



Submission by Human Rights Watch to the Committee on the Rights of the Child's review of the United Kingdom's periodic report for the 88th pre-sessional November 2020

This submission focuses on access to education during the Covid-19 pandemic, protection of education from attack, child poverty, unaccompanied migrant and asylum-seeking children, weapons sales to the Saudi-led coalition, protecting intersex children from medically unnecessary surgeries, and refugee education funding.

Access to Education during Covid-19 Pandemic (article 28)

In June 2020, Human Rights Watch interviewed students, parents, and teachers about the effects of school closures in response to the Covid-19 pandemic, which disrupted the education of more than 13 million students. Teachers expressed serious concerns over losing contact with students, and significant learning loss. Disruption to education for students from low-income families, minority ethnic backgrounds, Traveller communities, and rural communities was cited as being of concern.

Children's and Teachers' Insufficient Access to Internet-Connected Devices

Limited internet access seriously impacts children's ability to study and teachers' ability to teach using online platforms, or benefit from technology-dependent distance learning. For communities that have long struggled with the lack of infrastructure and the means to afford access, Covid-19 has deepened student's digital exclusion. Prior to the shutdown, an estimated 700,000 children aged between 11 and 18 years reported having no home internet access from a computer or tablet, and a further 60,000 reported having no internet access at all.¹ In September 2020, only 14 percent of the UK had access to full-fibre broadband.²

Low-income households struggle to afford data or the broadband services needed to meaningfully access the internet. The likelihood of having access to the internet increases with

¹ Office For National Statistics, "Exploring the UK's Digital Divide," March 4, 2019, <https://www.ons.gov.uk/peoplepopulationandcommunity/householdcharacteristics/homeinternetandsocialmediausage/articles/exploringtheuksdigitaldivide/2019-03-04>

² Ofcom, "Connected Nations: Summer Update," September 10, 2020 https://www.ofcom.org.uk/data/assets/pdf_file/0017/202571/connected-nations-summer-update-2020.pdf

income; only 51 percent of households earning between £6000-10,000 had home internet access compared with 99 percent of households with an income over £40,001.³

A teacher in Chalfont-St-Peter, Buckinghamshire said: “Half of my students are just not responding, and I haven’t heard from them... There is going to be massive problems with the kids that have not had the internet.”

Families that struggle to afford devices and internet are forced to make hard choices. A teacher at a school serving low-income families in Whitechapel, London said that most of his students cannot reliably participate in online classes because they share a single device within their families. One child was unable to access the family computer because his sister had to use the computer for work. Children with siblings also attending online classes found it difficult to find time to access online learning or complete homework.⁴

In April 2020, the Department for Education, which is responsible for children’s services and education in England, announced £100 million in funding for free laptops and 4G wireless routers aimed at vulnerable pupils.⁵ However, there have been reports that this rollout has been too slow or has not gone far enough.⁶ It has been reported that there were just 200,000 devices and 50,000 routers available, compared to the 540,000 children eligible for the scheme in England.⁷ This does not include data from Scotland, Wales or Northern Ireland.

Impact of the School Closures on Children with Disabilities

School closures had disproportionately negative consequences for children with disabilities. Children deemed to have “special educational needs” (“SEN”) and children with intellectual or developmental disabilities were at an increased risk of missing out on education with a transition to remote learning. Children with SEN were not getting the support they need which makes it much harder for them to access the relevant tools and engage in remote classes. Human Rights Watch spoke to a teacher in Norwich who said that none of the SEN children in her class have been accessing education during the school closures.⁸ A teaching assistant for SEN secondary school children in London gave examples of a student with severe dyslexia who

³ Hannah Holmes and Dr Gemma Burgess, “Pay the wi-fi or feed the children’: Coronavirus has intensified the UK’s digital divide,” undated, University of Cambridge, <https://www.cam.ac.uk/stories/digitaldivide#article>.

⁴ Human Rights Watch interview with Brad Schumacher, teacher, Whitechapel, United Kingdom, June 12, 2020.

⁵ “New major package to support online learning,” Department for Education press release, April 9, 2020, <https://www.gov.uk/government/news/new-major-package-to-support-online-learning>.

