



# **Making schools zones of safety & peace**

**Report produced by the Research & Advocacy  
Unit (RAU)**

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## **1. Background**

In 2009, the Research and Advocacy Unit in collaboration with the progressive Teachers' Union of Zimbabwe carried out a study to document the experiences of violence that teachers experienced in Zimbabwe especially around 2000 and beyond. The study was aimed at highlighting the extent and impact of violations on the education sector and how schools had become to resemble "war zones" especially around elections to the detriment of the entire education sector. The study was also aimed highlighting the plight of the Educators vis-a-viz political activities and push for a policy declaring schools as zones of safety.

Schools, schooling and teachers are a fundamental part of a nation's fabric, having critically important roles in developing the workforce and social capital of the future. Multiple studies demonstrate the crucial role that education plays in development. All societies desiring to develop economically, and have a strong, stable citizenry, place high priority on education. Zimbabwe is no different and has received endless praise for the investment by government in education. However, like health, education needs the constant support of the government and the citizenry in order to continue to provide the skilled workers and committed citizens of the future. For this reason, it is always critical to protect education from attack.

Hence, a recent decision of the Zimbabwe Human Rights Commission<sup>1</sup> in respect of the need to protect school children from human rights violations during elections has very important implications for the forthcoming poll. This decision must be seen not merely in the current context but also against the background of the past 18 years, and five elections. Whilst the Human Rights Commission dealt primarily with issues around participation at political rallies and exposure to hate speech, as we pointed out in a previous report, Zimbabwe has an unenviable history of political violence during elections (RAU.2018). Hence it is important that the decision of the Human Rights Commission has extension into even greater protection for school children.

## **2. Violence against Teachers and pupils**

Given the extensive reporting about violence against teachers and the use of schools as bases for militia (Human Rights Forum. 2000; Human Rights Forum. 2001; Human Rights Forum. 2002(a)), an early report examined the issue specifically (Human Rights Forum. 2002(b)). This report indicated that 238 cases of human rights abuse suffered by teachers between January 2001 and June 2002. Obviously this was a cause for concern as any human rights abuse aimed at teachers is unacceptable in a modern society, but the figures cannot be used as any sort of estimate of the magnitude of the problem.

When there were once again allegations of violence against teachers, and the use of schools as bases in the 2008 elections, the Research and Advocacy Unit (RAU), in partnership with the Progressive Teachers Union of Zimbabwe (PTUZ), decided to examine this issue. Here the concern was not merely to identify the abuses, but also to get some idea of the magnitude. A total of 1159 teachers were interviewed, with an attempt to get as national a representation as possible.

### **2.1 Teachers' experiences of violence**

The RAU/PTUZ reports had some very disturbing findings. Here we report directly the findings from the reports.

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<sup>1</sup> ZHRC/CI/0069/17, Teachers Unions vs Ministry of Primary and Secondary Education & ZANU-PF

An interesting finding from the study is that teachers, whether differing by political or Union affiliation, are all regarded with suspicion in society. Some teachers were attacked because of roles they played in such activities as office bearers in trade unions that are deemed to be anti-ZANU PF or because they were perceived to be politically active in opposition political parties, but the majority were attacked simply because they are teachers. 73% of teachers, unsurprisingly, were unwilling to disclose their political party preference.

- 56% stated that the attacks they witnessed were because teachers were suspected to be members or sympathised with the opposition parties;
- 14% stated that the attacks they witnessed were because teachers are deemed influential in society and accused of influencing people to vote for the opposition political parties, especially during the March 2008 Elections;
- The remainder stated that the attacks they witnessed were because teachers were not actively supporting ZANU PF [8%], or because the teacher was a member of PTUZ [4%].

51% teachers reported that they have directly experienced political violence of one form or another, and 55% stated that they had been forced to vote for a particular political party because of violence or threats of violence, with the worst election for such intimidation being June 2008. 68% stated that they had experienced violence in the June 2008 election, but high percentages also reported direct experience of violence in 2000 and also the March 2008 election.

