



HRW.org

Submission on the Fourth Periodic Report of Pakistan to the United Nations Committee on the Elimination of Discrimination against Women

January 28, 2013

We write in advance of the Committee on the Elimination of Discrimination against Women's upcoming review of the fourth periodic report of Pakistan to highlight areas of concern. We hope our submission will inform your consideration of Pakistan's compliance with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

Pakistan's report acknowledges that gender inequality in the field of education is pervasive (para. 399). But the report does not comment on the ongoing violent attacks on students, teachers, professors, schools, and universities, which, although affecting all students and teachers in Pakistan, has a particularly adverse effect on women and girls. Such attacks—carried out by various non-state armed groups—sometimes deliberately target girls and their education, and at other times target education or government institutions and employees more broadly but nonetheless have serious consequences on girls and their education. Schools have also been used for military purposes, such as bases and barracks—a practice that has been shown to disproportionately affect girls and women negatively.

The Tehreek-e-Taliban Pakistan, an Islamist armed group known as the Pakistani Taliban, outraged millions of Pakistanis and people around the world when on October 9, 2012 it shot and attempted to kill Malala Yousafzai, a 15-year-old girl who publicly championed children's education. Unfortunately that attack was just one incident in a long campaign against the country's education system.

The swift condemnation in Pakistan in response to Malala's shooting was encouraging, but Pakistani authorities should recognize that expressions of outrage alone are inadequate. Such heinous attacks will only end if the authorities are able to hold the perpetrators of such attacks to account and take broader action to prevent such attacks from occurring.

Background

Often no group claims responsibility for attacks on students and schools in Pakistan, and few perpetrators have ever been apprehended and prosecuted. But education has gotten caught up in at least three distinct violent conflicts in Pakistan. The first involves armed Islamist groups such as the Pakistani Taliban and al Qaeda, who attack those who act contrary to their interpretation of Islam. Armed Islamist militants have increasingly committed violence in opposition to the content and manner of local education, particularly that of girls and young women. There have also been several reported instances of demands that schools stop teaching girls and boys together, and that students and teachers adopt more local and conservative dress.

The second distinct conflict is a sectarian one, in which militant Sunni Muslim groups have attacked members of the minority Shia community, especially Persian-speaking Hazara. Such sectarian attacks, occurring mainly in Quetta, the provincial capital, and its neighboring districts in Balochistan province, appeared to have increased since 2009.

The third is the nationalist conflict, again in Balochistan province, in which militant Baloch groups such as the Baloch Liberation Army (BLA) and the Baloch Liberation United Front (BLUF) seeking separation or autonomy for Balochistan have targeted Punjabis and other local minorities. While individuals from all professions have been the victims of such targeted killings, teachers and students constitute a significant proportion of victims because militant groups view schools and educational personnel, particularly ethnic Punjabis, as representatives of the Pakistani state and symbols of perceived Punjabi military oppression of the province. Militant nationalist groups have threatened school officials, demanding that they stop teaching Pakistani history, flying the Pakistani flag, and having children sing the national anthem.¹

Attacks on Schools and Universities

The Pakistan Taliban and related armed groups have regularly attacked and destroyed school buildings and other institutions dedicated to education. Such attacks have continued even after the military regained control of Swat in the Federally Administered Tribal Areas (FATA) in September 2009. For example, the United Nations reported 152 incidents of partial or complete destruction of school facilities in the FATA and Khyber Pakhtunkhwa (KP) in 2011 alone²—a rate of almost three per week. Attacks have included arson and the use of grenades and bombs. Attacks have occurred during the day, while teachers and students were present, as well as during the evening when schools are empty.

An analysis by Human Rights Watch of media coverage in Pakistan of attacks on schools during 2011 and 2012 showed that 40 percent of attacked schools were identified as girls-only schools. In contrast, 27 percent were identified as boys-only schools. (Note: media reports do not always indicate whether the school is a girls'-only school, boys'-only school, or co-educational school.)

Following an attack on one school in 2010, a teenage student told Human Rights Watch:

I was in the classroom when I heard the explosion. It was very loud. ... It scared us ... I ran to the school yard as soon as we heard the explosion. The classroom windows were shattered. Many students were already in the yard. Many of us didn't know what had happened. I saw smoke. ... I heard many children screaming. I think some of them got light injuries because of falling on the pieces of glass when they were running in chaos.... Several teachers were injured. I got really scared when I realized it was a bomb explosion....

