



**Submission by Human Rights Watch to the Committee on the Rights of the Child's review of
Germany's periodic report for the 88th pre-session
*November 2020***

We write in advance of the 88th pre-session of the Committee on the Rights of the Child relating to Germany's compliance with the Convention on the Rights of the Child. This submission focuses on supply chains, access to education during Covid-19 pandemic, weapons sales to the Saudi-led coalition, support for abusive migration policies, refugee education funding and protection of education from attack.

Supply Chains (articles 6, 19, 24, 27, 28, 31, and 32)

There are multiple violations of children's rights in global supply chains which have been connected to the German market. For example, in Brazil, children have suffered acute poisoning when pesticides sprayed on large plantations have drifted into classrooms and residential areas. About half of the pesticides are supplied by foreign companies, including German businesses. In Bangladesh's garment factories, about 30 percent of workers say their wages are insufficient to pay for educational and health services for their children. Several German clothing brands produce in Bangladesh. Finally, in Guinea, Bauxite mining companies have expropriated farmlands without adequate compensation, making it harder for many families to feed their children. The mining has also caused water scarcity in nearby communities. German car companies source some of their bauxite from Guinea.¹

Germany currently has a National Action Plan to implement the UN Guiding Principles on Business and Human Rights.² However a German government survey assessing implementation of the National Action Plan illustrates how such voluntary company measures are insufficient.

¹ "Kinderrechte Und Unternehmerische Sorgfaltspflichten: Wie Bundesregierung und Bundestag Kinderrechte in globalen Lieferketten jetzt schützen sollten," September 2020, https://www.hrw.org/sites/default/files/media_2020/10/Kinderrechte%20und%20unternehmerische%20Sorgfaltspflichten.pdf

² "National Action Plan: Implementation of the UN Guiding Principles on Business and Human Rights, 2016-2020," The Federal Government, 2016, <https://globalnaps.org/wp-content/uploads/2018/04/germany-national-action-plan-business-and-human-rights.pdf>

Over 80 percent of German businesses are not fulfilling their due diligence responsibilities, the survey found.³

In July 2020, the minister of labor and social affairs, Hubertus Heil, and the minister of economic development cooperation, Gerd Müller, announced that they were putting forth a law to make the conduct of human rights due diligence throughout global supply chains mandatory. However, their initiative was faced with significant opposition from the Ministry of Economy. By the time of writing, negotiations were stalled.

Human Rights Watch recommends that the Committee calls on the government to:

- Fulfil its national and international duty to protect human rights and child rights by enacting a robust supply chains law requiring companies to conduct human rights and environmental due diligence along the whole supply chain. The law should include liabilities for companies and ensure that abuse victims – including children – have access to remedies. It should apply to businesses with 250 or more employees and those from risk sectors.

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

In June 2020, Human Rights Watch conducted remote interviews with 11 parents, students and teachers in multiple locations in Germany, to learn about the effects on children’s education of school closures in response to the Covid-19 pandemic, which disrupted the education of more than 12 million children.

Children and Teachers with Insufficient Access to Internet-Connected Devices

Limited internet access can seriously impact children’s ability to study and teachers’ ability to teach using online platforms or benefit from technology-dependent distance learning alternatives. Three teachers told Human Rights Watch about the difficulties their students faced in accessing online learning.

Human Rights Watch spoke to a grade 6 teacher in Kiel, who said of her class of 24 students, 20 come from families that receive some form of government support. “Many children don’t have laptops. They don’t have access to Wi-Fi connections and cannot easily work from home. Our school was at some point able to lend laptops to students... There were also options to apply for some funds, but there wasn’t enough money.”⁴ Human Rights Watch also spoke to a teacher at a school in Kassel that has children with special educational needs. He said that remote learning was a challenge due to a lack of access to technology. He felt that the lack of resources felt like

³ “Monitoring des Nationalen Aktionsplans Wirtschaft und Menschenrechte: Ergebnisse der zweiten Erhebung” September 15, 2020, <https://www.csr-in-deutschland.de/DE/Aktuelles/Meldungen/2020/monitoring-NAP-ergebnisse-zweite-erhebung.html:jsessionid=683573B1A6C3EA2248560C0516CC7D71>

⁴ Human Rights Watch with Marie-Therese Exler, teacher, Kiel, Schleswig-Holstein, Germany, June 3, 2020.

his own responsibility. Often, he was physically driving around the city to hand out materials to his students and to spend some time sitting outside with them.⁵

Refugee and Migrant Children

Refugee and migrant children were at a heightened risk of missing out during the school closures due to language barriers, low levels of education, or no access to internet or devices.