The most frequent violations directly experienced were as follows:

- 79% reported having been forced to attend political meetings;
- 77% reported threats;
- 41% reported some form of extortion;
- 33% reported being assaulted;
- 31% reported being tortured;
- 30% reported having been disqualified from voting;
- 24% reported having been forcibly displaced from their work station and community.

The perpetrators for those directly experiencing violence were largely similar to those identified in other human rights reports, but the frequencies with which these perpetrators were identified were slightly different:

- “War veterans” [27%], ZANU PF supporters [24%], and the Youth militia [20%] were the most frequently identified perpetrators;
- The next most frequent perpetrator was the Central Intelligence Organisation (CIO) [10%], which was a much higher frequency than in most human rights reports over the past decade;
- Even fellow teachers [4%] were identified as being involved in violence.

56% of teachers reported witnessing political violence. However, whilst there was a strong positive relationship between teachers experiencing violence and being a victim during an election, there was no relationship between teachers being direct victims and witnessing violence. Hence direct victims and those witnessing are two different groups in the sample.

The violations witnessed were similar in most respects to the violations experienced, but reported at much higher frequencies:

- 84% reported threats, the most frequent violation witnessed;
- In rank order, assault [53%], indecent assault [49%], torture [47%], and extortion [43%] were the next most common violations witnessed by teachers;
- However, forced displacement [33%], property destruction [20%], and abduction [18%] were also reported with high frequencies.

As was the case with those reporting direct experience of violence, ZANU PF supporters [23%] and “War veterans” [27%] were the most frequently identified perpetrators, but, unlike those with direct experience, the CIO [6%] were not as frequently reported and the Youth militia [28%] turned out to be the most frequently mentioned group of perpetrators for those witnessing violations. In identifying the perpetrators, it is evident that separating ZANU (PF) supporters from war veterans and youth militias is a matter of convenience, otherwise it is almost impossible to separate them. This bolsters the argument that political violence against teachers, like any other organised violence during the electoral cycle is largely state-sponsored.

Although the CIO were not so frequently mentioned by those witnessing, this organisation was found, when rank order correlations of perpetrators and violations were carried out, to be significantly associated with every other one of the perpetrator groups. Furthermore, the Zimbabwe Republic Police (ZRP) was mentioned more frequently by this group than by those with direct experience of violence.

47% of those witnessing violence reported that the violation *took place at school and during working hours*, and a further 15% reported that the violation took place at home, which means that over 60% of the violations could easily have been witnessed by children. This is an exceedingly disturbing possibility, and points strongly to the need for research into the effects of the violence of the past decade on children. It also points even more strongly for the need for schools to be made politically neutral zones, and both teachers and pupils protected from political violence.

Clearly, the violations experienced by teachers were not trivial.

## **2.2 Children’s experiences of violence**

Given that such a high percentage of the incidents involving teachers occurred at school during working hours, or took place in public where they could be witnessed by children, and where the majority of schools in rural areas are primary schools, the impact upon children was the next focus of study (Pswarayi & Reeler.2013).

The first report considered the potential effects upon education itself. Here we merely summarise the major findings, and the interested reader is referred to the full report (Pswarayi & Reeler.2013).

There has been increasing international debate on what role the state plays in facilitating or promoting the right to education, and, more recently, in states in crisis. This latter development is due to growing evidence that attacks have been directed on education – schools, teachers, and pupils - by governments themselves or insurgents aspiring to take over government. In Zimbabwe, attacks on education have been recorded from the struggle against colonial rule, where schools provided recruiting grounds for freedom fighters. However, in post independent Zimbabwe, the attacks have been directed at teachers, either directly or indirectly. Education has been both politicized and militarised by the setting up of militia bases in schools, attacking teachers, and exposing pupils to violence.

