is there any law banning military training exercises in and around educational institutions?
- 10. What is the minimum age of military recruitment?
- 11. Are there specific programs to reintegrate demobilised child soldiers in the educational system and monitor their learning abilities?
- 12. In the case of occupied territories, is children's education ensured by the occupying power?
- 13. Are child prisoners-of-war given the means to pursue their educational activities?
- 14. Have parties of conflict established (or made steps to negotiate and implement) humanitarian corridors that are free of all types of attacks?

Besides assessing States' obligations, you might want to look at specific indicators referring to different types of attacks. We have identified three categories of attacks on education⁷ (hereafter). For each category, there is a specific set of questions you might want to look at.

⁷ RTE has limited the attacks to three categories, but other organisations work with different classifications. For example, GCPEA works with five attacks on education and the military use of schools and universities, for six total. See the GCPEA Toolkit for Collecting and Analyzing Data on Attacks on Education as well as their Education Under Attack reports.

A. ATTACKS ON SCHOOLS AND UNIVERSITIES

This category includes targeted and indiscriminate attacks on schools, universities and other educational facilities. Schools and universities should be understood in a broad sense: the term includes primary and secondary schools, colleges, as well as kindergartens, preschools, technical and vocational training schools and non-formal education sites. It also includes related infrastructure, such as playgrounds, libraries, school buses, and university campuses.

Attacks on schools and universities include airstrikes, ground strikes, bombing/shelling, explosions, looting, burning, and vandalism. It also includes attacks that occur in reasonable proximity to a school, because of the damages they can cause to educational facilities infra-structure and because they expose children, youth and educational personnel to violence and injuries. Threats that lead to the closing of schools because of security issues related to armed conflict are also considered attacks on educational facilities and are, therefore, included in this category.

For examples of reports on attacks on schools, universities and other educational facilities check the virtual library of the Office of the Special Representative of the Secretary General for Children and Armed Conflict and reports from the Global Coalition to Protect Education from Attack.

See the flowchart on p. 11 for the research questions that might help journalists, photographers and videographers identify what type of information is relevant to the monitoring process. For a list of detailed indicators, select "Armed Conflict" in our Indicators Selection Tool.

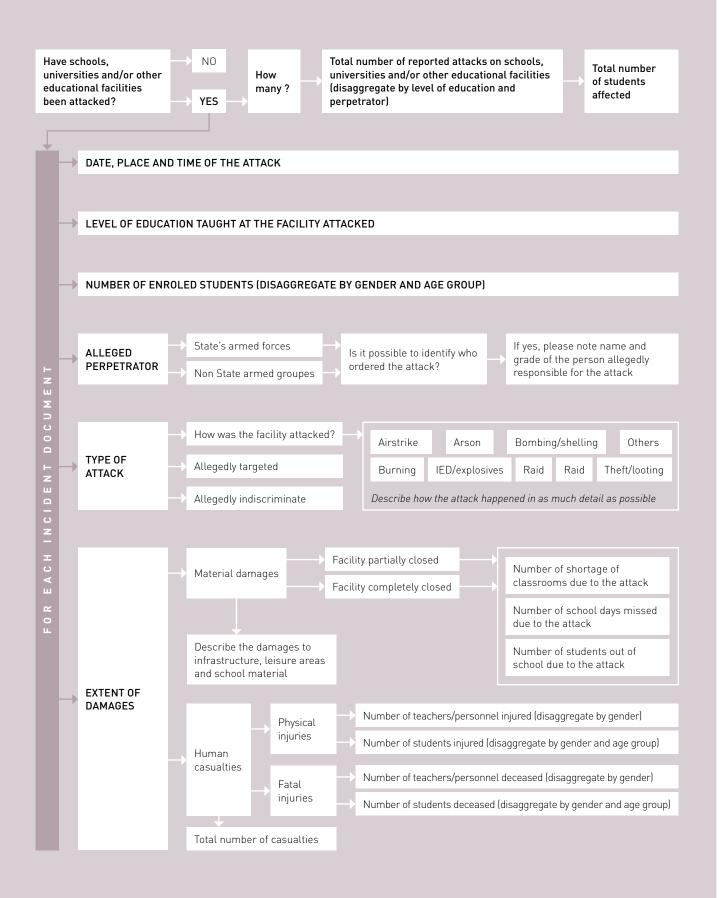
- 1. Have schools, universities and/or other educational facilities been attacked?

