

VULNERABLE STUDENTS, UNSAFE SCHOOLS

**Attacks and Military Use of Schools
in the Central African Republic**

WATCH LIST ON CHILDREN AND ARMED CONFLICT

September 2015

About Watchlist

Watchlist on Children and Armed Conflict (“Watchlist”) strives to end violations against children in armed conflicts and to guarantee their rights. As a global network, Watchlist builds partnerships among local, national, and international nongovernmental organizations (NGOs), enhancing mutual capacities and strengths. Working together, we strategically collect and disseminate information on violations against children in conflicts in order to influence key decision-makers to create and implement programs and policies that effectively protect children.

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Please note: The people represented in the photos in this report are not necessarily themselves perpetrators, or victims, or survivors of human rights violations or other abuses.

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List of Acronyms

AU	African Union
BINUCA	<i>Bureau intégré des Nations Unies pour la consolidation de la paix en République centrafricaine</i> (United Nations Integrated Peacebuilding Office in the Central African Republic)
CAR	Central African Republic
CPA	Child Protection Adviser
CPJP	<i>Convention des Patriotes pour la Justice et la Paix</i> (Convention of Patriots for Justice and Peace)
CPJP Fondamentale	<i>Convention des Patriotes pour la Justice et la Paix Fondamentale</i> (Convention of Patriots for Justice and Fundamental Peace)
CRC	Convention on the Rights of the Child
CTFMR	Country Task Force on Monitoring and Reporting
DPKO	Department of Peacekeeping Operations
EUFOR RCA	European Union Forces in the Central African Republic
FACA	<i>Forces Armées Centrafricaines</i> (Central African Armed Forces)
FDPC	<i>Front Démocratique du Peuple Centrafricaine</i> (The Central African People's Democratic Front)
FRC/UPC	<i>Front Républicain pour le Changement/Unité pour la Paix en Centrafrique</i> (Republican Front for Change/United for Peace in the Central African Republic)
Guidance Note	Guidance Note on Security Council Resolution 1998
Guidelines	Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict
ICC	International Criminal Court
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDP	Internally displaced person
MINUSCA	United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic
MISCA	<i>Mission Internationale de Soutien à la Centrafrique sous Conduite Africaine</i> (African Union-led International Support Mission in the Central African Republic)
MRM	Monitoring and Reporting Mechanism
NGO	Nongovernmental Organization
OCHA	Office for the Coordination of Humanitarian Affairs
PTSD	Post-Traumatic Stress Disorder
Rome Statute	Rome Statute of the International Criminal Court
SOP	Standard Operating Procedure
SPLA	Sudan People's Liberation Army
UFDR	<i>Union des Forces Démocratiques pour le Rassemblement</i> (Union of Democratic Forces for Unity)
UN	United Nations
UNICEF	United Nations Children's Fund
Watchlist	Watchlist on Children and Armed Conflict

Terminology

Attack on Schools

“Attacks on schools” is an umbrella term for indiscriminate and direct attacks against schools that are civilian objects, resulting in their compromised functioning, partial damage, or total destruction, as well as against related protected persons. In the case of schools it includes: physical attacks, looting, pillaging, and wanton destruction. In the case of related protected persons, such incidents include: killing, injuring, abduction, and use as human shields.

Association de Parents D’Elèves

This is the equivalent of a parent teacher association in the Central African Republic.

Child Protection Sub-Cluster

Clusters are groups of humanitarian organizations (United Nations (UN) and non-UN) working in the main sectors of humanitarian action. They are created when clear humanitarian needs exist within a sector, when there are numerous actors within sectors, and when national authorities need coordination support. The Child Protection Sub-Cluster in the Central African Republic is a sub-section of the Protection Cluster, coordinating the prevention of and response to abuse, neglect, exploitation of and violence against children.

Civilian Objects

Under international humanitarian law, civilian objects are all objects—including buildings, infrastructure, land, and vehicles—which are not by their nature, location, or use making an effective contribution to military action and the total or partial destruction, capture, or neutralization of which, in the circumstances ruling at the time, do not offer a definite military advantage. Civilian objects may not be deliberately attacked, unless they have become lawful military objectives.

Country Task Force on Monitoring and Reporting (CTFMR)

The Country Task Force on Monitoring and Reporting (CTFMR) supports the operationalization of the UN-led Monitoring and Reporting Mechanism (MRM), which monitors and reports on the six grave violations against children at country level. The CTFMR is co-chaired by the United Nations Children’s Fund (UNICEF) Representative and the Deputy Special Representative (or in some cases the Special Representative) of the Secretary-General in-country, who serves as the reporting conduit to the Special Representative of the Secretary-General. In a country without a UN peacekeeping or political mission, the Resident Coordinator co-chairs the CTFMR.

Educational Building or Institution

Various international treaties and tribunals refer to buildings or institutions dedicated to, or intended for, education. Such places are not limited to government or private schools where children are educated, but can also include places of pre-school education, higher education, vocational education, and places dedicated to increasing literacy and numeracy or providing scientific or technical instruction.

Education Cluster

The Education Cluster is one of the main sectors of humanitarian action within the cluster system in the Central African Republic. It brings together UN and non-UN organizations, as well as other partners, to ensure well-coordinated and equitable provision of education for populations affected by the humanitarian crisis.

Guidance Note on Security Council Resolution 1998 (Guidance Note)

The Guidance Note on Security Council Resolution 1998 (Guidance Note) and its annexes provide practical guidance for UN and nongovernmental organization (NGO) partners in the field on the implementation of Security Council Resolution 1998 (2011), which further strengthens the UN Security Council's Children and Armed Conflict agenda in highlighting the issue of attacks on schools and hospitals.

Indiscriminate Attack

Indiscriminate attacks are those which: (a) are not directed at a specific military objective; (b) employ a method or means of combat which cannot be directed at a specific military objective; or (c) employ a method or means of combat the effects of which cannot be limited as required by international humanitarian law. As a consequence, indiscriminate attacks strike military objectives and civilians or civilian objects without distinction.

International Armed Conflict

International armed conflicts exist whenever there is resort to armed force between two or more states.

International Humanitarian Law

These are the rules of international law that regulate the conduct of hostilities and treatment of persons by states and non-state armed groups during situations of international and non-international ("internal") armed conflict and military occupation. International humanitarian law can be found in both customary international law and treaty law.

Maîtres d'Enseignement

Maîtres d'Enseignement are qualified teachers who have temporary contracts in the Central African Republic.

Maîtres-parents

Maîtres-parents are parents taking on the role of teachers in the Central African Republic where the state is not able to guarantee the presence of qualified teachers. Maîtres-parents have a broad category of backgrounds, most often without formal qualifications.

Military Objectives

Under international humanitarian law, military objectives are limited to objects which by their nature, location, purpose, or use make an effective contribution to military action and whose partial or total destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.

Military Use

This refers to a wide range of activities in which armed forces or armed groups use the physical space of a school in support of the military effort, whether temporarily or for a protracted period of time. The term includes, but is not limited to, the use of schools as military barracks, weapons and ammunition storage, command centers, defensive positioning, observation posts, firing positions, interrogation and detention centers, training facilities, and recruiting grounds.

Monitoring and Reporting Mechanism (MRM)

Every year the Secretary-General presents an annual report on the situation of children in armed conflict, which includes a list of parties to armed conflict which commit specific violations against children. The Monitoring and Reporting Mechanism (MRM) is established in every country where at least one party to the conflict is listed in the annual report, to monitor and report on the six grave violations against children.

Non-International (“Internal”) Armed Conflict

Non-international (“internal”) armed conflicts are protracted armed confrontations occurring between governmental armed forces and the forces of one or more armed groups, or between such groups arising on the territory of a state party to the Geneva Conventions. The armed confrontation must reach a minimum level of intensity and the parties involved in the conflict must show a minimum level of organization.

Protected Persons in Relation to Schools

Protected persons in relation to schools refer to teachers as well as other education personnel and students, except during periods such persons directly participate in hostilities.

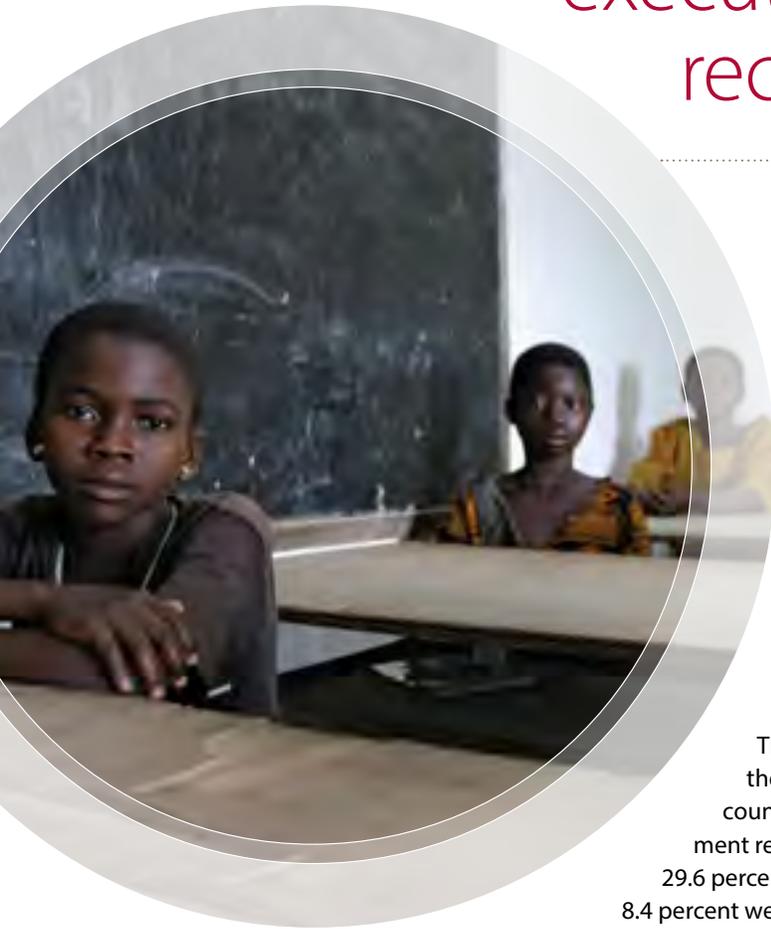
School

This report uses this term broadly to refer to all education institutions, not only education institutions dedicated to children of a particular age.

Threats of Attacks

“Threats of attacks” against schools or related protected persons include the plausible, explicit declaration of a plan, intention, or determination to inflict harm, whether physical or psychological, related to the seeking or provision of education.

executive summary and recommendations



“ We work in an atmosphere of worry all the time. This is why students don't return [to school]. We are not totally secure here [at school], anything can happen.¹ ”

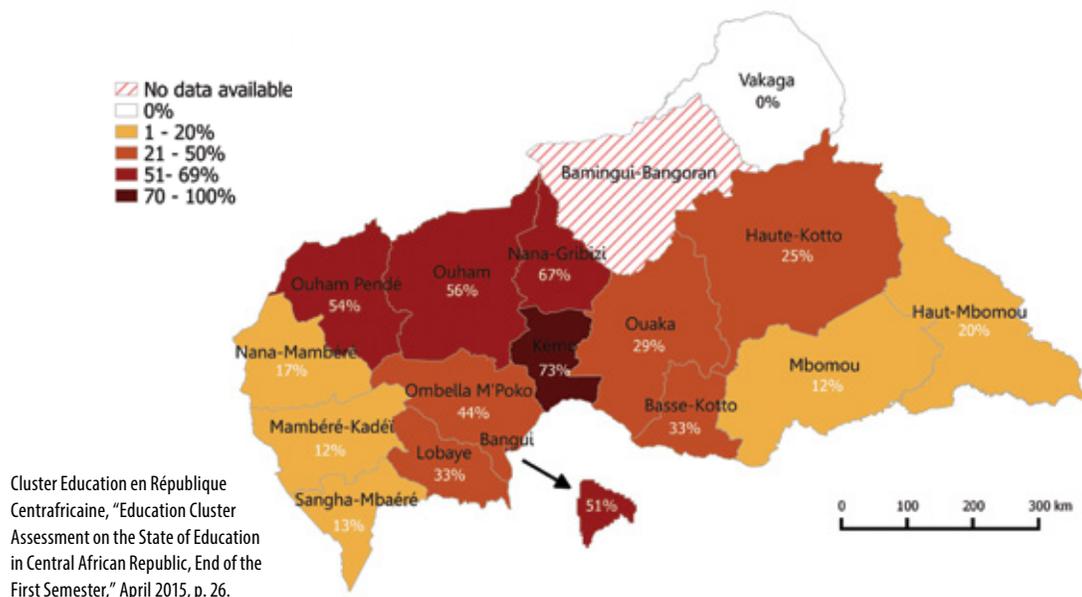
The wave of violence beginning in December 2012 in the Central African Republic (CAR) has taken its toll on the country's fragile education system. According to an assessment released by the Education Cluster in April 2015, roughly 29.6 percent of the 335 schools surveyed were attacked and 8.4 percent were used by armed groups and international peacekeeping forces between 2012 and April 2015.² By February 2014, 65 percent of schools were closed.³ Despite significant progress in reopening schools for the 2014-2015 academic year, armed groups continue to impede children's right to education by looting schools, threatening students and teachers, attacking areas without distinguishing schools, and contributing to an overall climate of insecurity. In 2014, the United Nations (UN) listed the ex-Séléka and associated armed groups in the Secretary-General's Annual Report on Children and Armed Conflict for attacks on schools committed in CAR in 2013.⁴ Along with international peacekeeping forces, armed groups have also used schools as lodging facilities and for various logistical and operational tasks.

Watchlist on Children and Armed Conflict (Watchlist) conducted a five-week research mission to CAR to investigate and shed light on the high number of attacks and military use of schools and to formulate recommendations to realize children's right to education.

The nature of the attacks on schools varies by prefecture, depending on the groups operating in the region and the level of active conflict. Although the intensity of the violence and number of reported attacks on schools has declined relative to the number of attacks that occurred between late 2012 and 2014, some schools still remain at risk of attack, particularly in areas of active conflict.

Most commonly, schools are looted by armed groups. They have stripped some schools bare, taking doors, desks, roofs, books, and office materials. In recent months, armed groups have targeted newly rehabilitated schools, in particular for food from feeding programs and for valuable education kits provided by humanitarian agencies.

Diagram: CAR Education Cluster Map Showing Percentage of Schools Attacked by Prefecture



In addition, armed groups and individuals using their status of association with armed groups have threatened and attacked students and teachers while en route to school or on school premises. Watchlist investigated cases of targeted threats against school directors for reopening schools or taking actions that interfered with an armed group's activities. Sometimes suspected armed group members, acting in their private capacity, threatened teachers for disciplining their relatives at school. In other cases, groups accused students and teachers, who cross areas controlled by different armed groups to attend school, of delivering information to an opposing group. In the most severe case researched by Watchlist, an armed group attacked peacekeeping troops stationed near a high school in Bangui where many students were allegedly used as human shields. Eighty students, below the age of 18, who were involved in the attack, were reportedly taken to medical facilities for treatment.

Since the beginning of the conflict in late 2012, armed groups and international forces have used schools as bases for their activities, contributing to significant damage to school property, exposing students and teachers to risk of attack, and limiting children's right to education. Both the ex-Séléka and anti-Balaka armed groups have used school facilities for their activities. Sometimes their presence in a town has prevented schools from opening altogether. Moreover, while the deployment of peacekeeping forces has helped to secure many areas, these troops have also used schools during their operations, contributing to the damage of school property.

In October 2014, the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) based police officers at a school in Bangui to protect students, teachers, and the surrounding community, sparking debate among humanitarian and peacekeeping actors about the use of MINUSCA police officers in school protection.