⁶ Donna Ferguson and Michael Savage, “‘We’re still waiting’: schools lack free laptops pledged for poorer GCSE pupils,” *The Guardian*, June 7, 2020, <https://www.theguardian.com/education/2020/jun/07/were-still-waiting-schools-still-lack-free-laptops-pledged-to-help-poorer-gcse-pupils>.

⁷ Simone Vibert, “Children without internet access during lockdown,” Children’s Commissioner, August 18, 2020, <https://www.childrenscommissioner.gov.uk/2020/08/18/children-without-internet-access-during-lockdown/>.

⁸ Human Rights Watch interview with Annie, primary school teacher, Norwich, United Kingdom, June 9, 2020.

struggled with all the emails from the school allocating assignments, and another student with cerebral palsy that excluded her from typing work assignments.⁹

A mother of a 16-year-old boy with autism in Lewes, East Sussex said that if her son messaged his teacher about a mathematics problem during class, and the teacher did not reply, it became a barrier that he struggled to get past. “Other kids could maybe move past a hard question but [my son] couldn’t. If he had to stop, everything stops.”¹⁰

Human Rights Watch suggests that the Committee consider putting the following questions to the government:

- How does the government plan to remedy learning time lost by children due to Covid-19 related school closures, in particular for students with disabilities and students from low-income families?
- What is the government doing to increase access to reliable and affordable internet services, and internet-accessible devices for children who need them as part of realizing their right to education?
- What is the government doing to ensure equal access to learning for children with disabilities, for whom remote learning may create further learning barriers?
- How is the government performing due diligence to ensure that any technology they have recommended for online learning protects children’s privacy rights? Did the government include data privacy clauses in any contracts they signed with technology or “Ed Tech” providers, in order to protect the data collected on children from misuse?
- What laws protect children’s education data and other private information collected online in connection with online learning?

Human Rights Watch recommends that the Committee call upon the government to:

- In recognition of the increasingly indispensability of access to the internet in order to benefit from an education, take action to close the digital divide, in particular for children, for example through increasing and improving access to full fiber broadband (particularly in rural areas), increasing child benefit, and the subsidizing or provision of devices and internet access, especially for teachers and for households with children eligible for free school meals or pupil premium.
- Encourage education authorities and schools to regularly be in contact with digitally excluded families via phone calls or text messages in the event of lockdowns.
- Address the shortage of devices for children’s education, in preparation for future possible school closures and increased use of online learning, and ensure online learning does not exacerbate existing inequalities
- Perform due diligence to ensure that any EdTech selected and promoted protects children’s privacy rights.

⁹ Human Rights Watch interview with Ruzha Kazandjieva, teaching assistant, London, United Kingdom, June 16, 2020.

¹⁰ Human Rights Watch interview with mother of three, Lewes, United Kingdom, June 12, 2020.

- Ensure local authorities and schools include data privacy clauses in contracts with EdTech providers, in order to protect the data collected on children from misuse.

Protection of Education from Attack (article 28)

In 2018, the UK endorsed the Safe Schools Declaration, an inter-governmental political commitment that provides countries the opportunity to commit to support the protection of students, teachers, and schools during times of armed conflict;¹¹ and the implementation of the *Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict*.¹² Since endorsing, the UK has begun introducing it into its policy frameworks,¹³ and has advocated for other countries to endorse and implement the Declaration.¹⁴

The UK's Manual of the Law of Armed Conflict defines "cultural property" to include institutions dedicated to education, and states: "It is prohibited: (a) to commit any act of hostilities against cultural property, so long as it is not being used for military purposes. As a corollary, the better view is that the law also prohibits: (b) the use of cultural property for purposes which are likely to expose it to destruction or damage in armed conflict, unless there is no feasible alternative to such use."¹⁵

Human Rights Watch recommends that the Committee congratulate the United Kingdom for endorsing the Safe Schools Declaration, and call upon the government to:

- Continue to encourage its fellow NATO and Commonwealth members, such as Lithuania, Latvia, Hungary, and Australia, to endorse the Safe Schools Declaration.
- Continue to share ongoing examples of implementation of the Safe Schools Declaration with the Committee and likeminded states.