Human Rights Watch spoke to a grade 5 teacher in Berlin who said one of her students was from Aleppo, Syria and when the school closed, “I didn’t hear anything from her...Nothing. So I started sending her the material via post instead of email, because I figured that she might have no access [to the internet].”⁶

In Cologne, a primary school social worker said the homes where refugee students live were put under complete quarantine for several weeks, so children living there could not receive any teaching materials. He said his school allowed refugee students to attend “emergency care”—open hours at the school originally intended for children whose parents were deemed essential workers. He said it was clear that children whose parents were unable to support their children at home faced increased difficulties with distance learning. In contrast, he felt the emergency care “worked very well”, and that it was beneficial for the children to be in smaller groups and with children who are usually in different groups.⁷

Human Rights Watch recommends that the Committee asks the government:

- How does the government plan to remedy learning time lost by children in Germany due to Covid-19 related school closures, in particular for students with disabilities, students from low-income families, and migrant and refugee students?
- 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?

Human Rights Watch recommends that the Committee calls on the government to:

- Ensure there is individual follow-up for children who do not return to schools as they reopen following Covid-19-related closures, and try to re-engage them.
- Take all possible measures to provide most reliable and broadest possible internet service for all children to ensure their right to education. Take steps to mitigate disproportionate hardships for poor and marginalized populations, including finding ways to provide discounted and free access to services and computers.

⁵ Human Rights Watch interview with a teacher, Kassel, Germany, June 10, 2020.

⁶ Human Rights Watch interview with Charlotte Minhoff, teacher, Berlin, Germany, June 9, 2020.

⁷ Human Rights Watch interview with school social worker, Cologne, Germany, June 8, 2020.

- Perform due diligence to ensure that any EdTech that they select and promote protects children’s privacy rights.
- Ensure governments and schools include data privacy clauses in any contracts they sign with EdTech providers, in order to protect the data collected on children during this time from misuse.

Weapons Sales to the Saudi-led Coalition Responsible for Violations of Children’s Rights in Yemen (article 6, 38, and 29)

The German government fully halted arms sales to Saudi Arabia, due to violations of the laws of armed conflict including violations of children’s rights, by the Saudi-led military coalition in Yemen, after the October 2018 murder of the journalist Jamal Khashoggi in a Saudi mission in Turkey.⁸ Germany has extended the weapons-sales moratorium until December 31, 2020.⁹

Loopholes remained during Germany’s arms moratorium, including weapons manufactured by RWM Italia S.p.A., a subsidiary of the German arms manufacturer Rheinmetall AG, because it is Italy that grants the export licenses in this case and not Germany.¹⁰ According to human rights groups, on 8 October 2016 an alleged Saudi-led coalition airstrike hit the village of Deir Al-Hajari in northwest Yemen. The airstrike killed six civilians, including a pregnant mother and her four children. Bomb remnants were found at the site, and a suspension lug manufactured by RWM Italia S.p.A.¹¹

The Saudi-led coalition’s violations of children’s rights in the conflict have been consistently reported throughout the conflict. This Committee noted in its concluding observations of Saudi Arabia in 2016 that coalition airstrikes Yemen had killed and maimed hundreds of children, and the coalition had used prohibited tactics including “inducing starvation as a method of warfare ... against civilians, including children”.¹² The UN Secretary General’s Report on Children in Armed Conflict found the Saudi-led coalition was responsible for 222 child casualties and 4 attacks on schools and hospitals in Yemen in 2019.¹³

⁸ Bénédicte Jeannerod and Wenzel Michalski (Human Rights Watch), “Germany Shouldn’t Yield on Arms Sales to the Saudis,” commentary, *Libération (in French)* March 25, 2019, <https://www.hrw.org/news/2019/03/25/why-germany-shouldnt-yeild-arms-sales-saudis>

⁹ “Der Rüstungsexportstopp nach Saudi-Arabien gilt weiter,” March 23, 2020, Deutsche Welle, <https://www.dw.com/de/der-r%C3%BCstungsexportstopp-nach-saudi-arabien-gilt-weiter/a-52893125> (accessed November 3, 2020)

¹⁰ Bénédicte Jeannerod and Wenzel Michalski (Human Rights Watch), “UK, France Should Join German Saudi Arms Embargo,” commentary, *EU Observer*, April 12, 2019, <https://www.hrw.org/news/2019/04/12/uk-france-should-join-german-saudi-arms-embargo>

¹¹ Ibid.

