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EDUCATION UNDER ATTACK: VIOLENCE AGAINST STUDENTS, TEACHERS, AND SCHOOLS IN ARMED CONFLICTS

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P R O C E E D I N G S

MS. WINTHROP: Good afternoon, everybody. Thanks for coming. Thank you for braving the rain and the dreary day to be here to talk with us about a really important topic, attacks on education around the world. My name is Rebecca Winthrop. I'm the co-director here at the Center for Universal Education at Brookings, and I'm really delighted to introduce four great guys who know a lot about this topic.

We're going to start off with Brendan O'Malley, who is the author of a series of reports, and it's just been institutionalized in UNESCO, Education under Attack. He's a journalist by training and has worked on this issue quite a lot over the years.

And then we have Major Carroll Connelley, who teaches at the Marine Corps University, who looks into a range of issues including education and the laws of war, who we're really pleased to have with us to offer the U.S. military perspective on this issue.

We also have joining us Bede Sheppard, who's one of the lead researchers at Human Rights Watch on this issue. He's done a number of reports around the world and investigations on the topic. And finally Chris Talbot, who is the CEO of a new organization called Education Above All, which the First Lady of Qatar, Sheikha Mozah, has championed this issue of education under attack globally and started this initiative,

Education Above All, Chris is leading. And he is also the interim chair of a newly formed global coalition to prevent attacks on education. I'm not quite sure if I have the title right there, but Chris will correct me. So we're really pleased to welcome them to Brookings. And, Brendan, I will start with you.

MR. O'MALLEY: Thank you. The report I'm going to talk to you about, Education under Attack 2010, is the second global study on fiscal and military violence against students, teachers, academics, education officials, trade unionists, aid workers, and institutions. I've been given 15 minutes to talk about it. I feel a bit like the drama group in the UK which puts on a show called The Complete Works of Shakespeare in one hour and 60 minutes backwards, but I'm going to do this one forward and try to do it as quickly as possible.

It was commissioned by Mark Richmond of UNESCO, and the key questions that we tried to research are, what are the nature of attacks on education around the world, what is the scale of attacks, what are the motives behind them, what is the impact on education and on fragility, how can we improve protection, and how can we improve accountability.

MS. WINTHROP: Brendan, do you want me to flip through?

MR. O'MALLEY: Oh, sorry.

MS. WINTHROP: That's all right, you can stay there and I'll flip.

MR. O'MALLEY: Okay.

MS. WINTHROP: Because you have -- just tell me when.

MR. O'MALLEY: Yeah; and here we have a picture of a school. What do we mean by a school that's attacked? There's a school in Thailand, one of 164 that have been burned down or destroyed in 2008 alone. Amongst the worse effected countries for attacks are Afghanistan, Columbia, Congo, Haiti, India, Iraq, Nepal, Pakistan, Thailand, Somalia, and Zimbabwe. The types of attack we're talking about where we found occur across 31 countries include multiple killings, assassination, injury, abduction or kidnapping, illegal detention or torture, forced disappearance, forced recruitment as child soldiers or for labor at or on the way to school or in a way that disrupts education, sexual violence at or on the way to school, the burning and bombing of buildings or facilities, the use, military use or security use or occupation of school or education buildings, the burning, bombing, and shelling of the education process, for instance, the attacks on convoys carrying exam papers, the forced political programs in schools by which we mean things like, in Nepal, where schools are forced to have physical programs where children are indoctrinated and not soften a stepping stone towards being recruited as child soldiers, and include threats of any of those types of attack.

We have a couple of pictures just to show you what a

destroyed school looks like. This is one in Pakistan, in Swat Valley, a district in Pakistan where over 350 schools have been destroyed or damaged in the past -- well, in 2 years to July, 2009. And then we have a picture of the American International School in Gaza destroyed during Israeli ministry operations, an American international school.

The scale of attacks occurring by countries that have -- when we talk about countries that have -- are the worst effected cases with sustained attacks, we're talking about countries where there are hundreds of attacks in a matter of a couple two or three years. In Afghanistan, for instance, there were 670 incidents of attack in 2008 alone. In Pakistan, 350 in a couple of years; in Gaza, 300 educational facilities were damaged -- severely damaged in just three weeks in the Israeli operation in the end of 2008, beginning of 2009. And in India, over 300 schools have been blown up by rebels in recent years.

In Thailand, 164 schools attacked in one year; in Somalia, 144 schools closed due to attacks in two years. This is the scale we're talking about. In terms of killings, in Afghanistan, nearly 440 teachers, employees and students killed in attacks on education in a three year period, three and a half year period. In Iraq, 117 academics, particularly academics, but also some teachers and students killed in the two years to July, last year.

In Columbia, 117 teachers and students assassinated in a

three and a half year period. In fact, I think it was 99 teachers that were killed -- particularly targeted. And universities are not immune. There are many attacks in higher education. And in Columbia, for instance, one university received no less than 312 death threats. And there were over 400 death threats against education staff in a two and a half year period. The other types of attack that we have includes child soldier recruitment at on route to school we found occurring in 18 countries, sexual violence by armed forces against school children we found in six countries. We also found a heavy targeting of teacher trade unionists either killing or torture or arbitrary detention in a number of countries, Columbia, Ethiopia, Iran and Zimbabwe being among the worst cases.

Among the new trends that we reported, the mass poisoning of students in Afghanistan, where the Taliban has piped poison gas into classrooms or play areas, and you know, up to 100 children at a time have become seriously ill.

We've had the recruitment of children aside suicide bombers, children recruited from religious schools in Pakistan, for instance, and then sold to the Taliban in Afghanistan for use against targets there, including western targets.

We've had quite a big problem of kidnapping by armed gangs and armed groups in a number of countries, including Haiti and the

Philippines. We've also had a problem of occupation of schools. An example of this is in Brazil, with schools occupied by security forces fighting drug gangs in the narco wars and just turning up at schools and started firing at the drug gangs, and children who were still at the school, because they hadn't even warned the school that they were coming, were killed in the crossfire.

And we've had a growing number of incidents of education aid workers being targeted.

So an interesting question is, why are people being targeted in this way and why are schools and universities being targeted? And there are four types of motive; one is creating instability or part of an attempt to win a war, and that may be the case in Afghanistan where school is the only symbol of government in a village, and you know, if you blow it up, it kind of -- you give the -- create the impression that the government no longer controls that area, so that may be a factor, a psychological factor in winning the war.

They may be blown up because you oppose the type of education that schools offer. In Thailand, for instance, in the three southern most provinces there where there's a -- rebels are fighting -- Malay and Muslim rebels are fighting for autonomy. The schools there have been used historically to impose Buddhism and the Thai language in an area where

people want to use the local language, Yowie, and to study Islam rather than Buddhism. And so education, you know, was amongst the first target when that conflict reopened in 2004, and teachers have been heavily targeted ever since. And now the troops that were sent there to defend the teachers, to escort them, they're targeted, as well.

In higher education, a common motive is consolidating repressive power, so you get governments who limit what research -- the content of research or the subjects of research or who -- by threatening or even killing or detaining academics who carry it out. They may be on sensitive issues like HIV/AIDS, it may be on political issues, and yet political development is just as valid as the development of any other subjects.

And, you know, you even get academics targeted because they've attended international meetings. So the very notion of linking up with the rest of the world and sharing research comes under threat, so that effects the quality of higher education, not just in the country where the attacks take place, but also the countries you want to collaborate with those academics. Another motive is seizing the resources the fuel the war. So if -- as happened in the Democratic Republic of Congo, troops and rebels turn up with trucks outside schools, seize the children, take them away, force them to become child soldiers, that fuels the ranks of that particular army or rebel group, but at the cost of the education and protection of the lives of

those children, who may then suffer a terrible traumatization because of the events they'll witness if they're forced to fight.

If we look at -- I have actually taken that out, so we won't look at that. If we look at the impact on education, there are short-term and long-term effects. What tends to get reported of the short-term effects such as injuries to people, deaths are obviously long term, but damage to buildings and facilities.