Finally, ongoing fear of attacks has a chilling effect on children's right to education. Watchlist, for example, found that following the official reopening of schools in November 2014, Muslim students have not enrolled in school at the same rates as before the crisis. This is in part because the few Muslims remaining in CAR are sometimes too afraid to allow their children to leave their neighborhoods, even if there are no schooling options in these areas. For students and teachers who are able to return to school, rumors or threats of attacks hinder the frequency of attendance. Several unstable areas lack qualified teachers and schools outside of Bangui are largely reliant on maître-parents (volunteer teachers from the community).

In light of these challenges, the Transitional Government of CAR and the international community should take steps to strengthen the safety and security of the school environment.

The government should strengthen the existing legislative and judicial framework to hold perpetrators of attacks on schools accountable. The absence of the rule of law in many areas of CAR has led to high levels of impunity. In June 2015, the Transitional Government of CAR took its first important step towards improving protections for schools and universities by signing the Safe Schools Declaration and committing to implement the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict (Guidelines).⁵ Following this endorsement, the government should consider banning the military use of schools or, at a minimum, incorporating the Guidelines into existing legislation and military doctrine, or enact new legislation or policies that implement the Guidelines. It should also ratify the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict

and the African Charter on the Rights and Welfare of the Child, both of which

offer various protections for children affected by conflict. To promote accountability for attacks on schools, the government, with the support of the international community, should take steps to strengthen the functioning of the judicial system, integrate the Rome Statute of the International Criminal Court (Rome Statute) into its criminal code, and prosecute violators of the law in domestic courts and the Special Criminal Court (which will have jurisdiction to investigate crimes against humanity, war crimes, and genocide committed on CAR's territory since 2003).⁶

To ensure sustainable monitoring of attacks and military use of schools, the agencies implementing the UN-led Monitoring and Reporting Mechanism (MRM) should formalize a system for receiving, verifying, and responding to alerts on attacks from education actors. The Transitional Government of CAR can also play a stronger role in monitoring attacks on schools, students, and teachers by rebuilding administrative offices so that government civil servants are able to carry out data collection,



and by continuing to explore the use of EduTrac, an SMS system designed to receive real-time education data, for early warnings on attacks or military use of schools.

As part of humanitarian efforts to restore education, UN and non-UN actors, including donors, should develop activities that respond to the insecurity that persists within and around schools. This includes improving security surrounding schools through active peacekeeping patrols in areas where schools have been threatened or attacked and strengthening the physical security of the school premises. To mitigate the dangers facing children en route to school, educators and humanitarians should organize children to walk to school in small groups, possibly carrying whistles for protection. Several interviewees also called for the need to develop emergency preparedness plans and safety drills with parents, so parties know what action to take in the event of an attack. In addition, some interviewees called on the need for students and teachers, with the support of child protection networks and volunteers, to develop tools to address challenging psychological problems.

The UN can support these efforts by ensuring peacekeeping forces receive comprehensive pre-deployment and in-theater training on the protection and rights of children, in accordance with Department of Peacekeeping Operations (DPKO) Specialised Training Materials on Child Protection, and develop standard operating procedures (SOPs) recalling and outlining peacekeeping obligations in relation to child protection. They should also raise awareness and sensitize armed groups on attacks and military use of schools and endeavor to secure commitments from armed groups to halt and prevent these violations and abuses. The UN should also rehabilitate schools used by MINUSCA forces and recommend individuals who carry out persistent attacks on schools for sanctions through its regime mandated by Resolution 2127.

Ensuring children's right to education is a fundamental step in the country's transition to peace and in preventing the resurgence of violence in the future.

Key Recommendations

Transitional Government of the Central African Republic

- **Ratify** the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict and the African Charter on the Rights and Welfare of the Child.
- **Fully integrate the provisions of the Rome Statute of the International Criminal Court** (Rome Statute) in national criminal law to enable domestic prosecutions, including at the Special Criminal Court, of individuals who deliberately attack buildings dedicated to education, provided they are not a military objective, during periods of non-international armed conflict.
- **Ban any military use of schools or, at a minimum, incorporate the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict into the new legal code for the protection of children**, or in new legislation or polices. Review and amend the current military training manuals, military law manuals, field manuals, and disciplinary regulations, to reflect the provisions in the Guidelines, disseminate these manuals among the national forces, and incorporate the new provisions into systematic training of armed forces on child protection.
- **Convene relevant stakeholders to begin discussions on the implementation of the Guidelines for Protecting Schools and Universities from Military**

Use during Armed Conflict and the Safe Schools Declaration.

Possible next steps may include:

- **Identifying and responding to gaps in policy, practice, and response** programming related to the safety of the school environment.
- Developing a national **awareness-raising campaign** on the Guidelines and attacks on schools more broadly through, for example, brochures, posters, and radio programs.
- Refining systems for ongoing, disaggregated **data collection** on attacks and military use of schools, including through EduTrac, to collect preliminary information on these incidents.
- **With the support of relevant stakeholders, take steps to restore the judicial system, investigate allegations of attacks on schools** in violation of applicable national and international law, and hold perpetrators accountable through **disciplinary sanctions and transparent prosecutions in domestic courts and the Special Criminal Court.**

Non-State Armed Groups

- **Immediately halt and prevent attacks or threats of attacks** on schools and attacks and threats of attacks against related protected persons.
- **Immediately evacuate all personnel within schools**, as well as military installations, check points, or storage facilities in the vicinity of schools.
- **Ban any military use of schools or, at a minimum, incorporate the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict** into command and control mechanisms.
- **Issue and widely disseminate a military order to all troops under the command and control structure** on the protection afforded to schools and protected personnel.
- **Investigate incidents of attacks** on schools and related protected persons, as well as military use of schools, in breach of applicable international law or military orders. Take steps internally to ensure accountability for perpetrators and commanders.

- If listed for attacks on schools and hospitals, **sign commitments** with the UN to stop and prevent attacks on schools and related personnel and share verifiable information on implementation.

UN Secretary-General and his Special Representative on Children and Armed Conflict

- Encourage the investigation of attacks on schools by anti-Balaka forces and **consider listing at least the anti-Balaka faction** that attacked Lycée Boganda (a high school in Bangui) in June 2015 for attacks on schools, as well as other anti-Balaka factions which have perpetrated these attacks, in the 2016 Secretary-General's Annual Report on Children and Armed Conflict.
- Encourage the **Country Task Force on Monitoring and Reporting (CTFMR) to continue monitoring and reporting on attacks on schools.**
- **Highlight ongoing threats to education and develop recommendations for monitoring, preventing, and responding to this violation** in the Secretary-General's Annual Report on Children and Armed Conflict in CAR. Use the report to also call on the Transitional Government of CAR to **implement the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict** through legislative reform and convening stakeholders to strategize on implementation activities.

UN Security Council and its Working Group on Children and Armed Conflict

- Use the **upcoming consultations** on the implementation of Security Council Resolution 2217, renewing MINUSCA's mandate, to urge MINUSCA to include **attacks or threats of attacks on schools in its protection of civilians assessment** determining where to send patrols.
- Use the occasion of the upcoming release of the **Secretary-General's Report on Children and Armed Conflict in CAR** to call for concrete steps to **halt,**

prevent, and respond to attacks on schools and to reduce the military use of schools through the implementation and widespread dissemination of the Guidelines.

- Urge Member States to **designate individuals** and entities which commit grave violations against children, **particularly attacks on schools**, and encourage the Special Representative of the Secretary-General for Children and Armed Conflict to continue to share information with the **Sanctions Committee and the Panel of Experts** on the responsible parties.

United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA)

- **Ensure peacekeeping forces receive comprehensive pre-deployment and in-theater training on the protection and rights of children**, in accordance with DPKO Specialised Training Materials on Child Protection for UN Peacekeepers. **Allocate funding to support the logistics for in-theater training and consider hiring a full-time mobile training officer** to conduct child protection trainings in areas where troops are deployed.
- Develop standard operating procedures (SOPs) outlining **measures to protect children and schools**. Ensure the SOPs are integrated into the overall planning, preparation, and conduct of operations.
- Include **attacks or threats of attacks on schools in the protection of civilians assessment** determining where to send patrols. Peacekeepers, however, should maintain some distance from the school campus to ensure they do not inadvertently endanger teachers and students.
- **Station MINUSCA police officers** who are currently based in école Koudoukou (a school in Bangui), in **accommodations near the school instead** of within the school's premises. Officers should continue actively patrolling in the vicinity of the school and neighboring internally displaced community from this new base.

- Ensure resources allocated for social programs include funding for the **rehabilitation of schools used by MINUSCA troops**.

French Government

- **Sign the Safe Schools Declaration**, endorsing the Guidelines for the Protection of Schools and Universities from Military Use during Armed Conflict.
- Help to **rehabilitate schools used by Opération Sangaris forces**.

African Union (AU)

- **Develop a directive adopting the same guidelines outlined in the UN Infantry Battalion Manual (Volume 2.13)**, also referenced in the DPKO Specialised Training Materials on Child Protection for UN Peacekeepers, **prohibiting the military use of schools by AU troops**. Take steps to raise awareness of the directive **among Member States in anticipation of future AU peace operations** and devise strategies to monitor this practice and, where necessary, impose appropriate disciplinary sanctions for violating the directive.

Country Task Force on Monitoring and Reporting (CTFMR)

- Strengthen **coordination and collaboration between the MRM and the Education Cluster** by:
 - Arranging for the MRM technical team to carry out **periodic, contextualized trainings on attacks and military use of schools for cluster members**, including for members of the Education Sub-Cluster at the prefectural level.
 - Defining **key terms in the current conflict context**, establishing a **format for NGO alerts** on attacks to the Education Cluster, and identifying roles and responsibilities regarding possible verification, follow-up, response, and feedback on alerts.
 - Continuing to collaborate with the Education Cluster, including through encouraging the participation of one of the **co-leads from the**

Education Cluster in the MRM Technical Working Group to enhance information exchange and coordinate response.

- **Raise awareness among armed groups about attacks and military use of schools** during ongoing discussions with armed group leaders.
- **Accelerate efforts to negotiate commitments from armed groups on attacks and military use of schools.** Given the large number of shifting armed groups in CAR, consider an alternative to action plans by **engaging with individual commanders “one-by-one” at the local level** to build trust and pave the way for introducing child protection principles.
- Support government efforts to **implement the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict.**

Education and Child Protection Actors

- Ensure education programming includes **strategies to increase the safety and security of schools, teachers, and students.** This may include:
 - **Improving the physical infrastructure** of schools through building walls around the perimeter of the schools, installing security bars across windows, and providing locks for classroom and office doors.
 - Hiring **civilian guards** to protect schools, or **building directors’ and teachers’ quarters on school premises**, provided it does not expose them to unnecessary risk, to deter theft.
 - Organizing students, in collaboration with parents, **to travel to school in small groups.**
 - **Developing emergency preparedness plans** in close consultation with parents and child protection networks in the community.
 - Integrating child protection programming into education programming, particularly to address **children’s psychological needs** and helping to promote the perception of school as a safe place.

- **Support the return of Muslim students to schools.** Consider devising temporary distance learning programs for children in these groups who cannot access schools for security reasons.
- Encourage the **mobilization of qualified teachers** to areas outside of Bangui and support volunteer teachers from the community—*maître-parents*—with, for example, **food rations, stipends, and income-generating activities.**
- Ensure the United Nations Children’s Fund (UNICEF), as the co-lead for the Education Cluster, **invests in sustained leadership and engagement on attacks and military use of schools.**
- Support government efforts to **implement the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict.**

International Criminal Court (ICC)

- As part of ongoing investigations, consider the **prosecution of individuals who deliberately carry out attacks on buildings dedicated** to education, provided they are not a military objective, in contravention to the Rome Statute.

Donors

- **Develop donor policy frameworks** that ensure predictable, consistent, and transparent support for quality education in emergencies.
- Ensure projects supporting the restoration of the education system in CAR include a component to **strengthen the safety of schools, students, and teachers** through, for example, the strategies outlined for education and child protection actors.
- Call on the Transitional Government of CAR to, at a minimum, **implement the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict** through legislative reform and convening relevant stakeholders to strategize on implementation activities.

methodology

14



Prompted by reports of high numbers of attacks and military use of schools, Watchlist conducted a five-week research mission to the Central African Republic (CAR) between April and May 2015. Watchlist interviewed 178 people for the report, including 22 students (aged 18 and below), 26 teachers, 26 schools directors, 5 other education staff, 9 members of the Association de Parents d'Elèves, 14 government education officials, 2 representatives from international peacekeeping forces, and 2 police officers from the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), as part of its investigation into 29 alleged threats of attacks, attacks, and/or military use of schools between late 2012 and May 2015. Watchlist conducted 20 onsite school visits to verify some cases, and in other cases conducted interviews in an alternate safe area or in internally displaced persons (IDP) camps. The incidents investigated occurred in private and public schools, primary and secondary schools, an informal community school in an abandoned school building, and at a university.

According to the Monitoring and Reporting Mechanism (MRM) guidelines, a school denotes a recognizable education facility or learning site.⁷ For the purposes of the research, Watchlist considers a school premises a single school, even though it may have separate facilities for boys' and girls' programs in the same location.

All of the 29 schools suffered from at least one, often multiple, types of security-related threats. Several of these ongoing cases fall within the definition of attacks on schools and related protected persons provided by the UN Guidance Note on Security Council Resolution 1998 (Guidance Note).⁸ In some cases, it was difficult to determine definitively whether the attack could be attributed to an armed group. In particular, violations carried out by the anti-Balaka, which often lack distinctive clothing and other identifiers, and are closely connected with many local communities, are difficult to distinguish from thieves or other armed civilians. Watchlist has tried to highlight the distinction between alleged violations and verified cases in the report. Watchlist also documents and describes cases of military use of schools, which do not fall under the UN definition of an attack on a school, and which include a wide range of activities in which armed forces or armed groups use the physical space of a school in support of the military effort. Finally, Watchlist investigated broader signs of insecurity which impede children's right to education.

In this report, “child” and “children” are used to refer to anyone under the age of 18, consistent with the definition outlined in the Convention on the Rights of the Child (CRC). In cases in which children did not know their age, researchers only classified interviewees as children when this was clearly indicated by the interviewees’ own assessment and physical appearance.

All interviews with children were conducted in accordance with confidentiality and ethical standards. Watchlist consulted school authorities for all interviews with children below the age of 18. All children were informed of the purpose of the interview, its voluntary nature, and the ways the information would be used. Each child orally consented to the interview. Most interviews were carried out in conjunction with or facilitated by child protection actors, allowing for further follow-up where necessary. The interviews were semi-structured and not all children were asked the same questions.

Watchlist conducted interviews and investigations in Bangui, Dekoa (Kémo prefecture), and parts of Nana-Grébzi and Ouaka prefectures. These locations were chosen due to (1) their high numbers of reported attacks on schools; (2) their variety in educational outcomes; (3) their different levels of active conflict; and (4) the wide variety of armed groups operating in the area. Sometimes, limited access to a location controlled by an armed group affected the number of violations Watchlist documented attributable to that group.

To assess the child protection response, Watchlist interviewed national and local government authorities, two representatives of the Front Républicain pour le Changement/Unité pour la Paix en Centrafrique (FRC/UPC) factions of the ex-Séléka in two areas (meetings with anti-Balaka representatives were not possible in these areas due to security concerns), international peacekeepers, UN and humanitarian agencies, human rights defenders, and domestic and international nongovernmental organizations (NGOs). Watchlist also attended and participated in three Education Cluster meetings, a Child Protection Sub-Cluster meeting, and numerous smaller humanitarian discussions.

Watchlist conducted focus group discussions and, when possible, individual interviews in private settings. While some interviews were conducted in English, most were conducted in either French or Sango, the country’s official languages, through the help of an interpreter. For safety reasons, no names are used to identify victims of attacks, and only select schools are identified by name. No inducement was offered or solicited by the interviewees.

Field research for this report was accompanied by an extensive literature review of publicly available documents, newspaper articles, assessments, legislation, and unpublished studies on the human rights situation in CAR and the broader socio-political context. Watchlist also received numerous, credible, secondary accounts of attacks on schools during the course of the research.

