



Global Coalition to **Protect Education from Attack**

Submission to the Committee on Economic, Social and Cultural Rights upon its

Consideration of the State Report of Thailand (1-5 December, 2014).

The Global Coalition to Protect Education from Attack (GCPEA)¹ writes in advance of the Committee on Economic, Social and Cultural Rights' pre-sessional working group on the State Report of Thailand at its 54th Session to highlight areas of concern regarding attacks on students, educational staff, and facilities, as well as military use of schools and universities. We hope that this submission will inform the Committee's consideration of Thailand's compliance with the International Covenant on Economic, Social and Cultural Rights (ICESCR).

[GCPEA](#) was established in 2010 by organizations working in the fields of education in emergencies and conflict-affected contexts, higher education, protection, international human rights and humanitarian law who were concerned about ongoing attacks on educational institutions, their students and staff in countries affected by conflict and insecurity. GCPEA is an international coalition of organizations that includes: CARA (Council for At-Risk Academics), Human Rights Watch, Institute of International Education/IIE Scholar Rescue Fund, Protect Education in Insecurity and Conflict, Save the Children, Scholars at Risk Network, UNESCO, UNICEF, and UNHCR.

Attached is a [profile of Thailand](#) from GCPEA's global study, [Education Under Attack 2014](#),² which details attacks on education and military use of schools in Thailand from 2009- 2013.

GCPEA defines **attacks on education** as any threats or deliberate use of force against students, teachers, academics, education trade union members and government officials, aid workers and other education staff, and against schools, universities and other education institutions, carried out for political, military, ideological, sectarian, ethnic or religious reasons. These attacks violate the right to education, amongst other rights enshrined in key international human rights treaties such as the ICESCR. They may also violate international humanitarian and criminal law and constitute war crimes or crimes against humanity during war or peacetime.

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

² Global Coalition to Protect Education from Attack, *Education under Attack, 2014*, (2014).
<http://protectingeducation.org/education-under-attack-2014>

The short and long term impacts of attacks on education can be devastating. The immediate effects can include death, injury, and the destruction of educational facilities, together with disrupted access to education. In the long term, attacks can lead to diminished education quality, loss of teachers and academics, weakened educational systems and create a culture of impunity. The relevance of higher education can be degraded and research, academic freedom and innovation curtailed. Weakened education adversely affects a country's economic, political, and social development, as well as its civil society.

GCPEA defines **military use of schools or universities** to include the broad range of activities in which the fighting forces of parties to armed conflict may engage with the physical space of a school or university in support of the military effort, whether temporarily or on a long-term basis. The term includes, but is not limited to, the following uses: as barracks or bases; for offensive or defensive positioning; for storage of weapons or ammunition; for interrogation or detention; for military training or drilling of soldiers; for military recruitment of children contrary to international law; as observation posts; and as a position from which to fire weapons or guide weapons onto their targets.³

Under international humanitarian law, military use of schools can convert them from civilian objects to legitimate military objectives, putting them at risk of attack from opposing forces, and jeopardizing the safety of students and teachers within them. In addition to the risk of death and severe injury from attacks, students and teachers may be exposed to recruitment and use by armed groups and forces or sexual violence, exploitation or abuse perpetrated by soldiers. They may witness violence, and the presence of weapons and unexploded ordnance may threaten their lives. All of these risks can create a pervasive sense of fear and have a significant psychological impact on students and teachers causing reductions in enrollment as well as higher absenteeism and drop-out rates. Military use of schools can also cause damage and destruction of school infrastructure and materials, leading to a diminished quality of education even for those who continue to attend classes. Girls may be particularly affected as parents are particularly wary of sending their daughters to schools occupied by armed men.⁴

It should be noted that the Government of Thailand has taken commendable steps to address attacks on schools and teachers in southern Thailand where ethnic Malay Muslim insurgents

³ Global Coalition to Protect Education from Attack, Draft Lucens Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict, (2013) p.4

http://protectingeducation.org/sites/default/files/documents/draft_lucens_guidelines.pdf

⁴ Global Coalition to Protect Education from Attack, Lessons in War: Military Use of Schools and Other Education Institutions during Conflict (2012)

http://protectingeducation.org/sites/default/files/documents/lessons_in_war.pdf; Global Coalition to Protect Education from Attack, Questions and Answers on the Draft Lucens Guidelines (2014)

http://protectingeducation.org/sites/default/files/documents/protect_schools_and_universities_from_military_use_qa.pdf

may perceive that the State, representing the majority Buddhist population, is imposing its language and culture on their communities. Schools and teachers, as institutions and employees of the State, have been targeted for attack by these insurgents. The southern provincial education offices have instituted a number of policies to improve protection for teachers and schools, including:

