

An Assessment of the Impact of the Anglophone Cameroon Armed Conflict on the Right of Education

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ABSTRACT

The right to quality education is a fundamental human right recognized by various international agreements and national constitutions. The right to education encompasses several key aspects which include: universal access, free and compulsory education, quality education, and non-discrimination. The objective of this research is to assess the impact of the Anglophone Cameroon armed conflict on the right of education, using the northwest and southwest regions of Cameroon which are affected areas as a case study, to analyze the legal frameworks which makes provision for the right of education both at the international, regional and national level, and to give possible recommendations geared at enhancing the right of education amidst this armed conflict in this affected areas. The study uses a qualitative research methodology, employing primary data sources from vital conventions like the Universal Declaration of Human Rights 1948 (UDHR), International Covenant on Civil and Political Rights 1966, International Covenant on Economic Social and Cultural Rights 1966, and a host of other conventions. Secondary data came from textbooks, journal articles, reports, and newspapers. The study is underpinned or anchored by the triple-pronged theory and human needs theory. The findings in this study reveals that the Anglophone Cameroon armed conflicts has had both negative and positive severe implications on the right of education. Regardless of the unwavering cry for reinstatement and restoration in the two affected regions (northwest and southwest regions) as a corollary of school closure, attacks on students/teachers, forced school boycott, destruction of educational infrastructure and lots more, there are also some positive implications of the conflict as well which include: enhanced focus on peace education, community-led educational initiatives, increased international attention/support, strengthened advocacy for educational rights, education policy reforms, greater community involvement and scholarship and humanitarian supports.

INTRODUCTION

The Anglophone Cameroon armed conflict is a political conflict that emerged from legal and educational grievances in 2016 and escalated into a secessionist movement, the conflict is rooted in Cameroon's troubled colonial history and marginalization of the Anglophone minority and the conflict escalated into an armed secessionist movement in 2018, with the Ambazonia republic declaring independence.¹ The imposition of French language and economic exploitation, neglect of Anglophone regions fueled tensions and the Anglophones felt marginalized in education, law and in government.² The Anglophones feel excluded from political power and decision-making processes.³ The conflict has led to a humanitarian crisis, with reports of human rights abuses, displacement, violence and the conflict is seen as one with a complex emergency, with multiple factors contributing to the crisis, including political instability, conflict, social inequities, violence and underlying poverty.⁴ The conflict has received international attention, with United Nations calls for dialogue, a peaceful resolution, human rights monitoring, efforts by African Union and regional organizations encouraging

¹ Kwebe Augustine Nkwiir, "Prospects and Challenges of the Protection of Humanitarian Relief Workers in the Underway Armed Conflicts in the Northwest and Southwest Regions of Cameroon", *International Journal of Research and Innovation in Social Sciences*, vol. 8, Issue no. 9, 2024: pp. 891-908, p. 892.

² *Ibid.*

³ Konings Piet *et al*, "The Anglophone Problem in Cameroon", *Journal of African Affairs*, vol.102, 2003: pp.63-83, p. 65.

⁴ *Ibid.*

dialogue/peaceful resolution. The conflict is consistent has a plethora of implications on the right to education.

Education is a fundamental human right, essential for the empowerment of individuals, communities, and nations. The right to education is enshrined in various international, regional, and national laws, recognizing its transformative power in promoting social mobility, economic growth, and human development. In Cameroon, the right to education is guaranteed by the Constitution, which stipulates that “the State guarantee the child’s right to education. Primary education shall be compulsory. The organization and supervision of education at all levels shall be the bounded duty of the State”.⁵ This provision is reinforced by international conventions, such as article 26 of the Universal Declaration of Human Rights (UDHR) 1948,⁶ article 13 of the International Covenant on Economic, Social and Cultural Rights,⁷ and article 28 of the Convention on the Rights of the Child.⁸ Regionally, the African Charter on Human and Peoples' Rights (Article 17) and the African Charter on the Rights and Welfare of the Child (Article 11) also underscore the importance of education. This paper will examine the key provisions of these laws, with a focus on Cameroon's constitutional and legislative framework, to illuminate the scope and implications of the right to education in the country.

Conceptual Clarifications

The section shall examine the various concepts associated with this study. Each of the concepts shall be examined seriatim.

Armed Conflicts

There is no single definition of armed conflict under international humanitarian law. Instead, international humanitarian law distinguishes between international armed conflicts and armed conflicts ‘not of an international character.’⁹ An armed conflict primarily, is an armed confrontation between the armed forces of States (international armed conflict), or between governmental authorities and organized armed groups or between such groups within a state (non-international armed conflict).¹⁰ Other situations of violence such as internal disturbances and tensions are not considered to be armed conflicts.

According to Black’s Law dictionary, 11th edition (2019), “armed conflict” is defined as:

“A conflict between nations or states, or between factions within a nation or state, characterized by the use of arms and violence, and typically involving regular armed forces or organized armed groups.”¹¹ In the 12th edition (2024), the definition is slightly revised to:

“An armed conflict is a situation of armed violence between two or more organized armed groups, or between such groups and the armed forces of a state or states, where the violence is protracted and the parties involved are sufficiently organized to engage in sustained military operations.”¹² Armed conflict may also occur within a territory of a nation or a state, known as “civil war”. Thus, there are two types of armed conflict: international armed conflict and internal armed conflict.¹⁰⁸ According to the *Tadic* Appeal decision, an armed conflict exists whenever there is a resort to armed force between States or protracted armed violence between government

⁵ Underscore 18 of the Preamble of Cameroon 1996

⁶ Article 26 of the Universal Declaration of Human Rights 1948 provides that: “Everyone has the right to education. Education shall be free at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit”

⁷ Article 13 of the International Covenant on Economic, Social and Cultural Rights 1966

⁸ Article 28 of the Convention on the Rights of the Child

⁹ O’Connell Mary Ellen, “Defining Armed Conflicts”, *Journal of Conflict and Security Law*, Vol. 13, No 3, 2008:pp. 393-400, p.394

¹⁰ *Ibid.*

¹¹ Bryan A. Garner, A. Garner, Black’s Law Dictionary, 11th Edition, 2019, p.143

¹² Bryan A. Garner, Black’s Law Dictionary, 12th Edition, 2024, p. 151

authorities and organized armed groups or between such groups within a State.¹³

This criterion applies to all conflicts whether international or internal. It is not necessary to establish the existence of an armed conflict within each municipality concerned. It suffices to establish the existence of the conflict within the whole region of which the municipalities are a part like the Appeals Chamber, the Trial Chamber asserts that:

“International humanitarian law applies from the initiation of such armed conflicts and extends beyond the cessation of hostilities until a general conclusion of peace is reached; or, in the case of internal conflicts, a peaceful settlement is achieved. Until that moment, international humanitarian law continues to apply in the whole territory of the warring States or, in the case of internal conflicts, the whole territory under the control of a party, whether or not actual combat takes place there.”¹⁴

An armed conflict is a contested incompatibility that concerns government/or territory over which the use of armed force between the military forces of two parties, of which at least one is the government of a state, has resulted in at least 25 battle-related deaths each year.¹⁵ The separate elements of this definition are defined as follows:

Incompatibility that concerns government/or territory. The incompatibility must concern government and/or territory and it refers to the stated generally incompatible positions of the parties. An incompatibility that concerns government refers to the type of political system, replacement of the central government or the change of the composition of the current government. An incompatibility that concerns territory refers to the status of a territory, for example, the change of the state in control of a certain territory (interstate conflict).

Use of armed force. This refers to the use of arms by the military forces of the parties in order to promote the parties’ general position in the conflict, resulting in at least 25 deaths in a year. Arms are defined as any material means of combat, for example, manufactured weapons as well sticks, stones, fire, water and so on.

Party. This refers to the government of the State or an opposition organization or alliance of opposition organizations. The government of the State is that party which is generally regarded as being in central control, even by those organizations seeking to take over power. If this criterion is not applicable, the government is the party controlling the capital of the State. In most cases where there is a government, the two criteria coincide. An opposition organization is any non-governmental group which has announced a name for the group and its political goals and has used armed force to achieve them.

State. A state is internationally recognized sovereign government controlling a specific territory or an internationally non-recognized government controlling a specific territory which is not disputed by an internationally recognized sovereign government, which previously controlled the same territory.¹⁶

Classification of Armed Conflicts

The 1949 Geneva Conventions and the Additional Protocols primarily, are undoubtedly the *locus classicus* that gives the explicit types of armed conflicts that exist. The aforementioned Conventions recognize two different types of armed conflicts: International Armed Conflict (IAC) and Non International Armed Conflict (NIAC).

¹³ Tadic Appeal Decision: Prosecutor v. Dusko Tadic, No. IT-94-1-AR 72, para. 70, 1997. International Tribunal for the Former Yugoslavia Appeals Chamber in international Organization for Migration (IOM).