Several topics which merit comprehensive attention are not addressed because they fall outside the focus of the report. This includes abuses by the Lord’s Resistance Army, which operate in the south-eastern areas of CAR and the myriad of socioeconomic challenges facing CAR’s education sector.

background

16



Since gaining independence from France in 1960, the Central African Republic (CAR) has experienced long periods of instability and violence that have contributed to the emergence of several armed movements.⁹ The current conflict broke out in December 2012 when a loose, predominately Muslim rebel coalition called the Séléka launched an armed offensive against the government of President François Bozize.¹⁰ During its offensive, the Séléka, comprising a shifting alliance of armed groups, including the Convention des Patriotes pour la Justice et la Paix (CPJP), the Convention des Patriotes pour la Justice et la Paix Fondamentale (CPJP Fondamentale), the Union des Forces Démocratiques pour le Rassemblement (UFDR), and the Front Démocratique du Peuple Centrafricain (FDPC), committed widespread human rights violations against civilians, including the targeting of Christians.¹¹

An agreement aiming to provide a road map for political transition and ceasefire was forged between the Séléka and the Bozizé government on January 11, 2013. However, the Séléka accused President Bozizé of failing to honor the agreement, and on March 24, 2013, took Bangui.¹² Séléka leader Michael Djotodia proclaimed himself the country's new president.¹³

Human rights abuses by the Séléka forces, including systematic targeting of the Christian majority, continued after Djotodia took office and, in response to international pressure, Djotodia attempted to dissolve the Séléka in September 2013.¹⁴ Since then, the Séléka have commonly been referred to as the ex-Séléka.

Ongoing attacks against civilians led to the emergence of the anti-Balaka, an armed group made up of largely Christian, local self-defense militias that in some cases were associated with former elements of the Forces Armées Centrafricaines (FACA), the national armed forces.¹⁵ The term anti-Balaka means “machete proof” or “anti-machete” suggesting, more generally, the group’s invincibility.¹⁶ As early as August/September 2013, the anti-Balaka began staging attacks against the ex-Séléka, as well as violent reprisals against Muslim communities.¹⁷ The anti-Balaka became increasingly organized, eventually launching a coordinated attack against the ex-Séléka in Bangui on December 5, 2013, sparking a wave of violence.¹⁸ Unlike the ex-Séléka, the anti-Balaka’s structure and membership is unclear, and it has since morphed from a self-defense group into an offensive force.¹⁹ The group’s close ties with local communities often make it difficult to determine whether a perpetrator of a violation is a member of the anti-Balaka or a civilian.²⁰

The international community sent several peacekeeping forces to stabilize the country. France deployed troops in March 2013 to secure the airport in Bangui and, on July 19, 2013, the African Union authorized the deployment of the Mission Internationale de Soutien à la Centrafrique sous Conduite Africaine (MISCA).²¹ By early December 2013, amid escalating violence, the UN Security Council adopted a resolution authorizing MISCA and the French forces, known as Opération Sangaris, to take all necessary measures to protect civilians and restore order.²² Soon after, on January 28, 2014, the UN Security Council authorized the European Union Forces (EUFOR RCA) to support peacekeeping efforts.²³ On April 10, 2014, the UN Security Council passed another resolution establishing the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) with an initial deployment of up to 10,000 military and 1,800 police personnel.²⁴ With a primary function to protect civilians, MINUSCA subsumed the former UN peacebuilding office, Bureau intégré des Nations Unies pour la consolidation de la paix en République centrafricaine (BINUCA), into the mission and assumed authority from MISCA on September 15, 2014.²⁵

The increasing presence of international peacekeeping forces since early 2013 has helped some parts of the country to stabilize. Djotodia resigned as president in January 2014 and Catherine Samba-Panza, a French-trained lawyer and former mayor of the capital Bangui, took over as interim president.²⁶ At the time of writing, the country was planning for elections in late 2015.²⁷

Despite this progress, the situation in the country remains volatile and outbreaks of violence persist. The country is roughly divided into two, with representatives from the ex-Séléka controlling the eastern and northern parts of the country, and the anti-Balaka controlling most of the western and southern areas.²⁸ The most unstable zone cuts approximately across the middle of the country where the groups overlap.²⁹ At the time of writing, more than 399,000 people (8.3 percent of the population) were displaced and over 458,000 (9.5 percent of the population) were living as refugees in neighboring countries.³⁰ The UN estimates that 2.7 million Central Africans, out of a population of 4.8 million, or roughly 56 percent, depend on aid to survive.³¹

Over the course of the conflict, children have been subject to grave violations including recruitment and use, abduction, killing and maiming, and sexual abuse by the warring groups.³² The UN Secretary-General first listed parties to conflict in CAR in the annex of the 2007 Annual Report on Children and Armed Conflict and, since then, over 12 groups and associated forces have been listed for grave violations against children, including attacks on schools.³³



part I: attacks and military use of schools

Photo: School in the Central African Republic looted by civilians and possibly members of an armed group.
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attacks on schools

20

Under the Guidance Note on Security Council Resolution 1998, **“attacks on schools”** is an umbrella term for indiscriminate and direct attacks against schools that are civilian objects, resulting in their compromised functioning, partial damage, or total destruction, as well as against related protected persons. In the case of schools it includes: physical attacks, looting, pillaging, and wanton destruction. In the case of related protected persons, such incidents include: killing, injuring, abduction, and use as human shields.³⁴

“Threats of attacks” against schools, hospitals or related protected persons include the plausible, explicit declaration of a plan, intention, or determination to inflict harm, whether physical or psychological, related to the seeking or provision of education.³⁵

Fighting forces continue to undermine children’s right to education by looting schools, threatening students and teachers, indiscriminately attacking areas without distinguishing schools, using school facilities, and instilling fear in local communities of ongoing attacks.

The Central African Republic (CAR) has ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Rights of the Child (CRC), which impose an obligation on the state to achieve increasing realization of the right to education.³⁶ Moreover, under customary international law, and since CAR is a party to the Geneva Conventions and its Additional Protocols, government armed forces and non-state armed groups in CAR are required to distinguish between civilian objects and military objects, and take all feasible precautions to protect civilian objects under their control from attack during the course of the conflict.³⁷

The UN has explicitly defined what constitutes an attack against a school in its Guidance Note on Security Council Resolution 1998 (Guidance Note).³⁸ This chapter examines the most common types of attacks on schools, using the definitions provided in the Guidance Note. Attacks on schools are monitored under the Monitoring and Reporting Mechanism (MRM)—a UN-led mechanism that gathers information on the six grave violations against children perpetrated by parties to armed conflict, in violation of international law.³⁹

Prior to the crisis beginning in 2012, CAR already had a fragile education system. In 2010, the Global Campaign for Education ranked CAR as one of the worst places in the world to be a student.⁴⁰ This is in part because of children’s limited access to universal basic education (in 2008, 65 percent of children did not complete primary education), the low number of teachers available for teaching

Photo: Boy in destroyed homes in Ngaoundaye, Central African Republic.
© 2007 HDPTCAR.

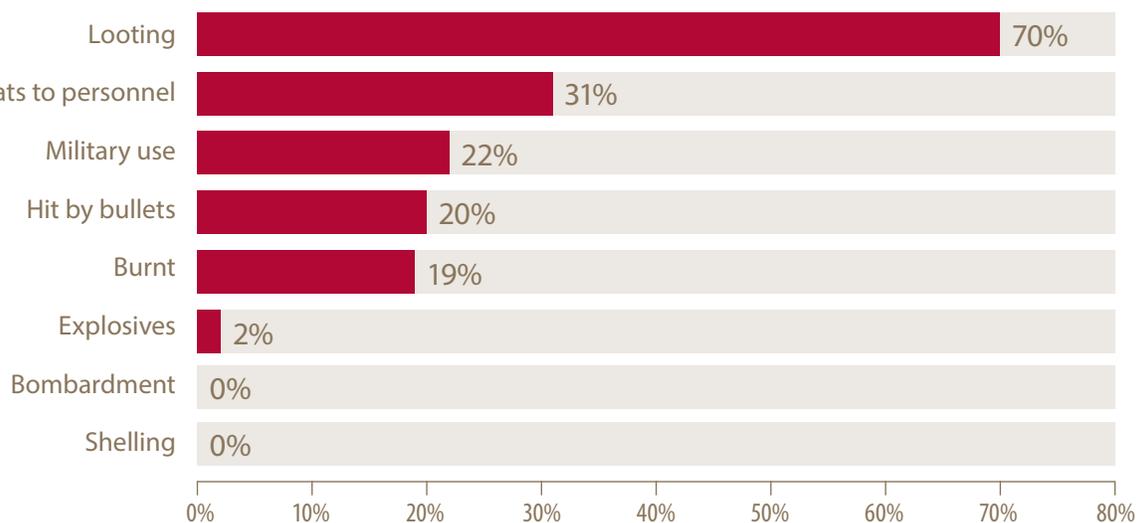
(between 2008 and 2009, the country only had 62 percent of the minimum number of teachers required for primary school), and the disparities between the number of boys and girls in secondary school (between 2005 and 2008, only 8 percent of girls were enrolled in secondary education).⁴¹ According to the last available government statistics, the primary school net enrollment rate was 67 percent for primary school (73 percent for boys, 60 percent for girls) and 13 percent for secondary school for the year 2011 to 2012.⁴²

Periodic conflict has exacerbated low levels of access to education. As early as 2007, the UN reported on attacks on schools by armed groups, which continue today.⁴³ According to an assessment released by the Education Cluster in April 2015, roughly 29.6 percent of the 335 schools surveyed were attacked by armed groups.⁴⁴ A prior September 2013 assessment found 49 percent of the 176 schools assessed in CAR were closed at the time of data collection in August 2013 and, of the schools that were open, 55 percent of the students had not returned.⁴⁵

Interviewees indicated that the top three reasons why students were not in school were: fear of violence, a lack of teachers, and a lack of school materials and supplies.⁴⁶ By February 2014, 65 percent of 335 schools assessed in a new Education Cluster survey were closed, and 37 percent of the students enrolled in these schools during the 2012-2013 school year were not enrolled in the 2013-2014 school year.⁴⁷

Schools officially reopened for the 2014-2015 academic year on November 20, 2014 and, as of April 2015, the Education Cluster estimated that between 78 and 88 percent of schools were functioning (i.e. had a director and/or at least one teacher present, and classes were taking place at the time the of the assessment), although this rate varied significantly by prefecture.⁴⁸ The capacity of schools to remain open and attract students and teachers is, however, threatened by ongoing insecurity in several parts of the country.

**Diagram: CAR Education Cluster Bar Chart on Most Common Types of Attacks
(Percentage of Attacks that Occurred in Schools)**



The nature of attacks on schools in CAR varies depending on the groups operating in the region and the level of active conflict. Both Watchlist and the Education Cluster found that the most common types of attacks were looting, followed by threats against personnel and students, and indiscriminate attacks resulting in damage to schools.⁴⁹ Watchlist found limited evidence that children were abducted, raped, sexually abused, or recruited while at school.

Although the intensity of the violence has declined relative to the early years of the conflict between late 2012 and 2014, reducing the number of reported attacks on schools, the issue still warrants concern. The decrease in the number of reported attacks does not necessarily reflect an understanding by armed groups or forces that attacking schools violates international law. In areas that have stabilized, issues of looting and threats of attacks by armed groups against students and teachers persist.

Moreover, some areas, such as parts of Nana-Grébzi in the center of the country, still face high levels of insecurity and more serious, frequent attacks. Watchlist, for example, found that some schools along the Mbrès Axis in Nana-Grébzi were forced to close in March and April 2015 following a recent wave of attacks.⁵⁰

Looting and Pillaging

Guidance Note on Security Council Resolution 1998:

“Looting and pillaging refer to the individual or collective appropriation and use of goods or property by combatants for personal purposes without the owner’s consent and with increasing levels of organization and aggression ... Looting/pillaging and destruction, not justified by military necessity (wanton destruction) during conflict are violations within the meaning of attacks on schools and hospitals.”⁵¹

Watchlist documented pervasive, ongoing, and sometimes debilitating cases of armed groups looting schools across CAR. According to the April 2015 Education Cluster assessment, 70 percent of the schools attacked or used by armed groups and forces were looted between 2012 and April 2015.⁵² This is roughly 26.6 percent of the 335 schools surveyed.⁵³ At least 26 (roughly 90 percent) of the 29 incidents investigated by Watchlist involved looting, and in some cases, those acts were tied to specific armed groups or an international force. Sometimes armed groups threatened teachers and students during the course of the looting. Watchlist also documented many incidents of civilians also looting school facilities.

Interviewees anecdotally described the increase in the scale and severity of school lootings since the beginning of the conflict in late 2012.⁵⁴ When armed groups attack villages, they sometimes use school



Photo: Local materials used to build a makeshift school in the Central African Republic after an armed group looted the original school structure over a five-month period, rendering the original school inoperable.
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case study

A Director Describes How Armed Groups Targeted the Feeding Program at his School

“On 2 December 2014, [NAME OF NGO WITHHELD] came with 66 bags of rice, 24 boxes of cooking oil with 4 bottles in each box, 16 bags of beans, 2 bags of salt. The items were not delivered all at the same time. The beans, salt, and rice were delivered on December 2 ... On 3 December they brought the cooking oil. It was at that moment, at 4pm, that we were attacked ... I and the director of [girl’s school] came out, and I was there with the team ... [from the NGO]. [After attempting to steal the car and taking our phones] the anti-Balaka told us, ‘We are coming in the night to take the food.’ When they said that, we wanted to hide the food but it was getting dark. ... That same day they came around 11pm, shooting in the air before they came in. The two security guards who were hired to look after the food ran away. If they had remained they would have been killed. ... The anti-Balaka broke the door. ... They took all the food and left us only 36 bags of rice. ...The feeding program finished.”⁶⁷

facilities as a base and loot the school materials.⁵⁵ Even when armed groups are not using schools for their operations, they have broken into schools and stolen school materials.⁵⁶ Watchlist found that armed groups looted school doors, tables, chairs, and textbooks to use as firewood and sold valuable materials such as metal roofs and items from school laboratories for profit.⁵⁷

In some schools, the looting is so frequent and severe there is almost nothing left to steal.⁵⁸ The September 2013 Education Cluster assessment estimated that if students returned to the 176 assessed schools, there would be a ratio of 1 desk to every 32 students.⁵⁹ In addition, 51 percent of the assessed schools reported having textbooks stolen or destroyed.⁶⁰ The impact of this was clearly visible in one school Watchlist visited, where teachers had to refer to students’ notes to teach the class.⁶¹ In the most severe case documented by Watchlist, the ex-Séléka allegedly removed the desks, roof, books, and other office materials from a school in Nana-Grébzi, between December 2012 and April 2013, for various activities.⁶² By the time school reopened, all that remained was a cement frame. Unable to continue teaching in the facility, community members constructed a makeshift school from local materials, next to the former school structure. The school director expressed concerns about keeping the new school open during the upcoming rainy season.