 For each incident, disaggregate by perpetrator, gender of school attended by students, type of attack, and extent of
- 2. Total number of reported military attacks on schools, universities, and other educational facilities

material and human damages

- 3. <u>Number of reported targeted attacks on schools, universities, and other educational facilities</u>
- 4. <u>Number of reported indiscriminate (non-targeted)</u>
 attacks on schools, universities, and other
 educational facilities
- 5. Number of attacks on schools, universities, and other educational facilities perpetrated by state armed forces
- **6.** Number of attacks on schools, universities, and other educational facilities perpetrated by non-state armed groups
- 7. Number of educational facilities with buildings in a state of disrepair due to military attacks on schools, universities, and other educational facilities
- 8. Number of students reported suffering from physical injuries as a consequence of attacks on schools, universities and/or other educational facilities
- 9. Number of teachers and educational personnel reported suffering from physical injuries as a consequence of attacks on schools, universities and/or other educational facilities
- 10. Number of students reported dead as a consequence of attacks on schools, universities and/or other educational facilities
- 11. Number of teachers and educational personnel reported dead as a consequence of attacks on schools, universities, and/or other educational facilities
- **12.** Number of reported human casualties as a consequence of attacks on attacks on schools, universities, and/or other educational facilities
 - For the legal framework and tips on how to gather and analyse data for each indicator, see here
 - For more resource-intensive indicators check the GCPEA's Toolkit for Collecting and Analyzing Data on Attacks on Education

ATTACKS ON SCHOOL, UNIVERSITIES AND/OR OTHER EDUCATIONAL FACILITIES



B. ATTACKS ON STUDENTS, TEACHERS AND/OR OTHER EDUCATIONAL PERSONNEL

This category includes injuries, torture, abduction, forced disappearance, sexual violence, child soldier recruitment, use of human shields, killings, and threats of violence (such as coercion or extortion), that occur in educational facilities, or when students, teachers and personnel are on their way to or from school, or otherwise if individuals are explicitly targeted because of their status as students or educators. Attacks on students and teachers include not only deliberate attacks but also reported incidents of placing students and teachers in harm's way by exposing them to return fire, including in the way to and from school, as for example when a school bus is caught in crossfire. It also includes acts of coercion, intimidation, or threats of physical force that create a climate of fear and repression that undermines academic freedom, including freedom of speech and choice of curriculum content.

Students, teachers and staff of all levels of education are concerned by these types of attacks, including preschool, kindergarten, vocational training and higher education.

As GCPEA's 2020 Education Under Attack Report points out, 'These attacks are distinct from attacks on schools in that the target appears to be people, rather than infrastructure. Attacks on school buses and vehicles carrying ministry officials, teachers or students are included in this category when people are targeted in the attack, as opposed to the infrastructure. Armed force or armed group members entering a school and opening fire are included only when the incident does not involve a complex attack involving explosives which aim to damage the facilities, in which case the incident would be classified under attacks on schools⁸'.

