

Schools Under Attack

Challenges to the right to education in Southeast Burma
(June 2023-February 2024)

Briefing Paper

July 10th, 2024 / KHRG #24-2-BP1



Karen Human Rights Group

Documenting the voices of villagers in rural Burma

1. Introduction

Villagers in Southeast Burma (Myanmar)¹ have been fighting for the right to teach and learn in accordance with their own culture for many decades, as Karen culture has been subjected to control and suppression by the Burma Army and government. Since the 2021 coup,² this situation has escalated, and Southeast Burma is facing a dire education crisis, where the rights of children are violated, schools are unsafe, and gross violations of human rights and humanitarian law are impacting every aspect of villagers' lives. Children in locally-defined Karen State³ need safe spaces to learn and access to quality education, parents and villagers need support to be able to sustain their children's schooling, and communities and local leaders need help in their efforts to set up safe study centres.

This briefing paper presents evidence documented from June 2023 to February 2024, the most recent academic year in Burma, outlining the different challenges faced by villagers during the ongoing conflict, and the effects on education in Southeast Burma. The first section provides a brief overview of the situation of the right to education in the region before the 2021 coup, and the violations that have increased since then. The second section presents testimonies regarding the lack of access to education, as well as the challenges and risks that villagers face by attempting to address educational needs in their communities. The third section provides a security and legal analysis of the situation, as well as a set of policy recommendations for local and international stakeholders.

2. Contextual overview

Historical context: the situation of human rights in Burma

Human rights violations in Southeast Burma are directly linked to policies enacted by the Burma Army as early as the 1960s. One of these policies is the 'four cuts strategy', and its main purpose to destroy the links between insurgents, their families, and local villagers by cutting off food, funds, intelligence, and recruits to armed resistance groups.⁴ Through this policy, the Burma Army has committed gross human rights abuses with total impunity against villagers in Karen State for decades, including threats, arrests, torture, indiscriminate firing of weapons, burning villages, destroying food, medical supplies and other property, restrictions to freedom of movement

and forced relocation of civilian populations. Such violations may amount to war crimes and crimes against humanity.

In some areas of Southeast Burma, the signing of the preliminary Nationwide Ceasefire Agreement (NCA)⁵ in 2015 resulted in an improvement in the human rights and economic situation. These included freedom of movement, increased livelihood opportunities, a heightened sense of security and safety, access to education, and freedom expression. However, villagers in Southeast Burma still faced travel restrictions, physical punishments and landmine contamination.⁶ These improvements were also perceived by many Karen villagers as a means

¹ In 1989, the then-ruling military regime changed the name of the country from Burma to Myanmar without consultation from the people. KHRG prefers the use of Burma because it is more typically used by villagers, and since the name change to Myanmar is reflective of the military regime's longstanding abuse of power.

² On February 1st 2021, the Burma Army (or Tatmadaw) deposed the democratically elected government led by the National League for Democracy (NLD), transferred power to Min Aung Hlaing, the Commander-in-Chief of Myanmar's Armed Forces, and invalidated the NLD's landslide victory in the November 2020 General Election.

³ Karen State, defined locally, includes the following areas: Kayin State, Tanintharyi Region and parts of Mon State and Bago Region. Karen State, located in Southeastern Burma, is primarily inhabited by ethnic Karen people. Most of the Karen population resides in the largely rural areas of Southeast Burma, living alongside other ethnic groups, including Bamar, Shan, Mon and Pa'O.

⁴ KHRG, *Undeniable: War crimes, crimes against humanity and 30 years of villagers' testimonies in rural Southeast Burma*, December 2022.

⁵ On October 15th 2015, after a negotiation process marred with controversy over the non-inclusion of several ethnic armed groups, a Nationwide Ceasefire Agreement (NCA) was signed between the Burma government and eight of the fifteen ethnic armed groups originally invited to the negotiation table, including the Karen National Union (KNU). It was followed by the adoption of a Code of Conduct by the signatories in November 2015. In February 2018, two additional armed ethnic groups signed the NCA under pressure from the Burma government.

⁶ KHRG, *Dreaming of Home, Hoping for Peace: Protracted Displacement in Southeast Myanmar*, May 2019.

of Burmanisation.⁷ For instance, there were more schools in mixed-control areas, but the curriculum taught often did not include the Karen language or Karen cultural education. Until 2014, teaching ethnic minority languages in schools was prohibited across Burma; demonstrating the use of education as a central tool in nation-building.⁸

Education system(s) in Southeast Burma

Before the 2021 coup, there were two primary types of formal education systems in Southeast Burma: schools under the Burma government administration; and schools under the Karen National Union (KNU)⁹, administered by the Karen Education and Culture Department (KECD).¹⁰ The KECD was founded in 1956 due to the Burma Army's continuous practice of Burmanisation, with the purpose of preserving the cultural identity of the Karen peoples.¹¹ The main focus of the KECD curriculum has been on Karen language, culture, history and traditions.¹²

Between the 2015 NCA and the first year after the 2021 coup, there were five types of schools operating in locally-defined Karen State: (1) KECD schools; (2) Burma government schools; (3) self-funded/private schools; (4) religious schools; and (5) schools under cooperative administration between the Burma government and local KNU authorities, with mixed curriculums. In the latter, management roles were typically filled by Burma government teachers and the teaching of Karen language and history was limited.