Child Poverty (articles 24, 26, and 27)

The government's statistics on childhood poverty, published in March 2019, showed that the number of children in absolute poverty had increased by 200,000 in the previous year to 3.7 million.¹⁶ There are warning signs that the increase in childhood poverty, spurred on by

¹¹ Safe Schools Declaration, May 28, 2015.

¹² Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict, March 18, 2014.

¹³ See e.g. Foreign and Commonwealth Office, Voluntary Report on the Implementation of International Humanitarian Law at Domestic Level, 2019, p. 36; Ministry of Defence, Policy Paper: UK Approach to Protection of Civilians in Armed Conflict, August 27, 2020; and Ministry of Defence, "JSP 1325: Human Security in Military Operations," January 2019, p. 37.

¹⁴ See e.g. Statement by Sonia Farrey, UK Political Coordinator at the UN, at the Security Council open debate on children and armed conflict, September 10, 2020.

¹⁵ Ministry of Defence, Joint Service Manual of the Law of Armed Conflict, Joint Service Publication 383 (2004), at 15.18 and 15.18.1.

¹⁶ DWP and ONS, "Households Below Average Income: An analysis of the UK income distribution: 1994/95-2017/18," p. 8. See also May Bulman, "The government can no longer claim that 'absolute child poverty' is falling - it is time to acknowledge the crisis and act," The Independent, March 28, 2019, <https://www.independent.co.uk/voices/child-poverty-crisis-relativeabsolute-theresa-may-uk-government-austerity-conservative-a8844211.html>; and CPAG, "Child poverty in working families on the rise," (Press Release), March 28, 2019, <http://www.cpag.org.uk/content/child-povertyworking-families-rise>.

austerity policies that emphasized significant reductions to government expenditure, has now worsened further due to the pandemic. Child Poverty Action Group found in an August 2020 survey that around 8 in 10 reported a significant deterioration in living standards due to a combination of falling income and rising expenditure. More than three-quarters of respondents said that the Covid-19 pandemic has affected their ability to pay for food and utilities, and around half said it affected their ability to pay for housing and child-related costs.¹⁷

Two Child Limit

The “two child limit” policy curtails any child tax credit to families for any child beyond the family’s second child (with some exceptions, like multiple births, adoption, and children born from rape). This arbitrary limit, applied to third and subsequent children born after April 6, 2017, on a means-tested benefit penalizes low- and middle-income families for having more than two children. Around 911 000 children are in households affected by the policy,¹⁸ an increase of 319 000 from last year. Research shows the policy will push more into poverty.¹⁹

Food Poverty

Human Rights Watch has documented a rise in families with children relying on emergency food aid where schools, community centres, and after school clubs are increasingly finding themselves on the frontline of providing emergency and ad hoc ongoing food aid to families and children they believe to be at risk of going hungry.²⁰

The government’s failure to treat the right to food, and to be free from hunger, as a basic right is shown by its failure to monitor food insecurity. The government has, until recently, fallen short in collecting, maintaining, and monitoring data on food insecurity related to poverty. Government officials will soon be embarking on gathering food insecurity statistics on a trial basis, to estimate who is going hungry. As of yet, it is unclear how data gathered in this exercise will assess whether that hunger is a result of its policies, or what concretely needs to be done by which government departments to combat hunger and end food poverty.²¹ The government’s response to the child poverty-focused recommendations of an independently chaired National Food Strategy²² have to date been partial.

¹⁷ Child Poverty Action Group & The Church of England, “Poverty in the Pandemic: The impact of coronavirus on low-income families and children,” August 2020, <https://cpag.org.uk/sites/default/files/files/policypost/Poverty-in-the-pandemic.pdf>.

¹⁸ HM Revenue and Customs & Department for Work and Pensions, “Child Tax Credit and Universal Credit claimants Statistics related to the policy to provide support for a maximum of two children,” July 16, 2020 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/900788/Two_children_and_exceptions_in_tax_credits_and_Universal_Credit_April_2020.pdf.

¹⁹ Child Poverty Action Group, Turn2Us, Women’s Aid, The Refugee Council & The Church of England “All Kids Count: The impact of the two-child limit after two years,” June 2019, <https://cpag.org.uk/sites/default/files/files/All%20Kids%20Count%20report%20FINAL.pdf>.