¹⁴ *Ibid.*

¹⁵ The Uppsala Conflict Data Program (UCDP)

The Uppsala Conflict Data Program is a data collection program on organized violence, based at Uppsala University in Sweden. The data are systematically collected and it has global coverage, comparability across cases and countries, and long time series. Data are updated annually and are publicly available, free of charge. Furthermore, preliminary data on events of organized violence in Africa is released on a monthly basis. It started recording information on ongoing violent conflicts in the 1980s. It became clear that more systematic and global data on armed conflicts was necessary for conducting research in the expanding academic discipline of peace and conflict studies.

¹⁶ *Ibid.*

Common article 2 to the Geneva Conventions makes provision for International Armed Conflict (IAC) while Common article 3 makes provision for Non-International Armed Conflicts. Purportedly, another type of armed conflict is internationalized armed conflicts and mixed armed conflicts.

International Armed Conflicts (IAC)

International Armed Conflict is defined as, “all cases of declared war or of any other armed conflict which may arise between two or more of the High Contracting States, even if the state of war is not recognized by one of them.”¹⁷ The Convention shall also apply to all cases of partial or total occupation of the territory of a High Contracting Party, even if the said occupation meets with no armed resistance. Although one of the Powers in conflicts may not be a party to the present Convention, the Powers who are parties thereto shall remain bound by it in their mutual relations.¹⁸ They shall furthermore be bound by the Convention in relation to the said power, if the latter accepts and applies the provisions thereof.¹⁹ According to this provision, International Armed Conflicts are those which oppose “High Contracting Parties”, meaning states. An International Armed Conflict occurs when one or more States have recourse to armed force against another State, regardless of the reasons or the intensity of this confrontation. Relevant rules of International Humanitarian Law may be applicable even in the absence of open hostilities. Moreover, no formal declaration of war or recognition of the situation is required. The existence of an International Armed Conflict, and the consequence, the possibility to apply International Humanitarian Law to this situation depends on what actually happens on ground. It is based on factual conditions. For example, there may be an International Armed Conflict even though one of the belligerents does not recognize the government of the adverse party.²⁰

Non-International Armed Conflicts (NIAC)

Non-international armed conflicts are armed confrontations occurring within the territory of a single State and which the armed forces of no other State are engaged against the central government.²¹ Internal disturbances and tensions (such as riots, isolated and sporadic acts of violence, or other acts of a similar nature) do not amount to a non-international armed conflict.²² Non-international armed conflict, also referred to as internal armed conflicts represent the vast majority of armed conflicts in today’s world.²³ Generally, non-international armed conflicts takes place within the boundaries of a State and comprise of armed conflicts between a State and armed groups or among armed groups that do not operate under the State’s authority.²⁴ However, non-international armed conflicts does not include internal disturbances like riots, civil strife or acts of the like nature.²⁵ The primary and the most important difference between an international and non-international armed conflicts is due the actors who take part in them. Traditionally, international armed conflicts are fought between the States, which is not the case in non-international armed conflicts. The development of law regulating non-international armed conflicts grew in a slower pace compared to that of international armed conflict. States were reluctant for any kind of regulation due to a perception that it would constitute a violation of its sovereignty and interference in

¹⁷ Common Article 2 of the Geneva Conventions 1949

¹⁸ *Ibid.*

¹⁹ Common Article 2 of the Geneva Conventions 1949

²⁰ *Ibid.*

²¹ The Manual on the Law of Non-International Armed Conflict with Commentary 2006

²² *Ibid.*

²³ Sandesh Sivakumaran, “Re-envisaging the International Law of Internal Armed Conflicts”, *European Journal of International law*, Vol. 12, 2011: pp. 219-225, p.219

²⁴ Dieter Fleck, *The Handbook of International Humanitarian Law*, (Oxford: Oxford University Press, 2008), p.605

²⁵ Michael Schmitt *et al*, *The Manual on the Law of Non-International Armed Conflict with Commentary*, (Oxford: International Institute of Humanitarian Law, 2006), p.2

its domestic affairs.²⁶

From a convention/treaty based perspective, common article 3 contains the minimum guarantees applicable in armed conflicts that do not have an international character. This article does not provide any specific definition of this type of armed conflict. According to article 3(1)(a-d) and 3(2) common to the four Geneva Conventions (also called “Common article 3”), provides that:

“In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply as a minimum, the following provisions:

Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detentions, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, color, religion or faith, sex, birth or wealth, or any other similar criterion. To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

- a) Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
- b) Taking of hostages;
- c) Outrages upon personal dignity, in particular humiliating and degrading treatments;
- d) The passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.²⁷

The wounded and the sick shall be collected and cared for. An impartial organization such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict. The Parties to the conflict shall further bring into force, by means of special agreement, all or part of the other provisions of the present Convention. The application of the proceeding provisions shall not affect the legal status of the Parties to the conflict.²⁸

Article 3, which is common to the Geneva Conventions simply refers to “the case of armed conflict not of an international character²⁹ occurring in the territory of one of the High Contracting Parties” without giving any specific definition. There is no requirement of armed groups fighting against the government of the territory in which operations are conducted as per the definition. Since the threshold of common article 3 is not specified in greater detail, an interpretation as to text, contents and purpose has to acknowledge that article 3 was deliberately confined to few minimum rules, which should receive the widest scope of application. It is due to this limitation that States avoided a more specific definition of the scope of application which probably would have been controversial. The concept of “armed conflict not of international character” in itself reflects the dynamics of war in its changing character.³⁰ There is no precise definition of that term even in the International Committee of the Red Cross Manual.³¹ To determine the existence of a non-international armed conflicts in the sense of Common article 3 to the Geneva Conventions, it is necessary to examine two elements of the conflicts: its

²⁶ *Ibid.*

²⁷ Common article 3(1)(a-d) of the Geneva Conventions 1949

²⁸ Common article 3(2) of the Geneva Conventions 1949

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ *Ibid.*

intensity and organization of the parties to the conflict.

From a jurisprudential perspective, the Appeal Chamber of the International Criminal Tribunal for the Former Yugoslavia (hereinafter “ICTY”), the *Tadic* case referred to non-international armed conflict as a situation of “protracted armed violence between government authorities and organized armed groups or between such groups within the State”.³²

Article 8(2)(f) of the Statute of the International Criminal Court also accepts this test and excludes, “situation of internal disturbances and tensions such as riots, isolated and sporadic acts of violence or other acts of similar nature” from the purview of non-international armed conflicts. Article 8(2)(f) of the Statute of the International Court provides that:

Paragraph 2(e) applies to armed conflicts not of an international character and thus does not apply to situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence or other acts of a similar nature. It applies to armed conflicts that takes place in the territory of the State when there is protracted armed conflicts

between governmental authorities and organized armed groups or between such groups.³³

Nothing in paragraph 2(c)³⁴ and (e)³⁵ shall affect the responsibility of a government to maintain or re-establish

³²The Prosecutor v. DuskoTadic, decision on the motion of interlocutory appeal on jurisdiction, IT-94-1-AR72.

³³ Article 8(2)(f) of the Rome Statute of the International Criminal Court 1998

³⁴ In the case of armed conflict not of an international character, serious violations of the Article 3 common to the Geneva Conventions of 12 August 1949, namely, any of the following acts committed against persons taking no active part in the hostilities, including members of armed forces who have laid down their arms those placed hors de combat by sickness, wounds, detention or any other cause:

- i. Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
- ii. Committing outrages upon personal dignity, in particular humiliating and degrading treatment;
- iii. Taking of hostages;
- iv. The passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all judicial guarantees which are generally recognized as indispensable.

³⁵ Other serious violations of the laws custom applicable in armed conflicts not of an international character, within the established framework of international law, namely, any of the following act:

- i. Intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in the hostilities;
- ii. Intentionally directing attacks against building, material, medical units, and transport, and personnel using the distinctive emblems of the Geneva Conventions in conformity with international law;
- iii. Intentionally directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations, as long as they are entitled to the protection given to civilians or civilian objects under the international law of armed conflict;
- iv. Intentionally directing attacks against building dedicated for religion, education, art, science or charitable purposes, historic monuments, hospitals and places where sick and wounded are collected, provided they are not military objectives;
- v. Pillaging a town or place, even when taken by assault;
- vi. Committing rape, sexual slavery, enforced prostitution, forced pregnancy, as defined in article 7, paragraph 2(f), enforced sterilization, and any other form of sexual violence also constituting a serious violation of article 3 common to the four Geneva Conventions;
- vii. Conscription or enlisting children under the age of fifteen years into armed forces or groups or using them to participate actively in hostilities;
- viii. Ordering the displacement of the civilian population for reasons related to the conflict, unless the security of the civilians involved or imperative military reasons so demand;
- ix. Killing or wounding treacherously a combatant adversary;
- x. Declaring that no quarter shall be given;

law and order in the State or to defend the unity and territorial integrity of the state, by all legitimate means.³⁶ The concept of ‘armed conflicts not of an international character’ in itself reflects the dynamics of war in its changing character. There is no precise definition of that term even in the International Committee for the Red Cross Manual.³⁷ In the years that followed the drafting of the Geneva Conventions due to the changing nature of armed conflict, in terms of methods, means, participants and the increase in frequency and brutality of non-international armed conflict, there felt a need to develop a new law that was apparent.³⁸ Here, the Additional Protocol II was drafted to address to address non-international armed conflicts and fills the gaps left by the regulatory system of Common article 3.³⁹

It has been generally accepted that the lower threshold found in Article 1(2) of Additional Protocol II 1977, which excludes internal disturbances and tensions from the definition of NIAC, also applies to common Article 3. Article 1(1) & (2) of Additional Protocol II 1977 provides:

1(1) this Protocol, which develops and supplements Article 3 common to the Geneva Conventions of 12 August 1949 without modifying its existing conditions or application, shall apply to all armed conflicts which are not covered by Article 1 of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) and which take place in the territory of a High Contracting Party between its armed forces and dissident armed forces or other

organized armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations and to implement this Protocol.