My father came to pick me up from the school. I think I was in some kind of shock. I had little energy in my body. ... When we were on our way to our home, I fainted in the car.

My father wasn't willing to send me back to school. He still doesn't feel good about this school [although I have returned]. I like this school. I love my teachers ... and I said many times to my father that I wasn't going to change my school. All my friends are still coming to the school. But I still feel scared sometimes. I think most children are still scared....

My education has been affected because mentally most of us have gone through a shock. I think everybody's education is affected.... I think some of the students did not take the final exams.... My family often discusses my safety at home... at times with our neighbor too. We used to talk about it more frequently ... but every time there is an incident at some school ... it refreshes everyone's concerns at home. ... We begin to feel scared.

¹ For more information on attacks on teachers and schools in Balochistan, see Human Rights Watch, *Their Future is at Stake": Attacks on Teachers and Schools in Pakistan's Balochistan Province*, December 2010, <http://www.hrw.org/sites/default/files/reports/pakistan1210.pdf>.

² Report of the Secretary-General on Children and Armed Conflict, April 26, 2012, A/66/782-S/2012/261, para. 144.

My parents worry about my safety when I am at school.... The truth is, I really want things to improve so we continue our studies without any fear. This incident has scared everyone. Our teachers are scared too. It was a terrible incident.³

Universities have also come under attack from Islamist groups. On February 28, 2012, three rooms of the Abdul Wali Khan University (AWKU) campus in Palosa, Charsadda, in KP were partially damaged when suspected militants triggered explosions in its building.⁴

Children are at times injured or even killed in such attacks. For example, on April 16, 2012, one child was killed and another two were wounded after a suspected militant threw a grenade into the co-educational Iqra Public School in Khazana area on the outskirts of Peshawar.⁵ And unidentified assailants detonated explosives inside a government-run girls' high school in the Ghundi area of Jamrud tehsil, in Landikotal, in FATA, on December 17, 2011. Four classrooms and a veranda of the school were completely destroyed while the rest of the classrooms were partially damaged. Although the explosive device went off at 1:30 am, the house of the school guard was situated inside the school compound, and was also damaged in the blast, injuring two of his sons.⁶

School buses have been attacked. For example, on September 13, 2011, heavily armed assailants ambushed a school bus taking children home from the private Khyber School on the outskirts of Peshawar at the end of the day, killing four boys and the driver in a hail of bullets and rocket fire. Two seven-year-old girls on the bus were also wounded. Tehreek-e-Taliban Pakistan (TTP) claimed responsibility for the attack saying it was the work of their Khyber chapter.⁷

Suggested Questions to the Government of Pakistan:

- How many girls' schools, boys' schools, and co-educational schools currently require significant repair or reconstruction as a result of past attacks? How many of those schools are currently closed for repair? Are there problems replacing school books and other educational materials?
- How many individuals have been brought to trial and convicted in the past three years for attacks on schools or other education institutions?
- What psycho-social support is the government providing to children whose schools have been attacked?
- What measures are the government employing, such as the establishment of early warning systems, higher security, or community-based schools to prevent future attacks? Are special protections being set up for girls' schools?

Suggested Recommendations to the Government of Pakistan:

- Ensure that domestic criminal law explicitly prohibits attacks on buildings dedicated to education. Also specifically prohibit as war crimes during periods of armed conflict, attacks on schools provided they are not military objectives.
- Ensure that those responsible for attacks on schools and other buildings dedicated to education are investigated and appropriately prosecuted.
- Pakistan's federal government should cooperate with provincial authorities to create an advance rapid response system whenever there are attacks on schools, so that these facilities are quickly repaired or rebuilt and destroyed educational material is replaced so that children can return to school as soon as possible.

³ Human Rights Watch interview with student, location withheld, 2010. Fearing further attacks, none of the teachers or students whom Human Rights Watch interviewed at the school wanted it known that individuals from their school had talked with our researchers.

⁴ "School, varsity campus attacked by militants," *The News*, March 1, 2012.