²⁰ Human Rights Watch, “Nothing Left in the Cupboards: Austerity, Welfare Cuts, and the Right to Food in the UK,” New York: Human Rights Watch, May 2019, https://www.hrw.org/sites/default/files/report_pdf/uk0519_web4.pdf.

²¹ Ibid.

²² The National Food Strategy, July 29, 2020, <https://www.nationalfoodstrategy.org/partone/>

In April and May 2020, Human Rights Watch researched schemes to replace free school meals after the March 19 decision to close schools in response to the pandemic. Our research found that the government-commissioned free school meal replacement voucher system adopted in England left children from low-income families without adequate food. Some measures taken by devolved authorities in Scotland, Wales, and Northern Ireland—as well as local initiatives in England—produced more promising results.²³ Children living in poverty who, by reason of a “No Recourse to Public Funds” (NRPF) condition attached to their immigration status or that of their parents, are not generally eligible for free school meals, were temporarily extended free school meal support in all parts of the UK. But no child should be left hungry because of immigration status.²⁴

Human Rights Watch recommends that the Committee call upon the government to:

- Develop a child poverty strategy and measure poverty in line with the recommendations of the Social Metrics Commission.
- Take immediate steps to abolish the discriminatory two-child limit policy, both as it applies to “legacy” benefits and as it will apply to future Universal Credit claimants in households with more than two children.
- Include child-specific questions when it conducts its first surveys into food insecurity.
- In the event of future school closures, education authorities should consider direct cash transfers and other non-voucher systems for free meal replacements, based on the experience of devolved authorities, as these better respect families’ dignity and ability to choose adequate food for their children.
- Recommend that NRPF restrictions on access to free school meals be lifted permanently, and ensure that all devolved governments, local authorities, and eligible NRPF families are notified of this change.
- Announce that it accepts the right to food as a basic human right, and accept its duty to ensure that no one in the UK goes hungry.

Unaccompanied Children (articles 2, 8, 10, 20, 22, 24, and 25)

Unaccompanied asylum seeking and migrant children in the UK face significant obstacles in accessing protection, primarily due to poor practices related to age identification. This has negative consequences for their enjoyment of other rights.

When a young person first applies for asylum, if their claim to be a child is doubted by the Home Office, and there is little or no documentary evidence to prove their age, the Home Office will conduct an initial assessment of the individual’s age based solely on appearance and demeanour. Home Office policy states that the principle of “the benefit of the doubt” must be

²³ “UK: Children in England Going Hungry with Schools Shut,” Human Rights Watch news release, May 27, 2020, <https://www.hrw.org/news/2020/05/27/uk-children-england-going-hungry-schools-shut>

²⁴ Ibid.

applied, which means that where there is uncertainty about whether the individual is an adult or a child, the individual should be treated as a child and referred to a local authority, with a request for a Merton compliant age assessment.”²⁵

Even if the Home Office treats someone as an adult, local authorities must make an independent decision as to a young person’s age if the person, or someone acting on their behalf, requests child protection services. Social workers who carry out age assessments on behalf of local authorities may not be trained on what is required to conduct a lawful and fair assessment and what weight to give to different indicators of age or maturity. Many social workers have reported feeling they do not have the specialist skills required.²⁶

Human Rights Watch has met with UK organizations working with unaccompanied children since April 2019 and they report numerous issues with age assessments. We heard repeated cases of children wrongly being identified as adults, as well as widespread systemic issues described as a “culture of disbelief” within the Home Office. In these respects, age assessment practices in the UK are like those the Committee has found deficient elsewhere.²⁷

It is essential to identify a child as separated or unaccompanied immediately upon arrival. In doing so, age assessment should be a last resort, used only where there are serious doubts about an individual’s declared age and where other approaches, including efforts to gather documentary evidence, have failed to establish an individual’s age, in line with this Committee’s 2005 General Comment No. 6.²⁸ In such cases, authorities should clearly and formally offer reasons why an individual’s age is doubted before commencing age assessment procedures. This Committee has stated, “Documents that are available should be considered genuine unless there is proof to the contrary.”²⁹

When age assessment procedures are used, they should be multidisciplinary. Age assessment should be a comprehensive process that not only considers the physical appearance of the individual, but also his or her psychological maturity.