The impact of the attacks can have serious long-term consequences. Politically motivated violence against teachers does not only affect the teachers in person, but affects the prospects of better communities in general and the nation at large. The Research and Advocacy Unit, in collaboration with the Progressive Teachers' Union of Zimbabwe (PTUZ), conducted a national survey in 2010 to document teachers' experiences with elections. This culminated in two reports, "*Every school has a story to tell: Preliminary Report of a study on teachers' experiences with Elections in Zimbabwe*" and "*Political Violence and Intimidation of Zimbabwean Teachers*". The reports identified the profile of perpetrators of violence, and the types of attacks teachers had to contend with, including attacks in front of school children. In some embarrassing cases, the children were given whips to beat the teachers. Important to note from the findings is the politicization of education as well as militarization by setting up militia bases in schools.

This paper contends that the long term impact of violence is now being experienced and has affected the quality of education in Zimbabwe. For instance, schools in the rural areas that have experienced high levels of violence have continuously failed to attract qualified teachers and are increasingly manned by temporary teachers. The pass rates have not been pleasing with some schools recording zero percent pass rates in public examinations. Some of the more direct effects of attacks on teachers include closure of schools, as happened in 2008 when 94% of all rural schools were reported to have closed as teachers fled attacks. Even when schools don't close, attendance is affected, with the impact felt more by girl children. When militia bases are set in schools or within the proximity of schools, they pose real and potential danger of pupils to abuse, especially rape or sexual abuse of girls.

There is ample evidence that exposing children to political violence can have serious effects on the mental and social adjustment of children, and some of the possible consequences are outlined in this report. As regards social adjustment, it is important to note the possible impact of violence in engendering a culture of violence for the future of Zimbabwe: exposure to violence, especially by other youth can inculcate both a tolerance of violence and even future participation in violence.

Thus, by exposing children to violence, the psychological and social consequences for the nation can be highly undesirable.

The next report examined the probable effects of political violence on children, an area that has had very little attention (Reeler.2013). Using the information from the Monthly Political

Violence Reports of the Zimbabwe Human Rights NGO Forum, this report examined all the reports produced between July 2001 and December 2008. Three categories of cases were developed:

- Those where children were specifically identified as being victims of or direct witnesses to political violence;
- Those cases where violence occurred at schools, involving violence against teachers, violence taking place at schools, or schools being used as “bases”;
- Those cases where violent attacks took place at citizens’ homes, where the implication is that children may have been involved, but children are not mentioned specifically.

The findings, taken directly from the report, were as follows:

**On violence against children:**

103 cases were identified in which children had either been direct victims or were directly mentioned as being present where violence took place. 67% of these were 5 years old or younger. The worst years for violence were election years. Displacement, assault and families getting separated were the most frequent violations. As regards the witnessing of violations, this was again worse in election years, with assault being far and away the most frequently reported violation. Property destruction featured as the next most recurrent violation that children witnessed. The arson probably associated with displacement given that homesteads were targeted. The most frequently reported perpetrators were youth militia, ZANU PF supporters, and, surprisingly, the Zimbabwe Republic Police (ZRP).

**On violence at schools:**

89 cases were found where there was a report of violence at a school or against a teacher. The most commonly reported violations that caused some form of disruption to school activities were schools being used as “bases” or schools being closed for reasons related to politics, such as teachers being expelled for their supposed political beliefs. The worst years were the election years of 2002 and 2008.

Cases of violence involving pupils were more commonly seen in 2001 and 2002, but also in 2003 and 2008, with forced attendance at rallies (40%), dismissal from school or forced to flee (33%), abduction (13%) and assault (13%) being the most common violations reported. Violations against teachers were more common during the election years of 2002 and 2008, but also in 2001 between the 2000 and 2002 elections but predominantly related to the elections in 2002. The violations against the teachers were serious: assault (26%), forced to flee (17%), threats (17%), and property destruction (11%).