There isn't much reporting, but as important as the exponential effect of fear of further attacks, which leads to hundreds or even thousands of schools being closed down temporarily or permanently.

You know, there's the schools in one African country that have been closed for two years, but quite common for long periods of time in Somalia, for instance, or for a week at a time in Thailand, these are quite common. And, you know, the fear works, because if you kill 1 teacher and you send, you know, 30, you know, threaten 30 other teachers, those threats have real credibility because somebody has already been killed. So, you know, the spread of this problem is much wider than the actual figures that you see of the number of people killed. You have to take into account the number of people who are threatened and the number of people who feel threatened.

Now, the long term effect on the education system is

something that doesn't really get reported at all. And this is quite an important issue because you get teachers and students, they drop out of their job or out of school or university, they may not wish to be recruited in that area anymore, they may wish to be relocated, they may seek relocation, they become -- if they're still there, they may be demotivated, distracted, or even psychologically traumatized by what they've witnessed.

For instance, in Thailand sometimes teachers are killed in front of their classes, so what effect does that have on the pupils, and how long does it take for them to recover, and what effect does that have on the quality of their learning for quite some time? It becomes a problem in -- that repairs are put off, that a government decides not to invest in education in that area for the time being because it's seen as not worth it. Aid might be suspended because aid workers have been attacked. An agency might even pull out of an area or out of the whole country. The teacher's voice, the professional voice through the work of trade unionists and teacher associations may be highly restricted, and yet that is a very important part of developing an education system, because teachers compose the biggest asset in the education system.

Secondly, the attacks on higher education effect the whole education system because of the skills and the knowledge that are lost particularly effect the quality of teaching, too, because if you restrict the

content, you can learn, and if you attack teacher training institutions, clearly that's going to have an impact on the training of teachers.

Now, there's a broader impact of attacks, as well, and this is on how attacks limit development, for instance. Attacks on higher education limit development, because with the death of an academic comes the death of ideas. And also, you know, as you attack academics, you are limiting the development of knowledge in key areas that are necessary for improving the economy, and for social development and political development, too. So even attacking, for instance, as an example, cited in the report of an academic in Zimbabwe who had written critical papers of government policy who had to flee because he learned that he was being sought and faced being killed, and fled, walked on foot hundreds of miles, across the river, on foot in South Africa, and escaped, but they came to his house and took away his wife and child, and he was under death threat just because of what he wrote.

But it's important that, you know, people sometimes dismiss those attacks as simply political, but, in fact, the development of political ideas -- development of political behavior is important in state building and building a country is the development of other subjects.

Now, attacks on education also reverse economic development. If we think of the World Bank claim that the single most

important intervention you can make in development to improve economic development is primary education for girls. If you're going somewhere like Afghanistan, where they're targeting primary girls' education, the reverse may also be true, but this may be the worst single thing you can do to reverse economic development in that country.

Also, attacks on education undermine the power and confidence in government. They create, therefore, fuel instability, they create fragility and poverty. I mean I'm thinking of a brave woman I met a couple of years ago who was a director of education in Afghanistan, in Ghazni in Afghanistan, who came -- had in their handbag a pile of written death threats that her and her colleagues had received.

And she was telling me how the problem in her province was that everybody wanted education, and they were afraid of all these attacks, and many people were beginning to feel, because there was no defense from the government, they were beginning to feel that maybe it would be better to just let the Taliban take over, because at least then they wouldn't be targeting them.

I'm not sure that's true actually because they tend to target women who go to school -- women who teach in schools and girls who go to school anyway in many places, but that's the way that the government power have been undermined by the attacks on education to the extent that they felt they

no longer had any faith in the government defending them.

What you also have is that, you know, if you agree with the argument in post-conflict that -- if you want to stabilize a situation, one of the best things you can do is invest in education, because then there is somewhere for children to go so that parents can go out to work and feel that there is some investment in the future, then it is worth staying in that community and trying to build things up.

The reverse is also true that if you blow up the school, people will -- you shoot teachers, people will be afraid to send their children to school, and they may not be able to go out to work, they may then start thinking is it worth staying in this area, maybe we should start moving, and then you create a problem of internally displaced people -- the chaos and fragility and can add to the sense that the government has lost the war.

So education has an impact -- attacks and education have an impact not just on education, but on conflict, that's the point I'm making.

Now, the interesting thing to study as we looked at some of the factors that increase the risk of attack, and there's been some very good research come out, especially from Afghanistan, but also some reporting from Thailand that shows that, you know, in Afghanistan in particular, a large scale fuel study found that, in fact, you were increasing the risk of attack in -- there was a perceived increase of risk and attack in areas where

communities did not have a sense of ownership of education, did not have a sense of ownership of development in their area, or did not have a sense of ownership of the defense of education.

So, therefore, you know, the imposition of schools, you know, built by the government or built by international forces, for instance, can increase the risk of attack, so we have to think carefully about those sorts of things.

In a country like Afghanistan, where there hasn't really been -- the sense of it being a country is quite new or weak in a sense, because the communications in a country are so poor, and people live in such desperate areas with great physical barriers between them without good roads, you know, the feeling that -- the government may not feel like it's their government.

If you're in a Pashtun area in the south, you may feel like it's somebody else's government imposing a school. So you really have to work hard to encourage community ownership of education within a region. An example of how that works, I'll come to later, but another thing that increases risk is if you try to, as I explained about the Thai situation, you try to impose alien values or alien language or culture or identify, and this often happens in an ethnic conflict where the majority government tries to impose the ethnic culture or religion or philosophy, and it's insensitive to local parents wishes,

and so education needs to be sensitive.

But, I mean, that's actually a factor in good quality education anyway, but it's also a factor in reducing -- the extent to which education triggers conflict. Protection measures that can work, obviously there are some things that work and don't work. The true presence sometimes works, but sometimes it just increases the target, as in Thailand.

The use of community guards and community negotiations with attackers do not attack their school, again, is part of this community response that seems to have an effect, has had a positive effect in some places.

A very important initiative in Afghanistan last year was the regional negotiations to get schools that had been closed, where there were 670 schools closed for a long time. The government conducted negotiations with local people, local leaders, and representatives of the armed opposition, i.e., the Taliban, to find out why they wouldn't reopen schools, and part of it was their fears, which possibly were stoked by the Taliban, that schools were promoting anti-Islamic material or an anti-Islamic way of life, again, because of the sense that they were coming from somewhere else, being opposed from somewhere else.

So the government said, well, look, you know, they talked and said you can, you know, look, if you want, you can call the school a

madrassa, we don't mind, as long as you carry out the education program, you can appoint a qualified teacher to check in each school that there is no -- nothing anti-Islamic going on, you can check the curriculum, the materials and see, if there's anything anti-Islamic, we will change it, you know, our intention is not to be anti-Islamic.

And with that, they got agreement, and with that, 161 schools were reopened and weren't attacked the beginning of last year, which was very significant, not only because it showed that you can solve problems not necessarily with force in the problem of education being attacked, but also it suggested that certainly elements of the Taliban in some areas are open to negotiation and maybe that's a way forward in dealing with a wider conflict, as well.

Another initiative, interesting one in Nepal, which had a long conflict, but still has a local conflict, the conflict between the Marxist and the Royalists sort of formally ended in 2006, although there are some problems now. There is also a local problem in the Terah region which seems to be more of an ethnic conflict. But there they negotiated in certain areas that schools be respected, negotiations between the rebels and the government forces, but intermediaries were local communities, which is a risky process.

They negotiated that schools should be respected as zones of peace, that the programs will be removed, that there wouldn't be abductions,

this kind of thing. There have been a lot of -- thousands of abductions in Nepal for kids taken away either for recruitment or political programs.