Human Rights Watch recommends that the Committee call upon the government to:

- Ensure that age assessments are used only when authorities have serious doubts about an individual’s claim to be under the age of 18. In such cases, they can take appropriate steps to determine age and establish eligibility for services, bearing in mind that all age assessments will be estimates. Age assessments should seek to

²⁵ The Home Office, “Assessing Age,” May 23, 2019, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/804760/Assessing-age-asylum-instruction-v3.oext.pdf.

²⁶ CORAM, “Migrant Children’s Project Factsheet,” March 2017 https://www.childrenslegalcentre.com/wp-content/uploads/2017/03/Age-assessment-process.march_.2017.pdf.

²⁷ “Spain’s age assessment procedures violate migrant children’s rights, UN committee finds,” Committee on the Rights of the Child press release, October 13, 2020.

²⁸ Committee on the Rights of the Child, General Comment No. 6, para. 31.

²⁹ Joint General Comment No. 4 (Committee on the Rights of Migrant Workers) and No. 23 (Committee on the Rights of the Child), para. 4.

establish approximate age through interviews and review of documents. Assessments should be undertaken with sensitivity by trained examiners. These procedures should afford the benefit of the doubt so that “if there is a possibility that an individual is a child, she or he should be treated as a child.”³⁰

Weapons Sales to the Saudi-led Coalition Responsible for Children’s Rights Violations in Yemen (article 38)

On June 20, 2019 the UK Court of Appeal ordered the government to halt arms sales to Saudi Arabia. Under international and domestic law, decisions on arms exports must evaluate the risk that the weapons will be used in violation of international law. The court found the UK had failed to consider in its arms-export licensing decisions, the record of violations of the laws of armed conflict, including against children, by the Saudi-led military coalition in Yemen.³¹

The UK government agreed to halt new licenses, though suppliers continued to fulfill existing contracts. The UK government initially indicated it would appeal the ruling. However, on July 7, 2020, the UK government stated that it accepted the ruling and would resume sales of weapons to Saudi Arabia, on the basis that it had “developed a revised methodology” that permitted sales taking into account evidence violations by the Saudi-led coalition’s violations in Yemen on the basis that the violations were “isolated” incidents.³²

In fact, the Saudi-led coalition’s violations of humanitarian law and of children’s rights in the conflict have been consistently reported throughout the conflict. This Committee noted in its 2016 concluding observations on Saudi Arabia that coalition airstrikes had killed and maimed hundreds of children, and the coalition had used prohibited tactics including “inducing starvation as a method of warfare.”³³ The UN Secretary-General found the Saudi-led coalition was responsible for 222 child casualties and 4 attacks on schools and hospitals in Yemen in 2019.³⁴

³⁰ Ibid.

³¹ “UK: Arms Sales to Saudis Suspended After Landmark Ruling,” Human Rights Watch, June 20, 2019, <https://www.hrw.org/news/2019/06/20/uk-arms-sales-saudis-suspended-after-landmark-ruling>

³² Ashaya Kumar, “The UK Is Greenlighting Arms Sales to Saudi Arabia Again. That’s a Travesty,” July 20, 2020, <https://www.hrw.org/news/2020/07/15/uk-greenlighting-arms-sales-saudi-arabia-again-thats-travesty>

³³ Committee on the Rights of the Child, “Concluding observations on the combined third and fourth periodic reports of Saudi Arabia,” October 25, 2016, para. 38.

³⁴ UN Secretary-General, “Children and Armed Conflict report,” June 9, 2020, https://www.un.org/sg/sites/www.un.org.sg/files/atoms/files/15-June-2020_Secretary-General_Report_on_CAAC_Eng.pdf.

The coalition has also been reported as being responsible for recruitment and use of child soldiers.³⁵ This Committee has previously called on other countries to cease arms exports to countries that recruit and use child soldiers.³⁶

Human Rights Watch recommends that the Committee call upon the government to:

- Assess the impact of its weapons sales to Saudi Arabia on children’s rights in Yemen, including cases where weapons systems such as military aircraft or munitions have been used in attacks that killed or maimed children, destroyed or damaged schools or hospitals, or restricted the import of or access to food, medical care or other humanitarian aid or civilian goods, and take that impact assessment into account when considering any new arms export licenses to Saudi Arabia.

