

Recommendations

The evidence is incontrovertible: attacking schools, universities, students, teachers and academics is a common tactic in situations of conflict and insecurity around the world. While some progress has been made, much more can and should be done to protect education from attack.

Monitoring, assessment and reporting

Monitoring, assessment and reporting of attacks on education are essential for many purposes, including holding those responsible to account, devising effective ways to respond to and prevent attacks, and addressing their impact.

- Ministries of education, interior and other relevant parts of government should rigorously monitor and investigate attacks against students, schools and universities, teachers, academics and other education personnel and the impact of such attacks, and should use that information to devise effective, coordinated responses. International agencies such as the Education and Child Protection clusters, the Department of Peacekeeping Operations (DPKO), UNICEF, UNESCO and donor governments should support or continue to support these efforts, involving local NGOs in the monitoring process where possible.
- UN human rights monitoring mechanisms, including the Committee on Economic, Social and Cultural Rights; the Human Rights Committee; the Committee on the Rights of the Child; and the Human Rights Council and its mechanisms, including the Special Rapporteur on the Right to Education, should give greater attention to monitoring and reporting attacks on education at all levels of schooling, where relevant to their mandates. Governments and civil society organizations, in turn, should submit or continue to submit to these bodies information about violations of international law that constitute attacks on education.
- Country task forces of the UN-led MRM on grave violations against children in situations of armed conflict should enhance monitoring and reporting of attacks on schools, teachers and other persons related to the school (protected persons); threats of attacks against protected persons; and actions by parties to the conflict which impede children's access to education, including the military use of schools, as requested by the Security Council in Resolution 1998 of July 2011. Although more information is being gathered, gaps still remain, particularly in certain countries. Steps should include:
 - Establishing or strengthening monitoring and reporting partnerships involving NGOs.
 - Reporting in more detail about education. For example, country task forces that combine attacks on schools and hospitals should disaggregate the information. In addition, reporting on killing and maiming, sexual violence, and recruitment should specify if these violations took place in or en route to or from schools.
 - Linking data collection to action on the ground to prevent or respond to military use of schools and attacks on schools and protected personnel, including, where appropriate, collaborating with education ministries and authorities to better inform and trigger responses to attacks and monitor the effectiveness of response measures.

International and national legal protections

Notwithstanding the existence of a strong framework of international law in favour of the right to education and the protection of education, the number of attacks on education and the impunity of most perpetrators indicate that much remains to be done to further strengthen legal protections and accountability mechanisms at international and national levels.

- All parties to armed conflicts should abide by the laws of war and never intentionally direct attacks against civilians – such as students, teachers or other education personnel – who are not taking direct part in hostilities. Nor should they intentionally direct attacks against buildings dedicated to education – such as schools and universities – provided they are not military objectives.
- Government officials and leaders of armed non-state groups should make clear public statements that attacks on education are prohibited, issue clear orders to this effect and refrain from using education institutions for military purposes.
- States should ensure that their domestic law criminalizes all elements of attacks on education in line with international humanitarian and human rights law.
- Where they have not done so, states should ratify the International Covenant on Economic, Social and Cultural Rights, which protects the right to education at all levels.
- Relevant UN treaty-based human rights bodies and other international and regional monitoring and supervisory bodies should offer coherent and coordinated guidance to states (and, where relevant, non-state actors) on the measures required to implement their obligations under international law with respect to attacks on education. States and armed non-state groups should, in turn, implement these bodies' recommendations.
- All parties to peace agreements and mediators should ensure that issues concerning attacks on education be included in any post-conflict agreement and that international legal protections for education are explicitly articulated.

Military use of schools and universities

The use of schools and universities for military purposes during armed conflict can displace students and deprive them of an education, create a wholly inappropriate learning environment, or even place students, teachers and academics – and schools and universities – at risk of attack.

- All parties to armed conflict should refrain from using schools and universities for any purpose in support of the military effort. While certain uses may not be contrary to the laws of war, all parties should endeavour to avoid impinging on students' safety and education.
- To this end, states, as well as UN and regional peacekeepers, should support and endorse the *Lucens Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict* and incorporate them into military doctrine, military manuals, rules of engagement, operational orders and other means of dissemination, as far as possible, to encourage appropriate practice throughout the chain of command.