So that was a major step forward. Again, it shows the negotiation can work. Other measures include rapid repair and recovery, rather like your zero tolerance policies against crime in New York. Rapid repair and recovery of schools when they've been attacked kind of reduces the effect of attacks. Or relocation of schools into local -- peoples' homes where they're not visible, which is -- thousands of schools have been located -- set up in peoples' homes in Afghanistan, not just for that reason, but more so -- schooling where it doesn't exist because there aren't school buildings.

Another -- two other important factors on monitoring and impunity. You know, as Nick Bennett once of UNESCO said, you know, monitoring can act -- and in some cases it can be its tool for negotiation and mediation, but without it, we cannot denounce and we cannot act to protect education or to end impunity.

The problem is that the main system of monitoring at the moment is the United Nations, it's a mouthful, it's called the monitoring and reporting mechanism on children in armed conflict. It was set up by a resolution in 1612. But basically what it means is, there are task forces in each conflict country that is listed in their system, where they monitor attacks on six violations, violations against children in armed conflict, one of which is

attacks on schools.

But my research shows that that's, in fact, that's only in 14 schools compared to the 31 countries listed in this report. Seriously under report, attacks on education. There's nothing, for instance, on India or Iran or Pakistan or Zimbabwe, even though those are some of the worst effected countries. And there's several ways we could improve on the situation, one is to make attacks on schools a trigger violation. At the moment, it's just beginning to change, but at the moment, for many years, monitoring was only triggered if there were -- the violation of child soldier recruitment in a particular country on a large scale.

And what we're trying to say is that countries where there are attacks on schools shouldn't be required that there is child soldier recruitment; if there are attacks on schools, that should be good reason enough to start the monitoring in that country so that we could widen the list of countries where monitoring attacks on schools occurs.

But another problem is that with this monitoring system is the education organization so far aren't heavily involved in it, and that may be a reason why attacks on education are underreported. So we need support to build the capacity of education organizations to get involved in the monitoring and to encourage them to do so. And part of that may be also providing funds for response programs such as recovery programs. And

also monitoring -- one limitation of the monitoring mechanism is that -- reports school level, it doesn't report attacks on higher education or trade unionists, for instance, so we can't rely on that alone, we need to build a global monitoring system.

Another important aspect with dealing with this problem is, how do we increase deterrents using the law. At the moment, international law does cover attacks, but it doesn't mention education in the wording, it largely covers attacks on education through the defense of civilian buildings and civilians.

But if there was -- if we did bring in a ban on military use of education buildings, that might have a dramatic impact on raising the importance in the minds of military men when they're -- and politicians when they're thinking about how they conduct war, to make sure that schools are not occupied, and therefore, don't become a target for attack.

Attacks should be criminalized in national law using the scope of their own statute. Their own statute set up the international criminal court, and what we want to see is that some high profile investigations of perpetrators of war crimes of attacks on schools or other attacks on education to increase -- to provide a deterrent, so we need some clear cases say in countries where there have been lots of reported orders for schools to be attacked by the Taliban in Afghanistan and in Pakistan and by

rebels in Thailand. Well, these are more easily condonable cases, and they're more high profile because they're in countries where attacks have happened for a long time. We need to make an example of some of the leaders who have made those decisions in order to provide an international deterrent.

Secondly, it's not just about how you catch the perpetrators, it's about ensuring that military men have in their minds not just the protection of education and humanitarian law, but also the protection of the right to education, and that means also taking care that military have enough training to take these things into account, and that's quite hard because you're trying to squeeze one very specific issue into quite a big agenda, all the different things have to take care to protect when they're fighting war, but our colleague here will tell us more about that.

And one way we can improve protection is to develop international guidelines or guidelines endorsed internationally on how to protect education and conflict, that's something I'd like to see. Lastly, I think, in concluding, you know, one of the most important things is to improve politicians and commanders recognition of educations value, to inform their decisions in their operations on the battlefield.

MS. WINTHROP: Thank you very much, Brendan. I think it's a pretty bleak picture in terms of the scale and scope of the problem. And,

Bede, maybe we should turn it to you now to tell us a little bit more in detail. Brendan started about, you know, what could possibly be done, but, you know, examples from Human Rights Watch, as well as, much more broadly, what are the types of strategies we really need to hone in on to address this problem.

MR. SHEPPARD: Yeah, sure. I just want to start by congratulating UNESCO for the release of this new report. It's a really valuable and useful report for highlighting the scale and the variety of attacks that are happening around the world on education, on teachers, students, and on school buildings, so I'm glad to see so many of you here interested in learning about the topic and learning about these issues because it's really important to increase public awareness, which puts pressure on a lot of the political interests that Brendan raised earlier. The topic of attacks on education is also very important to Human Rights Watch. And we have previously done documentation and reporting on this issue in places such as Afghanistan. And I, myself, have done field investigations and reporting on attacks on schools in Southern Thailand, also in parts of India which are affected by a Maoist insurgence group called the Naxalites. Also, they would have seen use of schools by security forces as part of their counterinsurgency activities in India.

We've also seen on my most recent visit to Southern Thailand

the use of schools by military forces or -- forces there, as well, and so it's an important issue that we're going to be working on.

But I'm not going to talk too much about the specifics of any one example, unless people want to raise them in questions afterwards, instead I want to talk about, from a broader perspective, a question that's raised by the report, which the report goes away to start answering, which is, what do we do next.

What more can we do to prevent these kind of attacks happening and to mitigate when such attacks happen? And what more can we do to ensure that people who are committing these kinds of abuses are held accountable for their actions? And I think that the key to sort of all those three factors is better monitoring, looking into who's carrying out the attacks, what they're doing, how they're carrying out the attacks, and quite possibly, most importantly, why they're carrying out such attacks. And I think that this helps us with improving our prevention, our response, and our efforts to achieve accountability.

On prevention, just quickly, we can see, for example, if we understand and monitor what's going on and can look for bigger trends and patterns across a country's conflict, that sometimes there are warning signs that can be heeded.

For example, in Afghanistan, we've seen what they call night

letters, threatening letters that might be left at a school a day or two before it's attacked; in Southern Thailand, threatening text messages on cell phones to teachers who might be attacked in a couple of days time, and looking at broader patterns that might suggest how to deploy prevention measures more effectively.

In Afghanistan, we've seen that during winter time, attacks on schools generally goes down, they increase again in spring. In Thailand, at the end of term and the beginning of term is when it's most likely that a school is going to be attacked. So that might advise us about how to proceed with our preventative measures. It's also important for achieving effective response, I think, and understanding the motives for an attack is important for calibrating how one responds to an attack. But unless we know that an attack has happened on a school or a teacher, it's impossible for us to have any kind of response to build a new school, to repair the school.

And I've been amazed, you know, that I met, for example, once with the Secretary of Education in one of the states of India called Jarkon and when I met with her, she had explained to me that she had absolutely no mechanism by which she was being informed if one of her schools was attacked, and I thought that was absolutely amazing. She was learning when her schools were being attacked when they were being reported in the newspaper the next day. That can't be leading to her

ministry responding speedily to these kinds of instances.

And then monitoring is also required for accountability. That might mean in a criminal setting, either in a domestic court or in rare instances whether situation demands it at an international level, but it could also mean accountability at a sort of broader sense, that we can gain the right accurate information from motives and tactics into the public discussion can be very effective especially when one is dealing with non-state actors or military or insurgent groups. And when we're dealing with governments who are responsible for attacks on education, getting that information out into the international sphere so that donor countries or allies can comment and be mindful of these incidents when dealing with governments who are responsible for these kinds of attacks.

So who should be carrying out this kind of monitoring? Well, principally, the first actor that should be doing it is the government. I mean education ministry should be aware of what's happening to their students, to their teachers, to their schools. Of course, they need to know when an attack happens on their schools.