Refugee Education Funding (articles 28, 29, and 4.2)

In humanitarian emergencies where a state cannot fulfil the right to education, “the international community including other states, donor organizations and UN agencies should ensure that the right to education is universally fulfilled.”³⁷

The UK is a leading donor supporting education for Syrian refugee children. Its support is focused on primary school education.

The UK contributed to the European Commission’s “Madad” Trust Fund, for example, which had given more than €160 million for education in Jordan, and €346 million for education and child protection in Lebanon, as of November 2018.³⁸ But while the Madad Fund supports “basic education,” including lower-secondary education, as well as higher education,³⁹ it does

³⁵ David Kirkpatrick, “On the Front Line of the Saudi War in Yemen: Child Soldiers From Darfur,” *New York Times*, December 28, 2018, <https://www.nytimes.com/2018/12/28/world/africa/saudi-sudan-yemen-child-fighters.html>; and Situation of human rights in Yemen, including violations and abuses since September 2014, Detailed findings of the Group of Eminent International and Regional Experts on Yemen, paragraphs 247-257, A/HRC/45/CRP.7, 29 September 2020, <https://www.ohchr.org/Documents/HRBodies/HRCouncil/GEE-Yemen/A-HRC-45-CRP.7-en.pdf>.

³⁶ For example, the Committee urged the United States “to review its legislation with a view to withdrawing the possibilities of presidential waivers and prohibit arms export and military assistance to all countries where children are known to be, or may potentially be, recruited or used in armed conflict and/or hostilities.” CRC/C/OPAC/USA/CO/1, para. 37. The Committee urged Russia to “reconsider its policies in relation to the trade and export of arms to countries where children are known to have been or are involved in armed conflict.” CRC/C/OPAC/RUS/CO/1.

³⁷ Committee on the Rights of the Child, Day of General Discussion on “The Right of the Child to Education in Emergency Situations,” paragraphs 31-32, Committee on the Rights of the Child, 2008, https://www.right-to-education.org/sites/right-to-education.org/files/resource-attachments/CRC_Report_Right_of_the_Child_to_Education_in_Emergencies_2008.pdf

³⁸ “Responding to the Syrian Crisis: EU Support to Resilience in Jordan,” European Commission, November 2018, p. 2 (€138 million were directed to basic education, and €22 million to higher education), https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/near_jordan_factsheet_o.pdf; “Responding to the Syria Crisis: EU Support to Resilience in Lebanon,” November 2018, p. 2, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/eu-support-to-lebanon-factsheet.pdf>. More recent EU aid figures are available but do not clearly disaggregate education funding, or otherwise appear to understate the amount of education aid provided, e.g. a report that the Madad Fund as of April 2020 has provided UNICEF with €107.9 million for basic education in Lebanon, Jordan and Turkey, which does not appear to reflect all Madad education funding. Factsheet, April 2020, p. 2, <https://ec.europa.eu/trustfund-syria-region/sites/tfsr/files/eutf-syria-factsheet-eng.pdf>.

³⁹ “EUTF Operational Results Framework,” 2019, p. 1, https://ec.europa.eu/trustfund-syria-region/sites/tfsr/files/eutf_rf_2019.pdf.

not target upper-secondary education.⁴⁰ A quarter of the UK's support for the EU-led Facility for Refugees in Turkey (£98,917,190) supported education, although specific commitments for secondary education were not reported.⁴¹

In Lebanon, UK officials informed Human Rights Watch that the then-UK Department for International Development (DFID) (now part of the Foreign Commonwealth and Development Office, FCDO) committed up to £165 million for education overall from 2016-2021. According to public reporting, DFID committed £93 million to the Reaching All Children with Education plan (RACE II) but specific commitments for secondary education were not reported. As well, £22 million of the UK's £106 million commitment to the "No Lost Generation Initiative" was for "secondary education," although the project is described as providing "non-formal" education.⁴² In Jordan, UK officials informed Human Rights Watch DFID committed £102 million from 2014-22 for education. By public reporting, DFID committed £21,999,674 for early-primary education and £29,606,072 in support for primary education and education policy and management commitments under the Jordan Compact, but specific commitments for secondary education are not reported.⁴³ The vast majority of Syrian refugee children have no hope of going to secondary school.⁴⁴

Human Rights Watch suggests that the Committee consider putting the following questions to the government:

- Considering the continuing education crisis for Syrian refugee children despite the UK's generous support for their education, how might the UK work together with other donors to support the unmet education needs of secondary-school-age refugee children and adolescents?