Access to education since the 2021 coup

Since the 2021 coup orchestrated by the Burma Army and the establishment of the State Administration Council (SAC)¹³, systematic human rights abuses have increased in Karen State, affecting civilians' lives. Pressing amongst villagers' challenges is access to education. The COVID-19 pandemic already forced many schools to close their doors.¹⁴ Since the 2021 coup, schools have been constantly attacked, and because of this, many could not re-open or had to close down. Schools remain under threat of attacks and destruction as a result of the ongoing armed conflict and generalised violence. In addition, the recently enacted 2010 People's Military Service Law on February 10th 2024 caused hundreds of young people in Karen State to flee their homes under threat of forced recruitment, in essence also interrupting their education.¹⁵

Since the 2021 coup, there are only four different types of schools for children and youths in Southeast Burma, and two different curriculums: (1) KECD schools; (2) SAC-run schools; (3) self-funded/private schools; and (4) religious schools. There are no more schools under cooperative administration. The first, third and fourth types of schools are located in KNU territory, apply the KECD curriculum, are granted recognition from KNU, and do not have the SAC's recognition. The second type of school can be found in SAC and mixed-control territories (mostly in towns), apply the SAC curriculum, and operate without any cooperation with the other types of schools.

⁷ A term used by ethnic minority groups to describe the assimilation policy implemented by the Burmese government to assimilate non-Burman/Bamar ethnic groups into Burman/Bamar. See KHRG, *Minorities under Threat, Diversity in Danger: Patterns of Systemic Discrimination in Southeast Myanmar*, November 2020.

⁸ KHRG, *Beyond the Horizon: Local Perspectives on Peace, Justice and Accountability in Southeast Myanmar*, September 2019.

⁹ The Karen National Union (KNU) is the main Karen political organisation. It was established in 1947 and has been in conflict with the government since 1949. The KNU wields power across large areas of Southeast Myanmar and has been calling for the creation of a democratic federal system since 1976. Although it signed the Nationwide Ceasefire Agreement (NCA) in 2015, following the 2021 coup staged by Burma Army leaders, the KNU officially stated that the NCA has become void.

¹⁰ The Karen Education and Culture Department is the education department of the Karen National Union. Its main goals are to provide mother tongue education services to rural Karen populations in Southeast Myanmar, as well as to preserve the Karen language, culture and history. Despite being an important education provider in the region, it is not officially recognised by the Myanmar government.

¹¹ KECD, 'About KECD', available at: <https://kecdktl.org/about-kecd/> [Retrieved June 2024]

¹² Unpublished interview with KECD staff member, conducted on May 2024.

¹³ The State Administration Council (SAC) is the executive governing body created in the aftermath of the February 1st 2021 military coup. It was established by Senior General Min Aung Hlaing on February 2nd 2021, and is composed of eight military officers and eight civilians. The chairperson serves as the de facto head of government of Myanmar and leads the Military Cabinet of Myanmar, the executive branch of the government. Min Aung Hlaing assumed the role of SAC chairperson following the coup.

¹⁴ KHRG, *Denied and Deprived: Local communities confronting the humanitarian crisis and protection challenges in Southeast Burma*, June 2022, pp.38-41.

¹⁵ KHRG, "[Statement of condemnation of the enactment of conscription law by the military junta in Burma/Myanmar](#)", March 2024. See also BBC, "[Myanmar: Young people attempt to flee ahead of conscription order](#)", February 2024; The Irrawaddy, "[Conscription Law Adds to Concerns Over Forced Migration From Myanmar to Thailand](#)", February 2024.

3. Factual summary: challenges to accessing education in locally-defined Karen State and community responses



“Based on the situation, we understand that the SAC is doing these acts [attacks to schools] in order to stop children from accessing education. So, we told the students to try their best to get an education, to prepare ourselves not to face problems [in the future due to not having attended school].”

- Naw¹⁶ A---, vice-principal of a community self-funded school, from Ca--- village, Noh T’Kaw village tract,¹⁷ Noh T’Kaw (Kyainsiekgyi) Township, Dooplaya District.

The 2021 coup has caused dramatic disruptions to education and adversely affected the learning opportunities of students in Southeast Burma. This section presents the main challenges to the local community’s right to education, documented by KHRG during the reporting period (June 2023 to February 2024), as well as villagers’ efforts to overcome them. During the reporting period, KHRG received 64 field reports on the difficulties to access education faced by villagers in all seven districts in Karen State.¹⁸ At least nine attacks on schools were documented by KHRG, with 22 students and two teachers injured, and three students killed.¹⁹ According to KECD data, during the reporting period seven KECD administered schools were destroyed by armed attacks, 13 students and three teachers were injured, and five students and one school committee member were killed.²⁰

The challenges to access education, as reported by villagers, are: (1) lack of security and safety in schools, causing injury and death of students and destruction of buildings; (2) the SAC’s encroachment on government schools, spurring

contested education systems; (3) attacks against caregivers and family economic hardships; and (4) protracted displacement of villagers. Nevertheless, community members and parents try their best to ensure their children’s schooling, and apply local agency strategies to respond to the education crisis.

i. Lack of security and safety at school

Children spend most of their time at school, an environment that should be safe for students.²¹ Physical and mental safety and security are fundamental needs for children to study, and for teachers to teach. However, throughout the reporting period, students in Southeast Burma studied in fear of the increased number of SAC attacks against villages, causing the destruction of school property, and injuries and death of students and teachers. Therefore, many parents stop registering children for school. Some villagers choose a place they assume safest, setting up formal and informal study areas, including in the forest, livestock huts, in religious buildings, or in villagers’ houses. A community member from Dwe Lo Township, Mu Traw (Hpapun) District reported: *“Most schools in Mu Traw [District] opened in the forest, in fear of air strikes, and many students withdrew from school. Since the [2021] coup, I have witnessed the students in Dwe Lo Township having to study in the forest, in fear of the SAC’s indiscriminate shelling and air strikes [...]. Some withdrew from school due to the fear of SAC attacks.”*

The operation of schools depends on the ever-changing nature of the conflict. Some schools, especially those in KNU-administered territory, open when the situation gets marginally more secure, and immediately close when villagers learn that SAC soldiers are approaching their villages. Many schools, however, have not been able to

¹⁶ ‘Naw’ is a S’gaw Karen female honorific title used before a person’s name.