1(2) this Protocol shall not apply to situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence and other acts of a similar nature, as not being armed conflicts.⁴⁰

Two criteria are usually used in this regard:⁴¹ First, the hostilities must reach a minimum level of intensity. This may be the case, for example, when the hostilities are of a collective character or when the government is obliged to use military force against the insurgents, instead of mere police forces.⁴² Second, non-governmental groups involved in the conflict must be considered as "parties to the conflict", meaning that they possess organized armed forces. This means for example that these forces have to be under a certain command structure and have

Subjecting people who are in power of another party to the conflict to physical mutilation or to medical or scientific experiments of any kind which are neither justified by the medical, dental or hospital treatment of the person concerned nor carried out in his or interest, and which cause death to or seriously endanger the health of such person or persons;

- xi. Destroying or seizing the property of an adversary unless such destruction or seizure be imperatively demanded by the necessities of the conflict;
- i. Employing poison or poison weapons;
- ii. Employing asphyxiating, poisonous or other gases, and all analogous liquids, materials or devices;
- iii. Employing bullets which expand or flatten easily in the human body, such as bullets with a hard envelope which does not entirely cover the core or is pierced with incisions.

³⁶Article 8(3) of the Statute of the International Criminal Court 1998

³⁷*Ibid.*

³⁸ Emily Crawford, “Unequal Before the Law: The Case of the Elimination of the Distinction Between International and Non-International Armed Conflicts”, *Leiden Journal of International Law*, vol.20, 2007: pp.441-448, p.443.

³⁹ *Ibid.*

⁴⁰ Article 1(1) & (2) of Additional Protocol II 1977

⁴¹ 0 ICTY, *The Prosecutor v. Dusko Tadic*, Judgment, IT-94-1-T, 7 May 1997, para. 561-568; see also ICTY, *The Prosecutor v. Fatmir Limaj*, Judgment, IT-03-66-T, 30 November 2005, para. 84

⁴² For a detailed analysis of this criteria, see ICTY, *The Prosecutor v. Fatmir Limaj*, Judgment, IT-03- 66-T, 30 November 2005, para. 135-170

the capacity to sustain military operations.⁴³ The International Criminal Tribunal for the Former Yugoslavia on the other hand, has identified a body of customary international humanitarian law, which are normally applicable to international and non-international armed conflicts and they include rules such as the prohibition of attacks on civilians, attacks against civilian objects, prohibition on the wanton destruction of property, protection of religious objects and cultural property, prohibition on plunder and the prohibition on the use of chemical weapons.⁴⁴ It was rightly noted in the *Tadic* case that: “what is inhumane and consequently proscribed, in international wars cannot but be inhumane and inadmissible in civil strife.” As mentioned above, the law of non-international law draws heavily from the law of international armed conflicts and with respect to legal regulation, the traditional view is that the law of non-international armed conflicts remains the pinnacle towards which the law of non-international armed conflict has to aim.⁴⁵

A non-international armed conflict (NIAC) is any armed conflict that is not between two or more states. This means that at least one of the parties to the conflict will be a non-state organized armed group.⁴⁶ This requires looking at the level of organization of an armed group, for example, whether the organization has formed itself into a military-like structure with defined units and insignia and has an established command structure and an internal disciplinary system. There is a minimum threshold of intensity of violence for a NIAC to exist and for International Humanitarian Law to apply. The threshold or factors that are relevant to whether there is a sufficient level of intensity of violence include:

- The frequency of the clashes and the number of the fighters involved;
- The number of civilian or military casualties;
- The extent of displacement of people as a result of the conflict;
- The use of military weapons such as aircraft, artillery or armored vehicles;
- The deployment of the armed forces, as opposed to law enforcement; and
- Any discussion of the situation or actions taken by international bodies, such as the United Nations (UN) Security Council or the UN General Assembly.⁴⁷

Determining whether a situation is an armed conflict and which type it is requires a legal test that is applied based on an assessment of the factual context (what is happening on the ground) and not what the parties claim to be the situation. Situations are often fluid, meaning that a situation that does not amount to an armed conflict (due to the level of organization or level of violence) can become an armed conflict over time.⁴⁸

Internationalized Armed Conflict

Purportedly, there is an insinuation that there exist a third type of armed conflict called “internationalized armed conflict”. One of the first scholars that wrote on this purported class or type of armed conflict is Professor Kubo Macak,⁴⁹ in his doctoral thesis at the Oxford University in 2018. He is seemingly the first scholar to have written

⁴³*Ibid.*

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

⁴⁶ Sarah Williams *et al*, *International Humanitarian Law: A Handbook for Commonwealth Parliamentarians*,

(London: Commonwealth Parliamentary Association Press, 2021), p.13

⁴⁷*Ibid.*

⁴⁸*Ibid.*

⁴⁹ Kubo Macak is a Professor of International Law at the Law School and a member of the Exeter Centre for International Law. Kubo’s research interests span general international law, international humanitarian law, and the law of cyber security. He is the author of *Internationalized Armed Conflicts in International Law* (Oxford University Press 2018). His works have been published in

on internationalized armed conflict as a class or a type of armed conflict as other scholars expatiated on this class or type of armed conflict by attributing it wholly to him as the main proponent.⁵⁰

The term “internationalized armed conflict” describes internal hostilities that are rendered international, such as a war involving a foreign intervention in support of an insurgent group fighting against an established government. More so, some scholars in the likes of Kubo Macak⁵¹ use the term “internationalized armed conflict” for Non-International Armed Conflicts with an international dimension, which legally, are in between internal and international armed conflicts. The term describes internal hostilities that are rendered international. The factual circumstances that can achieve that internationalization are quite numerous and often complex: the term internationalized armed conflict includes a war or an armed conflict involving a foreign intervention in support of an insurgent group fighting against an established government. However, the Manual on the Law of Non-International Armed Conflict disregards this definition and stresses that an armed conflict has to be either internal or international¹⁴⁶ meaning that, when a foreign state extends its military support to the government of a state within which a Non- International Armed Conflict is taking place, the conflict remains non-international in character. Conversely, should a foreign State extend military support to an armed group acting against the government, the conflict will become international in character.⁵²

The expression “internationalized armed conflicts” is not a legal expression as such and does not imply a third category of armed conflicts. The expression rather describes situations of non- international armed conflicts with a dimension that is said to be “international” for example one or more third States or an international/regional organization (the States or the organization acting through a multinational force) intervene in support of an organized armed group involved in an armed conflict against a State.⁵³

The Right of Education

The right to education is a fundamental human right that ensures everyone has access to quality education, enabling them to develop their personalities, talents, and abilities.

According to Black's Law Dictionary (11th ed.), the right to education is defined as:

“The right to receive an education, which is guaranteed by various federal and state laws and constitutions.”⁵⁴ This definition highlights the legal framework that supports the right to education, emphasizing its recognition and protection under federal, state, and constitutional laws. The right to education encompasses several essential aspects, including:

Access: The right to education implies that everyone has access to educational institutions, resources, and opportunities,

Quality: Education should be of good quality, enabling individuals to acquire knowledge, skills, and values necessary for their personal development and participation in society,

Equity: Education should be accessible and enjoyable for all, regardless of their background, social status, or financial situation, and

Compulsory Education: Elementary education is compulsory, ensuring that all children receive basic

journals including the International Review of the Red Cross, the Journal of Conflict and Security Law, the Leiden Journal of International Law, and the Chinese Journal of International Law.

⁵⁰For example, there is a book titled: “Symposium on Kubo Macak’s Internationalized Armed Conflicts in

International Law” published in 2019 just a year after Kubo’s doctoral thesis was published by Oxford University Press in 2018.

⁵¹Kubo Macak, *Internationalized Armed Conflicts in International Law*, (Oxford: Oxford University Press, 2018), p.1202.

⁵² *Ibid.*

⁵³ *Ibid.*

⁵⁴ Bryan A. Garner, *Black’s Law Dictionary*, 11th Edition, p. 1438

education.

The right to education has international recognition. The right to education is recognized and protected by various international human rights instruments, including: Universal Declaration of Human Rights (UDHR) 1948:⁵⁵ Article 26; International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966: Article 13⁵⁶; Convention on the Rights of the Child (CRC) 1989: Article 28; article 17 of the African Charter on Human and Peoples' Rights 1981⁵⁷ and a host of other international conventions makes provision for the right to education. These international instruments emphasize the importance of education as a fundamental human right, essential for the development and well-being of individuals and societies.