⁵ "Pakistan school grenade attack kills child," *Agence France-Presse*, April 16, 2012.

⁶ "Girls' school blown up in Jamrud," *Daily Times*, December 19, 2011.

⁷ Le haz Ali, "Taliban bus attack kills four boys in Pakistan," *Agence France-Presse*, September 13, 2011.

- During reconstruction, students should be provided education through alternative means and, where appropriate, given psychosocial support. The federal government should establish systems to compensate for lost school days, such as holding extra teaching periods for core subjects.

Attacks and Other Threats on Female Students, Teachers, and Education Activists

Suicide bombings, armed attacks, and killings by the Pakistan Taliban, al Qaeda, and their affiliates target nearly every sector of Pakistani society, including female students, teachers, and education activists.⁸

Malala Yousafzai, a 15-year-old girl who was an outspoken advocate for children's right to education, was shot in the head and neck on October 9, 2012, leaving her in critical condition. Two other schoolgirls, Shazia Ramazan and Kainat Riaz, were also wounded in the attack. The Pakistani Taliban claimed responsibility for the attack. The attack garnered condemnation from across the political spectrum in Pakistan.

Three days later, at least three Shia university students – both male and female – were critically hurt when Islamist militants threw acid at their faces while they were on their way home to Parachinar, in FATA, after taking exams in Kohat, KP. The Pakistani Taliban also claimed responsibility for this attack.⁹

Some schools have received threats from what appear to be Islamist militant groups. For example, a private school in Gwadar district, Balochistan, received a threatening letter demanding that the school stop allowing girls and boys to study together at the school.¹⁰

In May 2010, Harkat-ul-Mujahideen, an Islamist militant group, threatened to attack all private schools in the Mastung district of Balochistan if they did not replace the existing “Western-style” uniform with the local dress of *shalwar kameez* (traditional loose-fitting pants combined with a long shirt). Female students were instructed to observe full Islamic *hijab* (head covering). The group distributed leaflets among private schools in the district, that included a two-day ultimatum for the schools to change their practice. The organization warned of “horrifying consequences” if their directive was not obeyed.¹¹

Older female students have also been targeted. In October 2009, twin suicide attacks at the International Islamic University in Islamabad resulted in the deaths of nine students, mostly women targeted in the women's cafeteria on campus.¹²

Some attacks on girls seem primarily intended to instill fear in the community. On October 7, 2011, 60 masked men carrying iron rods barged into the MC Model Girls High School in Satellite Town in Rawalpindi and beat students and female teachers. According to eyewitnesses quoted in the local media, the men warned the students to “dress modestly and wear hijabs.” Only 25 of the 400 students studying at the school turned up the following day.¹³

Nongovernmental organization workers in FATA and KP have been targeted for their work on education. In May 2012, a local politician issued an edict (*fatwa*) decrying girls' education as un-Islamic, arguing that education persuaded girls to join nongovernmental organizations, and threatened to have women nongovernmental organization workers in Kohistan, KP, forcibly married. In July, 2012, Farida Afridi, a

⁸ Human Rights Watch, *World Report 2012: Pakistan*, 2012, <http://www.hrw.org/world-report-2012/world-report-2012-pakistan>.

⁹ Human Rights Watch, “Pakistan: Protect Students, Teachers, Schools From Attack,” news release, October 19, 2012, <http://www.hrw.org/news/2012/10/19/pakistan-protect-students-teachers-schools-attack>.

¹⁰ Copy of letter on file with Human Rights Watch.

¹¹ “Private schools threatened in Mastung against “western-style” uniform,” *Baloch Hall News*, May 15, 2010.

¹² Human Rights Watch, *World Report: 2010*, 2010, <http://www.hrw.org/world-report-2010>.