**On violence at family homes:**

Here 254 cases were identified from the Human Rights Forum reports, with 2008 being the worst year for reports of violence, but 2001, 2002, and 2003 all having reports with relatively high frequency, and continuing the trends seen above. The most commonly reported violations were the witnessing of violence (29%) and displacement (27%). The most commonly identified perpetrators were ZANU PF supporters (31%), ZANU PF Youth (24%), and youth militia (18%), which has been

the common finding in most human rights reports, and not merely in respect of children.

It seems evident from the data examined that very young children, many under 5 years and, certainly given the large number of primary schools, young children anyhow, were witnessing serious violence, and mostly perpetrated against their caretaking adults. The data relating to the witnessing of human rights violations indicated that there was a much greater risk of children witnessing violence and experiencing very traumatic events such as having their homes destroyed, becoming seriously impoverished through the theft or destruction of the family's possessions, and then being displaced from their community, probably ending up as internally displaced.

Similarly, the disruption to schooling, the attacks on teachers (and their frequent displacement), and, worst of all, the use of schools for political activities and even as places where violence and intimidation occur, can have profoundly negative consequences for children. It was noted that children were frequently forced to attend political rallies where it can be made manifestly plain to children the risks involved in political activity, never mind the more odious implication that children are being politically indoctrinated. It was also plain from these cases that teachers were viewed as untrustworthy people in the community, and can be publicly humiliated and physically attacked, which hardly creates the kind of climate in schools necessary for safe learning.

This data did not permit any analysis of the actual harm, physical and psychological, that these child victims might have suffered, nor could this data give any understanding of the magnitude of the problem. It can be inferred from the international literature that the consequences to children are not likely to be any less serious than those to adults, and, if the trends seen from this examination of the reported cases are actually very extensive, then Zimbabwe is facing a rehabilitation problem of considerable magnitude.

### **2.3 Summary of findings:**

It seems clear, therefore, that three conclusions can be drawn. The first is the political violence is a common feature of Zimbabwe elections (RAU. 2018). This was not specifically addressed in the current report, but the previous report, using information in the public domain, indicates that Zimbabwe is the most violent country in the immediate SADC area: Angola, Mozambique, Namibia, South Africa and Zimbabwe, governed by former liberation movements were the countries chosen for comparison. Furthermore, the vast majority of the violence in Zimbabwe is targeted at civilians, and most commonly during elections.

The second is the unacceptable finding that teachers have been targets for intimidation and political violence, and that these abuses have taken place in public, and where the violations have been witnessed by young children. Whilst it is clear from the available evidence that political violence directed against teachers, and occurring at schools, is only a subset of the overall political violence, it can be argued that the effects of this political violence has much broader impact than that directed at other groups. For a start, political violence taking place at schools will affect a very large population of potential witnesses, and it is well-known that witnessing of violence can have serious mental health consequences.

Thirdly, the effects of the direct experience or the indirect experience, through witnessing, of political violence have yet to be determined in Zimbabwe. For children, there are three possible experiences: being a direct victim, being an indirect victim though witnessing, and,

thirdly, living in a situation of “political terror”. This last describes a context where political violence is common and has been shown to have detrimental effects on mental health (Steel et al.2009). There is some evidence that all three experiences can be described for children in Zimbabwe, but this evidence is only indicative and gives no indication about prevalence.

The effects of political violence at and around schools, affecting both teachers and pupils, and with the effect of disrupting the education of children, have become a serious cause for concern in the international community in recent years. The understanding of the need to protect children and to protect schools has been addressed by an international campaign, the *Global Campaign to Protect Education from Attack*. This very important initiative has now been by 73 countries, including 20 African countries, and to this we now turn.

### **3. Global Campaign to Protect Education from Attack (GCPEA).**

The Global Coalition to Protect Education from Attack (GCPEA) was established in 2010, and is now governed by a steering committee composed of nine organisations: CARA (Council for At-Risk Academics), Human Rights Watch (HRW), Institute of International Education/ IIE Scholar Rescue Fund, Protect Education in Insecurity and Conflict (PEIC), Save the Children, UNICEF, UNESCO, and UNHCR. In 2015, the Safe Schools Declaration was developed through a series of consultations, and endorsed by 37 countries at its initial launch.