¹⁷ A village tract is an administrative unit of between five and 20 villages in a local area, often centred on a large village.

¹⁸ All information included in this factual summary has been retrieved from KHRG unpublished documentation, unless cited otherwise. Published KHRG reports include the publication link in the footnotes.

¹⁹ Moreover, from February 2021 until June 2024, at least 40 attacks on schools perpetrated by the SAC were identified by KHRG staff from various monitored sources, like news agencies and social media. Data per year is: from February to December 2021 – at least three incidents; 2022 – at least eight, 2023 – at least 18; and up to July 2024 – at least 11.

²⁰ The KECD is overseeing 1,467 Basic Education schools and 11 junior colleges across locally-defined Karen State as of the 2023/2024 academic year. Information obtained from an unpublished interview with KECD staff conducted on May 2024.

²¹ United Nations Regional Information Centre (UNRIC), “The right to education”, available at: <https://unric.org/en/the-right-to-education/>



This photo was taken in August 2023 in Cg--- village, Ma Htaw village tract, Dwe Lo Township, Mu Traw District. This photo shows students hiding in a bunker during SAC shelling near the village. [Photo: KHRG]

open since the 2021 coup. Naw G---, a villager from Ch--- village, an area affected by school closures in Nga Ton Kin village tract, Moo (Mone) Township, Kler Lwee Htoo (Nyaunglebin) District, expressed:

“

“If she [her older daughter] wants to continue studying, there is no grade [high school] for her here [in the nearby area]. My two younger children can go to school if the school opens. But the school is not open so I cannot do anything.”

The unpredictability and severity of SAC attacks have left villagers, including children, with deep psychological impacts. Naw D---, a mother who witnessed an SAC air strike in Cd--- village, Pay Kay village tract, Lu Thaw Township, testified:

“

“It [the air strike] happened when I was going to my farm to get some paddy. [...] It was the time [of the day] when, normally, people who stay at home are women with their young children, because other

villagers are going to their farms and plantations. Therefore, there were only women and young children hiding in their bunkers during the air strike. The bombs almost hit the bunker, so when the children and women who were there [in the bunker] got out, one child did not speak for about three days, and his/her mother became deaf in one ear. [...] After the air strike, students did not feel secure to go to school anymore, because one of the bombs from the aircraft also landed close to the school.”

Due to the increase in military activities following SAC shelling and air strikes, more safety and security concerns were raised by communities in Southeast Burma. Most schools in the seven districts of locally-defined Karen State, especially schools under KECD administration, had to end the 2023-2024 study year in the first week of February 2024, a month earlier than expected.

• **Injuries and death of students and teachers**

During the reporting period (June 2023 to February 2024), there was an increase of SAC shelling and air strikes against schools and villages, causing injury and death of students and teachers in Southeast Burma. For instance, on June 14th 2023, the SAC shelled mortar rounds into Ci--- community high school, Htaw Ta Htoo (Htantabin) Township, Taw Oo (Toungoo) District, and one mortar round landed on a girls’ dormitory. As a result, three girls from different villages who stayed at the school dormitory were injured. The three injured girls are Naw I--- (16 years old), injured on her head; Naw J--- (14 years old), injured on her forehead; and Naw K--- (15 years old), injured on the left wrist. They were sent to Ci--- clinic for medical treatment, and they had to buy more medical supplies from Taw Oo Town as the clinic did not have enough.

On October 13th 2023, SAC Military Operations Command (MOC)²² #12, Light Infantry Battalions (LIBs)²³ #230 and #231, and Infantry Battalion (IB)²⁴ #97 shelled mortars into Cj---

²² Military Operations Command (MOC) is comprised of ten battalions for offensive operations. Most MOCs have three Tactical Operations Commands (TOCs) made up of three battalions each.

²³ A Light Infantry Battalion (LIB) comprises 500 soldiers. Most Light Infantry Battalions in the Tatmadaw are under-strength with less than 200 soldiers, yet up-to-date information regarding the size of battalions is hard to come by, particularly following the signing of the NCA. LIBs are primarily used for offensive operations, but they are sometimes used for garrison duties.

²⁴ An Infantry Battalion (Tatmadaw) comprises 500 soldiers. However, most Infantry Battalions in the Tatmadaw are under-strength with less than 200 soldiers. Yet up to date information regarding the size of battalions is hard to come by, particularly following the signing of the NCA. They are primarily used for garrison duty but are sometimes used in offensive operations.