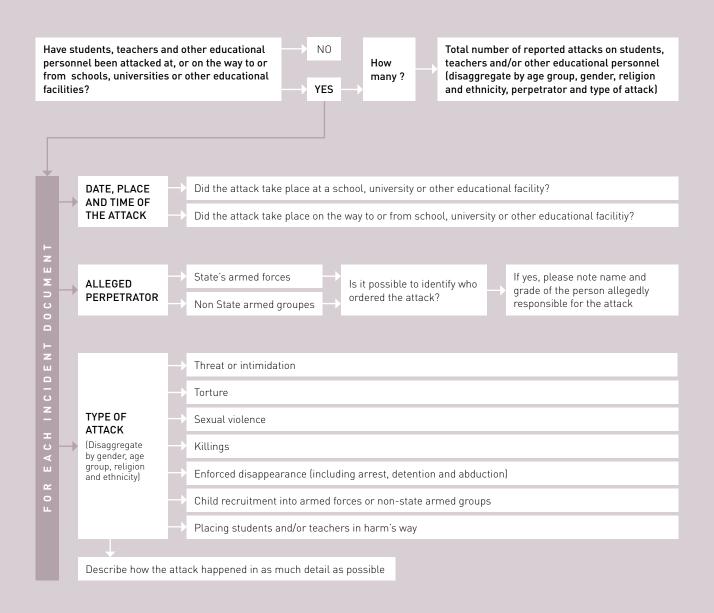
For examples of reports on attacks on schools, universities and other educational facilities, review the virtual library of the Office of the Special Representative of the Secretary General for Children and Armed Conflict and reports from the Global Coalition to Protect Education from Attack.

See the flowchart on p. 13 for the research questions that might help journalists, photographers and videographers identify what type of information is relevant to the monitoring process. For a list of detailed indicators, select "Armed Conflict" in our Indicators Selection Tool.

- 1. Have students, teachers or other educational personnel been attacked at, or on the way to or from, school, university or other educational facilities?
 - For each incident, disaggregate by perpetrator, gender of student/educator, type and extent of the attack.
- 2. Number of reported attacks on students, teachers and/or other educational personnel
- 3. Number of reported attacks on students, teachers and/or other educational personnel perpetrated by state armed forces
- 4. Number of reported attacks on students, teachers and/or other educational personnel perpetrated by non-state armed groups
- 5. Number of reported incidents of threats and/or intimidations against students, teachers and/or other educational personnel
- **6.** Number reported incidents of torture against students, teachers and/or other educational personnel
- 7. Number reported incidents of sexual violence
 against students, teachers and/or other
 educational personnel perpetrated at, or on the
 way to or from, school or university
- 8. Number of reported incidents of killings of students, teachers, and/or other educational personnel
- 9. Number of reported incidents of enforced disappearance of students, teachers, and/or other educational personnel
- **10.** Number of reported incidents of child recruitment at, or on the way to or from, school
- 11. Number reported incidents of attack on of students, teachers and/or other educational personnel by placing them in harm's way
 - For the legal framework and tips on how to gather and analyse data for each indicator, see here
 - For more resource-intensive indicators, see GCPEA's Toolkit for Collecting and Analyzing
 Data on Attacks on Education

⁸ GCPEA, 2020 Education under attack report, p. 87.

ATTACKS ON STUDENTS, TEACHERS AND/OR OTHER EDUCATIONAL PERSONNEL



C. MILITARY USE OF SCHOOLS AND UNIVERSITIES

This category includes situations where armed forces or non-state armed groups partially or fully occupy schools or universities and use them for purposes that support a military effort. Common examples include using educational facilities as bases, barracks, and temporary shelters; fighting positions, weapons storage facilities, detention and interrogation centers; and military training or drilling soldiers.

Schools and universities should be understood in a broad sense: the term includes primary and secondary schools, colleges, as well as kindergartens, preschools, technical and vocational training schools and non formal education sites. It also includes related infrastructure, such as playgrounds, libraries, school buses, and university campuses.

For examples of reports on attacks on schools, universities and other educational facilities, see the virtual library of the Office of the Special Representative of the Secretary General for Children and Armed Conflict and reports from the Global Coalition to Protect Education from Attack.