In recent months, armed groups have targeted schools that humanitarian agencies and nongovernmental organizations (NGOs) have recently rehabilitated. This includes specifically targeting valuable school feeding programs, which humanitarian actors established to attract students back to school and to address food insecurity.⁶³ The World Food Programme reports about 1.6 million people (35 percent of the population) are in need of food assistance, and an assessment released in January 2014 found 90 percent of the households surveyed consumed just one meal a day.⁶⁴ These statistics highlight the importance of feeding programs in improving children’s nutritional status and ongoing access to food. Almost every school visited by Watchlist with a feeding program had food supplies stolen, causing a decline in school attendance.⁶⁵ This practice also took place in some internally displaced persons (IDP) sites where humanitarian agencies provided lunch for children involved in education in emergency programs.⁶⁶

Interviewees also identified education kits, which contain essential equipment such as exercise books and pencils, and school backpacks, as a major attraction for groups.⁶⁸ In one case, armed groups stole boxes of school bags en route to a humanitarian base.⁶⁹ The bags were ultimately retrieved by the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) forces. Watchlist and the Education

Cluster also received several reports of armed gunmen looting education kits while humanitarian agencies were distributing them to students in school, although the specific identity of the perpetrators and their association with an armed group is unconfirmed.⁷⁰

Attacks and Threats of Attacks on Related Protected Persons

Guidance Note on Security Council Resolution 1998:

Attacks on Protected Persons: "Under Security Council Resolutions 1998 and 2143, protected persons are considered to be teachers ... as well as other educational personnel, but also students. ... Attacks against protected persons in relation to schools ... include the killing, maiming, injuring, abduction, and use as human shields of education ... personnel. ... To be considered a violation under the SCR 1998, an attack on related protected persons must bear a clear link to the act of providing education. ..."⁷¹

Threats: "In order to qualify as a violation for monitoring and reporting purposes and in line with SCR 1998, a threat must be: 1) Directed toward a particular individual or group of persons related to the seeking or provision of education ...; 2) Credible, in that there is a reasonable likelihood to believe that such attacks could be carried out."⁷²

Students and teachers are vulnerable to attack because of the presence of armed groups in communities and the fact that some individuals use their status of association with an armed group to threaten school staff.

According to the April 2015 Education Cluster assessment, approximately 11.8 percent of the 335 schools surveyed had suffered from incidents in which armed groups had threatened students and teachers between 2012 and April 2015.⁷³ These cases occurred in roughly 31 percent of the 127 cases of attacks and/or military use of schools surveyed.⁷⁴ Watchlist found that threats ranged from systematic targeting, to personal grievances, to threats related to armed groups acting as the local policing authority, to threats against students and teachers for their suspected associations with an opposing armed group. As one school director described to Watchlist, "When people [implying armed groups] are around here, children are still scared. The children continue to have stress. ... [There are] parents who are still scared to send their children here."⁷⁵

Attacks on Students and Teachers

In a few isolated cases, students and teachers have been attacked while at school. For example, in June 2015, anti-Balaka members allegedly used students as human shields during fighting with MINUSCA troops.⁷⁶ The peacekeepers had traveled to the home of an anti-Balaka leader, to retrieve two stolen vehicles. In response, the anti-Balaka staged an attack against MINUSCA troops stationed near Lycée Boganda, a high school in Bangui.



Photo: CAR, Armed man.
© 2007 UNICEF/Pierre Holtz.

At the time of the attack, students from three high schools were at the school. Students were allegedly used by anti-Balaka forces as human shields.⁷⁷ Some students were injured by bullets from the attack or from falling while trying to escape.⁷⁸ A reported 80 students below the age of 18 were taken to medical facilities for treatment.⁷⁹

Threats against Students and Teachers on the School Premises

More commonly, armed groups threaten teachers and students on the school premises. In late 2014, when schools began to officially reopen, the Education Cluster received reports of armed groups, vigilantes, and unidentified armed men targeting schools, possibly because functioning schools represent a return to stabilization and normality.⁸⁰

Other evidence suggests that sometimes armed group members threaten teachers and school directors for taking actions that might interfere with the armed group's activities. In one example, a member of the ex-Séléka threatened a school director after he made changes to the school grounds for safety purposes that

impeded the movement of armed groups by vehicle and other motorists. The school has no wall or fence enclosing the premises and motorists sometimes cut across the area outside the school where students play. The director explained:

We tried to make a canal to deter their [motorists, often ex-Séléka] passage. They [the armed group] were not happy. They spoke to me. One commander promised to kill me in the presence of my students. He quickly removed his knife and showed it to me. ... I told him, "Don't do this, there will be no advantage. I am here to protect the students." He then left. ... The children were scared.⁸¹

In the case study below, Watchlist found that an armed group, which acted as the local policing authority in the area, intervened in a school disciplinary matter. The absence of the rule of law in some areas has led to the involvement of armed groups, which control specific areas, in policing.⁸² As the case study below demonstrates, this sometimes exposes civilians to significant risk.

case study

Armed Group Intervenes in a School Fight

In March 2015, in an area where the ex-Séléka act as the *de facto* police, a fight broke out in a primary government school between a girl and an older boy. While the boy was not enrolled in the school, he had come to the premises to participate in an event in which a humanitarian organization was distributing school materials to children in the area. The school director explained, "I put him [the boy] in my office to discuss this, to know the origin of the fight. I took the girl to the hospital. She had broken her teeth. The parents [of the girl] came to the school. I closed the boy in the office. The parents wanted to take the boy. I came back to try to calm the group. When I arrived, the parents asked me to take out the boy. I said this was a school issue. The girl's mother went to the Séléka. She told [them] that we put the boy in the office and that they should take the boy. The Séléka, two of them, came here and asked me to give them the boy. ... Because of force, there was nothing I could do. I gave the boy to the group. But I said I could not leave him like that and that we have to go to the gendarmerie together. ... They put the boy in detention. ... The boy was tense and scared. ... I went to see the commander of the gendarmerie [and told him] this is a school problem. ... The [boy's] parents [eventually had to] give them something to liberate the boy. The parents gave 10,000CFA [\$16.75] to liberate the child the same day."⁸³

case study

An Alleged Armed Group Attacks a 15-Year-Old Boy while he Fetches Water for his School Feeding Program

In March 2015, a 15-year-old, orphaned, primary school student crossed a bridge separating predominantly Muslim and Christian communities to fetch water for a school feeding program. He explained, "One day the ladies who were cooking sent me to fetch water. The Muslims stopped me and beat me on my jaw. They said, 'Where are you going to school?' When I responded they said, 'These are the people we are looking for.' At that moment the Sangaris came by and the people ran away. ... I started bleeding inside. I mentioned it to the school. Since that incident we are prohibited from getting out, even during the school break."⁸⁴

Although Watchlist was unable to verify the identity of the attackers, the boy noted that the group was armed and speaking Arabic, possibly linking them to the ex-Séléka.⁸⁵

Threats against Students and Teachers en Route to School

The presence of armed groups in communities also creates challenges for students and school personnel who are walking to and from school. Armed groups live near and with local communities in many areas of CAR, where they frequently roam the local roads and man check points and other strategic locations.

In one school, the director explained that his students were crossing from an anti-Balaka-controlled area to attend his school in an ex-Séléka-controlled area.⁸⁶ He claimed that sometimes members of the anti-Balaka suggested children were crossing to the other side to provide information to the ex-Séléka. To avoid confrontations with armed groups, the school administration looked for children's relatives living in the ex-Séléka-controlled area to host students crossing from the anti-Balaka territory.

Sometimes meeting an armed group en route to, or from, school is fatal. Two school administrators at a secondary school explained to Watchlist that in February 2015, following a disturbance near the school, students were released early from classes and three students, ages 16 to 20 years old, were allegedly killed on their way home.⁸⁷

To avoid confronting armed groups, some students and teachers take long, inconvenient detours, to get to school.⁸⁸ A student in a focus group described how he tried to avoid insecure areas: "When we are going back [home] the Séléka threaten us. ... There is a

neighborhood called Arab. ... You have to pass by this area to come to school. It makes us scared. ... What we do now is we deviate from the area."⁸⁹ For children to attend school safely, the environment around schools needs to be secured.

Threats against Students and Teachers by Armed Group Members Acting in their Private Capacity

Watchlist also documented a few cases of suspected armed group members, acting in their private capacity, threatening teachers for taking certain disciplinary actions. These cases likely fall beyond the definition of a threat of an attack used by the Guidance Note because the threats did not appear to be ordered or sanctioned by the armed group and they were not linked to the conflict. The individuals seemed to be motivated by purely personal reasons. Sometimes they capitalized on their suspected status of association with an armed group to threaten education personnel. These cases are important to explore because they highlight how the absence of the rule of law in many areas leaves teachers and students vulnerable to attack.

In one case in April 2015, a parent, who the school staff also believe was a member of the ex-Séléka, threatened a teacher.⁹⁰ The teacher had reprimanded a student for throwing stones on the new school roof. In response, during class time, three men, including the child's parent, armed with machetes, came to the school to threaten the

teacher. One of the men told her, "I know how to use a heavy weapon, if that continues, I will use it on you." Some children ran away. The school staff contacted MINUSCA, who intervened and detained the men.

Watchlist also documented a case that occurred in March 2015 in which a teacher disciplined a student at the school. Soon after the student's brother, who the teacher believed to have ties to an armed group, told the teacher, "If you are not careful, you will sleep in your blood."⁹¹ Ex-Séléka and anti-Balaka elements, which had previously attacked the area, still live near the school. The school administration held a meeting with the local authorities and warned the brother that he would be reported to the international peacekeeping forces if he returned.

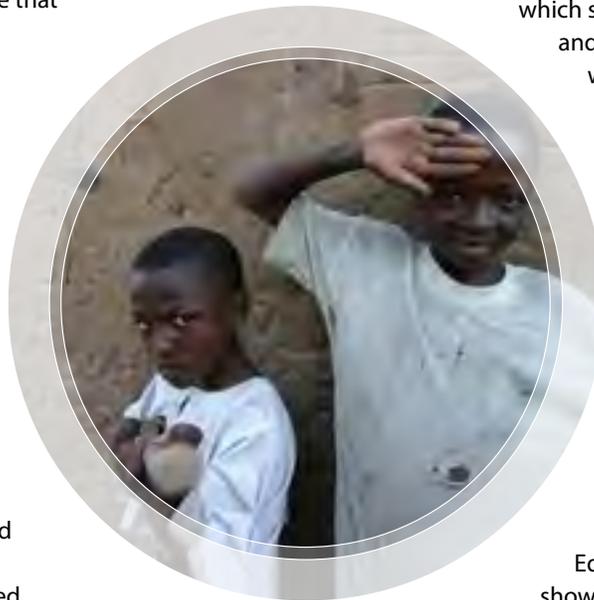
Many interviewees believed that the primary way to stop threats by both armed groups and individual members is by restoring law and order and initiating a disarmament, demobilization and reintegration process.⁹²

Indiscriminate Attacks/Crossfire Incidents

Guidance Note on Security Council Resolution 1998:

"Indiscriminate attacks [include attacks] that are not directed at a specific military objective; employ a method or means that cannot be directed at a specific military objective or employ a method or means of combat the effects of which cannot be limited as required under international humanitarian law."⁹³

Under the MRM, a party's failure to narrowly target a specific military objective, resulting in damage to schools or injury to related protected people, is considered an attack on a school.⁹⁴ Customary international law defines indiscriminate attacks as incidents which strike military objectives and civilians or civilian objects without distinction.⁹⁵



Watchlist found that armed groups fail to protect schools during attacks. Since armed groups in CAR use limited heavy artillery, most of the destruction of school buildings either occurs when armed groups loot schools or when they burn entire villages, including schools, to the ground.⁹⁶ The April 2015 Education Cluster assessment showed that 7.2 percent of the 335 schools surveyed were burned.⁹⁷

In Ouham prefecture, where several armed groups burned villages, 39 percent of the cases of either attacks and/or military use of schools involved armed groups burning schools.⁹⁸ Because the perpetrators of the attack failed to distinguish between civilian spaces and military targets, these incidents are considered indiscriminate attacks on schools.

Watchlist also documented a few incidents of schools being damaged in crossfire, although this is not considered an attack on a school under the MRM.⁹⁹ In some cases these incidents have had the potential to seriously endanger and possibly kill people on the school premises. For example, during one day in May 2015, at around 1pm, after students had left a school in Bangui, an armed group entered the school and shot at leaders gathered at the National Assembly nearby.¹⁰⁰ During the exchange of gunfire, a bullet landed on the school premises.

military use of schools

28



Guidance Note on Security Council Resolution 1998:

“Military use of schools’ refers to a wide range of activities in which armed forces or armed groups use the physical space of a school in support of the military effort, whether temporarily or for a protracted period of time. The term includes, but is not limited to, the use of schools as military barracks, weapons and ammunition, storage, command centers, defensive positioning, observation posts, firing positions, interrogation and detention centers, training facilities, and recruiting grounds.”¹⁰¹

Since the beginning of the conflict in late 2012, armed groups and international forces have used schools as bases for their activities, contributing to significant damage to school property, exposing students and teachers to risk of attack, and limiting children’s right to education. According to the 2015 Education Cluster assessment, about 8.4 percent of the 335 schools surveyed were used by armed groups and forces between 2012 and April 2015.¹⁰² The Education Cluster reported that sometimes armed groups threatened the local population, including the school directors, before using the school buildings.¹⁰³

Under applicable international humanitarian law there is no explicit prohibition on the military use of schools and this practice is not a criterion for listing parties in the Secretary-General’s Annual Report on Children and Armed Conflict. However, even during armed conflict, international human rights law remains in effect.¹⁰⁴ When the extended military use of a school by government forces affects children’s access to education, they may

be violating the right to education guaranteed under international human rights law.¹⁰⁵

In addition, several UN Security Council resolutions express concern about the use of schools for military purposes and call for monitoring and reporting on this issue.¹⁰⁶ The UN Security Council has also called on parties to conflict to refrain from actions that impede children’s right to education.¹⁰⁷

The Government of CAR has signaled to all parties to the conflict the importance of taking steps to ensure schools remain safe spaces, free of military intervention, by endorsing the Safe Schools Declaration and the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict.¹⁰⁸ The Guidelines are non-legally binding commitments, which draw on existing good practice, to help further reduce the impact of armed conflict on students’ safety and education.¹⁰⁹

Military Use of Schools by Armed Groups

Armed groups have used schools as bases for various activities. According to the UN’s Independent Expert on the Situation of Human Rights in the Central African

Republic, when ex-Séléka forces first advanced on Bangui in December 2012, “they occupied and looted all school structures on their way.”¹¹⁰ The violence that ensued gave rise to the anti-Balaka which also temporarily used schools, in a less systematic manner, for their operations as they passed through new towns.¹¹¹ Watchlist found incidents of ongoing use of schools by armed groups in parts of Nana-Grébzi, where active fighting still takes place.¹¹²

Armed groups appear to have sought out school facilities in part because, in many areas, schools have good infrastructure, offering ideal conditions for lodging and, sometimes, strategic positioning. Moreover, because many schools were abandoned during the crisis, armed groups may not have recognized the potentially harmful effects of their members using these buildings.

Among the cases documented by Watchlist, armed groups primarily used schools as lodging facilities and, on occasion, as bases to carry out logistical and operational tasks.¹¹³ In one case investigated by Watchlist, a school director described how members of the anti-Balaka, which has a base behind his school, often loitered on the school premises after students finished class and sometimes used school classrooms for their meetings.¹¹⁴ In another case documented by Watchlist, a substitute teacher from a private school described how the ex-Séléka established a base near his school in May 2014 and occasionally used one of the school classrooms, washed their vehicles on school grounds, and stored items on the school premises (it is not clear what items were kept at the school).¹¹⁵ The presence of the ex-Séléka prevented students from returning to the school.¹¹⁶ According to the April 2015 Education Cluster assessment, armed groups have also used schools as guard posts.¹¹⁷

The military use of schools has led to the destruction of buildings and the looting of essential educational materials.¹¹⁸

The Presence of Armed Groups near Schools

While the Education Cluster has received fewer alerts from humanitarians and nongovernmental organizations (NGOs) of armed groups using schools since the

beginning of 2015, the continued presence of armed group bases near schools is having a detrimental effect on children's right to education. Armed groups near schools could be subject to attack, potentially damaging school infrastructure or leading to civilian casualties.¹¹⁹

In one example investigated by Watchlist, the ex-Séléka reportedly used one of the University of Bangui's departments for six months from March 2014.¹²⁰ The government took measures to advocate for the group to leave, but they settled near the campus. Sometimes faculty and students could hear them shooting in the air. After the administration deemed the facility unsafe, the department had to relocate to another campus where students and staff do not always have enough room for their classes.