But education ministry should also be monitoring at a more micro level. Questions such as attendance, monitoring when -- populations stop going to school, monitoring whether -- rebuilt a school after attack, whether or not children are actually going back, whether teachers are going

back, or in Thailand, or in Baluchistan, in Pakistan, where suddenly there's been a spike in applications by teachers asking to be transferred to another district, that's a good sign that something is going on with the education sector in these areas. The police and the prosecutors within a country are also responsible for carrying out the investigations necessary for criminal proceedings. However, what we see around the world is that often the government isn't playing this role, and that can be for a number of reasons.

Sometimes it can be for a simple lack of capacity to do this monitoring, but often when the government or groups that are affiliated or sympathetic with the government are involved in these attacks, we can see a certain unwillingness by the government to do the necessary monitoring, and in instances like that, it's important to note that, call the government on that, and try and pressure them to do the job that they're supposed to be doing and that they have a duty to do.

There's also the possibility for monitoring to come from the United Nations. A number of agencies might have a role. UNICEF in particular comes to mind, which is the United Nations Children's Fund. And in some places around the world, they've made commitments that following an attack on a school, they will provide an emergency school kit within 72 hours or five days depending on the situation. However, in places where I've done work, for example, in Southern Thailand, UNICEF doesn't even

have a presence in the south. In places where I've worked in India and Jarkon and Behigh, UNICEF is there, but they have chosen not to prioritize the issue of attacks on schools as an issue that they're working on.

There's the UN agency, UNESCO, which is responsible for this report and done a great effort at trying to increase international attention to attacks on education. But UNESCO doesn't really have a field presence, particularly in conflict zones, so that limits their ability to be doing day to day monitoring.

There's also the mechanism set up by the United Nations Security Council, which Brendan mentioned, the MRM, the monitoring and reporting mechanism. But as Brendan noted already, it's been very limited so far in its monitoring or response to the issue of attacks on education.

However, we have seen that it seems to have the potential at least to intervene well in instances where there's been the recruitment in use of children as soldiers. So there's a potential there to expand this mechanism to also include attacks on schools in a way that could be effective to responding to them. And finally, there are NGOs. The best NGOs to be informed about what's going on on the ground are often service providers. Local NGOs, international NGOs that are actually involved in the provision of education or strengthening education systems.

However, many of these NGOs will often lack the necessary

mandate to do reporting or monitoring on attacks on schools. And often, if they were to get involved in these kinds of monitoring and commentary on attacks on schools, they could be creating security risks for their own personnel.

Alternatively, there are human rights organizations who definitely have the mandate to do this kind of monitoring, but sometimes they lack the long term presence in the field to be able to do sustained month after month, year after year monitoring that is necessary to establish these kinds of trends and patterns.

So those are I think where we could -- those are the areas where we need to be targeting assistance to improve monitoring so we can better respond both beforehand and afterwards to these kinds of attacks.

MS. WINTHROP: Great, thank you very much. Carroll, maybe you'll want to give us the U.S. military perspective on this issue and how you're thinking about it, how you deal with it.

MAJ. CONNELLEY: Okay. Can you hear me in the back? Okay. First I just want to say that I'm obviously pleased to be here. My name is Major Carroll Connelley. I was an infantry officer for the first seven years of my career and then went to law school through a program in the Marine Corps and became a judge advocate and I've been doing that for the past eight years.

The views and opinions that I'll give today are my own and they don't necessarily reflect the views or policies of the United States, the Department of Defense, or the United States Marine Corps; I have to give that disclaimer up front.

And before I begin, I was going to start with a little antidote that maybe doesn't apply exactly to the situation here, but applies to kind of my interaction here at Brookings, and that is, some of you may have seen my name on the program before you came in here and expected that a female would be up on stage if you didn't pay particular attention to the spelling of my name. It happens very often that, in e-mails or in conversations with folks, before they get to meet me, they will think that, because my name is Carroll, that I'm a female. So just last week, on Friday, I received an e-mail, and I volunteered recently to help out at a golf outing for a friend of mine who was killed in Iraq, and so the e-mail was addressed to Sheila, Laurie, Sue, Betsy, Carroll, and some other female names. So the salutation, the greeting started off by saying, ladies, and so that happens often, and I didn't find that particularly amusing.

But as I read down into the e-mail, at least for me, I found it amusing that it went on to say that, ladies, you've been chosen for the particular honor to drive the beer cart during the -- and what we'd like you to do is be cute, be flirty, and do whatever you have to do to sell beer. So I

found that amusing, and I took that little antidote just to make sure, and I thought about, make sure you know who your audience is.

And I will apologize up front by saying that, having never spoken at the Brookings Institute before, I'm not exactly sure who my audience is. So I hope, though, that while I'm not an expert on education under attack, but I can add some texture and give you some background with relation to the law of armed conflict and how the military views it and how we teach it within the Marine Corps. To start off, the Marine Corps has always carried itself with distinction, of fighting with honor. But obviously there have been incidents throughout the organization, and throughout any organization you'll have incidents that make you pause and reflect upon how you're doing your business. And so that has happened for the Marine Corps a number of times throughout our history. And in 2006, that happened for us, there were a number of incidents that I'm not going to talk directly about today, but those incidents made the Comrade of the Marine Corps establish my position where I'm working at Marine Corps University.

At Marine Corps University, which is a collection of schools for captains, majors, lieutenant colonels, all that have a 9- to 10-month program where they are going through professional military education, learning about staff work, and also when I get to engage with them, talking about the law of armed conflict, rules of engagements, along with we have an ethicist who

has his PhD, and the chaplain talking about ethical decision-making.

So I engage these folks, and then at the schools, and then most importantly, twice a year, anyone who's selected in the Marine Corps to be a commander. So lieutenant colonel and above who's going to go out and command troops, command marines, comes through the Marine Corps University for a two week program. And during that program, there's a day essentially set aside for military legal issues. And I get up and get to talk about the law of armed conflict and the rules of engagement, and we get to engage in conversations and talk about face scenarios and discuss these issues that are affecting us and how we treat them and how we react to them on the battlefield.

So this position was created by the Comrade of the Marine Corps. I'm the second judge advocate to fill the spot, and it's been a pleasure to make sure that obviously our commanders and officers understand the principals, as well as the rules underneath IHL, international humanitarian law.

But on the larger scope, not just for officers, but for marines overall, we have the Marine Corps order that is out there, and the Marine Corps order sets out, and it's only 34 pages, it's one of your shorter orders, but it sets out in pretty plain language the requirements, the learning objectives for marines at entry level training, follow on training, specialized

training, and detailed training, kind of a step approach to education with respect to the law of armed conflict. For those first two portions that I mentioned, entry level training and follow on training, that happens before a marine, whether they're an officer or an enlisted member, that happens before they ever go out and join a unit. So they are going to learn the basic rules behind IHL and they're going to learn the principals that lie behind that, as well, military necessity, distinction, those types of topics, so those will be addressed.

And then that education will continue as they go to school at like where I teach at Marine Corps University, and for the enlisted, in the enlisted professional military education program, as well. So that is how we make sure in the Marine Corps that folks are indoctrinated in and understand the concepts behind IHL.

Now, with respect to attacks on education in particular, the U.S. military has a history of protecting educational institutions above what's required by international law. If you go back to the lever code, which was written down by Francis Lever, who was an academic from up north. Actually, when he first came over from Europe, he came to South Carolina. His son -- actually, some of his family remain there. He went up to the East Coast and was an academic there. He wrote down the lever code. President Lincoln asked him to write a code that the military should conduct

themselves in accordance with. So the lever code is really the first codified instance of IHL. And in that code, academic institutions is specifically written out. So today we talk about that academics isn't specifically in the Geneva Convention, for instance, and it's not specifically mentioned.

But going as far back as the Civil War, for the U.S. military, we've had a focus on educational institutions, making sure that they're protected, along the lines of cultural property, such as when you move forward a little bit, and we signed the convention, the Hague Convention for the protection of cultural property in the event of armed conflict, while that doesn't specifically say education, it says cultural property that could be significant such as educational institutions that have been around and have been long standing institutions.