METHODOLOGY

This study adopts a qualitative research methodology.⁵⁸ Qualitative research methodology is primarily exploratory that is, it is used to gain an understanding of underlying reasons, opinions and motivations.⁵⁹ The reason why the researcher has chosen qualitative research methodology⁶⁰ is because it enables the researcher to provide rigorous exposition, analysis, evaluation of legal policies in the protection of journalists in armed conflicts and also to help attain the research's objectives. This form of research makes use of non-statistical data, that is, it produces findings not arrived at by means of statistical procedures or other means of quantification and also, it attempts to understand behavior and institutions by getting to know the persons involved and other values, rituals, lives, beliefs, and emotions. Primary and secondary sources of data have been used in this research. Primary sources of legal information⁶¹ are the sources which provide the information in its original form and they contain a wealth of first-hand and in-depth information on a particular point.⁶² Primary sources are first-hand documents that provide direct evidence on your topic.⁶³ In legal research, primary sources includes: treaties, international conventions, United Nations documents, decisions of international courts (e.g., ICC, ICJ) for International Sources; Constitutions, Statutes (laws passed by legislatures), regulations (administrative laws), Court decisions (judicial precedents), government reports for national source.⁶⁴ The researcher has used International Covenant on Civil and Political Rights 1966, convention on the Rights of a Child 1989, International Covenant Social, Economic and Cultural Rights 1966 and the African Charter on Human and Peoples' Rights 1981 alongside a host of other conventions as one of the key primary sources in this study. Secondary sources are interpretations and evaluations of primary sources.⁶⁵ Secondary sources are not evidence, but rather commentary on and discussion of evidence; secondary sources of information furnish the information derived from primary sources for example, they include: legal commentaries, scholarly articles, textbooks, Law reviews, journals, legal dictionaries, treatises, commentaries on statutes, abstracts, bibliographies, dictionaries, encyclopedias, review, just to mention but few. This research has used these sources in this study.

THEORETICAL FRAMEWORK

To successfully achieve the aim of this study, the research is underpinned on the triple-pronged theory. The

⁵⁵ Article 26 of the Universal Declaration of Human Rights 1948

⁵⁶ Article 13 of International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966

⁵⁷ Article 17 of the Banjul Charter 1981

⁵⁸ Qualitative research methodology is expository, in-depth, context dependent, flexible, subjective in nature, it is non-numerical, rich and detailed, small sample sizes and does purposive sampling (participants selected based on relevance).

⁵⁹ Susan E. Defranzo, What is the Difference Between Qualitative and Quantitative Research? Available online at: www.snapsurveys.com (Accessed on June 10th, 2024)

⁶⁰ The analytical characteristics of qualitative research methodology involves: thematic analysis (identifies patterns and themes); interpretative (the researcher interprets data in context); iterative (analysis refines and revises throughout the study); and coding and categorization (organizes data into meaningful units).

⁶¹ Primary sources of legal information are original, authoritative materials that establish or interpret laws. These sources are typically considered most reliable and are used as the foundation for legal research.

⁶² Phillips Mary T, *Legal Research: A Guide for Law Students*, (Carolina: Carolina Academic Press, 2018), p. 125

⁶³ *Ibid.*

⁶⁴ *Ibid.*

⁶⁵ Modern Language Association, *Modern Language Association Handbook*, (New York: Modern Language Association, 2016), p.30

triple-pronged theory was postulated by Henry Shue⁶⁶ in 1980. The origin of this theory traced from the obligation of states under international human rights instruments. Triple-Pronged theory is a broad international human rights theory that analysis human rights from a tripartite perspective. For all human rights personnel, there is need to emphasize here that this is a long established theory of international human rights law which apply to all states. Scholars have asserted the triple pronged nature of states' human rights obligations: making the duties to respect, protect and fulfill human rights.⁶⁷ With the obligation to respect, this level of obligation requires the state to refrain from any measure that may deprive individuals of the enjoyment of their right by their own efforts that is, the state must refrain from: interfering with individual's exercise of their basic rights; violating or depriving individuals of their basic rights; and should as well refrain from imposing unnecessary restrictions or limitations.⁶⁸

With the obligation to protect, this level of obligation requires the state to prevent violations of human rights by third parties. The obligation to protect is normally taken to be a central function of states, which have to prevent irreparable harm from being inflicted upon members of the society.⁶⁹ This requires states: to prevent violations of rights by any individual or non-state actor; to avoid and eliminate incentives to violate rights by third parties; and to provide access to legal remedies when violations have occurred in order to prevent further deprivations.⁷⁰

With the obligation to fulfill, this level of obligation requires the state to take measures to ensure, for persons within its jurisdiction, opportunities to obtain satisfaction of the basic needs as recognized in human rights instruments, which cannot be secured by personal efforts.⁷¹ The implication of the responsibility to fulfill means that: states must prioritize basic needs; states must allocate resources effectively; and states must as well, ensure accountability.⁷²

Although this is the key state obligation in relation to economic, social and cultural rights, the duty to fulfill also arise in respect to civil and political rights. It is clear that enforcing, for instance, the prohibition of torture (which requires, for example, the police training and preventive measures), the right to a fair trial (requires investments in courts and judges), the right to legal assistance, entails considerable cost.

The above analysis demonstrates that there is little difference in the nature of state obligations in regards to different human rights. The three levels of obligations encompass both civil and political rights and economic, social and cultural rights, blurring the perceived distinction between them.⁷³ This tripartite analysis was originally developed by Henry Shue⁷⁴ and was affirmed by the Maastricht Guidelines on the violation of Economic, social and cultural rights⁷⁵ in 1997 as representing the contemporary status of international law. According to the Maastricht Guidelines, a breach by a state of any element of the tripartite duties will be violation

⁶⁶ Henry Shue is a prominent American philosopher and academic. He is a senior research fellow at the Centre for International Studies (CIS) of the Department of Politics and International Relations, Professor Emeritus of Politics and International Relations, and Senior Research fellow Emeritus at Merton.

⁶⁷Adam McBeth, "Breaching the vacuum: A consolation of the role of international human rights law in the operatives of the International Financial Institutions", *The International Journal of Human Rights*, Vol.10, 2006; pp.380-400, p.389.

⁶⁸ Henry Shue, *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy*, (Princeton: University of Princeton, 1980), p.19

⁶⁹ One of the core principles of the responsibility to protect is "sovereignty as responsibility", which provides that states have a primary responsibility to protect their citizens.

⁷⁰ *Ibid.*

⁷¹ *Ibid.*

⁷² Alston Phillip *et al*, *International Human Rights in Context: Law, Politics, Morals*, (Oxford: Oxford University Press, 2014), p. 280

⁷³Charles Beitz *et al*, *Introduction: Basic Rights and Beyond*. Available online at: www.humanrights.is/definitions-a... (Accessed on 19th January, 2023)

⁷⁴Henry Shue, *Basic Rights subsistence, Affluence and US Foreign Policy*, (Princeton: Princeton University press, 1980), p.80.

Shue developed the concept of the tripartite obligations while the respect, protect and fulfill technology was first used by Absjorn Eide as special rapporteur on the right to food for the committee on Economic, Social and Cultural Rights in his report.

⁷⁵ *Ibid.*

of that state's obligations under international human rights law.

This theory is linked to this study in that it focuses vividly on the obligations that states under the international community owe to their citizens and this study is so much in connection to the study as it stresses on the impact of the Anglophone Cameroon armed conflict in the Northwest and Southwest regions of Cameroon. Both the obligation to protect, respect and fulfill are accurate in the analysis of this study.

Human Needs Theory

In order for human beings to live and attain wellbeing, human beings need certain essentials for the personal survival called human needs. Human needs theorists argue that violence occurs when certain individuals do not see any other means of meeting their needs apart of revolting.⁷⁶ However, this theory is relevant to avoid or terminate conflicts because human beings cannot enjoy their fundamental rights in the mist of conflict. Proponents of the human needs theory are; Abraham Maslow, John Burton and Marshall Rosenberg. Firstly, Abraham Maslow 1954 focused on the hierarchy of human needs based his assumption on certain facts namely; that human needs are varied and diversified in nature. That is they can be in hierarchy of importance progressing from a lower to a higher order of needs. Human needs have a definite hierarchy of importance. As soon as the needs of the lower levels are fulfilled those on the next level will emerge and demand satisfaction automatically. Maslow, emphasizes on the hierarchy of needs stating that although all needs are important, some are more important than others. Hence, he identified five types of human needs and arranged them in hierarchy of importance and priority. At the base of the pyramid of human need is food, water, shelter and health (psychological needs) as priority needs for individuals and community. On the second level, he places the need for safety and security as the next important need for human beings. Thereafter, belonging and love, esteem need, and personal fulfillment or self-actualization need. Maslow argues that, each human being is trying to meet their need at a certain level at any point in time but only when their needs on the lower end of the pyramid are satisfied that human beings will be able to satisfy their needs of personal fulfillment.