These photos were taken on September 7th 2023 in Ce--- village, Nah Koh Hkee village tract, Dwe Lo Township, Mu Traw District. The top photo shows one of the students, injured by the SAC's air strike, receiving emergency first aid treatment from local health workers. The bottom photo shows the bodies of four villagers, two of them students, who died during the SAC air strike on September 7th 2023 in the village. [Photos: Local villager]

village, T'Tah Koo (Ta Tan Ku) village tract, Kaw T'Ree (Kawkareik) Township, Dooplaya District. One mortar round landed in a school building, and shrapnel from the explosion killed a six-year-old student named Naw L---, and injured three students, Naw M--- (12 years old), Naw N--- (16 years old), and Ma²⁵ O--- (six years old). Similarly, on January 30th 2024, the SAC shelled around Ck--- village, T'Naw Th'Ree (Tanintharyi) Township, Mergui-Tavoy District, and one of the mortar rounds landed in the school campus. The explosion damaged school buildings and villagers' houses, and injured a teacher, Daw²⁶ P---

(40 years old), on her arm. A 15-year-old student injured in another shelling incident in Cl--- village, Ha T'Reh village tract, Hpa-an Township, Doo Tha Htoo (Thaton) District, named Saw²⁷ Q---, expressed his feelings to KHRG: "They [teachers and friends] worried about us because I cannot travel [because of my injuries] and [we] did not meet each other [during our medical treatment]. [...] I feel sad [because of the injury]. [...] If we are hit [by shrapnel] again in the future, we will not be able to handle it anymore. May they [the SAC] not come [to our village] again."²⁸

On September 7th 2023, the SAC conducted an air strike on Ce--- village, in Nah Koh Hkee village tract, Dwe Lo Township, Mu Traw District. 11 bombs were dropped, with some landing in the village KECD school, killing and injuring students, villagers and teachers, and destroying school buildings. The school principal, Saw E---, emotionally expressed his concerns:

“

“Several students and one teacher sustained injuries [from the air strike]. [...] Two students died and six students were injured. In total, 10 people were injured [...] I have major concerns [as the school principal] because people [villagers] trusted us [the school] and allowed their children to come to school to access education. Due to this incident, I am facing deep anxiety and depression from this brutal experience; I cannot do anything now, I just try to calm myself [psychologically], but my tears run down my face when I pass the [incident] place. I think about it every day.”

A father of a student who died from this air strike, Saw R---, from Cm--- village, Nah Koh Hkee village tract, Dwe Lo Township, testified:

“

“After shrapnel hit my son, the KECD head [township coordinator] informed me

²⁵ ‘Ma’ is a Burmese female honorific title used before a person’s name.

²⁶ ‘Daw’ is a Burmese female honorific title used before a person’s name.

²⁷ ‘Saw’ is a male honorific title in S’gaw Karen language used before a person’s name.

²⁸ See also KHRG, “[Doo Tha Htoo District Situation Update: SAC shelling into villages in Tha Htoo Township, causing injuries and destruction \(September 2022 to February 2023\)](#)”, March 2024, on the physical and mental trauma affecting children and their ability to study and go to school.

about it, and then I immediately went to see my injured son. I talked to him and he told me ‘Dad! I was hit by the aircraft and I think I am going to die.’ I told him, ‘You will not die. Stay strong in your heart.’ There is no health worker in our village. We live in a rural area so it is hard to access healthcare. He passed away on the way to the clinic, while we were carrying him in a hammock. [...] After the incident, fathers, mothers and children were crying. I was also crying because it made me feel devastated. We have to be cautious.”



This photo was taken on September 7th 2023 in Ce--- village, Nah Koh Hkee village tract, Dwe Lo Township, Mu Traw District. This photo shows local villagers preparing to carry an injured student, Saw R---’s son, in a hammock to a local hospital. The 14-year-old student, named Saw S---, was struck by shrapnel from an SAC bomb dropped onto the village on that day, at 6 pm. He died on the way to the hospital. [Photo: Local villager]

- **Destruction of school property**

The destruction of school buildings, teaching and study materials, dormitory buildings, materials for water supply and other facilities counted as school property are other factors affecting education, students’ behaviour, and their engagement in learning. The SAC’s attacks, such as the deliberate use of schools as military posts during fighting,²⁹ shelling and air strikes in areas where schools are located have resulted in extensive destruction and damage of school property.

On March 23rd 2024, at about 10 pm, an air strike was conducted by the SAC onto Cn--- village, Khaw Hpho Pleh village tract, Bilin Township, Doo Tha Htoo District, while villagers were displaced in the forest. Two SAC aircrafts dropped about 12 bombs on the village, including the village’s KECD school campus. Two of the bombs did not explode, adding to the unexploded ordinance (UXO) contamination in the community. The exploded bombs destroyed seven villagers’ houses, the village school’s four buildings and the monastery buildings.

The destruction of school property caused major concerns, for parents, teachers and local leaders, regarding children’s access to education, as the school buildings would have to be rebuilt for the coming academic year. The KECD school principal, Naw T--- from Cn--- village, testified:

“

“I saw three bombs land in the school campus. [...] All four school buildings were destroyed by the air strike. [...] I am sad to see the destruction of my school and worry that children will not be able to go to school. [...] I do not know how to describe my feelings of extreme fear. My whole heart breaks when I see the destroyed school. I cannot do anything now. [...] School buildings are important and construction prices are high. We will have to clear [the debris of the buildings in] the school campus and we do not know whether any people can help build it for us.”

²⁹ See KHRG, “[Kler Lwee Htoo District Incident Report: Villagers arrested as human shields, and shelling and looting by the SAC in Moo Township, March 2023](#)”, October 2023.

Saw R---, the father of the 14-year-old student killed by an SAC air strike in Ce--- village, Na Koh Hkee village tract, expressed:

“

“Next week, we will have to build shelters for students to hide, and they will be able to study [there]. We will do it to protect the children from Min Aung Hlaing’s [SAC] attacks. School committee members have already searched a place for the school. We will also build a shelter for teachers and students.”

ii. Contested education systems and the Civil Disobedience Movement (CDM)

During the reporting period, many Burma government schools, controlled by the SAC since the 2021 coup, could not continue to run in KNU territory and in some mixed control areas in Southeast Burma, because many students refused to go to SAC administered schools and parents refused to enrol their children. A high number of teachers also joined the Civil Disobedience Movement (CDM)³⁰, despite threats of arrest, detention, torture and killing by the SAC.