Military Use of Schools by International Forces

Between the beginning of the crisis in 2012 and January 2015, the Education Cluster received 11 reports of African Union-led Mission Internationale de Soutien à la Centrafrique sous Conduite Africaine (MISCA), French Opération Sangaris, and UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) forces using schools.¹²¹ The length of time varied from a few weeks to a few months depending on the location and circumstances. The 2015 Secretary-General's Annual Report on Children and Armed Conflict indicates that MISCA and Opération Sangaris forces temporarily occupied five schools in 2014.¹²²

Following the establishment of MINUSCA, and the re-hatting of MISCA troops into MINUSCA, NGOs and local communities have reported fewer cases of international peacekeepers using schools.¹²³ This may in part be attributed to the UN prohibition of peacekeepers using schools in their operations and the preliminary steps taken by MINUSCA's First Commander to sensitize Contingent Commanders of this policy.¹²⁴ It may also relate to the relatively successful coordination between the Education Cluster, MINUSCA, and the UN Humanitarian Civil-Military Coordination in response to reports of MINUSCA peacekeepers using schools.¹²⁵ At the time of the Watchlist

mission, Watchlist received one unverified report of MINUSCA forces using a school in Zémio.¹²⁶

International forces used schools for a variety of reasons. Some MISCA battalions lacked adequate logistical equipment and sought shelter in well-structured, abandoned schools, possibly unaware of the potential harmful effects of their actions.¹²⁷ In some cases, international forces stated that local authorities invited them to establish their base in the school.¹²⁸

As the case study below demonstrates, the use of school facilities by international troops can exacerbate damage to schools, potentially limiting school activities and access to key facilities like toilets and water wells. In severe cases, such as the one described in the case study, the damage to school facilities may pose additional risks to students and teachers. The use of school facilities may also delay the reopening of schools and increase the risk of schools to attack.

case study

The Use of Schools by International Peacekeepers

Watchlist visited two school facilities in a small town, in the center of the country, which Opération Sangaris forces and MISCA forces, reportedly from Gabon, used as barracks for several months in 2014. The schools are located near a main road, close to the entrance of the town, and some members of the community believe the schools were ideally positioned for the protection of civilians.¹²⁹

The ex-Séléka attacked the town early in the conflict, causing the schools to close between late December 2012 and early 2013.¹³⁰ While the schools were abandoned, armed groups and civilians looted the classrooms and offices, and ex-Séléka, and later anti-Balaka members, as well as internally displaced persons (IDPs), used the school facilities for various activities.¹³¹

Sangaris and MISCA troops occupied one school facility (which includes both the boys and girls school) between what interviewees estimated was June/August 2014 and late 2014, possibly early 2015.¹³² Sangaris forces allegedly occupied the other facility sometime between July and September 2014 to December 2014.¹³³ The specific number of soldiers in each facility is unclear. Watchlist contacted MISCA and Opération Sangaris forces for confirmation and clarification of these incidents, but neither could provide further information on these cases.

Although the buildings were already in poor condition, the use of the facilities by international troops appears to have exacerbated the damage in certain ways. By digging up the ground in the school compound, children no longer have an area to play sports.¹³⁴ In one school, troops removed the toilets.¹³⁵ In another, the toilets were used to burn trash.¹³⁶ In both cases, students now have to go to the toilet in the bush, potentially exposing them to dangerous animals such as snakes.¹³⁷ Furthermore, in one school, the troops burned the trash in the school well, depriving students of a facility to store fresh water.¹³⁸ Following the departure of the troops, both schools' facilities were in poor condition, and one school is so badly damaged that humanitarian actors have decided that it cannot be rehabilitated and needs to be rebuilt.¹³⁹

The use of the school facilities occurred at a time when the government and humanitarian agencies were preparing to reopen the schools. Interviewees told us the use of the facilities by international troops delayed the reopening of the schools.¹⁴⁰ A student in a focus group explained, "When they [the Sangaris] are here they provide security. The bad part is when ... we wanted to start school ... they were still here."¹⁴¹

Following advocacy by humanitarian actors, the international forces vacated the schools. One student told Watchlist, "Everything has been destroyed by international forces and should be replaced."¹⁴² In one school, the departing Sangaris troops allegedly took 11 desks and 6 of the teachers' tables to use in their new facilities.¹⁴³ When the United Nations Children's Fund (UNICEF) helped to rehabilitate the school they replaced the desks and the teachers now use school desks instead of tables.¹⁴⁴

the protection of schools by MINUSCA police officers



In October 2014, MINUSCA based police officers at a school in Bangui, école Koudoukou, to protect students, teachers, and the surrounding community. In places where schools are regularly attacked, such as Afghanistan, Iraq, Nigeria, and Thailand, armed forces have similarly set up in or around schools to protect students and staff.¹⁴⁵ The use of armed forces or police officers in and around education institutions has sparked some debate on whether their presence deters or invites attacks, or if it has any other negative consequences, including among humanitarian and peacekeeping actors in CAR.¹⁴⁶ Watchlist findings suggest MINUSCA patrols by police officers around the perimeter of the school may help to increase the safety of students, but that their presence within the school grounds could have negative impacts.

case study

Employing Peacekeepers for the Protection of Schools? The Case of École Koudoukou

École Koudoukou is situated in a predominantly Muslim area of Bangui, opposite a mosque housing many internally displaced persons (IDPs). It is one of the biggest schools in the city, with capacity for several thousands of students.¹⁴⁷ Because of the insecurity in the area, military contingents from MISCA were stationed in the school to protect the IDPs.¹⁴⁸ Shortly after the school formally reopened, government teachers briefly taught classes at the school.¹⁴⁹ The teachers left soon thereafter, possibly due to security-related concerns.¹⁵⁰ People from the neighboring IDP camp currently teach students in the school.¹⁵¹ At the time of writing, the school had 467 students, 120 of whom were in kindergarten.¹⁵²

In October 2014, MINUSCA replaced the military contingent in the school with MINUSCA police officers.¹⁵³ They guard students and teachers at the school, as well as monitor security in the neighboring IDP camp.¹⁵⁴ The officers live in an empty classroom on one side of the campus, and the students work on the other side of the school.¹⁵⁵ The groups do not share bathroom facilities and when the officers interact with students, they reportedly wear civilian clothing.¹⁵⁶ The police officers also patrol the grounds and guard the entrance to the school.¹⁵⁷ At the time of writing, one of the volunteer teachers from the IDP camp, who helped to resuscitate school activities, reported that there had been no security breaches since they reopened the school.¹⁵⁸

The local community strongly supports the presence of the police officers in école Koudoukou and clearly stated that they made them feel safe and deterred looting and threats by armed groups.¹⁵⁹ One member of the school administration stated, “Without them [MINUSCA officers] there is no security. Drug addicts and people with weapons would come. It [the context] is still fragile.”¹⁶⁰ He added, “If international forces [MINUSCA officers] were not here, you would not even find tables.” Some of the school staff expressed a preference for having the police officers inside the school, rather than outside the school grounds.¹⁶¹

The use of MINUSCA police officers to guard schools, however, also raises some concerns about whether the presence of MINUSCA officers may inadvertently compromise the safety of students and teachers. UN and humanitarian policy guidance discourage the use of military forces in school protection.¹⁶² In a case explored earlier in the report, an armed group attacked peacekeepers stationed outside a school and used students as human shields, highlighting the potential dangers of MINUSCA’s presence in schools.¹⁶³ Furthermore, the recent allegations of peacekeepers abusing children in

other settings, including IDP camps, underscores the importance of establishing and maintaining appropriate safeguards to ensure that the possible misconduct of troops does not jeopardize students’ safety.¹⁶⁴ A recent press release from Amnesty International suggests that an operation by MINUSCA police and gendarme, in the same neighborhood as école Koudoukou, on August 2-3, 2015 allegedly led to the rape of a 12-year-old girl and the indiscriminate killing of a 16-year-old boy and his father.¹⁶⁵ The use of MINUSCA police officers for onsite school security, which may not always be the safest and most effective means of ensuring children’s safety, sets a potentially dangerous precedent.

Ideally authorities can address concerns by stationing police officers in a facility located outside the school campus, but close enough for officers to actively patrol in the vicinity of the school and check who enters the school premises. Watchlist found that active patrols by MINUSCA peacekeepers near schools, but not on school premises, made students and teachers feel safe, encouraged the return of students, and minimized the risk of attack.¹⁶⁶ Patrols by police officers around the school perimeter may have a similar effect.

how ongoing fear of attacks in CAR limit children's right to education



In addition to attacks and military use of schools, fear of ongoing attacks in CAR has a chilling effect on children's right to education.

Schools officially reopened in CAR on November 20, 2014, but certain groups of students are not attending school at the same rates as before the conflict. In particular, anecdotal evidence from the schools visited by Watchlist suggests many Muslim students no longer frequent the schools they once attended.¹⁶⁷ This is in part because many Muslims have fled the country, but also because some of the Muslims who remain in CAR are too afraid to allow their children to leave their neighborhoods, even if there are no schooling options in the area.¹⁶⁸ According to staff in one public school visited by Watchlist, which had a majority of Muslim students before the crisis, parents told the school administration that if they wanted Muslim students to return, they would need to escort those students home regularly.¹⁶⁹

For students and teachers who are able to return to school, rumors or threats of attacks hinder the frequency of attendance.¹⁷⁰ Sometimes these types of incidents caused students and staff to flee for several days, even weeks,

interrupting the class schedule.¹⁷¹ A September 2013 Education Cluster assessment found that since December 2012, 86 percent of the 176 schools assessed were closed at least once.¹⁷² Watchlist was present when armed men near a school shot in the air in May 2015, causing students and nearby internally displaced persons (IDPs) to scatter chaotically across the school field in search of safety. Despite the prevalence and frequency of these events, few schools investigated by Watchlist had trained children on what to do in the event of a threat or armed attack.¹⁷³

Furthermore, poor security has prevented many qualified teachers from returning to school. Watchlist interviews suggest some of the most affected areas include predominantly Muslim communities, as well as areas outside of the capital.¹⁷⁴ As a consequence of this shortage, schools outside of Bangui are largely reliant on volunteer teachers from the community or "maître-parents".¹⁷⁵ Maître-parents are parents with a broad range of backgrounds, often without formal qualifications, who take on the role of teachers where the government is unable to provide qualified teachers.¹⁷⁶ According to the April 2015 Education Cluster assessment, 55 percent of teachers outside Bangui are maître-parents.¹⁷⁷ In remote areas, over 90 percent of the teaching staff are maîtres-parents.¹⁷⁸ Communities normally provide small contributions to compensate these volunteers but, without access to their livelihoods, this has become increasingly difficult and could lead to the interruption of schooling.¹⁷⁹

A number of educators, students, teachers, and humanitarians still view schools as unsafe.¹⁸⁰ According to a psychological needs assessment by Save the Children, 24 percent of the children surveyed were described by their parents and teachers as being afraid to go to school.¹⁸¹ A member of a school administration told Watchlist, "We work in an atmosphere of worry all the time."¹⁸² Some school staff raised concerns about violence among students and periodically searched children for weapons. They described students bringing "armes blanches," a light blade weapon, with them to school.¹⁸³ In one school, the staff met with parents to explain the dangers of children bringing weapons to school.¹⁸⁴ Some teachers and government officials expressed concern and uncertainty about how long the period of relative stability would last.¹⁸⁵





part II: how to strengthen school safety and security and improve access to education

strengthening the legislative framework to protect schools from attack and military use

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The Transitional Government of CAR has taken important steps to ratify international treaties, adopt national legislation, and endorse policies protecting children's right to education, but some gaps remain.

International Commitments

The government has ratified key human rights treaties, including the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Rights of the Child (CRC), which establish the right to education.¹⁸⁶ These treaties recognize that states are to make primary education free and compulsory, and secondary education generally available. While opposition groups are not formally bound by international human rights law,

those that have effective control over populated areas should seek to act consistently with international human rights law.

CAR is party to the Geneva Conventions and Additional Protocols I and II.¹⁸⁷ International humanitarian law imposes upon all parties to armed conflict a legal obligation to reduce unnecessary suffering and to minimize harm to civilians. It applies to both government armed forces and non-state armed groups. Under international humanitarian law, parties must distinguish between civilians and combatants and between civilian objects and military objects.¹⁸⁸ Attacks may only be directed at combatants and military objectives.¹⁸⁹ Parties to the conflict must take all feasible precautions to protect civilians and civilian objects under their control from attack.¹⁹⁰ They should also, to the extent feasible, remove civilians under their control from the vicinity of military objectives.¹⁹¹

CAR has yet to ratify the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict or the African Charter on the Rights and Welfare of the Child. The Protocol commits states to take steps to prevent and address the recruitment of children below the age of 18.¹⁹² The Charter commits states to protect children affected by international and internal armed conflict.¹⁹³ The government should take steps to ratify and incorporate these treaties into national law to provide further protection for children affected by armed conflict.

National Commitments

The government promotes the right to education in CAR through a national education act, which makes schooling compulsory from ages 5 to 16.¹⁹⁴ The act does not specify any provisions or protections on access to education during periods of armed conflict. In addition, at the time of writing, the government was in the process of finalizing a legal code for the protection of children.¹⁹⁵ While Watchlist has not seen the provisions of the code,

a representative from the Ministry of Social Welfare indicated that it would integrate key international and regional treaty commitments on children.¹⁹⁶ This should include provisions promoting the safety and security of schools and the right to education during armed conflict.

The Guidelines to Protect Schools and Universities from Military Use during Armed Conflict

In June 2015, the government took steps to protect schools and universities from military use by endorsing the Safe Schools Declaration.¹⁹⁷ The Declaration, developed through state consultations led by Norway and Argentina in Geneva throughout the first half of 2015, provides states the opportunity to express broad political support for the protection and continuation of education in armed conflict, and is the instrument for states to endorse and commit to implement the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict. The Guidelines are non-legally binding commitments, which draw on existing good practice, to provide guidance to further reduce the impact of armed conflict on students' safety and education.¹⁹⁸ The act of endorsing the Declaration signals to all parties to the conflict, as well as international peacekeepers, the importance of ensuring schools remain safe spaces during periods of conflict. The Transitional Government of CAR may consider taking this one step further by banning the military use of schools. In South Sudan, also one of the first countries to endorse the Guidelines, the Ministry of Defense and Veteran Affairs has requested an amendment to the Sudan People's Liberation Army (SPLA) Act of 2009, which would ban military use of schools completely.¹⁹⁹ The SPLA Act of 2009 provides guidance on the establishment, governance, and discipline of the SPLA, the army of the Republic of South Sudan.²⁰⁰

At a minimum, the government should take steps to incorporate the Guidelines into existing legislation and military doctrine, or enact new legislation or policies that implement the Guidelines. Since the government is currently developing a code for the protection of children,

they could, for example, include a provision incorporating the Guidelines. In addition, the government should review and amend its current military training manuals, including the Instructor's Manual, military law manuals, field manuals, and disciplinary regulations, to reflect the provisions in the Guidelines and encourage appropriate practice throughout the chain of command.

Criminal Liability

Individuals who willfully commit serious violations of international humanitarian law can be prosecuted in domestic or international courts for war crimes. Among the war crimes set out under the Rome Statute of the International Criminal Court (Rome Statute) is "[i]ntentionally directing attacks against buildings dedicated to ... education, ... provided they are not military objectives."²⁰¹ States have an obligation to investigate alleged war crimes committed by their nationals, including members of the armed forces, and prosecute those responsible.²⁰² Non-state armed groups also have a legal obligation to respect international humanitarian law, and a responsibility to ensure that their commanders and combatants abide by its requirements.²⁰³

To hold perpetrators of attacks on schools accountable, the government should complete the process it began in 2009 to implement the provisions of the Rome Statute into its penal code.²⁰⁴ CAR's 2011 penal code criminalizes war crimes, which it defines as grave breaches of the Geneva Conventions and other serious violations of the laws and customs applicable in international armed conflict (generally the use of an armed force between two states).²⁰⁵ This includes liability for intentionally attacking a building dedicated to education, provided it is not a military objective.²⁰⁶ However, the current conflict in CAR is not an international armed conflict. In order to ensure maximum protection for schools, and to bring national legislation in full compliance with the Rome Statute, the government should ensure that its definition of war crimes also includes serious violations of the laws and customs applicable in non-international "internal" armed conflicts, including attacks against buildings dedicated to education (provided they are not military objectives).²⁰⁷

strengthening monitoring and reporting of attacks and military use of schools

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The Transitional Government of CAR and humanitarian agencies can enhance their capacity to monitor attacks on schools by strengthening the collaboration between the Country Task Force on Monitoring and Reporting (CTFMR) and education actors, sustaining the coordination capacity of the Education Cluster, and rebuilding the government's monitoring systems.