In addition, another pact that we are signatories to is the Rorage Pact, which that does specifically talk about giving a protected status to educational institutions. And then finally, the language to additional protocol one of 1977, Article 52, which we have accepted that language, the U.S. is not a signatory to -- one total, but to that particular article, it states that attacks should be limited strictly to military objectives, obviously indicating that, you know, we are not targeting civilian property or civilian individuals, and we're not targeting educational institutions.

With all that being said, I think probably the most interesting

piece I may have to relate to you is that last week I had the pleasure to sit in on a dinner with Brigadier General Nicholson. He was the commander of the marine forces most recently in Afghanistan, and he came back, and there was a large dinner, and he talked about some of the challenges going on in Afghanistan today.

One of the most interesting things that he mentioned, obviously I was taking some notes and thinking about coming here to Brookings as he was speaking, was the metrics, the measures by which they were identifying success on the battlefield, and those metrics were, one, civilians and individuals returning to the towns within the area of operations the marines were working, two was the instances of those individuals, those military males volunteering for the Afghan National Security Forces, and the third measure, the third metric that he mentioned was the number of children attending schools each day. And he specifically said that that measurement was judged on a daily basis. His staff ensured that he knew on a daily basis the number of students attending schools in the different towns and districts where we had marines located. And if he saw a dip from one day from being 100 school children attending an educational institution, and the next day it was 50, he knew that there was an issue in that town, that something was going wrong, and that that was somewhere we would have to go and address that issue.

And I think one of -- and I don't want to quote him, but he said essentially when they looked at that metric, it was as if those parents were voting with their own flesh and blood by allowing their children to go to school.

And that resonated with me and made me think about how important education is for us in the military in terms of counterinsurgency and making sure that education not only is that standard by which we take a look to see if there are bad guys out there not allowing folks to go and educate themselves, but how that education system set up in allowing people to become educated will advance that society and advance that government so that, you know, we no longer have to be there. The last thing I would mention quickly is that, as I looked at some of the recommendations from the report, you know, one of the recommendations was that educational institutions take on the same prominence in IHL as hospitals and churches or places of worship.

And in looking at that, and again, I haven't been studying this particular piece for a long time, so my comments are off the initial readings that I've done, but I believe that educational institutions are already -- they're already included within IHL, and they are.

They're not specifically pointed out, but I fear that by specifically pointing them out, it may lead to additional issues. But instead, by keeping it

broader and allowing them to be protected, as they are, and knowing that the military keeps a focus on education, I don't see a need to further include them in IHL specifically at this time.

The other part is, and where I'll end, though, is that there's also a recommendation that international human rights law be taught or integrated into the education system for military members above and beyond simple IHL. And I think that that probably is a good point, because in IHRL, they talk specifically about education and the right to education. And as my colleague mentioned, as Mr. O'Malley mentioned, getting commanders and marines or service members to think about the importance of education I think is something that we could take and capitalize on and it could be a force multiplier for us in our current plights across the world. And that's all I have.

MS. WINTHROP: Thanks so much. Chris, you're up.

MR. TALBOT: Thanks very much, Rebecca, okay. Ladies and gentlemen, my name is Chris Talbot, I'm the CEO of a comparatively new NGO that's been established in Doha, in Qatar, founded by Her Highness Sheikha Mozah who's the First Lady of Qatar, which is called Education Above All, which actually focuses on the protection of education from armed attack exclusively, we do nothing else but this.

And I won't speak about EAA because I've only got seven

minutes, but I would like to speak about something else for which I'm partially responsible, which is a new global coalition for protecting education from attack.

Last September in Paris, UNESCO hosted a very fruitful seminar on this issue. It was the first time that people had been brought together who were specialists in international humanitarian laws, such as Carroll, in fact, two of his U.S. military colleagues attended, and people who are specialists in protection, especially child protection, such as perhaps Bede would claim to be, lawyers, lawyers and protection specialists, as well as education and emergencies specialists, and I think Rebecca and I would count ourselves among those.

These three communities didn't often interact, and this was the first occasion on which they were able to come together around this particular issue. And one of the major recommendations that emerged, and by the way, you have a small pamphlet I think that's been distributed, a little dark colored pamphlet with orange on it, that has all the major recommendations that emerged from that seminar, I think that was on your -- yeah, there we are, could you hold that up and wave it around, please? Thanks, yeah, just in case people didn't collect one.

And the last of the recommendations deals with the need to launch a permanent campaign, a major campaign to ensure that these

issues were not forgotten, that there's progress made. And there were some discussions after the Paris meeting, and in one of these excellent processes whereby agencies agreed to work together to organize themselves. A whole bunch of agencies came together in New York in February, in the blizzard, and constituted a global coalition for protecting education from attack. Based on the understanding that while there's some excellent individual agencies, UNICEF, Save the Children, Human Rights Watch, doing some great work on this issue, there's so much more strength in working together, and this was the purpose.

So this global coalition was established in February with a steering committee. I'll just give you a sense of some of the agencies that are involved to get a flavor of the breadth.

On the steering committee there are Save the Children, and UNICEF, which have an explicit mandate for the protection and care of children. There's also Human Rights Watch, which has a much broader human rights mandate, not just for children. There's CARA, which is the Council for Assisting Refugee Academics.

Now, here's a very important -- we talked a lot about protection of schools, but many agencies, including UNESCO, and, of course, Scholars at Risk and Scholar Rescue Fund and many other very active agencies are concerned about attacks on higher education, not just primary and

secondary school, and attacks on academics and scholars, whether they are attached to universities or not. This is a very important part of this large agenda. Education International, which is the union of teacher trade unions headquartered in Brussels is another important member of this coalition, and they bring with them their immense membership and their huge concern for the wellbeing of students and teachers of all levels. And UNESCO, of course, is a member of this, as is my own organization, Education Above All.

So the mission of this new coalition, and I'm going into this detail because it may be that some of you work for agencies that may have an interest in this issue, and you can take this information back to your colleagues at home. Some of you I know are students and just to know of an emerging -- a new network, a new coalition is of some interest to you.

The mission of this new coalition is to catalyze action, to enhance the prevention of attacks through all kinds of means, and also to catalyze action for effective response to attacks. It's one thing to seek to prevent these things, but if they happen, what do you do with a -- in a community that has had its teacher murdered, its school burned down, and 25 of its children kidnapped to be come child soldiers if you're working in that kind of community or seeking to support it. We seek as a coalition to develop a shared agenda for research into this area. There's so much that's not known, so many areas of research, and a few of them have been hinted

at by the previous speakers.

I'll just give you two examples of themes that my own agency is -- three very quickly that my own agency, in collaboration with the other coalition members, will seek to support research on.

The first is, the question at the community level. So many -- in so many villages and refugee and IDP camps, internally displaced persons camps around the world, community leaders negotiate with very violent armed groups, the protection of the educational facilities and personnel, teachers, students and other kinds of education workers from attack.

They do that with incredible courage and a huge risk. Many international NGO's, for example, CARE, Save the Children, International Rescue Committee, and UNICEF as a UN agency, many of those agencies are at work deeply with communities, sometimes encouraging that kind of negotiation. And as I've listened over the past couple of years to workers from those organizations, they've expressed doubts and concerns, are we doing the right thing, are we recommending the right kinds of actions. And what I would love to see is a research project that examined the conditions for success and failure of such engagement in negotiation at deep community level.

My suspicion is that there will be no single set of recommendations that one can make at the end of the report, as often these

reports do, that the contextual differences are so great from village to village to village that there's hardly rules, but I'll be happy to be proved wrong.

The second area that -- of shared research concern that I hope my agency will be able to be involved with is exactly what Major Carroll Connelly raised about the prohibition on military occupation of educational facilities.

There seems to be -- the law is not entirely clear, I think it's fair to say, that it's -- okay, I won't go into the legal technicalities because I'm not strictly qualified, but let me say it's very clear that military forces feel a greater inhibition to occupy religious buildings and medical facilities than they feel that inhibition to occupy educational facilities, schools or universities. Educational buildings are occupied by armed forces, not as a matter of routine, but quite frequently, whether those armed forces be those of the state or of their opponents, non-state actors. There's a whole range of issues that need to be studied about the role of non-state actors to whom, in theory, the provisions of international humanitarian law don't strictly apply.

