



Global Coalition to **Protect Education from Attack**

Submission on the combined initial and second periodic report of Afghanistan to the United Nations Committee on the Elimination of Discrimination Against Women

28 June 2013

The Global Coalition to Protect Education from Attack (GCPEA) was established in 2010 by organizations from the fields of education in emergencies and conflict-affected fragile states, higher education, protection, international human rights, and international humanitarian law who were concerned about on-going attacks on education institutions, their students, and staff in countries affected by conflict and insecurity. GCPEA is governed by a Steering Committee made up of the Council for Assisting Refugee Academics, Education Above All, Human Rights Watch, the Institute of International Education, Save the Children International, UNESCO, UNHCR, and UNICEF.¹

GCPEA writes in advance of the Committee on the Elimination of Discrimination Against Women's upcoming initial and second periodic review of Afghanistan to highlight areas of concern regarding protecting teachers, students, and schools from attack.

The last decade has seen a tremendous increase in the number of educational institutions in Afghanistan, and women have benefited from this substantially. However, as Afghanistan's report acknowledges, one of the most important reasons for girls' low attendance in some areas of the country is lack of security (Report, para. 174). Afghanistan's report notes that anti-governmental insurgents are against women's education and have closed girls' schools. Moreover, the government of Afghanistan has provided this Committee useful information on the activities of the government to prevent attacks on girls' education (Responses, paras. 59-60, and 63).

Afghanistan's report does not, however, acknowledge that schools have also been used for military and police purposes, such as bases, checkpoints, and barracks—a practice that has been shown to disproportionately affect girls and women negatively.² The presence of military actors in schools, and the resulting shift in gender balance, often discourage parents from sending their girls to such schools. In addition to concerns that parents might have for both boys and girls due to the risk of belligerent forces attacking the armed force or armed group inside the school, parents of daughters may additionally fear the possibility of their children becoming victims of gender or sexual based

¹ This submission was prepared by the GCPEA Secretariat, based on information collected by the Secretariat and the Coalition's member organizations. This submission is, however, independent of the individual member organizations of the Steering Committee of GCPEA and does not necessarily reflect the views of the Steering Committee member organizations.

² See Global Coalition to Protect Education from Attack, *Lessons in War: Military Use of Schools and Other Education Institutions during Conflict*, November 2011, pp. 39-40, http://protectingeducation.org/sites/default/files/documents/lessons_in_war.pdf.

violence, or being subject to sexual harassment.³ Moreover, when the security force using a school keeps toilet and sanitation facilities for their own use, it can discourage school attendance by girls, particularly girls following puberty.⁴

GCPEA hopes this submission will inform your consideration of Afghanistan's compliance with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

Military Use of Schools

During the reporting period, international military forces, Afghan National Security Forces, national and local police, and opposition Taliban militants have all used schools for military purposes, including as bases, firing positions, and detention centers.

Scale

During 2010, the UN documented that at least five schools were occupied by international military forces.⁵ In 2011, 31 incidents of military use of schools were documented, of which 20 cases were attributed to armed groups and 11 cases to pro-government forces. (For comparison purposes, this number of schools affected by military use rivals the number of schools burned down in Afghanistan during the same period, which was 35.)⁶ In 2012, the UN country task force verified 10 cases of use of schools for military purposes, including 3 by armed groups and 7 by pro-government forces.⁷

In the majority of these incidents, combatants used schools as bases of operations, sometimes temporarily. In some instances children continued studying in the presence of combatants, while in other cases, children did not go to school when the school was occupied. This had resulted in a reduced number of children being able to access continuous education and has endangered children and teachers' safety by turning these learning spaces into targets.⁸

GCPEA believes that these numbers likely under-represent the extent of the use of schools, as military use of schools appears to generally be under-reported. The frequent inability of neutral observers to access conflict areas where military use occurs and the fact that military use of schools is often only reported when accompanied by more newsworthy events, such as direct attacks on a school, contribute to underreporting.⁹

Example Incidents

Examples of military use of schools include:

³ *Ibis*.

⁴ *Ibis*.

⁵ United Nations Secretary-General, *Children and armed conflict*, 23 April 2011, A/65/820-S/2011/250, p. 14.

⁶ United Nations Secretary-General, *Children and armed conflict*, 26 April 2012, A/66/782-S/2012/261, p. 3; see also UNAMA, *Afghanistan Annual Report on Protection of Civilians in Armed Conflict 2011*, February 2012, pp. 38-9.

⁷ United Nations Secretary-General, *Children and armed conflict*, 15 May 2013, A/67/845-S/2013/245, p. 9.

⁸ UNAMA, *Afghanistan Mid-Year Bulletin on Protection of Civilians in Armed Conflict*, July 2012, p. 32.

⁹ See Global Coalition to Protect Education from Attack, *Lessons in War: Military Use of Schools and Other Education Institutions during Conflict*, November 2011, p. 29, http://protectingeducation.org/sites/default/files/documents/lessons_in_war.pdf.