¹² Committee on the Rights of the Child, “Concluding observations on the combined third and fourth periodic reports of Saudi Arabia,” October 25, 2016, Article 38. <https://undocs.org/en/CRC/C/SAU/CO/3-4>

¹³ General Assembly Security Council, “Children and Armed Conflict report of the Secretary General,” 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 is also responsible for recruitment and use of child soldiers. In 2018, the New York Times reported that Saudi Arabia had recruited child soldiers from the Darfur region of Sudan and used them to fight in Yemen.¹⁴ The Group of Eminent Experts report on the situation in Yemen published in September 2020 documented the recruitment and use of child soldiers who were trained in Saudi Arabia, then deployed to fight in Yemen.¹⁵ This Committee has called on other States Parties to cease arms exports to countries that recruit and use child soldiers.¹⁶

Human Rights Watch recommends the Committee ask the government:

- What steps is the German government taking to close loopholes in its moratorium on weapons exports to Saudi Arabia, such as that which permits subsidiaries of German arms companies to continue selling weapons to Saudi Arabia?

Support for Abusive Migration Policies (article 9, 22, and 37)

German Support to EU Policies on Libya

As a key EU member state, Germany provides funds and political support for EU programs that fund and equip the Libyan Coast Guard, which conducts dangerous pullback operations at sea to prevent migrants, refugees and asylum seekers, including children, from reaching Europe, and returns them to Libya where they are subject to serious abuses.¹⁷ Officials in the current government of Germany have told Human Rights Watch they are aware of abuses against migrants and asylum seekers in Libyan detention centers.¹⁸ The number of people detained arbitrarily in official centers is currently between 2,400 and 3,000—lower than in previous years—but migrants, refugees and asylum seekers face abuses such as sexual violence, torture, extortion and forced labor at the hands of trafficking and smuggling networks as well as the risk of violence and exploitation in the general community.

¹⁴ 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>

¹⁵ 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>

¹⁶ For example, the Committee urged the US “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 Cttee 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. It also recommends that the State party ratify the Protocol against the Illicit Manufacturing of and Trafficking in Firearms ... and the Convention on Cluster Munitions.” CRC/C/OPAC/RUS/CO/1

¹⁷ EU: Time to review and remedy cooperation policies facilitating abuse of refugees and migrants in Libya,” April 28, 2020, <https://www.hrw.org/news/2020/04/28/eu-time-review-and-remedy-cooperation-policies-facilitating-abuse-refugees-and>

¹⁸ Human Rights Watch meeting with officials of the German Foreign Office and officials of the Chancellery, Berlin, November 27, 2018.

In Libya, migrant or asylum-seeking children rounded up in raids, stopped on the streets, or intercepted at sea are often detained.¹⁹ According to UNHCR, nearly 1,200 accompanied and unaccompanied children were disembarked in Libya and put in detention during the first seven months of 2018.²⁰ There are no reliable figures for the overall number of children in immigration detention in Libya.²¹

In Ain Zara and Tajoura centers, the directors registered as “children” only those up to 14 years of age.²² It appears to be standard practice to detain unaccompanied girls with women and young children, while older unaccompanied boys are detained alongside adult men.

Human Rights Watch saw many newborns and toddlers detained in grossly unsuitable conditions in Ain Zara, Tajoura and Misrata detention centers. They and their caretakers, including breast-feeding mothers, lack adequate nourishment. Healthcare for children, as for adults, is absent or severely insufficient. There are no regular, organized activities for children, play areas or any kind of schooling.

None of the centers provide special food for infants. The director of Ain Zara told us, “The catering company doesn’t bring baby food, it’s not in the contract.”²³ In Zuwara, staff told us the same thing.²⁴ Nzube, a 24-year-old Nigerian, held her three-month-old baby as we spoke in Ain Zara detention center. She said her biggest concern is lack of food for her baby. She can’t breastfeed, she said, because a mixture of fuel and water burned her breasts during her failed attempt to reach Europe in an overcrowded rubber boat in March 2018. When the boat capsized, over 36 people died before the Coast Guard arrived. At disembarkation, she and her husband were separated; she does not know where he was taken.²⁵

Human Rights Watch recommends that the Committee ask the Government:

- Will Germany act to suspend EU support to the Libyan Coast Guard or other Libyan authorities on migration control pending concrete steps to protect human rights and ensure the right to seek asylum, including the release of all migrants and refugees from arbitrary, abusive detention?