For instance, after the 2021 coup, parents in Ca--- village, Noh T’Kaw village tract, Noh T’Kaw Township, Dooplaya District, refused to register their children at the SAC-run schools, and transformed Ca--- village school into a community self-funded school. In 2023, SAC Light Infantry Division (LID)³¹ #22 and LIB #557 came to Ca--- village three times and ordered villagers to open the high school and their school buildings. The SAC soldiers also asked for student registration information. Villagers were told by

SAC soldiers and teachers working under the SAC administration that if villagers did not teach in this school, the SAC would identify Ca--- village as not having a school. Villagers also saw a message written on a whiteboard in the school that said: *‘We will attack all people who rely on PDF [People’s Defence Force]³² and KNU!’*. Villagers assumed it was written by the SAC soldiers. For the 2023-2024 academic year, some teachers working under the SAC administration also came to Ca--- village to open an SAC-run high school, intending to finish the year’s curricula within three months. These teachers also requested to stay in the village and villagers warned them about being unable to take responsibility for their security. Village leaders allowed them to start the school, but no parents and students went to the school for registration. Villagers continued to open self-funded high schools for the 2023-2024 academic year, in the village houses, with more than 200 students studying in them. Naw A---, the vice-principal of a self-funded school, stated: *“We decided not to go to SAC-run schools until the SAC withdraws [transfers power to civilians].”*

Since February 1st 2022, the KNU administration in Mu Traw District repeatedly warned public servants under Burma government administration to stop working for the SAC and leave Bu Tho Township, Mu Traw District.³³ In addition, students, parents and teachers themselves contested the SAC administration, and the SAC completely stopped all activities related to education in Bu Tho Township. Some schools started to adopt the KECD education curriculum in the 2023-2024 academic year. In Hpapun Town, there are currently only KECD schools in operation, and two self-funded schools also teaching the KECD curriculum have been opened for children to access education. Some schools use both the

³⁰ On February 2nd 2021, healthcare workers at state-run hospitals and medical facilities across Burma/Myanmar spearheaded what is being referred to as a Civil Disobedience Movement (CDM) consisting of labour strikes in protest against the February 1st 2021 military coup. The movement quickly spread to include civil servants from all sectors of the government who are walking off their jobs as a way of non-recognition and nonparticipation in the military regime. Because of the popularity of the movement, and its seminal role in wider protests across the country, some people have begun using it as a catch-all phrase to include other protest forms like boycotts and pot-banging.

³¹ A Light Infantry Division (LID) of the Tatmadaw is commanded by a brigadier general, and consists of ten light infantry battalions specially trained in counter-insurgency, jungle warfare, search and destroy operations against ethnic insurgents . They were first incorporated into the Tatmadaw in 1966. LIDs are organised under three Tactical Operations Commands, commanded by a colonel, three battalions each and one reserve, one field artillery battalion, one armoured squadron and other support units. Each division is directly under the command of the Chief of Staff (Army).

³² The People’s Defence Force (PDF) is an armed resistance established independently as local civilian militias operating across the country. Following the February 1st 2021 military coup and the ongoing brutal violence enacted by the junta, the majority of these groups began working with the National Unity Government (NUG), a body claiming to be the legitimate government of Burma/Myanmar, which then formalized the PDF on May 5th 2021 as a precursor to a federal army.

³³ KIC News, “နယ်မြေအတွင်းရှိ စစ်ကောင်စီ ဌာနဆိုင်ရာဝန်ထမ်းများအားလုံး ထွက်ခွာပေးရန် နောက်ဆုံးသတိပေးချက် KNU တပ်မဟာ (၅) ထုတ်ပြန်”, February 2023.



This photo was taken in June 2023 in Ca--- village, Noh T’Kaw village tract, Noh T’Kaw Township, Dooplaya District. This photo shows students studying at a community self-funded school set up under a villager’s stilt house. The school was set up after the 2021 coup when students, parents and teachers refused to attend the school under SAC administration. [Photo: KHRG]

KECD curriculum and the curriculum taught under the previous National League for Democracy (NLD)³⁴ government, as many CDM teachers are not familiar with the KECD curriculum.

This situation is similar in other districts. A KECD administrator from Ta Kreh (Paingkyon) Township, Hpa-an District, named Saw B---, explained: *“The number of students largely increased in the 2023-2024 academic year [in KECD schools]. For example, we had about 160 students in [one high school] in 2022-2023, and we have about 250 students this year (2023-2024). This happened because of the political situation and the armed conflict in Burma. People from regions such as the [Irrawaddy] Delta region and other districts do not want to be under the SAC administration.”*³⁵ In response to the armed conflict, local villagers and leaders in Hsaw Htee (Shwegyin) Township, Kler Lwee Htoo District, also set up temporary schools in the forests, far from SAC operation areas, so that many students could access education and so that schools could finish the academic year by the end of February 2024.

iii. Attacks to caregivers and family economic hardships

The injury or death of guardians greatly impact children’s access to education. Since the 2021 coup, many children have dropped out of school due to the SAC military attacks against villagers, such as shelling, air strikes, arbitrary arrests, and enforced disappearances, which impact parents’ capabilities to provide for the family. When parents

die, are injured, or arrested, children will often drop out of school to support the family’s livelihood.

