Global Coalition to **Protect Education from Attack**

GCPEA SUBMISSION TO THE 38ᵗʰ SESSION OF THE UNIVERSAL PERIODIC REVIEW

REVIEW OF THE REPUBLIC OF NIGER

1.   **Introduction**

The Global Coalition to Protect Education from Attack (GCPEA)[1] makes this submission ahead of the 38ᵗʰ Session of the UPR to be held on 03 – 14 May 2021. GCPEA was established in 2010 by organizations from the fields of education in emergencies and conflict-affected fragile states, higher education, protection, international human rights, and international humanitarian law who were concerned about on-going attacks on educational institutions, their students, and staff in countries affected by conflict and insecurity.[1]

Attacks on students and teachers, and the destruction of their schools and universities occur commonly in many armed conflicts, with the number of countries experiencing attacks on education remaining alarmingly high in recent years.[2] The Coalition's recent report, *Education under Attack 2020*, shows that at least 11,000 reported attacks on education in 93 countries have harmed or killed over 22,000 students, teachers, and academics between 2015 and 2019. The Republic of Niger was one of 37 states profiled in the report for experiencing a systematic pattern of attacks between 2107 and 2019. Attacks on education in Niger continued in Diffa and escalated in Tahoua and Tillabéri, consistent with the spread of fighting in the region. Armed groups threatened and attempted to abduct teachers in the Diffa and Tillabéri region. In Diffa and Tillabéri regions, various non-state armed groups reportedly burned and looted schools and school canteens. Nigerien defense forces also reportedly used schools as temporary bases and used excessive force against school and university student protesters, arresting dozens.[3]

Attacks on education violate the right to life, liberty and security of person, as well as the right to education, amongst other human rights. Armed parties also target women and girls in ways that are unique to them or that disproportionately affect them.[4] Girls are the first to drop out of school and the last to return after an attack. Further, their right to participation in decision-making is curtailed when their education is truncated.[5] The effects of military use of educational institutions can be devastating for students, teachers, and their communities, turning schools into targets for attack, depriving children and youth of access to education, and putting their security and that of their teachers at risk.

Safeguarding the right to education is critical towards achieving all other human rights, as well as the Sustainable Development Goals. The right to education is guaranteed in nearly every multilateral human rights treaty that has been adopted at the international and regional levels.[6] This includes the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and

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[1] GCPEA is an international coalition of organizations that includes: Human Rights Watch, Institute of International Education/IIE Scholar Rescue Fund, Education Above All (EAA) through its program Protect Education in Insecurity and Conflict (PEIC), Plan International, Save the Children, UNICEF, UNESCO, and UNHCR

[2] During situations of armed conflict, attacks on education violate international humanitarian and criminal law and may constitute war crimes as set out in the 1949 Geneva Conventions and their Additional Protocols, the Rome Statute of the International Criminal Court, and customary international humanitarian law. Resolutions of the United Nations Security Council, the General Assembly, and the Human Rights Council call for strong and decisive action to end attacks on education and deter the use of schools for military purposes.

[3] GCPEA, *Education under Attack 2020* (New York: GCPEA, July 2020), eua2020.protectingeducation.org

[4] GCPEA, "It is very painful to talk about: impact of attacks on education on women and girls", November 2019

[5] OHCHR, "Attacks against girls' education on the increase", February 2015

[6] OHCHR, "Attacks against girls' education on the increase", February 2015

Cultural Rights, and the Convention on the Rights of the Child – to which the Republic of Niger is a State Party to. More than [one-half of all UN members](#) (105 states), including the Republic of Niger have further committed to protect students, teachers, schools, and universities from attacks through the [Safe Schools Declaration.](#) By endorsing the Declaration, the Republic of Niger has committed to use the [*Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict.*](#) There is growing concern that Covid- 19 is exacerbating existing vulnerabilities, with the twin threats of attacks and the pandemic further reducing the ability of students and teachers to learn and teach and adding urgency to the need to implement the Safe Schools Declaration. It also remains critical that students who previously ended their studies due to attacks, are included in plans for returning back to school.

2. Attacks on Education in the Republic of Niger

Attacks on schools

Between 2017 and 2019, GCPEA identified at least 50 reported incidents of attacks on schools in Niger. Attacks on schools increased over the reporting period, consistent with the spread of fighting and attacks by armed groups into western Niger and increased Boko Haram activity in 2018 and 2019. Armed groups most frequently looted or burned schools, though GCPEA also identified the use of explosives to conduct attacks[7].