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

¹⁹ UNICEF, “A Deadly Journey for Children: The Central Mediterranean Migration Route,” February 2017, https://www.unicef.org/publications/files/EN_UNICEF_Central_Mediterranean_Migration.pdf (accessed April 5, 2017)

²⁰ UNHCR, “Desperate Journeys: Refugees and migrants arriving in Europe and at Europe’s borders January-August 2018,” September 2018, <https://reliefweb.int/sites/reliefweb.int/files/resources/65373.pdf> (accessed September 7, 2018).

²¹ Human Rights Watch, “No Escape from Hell: EU Policies Contribute to Abuse of Migrants in Libya,” January 21, 2019, https://www.hrw.org/report/2019/01/21/no-escape-hell/eu-policies-contribute-abuse-migrants-libya#_ftn160

²² Human Rights Watch interview with Tarek Bahij Moussa, director, Ain Zara center, Tripoli, July 5, 2018; Human Rights Watch interview with Lt. Col. Nouredine el-Qritli, director, Tajoura center, Tripoli, July 8, 2018.

²³ Human Rights Watch interview with Tarek Bahij Moussa, director, Ain Zara detention center, Tripoli, July 5, 2018.

²⁴ Human Rights Watch interview with Anwar Abu Theib, director, Zuwara detention center, Zuwara, July 9, 2018.

²⁵ Human Rights Watch interview with Nzube, Ain Zara detention center, Tripoli, July 5, 2018.

The Committee reiterated in 2008 that 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.”²⁶ The Committee called on all these actors to apply a rights-based approach to education in emergencies that accounts for the right to non-discrimination, the best interests of the child, the right to life and development, and the right to be heard.

Germany is a leading donor supporting education for Syrian refugee children. The German Federal Ministry of Economic Cooperation and Development is a leading supporter of Technical and Vocational Education and Training (TVET) and social-cohesion programs for refugee adolescents and youth in Jordan, Lebanon, and Turkey.²⁷ German funding has financed school construction and rehabilitation and government-led refugee education programs, and Germany’s Partnership for Prospects Initiative has paid salaries for teachers in the middle east.²⁸

However, the vast majority of Syrian refugee children had no hope of going to secondary school even before the Covid-19 pandemic. In Turkey, Syrian enrolment rates declined from 95 percent at primary school level to less than 27 percent at the upper-secondary level; nearly 200,000 of 270,000 children ages 14 to 17 were not in school in the 2018-2019 school year.²⁹ In Iraq, with 69,000 school-age Syrian refugee children, enrolment rates for Syrian children living in refugee camps fall from 51 percent in primary education to 29 percent in upper-secondary, while outside the camps, just 8 percent of children enrol in secondary education.³⁰ In Jordan, fewer than 7,000

²⁶ Committee on the Rights of the Child, “Day of General Discussion on “The Right of the Child to Education in Emergency Situations, Recommendations,” October 3, 2008, paragraphs 31-32, 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

²⁷ Project Data on “education - level unspecified” and on “secondary education” projects, “Projects and Volume of Commissions by Sector,” GIZ, https://www.giz.de/projektdate/index.action?request_locale=en_GB (accessed May 7, 2020). In Lebanon, GIZ is supporting sustainable school maintenance (project 2019.4048.5, €2,500,000), and “secondary education” projects include: Lebanon Practice Oriented VTE (project 1966.3035.4, €4,239,300), and Vocational qualification in the construction sector (project 2017.4998.5, €8,400,000). In Jordan, GIZ is supporting improvements in inclusive education (project 2018.2109.9, €4,000,000), sport through development (project 2016.4057.2, €7,850,000), and early education (project 2019.4054.3, €3,000,000), and “secondary education” projects include: TA for the Skills for Employment and Social Inclusion Programme (project 1967.3034.5, €4,137,263), Support to Jordan Educational Institutions in Offering Labour Market Oriented Vocational Training (project 2016.2158.0, €10,252,480), and Employment-Oriented TVET in Skilled Crafts (project 2017.4087.7, €18,500,000); in Turkey, ConNex to improve social cohesion between Turkish and Syrian refugee youth (project 2019.1803.6, €6,000,000).