Monitoring and Reporting through the MRM

The UN-led Monitoring and Reporting Mechanism (MRM) in CAR has established vital relationships with education actors that can be strengthened to further increase monitoring and a multi-sectoral response to attacks and military use of schools.

The UN Security Council established the MRM following a series of resolutions and presidential statements that

provide UN actors with a variety of tools to address grave violations against children in conflict, including attacks on schools.²⁰⁸ Every year the Secretary-General presents an annual report on the situation of children in armed conflict, which includes a list of parties to armed conflict which commit specific violations against children.²⁰⁹ The MRM is established in every country situation where at least one party to the conflict is listed in the annual report to monitor and report on the six grave violations.²¹⁰ Security Council Resolution 1998 specifically calls for the Secretary-General to consider listing parties to a conflict which conduct recurrent attacks or threats of attacks on schools and/or hospitals, as well as on protected persons in relation to schools or hospitals.²¹¹

The MRM was established in CAR in 2007.²¹² The CTFMR, which is currently co-chaired by the United Nations Children's Fund (UNICEF) and the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), supports the operationalization of the MRM at country level. Prior to the recent conflict, the mechanism was not very active.²¹³ Many agencies did not have any knowledge of the MRM system and most were concentrated in Bangui, limiting access to information on violations in other parts of the country.²¹⁴

In 2013, in the wake of the early conflict violence, UNICEF hired three staff to conduct monitoring for the MRM.²¹⁵ At the time of writing, UNICEF anticipated scaling down to a single MRM focal point to oversee the monitoring of grave violations with the support of national field staff.²¹⁶ This change in capacity is likely to lead to a greater reliance on MINUSCA to conduct monitoring on grave violations through their allotment of 16 child protection advisers (CPAs).²¹⁷ At the time of research, MINUSCA had hired 6 out of the 16 CPAs and at the time of writing, this had risen to 12 CPAs.²¹⁸ In the past, limited staff capacity has led to some difficulties in verifying cases.²¹⁹

In 2014, the ex-Séléka and associated armed groups were listed for attacks on schools committed in CAR in 2013.²²⁰ Verifying evidence of attacks on schools by the

anti-Balaka through the MRM has proven challenging, in part because the diffuse, unstructured nature of the group makes it difficult to attribute specific violations to group members.

The Role of the Education Cluster

The Education Cluster in CAR plays a critical role in providing information on attacks and military use of schools. Assessments facilitated by the cluster have been invaluable in not only providing data on the state of the education system, but have also yielded important information on the scope and trends of attacks and military use of schools. According to one interviewee, the bulk of the alerts and cases documented by the MRM on attacks and military use of schools are provided through the Education Cluster.²²¹

UNICEF and MINUSCA, the co-chairs of the MRM, have taken important steps to develop relationships with education actors to help strengthen the MRM's ability to capture information on this violation. For example, during the conflict period, the MRM Technical Working group, which comprises actors who work under the CTFMR to implement the MRM, provided a short training for members of the Education Cluster on attacks on schools.²²² Subsequently, the Education Cluster periodically shares alerts it receives from NGOs on attacks or military use of schools with the MRM.²²³

UNICEF and MINUSCA are seeking ways to improve and formalize their collaboration with the Education Cluster.²²⁴ To further improve monitoring and information-sharing between the MRM and Education Cluster, these agencies should provide additional contextualized training for cluster members, including the members of the Education Sub-Cluster at the prefectural level, agree on key definitions for terms such as schools or attacks in this conflict context, establish procedures for relaying information on attacks, and identify roles and responsibilities for verification, follow-up, response, and feedback to NGO partners providing alerts. In addition, one of the co-leads from the Education Cluster should participate in the MRM Technical Working Group to enhance information exchange on a more regular basis.

As humanitarian agencies transition into more development-oriented programming, UNICEF is likely to hand over the role of the independent cluster coordinator to a permanent member of its staff not wholly dedicated to the cluster and therefore with less time and resources for cluster activities. Given the ongoing insecurity and the shortage of qualified staff on the ground, it is important that the cluster maintain adequate capacity to ensure focused engagement on the issue of attacks and military use of schools.

Opportunities for the Government to Monitor Attacks and Military Use of Schools

In addition to strengthening UN mechanisms for monitoring attacks on schools, donors and humanitarian agencies should also strengthen the government's capacity to protect schools through rehabilitating the Ministry of Education offices and providing them with the necessary resources to also monitor schools. The government currently faces numerous challenges gathering data on schools because their offices were looted during the conflict and they have no materials, transportation, and sometimes no facilities to operate.²²⁵

In this regard, the government may be able to capitalize on a new trial technology system called EduTrac, which will allow the Ministry of Education to receive real-time SMS data from school directors for monitoring schools.²²⁶ Through the system, the Ministry sends six SMS survey questions to school directors on a weekly basis to gather basic school data.²²⁷ School directors respond to the questions by sending a free SMS to a special number.²²⁸ UNICEF, who is currently supporting the initiative, is examining ways in which the system could document attacks on schools.²²⁹ The government should periodically share the data collected through EduTrac with the Education Cluster, the MRM Focal Point, and other relevant stakeholders for assistance with possible verification and response.

sensitizing peacekeeping troops on attacks and military use of schools

To raise awareness of attacks and military use of schools, the UN should take steps to ensure peacekeeping forces receive comprehensive pre-deployment and in-theater training on the protection and rights of children, in accordance with DPKO Specialised Training Materials on Child Protection, and develop standard operating procedures (SOPs) recalling and outlining peacekeeping obligations in relation to child protection.

To enhance understanding of child protection standards and principles, the UN requires peacekeeping troops to receive pre-deployment training on child protection.²³⁰ Currently, most troop contributing countries provide only 1-2 hours of basic orientation on child rights and child protection.²³¹ The recently revised DPKO Specialised Training Materials on Child Protection, developed through a multi-agency, consultative process, should be used as the standardized child protection training as part of the pre-deployment training curriculum for all UN military peacekeepers.²³²

Given the challenges of monitoring whether pre-deployment trainings are taking place, MINUSCA should follow up with additional, in-theater trainings based on the revised training materials. At present, MINUSCA child protection actors sometimes use between 45 - 90 minutes to introduce child protection standards and principles to peacekeepers during the induction training.²³³ Soon after, troops are deployed to the field. In mid-2015, MINUSCA and an international NGO arranged a longer, more comprehensive child protection training to coincide with the rotation of the troops.²³⁴ To ensure sustainable, periodic training, particularly during troop rotations, the UN should allocate funding to support the logistics for in-mission training by the MINUSCA child protection unit. It should also consider hiring a full-time mobile training officer to conduct child protection trainings in areas where troops are deployed.

During the conflict, MINUSCA's First Commander took preliminary steps to sensitize Contingent Commanders on the UN's own prohibition on the military use of schools.²³⁵ UN guidelines stipulate that peacekeepers cannot use schools in their operations.²³⁶ To ensure widespread dissemination and understanding of this policy, the MINUSCA child protection section is developing SOPs that outline the responsibilities of peacekeepers in regard to child protection, including the need to protect schools.²³⁷ Military commanders should ensure the SOPs are integrated into overall planning, preparation, and conduct of operations. These steps will help to promote sustained awareness of child protection principles when troops rotate.²³⁸



engaging non-state armed groups

UNICEF and MINUSCA should raise awareness and sensitize armed groups on attacks and military use of schools and endeavor to secure commitments with armed groups to halt and prevent these violations and abuses.

UNICEF and MINUSCA have established relationships with some armed group leaders and have succeeded in encouraging some of the main groups to release children in their ranks.²³⁹ In addition, in some areas, MINUSCA and other humanitarians periodically meet with armed group leaders to discuss key concerns. In these talks, the issue of attacks and military use of schools is not always high on the agenda.²⁴⁰

To raise awareness among armed groups, these issues should form a prominent and substantive component of ongoing discussions and should be integrated into any training for armed group members.

In addition, MINUSCA and UNICEF should attempt to secure commitments from armed groups not to attack or use schools for military purposes. Under the MRM, parties to the conflict who are listed for recurrent attacks on schools or recurrent attacks or threats of attacks against protected persons in relation to schools should prepare time-bound action plans to halt and prevent those violations and abuses.²⁴¹ Since the activation of the MRM in CAR in 2007, three armed groups have concluded action plans with the UN, but some have since been listed for additional violations for their actions in the current conflict, including attacks on schools.²⁴²

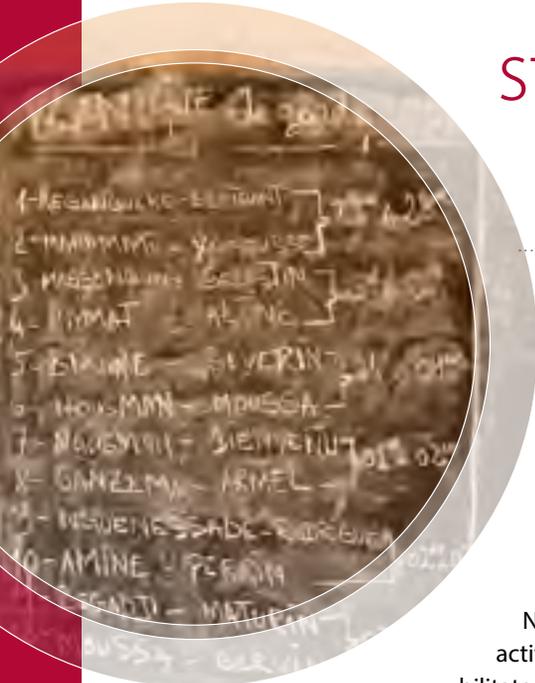
Given the large number of armed groups with weak command structures and little or no knowledge of international standards and norms, entering into formal agreements with all the groups may be challenging. Relevant UN authorities may seek to enter into action plans with armed groups that address multiple violations simultaneously, as opposed to developing separate action plans for each violation. Action plans that address multiple violations run the risk of some violations, such as recruitment and use, overshadowing other violations. They also raise concerns about the ability of the UN to ensure the same level of accountability for all violations.

The UN may alternatively consider establishing a dialogue with individual commanders at the local level, taking a “one-by-one” approach, to build trust and pave the way for introducing child protection principles.



strengthening the security of the school environment

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People interviewed by Watchlist called for greater efforts to secure the school environment. The Transitional Government of CAR, humanitarian agencies, and domestic NGOs have carried out an active campaign to rehabilitate school infrastructure and encourage children and teachers to return. As part of these efforts, stakeholders should develop an integrated approach to protection and education programming that responds to the insecurity that persists within and around schools.

According to the UN Financial Tracking Service, at the time of writing, the Education Cluster had only received 38.1 percent of the 29,943,470 USD it requested to respond to the crisis.²⁴³ This is roughly 6 percent of the total funding donated so far in response to the conflict.²⁴⁴ Few donors have formal policies addressing their position on education in emergencies practice and financing.²⁴⁵ In the context of the conflict in CAR, donor support for education should include initiatives that strengthen the safety and security of the school environment. Given the pervasive looting of schools by armed groups, donors should take steps to ensure their investments do not inadvertently endanger students and indirectly finance armed groups.

Strengthening the Environment Surrounding Schools through Active Patrols

The UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) peacekeeping forces should take steps to help improve the security surrounding schools, with the goal of ultimately transitioning this responsibility to UN or national police and phasing out of this type of protection.

Security Council Resolution 2217, which renewed MINUSCA's mandate in 2015, called for the protection of "the civilian population from threat of physical violence ... including through active patrolling" and the "specific protection for women and children affected by armed conflict."²⁴⁶ These provisions allow for active patrolling in the vicinity of schools and other civilian spaces.

At the time of writing, MINUSCA determined areas where their presence was most needed based on a matrix of hotspots which examined issues such as the number of people displaced, the presence of armed groups, and the level of active fighting.²⁴⁷ MINUSCA peacekeepers should consider including attacks or threats of attacks on schools in their protection of civilian assessment of where to send patrols.

Watchlist witnessed local communities respond positively to MINUSCA peacekeeping forces patrolling near schools. The presence of the forces in these areas made a substantial difference to students' and teachers' feelings of security and helped to minimize incidents of looting.²⁴⁸ A school director in one such area told Watchlist, "[The presence of the troops is] very important, it brings security. It is an advantage. If they were no longer here, it [the task of securing the school] would be up to the government."²⁴⁹ Several interviewees, particularly in insecure areas that border two religious communities, called for MINUSCA to either station international troops near the school, to actively patrol the area, or to increase their patrols.²⁵⁰

Although many interviewees called for increased peacekeeping patrols in unsafe areas with schools, it is important that peacekeeping forces maintain some distance from the school facility, to ensure they do not inadvertently endanger students. These measures could, for example, include ensuring peacekeepers patrol the neighborhood broadly and are not necessarily associated with a particular school.

Improving the Physical Protection of Schools

Interviewees had several suggestions for strengthening the security of the school premises and involving

local communities and education personnel in guarding schools.

Many interviewees told Watchlist that installing a wall or fence around the school property, especially in areas vulnerable to attack, would greatly enhance school security.²⁵¹ At one school located near an anti-Balaka base, the director told Watchlist, “How can you limit their [the armed group’s] presence? There is nothing you can do. As long as there is no fence, the school is open to all. . . . Without a wall, the space is open. Everyone passes by.”²⁵² In another school visited by Watchlist, an international NGO built a wall around the school to increase safety. One of the teachers from the school praised the initiative stating, “Before there was no fence. We would teach for a few minutes, and then get out [of the classroom] to check [what was happening outside]. But now the school has fence.”²⁵³ In addition, actors rehabilitating schools should consider placing locks on doors and security bars across windows to help deter incidents of theft.

Some interviewees recommended establishing civilian guards, with appropriate equipment, to help keep schools safe.²⁵⁴ In a focus group discussion, interviewees suggested, for example, hiring unemployed youth from the community to protect schools.²⁵⁵ Other interviewees suggested creating a home for school directors and teachers on the school premises so that they can watch over the property at night.²⁵⁶ In one school, parents claimed to have arranged volunteers to watch over their school, which had suffered from several incidents of theft, at night.²⁵⁷ They asked for these individuals to be paid so they could continue to guard the premises.

Protecting Students en Route to School

As described earlier in the report, students and teachers sometimes face significant threat of attack walking to and from school. To mitigate this danger, in one of the schools visited by Watchlist, a humanitarian agency had organized students to walk together to school in small groups, with at least one older child accompanying smaller children.²⁵⁸ One parent suggested students carry whistles while walking to school, so they can alert communities if a stranger approaches them with guns.²⁵⁹

Planning and Implementing a School Safety and Security Plan

Several interviewees highlighted the need to develop an emergency preparedness plan and regular safety drills, so students and teachers know what to do when their school is threatened or attacked.²⁶⁰ One humanitarian agency has attempted to integrate this into their support of schools in hotspot areas.²⁶¹ It has trained a teacher and parent from each school on what to do in the event of an emergency.²⁶² Some people interviewed by Watchlist suggested including parents in the emergency preparedness planning, because they often panic when they hear rumors or threats of an attack and further contribute to the chaos that ensues at the school.²⁶³ To coordinate planning between educational staff, parents, and students, the school administration may consider establishing school management committees to explore options for enhancing safety and security. Ideally, these committees should include representatives from the student body, parents, and education staff.