⁴⁰ Evaluation of EUTF-funded Programmes/Projects on Basic Education: Final Report, Particip Consortium, December 2019, p. 19, https://ec.europa.eu/trustfund-syria-region/sites/tfsr/files/eutf_be_evaluation_report_final_17_dec_2019.pdf.

⁴¹ DFID Development Tracker, Project Identifiers *GB-GOV-1-300287* and *GB-GOV-1-300499*; for percentages allocated for education, see <https://devtracker.dfid.gov.uk/projects/GB-GOV-1-300287> and <https://devtracker.dfid.gov.uk/projects/GB-GOV-1-300499>.

⁴² "Lebanon, Active Projects," Development Tracker, "Education" filter; Project Identifier *GB-GOV-1-300239*, <https://devtracker.dfid.gov.uk/projects/GB-GOV-1-300239>, and *GB-GOV-1-300059*, <https://devtracker.dfid.gov.uk/projects/GB-GOV-1-300059>.

⁴³ DFID Development Tracker, Project Identifier: *GB-1-204895*, Project Identifier: *GB-1-205200*, <https://devtracker.dfid.gov.uk/projects/GB-1-205200>; <https://devtracker.dfid.gov.uk/countries/JO/projects>.

⁴⁴ Evaluation of EUTF-funded Programmes/Projects on Basic Education: Final Report, Particip Consortium, December 2019, p. 221, Table 3, https://ec.europa.eu/trustfund-syria-region/sites/tfsr/files/eutf_be_evaluation_report_final_17_dec_2019.pdf; Monitoring Report, The Facility for Refugees in Turkey, November 2019, p. 6, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/facility_results_framework_monitoring_report.pdf; "Education Quarterly Dashboard, Q4 2019," Inter-Sector Working Group Jordan, p.2, <https://reliefweb.int/sites/reliefweb.int/files/resources/73977.pdf>; "RACE II PMU September 2019 Factsheet," Lebanon Ministry of Education and Higher Education, p.2, <http://racepmulebanon.com/images/RACE-PMU-Fact-Sheet-September-2019.pdf>; El-Ghali, Pathways to and Beyond Education for Refugee Youth in Jordan and Lebanon, American University of Beirut: Issam Fares Institute, March 2019, p. 19, https://www.aub.edu.lb/ifi/Documents/publications/research_reports/2018-2019/20190305_pathway_to_and_beyond_education.pdf; and Human Rights Watch, "Barriers for High-Risk Populations," "Growing Up Without an Education: Barriers to Education for Syrian Refugee Children in Lebanon," August 2016, <https://www.hrw.org/report/2016/07/19/growing-without-education/barriers-education-syrian-refugee-children-lebanon#aef602>.

Intersex Children

In its 2016 review of the UK (CRC/C/GBR/CO/5), the Committee recommended that the government ensure that intersex children are not “subjected to unnecessary medical or surgical treatment during infancy or childhood.” The National Health Service has recently published a proposed policy that: “Gonadal and genital surgery for infants and children with differences in sex development (DSD) will not be available as a routine treatment option through commissioning until the individual concerned is able to give fully informed consent or where there is requirement for emergency surgery.”⁴⁵

Human Rights Watch suggests that the Committee call upon the government to:

- Support and institute this policy, and monitor its implementation to ensure all children with intersex variations are protected from medically unnecessary surgeries.

⁴⁵ NHS-England, Clinical Commissioning Policy Proposition: Gonadal and genital surgery for infants and children with differences in sex development 1871, undated.

Faye Kirkland, Katie Gibbons, ‘Surgery on intersex children may stop,’ *The Times*, November 9, 2020, <https://www.thetimes.co.uk/article/surgery-on-intersex-children-may-stop-p2p8qq5dc> (accessed November 13, 2020).