- Increasing by five-fold the hours of Islamic religious instruction in the four provinces where the ethnic Malay Muslim population is concentrated or predominates and switching from five to six days a week of schooling to accommodate the extra lessons;
- Teaching English, the Malay language, and Yawi, the local population's language;
- Funding projects that build the relationships with the local community such as vegetable gardens for the school;
- Transferring Thai Buddhist teachers to city areas which are safer, supported by subsidies to cover the extra cost of additional travel to school;
- Recruiting more than 3,000 teachers from the local community to replace teachers transferred to other parts of the country; and
- Requiring students to study at home when access to school is limited, with community teachers visiting their homes.⁵

Nonetheless, despite these steps, attacks on schools, and teachers have continued.

Given the impact of attacks on education and military use of schools and universities on individuals, communities, and ultimately entire societies, affecting present and future generations, we hope that the Committee will draw upon the details in the attached [Thailand profile](#) from *Education under Attack 2014* during its examination of the State's report. Moreover, we encourage the Committee to ask the Government of Thailand the following questions, and offer them the recommendations below to facilitate better compliance with the ICESCR.

Suggested Questions to the Government of Thailand:

- How many schools in southern Thailand have been damaged or destroyed as a result of attacks by non-state armed groups during each year of the reporting period, and since?

⁵ Global Coalition to Protect Education from Attack, *Education under Attack, 2014*, (2014), p.71. <http://protectingeducation.org/education-under-attack-2014>, citing research by Brendan O'Malley in Narathiwat, Thailand, September 2010; interview with Karun Sakulpradit, Director of the Office of Strategy Management and Education Integration No 12 Yala, by Brendan O'Malley, September 2010.

- How many teachers and other education staff in Southern Thailand have been killed or injured as a result of attacks at school or on the way to and from school during each year of the reporting period, and since?
- What action has the Government taken to prevent or respond to attacks on schools and teachers? What evidence is there to show that these measures have had an impact in reducing attacks or mitigating the impact of these attacks?
- How many schools, universities, or education facilities have been fully or partially occupied or used by Government security forces for military purposes in southern Thailand during each year of the reporting period, and since?
- What action has been taken by the Government to reduce or end the use of schools for military purposes by security forces? Has there been a reduction in the use of schools as a result of these actions?
- What action has the Government taken to reduce recruitment of children into armed groups from Islamic schools?
- How many university professors have been detained or threatened on charges of lèse majesté under article 112 of the Penal Code and under the Computer Crime Act?

Key recommendations

- The Government should investigate attacks on schools and teachers, prosecute perpetrators, hold them accountable, and where appropriate, provide remedial measures for violations.
- The Government should take concrete measures to deter the military use of schools, along the lines of Security Council Resolution 2143 (2014), including through endorsing the [Lucens Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict](#)⁶ and incorporating them into their legislation and military doctrine and policies.
- The Government should take particular additional measures to protect teachers and other educational personnel from attack, including the following:
 - Do not use police or security forces to provide security at schools except where a high risk exists and there is no alternative. If security forces are necessary to maintain safety, under no circumstances should they have a presence on school grounds or in school buildings, since that could compromise the school's civilian status.

⁶ Global Coalition to Protect Education from Attack, Draft Lucens Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict, (2013)
http://protectingeducation.org/sites/default/files/documents/draft_lucens_guidelines.pdf

- Ensure that security measures do not further endanger teachers.⁷
 - The Ministry of Education should invest in conflict analysis of education content, delivery, and policy and undertake reforms that respect the human rights of teachers and teachers' unions. Ensure that education delivery and content is conflict sensitive and does not trigger hostilities against teachers.⁸
- The Government should prevent violence and intimidation against students and academics by introducing and implementing policies, regulations, and laws that promote both institutional autonomy and the security of higher education communities.

⁷ Global Coalition to Protect Education from Attack, *Protecting Education Personnel from Targeted Attack in Conflict-Affected Countries* (2014) p. 46 http://protectingeducation.org/sites/default/files/documents/protecting_education_personnel.pdf citing, Global Education Cluster (2012). Booklet 2, Legal Accountability and Duty to Protect, *Protecting Education in Countries Affected by Conflict*. Geneva: Global Education Cluster, p. 7.

⁸The recommendations on protecting teachers and other educational personnel from attack are taken from the following source: Global Coalition to Protect Education from Attack, *Protecting Education Personnel from Targeted Attack in Conflict-Affected Countries* (2014) p. 46. http://protectingeducation.org/sites/default/files/documents/protecting_education_personnel.pdf