Providing Psychosocial Support to Students

To promote an environment conducive to reconciliation and learning, many interviewees highlighted the need for teachers and students to develop tools, with the support of child protection networks and volunteers, to address challenging psychological problems.²⁶⁴ A recent psychological assessment, carried out by Save the Children in two locations in CAR, shows that roughly two-thirds of the students surveyed had Post-Traumatic Stress Disorder (PTSD).²⁶⁵ To restore schools as physically and emotionally safe spaces for children, the study recommends establishing routine school activities and predictable adult responses.²⁶⁶ This involves building the capacity of teachers to assess psychological problems among children and to adjust teaching techniques for children with PTSD, attention disorders, and behavioral disorders.²⁶⁷ It also includes establishing school support groups after class for children with more acute psychological problems.²⁶⁸ To reinforce children’s emotional security, the study recommends introducing exercises for relaxation and emotion management.²⁶⁹ Finally, to foster a sense of predictability, the study suggests teachers devise rules of conduct for the classroom, which lead to rewards for students who behave well and non-violent punishments when students behave badly.²⁷⁰

holding perpetrators of attacks on schools accountable



Photo: Children in front of destroyed homes in Ngaoundaye, Central African Republic. © 2007 HDPTCAR.

To further increase school safety, the Transitional Government of CAR and the UN should strengthen the judicial system and hold flagrant perpetrators of attacks on schools accountable through sanctions and transparent prosecutions.

In many areas of CAR the absence of the rule of law has led to high levels of impunity.²⁷¹ The judicial system has limited staff and resources for the prosecution of offenders.²⁷² The Government, with the support of the international community, needs to take steps to reestablish rule of law, including through reviving the judicial system.

The Transitional Government of CAR adopted a bill on April 22, 2015 to establish a Special Criminal Court, which, drawing on national legislation, will have jurisdiction to investigate crimes against humanity, war crimes, and genocide committed on CAR's territory since 2003.²⁷³ In order for the court to work in complementarity with the International Criminal Court (ICC), which has already opened two investigations in CAR, the government will need to complete the legislative process for the full implementation of the Rome Statute of the International Criminal Court (Rome Statute).²⁷⁴ This action will open the door for domestic prosecution of armed group members who, under certain circumstances, direct attacks against buildings dedicated to education and related protected civilians.

In 2013, the UN Security Council passed Resolution 2127, which established a sanctions regime for CAR.²⁷⁵ In a breakthrough decision, the UN Security Council stipulated, upon renewing the sanctions regime in January 2015, that the Sanctions Committee may designate individuals who attack schools and hospitals in violation of international law for travel bans and asset freezes.²⁷⁶ Through the sanctions regime, the UN should consider designations of the representatives from armed groups who, in particular, attack schools and refuse to take measures to address this violation and sign action plans.

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- 3 *Ibid.*, p. 7.
- 4 UN Security Council, Report of the UN Secretary-General on Children and Armed Conflict (A/68/878-S/2014/339), May 15, 2014, http://www.un.org/ga/search/view_doc.asp?symbol=A/68/878&Lang=E&Area=UNDOC (accessed July 1, 2015), Annex I.
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- 12 Human Rights Watch (HRW), "I Can Still Smell the Dead' The Forgotten Human Rights Crisis in the Central African Republic," September 2013, https://www.hrw.org/sites/default/files/reports/car0913_ForUploadWInsert_0.pdf (accessed July 8, 2015), p. 29; IPIS, "Mapping Conflict Motives: The Central African Republic," p. 21.
- 13 UN Security Council, Report of the UN Secretary-General on Children and Armed Conflict (A/68/878-S/2014/339), para. 33.
- 14 IPIS, "Mapping Conflict Motives: The Central African Republic," p. 22.
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- 86 Watchlist interview (name and location withheld), school director, May 13, 2015.
- 87 Watchlist interview (names and location withheld), two education personnel, May 8, 2015.
- 88 Watchlist interviews (names and location withheld), two school directors and a government education official, April 29, 2015; (names and location withheld), one 16-year-old male student, one 17-year-old male student, one 18-year-old male student, and one 15-year-old male student, April 30, 2015; (names and location withheld), three teachers, May 13, 2015.
- 89 Watchlist interview (names and location withheld), one 16-year-old male student, one 17-year-old male student, one 18-year-old male student, and one 15-year-old male student, April 30, 2015.
- 90 Watchlist interviews (names and location withheld), two school directors, May 12, 2015; (names and location withheld), one 14-year-old female student and one 15-year-old male student, May 12, 2015.
- 91 Watchlist interview (names and location withheld), six teachers, one school director, and a government education official, April 30, 2015.
- 92 Watchlist interviews (name and location withheld), government education official, April 27, 2015; (names and location withheld), two school directors and a government education official, April 29, 2015; (name and location withheld), school director, May 6, 2015; (names and location withheld), three parents, May 6, 2015; (name and location withheld), school director, May 13, 2015; (name and location withheld), representative of a humanitarian agency, May 14, 2015; (name and location withheld), two school directors, May 15, 2015.
- 93 OSRSG-CAAC, UNICEF, WHO, and UNESCO, “Protect Schools + Hospitals: Guidance Note on Security Council Resolution 1998,” p. 7.
- 94 *Ibid.*
- 95 “Customary International Humanitarian Law: Rule 12. Definition of Indiscriminate Attacks,” ICRC, accessed July 25, 2015, https://www.icrc.org/customary-ihl/eng/docs/v1_rul_rule12.
- 96 Watchlist interviews (names and location withheld), two representatives from a domestic NGO, April 21, 2015; (names and location withheld), two school directors and a vice president of an Association de Parents d’Elèves, April 27, 2015; (name and location withheld), 10-year-old female student, April 27, 2015; (name and location withheld), school director, April 28, 2015; (name and location withheld), teacher, April 28, 2015; (names and location withheld), two school directors and a government education official, April 29, 2015; (name and location withheld), school director, April 29, 2015; (names and location withheld), two teachers, one school director, three members of various Associations de Parents d’Elèves, and one community member, April 30, 2015; (name and location withheld), representative from a humanitarian agency, May 4, 2015; (names and location withheld), two education officials, May 8, 2015; (names and location withheld), maître-parent and vice president of an Association de Parents d’Elèves, May 6, 2015; (names and location withheld), school director, May 7, 2015; (names and location withheld), three teachers, May 13, 2015; (names and location withheld), two education personnel, May 13, 2015.
- 97 Cluster Education en République Centrafricaine, “Education Cluster Assessment on the State of Education in Central African Republic, End of the First Semester,” p. 25. According to the assessment, 38 percent of the schools surveyed were attacked and/or used by armed groups and/or military forces. Of this group, 19 percent of the cases involved armed groups burning schools.
- 98 Watchlist interview (name and location withheld), representative from a humanitarian agency, May 4, 2015; Cluster Education en République Centrafricaine, “Education Cluster Assessment on the State of Education in Central African Republic, End of the First Semester,” p. 25.
- 99 OSRSG-CAAC, UNICEF, WHO, and UNESCO, “Protect Schools + Hospitals: Guidance Note on Security Council Resolution 1998,” p. 7. The following people reported their schools being hit by bullets: Watchlist interviews (name and location withheld), school director, April 29, 2015; (names and location withheld), six teachers, one school director, and a government education official, April 30, 2015; (name and location withheld), school director, May 15, 2015; (name and location withheld), school director, May 18, 2015.
- 100 Watchlist interview (name and location withheld), school director, May 18, 2015.
- 101 OSRSG-CAAC, UNICEF, WHO, and UNESCO, “Protect Schools + Hospitals: Guidance Note on Security Council Resolution 1998,” pp. 29-30.
- 102 Cluster Education en République Centrafricaine, “Education Cluster Assessment on the State of Education in Central African Republic, End of the First Semester,” p. 25. According to the assessment, 38 percent of the schools surveyed were attacked and/or used by armed groups and/or military forces. Of this group, 22 percent of the schools were used by armed groups and/or military forces.
- 103 *Ibid.*

- ¹⁰⁴ The International Court of Justice in the Nuclear Weapons advisory opinion stated that “the protection of the International Covenant of Civil and Political Rights does not cease in times of war, except by operation of Article 4 of the Covenant whereby certain provisions may be derogated from in a time of national emergency.” International Court of Justice (ICJ), *Legality of the Threat or Use of Nuclear Weapons*, Advisory Opinion, 1996, ICJ Reports (July 8, 1996), <http://www.icj-cij.org/docket/files/95/7495.pdf> (accessed August 14, 2015), para. 25. According to the Human Rights Committee, the ICCPR “applies also in situations of armed conflict to which the rules of international humanitarian law are applicable. While, in respect of certain Covenant rights, more specific rules of international humanitarian law may be specially relevant for the purposes of the interpretation of Covenant rights, both spheres of law are complementary, not mutually exclusive.” Human Rights Committee, General Comment 31, *Nature of the General Legal Obligation on States Parties to the Covenant*, U.N. Doc. CCPR/C/21/Rev.1/Add.13 (2004), <https://www1.umn.edu/humanrts/gencomm/hrcom31.html> (accessed August 14, 2015), para. 11.
- ¹⁰⁵ See CRC, art. 28(a); ICESCR, art. 13.
- ¹⁰⁶ OSRSG-CAAC, UNICEF, WHO, and UNESCO, “Protect Schools + Hospitals: Guidance Note on Security Council Resolution 1998,” p. 10.
- ¹⁰⁷ UN Security Council, *Statement by the President of the Security Council (2009) (S/PRST/2009/9)*, http://www.un.org/en/ga/search/view_doc.asp?symbol=S/PRST/2009/9 (accessed August 13, 2015).
- ¹⁰⁸ “Safe Schools Declaration Endorsements.”
- ¹⁰⁹ See “Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict,” GCPEA, accessed June 29, 2015, <http://protectingeducation.org/guidelines>.
- ¹¹⁰ Human Rights Council, *Preliminary Report of the Independent Expert on the Situation of Human Rights in the Central African Republic, Marie-Thérèse Keita Bocoum (A/HRC/26/53)*, May 30, 2014, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/a_hrc_26_53.pdf (accessed August 13, 2015), para. 26.
- ¹¹¹ Watchlist interviews (name and location withheld), school director, April 23, 2015; (name and location withheld), representative from a humanitarian agency, April 19, 2015.
- ¹¹² Watchlist interviews (name and location withheld), maître-parent, May 6, 2015; (names and location withheld), maître-parent and a vice president of an Association de Parents d’Elèves, May 6, 2015; (names and location withheld), maître-parent, government education official, and president of an Association de Parents d’Elèves, May 7, 2015.
- ¹¹³ Watchlist interviews (name and location withheld), school director, April 23, 2015 and May 18, 2015; (names and location withheld), maître-parent and vice president of an Association de Parents d’Elèves, May 6, 2015; (names and location withheld), two education personnel, May 8, 2015; (name and location withheld), substitute teacher, May 14, 2015.
- ¹¹⁴ Watchlist interview (name and location withheld), school director, May 18, 2015.
- ¹¹⁵ Watchlist interview (name and location withheld), substitute teacher, May 14, 2015.
- ¹¹⁶ *Ibid.*
- ¹¹⁷ Cluster Education en République Centrafricaine, “Education Cluster Assessment on the State of Education in Central African Republic, End of the First Semester,” p. 25.
- ¹¹⁸ Watchlist interviews (names and location withheld), one 17-year-old female student, one 13-year-old male student, one 17-year-old male student, and one 18-year-old male student, April 30, 2015; (name and location withheld), school director, May 7, 2015; (names and location withheld), two education personnel, May 8, 2015.
- ¹¹⁹ See GCPEA, “Lessons in War 2015, Military Use of Schools and Universities during Armed Conflict,” May 2015, http://www.protectingeducation.org/sites/default/files/documents/lessons_in_war_2015.pdf (accessed July 25, 2015), p. 62.
- ¹²⁰ Watchlist interview (name and location withheld), member of faculty, May 19, 2015.
- ¹²¹ Education Cluster database of reported attacks on schools, on file at Watchlist. See also Watchlist interviews (name and location withheld), school director, April 28, 2015; (name and location withheld), teacher, April 28, 2015; (names and location withheld), two school directors and a government education official, April 29, 2015; (names and location withheld), representatives from an international NGO, April 21, 2015; (names and location withheld), two representatives from a domestic NGO, April 21, 2015; (name and location withheld), representative from MINUSCA, April 22, 2015; (name and location withheld), representative from MINUSCA, May 2, 2015.
- ¹²² UN Security Council, *Report of the UN Secretary-General on Children and Armed Conflict (A/69/926-S/2015/409)*, para. 46.
- ¹²³ Watchlist interviews (name and location withheld), representative from a humanitarian agency, April 19, 2015; (name and location withheld), representative from a humanitarian agency, April 22, 2015.
- ¹²⁴ Department of Peacekeeping Operations (DPKO), Department of Field Support, “United Nations Infantry Battalion Manual: Volume I,” August 2012, <http://www.un.org/en/peacekeeping/documents/UNIBAM.Vol.I.pdf> (accessed July 16, 2015), p. 26; Watchlist interviews (name and location withheld), representative from MINUSCA, April 22, 2015; (name and location withheld), representative from humanitarian agency, April 22, 2015.
- ¹²⁵ Watchlist email correspondence (name withheld), representative from a humanitarian agency, July 22, 2015.
- ¹²⁶ Watchlist interviews (name and location withheld), representative from a humanitarian agency, April 17, 2015; (name and location withheld), representative from a humanitarian agency, April 17, 2015; (name and location withheld), two representatives from a domestic NGO, April 21, 2015.