See the flowchart on p. 15 for the research questions that might help journalists, photographers and videographers identify what type of information is

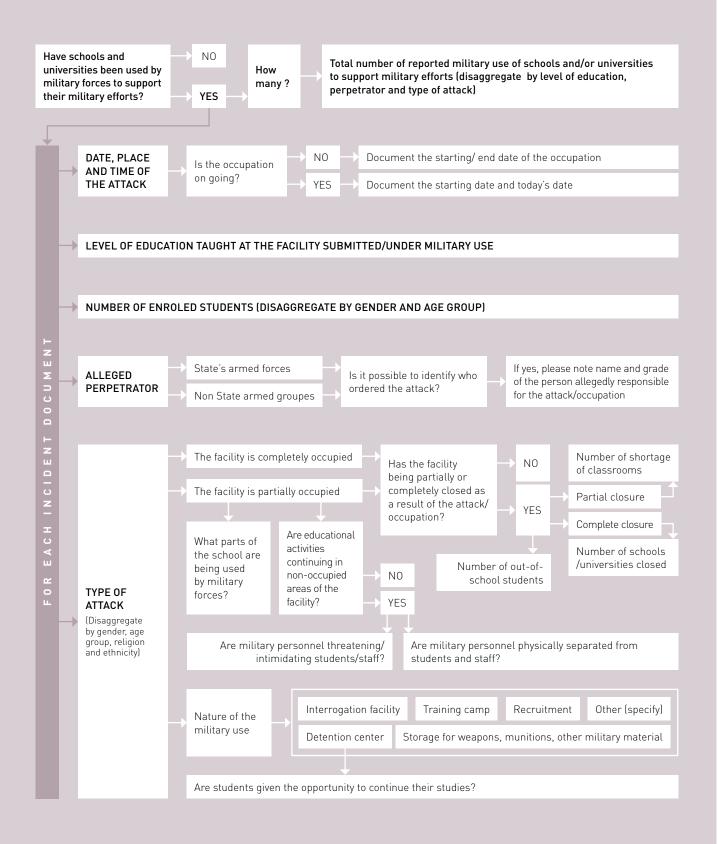
relevant to the monitoring process. For a list of detailed indicators, select "Armed Conflict" in our <u>Indicators</u>
<u>Selection Tool</u>.

- 1. Have schools and universities been used by armed forces or non-state armed groups to support their military efforts?

 For each incident, disaggregate by level of education,
 - For each incident, disaggregate by level of education, perpetrator, and type of attack.
- 2. Total number of reported military use of schools and/or universities to support military efforts
- 3. Number of out-of-school children due to military use of schools and/or universities to support military efforts
- **4.** Number of reported incidents of military use of schools by state armed forces
- 5. Number of reported incidents of military use of schools by non-state armed groups
- For the legal framework and tips on how to gather and analyse data for each indicator, see here
- For more resource-intensive indicators check the GCPEA's Toolkit for Collecting and Analyzing Data on Attacks on Education



MILITARY USE OF SCHOOLS AND UNIVERSITIES





3. How to establish an effective and fruitful collaboration with civil society organisations?

Monitoring attacks on education is a complex process that can be broken down into four basic phases⁹:

- ▶ Preparation and desk research (planning): this first phase consists of understanding the context, identifying the focus, collecting existing data and defining indicators.
- ➤ Field research: this phase focuses on collecting data *in situ*, gathering «raw» information on the ground (through school visits and interviews with victims, witnesses, civil society organisations and government officials, for example).
- Analysis: this phase consists in interpreting data collected in the field and drawing conclusions, it aims to transform raw information into evidence following the selected indicators that will assess the state of the enjoyment of right to education in a given situation.
- ▶ Reporting: reporting consists of informing different stakeholders of the results of the monitoring process. It can also result in advocacy campaigns and/or judicial procedures.

⁹ The four phases identified here are not linear and they usually overlap.

Collaboration between journalists, photographs, videographers, media outlets, and civil society organisations can take many forms; they are particularly interesting during the *field research* phase. Civil society organisations have developed monitoring tools to assess the state of the right to education in and out of conflict. But during political and military hostilities, monitoring can be compromised by the lack of information and evidence as well as by difficulties in accessing conflict zones. Furthermore, some governments may be hostile to civil society organisations, especially in times of conflict. Journalists may bridge this gap.



