



Submission by Human Rights Watch to the Committee on the Rights of the Child on Algeria's Compliance with the Optional Protocol on the Involvement of Children in Armed Conflict

78th session, 2018

This submission focusses on the topic of the protection of students, teachers, and schools during time of armed conflict.

The government of Algeria attended the second international conference on the Safe Schools Declaration, held in Buenos Aires in March 2017, but did not endorse the Declaration. The Safe Schools Declaration is a political commitment to better protect students, educational staff, schools, and universities during armed conflict. It was drafted through a consultative process led by Norway and Argentina.

During the drafting stage of the *Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict*, which countries that endorse the Safe Schools Declaration commit to use and implement, Algeria was vocally supportive of the effort. At an all-state briefing event held at the Palais des Nations in Geneva on the guidelines, then known as the *Draft Lucens Guidelines*, a representative from the Algerian mission noted: "We encourage this type of initiative because it gives us opportunities to come up with concrete ideas to protect schools and universities."¹

Algeria has also been outspoken on the issue of protecting students at schools at the United Nations Security Council. At the March 2015 Open Debate on Children and Armed Conflict, Algeria's representative welcomed the *Guidelines*, "which provide concrete and relevant guidance for State and non-State armed groups alike in order to minimize the impact of the military use of schools during armed conflict and reduce their vulnerability to

¹ Statement from the floor, Presentation of the Draft Lucens Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict, Palais des Nations, Geneva, April 2, 2014.

attacks.”² He added, “We must follow all cases in conflicts, especially in the Security Council, to prevent unlawful attacks or the threat of attacks against schools, students and teachers, and to refrain from actions that impede children’s right of access to education.”

In June 2015, the United Nations Security Council unanimously adopted resolution 2225 (2015) on children and armed conflict, which:

Expresses deep concern that the military use of schools in contravention of applicable international law may render schools legitimate targets of attack, thus endangering the safety of children and in this regard encourages Member States to take concrete measures to deter such use of schools by armed forces and armed groups.

Human Rights Watch believes that an example of such a concrete measure to deter the military use of schools would be for Algeria to endorse and implement the Safe Schools Declaration. As of March 2018, 73 countries—representing more than one third of all UN member states—have already endorsed the Safe Schools Declaration, including 20 of Algeria’s fellow African Union member states. Indeed, in August 2016, the Peace and Security Council of the African Union “encouraged all Member States that have not yet done so, to sign the Safe Schools’ Declaration.”

As Algeria’s representative told the United Nations Security Council in 2014, “We owe it to children to ensure they hold pencils and computers in safe schools, and not machine guns or targets in killing fields.”³

Human Rights Watch recommends that the Committee:

- Commend the government of Algeria for their participation at the 2017 Safe Schools Conference, and their support for the protection of schools from attack and military use at the Security Council, and in particular their early vocal support of the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict.

² Sabri Boukadoum, Permanent Representative of Algeria to the United Nations, March 25, 2014, S/PV.7414.

³ Sabri Boukadoum, Permanent Representative of Algeria to the United Nations, September 8, 2014, S/PV.7259.

- Ask whether Algeria has any laws, policy, or military doctrine protecting schools from military use?
- Ask what steps Algeria has taken in line with Security Council Resolutions 2143 (2014) and 2225 (2015), which encourage member states to take concrete measures to deter the military use of schools?
- Recommend that the government of Algeria endorse the Safe Schools Declaration.