Secondly, John Burton 1997, has been applying the human need theory more in the domain of Social and political conflicts. He looks at how needing groups often use violence to claim their rights and satisfy their human needs. He argues that when human needs of security, identity, recognition or equal participation in the activities of the society conflict is inevitable.⁷⁷ The Anglophone conflict is a palpable example. Hence it is essential to identify the threatened need in a given society in order to prevent protracted conflict. It should be underscored that it is difficult for a person to enjoy fundamental human rights for instance, the right to development when the individual or community's peace is threatened.

Thirdly, Marshall Rosenberg approach human needs are universal and to him meeting them is essential to human survival and wellbeing. He avers that our education and culture often deprives us from connecting with our needs. He opines that only through non-violent communication that one needs to understand that it is necessary to connect our needs to those of others. Generally, human needs theorists argue that one of the primary causes of protracted conflict in society are people's unyielding drive to meet unmet needs at the societal level. Thus, all conflicts all conflicts can be resolved successfully if we focus on human needs.

This theory is relevant to this study because it identifies the threatened needs which cause internal armed conflicts which affects the right to education as a human right. However, this theory is relevant to avoid or terminate armed conflicts because human beings cannot enjoy their fundamental rights in the midst of an environment of conflict.

⁷⁶ H.B. Danesh. "Human Needs Theory of Conflict and Peace: In Search of an Integrated Model", *Encyclopedia of Peace Psychology*, Vol.2, 2011: pp.358-370, p.360.

⁷⁷ John Wear Burton, "Conflict Resolution: The Human Need Theory", *International Journal for Peace Studies*, Vol.3, 2001: pp.295-310, p.296.

DISCUSSION

This section is a crucial part of this research article and it shall interpret and explain the findings of the study. It is geared at interpreting the results, relating the study to existing literature, and thereafter reflecting on the implications/contributions of the study to the field of armed conflicts and human rights.

Impacts of The Anglophone Cameroon Armed Conflict on The Right to Education

The Anglophone Cameroonian conflict, which began in 2016, has had far-reaching consequences on the right to education in the affected regions. As the conflict continues to escalate, its impact on education has been multifaceted, with both positive and negative consequences. On one hand, the conflict has disrupted the education system, leading to school closures, teacher shortages, and a decline in educational outcomes. On the other hand, the conflict has also spurred innovative solutions, such as alternative education programs and community-led initiatives, which have helped to mitigate the negative impacts. This discussion will assess the impacts of the Anglophone Cameroonian conflict on the right to education in a serial manner, examining both the positive and negative consequences and exploring the implications for the future of education in the region.

Negative Impacts of The Anglophone Cameroon Armed Conflict on The Right of Education

The Anglophone Crisis in Cameroon has had severe negative impacts on the right to education, particularly in the Northwest and Southwest regions, leading to unprecedented disruptions in the education sector. Some of these negative impacts amongst others include: school closures and destruction, attacks on students and teachers, forced school boycott, displacements of students and teachers, psychological trauma, and loss of educational infrastructure. Each of these points shall be examined seriatim.

School Closures and Destruction

The ongoing Anglophone conflict in Cameroon has had a profound and detrimental impact on the education sector, particularly in the North-West and South-West regions. School closures and the destruction of educational infrastructure have disrupted the academic pursuits of hundreds of thousands of students, leading to significant setbacks in human capital development. Since the onset of the crisis in 2017, more than 6,000 schools have been forced to close across the Anglophone regions, affecting the education of over 800,000 children.⁷⁸ In the North-West Region alone, over 4,000 schools have ceased operations, impacting approximately 500,000 students.⁷⁹ Armed separatist groups have enforced education boycotts, targeting schools to assert their demands.⁸⁰ At least 70 educational institutions have been attacked since 2017, resulting in the destruction of facilities and creating an atmosphere of fear among students, parents, and educators.⁸¹

In one notable incident, Jane Ndamei, a student from the South-West Region, narrowly escaped death during an attack on her school while she was taking her Grade 12 exams. Such attacks have instilled fear among students and parents, leading many to avoid educational institutions.⁸² The destruction of schools has not only deprived children of their right to education but has also led to significant learning losses. Many students have missed months or even years of schooling. A study by Save the Children found that children in the Northwest and Southwest regions of Cameroon have lost an average of three and a half years of schooling due to the crisis.⁸³ Many schools have been shut down due to insecurity, threats from armed groups, and government-imposed restrictions.

⁷⁸ *Ibid.*

⁷⁹ Accord, Impact of the Ongoing Crisis on the Education of the Northwest Region of Cameroon, September 2024. Available online at: www.accord.org.za (Accessed on February 03rd, 2025)

⁸⁰ *Ibid.*

⁸¹ Josiane Kouagheu, They are Destroying our Future, December 16th, 2021. Available online at: www.hrw.org/report/2021 (Accessed on February 03rd, 2025)

⁸² *Ibid.*

⁸³ *Ibid.*

The Anglophone conflict in Cameroon has severely compromised the educational system in the affected regions. The widespread closure and destruction of schools have deprived a generation of children of their fundamental right to education, with long-term implications for individual futures and the nation's development. Addressing these issues requires concerted efforts to restore security, rebuild educational infrastructure, and implement policies that ensure safe and uninterrupted learning for all students.

Attacks on Students and Teachers

The ongoing Anglophone crisis in Cameroon has severely compromised the right to education through targeted attacks on students, teachers, and educational institutions. These assaults have instilled fear, disrupted learning, and led to widespread school closures. Educators have faced threats, abductions, and killings, primarily by armed separatist groups opposing the state's education system. For instance, in 2019, Juliana (a pseudonym), a history teacher near Buea in the South-West region, received threats from separatists for continuing to teach, highlighting the dangers educators face.⁸⁴ Students have also been direct targets, for example, on October 2020, armed separatists attacked the Mother Francisca International Bilingual Academy in Kumba, South-West region, killing seven children and injuring at least 13 others. This tragic event underscores the severe risks students face in pursuing education.⁸⁵

These violent incidents have led to the closure of numerous schools, depriving children of their fundamental right to education.⁸⁶ Since 2017, over 700,000 children have had their education disrupted due to the conflict between separatist insurgents and the military. The destruction of educational infrastructure and the pervasive fear of attacks have forced many students and teachers to abandon schools, leading to a significant decline in educational access and quality in the Anglophone regions. Teachers and students have been kidnapped, tortured, and even killed in some circumstances by armed groups who oppose government-run education. Fear of violence has led many teachers to flee thus, worsening the shortage of qualified educators.

The deliberate targeting of educational stakeholders in Cameroon's Anglophone regions has not only violated individual right of education but also jeopardized the future of an entire generation. Addressing these challenges requires concerted efforts to protect educational institutions and uphold the right to education for all.

Forced School Boycott

The Anglophone-Cameroon armed conflict has profoundly impacted the right to education, with forced school boycotts being a significant manifestation of this crisis. Since 2017, separatist groups in the English-speaking regions have enforced school closures to protest perceived marginalization by the central government. These enforced boycotts have led to widespread disruptions in the educational sector, affecting both students and educators

Disruption of educational services is one of the key implications of the Anglophone Cameroon armed conflicts on the right to education in the northwest and southwest regions of Cameroon. To this end, armed groups have deliberately prevented children from attending school, believing that disrupting the government-run education system would further their cause. This has resulted in numerous schools being shut down, depriving students of formal education.⁸⁷ To enforce the boycotts, separatist fighters have used violence against educational institutions by attacking students, teachers, and educational facilities. These attacks have instilled fear among the population, leading to further school closures and hindering access to

⁸⁴ Human Rights Watch, Witness: Defying Attacks on Education in Cameroon's Anglophone Regions, December 15th, 2021. Available online at: www.hrw.org/news/2021 (Accessed on February, 2025)

⁸⁵ *Ibid.*

⁸⁶ The right of education is a fundamental human right which is provided in article 26 of the Universal Declaration of Human Rights 1948 and affirmed or corroborated in other international human rights instruments.