²⁸ KfW Development Bank, “Project Information: Education -- Jordan,” August 2019, https://www.kfw-entwicklungsbank.de/PDF/Entwicklungsfinanzierung/L%C3%A4nder-und-Programme/Nordafrika-Nahost/2019_Projektinformation_Jordanien_Bildung_EN.pdf (accessed May 3, 2020). “Project information: Education -- Lebanon” (around 250 million Euro to RACE II), September 2019, p. 2, https://www.kfw-entwicklungsbank.de/PDF/Entwicklungsfinanzierung/L%C3%A4nder-und-Programme/Nordafrika-Nahost/2019_Projektinformation_Libanon_Race_EN.pdf; and “Project Information: Supporting Syrian Volunteer Teachers in Turkey,” August 2019, https://www.kfw-entwicklungsbank.de/PDF/Entwicklungsfinanzierung/L%C3%A4nder-und-Programme/Europa/Projektinformation_T%C3%BCrkei_FI%C3%BCchtlinge_UNICEF_EN_2019.pdf (accessed May 4, 2020).

²⁹ 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 (accessed May 5, 2020). See also 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 (accessed May 2, 2020).

³⁰ Iraq: Regional Refugee & Resilience Plan in Response to the Syria Crisis 2020-2021, February 2020, p. 35, https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/2020-2021_3rp_iraq_chapter.pdf (accessed May 5, 2020).

of more than 27,000 Syrian refugee adolescents were enrolled in secondary education.³¹ In Lebanon, where there are roughly 80,000 registered Syrian refugee adolescents ages 15 to 18,³² fewer than 4 percent were enrolled in secondary education.³³

Failure to provide secondary education affects the ability to access vocational and higher education and puts children in greater danger of child labor, child marriage, crime, and child recruitment.³⁴ A quality education, including secondary school, can be a refugee child's best chance to escape from poverty, find decent work, and actively participate in society.

In 2017, Human Rights Watch published research on the lack of transparency in donor funding for education in Lebanon, Turkey, and Jordan, tracking pledges made at a conference in London in February 2016. Human Rights Watch found large discrepancies between the funds that the donors pledged, and the amounts that reached their intended targets in 2016. Germany was one of the six largest donors. The German Federal Ministry for Economic Cooperation and Development is transparent about aid for education of refugee and vulnerable host community children in Jordan, Lebanon, and Turkey, but there is room for improvement.

The ministry publishes data on projects it funds in the International Aid Transparency Initiative (IATI) format. In 2017, Human Rights Watch analysed a list of funded projects that the ministry

³¹ In the last quarter of 2019, 6,936 out of an estimated 27,300 Syrian children in the upper-secondary-school-age range, or about 25 percent, were enrolled in grades 11 and 12. "Education Quarterly Dashboard, Q4 2019 (Oct - Dec 2019)," Inter-Sector Working Group Jordan, p.2, <https://reliefweb.int/sites/reliefweb.int/files/resources/73977.pdf> (accessed April 28, 2020). In 2017-2018, education ministry data showed 24 percent of Syrian refugee students were enrolled in grades 11-12. We Made A Promise: Ensuring Learning Pathways and Protection for Children and Youth, No Lost Generation, April 2018, p. 29, <https://www.nolostgeneration.org/article/nlg-education-report-we-made-promise> (accessed April 29, 2020). The Ministry of Education's Open EMIS data portal reports that 20.36 percent of Syrian children were enrolled in secondary school, apparently in 2016-2017, <https://jo-moe.openemis.org/data/emergencyedu/index.html> (accessed April 28, 2020).

³² Lebanon's education ministry reported that in 2018-2019 there were 4,903 "non-Lebanese" children enrolled in secondary education. In 2017-2018, there were 2,709 Syrians out of 3,600 "non-Lebanese" students in secondary education; in 2015-2016, there were 1,200 Syrians out of 2,200 "non-Lebanese". "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> (accessed April 29, 2020); El-Ghali, Alameddine, Farah and Benchiba, Pathways to and Beyond Education for Refugee Youth in Jordan and Lebanon, American University of Beirut: Issam Fares Institute, March 2019, p. 19 (citing education ministry), https://www.aub.edu.lb/ifi/Documents/publications/research_reports/2018-2019/20190305_pathway_to_and_beyond_education.pdf (accessed April 29, 2020); 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>.