So I would love to see a piece of very solid legal research into this issue of whether there is any way of bringing forward a prohibition of the occupation of schools and other educational facilities by military forces. Is it needed, is it feasible, under what conditions?

A third very interesting piece of research would be, although

Brendan mentioned this in passing, he didn't focus on this, among the victims of attacks on education are education development workers and education humanitarian workers. And there have been some very regrettable attacks in recent years that have resulted in the deaths of some of our friends and colleagues.

I guess a question that has only just begun to be asked, let alone answered, is whether modern doctrines of counterinsurgency warfare which involve military personnel in essentially state buildings, at least community building activities, alongside their more traditional military roles, does that involvement in helping communities to reconstruct even while they're still at war, does that expose development and humanitarian workers to risk, because they're doing the same things, and those who want to attack the soldiers because they are soldiers say, well, you development workers with NGOs and you humanitarian workers, you're doing just what the soldiers are doing, there's no proper study being done of this, the question has been raised, I think it's an important one. And there are a whole bunch of other research questions.

My time is short so I won't dwell too long. I think above all, this coalition will engage in advocacy for strengthening the law, the provisions of international law, and also for strengthening the provisions of national law to put into effect those international laws to which nations which the

conventions that they've signed and ratified, and that can involve capacity building for, in many countries, of the military forces, but also of the police, the judiciary, the court systems, the prosecutors in coping with attacks on education. There will also be advocacy with a variety of international bodies that have responsibilities for this area of work. And I think among the principal targets of such advocacy should be the international criminal court encouraging them to bring forward charges. Of course, it'll be very unusual for somebody to be charged with the war crime of burning a school alone.

Usually people who are brought to such, and there's only been a handful of prosecutions on the whole, they have been for monstrous crimes, but among those monstrous crimes should be the killing of teachers, the burning of schools, the kidnapping of children, and that would raise the profile of the issue, which is a really important thing to do.

And also the Committee on the Rights of the Child that works out of Geneva to advance state understanding and implementation of the convention on the rights of the child needs to undertake more serious work. Specifically, they should be issuing a general comment on education and emergencies which would highlight this issue.

There are a number of such advocacy activities that the coalition is in a better position to do together rather than individual agencies writing to these bodies or trying to lobby these bodies. I think I will just close

with a reflection on what's needed for this movement to succeed. It's going to take time. It's not something that in a couple of years you can see an immediate wonderful result. But we do need to build a degree of visibility and a sense of the significance of attacks on education of all kinds, from preschool level through the postdoctoral scholars, that this is a serious violation of human rights and the rights of the child, of the right to education, and of the laws of war.

We need to see political champions emerge for this issue, as we've seen with other human rights issues over the past years, such as the recruitment and use of child soldiers or the land mines issue, where campaigns have gone on for more than a decade, have been picked up by prominent figures; as yet, we don't quite see those champions on the horizon.

And my hope and dream is that through this kind of work together, we will see in coming years with much better attention to monitoring and reporting, much better research, much better advocacy, that there will be a change, that there will be fewer schools attacked and fewer academics murdered. Thank you very much.

MS. WINTHROP: Thank you, Chris. Thank you all four of you. That was very detailed, slightly depressing, but hope at the end in terms of lots of new initiatives happening. I think we'll open the floor now,

we have time for some questions. Let me know, raise your hands high, don't be shy. Yes, here.

SPEAKER: (inaudible)

MS. WINTHROP: There's a microphone, it's coming your way. It might be a little easier to --

MR. THOMAS: My name is Tres Thomas, I'm a Program Manager at DCP -- Education, and I'm very interested in getting your other opinions on to what degree are NGOs that establish schools in countries like Afghanistan accountable for security risks that they, you know, that they kind of, you know, will encounter in their day to day activities. You know, you're going to have students that are attacked, and you know, the community is going to maybe blame them for some of the risks that their students may run into, so who's -- to what degree are they accountable and to what degree should they take measures to prevent attacks that, you know, to the extent possible?

MR. O'MALLEY: I would think that they have a distinct duty to be conscience of the impact that their work and their programming can have on children. Just because you're an NGO who has the biggest heart in the world and wants to provide education to as many children as possible doesn't mean that that somehow abrogates you from responsibility to do so in a manner that doesn't put these children at risk.

And there are definitely contacts around the world where the establishment of a school by an NGO, particularly if that NGO has an affiliation with a particular country or a particular ideology, can very much be putting the students who go to that school at risk.

And there may be situations where the NGOs are more aware of the risk that they can be causing than the parents who might choose to send their children to that school.

So I think that there is a duty on NGOs to be very conscience of the risks that they can be causing because of either their real affiliations or by their perceived affiliations, and how any armed groups up -- in those areas could perceive the existence of the school.

Of course, that shouldn't mean that any militia who is going to put out a threat should, you know, one should cower to those threats, but it's a case of being very conscience of it and taking necessary mitigation to account for it. That would be my thoughts.

MS. WINTHROP: Anybody else like to comment quickly on that? No. Any other questions? There's two, maybe we'll take this one and then you second.

MS. KUEBLER: Hi, my name is Joanna Kuebler. I'm the director of the Global Campaign for Education U.S., and my question is for Major Connelley. Could you tell a little bit more the one recommendation

that you're taking some issue with in elevating education into categories with churches and hospitals, could you tell a little bit more about the reasoning behind that or the concern, and as you said, highlighting the education system?

MAJ. CONNELLY: Again, I would say that, you know, I'm not speaking for U.S. policy here, so it's just -- in the initial -- and again, I was invited about two weeks ago, so my initial look at the problem, for instance, looking at Article 52 of the additional protocol, which I talked about, you know, it says states attacked will be limited strictly to military objectives. So insofar as objects are concerned, military objectives are limited to those objects which are by their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction, capture or neutralization, and the circumstances ruling at the time -- definite military advantage. The long, legal definition that's found in AP 1 says, hey, you can only attack military objectives.

I know we had conversations because we had a session earlier today, as well, and there's a lot of discussion about, hey, that isn't really -- that doesn't tell you, though, that educational facilities are protected.

I think it does, because it says the only thing you can attack are military objectives, that's all you can attack. I think what the part of the -- or part of what folks are advocating, in fact, there's an article from

Commander Bart, who's a Navy JAG, part of what they're talking about is, they believe that schools should be on the same level as religious institutions and hospitals in that, because there was some discussion actually, you cannot occupy a hospital or a school, it is a violation of IHL. So we would never occupy a hospital or a religious institution. And so there are some people that advocate that we should put that same standard or have that same standard for educational institutions, I just don't know if that is needed at this time, because I think there's protection for them already, but there is some practical realities of on the ground that, you know, we have occupied, if you want to call it that, and I wouldn't use that term, we have lived in schools at times because it's the only government building -- it's the government building that's available, it's on the high ground in a town, and we're in a high -- operations.

So to take that away when that school is already abandoned, obviously in counterinsurgency, our goal is to leave there, to get that school back up and running, to get them facilities, to get the populous back into the school, and to get us out of there, that's what we want to do. But at the times the necessity, the military necessity of the situation lends itself to a school sometimes is that largest building where it's got concrete, I can sleep there at night and have some protection while we're trying to protect the populous and fight insurgents. So I hope that answered your question.

MS. WINTHROP: It's a really good question. I see a couple more hands coming up. But just to follow up, Bede, you know, I mean I think it's a good question because there is a big debate about this and nothing has really fully been decided, and people are coming down on different sides, and I think we have those different sides represented here on the panel. Bede, do you -- because my understanding is that, you know, the thing that Major Connelley explains is not how the UK does it.