⁸⁷ Folefac, H. C. (2024). "The Impact of the Anglophone Conflict on Youth's Education, Health and Nation Building in Cameroon from 2017 to 2023." *Open Journal of Social Sciences*, Vol. 12, Issue No. 11, pp. 204-218.

education.⁸⁸ The prolonged nature of these boycotts has resulted in significant educational gaps. Many children have been out of school for extended periods, leading to increased dropout rates and a generation of youth with limited educational attainment.⁸⁹ The constant threat of violence and the uncertainty surrounding the educational environment have had detrimental effects on the mental health of both students and educators. This has further compromised the quality of education and the overall well-being of those involved.⁹⁰ Separatist groups have imposed school boycotts, preventing children from attending classes as a form of political protest and as a corollary, parents fear sending their children to school due to threats of violence.⁹¹

Displacements of Students and Teachers

Many families have fled conflict areas, leading to overcrowding in schools in safer regions and some displaced children lack access to education due to financial constraints or language barriers. The Anglophone Cameroon Armed Conflict has severely impacted the right to education, notably through the displacement of students and teachers. This displacement has disrupted educational access and quality, exacerbating existing educational challenges in the region. The conflict has led to the closure of numerous schools, forcing students to flee their communities in search of safer educational environments for example, according to Human Rights Watch, since 2017, thousands of students in Cameroon's Anglophone regions have experienced attacks on education, leading to serious long-term emotional and educational consequences.⁹² Similarly, a study published in the Open Journal of Social Sciences highlighted that the conflict has significantly impacted the education and health of youth, with many children missing months or even years of schooling. This displacement not only interrupts their academic progress but also exposes them to risks such as exploitation and involvement in illicit activities.⁹³ Educators have also been compelled to relocate due to threats and violence. The African Centre for the Constructive Resolution of Disputes (ACCORD) reported that attacks by armed separatist groups on teachers have had a devastating impact on children's right to education, leading to school closures and a decline in educational quality.⁹⁴ The exodus of qualified teachers has resulted in overcrowded classrooms and diminished learning outcomes in host communities. A report from the Education Resources Information Center (ERIC) noted that teachers trained to manage 50 to 100 students per class have suddenly found themselves overseeing 150 to 200 learners, straining educational resources and effectiveness.⁹⁵ The displacement of students and teachers undermines the fundamental right to education by disrupting learning continuity and diminishing educational quality. The destruction of educational infrastructure, coupled with the absence of educators, hampers the delivery of quality education and impedes efforts toward national development. The aforementioned study in the Open Journal of Social Sciences emphasized that the conflict has led to significant learning losses, with many children missing months or even years of schooling, thereby affecting their future prospects and the nation's progress.⁹⁶ In a nutshell, the displacement resulting from the Anglophone Cameroon Armed Conflict poses a significant threat to the right to education, necessitating urgent interventions to restore

⁸⁸ Human Rights Watch, "They are Destroying our Future: Armed Separatist Attacks on Students, Teachers, and Schools in Cameroon's Anglophone Regions", 2021. Available online at: <https://www.hrw.org/report/2021/12/16they-are-destroying-our-future/armed-separatist-attacks-on-students-teachers-and-schools-in-Cameroon> (Accessed on March 02nd, 2025)

⁸⁹ *Ibid.*

⁹⁰ International Crisis Group, "Cameroon's Anglophone Conflict: Children Should be Able to Return to School", 2022. Available online at: <https://www.theafricareport.com/241506/cameroons-anglophone-conflict-children-should-be-able-to-return-to-school> (Accessed on March 02nd, 2025)

⁹¹ *Ibid.*

⁹² Human Rights Watch, "They are Destroying our Future: Armed Separatist Attacks on Students, Teachers, and Schools in Cameroon's Anglophone Regions", 2021. Available online at: <https://www.hrw.org/report/2021/12/16they-are-destroying-our-future/armed-separatist-attacks-on-students-teachers-and-schools-in-Cameroon> (Accessed on March 02nd, 2025)

⁹³ Helen Chapanyi Folefac, "The Impact of the Anglophone Conflict on Youth's Education, Health and Nation Building in Cameroon from 2017-2023", Open Journal of Social Sciences, vol. 12, Issue No. 11, 2024: pp. 204-218, p. 12

⁹⁴ ACCORD, "Impact of the Ongoing Crisis on the Education of the North West Regions of Cameroon", 2024. Available online at: <https://www.accord.org.za/conflict-trends/impact-of-the-ongoing-crisis-on-education-of-the-north-west-regions-of-cameroon> (Accessed on March 02nd, 2025)

⁹⁵ *Ibid.*

⁹⁶ *Ibid.*

stability and ensure educational access for all affected individuals.

Psychological Trauma

Continuous exposure to violence has led to stress, anxiety, and trauma in students and teachers, affecting their ability to learn and teach effectively. The Anglophone conflict in Cameroon has profoundly disrupted the educational landscape, with psychological trauma emerging as a significant impediment to the right to education. The persistent violence, displacement, and instability have inflicted deep emotional and mental scars on students, educators, and communities, hindering effective learning and teaching.

Children in conflict zones often witness or experience traumatic events, leading to anxiety, depression, and post-traumatic stress disorder (PTSD). These psychological conditions can impair concentration, memory, and overall cognitive function, essential components for academic success. In Cameroon, the crisis has led to numerous cases of psychological and psychiatric issues among the affected populations. For instance, the Bamenda Regional Hospital reported a significant increase in mental health cases, with monthly consultations rising from 15 before the conflict to 30- 50 during the crisis period.⁹⁷ A poignant example is that of Chi Precious, an 8-year-old girl from the Southwest Region. After armed men attacked her home and injured her father, her family fled, disrupting her education. She expressed feelings of anger and frustration due to her irregular school attendance and the loss of previously acquired knowledge.⁹⁸

Teachers are also victims of the conflict's psychological toll. A study focusing on Bui Division in the North West Region revealed that terrorism and ongoing violence have adversely affected teachers' mental health, leading to stress, anxiety, and burnout. These conditions compromise their ability to deliver quality education and provide necessary emotional support to students.⁹⁹

From a broader perspective about educational disruptions, the conflict has led to widespread school closures and destruction of educational infrastructure. According to UNESCO, as of January 2019, less than 10% of school-aged children in the North-West and South-West regions had access to educational opportunities, with only 20% of formal schools operational, often with reduced enrollment. This disruption not only affects academic learning but also deprives children of the routine and social interaction that schools provide, exacerbating feelings of insecurity and trauma.¹⁰⁰

From a global context, the situation in Cameroon mirrors global patterns where children in conflict zones suffer significant educational setbacks due to psychological trauma. For example, in Mozambique, children abducted by armed groups face stigma and emotional distress upon return, hindering their reintegration into the education system. Similarly, in Gaza, ongoing conflicts have left hundreds of thousands of children without formal education, with many exhibiting signs of severe emotional distress.¹⁰¹

In a nutshell, the Anglophone conflict in Cameroon has inflicted profound psychological trauma on both students and educators, severely undermining the right to education. Addressing this issue requires comprehensive interventions, including psychosocial support, reconstruction of educational infrastructure, and the establishment of safe learning environments to mitigate the long-term impact on the affected populations.

⁹⁷ UNICEF Cameroon, "Impact of Trauma on Children in Conflict Settings, Especially with Regards to their Education", 2024. Available online at: <https://unicefcameroon.medium.com/i-have-forgotten-things-i-had-learned-at-school> (Accessed on Monday March 17th, 2025)

⁹⁸ *Ibid.*

⁹⁹ Foncham Paul Babila *et al*, "Effects of Anglophone Crisis on the Mental Health of Teachers in Bui Division North West Region of Cameroon", *International Journal of Trends in Scientific Research and Development*, vol. 8, 2024: pp. 766-774, p. 769

¹⁰⁰ Bethan McKernan, "The War has Stolen our Future: Gaza Children Begin Second School Year without Education", 2024. Available online at: <https://www.theguardian.com/world/2024/sep/15/gaza-children-school-year..> (Accessed on Monday 17th March, 2025)

¹⁰¹ *Ibid.*

Loss of Educational Infrastructure

The Anglophone-Cameroon armed conflict has led to significant destruction of educational infrastructure, severely impacting the right to education in the affected regions. Notable examples of such destruction include:

Government Bilingual High School, Jakiri (March or April 2017): Separatist fighters burned the staff room, principal's office, and library, destroying school records, books, and computers. The school, which had enrolled between 1,000 and 1,400 students before the crisis, shut down in 2018 and remained closed through at least late April 2021.¹⁰²

Government High School, Ashong (October 2017): Approximately ten separatist fighters armed with guns and machetes raided the school, threatening to kill eight teachers if they did not close the institution. Students had ceased attending weeks before due to insecurity, but teachers continued under government pressure until this attack.¹⁰³

Presbyterian Secondary School Nkwen, Bamenda (November 5, 2018): Armed separatists abducted 79 students, aged 11-17, along with their principal, a teacher, and a driver from their dormitories. All were eventually released on November 7, 2018.

Presbyterian School, Kumbo (November 3, 2020): Separatist fighters attacked the school with over 200 students present, kidnapping 11 teachers. The teachers were held and threatened in a bush camp before being released on November 6, 2020.¹⁰⁴

Government Bilingual High School Atiela, Bamenda (January 2021): Armed separatists fired shots at the school gate, causing panic among students and teachers. An exchange of gunfire between the separatists and gendarmes stationed inside the school ensued, leading to a temporary closure as students and staff fled.¹⁰⁵

These incidents exemplify the broader pattern of attacks on educational institutions in Cameroon's Anglophone regions, resulting in widespread school closures and denying thousands of children their right to education.