³³ *Evaluation of Madad-funded Programmes / Projects for Higher Education: Draft Evaluation Report*, Particip Consortium, November 2018 p. 68, https://ec.europa.eu/trustfund-syria-region/sites/tfsr/files/utf_hedu_evaluation_report_o.pdf. In 2018, the EU noted that fewer than three per cent of registered Syrian refugees, ages 15-18, were enrolled in public secondary schools, and around the same fraction in Technical Vocational (TVET) public schools. "Action Document for EU Trust Fund to be used for the decisions of the Operational Board,"

Ref. Ares (2018) 4626764, September 10, 2018, p. 7, https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/utf_final_ad_education_lebanon_revised_after_the_june_board_2018.pdf (accessed April 28, 2020).

³⁴ Filippo Grandi, "Introduction," *Stepping Up: Refugee Education in Crisis*, UNHCR 2019, <https://www.unhcr.org/steppingup/> (accessed May 4, 2020).

provided to us; in many cases, projects were not tagged as “education” in the IATI data, making it impossible to find them by browsing the data for education projects.³⁵

Human Rights Watch recommends that the Committee asks the government:

- In light of the continuing education crisis for Syrian refugee children despite Germany’s generous support for their education, how will Germany work to address the unmet education needs of secondary-school-age refugee children and adolescents?
- Did you ensure that that project data published in the International Aid Transparency Standard is updated, classifies all projects supporting education in Syria and neighboring countries as “education,” and includes commitment dates?
- Have you ensured that the fund-tracking portal “Projektdaten-Visualisierung” displays information on commitments and disbursements, a fine-grained sector classification, and a sector breakdown between project components?

Protection of Education from Attack (article 28)

The Safe Schools Declaration is an inter-governmental political commitment that provides countries the opportunity to express political support for the protection of students, teachers, and schools during times of armed conflict;³⁶ the importance of the continuation of education during armed conflict; and the implementation of the *Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict*.³⁷ Germany endorsed the Safe Schools Declaration in May 2018, and has admirably used its current membership of the UN Security Council to repeatedly encourage other countries to endorse and implement the declaration.³⁸

As of August 2020, Germany was contributing 356 troops to UN peacekeeping operations in Mali, a country where attacks on students and schools, and the military use of schools by local parties have been documented as a problem.³⁹ Such troops are required to comply with the UN Department of Peacekeeping Operations “UN Infantry Battalion Manual” (2012), which includes the provision that “schools shall not be used by the military in their operations.”⁴⁰

³⁵ See, for example, “Preventing a ‘Lost Generation’ in Turkey: Support to the Syrian volunteer teachers incentives programme,” IATI identifier DE-1-201640614, classified as “material relief assistance and services.” IATI data on this project is accessible via the Development Portal, <http://www.d-portal.org/ctrack.html#view=search> (accessed February 16, 2017).

³⁶ Safe Schools Declaration, May 28, 2015, https://www.regjeringen.no/globalassets/departementene/ud/vedlegg/utvikling/safe_schools_declaration.pdf (accessed January 23, 2020).

³⁷ Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict, March 18, 2014, http://protectingeducation.org/sites/default/files/documents/guidelines_en.pdf (accessed January 23, 2020).

³⁸ See e.g. Statement by Ambassador Günter Sautter during the UN Security Council Meeting on Children and Armed Conflict, September 10, 2020; and Remarks by Ambassador Schulz during the UN Security Council VTC Meeting on Children and Armed Conflict, June 23, 2020.

³⁹ Education Under Attack: 2020, The Global Coalition to Protect Education from Attack, 2020, https://protectingeducation.org/wp-content/uploads/eua_2020_full.pdf

⁴⁰ United Nations Infantry Battalion Manual, 2012, section 2.13, “Schools shall not be used by the military in their operations.”

Moreover, the 2017 Child Protection Policy of the UN Department of Peacekeeping Operations, Department of Field Support, and Department of Political Affairs notes:

United Nations peace operations should refrain from all actions that impede children's access to education, including the use of school premises. This applies particularly to uniformed personnel. Furthermore ... United Nations peace operations personnel shall at no time and for no amount of time use schools for military purposes.⁴¹

Human Rights Watch recommends that the Committee asks the government:

- Are protections for schools from military use included in the pre-deployment training provided to Germany's troops participating in peacekeeping missions?
- Do any German laws, policies, or trainings provide explicit protection for schools and universities from military use during armed conflict?

Human Rights Watch recommends that the Committee:

- Congratulate the government of Germany for endorsing the Safe Schools Declaration, and encourage it to share any examples of implementation of protections for schools from military use with the Committee as they develop them.

⁴¹ UN Department of Peacekeeping Operations, Department of Field Support and Department of Political Affairs, "Child Protection in UN Peace Operations (Policy)," June 2017.