MR. SHEPPARD: Well, I think that actually Major Connelley does a very good job at explaining the conundrum that exists out there on the issue, particularly of the issue of military use of schools. And there certainly is not at the moment any clear prohibition against the use of schools by military forces under international humanitarian law at all.

And certainly the compelling use of necessity in the heat of the conflict can be a very compelling one and often a justified one and certainly is under humanitarian law at the present.

The concern that gets raised is in instances which we can look at, for example, in India or in Southern Thailand. We've now seen security forces or parliamentary groups who set up in schools for very similar reasons to the ones that Major Connelley -- that, you know, this is a government building, this is the only government building that we can use, it's a concrete building, it's great protection for us, it's got free electricity, it's

got free water, where else are we going to base ourselves, otherwise we're going to have to kick some family out of their private home and that's going to create greater problems for this community.

However, we can see instances where those kinds of occupations can last for six months, a year, two years sometimes. And when there hasn't been a response from the government to set up an alternative place for children to go and be educated, that's going to have a very clear effect on children's' ability to act as an education.

And sometimes, in fact, in schools in India or in Southern Thailand, I've seen that these occupations go alongside with students attempting to go to school alongside the -- and sharing the school grounds with them. So, again, that's going to have the clear impact on children -- access in education.

Now, it's possible that that could be solved by setting up an alternative educational facility somewhere else that is of equal quality and work. The point that Rebecca was referring to was the fact that, although it is something that the U.S. sometimes will use schools in certain circumstances and certain times, it's not one -- a practice that's used by all military around the world. My understanding, for example, is that in the UK, I presume, I don't actually know this for sure, but my presumption has always been, this is based on their history of work in Northern Ireland, that they

generally don't use schools, and they say that the use of schools would be an impermissible use of a school building.

So there are different takes on this around the world by different forces and from different groups, and I think that it's important to bring in both the -- not just the humanitarian -- respective, but the human rights perspective of what impact does this have on the right to education.

And so it's a great -- I think just a great debate to be having and to be exploring and to be thinking about both the practical concerns from a military perspective, and the practical concerns from achieving access to an education for children, and the practical concerns of what effect this will have in a conflict society to have children going to school or not going to school.

MS. WINTHROP: All right. I saw three, now four questions. So there's a woman at the back in the black shirt, yes. And we'll take a series of questions and then have the panelists comment.

MS. McLEAN: Hi, I'm Morgan McLean with the UNESCRO Affairs Office at the State Department. I have a question regarding using the -- statute to criminalize attacks on educational institutions. How would this effect institutions that would consider themselves to be private or something that the ministry of education wouldn't necessarily have jurisdiction over?

MS. WINTHROP: Great question. There was, let's see, raise your hands again. We'll just get you all in one lump sum, yeah, there.

MS. LESLIE: Hello, my name is Patricia Leslie, I'm a researcher with PTFS. As you're well aware, there have been several attacks this year on schools in China, and I notice China is not included in the 2010 report which is published. I wondered if there were no attacks last year or why China was excluded.

MS. WINTHROP: Great question. Okay, raise your hands again. There's one here and then we'll take two on this side.

MS. JAMAL: Hi, my name is Hanna Jamal and I'm with Plan USA, working on international programs for education, and my question is about sort of the links between work on education and emergencies in conflict settings to longer term development programming for education, how are the needs different? Just as I think about the recommendations that you've mentioned here tonight, a lot of them resound with some of the programs that I know Plan has engaged in terms of long-term development for education. But I'm curious to know whether you think that there is a need to integrate education and emergencies work more closely with longer term education objectives.

MS. WINTHROP: Great. And more questions are coming, but there's two over here.

MR. ROTHSTEIN: Joe Rothstein with the IN News. It would seem to me that if a community's children are under attack through bombs

or acid throwing or a school being blown up, that the first responders here would be the parents and the community itself, and I'm not hearing much about community reaction. It seems like by the time this gets to the upper reaches of government, an awful lot of other things have happened, and I'd like to hear more about what is happening at the community level.

MS. WINTHROP: Great question. And the last question we'll take in the series here.

SPEAKER: My name is Gina (inaudible). I'm from Chinese Branch of Voice of America, and I basically have the same question about the situation in China.

MS. WINTHROP: Okay, great. So the (inaudible) statute, China, integration between emergency and development, and then, of course, community based strategies, what's actually happening in the immediate. Maybe we'll just go down the line and you can each briefly comment on one or two.

MR. O'MALLEY: Well, first of all, the (inaudible) statute I think that you're asking about is private education covered.

MS. WINTHROP: Non-government.

MR. O'MALLEY: Non-government. I'm not a legal expert, I don't feel I can answer that question right now, so I think I'll leave that, I'm not sure I can answer that.

MS. WINTHROP: Answer the China question.

MR. O'MALLEY: Yeah, the China question definitely. The reason simply why China isn't in the report is because of the types of attacks that you're talking about, attacks by lone individuals with -- not working on behalf of an armed or political group, it's not -- doesn't fall under the definition of attacks that we use of political and military attacks, attacks by an individual with some kind of grievance or psychological problem.

I mean we see that in attacks on schools in the U.S., for instance, where a lone individual goes and shoots children. That isn't covered by this study. We took a decision. That was a borderline thing that we did, the definition of attacks, and we took a decision that we felt that it was separate from political and military attacks and so needed to be dealt with in a different way, so we left it out, and for that reason, the kind of attacks you're talking about in China aren't in.

We didn't find any physical or military attacks in China. It doesn't mean they're not happening, it just means, because the report is based on -- mainly on published sources, but also in -- to governments and to human rights organizations, we just didn't come across it in China. But if you have any information, we'd be interested to know it.

On the issue of community reaction is an interesting one. Oh, sorry, on the education, community reaction is an interesting one. In Afghanistan, there

have been cases where communities have been encouraged and have actually confronted attackers and in some cases prevented attacks or reduced the effects of attacks. And there is some research that shows that where communities are involved in the defense of schools or have -- create their own kind of policies for defending the school, which might just simply be putting -- taking turns having a night watchman at the school, it seems to lower the risk of attack, and that may be because it says to the attackers who, in a large number of cases come from a local community or local area, that actually we think schools are important, therefore, you shouldn't attack it, and therefore, they're less likely to attack.

This is something that needs deeper research today for sure, this is just the feeling we get from the level of research that we have at the moment, but it's not a, you know, it's not a scientific conclusion.

MS. WINTHROP: Thanks, Brendan. Carroll, do you want to comment?

MAJ. CONNELLEY: I'm not sure if any of those questions really fell squarely in the military category.

MS. WINTHROP: That's fine.

MAJ. CONNELLEY: So the only thing -- I mean, the legal expertise in the room is that -- I would not be that either considering we're not signatories at this point in time. So I would just pass it along to my

colleagues, if that's all right.

MS. WINTHROP: That's fine.

MR. TALBOT: On the (inaudible) statute, absolutely, that private school would count, both the civilian institute -- civilian object, in the words of (inaudible) and it's also an educational facility. So on the (inaudible) statute, public schools, private schools are protected from targeted attack unless they're being used for a military purpose. And if they are being used for a military purpose, any attack on it still has to be proportional to that military objective and not indiscriminate. Thank you.

On the issue of responses by community members, I think Brendan is right that there are some positive examples around the world that highlights the importance of getting community involvement in Afghanistan. In India, we've seen -- I saw just, I think it was about three months ago, a really touching response by a group of school kids in a rural area in Beha where they wrote a letter to the Maoist insurgent saying, Maoist, why are you blowing up our school? Such kind of community response can be very powerful and effective, especially as Brendan said, when you're dealing with insurgents who come from those local communities. However, we also have to remember there are limitations sometimes on the ability of parents and communities to speak out for the interest of their children. And I have met with government officials who have said, well, I haven't heard complaints

from these communities that they want these kind of schools, so maybe this isn't really a concern like you say it is.