For instance, in Cb--- village, T’Nay village tract, Dwe Lo Township, Mu Traw District, after the main breadwinner of a family was forcibly disappeared by the SAC in August 2023, some of the victim’s children had to drop out from school. The father-in-law of the disappeared victim, named U³⁶ C---, also a survivor of enforced disappearance himself, told KHRG:

“

“My son-in-law also disappeared. He was arrested by Burmese [SAC] soldiers and hasn’t come back. He has young kids who cannot work yet. I am also getting older and can’t work well, as I have an illness. [...] He was arrested before my incident. [...] He has been detained for around 4 months already. [...] She [U C---’s daughter] has been facing challenges as she cannot work properly. With insufficient financial income, she couldn’t send her kids to school. But she has tried hard so she could send four of her kids to school this year. However, in the next year, I think she will not be able to do it anymore. She said she will let two of her children, who were in Grade-4 [primary school], drop out of school next year. She always lights

³⁴ The National League for Democracy (NLD) is the political party that governed Burma from 2016 to January 2021. Led by Aung San Suu Kyi, the NLD won landslide victories in the 2015 and 2020 General Elections. The NLD government was deposed by the Burma Army in the February 2021 Burma coup d’état, after which elected President Win Myint and State Counsellor Aung San Suu Kyi were detained, along with ministers, their deputies and members of Parliament.

³⁵ Unpublished interview with KECD staff conducted on May 2024.

³⁶ ‘U’ is a Burmese title used for elder men, used before their name.

candles for her husband but he hasn't returned."

Despite such attacks, parents or guardians continue to take the primary role and responsibilities in their full capacity to provide for their children's access to education. For instance, parents and guardians are playing a role in finding safe places for lessons to take place, undertaking construction of school buildings, recruiting teachers from villages, providing support for teachers (with money, crops or livestock), purchasing school supplies, and taking their children to school. For instance, a mother named Naw D--- from Cd--- village, a conflict-affected area with KECD schools in Pay Kay village tract, Lu Thaw Township, Mu Traw District, testified:

“

"It is working [harvesting] time so it is hard to displace ourselves [even if there are air strikes]. We had to collect T'la aw leaves³⁷ [to make thatch shingles for] the school roof, and we have to do everything [for the school] by ourselves. Last year, the school also had to close [due to the armed conflict] so my youngest child could not sit for the final exam [of the

academic year]. [...] We currently must stop classes. After working [harvesting season], I think we should start the school [again]; we have to try so the school will be able to open again."

Saw E---, one of the principals of a community school receiving partial support from KECD, in Ce--- village, a conflict-affected area in Nah Koh Hkee village tract, Dwe Lo Township, Mu Traw District, also reported:

“

"We face a lot of difficulties to look for hidden and safe places. We do not have any supplies for the [school] construction during the rain [season]. Children are also living in fear... Everything is challenging. [...] We had prepared a bunker [at the school] for students, but these [SAC bombs] are huge, so the bunker could not protect us... My younger sibling [who was a student] died in the bunker. [...] I plan to meet with the Township's KECD staff, local social support groups and village tract leaders to arrange a hidden [safer] place for the [relocation of the] school, but it will take some time [to arrange]. [...]



These photos were taken in January 2024 in Cb--- village, T'Nay village tract, Dwe Lo Township, Mu Traw District. The right photo shows an old picture of a villager, father of six young children, who was arrested and forcibly disappeared by the SAC on August 10th 2023. The top photo shows his wife and six young children, who have no information about his condition or whereabouts. [Photos: KHRG/Local villager]

³⁷ 'T'la aw' trees are teak-like trees with large leaves, which are traditionally collected by villagers and used to make thatched shingles for the roofs of houses.

We received some school supplies [from KECD], but not enough.”



This photo was taken on July 21st 2023 in Pay Kay village tract, Lu Thaw Township, Mu Traw District. This photo shows Cf--- school buildings destroyed by an SAC air strike on June 27th 2023, when an SAC fighter jet dropped two bombs on the school. [Photo: KHRG]

iv. Education in displacement settings

The increase in SAC attacks after the 2021 coup, including shelling, air strikes, fighting in (or nearby) villages, landmine contamination, attacks on civilians, arrests, house burnings, armed presence in villages and other human rights violations against communities in Southeast Burma contributed directly to an increase in displacement.³⁸ Displacement has caused major barriers for children and youth to access education because of a lack of available schools close to the displacement areas. In addition, with teachers and students having also fled to different places, several displaced families could not find teachers for their children.

Some instances of displacement happened after villagers experienced or anticipated attacks on their villages. Many times, villagers had to flee for their lives during attacks. School buildings close while villagers are displaced, and only open when the situation improves. During the reporting period, some schools could not re-open due to the SAC’s ongoing attacks, like shelling, or the ongoing threat of such attacks. One village leader, Saw U---, from Co--- village, Kaw Ler village tract, Tha Htoo (Thaton) Township, Doo Tha Htoo District, testified: “[In December 2023,] students fled to different places, and they cannot go to school anymore. No villager feels safe to stay in the village, so how can

students go to school?” Another villager, Naw V---, from Cp--- village, Noh Taw Pla village tract, Noh T’Kaw Township, Dooطلا District, explained to KHRG: “Villagers cannot predict when they will be able to open the school, we assume there might be skirmishes in the future because we received information that the SAC will come again.”. Naw V---’s community had been displaced by the SAC shelling into Cp--- village on July 11th 2023.