¹³ Azam Khan, “Dress modestly: Masked men enter girls' school, thrash students,” *Express Tribune*, October 9, 2011.

women's rights activist, was murdered apparently for her work on girls' education and women's empowerment in Khyber Agency, FATA. In December 2011, militants gunned down and killed Zarteef Afridi, a teacher who started a school and was committed to promoting children's and women's rights in Khyber Agency, while he was on his way to school.¹⁴

Female educators have also been killed in Balochistan. On April 27, 2010, two masked men on a motorcycle gunned down Nazima Talib, an assistant professor at Balochistan University, when she was travelling from the university by auto rickshaw (motorcycle taxi) in Quetta. The university closed for a three-day mourning period. Media reported the Balochistan Liberation Army (BLA) claimed responsibility for the attack, saying it was retaliation for the killing of two Baloch women in Quetta and Pasni, and the torture of female political workers in Mand and Tump.¹⁵

Suggested Recommendations to the Government of Pakistan:

- Fully investigate all threats or attacks on students, teachers, and education activists, and prosecute those responsible.
- Establish mechanisms for temporary provision of education for schools that have a sudden shortage of teaching staff because of emergency transfers and other problems resulting from teacher insecurity.

Military Use of Schools

The Pakistani army, paramilitary Frontier Corps, and opposition Taliban militants have all used schools for military purposes, including as bases, firing positions, detention centers, and ammunition and munitions caches. Research by Human Rights Watch and the Global Coalition to Protect Education from Attack has shown that the military use of schools and universities often has a particularly adverse effect on girls and female students' access to education.¹⁶

Although public reporting on military use of schools remains sporadic, and likely under-represents the prevalence of the problem in areas of Pakistan where journalists and nongovernmental groups have limited access, examples of military use of schools include:

According to local media reports, in January 2008, Pakistani army and Frontier Corps troops were stationed in the Government Degree College in Darra Adam Khel in KP, in preparation for an attack on Pakistani Taliban fighters.¹⁷

In Bajaur Agency, a graduate student told Amnesty International that the army and Frontier Corps had deployed at his university and that the local people could not get them to leave even after complaining to the Education Department.¹⁸

In May 2009, journalists from the *Observer* newspaper visited Mingora, the most populous city of the Swat Valley. They noted that since education was a focus of Taliban attacks, it was "perversely appropriate that the war is being fought between schools." The journalists visited the Pamir building,

¹⁴ Human Rights Watch, "Pakistan: Protect Students, Teachers, Schools From Attack," news release, October 19, 2012, <http://www.hrw.org/news/2012/10/19/pakistan-protect-students-teachers-schools-attack>.

¹⁵ Saleem Shahid, "BLA claims responsibility for killing professor in Quetta," Dawn.com, April 28, 2010; Mohammad Zafar, "Female university professor shot dead in Quetta," Daily Times Pakistan, April 28, 2010; "Pakistan university mourns murdered woman professor," BBC News, April 28, 2010. "Dead body of Nazima Talib flown to Karachi," The Pakistan Newswire, April 28, 2010. See also Human Rights Watch, *Their Future is at Stake: Attacks on Teachers and Schools in Pakistan's Balochistan Province*, December 2010.

¹⁶ See e.g. 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.

¹⁷ "Five trucks loaded with ammunition snatched in Darra," *The News*, January 25, 2008.

¹⁸ Amnesty International, "As if hell fell on me": The Human Rights Crisis in Northwest Pakistan, (2010), p. 70.

which had previously housed the Educators School and College, but it was then filled with Taliban, who were fighting government soldiers located in another deserted school a few streets away. Those soldiers also faced fire from Taliban deployed at the nearby Mullababa High School.¹⁹

In June 2009, civilians were able to return to Mingora after government forces drove the militant armed group from the city. However, even as civilians returned, the co-educational Muslim Law College remained taken over by Pakistani military forces. According to the *New York Times*, bunkers were established on the roof, gunmen peered out behind stacks of sandbags, walls had been demolished, classrooms were filled with iron boxes of confiscated weapons, and the dormitory had been converted into a jail for about 10 Taliban prisoners. The newspaper article states that the owner of the school—which had previously been a Taliban target because it enrolled women—had returned repeatedly but at the time of the article, had not been told when the army would leave. He told a journalist: “How is this possible? ... It was an academic place, but now it’s an ammunition depot. On one hand, I’m very proud to be contributing to the peace, but on the other hand, we’re upset.”²⁰