The scope of the campaign can be seen from the range of concerns covered by the campaign. These cover the perpetrators, the educational system and the parties involved in the education system as follows:

***Attacks on education may be perpetrated by:***

- *State security forces, including armed forces, law enforcement, paramilitary, and militia forces acting on behalf of the state.*
- *Non-state armed groups.*

***Attacks on education include attacks on:***

- *Students of all ages.*
- *Educators, including school teachers, academics, other education personnel, members of teacher unions, and education aid workers.*
- *Education institutions: any site used for the purposes of education, including all levels of education and non-formal education facilities, and buildings dedicated to the work of ministries of education and other education administration.*

***Attacks on students and educators include:***

- *Attacks directed at students and educators at education institutions, including abduction, recruitment into armed groups, forced labor, sexual violence, targeted killings, threats and harassment, and other violations.*
- *Attacks while going to or coming from an education institution or elsewhere because of their status as students or educators.*
- *Attacks on pro-education activists, including teacher unions or any teaching group, because of their activism.*
- *Attacks on education personnel, such as administrators and maintenance workers, and education aid workers.*

It is evident from the previous section, dealing with organised violence and torture in Zimbabwe, that most of these features have been experienced in Zimbabwe. The perpetrators have been both state and non-state actors; the victims have included students, educators, and education institutions; and the types of attacks have all been described for Zimbabwe.

The first and basic step has been to encourage all countries to endorse the Safe Schools Declaration. This is not a binding convention, but largely a statement of good will and purpose by the country that endorses the Declaration. The second step, guided by the *Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict*, is to implement a policy to give effect to the Declaration.

Now it may easily be argued that Zimbabwe is not in a state of armed conflict, and therefore this may be an overkill response to the background of political violence that has accompanied elections during the past. However, it should be apparent that most of the issues referred to by the Declaration have been seen in the past and this requires some action on the part of the government and all concerned with education.

#### **4. Recommendations**

Our recommendations fall into two time periods: actions that can be taken in the short-term and those that can be applied in the long-term. Here we would point out the recommendations given by the Zimbabwe Human Rights Commission (ZHRC) and the previous recommendations made by the Progressive Teachers Union of Zimbabwe (PTUZ).

##### **4.1 Short-term actions**

Since elections will take place within months, the urgent steps that need to be taken are several:

- Following the ZHRC's recent decision, that the government give immediate effect to these recommendations, and declare all schools zones of peace and free from political activity of any kind as outlined in recommendations 11.2, 11.3 and 11.4 (see Appendix 2);
- Again, all political parties adopt a Code of Conduct as recommended in 11.2 and 1.3 of the ZHRC's decision (See again Appendix 2).

##### **4.2 Long-term actions**

In the long-term, and in line with both the ZHRC decision and the Safe Schools Declaration, the government should undertake the following:

- Endorse the Safe Schools Declaration and ensure that this made available to all schools and universities in the country;
- Implement a programme in line with both the ZHRC decision and the *Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict*.

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## **Appendix 1**

### **Recommendations by the Zimbabwe Human Rights Commission**

#### **TO THE POLITICAL PARTIES IN ZIMBABWE**

**11.1** Political parties are encouraged to promote peace and unity through their speeches.

**11.2** Political parties must adopt a Code of Conduct that includes provisions for the prevention of the misuse and manipulation of children in political activities which encompasses responsibilities to ensure that children who attend political rallies do so freely and are safe and well protected.

**11.3** The Code of Conduct must commit political parties and other political actors to keep schools free of political meetings or other activities and to not ask, encourage or force children in schools to participate in any political gathering or demonstration. It should also aim to prevent children from being exploited and manipulated, and to protect them from violence and arrest.