In Logar province, a high school for 1,500 students was occupied from 2005 by the Afghan National Police and subsequently, from 2007 to at least 2011, by the international military forces. According to the UN, students and teachers were body-searched on a daily basis as they entered the school. Community leaders reported to the UN that approximately 450 students chose to leave this school.¹⁰

On 16 August 2009 members of an armed opposition group attacked an Afghan National Police (ANP) checkpoint at a school in the Qulbaz area of Takhar province.¹¹

According to the UN Assistance Mission in Afghanistan, on 16 October 2009 international military forces and Afghan National Security Forces entered a village in the Mangu area of Ghazni late at night and took a number of civilians from their houses. They tied their hands and took them to a school where they allegedly assaulted them and questioned them about the location of a Taliban commander. The civilians, including one 13-year-old boy, were left tied up at the school when the forces left and were reportedly only later released by villagers.¹²

On 21 April 2010 the Taliban attacked international military forces temporarily using a school as a mobile clinic and operating base in Logar province.¹³

On 29 August 2010 the *Jakarta Globe* quoted the police chief in Khost city, Abdul Hakim Is'haqzai, as saying that Taliban militants occupied a school during an assault on two US bases.¹⁴

On 14 November 2010 the *Guardian* reported that US soldiers in Kandahar district had discovered a collection of unexploded mines lying near a small madrasa. Inside the madrasa and in buildings nearby they found a Taliban command centre and bomb-making materials.¹⁵

On 12 December 2011 *IRIN news* (a service of the UN Office for the Coordination of Humanitarian Affairs) quoted Khalil, a boy in Zhari District, who said the government closed his school down to use it as a checkpoint: "I have no future...I am only studying in a mosque [now]."¹⁶

As of May 2012, only a few of the rooms in the two-storey Mia Noor Mohamed Middle School in Kadahar province, remained open for learning. The entire second floor was a police post, where nearly two dozen young soldiers slept and ate.¹⁷

On 28 May 2012 it was reported that local police had established security posts near several schools in the Shakot area of Khairullah. Clashes had taken place between insurgents and police and as a

¹⁰ United Nations Secretary-General, *Children and armed conflict*, 23 April 2011, A/65/820-S/2011/250, para. 45.

¹¹ Afghanistan NGO Security Office, "Weekly Incident List," 13-26 August, 2009.

¹² UNAMA, *Afghanistan Annual Report on Protection of Civilians in Armed Conflict 2009*, January 2010, p. 21.

¹³ United Nations Secretary-General, *Children and Armed Conflict in Afghanistan*, S/2011/55, 3 February 2011, para. 45.

¹⁴ Sardar Ahmad, "Taliban attack NATO bases in Afghanistan," *Jakarta Globe*, 29 August 2010, <http://www.thejakartaglobe.com/afp/taliban-attack-nato-bases-in-afghanistan/393382>; see also "Taliban attack Nato in Afghanistan," *Times of Malta*, 29 August 2010, <http://www.timesofmalta.com/articles/view/20100829/world/taliban-attack-nato-in-afghanistan.324573>.

¹⁵ Peter Beaumont, "Afghanistan's three parallel wars," *The Guardian*, 14 November 2010, <http://www.guardian.co.uk/world/2010/nov/14/afghanistan-kandahar-taliban-coalition>.

¹⁶ "Khalil, 'The Taliban saw me coming'," IRIN, 12 December 2011, <http://www.irinnews.org/HOV/94446/AFGHANISTAN-Khalil-The-Taliban-saw-me-coming>.

¹⁷ Mujib Mashal, "Kandahar schools brave harsh realities," *Al Jazeera*, 25 May 2012.

result students had been injured and were afraid to go to school. Kapisa Governor General Mehrabuddin Sappi was reported as saying: “security [is our] first priority and education second.”¹⁸

On 12 July 2012 insurgent gunmen entered an empty school in Kandahar, from where they started firing at the headquarters of the Afghan National Police.¹⁹

Suggested Questions to the Government of Afghanistan:

- How many schools are currently being fully occupied or used by government forces?
- How many schools are currently being partially occupied or used by government forces, with students continuing studies alongside the armed personnel?
- How many schools have been attacked in recent years while being used by government forces?
- What does the government do to rehabilitate schools after security forces vacate them?

Suggested Recommendations to the Government of Afghanistan:

- Enact domestic legislation and military and police policies explicitly prohibiting armed forces and all armed groups from using or occupying schools, school grounds, or other education facilities in a manner that either violates international humanitarian law or the international human right to education.

¹⁸ “Scared Tagab students stay away from schools,” *Pajhwok Afghan News*, 28 May 2012, <http://www.pajhwok.com/en/2012/05/28/scared-tagab-students-stay-away-schools>.

¹⁹ “Afghanistan gunmen attack police HQ in Kandahar,” *BBC News*, 9 July 2012, <http://www.bbc.co.uk/news/world-asia-18767362>.