The owner of the private Khushal Girls High School and College in Mingora, Ziauddin Yousafzai, father of teenaged activist Malala Yousafzai, also found when he returned to the city in 2009 after being displaced by the fighting, that his school had been occupied and used by the military. He found the school left in a poor state: the grounds were littered with goat skeletons and cigarettes, the school wall had a large hole in it, and there was graffiti on the walls.²¹ Showing a journalist around the school, Malala Yousafzai explained: “This is the math class and now this is not a class, this is a bunker of [the] army.”²² She also said: “I was very proud of my army, that the army protect us, but when I see my school in this way, so I am very shameful [sic] of my army.”²³ The principal also found a letter from the army left for him that blamed citizens like him for allowing the Taliban to control Swat and for the loss of Pakistani soldiers’ lives.²⁴

Residents of Malakand district in Pakistan told Amnesty International that Taliban insurgents used schools to hide in and launch attacks, ignoring entreaties from residents to avoid such crucial civilian buildings and take the fighting elsewhere.²⁵

In February 2012, state security forces raided a government high school and the adjacent teachers’ living quarters in Landikotal. The forces reported finding different types of weapons, mortar shells, suicide jackets, mines, and various types of explosives in some of the rooms. Later forces defused at least three unexploded bombs. Security forces had previously arrested eight suspected militants, including the vice principal of the school. According to media reports, militants affiliated with the Pakistani Taliban identified the arrested individuals as colleagues in telephone interviews with local journalists.²⁶

Such military use of schools has resulted in attacks on the forces within the schools, and the destruction of vital school infrastructure. For example: in late October 2008, the Taliban took over a school in the Darwaz Gai area of Mohmand, while students were in class. After the children were released, the Pakistan military fired mortar shells at the Taliban in the school. Less than a month later, on November 12, 2008, a suicide bomber drove a bus filled with explosives into a school that Pakistan forces were

¹⁹ Sana ul Haq and Declan Walsh, “Pakistan Intensifies Air Assault on Taliban ‘Ghost City,’” *Independent*, May 10, 2009.

²⁰ Adam B. Ellick, “Back Home in Pakistan, but Feeling Under Siege,” *New York Times*, July 26, 2009, p. A6.

²¹ Adam B. Ellick, “Back Home in Pakistan, but Feeling Under Siege,” *New York Times*, July 26, 2009, p. A6; “Witness: Schoolgirl’s Odyssey,” Aljazeera English, Witness, Season 2010, episode 4.

²² “Witness: Schoolgirl’s Odyssey,” Aljazeera English, Witness, Season 2010, episode 4, at 22:15 minutes.

²³ “Witness: Schoolgirl’s Odyssey,” Aljazeera English, Witness, Season 2010, episode 4, at 21:44 minutes.

²⁴ “Witness: Schoolgirl’s Odyssey,” Aljazeera English, Witness, Season 2010, episode 4. At 21:54 minutes.

²⁵ Amnesty International, “As if hell fell on Me”: The Human Rights Crisis in Northwest Pakistan, (2010), p. 63. See also, Omar Waraich, “Fleeing the Taliban, Pakistani Refugees in Limbo,” *Time*, May 27, 2009.

²⁶ “Arms cache seized from Landi Kotal school,” *Dawn*, February 10, 2012.

using as a command post in the village of Subhan Khwar, located about 20 miles north of Peshawar. The attack killed several soldiers and damaged the school.²⁷

According to a Pakistani media report, six people, including three children and two women, were killed and 10 others sustained injuries on February 22, 2011, when suspected militants launched rockets at government security forces deployed inside the Government Primary School in Torghundai village in Hangu district, in KP. The militants allegedly launched six rockets at the security forces; one rocket hit the checkpoint of the forces set up inside the school, while others struck houses.²⁸

Suggested Questions to the Government of Pakistan:

- 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 troops?
- How many schools have been attacked in recent years while being used by government troops?
- What alternative does the government provide for children's education when it takes over a school?
- What does the government do to rehabilitate schools after the military vacates them?

Suggested Recommendations to the Government of Pakistan:

- Enact domestic legislation or military policy 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.

²⁷ Amnesty International, "As if hell fell on me": The Human Rights Crisis in Northwest Pakistan (2010), p. 70.

²⁸ "Six killed in Hangu rocket attack," *The News*, February 23, 2011.