Attacks on school students, teachers, and other education personnel

During the 2017-2019 period, GCPEA collected at least 13 reported incidents of attacks on school students, teachers, and other education personnel. Armed groups threatened and attempted to abduct teachers in the Tillabéri region. They threatened teachers for using the secular state curriculum, producing a chilling effect that led to thousands of school closures in Niger and the region at large. GCPEA also collated incidents of excessive use of by police or security forces against student protesters, with dozens arrested.[8]

Military use of schools and universities

During the 2017-2019 reporting period, GCPEA collected two reported incidents of military use of schools and universities, as well as anecdotal evidence that suggested the use of schools as campgrounds or temporary bases by state security forces. Nigerien defense forces also reportedly used schools as temporary bases.[9]

Attacks on higher education

Between 2017 and 2019, GCPEA identified three reported incidents of attacks on higher education students and staff. In two incidents, police used excessive force against university students involved in campus protests. A third attack involved an alleged armed group targeting a university research team.[10]

Attacks on education in the current context of COVID-19

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[7] GCPEA*, Education under Attack 2020* (New York: GCPEA, July 2020), eua2020.protectingeducation.org.
[8] GCPEA*, Education under Attack 2020* (New York: GCPEA, July 2020), eua2020.protectingeducation.org.
[9] GCPEA, Education under Attack 2020 (New York: GCPEA, July 2020), eua2020.protectingeducation.org.
10 GCPEA, *Education under Attack 2020* (New York: GCPEA, July 2020), eua2020.protectingeducation.org.

Niger and other countries in the Central Sahel, including Burkina Faso and Mali are confronting unprecedented levels of conflict, displacement, and humanitarian needs exacerbated by the Covid-19 pandemic[11]. GCPEA's recent paper on *Supporting Safe Education in the Central Sahel* outlines the trend of attacks and threats of attacks against schools, universities, their students and staff, the devastating effects that these attacks are having in the Sahel region, and the need to adopt a strategy for safeguarding safe education to achieve economic and social development goals in the region. Emerging evidence suggests that attacks resumed as schools began to reopen in June 2020 in the Central Sahel. In Niger, the UN reported that armed group members threatened two secondary schools in Tillabéri region only two weeks after schools reopened on June 1, 2020; these threats led to the schools' immediate closures. In response, the regional Department of Education moved 80 affected secondary students to a secure area to study and take final exams.[12]

Urgent action is needed to protect against attacks on education, including by continuing, and strengthening implementation of the Declaration, taking into account the particular ways in which women and girls are uniquely impacted by attacks on education.

Positive developments and good practice

The Government of Niger has taken important steps towards protecting education by endorsing the Safe Schools Declaration, a political commitment to better protect education during armed conflict. As part of the government's commitment to domesticate the Safe Schools Declaration, a Safe Schools Working Group was set up to advance implementation. Further, a National Action Plan for the implementation of the Safe Schools Declaration is currently being finalized. At the global level the Republic of Niger convened the UN Security Council Open Debate on Children and Armed Conflict: Attacks against Schools as a Grave Violation of Children's Rights on 10 September 2020. As a key outcome document, the Republic of Niger championed the first landmark United Nations Security Council Presidential Statement, focused on attacks on schools as a grave violation of children's rights.

3. **UPR Recommendations for the Government of Niger**:

Urgent action is needed to protect against attacks on education, including by continuing, strengthening and supporting implementation of the Declaration, taking into account the particular ways in which women and girls[13] are uniquely impacted by attacks on education. Recommendations for the Government of Niger include:

- **Finalize the National Action Plan for implementation of the Safe Schools Declaration**, and ensure that the plan includes the protection of women and girls;
- **Effectively, impartially and transparently investigate alleged violations** of applicable national and international law, **appropriately prosecute perpetrators**—from both state forces and non-state armed groups, and ensure that cases of attacks on educational facilities, students, and teachers are brought to existing national courts or establish ad hoc mechanisms to address such

case;

- **Strengthen and systematize existing efforts to monitor and report on attacks on education; and promote more consistent disaggregation of data**, including by documenting whether these violations occurred at or on the way to schools or universities;
- **Strengthen sanctions against the occupation of schools in Nigerien criminal law** and update the Niger Protection of Civilians Manual to include stronger protections for schools from military use and incorporate the *Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict*;
- **Work with donors and the international community to support an increase in budget for emergency education in areas affected by conflict** and adopt a national emergency education plan across all municipalities;
- **Ensure that Covid-19 "back-to-school" campaigns and catch-up classes include students who previously ended their studies due to attacks on schools, insecurity, or displacement**; and continue to expand distance-learning programs established in response to Covid-19 to benefit these students; and
- **Develop and implement gender-responsive risk assessments** and school security and response plans to prevent and mitigate the impact of attacks on education before and during, and after the reopening of schools and universities

Please find below the links to the *Education under Attack* 2020 report and related resources:

- Full report: http://protectingeducation.org/wp-content/uploads/eua_2020_full.pdf
- Executive Summary: English, Arabic, Spanish, and French
- Interactive microsite : http://eua2020.protectingeducation.org/
- Niger country profile