Accountability

Perpetrators of attacks must be held responsible, where appropriate, in domestic, regional and international fora through judicial and non-judicial mechanisms. Others who are responsible for putting education at risk of attack or for failing to fulfil their responsibility to prevent or respond to attacks should also be held to account.

- States should, in accordance with international standards, systematically investigate and, where appropriate, prosecute those individuals responsible for ordering, taking part in, or bearing command responsibility for, the range of violations of international law that constitute attacks against education.
- Tribunals at regional and international levels should similarly give specific consideration to the range of violations that constitute attacks against education during relevant investigations and pursue and prosecute cases of sufficient gravity over which they have jurisdiction. When considering awards of reparation, tribunals should consider the full effect of such attacks.
- Informal and transitional justice mechanisms, such as commissions of inquiry and truth and reconciliation commissions, should, where relevant, recognize and concretely address attacks against education at all stages in their processes, including in fact-finding and any reparations.

Protective programmes, policies and planning

In areas where attacks occur, implementing effective measures to prevent, respond to and mitigate the impacts of attacks is critical. All interventions should be tailored to context and conflict dynamics and, where possible, should be based on assessment and evaluation of what works and why.

- Governments, NGOs and UN agencies should involve communities, including marginalized and vulnerable groups, in analysing the nature of attacks, as well as programme design and delivery. Community engagement should not come at the expense of community members' safety.
- Donors should ensure flexibility in both programme design and funding to allow for interventions to be tailored to context and to change course as needed.
- UN agencies, NGOs and relevant ministries should undertake conflict analysis to avoid unintentionally increasing or transferring risk.
- UN agencies, NGOs and education ministries should pay particular attention to the impact of violent attacks on girls' and women's education and devise appropriate programmes of prevention, response and recovery.
- UN agencies, NGOs, peacekeeping forces and governments, where appropriate and where security concerns allow, should undertake negotiations with parties to a conflict, or support such negotiations, to reach agreement on respect for schools as safe sanctuaries and the re-opening of closed schools.
- States should take steps towards de-linking education facilities, staff and students from electoral tasks and partisan political events in contexts where it can be reasonably expected that such linkages would heighten the risk of attacks.
- Education ministries should adopt conflict-sensitive curricula and resourcing policies to ensure that education does not help trigger conflict and become a target for attack.

- Education ministries and international agencies should support in policy and practice the development of contingency plans to ensure that schools and universities are equipped to respond to attacks and resume educational activities as soon as possible.
- Academics, practitioners and education providers, including international and local organizations, should conduct rigorously designed in-country and comparative research to illuminate what programmes successfully protect education and why, taking into account the fact that attacks are often highly context-specific. All actors should make use of available relevant research to inform their responses.

Higher education

Greater efforts are needed to strengthen the protection, and promote the resilience, of higher education institutions. Stronger guarantees of university autonomy, academic freedom and security are essential in the face of a wide variety of attacks and threats.

- States should publicly affirm their responsibilities to protect higher education from attack, including abstaining from direct or complicit involvement in attacks and preventing and deterring attacks. This should include conducting thorough investigations of any incidents which occur, reporting findings in an open and transparent way, and holding perpetrators accountable under law.
- All states should promote the security and autonomy of higher education institutions at all times and prevent violence and intimidation against academics. To this end, states should encourage, within higher education communities and society generally, a culture of respect for institutional autonomy, including rejection of external ideological or political interference. Suitable measures may include new policies, regulations and laws that promote both institutional autonomy and the security of higher education communities.
- States and other relevant organizations should do everything in their power to protect higher education personnel from threats and danger, including by providing support to those who seek refuge from such threats or danger in another country.
- More information about the nature, scale and impact of attacks on higher education is needed. States, higher education institutions and professionals, UN and international agencies, and NGOs should support and expand research on and monitoring of attacks on higher education communities.