And we have to understand that often these attacks happen in very rural areas, often with very unempowered communities, often in severe security situations where they get a lot of pressure from ideological, political, religious forces that exist that can be huge gender disparities, that can effect the ability of parents and children even to speak out on their reaction to the effect that this is having on their ability to access an education.

SPEAKER: Thanks. I'll just comment on the one question I think asked by the lady from Plan about the link between education in the heat of emergency and long term reconstruction needs. I'd like to just comment on this from two angles, one in general. The decisions that are taken on day one of a new emergency, whether it involves refugees or internally displaced persons or just communities effected by conflict without any displacement, those decisions have enormous repercussions for years to come, and this is not the subject of today's little seminar here, but there are a lot of agencies, and I'm sure you're in touch with them, working on these kinds of planning, educational planning issues.

An organization I used to work for, UNESCO's International Institute for Educational Planning, has a major research and training program devoted to exactly this issue, how to ensure that wise decisions are

taken in emergencies and with an eye to the long term reconstruction of education systems, which has implications for how one involves government partners, how one involves communities.

And, of course, the whole INEE Network, Interagency Network for Education in Emergencies, which has 4,000 individual members and an enormous -- a wonderful program of all kinds of research and advocacy and various activities, this is one of its major concerns. It has a working group on education and fragility which looks precisely at some of the long term reconstruction needs after conflict and disaster. But this particular issue that we've discussed today, the protection of education from attack, is also relevant beyond the silencing of the guns, because, and I'll just say a word about higher education, a tremendous number of attacks on higher education institutions take place in countries that are not at war.

A figure that I've heard, I don't say banded about, but mentioned by specialists working from Scholar Rescue Fund and Scholars at Risk, that three-quarters of the attacks on higher education personnel take place in countries that are not at war, that's pretty significant.

And also in -- that means also that in the protection of -- sorry, in long-term reconstruction work, part of what that needs to include is measures to prevent attacks on education even when there isn't a shooting war. And some of that can involve measures that are very valuable for an

education system anyway, curriculum reform, making sure curriculum isn't discriminating against one group or another, access reform, making sure that there aren't groups who are denied access to education because of their ethnicity or religion or nationality or language. All those things will have an impact on diminishing the likelihood that education will be attacked, as well. So there are multiple benefits from the same source of actions.

MS. WINTHROP: We have two minutes left. We'll take, you know, maybe one or two questions. Here's one right here, and then one at the back.

MS. AL-SOZE: Nada Al-Soze, director of Iraq Scholar Rescue Project at the Institute of International Education. And basically my question is that from all the wonderful research you have done, do you see a pattern on an early attack on educational institutions -- or as a state -- and, of course, in conflict, because an attack on education, and this is my personal view, it does not present the Institute of International Education, and I have seen this on ground in Iraq -- that one of the most powerful fear messages that was sent to the Iraqi society is an attack on education, and that was pretty novel in Iraq, because we have lived through five wars up until 2003, we haven't seen that.

It was such a powerful message, it was such a new message that put all children home. And, of course, we haven't heard before of killing and

assassinating university president or a scholar, and that was a second powerful message to put all higher education students and scholars. Do you see a pattern -- do you see this pattern repeated in other countries?

MS. WINTHROP: Okay, a great question, thank you. And last question all the way at the back here on the side of the room and in the -- okay. It's coming, the microphone is coming.

MS. APTEL: Thank you. Cecile Aptel with the International Center for Transitional Justice. My question is, how much of the attacks can be attributed to states policies and government elections, and how much in your own respective assessment are to be attributed to non-state actors, and what are the implication in terms of both prevention and also sanctions of these crimes? Thank you.

MS. WINTHROP: Two great questions to end with. Could we have one person volunteer to address the Iraq question and another one person to address the state policy question and non-state actors?

MR. O'MALLEY: (inaudible) I have the -- to do both.

MS. WINTHROP: All right, go for it, Brendan.

MR. O'MALLEY: Well, the truth is, we don't know if there's a pattern. We haven't looked into that. I mean your own institution actually tried to look into that for higher education and came up with some interesting suggestions, or actually they looked more into what are the conditions in

which attacks take place, and those included fragility, a lack of democracy, lack of academic or press freedom, if I remember correctly, and low-income countries.

But even in that study, it wasn't really because of the skewing of the data because they were just applicants to the Scholarship Rescue Fund, there wasn't really -- you couldn't really say it was an objective database so that we could really extrapolate across the world saying these are generally the conditions.

They may be skewed by who had access to the -- who knew about the Scholarship Rescue Fund, who was able to apply, who had a, you know, if you had the Internet, there were lots of different factors that may effect, so it's really quite difficult to tease out those sort of things, but I thought that was, you know, really quite an interesting attempt to do so.

We haven't tried to do that with the -- as you can see from reading it, but that would be -- certainly that would be interesting to try to do it at some point in the future. But I suspect that the pattern is quite different in different situations, and there's always a danger in generalizing. And certainly if you're going to draw lessons for how you respond, it's dangerous to generalize from one conflict, these are the conditions across all of them, because they can be quite different. For instance, there are Islamic military, Muslim rebels in Southern Thailand, but the nature of the conflict doesn't

take on the same as the conflict in Afghanistan say or Pakistan, it's not an international conflict, internationalized conflict, it's more of an ethnic conflict to struggle for autonomy, and they just happen to be Muslim, although they're defending -- they're offended by the inability to learn, you know, as I think studies in their schools -- so there are dangers in generalizing.

I come to the second question about how much states are -- how much attacks are the work of state policies and government actions or private actors, well, you know, we haven't measured that, that would be, again, that would be very interesting, but, you know, that's quite an undertaking, to try and work that out.

What we do know, in some places attacks seem to result from state policies. I've given the example in Thailand, how state policies and education can be a trigger for attacks. I mean I remember going to, you know, we haven't talked about those cases where there's inequality of access and that can lead to attacks. I remember going to schools in Kosovo, where they have schools, they actually weren't attacked, possibly because people were in the same school, but you go to a school and there would be a wall built down the middle of a school, and the 8 percent Serbian population would have one-half of the school and the 90-odd percent Albanian population would have the other half.

Well, that was clearly part of the general grievance. And the conflict

that, you know, that the Serbs were not giving, you know, it wasn't a fair deal in general for the Albanians. So, you know, how you run education, state policies on that can be a factor in conflict, and it can also be a reason why schools are attacked.

Actions of private actors, well, you know, take the Taliban there, well, they were a state actor, but they're a private actor now, but even when -- they're an interesting example because when they were a state actor, they attacked education, and when they were a private actor, they attacked education, you know, but you can't generalize to other situations. So I mean it's an interesting question, but it's not one we can measure at the moment.

MS. WINTHROP: Okay. Bede, one final comment.

MR. SHEPPARD: I just wanted to add to that. I mean I think you have to think of the situation in which any particular attack happens and the motive that goes behind an attack. An attack on a government school is more likely to be carried out by a non-state actor, and an attack on a private school, for example, in Southern Thailand, raids that are carried out on the private Islamic schools are more likely to be carried out by the government.

But then again, sometimes an attack on a Muslim school teacher in Southern Thailand is being carried out by a Muslim militant anyway because they see that that particular teacher or that particular school is not -- is too

close to the government or is not giving enough ground to the insurgency, so it's very complex.

But the important thing to stress, of course, is, there are situations where the government policies or the government curriculum are probably one of the factors that motivates an attack on a school. That being said, that, of course, is never a justification for an attack on a school. There might be a legitimate grievance against a curriculum, however, that does -- never will justify an attack on a school, that doesn't provide legitimate grounds to make schools or education a target.

MS. WINTHROP: A perfect note to end on. So thank you all for your time, and thank you everybody who presented.

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I, Carleton J. Anderson, III do hereby certify that the forgoing electronic file when originally transmitted was reduced to text at my direction; that said transcript is a true record of the proceedings therein referenced; that I am neither counsel for, related to, nor employed by any of the parties to the action in which these proceedings were taken; and, furthermore, that I am neither a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

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