Local villagers and community leaders try their best to give their children and youth access to education during longer displacement periods. Some villagers set up temporary learning places in forests, farm huts, cow/buffalo sheds, and any places where teachers and students flee to, but villagers in many areas have been unable to set up such places. For instance, on July 20th 2023, SAC Artillery Unit #401 and LIBs #404 and #410 shelled mortar rounds into Ma Htaw, Htee Th’Bluh Hta and K’Ter Tee village tracts in Dwe Lo Township, Mu Traw District. Therefore, many villagers from these village tracts had to flee to their farms, plantations, or to the forest, and set up schools in these displacement areas so their children could attend lessons. Saw F---, a Cq--- villager, in Ma Htaw village tract, explained:

“

“In my village in Mu Traw District, students cannot study in schools because of the armed conflict, so they have to study in the forest and in bunkers, or they have to run into the bunker [from the school] when SAC aircraft come. You may also see this situation on social media. I witnessed this situation myself [in 2023].”

As of September 2023, there were about 2,691 internally displaced persons (IDPs) from 45 villages from Ler Muh Lah Township in three displacement sites located in P’Law area, Ler Muh Lah Township, Mergui-Tavoy District. These villagers have been displaced since the start of the 2021 coup, due to ongoing fighting, shelling and air strikes by the SAC, house burnings and landmine contamination in their communities. In the displacement sites, communities have set up schools, partially supported by local non-governmental organisations (NGOs) and community-based organisations (CBOs), so that

³⁸ See KHRG, *Denied and Deprived*, above; KHRG, “*Why would they target us?: Exposing patterns of the Burma Army’s retaliatory abuses against villagers across Southeast Burma*, June 2023.



This photo was taken in November 2023 on Cr--- village, Htee Hkee Loh village tract, Saw Htee Township, Kler Lwee Htoo District. It shows villagers with their children inside a bunker, sheltering from an SAC air strike which occurred on the same date. [Photo: KHRG]

many internally displaced children can access primary education during their displacement period. However, children from families who have been displaced to forests or separated from their community often face greater difficulties accessing education, since there is higher uncertainty and fewer resources.

Some youth and children fled to other places with no active conflict in order to have access to education, and some of them crossed into Thailand to seek education in migrant schools along the border. A displaced 15-year-old student, Naw W---, from Cs--- village, Kaw Nweh village tract, Kaw T’Ree Township, in Dooplaya District, expressed: “I wouldn’t have reached my goals if I had stayed behind. If I followed my uncle [crossing

the Thai-Burma border], I may get to work, save up money and finally go to school again. That was my hope [fleeing to Thailand].” As of May 2024, she successfully enrolled in Cw---, a migrant school located along the Thai-Burma border, with the support of a local human rights organisation.

Similarly, Naw T---, the Cn--- school principal in Khaw Hpoh Pleh village tract, Bilin Township, Doo Tha Htoo District, also explained: “Students who finish Standard Eight [Grade-10]³⁹ from our school go to further their education in Mae Sot or Mae La Camp [in Thailand], or in schools in other villages like Ct---, Cu--- and Cv---. Some students help their parents by working for their family’s livelihood.”



This photo was taken in September 2023 in P’Law area, Ler Muh Lah Township, Mergui-Tavoy District. It shows a school set in a displacement site in P’Law area, where, as of September 2023, there were about 2,691 displaced villagers from 45 villages, who resettled in this area due to SAC shelling and other military activities in their homes. [Photo: KHRG]

4. Analysis: security and legal implications of SAC attacks on education

Threats and challenges to accessing education in Southeast Burma have been cause for concern long before the 2021 coup. For decades, villagers have been subjected to a system of Burmanisation, enacted through the Burma government’s school curriculums that have disregarded local language and alienated ethnic minorities. In 2020, COVID-19 forced schools to close, often for indefinite periods. As of today, the constant attacks on villages committed by the State Administration Council (SAC) since the 2021 coup, such as

shelling, air strikes, arbitrary arrests, enforced disappearance, forced labour and torture, have caused *inter alia* loss of life, extreme fear for villagers and their children, and increased levels of forced displacement. During the reporting period of June 2023 to February 2024, multiple and intersecting challenges to education caused by the SAC were documented, including increased military presence; military attacks on schools, such as shelling and bombings; attacks on caregivers; families’ economic struggles; and attacks on those

³⁹ The KECD uses a nomenclature for school levels where high school runs from Grade 9 to Grade 12. The Burma government uses a different grading system, where levels are called ‘Standards’. In this system, Standard seven equals Grade 9, Standard eight equals Grade 10, Standard nine equals Grade 11, and Standard ten equals Grade 12.

who joined the Civil Disobedience Movement. While displaced, villagers also faced multiple difficulties to organise lessons and ensure that their children’s schooling remained uninterrupted.

Despite the constant danger to their lives, villagers remain committed to safeguarding their children’s access to quality education that promotes the preservation of their cultural identity. Villagers, including students, parents, local leaders, and organisations, have played a significant role in securing their access to education. They have found safe places for education to take place, set up improvised schools in formal and informal displacement sites, re-built destroyed/damaged schools, recruited teachers to deliver ethnic curricula and provided them with support, found school supplies and arranged for students to attend schools in safer areas, including in Thailand. Villagers in Southeast Burma are determined, despite the direst of circumstances, to strive for a future where access to education can be guaranteed for the next generations.

The right to education is enshrined in multiple human rights instruments, including Article 26 of the Universal Declaration of Human Rights (UDHR); Article 28 of the Convention on the Rights of the Child (CRC); and Article 13 of the International Covenant on Economic, Social and Cultural Rights (ICESCR).⁴⁰ Burma has ratified both the CRC and the ICESCR. General Comment 13 on Article 13 of the ICESCR stresses the importance of the right to education as ‘both a human right in itself and an indispensable means of realizing other human rights’.⁴¹ It is the responsibility of States to ensure that the right to education is respected,⁴² and to respect the rights, duties and responsibilities of parents or caretakers to provide for their children.⁴³ The continuous attacks perpetrated by the SAC on schools, set out in this report, constitute clear systemic violations of the right to education in Southeast Burma.