Positive Impacts of The Anglophone Cameroon Armed Conflict on The Right of Education

While the Anglophone-Cameroon armed conflict has predominantly resulted in adverse effects on education, some unintended positive outcomes have emerged. The turmoil has prompted educators and communities to innovate and adapt, leading to alternative educational approaches and a renewed emphasis on the importance of education. For instance, Ateasong Belts Tajoah, a former separatist fighter, transitioned into a teaching role, advocating for peace and critical thinking among students.¹⁰⁶ Scholars have also explored the paradoxical positive impacts of war on education. Robert Nisbet, a notable social philosopher, argued that warfare can stimulate social reforms and foster a sense of community, which may lead to educational advancements.¹⁰⁷ Additionally, a study published in PubMed highlighted that, despite the stress of war, medical students and residents reported enhanced resourcefulness, deeper compassion,

¹⁰² Human Rights Watch, "They are Destroying our Future", 2021. Available online at: <https://www.hrw.org/report/2021/2021/12/16/they-are-destroying-our-future/armed-separatist..> (Accessed on Monday March 17th, 2025)

¹⁰³ *Ibid.*

¹⁰⁴ Human Rights Watch, "They are Destroying our Future", 2021. Available online at: <https://www.hrw.org/report/2021/2021/12/16/they-are-destroying-our-future/armed-separatist..> (Accessed on Monday March 17th, 2025)

¹⁰⁵ *Ibid.*

¹⁰⁶ Robert Bociaga, "He Fought in a Separatist Rebel Group that Burned Schools, Now He is a Teacher Emphasizing Peace", 2025. Available online at: <https://apnews.com/article/cameroon-separatist-violence-education-e656186...> (Accessed on Monday 17th March, 2025)

¹⁰⁷ Robert Nisbet, "The Prevalence of War", 2003. Available online at: <https://oll.libertyfund.org/pages/nisbet-the-porevalence-of-war> (Accessed on March 17th, 2025)

and increased motivation, viewing their challenging experiences as valuable educational opportunities.¹⁰⁸ These perspectives suggest that, amidst the challenges of armed conflicts, there can be unintended developments that contribute positively to educational systems and experiences.

The Anglophone-Cameroon armed conflict has significantly disrupted the education sector, leading to numerous challenges. However, amidst these adversities, several positive developments have emerged:

Enhanced Focus on Peace Education: The crisis has underscored the necessity of integrating peace-building and citizenship education into school curricula. Educators and administrators have initiated programs that promote dialogue, critical thinking, and social justice, aiming to cultivate a culture of peace among students.¹⁰⁹

Community-Led Educational Initiatives: In response to school closures, communities have organized informal learning centers, ensuring that children continue to receive education despite the conflict. These grassroots efforts demonstrate resilience and a commitment to learning.

Increased International Attention and Support: The conflict has drawn global attention to the educational plight in the Anglophone regions, prompting international organizations to provide aid and support. This heightened awareness has led to initiatives aimed at safeguarding education during emergencies.¹¹⁰

Strengthened Advocacy for Educational Rights: The challenges faced have galvanized civil society and advocacy groups to campaign more vigorously for the protection of educational institutions and the rights of students, leading to policy discussions focused on educational access and safety.¹¹¹

Education Policy Reforms: The crisis has exposed weaknesses in the education system, prompting discussions about decentralization and reforms to make the curriculum more inclusive and relevant to local communities. Historically, Cameroon inherited dual educational systems from its British and French colonial pasts. Efforts to harmonize these systems have often been perceived by the Anglophone minority as attempts to marginalize their educational heritage. For instance, policies granting the Minister of Higher Education authority to harmonize university curricula have been viewed with suspicion, leading to tensions and protests among Anglophone educators and students.¹¹² The escalation of the Anglophone crisis has underscored the need for reforms that respect and preserve the unique characteristics of both educational subsystems. Scholars advocate for reforms that promote peace-building and social cohesion. Recommendations include integrating peace education into curricula, fostering dialogue, and developing teaching methods that empower students as active agents of peace.¹¹³

In response to the crisis, the government has initiated measures to address some of these concerns. Notably, the creation of common law divisions at the Supreme Court and the National School of Administration and Magistracy represents steps toward acknowledging and integrating the Anglophone legal and educational perspectives.¹¹⁴

These developments, prompted by the crisis, have opened avenues for meaningful educational reforms. By addressing the grievances of the Anglophone community and ensuring equitable representation within the

¹⁰⁸ Glenn Davis *et al*, "The Effects of War on Education in the Writings of Russell Kirk and Robert Nisbet", 2012. Available online at: <https://theimaginativeconservative.org/2012/08/the-effects-of-war-on-education> (Accessed on March 7th, 2025)

¹⁰⁹ Thomas d Aquin Mbatna Taiwe, *Peace-building Through Education: the Case of Cameroon's Anglophone Crisis*, (United States of America, Marquette: Marquette University Press, 2022), p. 10

¹¹⁰ United Nations, "Over 80% of Schools in Anglophone Cameroon Shut Down, as Conflict Worsens", 2019. Available online at: <https://news.un.org/en/story/2019/06/1041071> (Accessed on March 7th, 2025)

¹¹¹ *Ibid.*

¹¹² Ngege Ransom Tanyu *et al*, "A Review of the Role of Higher Education Reforms in the Anglophone Conflict", 2023. Available online at: <https://onpolicy.org/a-review-of-the-role-of-higher-education-reforms-in-the-...> (Accessed on March 7th, 2025).

¹¹³ *Ibid.*

¹¹⁴ Henry Ngenyam Bang, "The Ramifications of Cameroon's Anglophone Crisis: Conceptual Analysis of a Looming 'Complex Disaster Emergency'", *Journal of International Humanitarian Action*, vol. 7, 2022: pp. 2-25, p.10

educational system, Cameroon can work toward a more inclusive and harmonious society.

Greater Community Involvement: Parents and local communities have taken a more active role in ensuring children continue learning, leading to stronger community-driven education efforts. The crisis in Cameroon's North-West and South-West regions has severely disrupted formal education, leading communities to develop alternative educational initiatives. One such initiative is the establishment of Mobile Inclusive Neighborhood Learning Corners, supported by organizations like UNICEF and the Republic of Korea. These community-driven centers provide foundational literacy and numeracy lessons, enabling children like Marvelous to continue their education despite the conflict.¹¹⁵

Similarly, the Norwegian Refugee Council (NRC) has collaborated with local communities to offer catch-up and remedial classes for children who have been out of school. This program has benefited approximately 5,000 children in Cameroon's Far North region, highlighting the critical role of community involvement in maintaining educational opportunities during times of crisis.¹¹⁶ Furthermore, organizations like Street Child and their local partners have worked with communities to establish learning spaces in semi-permanent settlements for internally displaced persons. These spaces not only provide basic education but also serve as safe environments for children to play and overcome trauma, underscoring the importance of community-led educational initiatives in crisis situations.¹¹⁷

These examples demonstrate that, despite the challenges posed by the crisis, community involvement has been pivotal in ensuring children's continued access to education.

Scholarships and Humanitarian Support: International organizations and NGOs have provided scholarships, learning materials, and financial support to affected students, giving them new educational opportunities. However, amidst these challenges, several organizations as underscored below have stepped forward to provide scholarships and humanitarian support, thereby upholding and promoting the right to education.

Hope for Cameroon (HFC): Recognizing the dire situation, HFC launched a Back to School Campaign in November 2020, aiming to sponsor 50 internally displaced children. To date, they have successfully sponsored 32 students, covering tuition fees, uniforms, school supplies, and other essential materials. This initiative ensures that displaced children continue their education despite the ongoing conflict.¹¹⁸

Foundation United for Handicap, Orphans, and Street Children of Ekona Area (FUHOSEA): In a commendable effort, FUHOSEA supported nearly 80 disabled and vulnerable students with educational materials and financial assistance for the 2024-2025 academic year. Despite facing attacks on their facilities, the organization remains steadfast in its commitment to inclusive education, mentoring students throughout the academic year and addressing challenges faced by children with special needs.¹¹⁹

Berine and Bokwe Foundation (BEBOF): Dedicated to advocating for the educational rights of displaced children, BEBOF provides school supplies, covers tuition fees, and offers scholarships. They also engage with communities to raise awareness about the importance of education, ensuring that displaced children have access to learning opportunities.¹²⁰

Strategic Humanitarian Services (SHUMAS): To mitigate the educational disruptions caused by the

¹¹⁵ UNICEF, "The Neighborhood Learning Corner Gave me Hope When I Thought My Education was Over", 2024. Available online at: <https://www.unicef.org/cameroon/stories/neighborhood-learning-corner-g...> (Accessed on March 07th, 2025)

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¹¹⁸ Hope for Cameroon, "Change the Course of an Internally Displaced Child's Life Today", 2020. Available online at: <https://hopeforcameroon.org/programs/hope-for-cameroon-education-fund/> (Accessed on March 7th, 2025)

¹¹⁹ Njukang Princely, "Cameroon Anglophone Conflict: FUHOSEA Returns from Separatists Attack with Aid for Disabled Students", 2024. Available online at: <https://disabilitynewsafrika.org/cameroon-anglophone-conflict-fuhosea-returns-from-separatists-attack-with-aid-for-disabled-students/> (Accessed on March 7th, 2025)

¹²⁰ *Ibid.*

crisis, SHUMAS has established over 24 remedial learning centers, benefiting approximately 9,312 children. They have also paid tuition fees for more than 302 internally displaced students and provided educational materials to around 2,751 students. Additionally, SHUMAS has created and equipped public science laboratories, facilitating practical science education for students from schools lacking such facilities.¹²¹

While the conflict has posed significant obstacles, these developments highlight a collective effort to adapt and uphold the right to education under challenging circumstances. While these impacts may offer some hope, they do not outweigh the severe damage caused by the conflict, and long-term solutions are still needed to fully restore and improve education in the region.