- ¹²⁷ Watchlist interviews (name and location withheld), representative from MINUSCA, April 22, 2015; (name and location withheld), representative from a humanitarian agency, April 22, 2015; (name and location withheld), school director, April 28, 2015; (name and location withheld), teacher, April 28, 2015.
- ¹²⁸ Watchlist interviews (name and location withheld), representative from MINUSCA, April 22, 2015; (name and location withheld), representative from a humanitarian agency, May 2, 2015.
- ¹²⁹ Watchlist interviews (names and location withheld), two teachers, one school director, three members of various Associations de Parents d'Elèves, and one community member, April 30, 2015; (names and location withheld), one 16-year-old male student, one 17-year-old male student, one 18-year-old male student, and one 15-year-old male student, April 30, 2015; (names and location withheld), one 17-year-old female student, one 13-year-old male student, one 17-year-old male student, and one 18-year-old male student, April 30, 2015.
- ¹³⁰ Watchlist interviews (names and location withheld), two teachers, one school director, three members of various Associations de Parents d'Elèves, and one community member, April 30, 2015; (names and location withheld), six teachers, one school director, and a government education official, April 30, 2015; (names and location withheld), one 16-year-old male student, one 17-year-old male student, one 18-year-old male student, and one 15-year-old male student, April 30, 2015.
- ¹³¹ Watchlist interviews (names and location withheld), two teachers, one school director, three members of various Associations de Parents d'Elèves, and one community member, April 30, 2015; (names and location withheld), six teachers, one school director, and a government education official, April 30, 2015; (names and location withheld), one 16-year-old male student, one 17-year-old male student, one 18-year-old male student, and one 15-year-old male student, April 30, 2015; (names and location withheld), one 17-year-old female student, one 13-year-old male student, one 17-year-old male student, and one 18-year-old male student, April 30, 2015.
- ¹³² Watchlist interviews (names and locations withheld), two teachers, one school director, three members of various Associations de Parents D'Elèves, and one community member, April 30, 2015; (names and location withheld), one 16-year-old male student, one 17-year-old male student, one 18-year-old male student, and one 15-year-old male student, April 30, 2015.
- ¹³³ Watchlist interviews (names and location withhold), six teachers, one school director, and a government education official, April 30, 2015; (names and location withheld), one 17-year-old female student, one 17-year-old male student, and one 18-year-old male student, April 30, 2015.
- ¹³⁴ Watchlist interviews (names and locations withheld), two teachers, one school director, three members of various Associations de Parents D'Elèves, and one community member, April 30, 2015; (names and location withheld), six teachers, one school director, and a government education official, April 30, 2015.
- ¹³⁵ Watchlist interview (names and location withheld), one 17-year-old female student, one 13-year-old male student, one 17-year-old male student, and one 18-year-old male student, April 30, 2015.
- ¹³⁶ Watchlist interview (names and location withheld), one 16-year-old male student, one 17-year-old male student, one 18-year-old male student, and one 15-year-old male student, April 30, 2015.
- ¹³⁷ Watchlist interviews (names and location withheld), one 16-year-old male student, one 17-year-old male student, one 18-year-old male student, and one 15-year-old male student, April 30, 2015; (names and location withheld), one 17-year-old female student, one 13-year-old male student, one 17-year-old male student, and one 18-year-old male student, April 30, 2015.
- ¹³⁸ Watchlist interview (names and location withheld), one 17-year-old female student, one 13-year-old male student, one 17-year-old male student, and one 18-year-old male student, April 30, 2015.
- ¹³⁹ Watchlist interview (names and location withheld), two representatives from an international NGO, April 18, 2015.
- ¹⁴⁰ Watchlist interview (names and location withheld), one 17-year-old female student, one 13-year-old male student, one 17-year-old male student, and one 18-year-old male student, April 30, 2015; email correspondence (name withheld), representative of an international NGO, August 7, 2015.
- ¹⁴¹ Watchlist interview (names and location withheld), one 17-year-old female student, one 13-year-old male student, one 17-year-old male student, and one 18-year-old male student, April 30, 2015.
- ¹⁴² Ibid.
- ¹⁴³ Watchlist interview details withheld.
- ¹⁴⁴ Ibid.
- ¹⁴⁵ GCPEA, "Lessons in War 2015, Military Use of Schools and Universities during Armed Conflict," p. 28.
- ¹⁴⁶ Ibid.; Watchlist interviews (names and location withheld), two representatives from the African Union-led Mission Internationale de Soutien à la Centrafrique sous Conduite Africaine (MISCA), April 16, 2015; (name and withheld), representative from MINUSCA, April 22, 2015; (name and location withheld), representative from a humanitarian agency, April 22, 2015; (name and location withheld), representative from an international NGO, April 25, 2015.
- ¹⁴⁷ Watchlist interview (names and location withheld), two education personnel, April 29, 2015.

- 148 Watchlist interviews (names and location withheld), two education personnel, April 29, 2015; (name and location withheld), teacher, April 29, 2015; (names and location withheld), two representatives from MISCA, April 16, 2015; (name and location withheld), representative from MINUSCA, April 22, 2015; (name and location withheld), representative from MINUSCA, May 2, 2015.
- 149 Watchlist interview (name and location withheld), teacher, April 29, 2015.
- 150 Watchlist interview (name and location withheld), teacher, April 29, 2015; email correspondence (name withheld), representative from a humanitarian agency, July 22, 2015.
- 151 Watchlist interview (names and location withheld), two education personnel, April 29, 2015.
- 152 Ibid.
- 153 Watchlist interview (names and location withheld), representative from MINUSCA, April 29, 2015.
- 154 Watchlist interview (names and location withheld), two education personnel, April 29, 2015.
- 155 Ibid.
- 156 Watchlist interviews (name and location withheld), teacher, April 29, 2015; (names and location withheld), two education personnel, April 29, 2015; (names and location withheld), one 13-year-old male student and one 14-year-old male student, April 29, 2015.
- 157 Watchlist interviews (names and location withheld), two education personnel, April 29, 2015; (name and location withheld), teacher, April 29, 2015.
- 158 Watchlist interview (name and location withheld), teacher, April 29, 2015.
- 159 Watchlist interviews (name and location withheld), teacher, April 29, 2015; (names and location withheld), two education personnel, April 29, 2015; (names and location withheld), 13-year-old male student and a 14-year-old male student, April 29, 2015.
- 160 Watchlist interview (names and location withheld), two education personnel, April 29, 2015.
- 161 Watchlist interview (names and location withheld), two education personnel, April 29, 2015; (name and location withheld), teacher, April 29, 2015.
- 162 See e.g. OSRSG-CAAC, UNICEF, WHO, and UNESCO, "Protect Schools + Hospitals: Guidance Note on Security Council Resolution 1998," p. 44, Annex V. 4(8); GCPEA, "Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict," December 2014, http://protectingeducation.org/sites/default/files/documents/guidelines_en.pdf (accessed June 26, 2015).
- 163 "La MINUSCA Condamne Fermement l'attaque contre les casques bleus à Bangui."
- 164 "The UN's Dirty Secret: The Untold Story of Anders Kompass and Peacekeeper Sex Abuse in the Central African Republic," AIDS-Free World statement, May 29, 2015, <http://www.codebluecampaign.com/carstatement> (accessed June 26, 2015); "New Case of UN Soldier Accused of Child Sex Abuse in C. Africa," *AFP*, June 4, 2013, accessed June 26, 2015, <http://news.yahoo.com/case-un-soldier-accused-child-sex-abuse-c-163413233.html>; Péguy Gondje Demba, "Centrafrique-Bambari: Une Fille de 13 ans Violée par un Élément des Casques Bleus de la Minusca Congolaise," *Réseaus des Journalistes pour les Droits de L'Homme (RJDH)*, December 17, 2014, accessed June 26, 2015, http://www.centrafrique-presse.info/site/info-annonce_et_divers-6741.html; "UN Peacekeepers Accused in New Child Sex Abuse Claims," *France 24*, June 24, 2015, accessed June 26, 2015, <http://www.france24.com/en/20150624-un-peacekeepers-accused-new-child-sex-abuse-claims-car>; "La MINUSCA Condamne Fermement l'attaque contre les casques bleus à Bangui"; Watchlist interview (name withheld), email message to author, June 23, 2015.
- 165 "CAR: UN Troops Implicated in Rape of Girl and Indiscriminate Killings must be Investigated," Amnesty International press release, August 11, 2015, <https://www.amnesty.org/latest/news/2015/08/car-un-troops-implicated-in-rape-of-girl-and-indiscriminate-killings-must-be-investigated/> (accessed August 11, 2015).
- 166 Watchlist interviews (names and location withheld), two school directors and a vice president of an Association de Parents d'Elèves, April 27, 2015; (name and location withheld), 10-year-old female student, April 27, 2015.
- 167 Watchlist interviews (name and location withheld), school director, April 23, 2015; (name and location withheld), teacher, April 24, 2015; (names and location withheld), two school directors and a vice president of an Association de Parents d'Elèves, April 27, 2015; (name and location withheld), 10-year-old female student, April 27, 2015; (name and location withheld), 15-year-old female student, April 28, 2015; (name and location withheld), 13-year-old male student, April 28, 2015; (name and location withheld), school director, April 28, 2015; (name and location withheld), teacher, April 28, 2015; (name and location withheld), school director, April 29, 2015; (name and location withheld), teacher, April 29, 2015; (names and location withheld), two teachers, one school director, three members of various Associations de Parents d'Elèves for the school, and one community member, April 30, 2015; (names and location withheld), six teachers, one school director, and a government education official, April 30, 2015; (names and location withheld), two education personnel, May 8, 2015; (name and location withheld), two school directors, May 15, 2015; (name and location withheld), government education official, April 27, 2015; (names and location withheld), one school director and nine government education officials, May 5, 2015.
- 168 Watchlist interviews (names and location withheld), two school directors and a government education official, April 29, 2015; (name and location withheld), two school directors, May 15, 2015; (names and location withheld), two education personnel, April 29, 2015; (name and location withheld), Imam, April 28, 2015.

- ¹⁶⁹ Watchlist interview (name and location withheld), school director, April 28, 2015; (name and location withheld), teacher, April 28, 2015.
- ¹⁷⁰ Watchlist interviews (names and location withheld), two school directors and a vice president of an Association de Parents d'Elèves, April 27, 2015; (name and location withheld), school director, April 28, 2015; (name and location withheld), 12-year-old female student, April 28, 2015; (name and location withheld), teacher, April 28, 2015; (name and location withheld), school director, April 28, 2015; (name and location withheld), school director, April 29, 2015; (name and location withheld), teacher, April 29, 2015; (name and location withheld), 14-year-old female student, April 29, 2015; (names and location withheld), one 16-year-old male student, one 17-year-old male student, one 18-year-old male student, and one 15-year-old male student, April 30, 2015; (names and location withheld), six teachers, one school director, and a government education official, April 30, 2015; (names and location withheld), one 17-year-old female student, one 13-year-old male student, one 17-year-old male student, and one 18-year-old male student, April 30, 2015; (name and location withheld), school director, May 6, 2015; (name and location withheld), school director, May 7, 2015; (names and location withheld), 11-year-old female student, and two 12-year-old female students, May 7, 2015; (names and location withheld), two education personnel, May 8, 2015; (names and location withheld), school director and teacher, May 12, 2015.
- ¹⁷¹ Watchlist interviews (name and location withheld), 15-year-old female student, April 28, 2015; (name and location withheld), teacher, April 28, 2015; (name and location withheld), 14-year-old female student, April 29, 2015; (name and location withheld), school director, May 6, 2015; (name and location withheld), school director, May 13, 2015; (name and location withheld), government education official, April 27, 2015.
- ¹⁷² Cluster Education en République Centrafricaine, "A Step Back: The Impact of the Recent Crisis on Education in the Central African Republic," p. 7.
- ¹⁷³ Watchlist interviews (name and location withheld), school director, May 18, 2015; (name and location withheld), representative from a humanitarian agency, May 11, 2015.
- ¹⁷⁴ Watchlist interviews (names and location withheld), two education personnel, May 8, 2015; (name and location withheld), school director, May 15, 2015; (names and location withheld), two school directors, May 15, 2015; (names and location withheld), two school directors, May 12, 2015; (names and location withheld), school director and teacher, May 12, 2015; (names and location withheld), one school director and nine government education officials, May 5, 2015; (names and location withheld), two government education officials, May 11, 2015; (name and location withheld), teacher, April 29, 2015; (name and location withheld), Imam, April 28, 2015.
- ¹⁷⁵ Watchlist interviews (names and location withheld), two school directors, May 12, 2015; (names and location withheld), maître-parent, government education official, and a president of an Association de Parents d'Elèves, May 7, 2015; (name and location withheld), representative from an international NGO, May 5, 2015; (name and location withheld), representative from a humanitarian agency, May 6, 2015; (name and location withheld), representative from a humanitarian agency, May 13, 2015.
- ¹⁷⁶ Cluster Education en République Centrafricaine, "Education Cluster Assessment on the State of Education in Central African Republic, End of the First Semester," p. 19.
- ¹⁷⁷ Ibid.
- ¹⁷⁸ Ibid., p. 20.
- ¹⁷⁹ Watchlist interviews (names and location withheld), two school directors and a vice president of an Association de Parents d'Elèves, April 27, 2015; (names and location withheld), school director and the president and vice president of an Association de Parents d'Elèves, May 6, 2015; (names and location withheld), two maître-parents, one parent, and a member of an Association de Parents d'Elèves, May 6, 2015; (names and location withheld), maître-parent, government education official, and a president an Association de Parents d'Elèves, May 7, 2015; (name and location withheld), representative from a humanitarian agency, May 6, 2015.
- ¹⁸⁰ Watchlist interviews (name and location withheld), 15-year-old female student, April 28, 2015; (name and location withheld), 12-year-old female student, April 28, 2015; (name and location withheld), teacher, April 28, 2015; (name and location withheld), school director, April 28, 2015; (names and location withheld), two education personnel, April 29, 2015; (name and location withheld), school director, April 29, 2015; (names and location withheld), two teachers, one school director, three members of various Associations de Parents d'Elèves, and one community member, April 30, 2015; (names and location withheld), one 17-year-old female student, one 13-year-old male student, one 17-year-old male student, and one 18-year-old male student, April 30, 2015; (name and location withheld), school director, May 6, 2015; (names and location withheld), two maître-parents, one parent, and a member of an Association de Parents d'Elèves, May 6, 2015; (name and location withheld), school director, May 7, 2015; (name and location withheld), school director, May 7, 2015; (names and location withheld), maître-parent, government education official, and a president of an Association de Parents d'Elèves, May 7, 2015; (name and location withheld), two school directors, May 15, 2015; (names and location withheld), representatives from a humanitarian agency, April 21, 2015; (names and location withheld), parents and education officials from schools in Bangui, April 22, 2015; (name and location withheld), government education official, April 27, 2015; (names and location withheld), one school director and nine government education officials, May 5, 2015; (name and location withheld), representative from a humanitarian agency, May 12, 2015.

- ¹⁸¹ Save the Children, “Évaluation des Besoins Psychologiques des Enfants D’âge Scolaire dans Les Localités de Bangui et de la Ouaka République Centrafricaine,” March 2015, <http://mhps.net/?get=57/Rapport-Evaluation-des-besoins-psychologiques-Save-the-Children-Version-finale.pdf> (accessed July 1, 2015), p. 3.
- ¹⁸² Watchlist interview (names and location withheld), two education personnel, May 8, 2015.
- ¹⁸³ Watchlist interviews (names and location withheld), two school directors, May 12, 2015; (names and location withheld), school director and teacher, May 12, 2015.
- ¹⁸⁴ Watchlist interview (names and location withheld), school director and teacher, May 12, 2015.
- ¹⁸⁵ Watchlist interviews (name and location withheld), teacher, May 6, 2015; (names and location withheld), school director, May 7, 2015; (names and location withheld), two education personnel, May 8, 2015; (name and location withheld), government education official, April 27, 2015; (names and location withheld), one school director and nine government education officials, May 5, 2015.
- ¹⁸⁶ ICESCR; CRC. CAR is also party to the other following important treaties: International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, G.A. Res. 2200A (XXI), entered into force March 23, 1976, acceded May 8, 1981; Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography (OP-CRC-SC), adopted May 25, 2000, G.A. Res. 54/263, entered into force January 18, 2002, ratified October 24, 2012; Rome Statute of the International Criminal Court (Rome Statute), adopted July 17, 1998, U.N. Doc. A/CONF.183/9, entered into force July 1, 2002, ratified October 3, 2001; International Labour Organization Convention No. 182 Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Worst Forms of Child Labour Convention), adopted June 17, 1999, 38 I.L.M. 1207, entered into force November 19, 2000, ratified June 28, 2000; The African Charter on Human and People’s Rights (Banjul Charter), adopted June 27, 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force October 21, 1986, ratified April 26, 1986.
- ¹⁸⁷ First Geneva Convention; Second Geneva Convention; Third Geneva Convention; Fourth Geneva Convention; Protocol I; Protocol II.
- ¹⁸⁸ Military objectives are targets that, “by their nature, location, purpose or use, make an effective contribution to military action and whose partial or total destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.” See “Customary International Humanitarian Law: Rule 8. Definition of Military Objectives,” ICRC, accessed July 28, 2015, https://www.icrc.org/customary-ihl/eng/docs/v1_cha_chapter2_rule8. Civilian objects are buildings and structures that are not considered military objectives. See “Customary International Humanitarian Law: Rule 9. Definition of Civilian Objects,” ICRC, accessed July 28, 2015, https://www.icrc.org/customary-ihl/eng/docs/v1_cha_chapter2_rule9.
- ¹⁸⁹ “Customary International Humanitarian Law: Rule 1. The Principle of Distinction between Civilians and Combatants.”
- ¹⁹⁰ “Customary International Humanitarian Law: Rule 22. Principle of Precautions against the Effects of Attacks.”
- ¹⁹¹ “Customary International Humanitarian Law: Rule 24. Removal of Civilians and Civilian Objects from the Vicinity of Military Objectives,” ICRC, accessed July 28, 2015, https://www.icrc.org/customary-ihl/eng/docs/v1_cha_chapter6_rule24.
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