**11.4** Political parties should desist from abusing school property such as buses and furniture in pursuit of private political interests which have nothing to do with the schools (students, teachers, and parents).

#### **TO THE MINISTRY OF PRIMARY AND SECONDARY EDUCATION**

**11.5** Administrative regulations must be developed by the relevant ministry to prevent political activities from being conducted in schools, to guarantee that only pupils, staff, parents, legal guardians and others whose presence is necessary are allowed into schools.

**11.6** There is need to promote the creation of youth associations without political affiliation.

**11.7** Children's understanding of democratic processes must be developed through the educational system, and the educational curriculum must be reviewed to permit this.

**11.8** Children's participation in political processes should be encouraged, but through a process that takes into account several factors which include best interest of the child and age of the child among other considerations.

**11.9** Protect school resources from abuse by politicians in pursuit of private political interests which have nothing to do with the schools (students, teachers, and parents).

#### **TO THE MINISTRY OF JUSTICE, LEGAL AND PARLIAMENTARY AFFAIRS**

**11.10** It is the responsibility of the Government to come up with specific laws and to put in place safeguards that guarantee the protection of children from political manipulation.

**11.11** Laws and regulations should be made that ban the use of schools by political actors, the use of children at schools in political activities, the enrolment/involvement of children in political activities without their parents' prior consent, and the use of school buses for transporting political activists.

**11.12** Zimbabwe as a signatory to the United Nations Convention on the Rights of Child, should effectively implement the provisions that protect children from exploitation by every section of the society, including political parties, civil society and media to curb against the use of children in political activities.

#### **TO THE COMMUNITY**

**11.13** Parents and guardians should be encouraged to hold discussions with children to allow for their informed participation in political activities.

**11.4** Young children should not participate in demonstrations or rallies unless under their parents' supervision.

**11.15** Older adolescents should have their parents' informed consent prior to participating in political demonstrations or rallies.

#### **TO PARLIAMENT**

**11.16** To come up with a law that ensures school and any other public property is not abused by any political party.

**11.17** To discuss this report so as to conscientise all political parties to respect the rights of children, teachers and civil servants when conducting their rallies.

## **Appendix 2**

### **Recommendations by the Progressive Teachers Association of Zimbabwe (2010)**

The Government of Zimbabwe must immediately declare schools as zones of peace and as such enact laws that restrict and criminalise the use or occupation of schools for political activities, especially during the electoral period.

2. Civic society and teacher unions must develop monitoring systems to detect early warning systems of attacks on education and to report political disturbances in schools in compliance with UN Resolution No. 1612 with additional modifications relevant to the situation in Zimbabwe.
3. The Ministry of Education in conjunction with critical stakeholders like the police, parents and teacher unions must set up school protection committees so that social services rendered by schools are not interrupted during times of conflict like elections
4. The Joint Monitoring and Implementation Committee (JOMIC) must actively investigate all reports involving political violence and intimidation against teachers, and at schools.
5. The government must uphold strictly provisions of paragraph 20 to the First Schedule of Statutory Instrument 1 of 2000 (Public Service Regulations, 2000) and clauses 79, 80 and 81 of the ILO/UNESCO Recommendations concerning the Status of Teachers to negate the current insistence on teachers being compelled to support only one political party.
6. The Ministry of Education must introduce civic education in the primary and secondary school curriculum which promotes national cohesion, peace and tolerance;
7. The process of national healing, if it is ever going to take off meaningfully, should have a thematic area dealing with the education sector in order to restore the social bond between teachers and communities which has been weakened by recurrent election violence and politicisation of the public service.
8. Overall compliance with the spirit and letter of the GPA is strongly recommended in order to curb on institutionalised violence.