Monitoring is not effective if those engaged in the process do not have access to information. When sharing data collected on the ground with civil society organisations, journalists participate actively in the monitoring process.

Furthermore, documenting attacks on education using audiovisual data is an excellent tool for advocacy. Journalists, photographers and videographers are invited and encouraged to use their abilities to visually document violations of the right to education. See, for example, RTE's photo essay on attacks on education in Ukraine and RTE's report on teenage pregnancy in Kenya.

BOX II: USING VISUAL DATA TO DOCUMENT ATTACKS ON EDUCATION

Visual data is important for identification and verification. It can also be useful in courts. When using videos or photos, it is important to bear in mind a few principles:

- Make sure people portrayed in pictures or videos know in advance what the material will be used for.
- Get free, informed, written consent to the use of images. For children under 14 years old, get written parental consent. For adolescents from 15-18 years old, get both the adolescent's and the parents' consent.
- Access the risks of identification of those appearing in photos and videos, including children. Note that risk assessment should consider the person who is being portrayed as well as family and community members.
- When necessary, ensure anonymity and be sure that
 details attached to images and included in stories
 avoid that the person being portrayed can be traced
 to his or her home or community. A secure record
 of the actual name must be maintained, but never
 published.
- Consider disabling geotagging of images when taking photographs.
- Verify that children are not portrayed in a state of undress or in inappropriate poses

NGO-Journalist collaboration - Monitoring the right to education in Eastern Ukraine

Children in eastern Ukraine are missing out on their education. For over seven years, conflict has raged in the region; thousands are dead, and hundreds of thousands of children have been deprived of access to safe education as a result. To shine a light on this persistent and protracted humanitarian and human rights crisis, in 2018 RTE began a pilot project in collaboration with the photographer Diego Ibarra Sánchez and Ukrainian partners to monitor the impact of the armed conflict on education.

In July 2020, we created a <u>legal factsheet</u> and the multimedia essay "<u>Caught in the crossfire: The right to education in eastern Ukraine</u>" combining the journalists evidence with a human rights analysis.

The findings of the project were used by Save the Children Ukraine in a joint submission to the UN Committee on the Rights of the Child (CRC) for Ukraine's review, which took place in October 2020. As a result, the issues we raised in our joint submission were picked up by CRC and presented to Ukraine for the State to address.

- The Check our Guidelines for gathering informed consent
- The Check also: RTE's Monitoring Education Under Attack from a Human Rights Perspective, specially Box VII (Collaborating With Journalists, Photographers, and Videographers) Box VIII (Using qualitative data to improve your advocacy) and Box X (Ethical procedures and child safeguarding protocol).

 $Source: \ Save \ the \ Children, \ Keeping \ children \ safe: Child \ safeguarding \ standards \ and \ how \ to \ implement \ them, \ p.8].$



4. Who to share your findings with?

Journalists, photographers and videographers can share the information gathered on the field with civil society organisations at a national, regional, and international level to help with their monitoring efforts. The material might be of special interest to:

- International Human Rights NGOs and Networks, such as the Right To Education Initiative, the Global Coalition to Protect Education from Attack, the Global Education Cluster, the Inter-Agency Network for Education in Emergencies, the Education Above All Foundation, the Global Partnership for Education, the Ceasefire Center for Civilian Rights, Human Rights Watch
- ▶ International Humanitarian NGOs, such as the International Red Cross Committee
- ► Local or regional <u>Education Clusters</u>
- Local civil society organisations
- ► The <u>UN Monitoring Reporting MechanismNo</u>



NOTES

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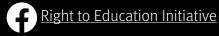
This guide is part of a series of thematic guidance notes providing practical advice on monitoring various aspects of the right to education from a human rights perspective.

For more resources on protecting the right to education, see our Education in Emergencies webpage and our guide on Monitoring Education Under Attack from a Human Rights Perspective.

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