SUMMARY OF FINDINGS

In a nutshell, the findings in this study reveals that the Anglophone Cameroon armed conflicts has had both negative and positive severe implications on the right of education. Regardless of the unwavering cry for reinstatement and restoration in the two affected regions (northwest and southwest regions) as a corollary of school closure, attacks on students/teachers, forced school boycott, destruction of educational infrastructure and lots more, there are also some positive implications of the conflict as well which include: enhanced focus on peace education, community-led educational initiatives, increased international attention/support, strengthened advocacy for educational rights, education policy reforms, greater community involvement and scholarship and humanitarian supports.

RECOMMENDATIONS

The armed conflicts in the Anglophone regions of Cameroon has had a devastating impact on the right to education, leaving a generation of children and young people without access to quality learning. Since 2016, the conflict has disrupted the education system, resulting in the closure of schools, destruction of infrastructure, and displacement of students and teachers. The consequences are far-reaching, with thousands of children at risk of being permanently out of school, and the long-term prospects for economic development, social cohesion, and human rights hanging in the balance. This crisis necessitates the urgent attention and action to ensure that the right to education is protected and promoted, and that the children and young people of Anglophone Cameroon are able to realize their full potential.

Immediate and long-term Security Measures

Ensuring the security of educational institutions in Cameroon's Anglophone regions amidst the ongoing conflict requires a comprehensive approach that addresses both immediate and long-term challenges. The following points underscored below, aim to safeguard the right to education in these areas. Immediate security measures involve:

Deployment of security forces to protect schools. There is need therefore, to establish specialized protection units by deploying security personnel trained specifically to safeguard educational institutions in conflict zones. Also, to foster cooperation between security forces and local communities to develop early warning systems against potential threats and to designate schools as neutral, demilitarized zones to prevent their use in military operations.

Establishment of “safe schools” initiatives.

There is for relocation to a safer area, that is, schools should be moved from high-risk zones to safer locations to ensure uninterrupted learning and temporal learning centers too should as well be set up. That is, setting up provisional educational facilities for displaced students to continue their studies. More so, there is also need to invest in constructing or reinforcing classrooms to withstand potential attacks.

¹²¹ SHUMAS, “Education in Emergency”, 2017. Available online at: <https://www.shumas.org/programs/education-in-emergency> (Accessed on March 7th, 2025)

Conflict Resolution and Peace-building

The Anglophone Cameroon armed conflict has severely disrupted the education sector, depriving countless children of their fundamental right to learn. Addressing this crisis necessitates a robust conflict resolution and peace-building strategies aimed at restoring and safeguarding educational opportunities.

a). Inclusive dialogue and negotiation. Engaging all stakeholders that is, government officials, separatist groups, educators, parents, and civil society organizations in open and inclusive dialogue is essential. Such negotiations can address the root causes of the conflict and work towards sustainable peace.

b). Integration of Peace Education into the Curricula. Incorporating peace education into schools programs can foster a culture of non-violence and mutual respect among students. This approach not only addresses current tensions but also equips future generations with the tools to handle conflicts peacefully. Research highlights the role of peace education in promoting reconciliation and understanding in conflict-affected areas.

c). Empowerment of youths as peace-builders. Youths play a pivotal role in peace-building efforts. Organizations like Local Youth Corner Cameroon (LOYOC) and a host of many others, have been instrumental in engaging young people in initiatives that promote peace and prevent violent extremism. By supporting and expanding such programs, communities can harness the energy and creativity of youth to drive peace efforts.

d). Strengthening of Civil Society Organizations. Civil Society Organization (CSOs) are essential in mediating between conflicting parties and advocating for peaceful resolutions. Enhancing the capacity of CSOs enables them to facilitate dialogue, provide community support, and implement peace-building initiatives effectively. Studies have examined the role of CSOs in conflict resolution within the Anglophone crisis, highlighting their potential impact.¹²²

e). Community-Based Peace Initiatives

Grassroots approaches that involve local communities in peace-building efforts are vital. Engaging community leaders, educators, and parents in developing and implementing peace strategies ensures that solutions are culturally relevant and widely accepted. Insights from grassroots perspectives can inform sustainable peace efforts in the affected regions.

Strengthening Education Policy and Legal Protections

Government should implement and enforce national and international legal to protect educational institutions and personnel from attacks and to ensure the continuity of education during armed conflict.¹²³ Policies should be put in place to guarantee the physical safety of students, teachers, and educational staff in conflict zones. This could include creating safe learning environments, providing security escorts for students and educators, and strengthening law enforcement around schools. There should be the development of emergency education plans that ensure the delivery of education even in conflict zones, such as via the use of alternative education methods (example, online or mobile learning) and temporary learning spaces.

Alternative Education Models and Community Involvement

There is a cogent need for alternative education and community involvement. Community-Based Education (CBE) involves establishing educational programs within communities, often utilizing local resources and personnel to ensure continuity of learning in conflict zones. Accelerated Learning Programs ALPs offer condensed curricula to help students who have missed schooling catch up with their peers. Accelerated Learning Programs ALPs have been implemented in various emergency and post-conflict situations to bridge educational gaps caused by disruptions.

¹²² Nancy Annan *et al*, "Civil Society, Peace-building from below and Shrinking Civic Space: the Case of Cameroon's Anglophone Conflict", *Journal of Conflict, Security and development*, vol. 21, Issue no.6, 2021: pp. 697-725, p.700

¹²³ *Ibid.*

Economic and Scholarship Support

International organizations should initiated programs to address the educational and psychological needs of children affected by the conflict. International organizations like UNESCO's Emergency Response, Education Cannot Wait's Multi-Year Resilience Program, and a host other should launch emergency response programs in the highly affected areas of the crisis and see how the continues can be enhanced. These organizations should also focus on increasing access to equitable and inclusive education.

International Support and Advocacy

International advocacy efforts by organizations like Plan International's Advocacy Brief, and Cameroon Education for All Network (CEFAN) for example, can be very instrumental in addressing the educational crisis. CEFAN for example, is the national coalition of civil society organizations in education. Since their focus is primarily focused on inclusive education, increasing the education budget, and addressing education in emergency situations; their input will be quite impactful and timely in handling some of the challenges that this crisis has posed on the right of education.

CONCLUSION

In summary, this study provided evidence of the impact of the Anglophone Cameroon armed conflict on the right of education. Specifically, the research showed that there are both negative and positive impacts of the crisis in the two affected areas and in Cameroon as a whole. Negative impact involving in summary: school closure, attacks on students/teachers, forced school boycott, destruction of educational infrastructure and lots more while the positive impact of the conflict include: enhanced focus on peace education, community-led educational initiatives, increased international attention/support, strengthened advocacy for educational rights, education policy reforms, greater community involvement and scholarship and humanitarian supports. The findings of this study is very important for the enhancement and the proper functionality of the educational system in this two affected regions.

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 - i. Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
 - ii. Committing outrages upon personal dignity, in particular humiliating and degrading treatment;
 - iii. Taking of hostages;
 - iv. The passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all judicial guarantees which are generally recognized as indispensable.
 - v. Other serious violations of the laws custom applicable in armed conflicts not of an international character, within the established framework of international law, namely, any of the following act:
 - vi. Intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in the hostilities;
 - vii. Intentionally directing attacks against building, material, medical units, and transport, and personnel using the distinctive emblems of the Geneva Conventions in conformity with international law;
 - viii. Intentionally directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations, as long as they entitled to the protection given to civilians or civilian objects under the international law of armed conflict;
 - ix. Intentionally directing attacks against building dedicated for religion, education, art, science or charitable purposes, historic monuments, hospitals and places where sick and wounded are collected, provided they are not military objectives;
 - x. Pillaging a town or place, even when taken by assault;
 - xi. Committing rape, sexual slavery, enforced prostitution, forced pregnancy, as defined in article 7, paragraph 2(f), enforced sterilization, and any other form of sexual violence also constituting a serious violation of article 3 common to the four Geneva Conventions;

- xii. Conscripting or enlisting children under the age of fifteen years into armed forces or groups or using them to participate actively in hostilities;
- xiii. Ordering the displacement of the civilian population for reasons related to the conflict, unless the security of the civilians involved or imperative military reasons so demand;
- xiv. Killing or wounding treacherously a combatant adversary;
- xv. Declaring that no quarter shall be given;
- xvi. Subjecting people who are in power of another party to the conflict to physical mutilation or to medical or scientific experiments of any kind which are neither justified by the medical, dental or hospital treatment of the person concerned nor carried out in his or interest, and which cause death to or seriously endanger the health of such person or persons;
- xvii. Destroying or seizing the property of an adversary unless such destruction or seizure be imperatively demanded by the necessities of the conflict;
- xviii. Employing poison or poison weapons;
- xix. Employing asphyxiating, poisonous or other gases, and all analogous liquids, materials or devices;
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