The right to education is interlinked with other human rights, including the right to freedom from discrimination and the right to cultural life. The CRC states that ‘the education of the child shall be directed to [...] the development of respect for the child’s parents, his or her own cultural identity, language and values’.⁴⁴ In particular, States have responsibility to provide minorities with ‘adequate opportunities to learn their mother tongue or to have instruction in their mother tongue’⁴⁵, and to ‘take measures in the field of education, in order to encourage knowledge of the history, traditions, language and culture of the minorities existing within their territory’.⁴⁶ Since the 2021 coup, the SAC has pressured students to attend SAC-administered schools, in violation of the principle of non-discrimination.⁴⁷

In 2021, the United Nations Security Council adopted Resolution 2601, calling on states to ‘safeguard, protect, respect, and promote the right to education, including in armed conflict’, reaffirming ‘its contribution to the achievement of peace and security’ and emphasizing ‘the invaluable role that education has for individuals and society’.⁴⁸ Resolution 2601 strongly condemns ‘the continued attacks as well as threats of attacks that are in contravention of international humanitarian law against schools and civilians connected with schools’ and urges all parties to armed conflict ‘to immediately cease such attacks [...] and to refrain from actions that impede access to education’. Three years on, education remains adversely affected in Karen State, where schools are either closed, targeted, or destroyed.

Under International Humanitarian Law (IHL), the principle of distinction⁴⁹ expressly prohibits any attacks against civilians and civilian objects, such as schools, in the conduct of hostilities. Schools are recognised as institutions that accommodate and tend to the needs of children. Attacks on schools adversely impact children, who are

⁴⁰ 1966 International Covenant on Economic, Social and Cultural Rights (ICESCR), Article 13, available at <https://www.ohchr.org/>; 2012 ASEAN Human Rights Declaration, Article 31(3), available at <https://asean.org/>

⁴¹ General Comment 13 to the ICESCR, available at <https://www.escr-net.org/resources/general-comment-13-right-education>

⁴² UNRIC, “[The right to education](#)”, above.

⁴³ 1989 Convention on the Rights of the Child (CRC), Article 5, available at: <https://www.ohchr.org>

⁴⁴ 1989 CRC, Article 29(1)(c).

⁴⁵ 1992 Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, Article 4(3) (Declaration on the Rights of Minorities), available at: www.ohchr.org/

⁴⁶ 1992 Declaration on the Rights of Minorities, Article 4(4).

⁴⁷ 1948 UDHR, Article 2; 1989 CRC, Article 2; 1966 ICESCR, Article 2(2)

⁴⁸ United Nations Security Council [Resolution 2601](#), October 2021.

⁴⁹ Rules 1 and 7 of the ICRC Rules on Customary International Humanitarian Law, available at: ihl-databases.icrc.org/en/customary-ihl/v1

entitled to special respect and protection under international law.⁵⁰ The attacks on schools set out in this report demonstrate clear violations of international humanitarian law, both in targeting schools as civilian objects and by failing to take measures to protect civilians, including children.

Under International Criminal Law (ICL), intentionally directing attacks against protected objects such as schools may constitute a war crime under Article 8(2)(e)(iv) of the Rome Statute,⁵¹ providing

the attack was conducted in the context of a non-international armed conflict, and the perpetrator of the attack intentionally targeted such protected building(s). The SAC attacks on schools, children, teachers and communities, as set out in this report, show clear and systematic disregard to the rights of children, civilians and civilian objects, to an extent which may amount to the commission of war crimes.

5. Recommendations

For regional and foreign governments, non-governmental organisations (NGOs), and civil society and community-based organisations (CSOs/CBOs):

- Acknowledge that the military junta is the cause of the current human rights and humanitarian crisis, and refrain from giving legitimacy to the junta, including by signing agreements with it and presenting it with credentials.
- Support and broaden the scope of international investigations to include human rights violations against the Karen people, and hold the State Administration Council (SAC) accountable for its crimes against civilians in Burma by prosecuting SAC leaders in international courts, including the International Criminal Court (ICC), and through universal jurisdiction proceedings.
- Implement further coordinated and strategic sanctions against the SAC officials, aviation fuel as well as arms and ammunition suppliers to weaken the junta's ability to fund its campaigns and attacks on civilians.
- Provide humanitarian assistance to conflict-affected areas, including funding for educational supplies, temporary learning spaces, and psychological support for students and teachers in Southeast Burma. This support should be delivered through local civil society and community-based organisations (CSO/CBOs) and ethnic service providers.

⁵⁰ Rule 135 of the ICRC Rules on Customary International Humanitarian Law, above.

⁵¹ 1998 Rome Statute of the International Criminal Court, Article 8(2)(e)(iv), available at: www.icc-cpi.int/

Front cover note

This photo was taken in August 2023 in Cg-- village, Ma Htaw village tract, Dwe Lo Township, Mu Traw District. This photo shows students hiding in a bunker during SAC shelling near the village. [Photo: KHRG]

About KHRG

Founded in 1992, Karen Human Rights Group is an independent local organisation committed to improving the human rights situation in Southeast Burma. KHRG trains local people to document and gather evidence of human rights abuses, and publishes this information to project the voices, experiences and perspectives of local communities. More examples of our work can be seen online at www.khrg.org.