### Appendix 3.

#### The Safe Schools Declaration

**The impact of armed conflict on education presents urgent humanitarian, development and wider social challenges. Worldwide, schools and universities have been bombed, shelled and burned, and children, students, teachers and academics have been killed, maimed, abducted or arbitrarily detained. Educational facilities have been used by parties to armed conflict as, inter alia, bases, barracks or detention centres. Such actions expose students and education personnel to harm, deny large numbers of children and students their right to education and so deprive communities of the foundations on which to build their future. In many countries, armed conflict continues to destroy not just school infrastructure, but the hopes and ambitions of a whole generation of children.**

Attacks on education include violence against educational facilities, students and education personnel. Attacks, and threats of attack, can cause severe and long lasting harm to individuals and societies. Access to education may be undermined; the functioning of educational facilities may be blocked, or education personnel and students may stay away, fearing for their safety. Attacks on schools and universities have been used to promote intolerance and exclusion – to further gender discrimination, for example by preventing the education of girls, to perpetuate conflict between certain communities, to restrict cultural diversity, and to deny academic freedom or the right of association. Where educational facilities are used for military purposes it can increase the risk of the recruitment and use of children by armed actors or may leave children and youth vulnerable to sexual abuse or exploitation. In particular, it may increase the likelihood that education institutions are attacked.

By contrast, education can help to protect children and youth from death, injury and exploitation; it can alleviate the psychological impact of armed conflict by offering routine and stability and can provide links to other vital services. Education that is ‘conflict sensitive’ avoids contributing to conflict and pursues a contribution to peace. Education is fundamental to development and to the full enjoyment of human rights and freedoms. We will do our utmost to see that places of education are places of safety.

We welcome initiatives by individual States to promote and protect the right to education and to facilitate the continuation of education in situations of armed conflict. Continuation of education can provide life-saving health information as well as advice on specific risks in societies facing armed conflict.

We commend the work of the United Nations Security Council on children and armed conflict and acknowledge the importance of the monitoring and reporting mechanism for grave violations against children in armed conflict. We emphasize the importance of Security Council resolution 1998 (2011), and 2143 (2014) which, inter alia, urges all parties to armed conflict to refrain from actions that impede children’s access to education and encourages Member States to consider concrete measures to deter the use of schools by armed forces and armed non-State groups in contravention of applicable international law.

We welcome the development of the *Guidelines for protecting schools and universities from military use during armed conflict*. The Guidelines are nonlegally binding, voluntary guidelines that do not affect existing international law. They draw on existing good practice and aim to provide guidance that will further reduce the impact of armed conflict on

education. We welcome efforts to disseminate these guidelines and to promote their implementation among armed forces, armed groups and other relevant actors.

We stress the importance, in all circumstances, of full respect for applicable international law, including the need to comply with the relevant obligations to end impunity.

Recognizing the right to education and the role of education in promoting understanding, tolerance and friendship among all nations; determined progressively to strengthen in practice the protection of civilians in armed conflict, and of children and youth in particular; committed to working together towards safe schools for all; we endorse the *Guidelines for protecting schools and universities from military use during armed conflict*, and will:

- Use the *Guidelines*, and bring them into domestic policy and operational frameworks as far as possible and appropriate;
- Make every effort at a national level to collect reliable relevant data on attacks on educational facilities, on the victims of attacks, and on military use of schools and universities during armed conflict, including through existing monitoring and reporting mechanisms; to facilitate such data collection; and to provide assistance to victims, in a non-discriminatory manner;
- Investigate allegations of violations of applicable national and international law and, where appropriate, duly prosecute perpetrators;
- Develop, adopt and promote conflict-sensitive<sup>7</sup> approaches to education in international humanitarian and development programmes, and at a national level where relevant;
- Seek to ensure the continuation of education during armed conflict, support the re- establishment of educational facilities and, where in a position to do so, provide and facilitate international cooperation and assistance to programmes working to prevent or respond to attacks on education, including for the implementation of this declaration;
- Support the efforts of the UN Security Council on children and armed conflict, and of the Special Representative of the Secretary-General for Children and Armed Conflict and other relevant UN organs, entities and agencies; and
- Meet on a regular basis, inviting relevant international organisation and civil society, so as to review the implementation of this declaration and the use of the guidelines.

## Appendix 4

### Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict

**Parties to armed conflict are urged not to use schools and universities for any purpose in support of their military effort. While it is acknowledged that certain uses would not be contrary to the law of armed conflict, all parties should endeavour to avoid impinging on students' safety and education, using the following as a guide to responsible practice:**

**Guideline 1:** Functioning schools and universities should not be used by the fighting forces of parties to armed conflict in any way in support of the military effort.

(a) This principle extends to schools and universities that are temporarily closed outside normal class hours, during weekends and holidays, and during vacation periods.

(b) Parties to armed conflict should neither use force nor offer incentives to education administrators to evacuate schools and universities in order that they can be made available for use in support of the military effort.

**Guideline 2:** Schools and universities that have been abandoned or evacuated because of the dangers presented by armed conflict should not be used by the fighting forces of parties to armed conflict for any purpose in support of their military effort, except in extenuating circumstances when they are presented with no viable alternative, and only for as long as no choice is possible between such use of the school or university and another feasible method for obtaining a similar military advantage. Other buildings should be regarded as better options and used in preference to school and university buildings, even if they are not so conveniently placed or configured, except when such buildings are specially protected under International Humanitarian Law (e.g. hospitals), and keeping in mind that parties to armed conflict must always take all feasible precautions to protect all civilian objects from attack.

(a) Any such use of abandoned or evacuated schools and universities should be for the minimum time necessary.

(b) Abandoned or evacuated schools and universities that are used by the fighting forces of parties to armed conflict in support of the military effort should remain available to allow educational authorities to re-open them as soon as practicable after fighting forces have withdrawn from them, provided this would not risk endangering the security of students and staff.

(c) Any traces or indication of militarisation or fortification should be completely removed following the withdrawal of fighting forces, with every effort made to put right as soon as possible any damage caused to the infrastructure of the institution. In particular, all weapons, munitions and unexploded ordnance or remnants of war should be cleared from the site.

**Guideline 3:** Schools and universities must never be destroyed as a measure intended to deprive the opposing parties to the armed conflict of the ability to use them in the future. Schools and universities—be they in session, closed for the day or for holidays, evacuated or abandoned—are ordinarily civilian objects.

**Guideline 4:** While the use of a school or university by the fighting forces of parties to armed conflict in support of their military effort may, depending on the circumstances, have the effect of turning it into a military objective subject to attack, parties to armed conflict should consider all feasible alternative measures before attacking them, including, unless circumstances do not permit, warning the enemy in advance that an attack will be forthcoming unless it ceases its use.

(a) Prior to any attack on a school that has become a military objective, the parties to armed conflict should take into consideration the fact that children are entitled to special respect and protection. An additional important consideration is the potential long-term negative effect on a community's access to education posed by damage to or the destruction of a school.

(b) The use of a school or university by the fighting forces of one party to a conflict in support of the military effort should not serve as justification for an opposing party that captures it to continue to use it in support of the military effort. As soon as feasible, any evidence or indication of militarisation or fortification should be removed and the facility returned to civilian authorities for the purpose of its educational function.

**Guideline 5:** The fighting forces of parties to armed conflict should not be employed to provide security for schools and universities, except when alternative means of providing essential security are not available. If possible, appropriately trained civilian personnel should be used to provide security for schools and universities. If necessary, consideration should also be given to evacuating children, students and staff to a safer location.

(a) If fighting forces are engaged in security tasks related to schools and universities, their presence within the grounds or buildings should be avoided if at all possible in order to avoid compromising the establishment's civilian status and disrupting the learning environment.

**Guideline 6:** All parties to armed conflict should, as far as possible and as appropriate, incorporate these Guidelines into, for example, their doctrine, military manuals, rules of engagement, operational orders, and other means of dissemination, to encourage appropriate practice throughout the chain of command. Parties to armed conflict should determine the most appropriate method of doing this.