



Power of humanity

Council of Delegates of the International
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**COUNCIL OF DELEGATES
OF THE INTERNATIONAL RED CROSS
AND RED CRESCENT MOVEMENT**

Antalya, Turkey
10–11 November 2017

Education: Related Humanitarian Needs

BACKGROUND REPORT

**Document jointly prepared by the International Committee of the Red Cross and the
International Federation of Red Cross and Red Crescent Societies**

Geneva, September 2017

EXECUTIVE SUMMARY

Education is an essential public service and the one least resilient to external shocks. It is one of the first to be impacted and disrupted by situations in which components of the International Red Cross and Red Crescent Movement (Movement) work, including armed conflicts, disasters and other emergencies. Its disruption has damaging humanitarian consequences and affects many people around the world – especially young people. More than 264 million children, adolescents and young adults are currently out of school,¹ one in four of whom live in countries affected by such crises.²

Failure to ensure safe and continuous access to the best possible quality education increasingly undermines communities' capacity to sustain their lives and livelihoods, identify solutions or emerge from the grinding disadvantage of being in situations such as armed conflicts, disasters or other emergencies.

Education plays a paramount role in providing the knowledge, values and skills necessary to develop resilient individuals, families and communities. It thereby safeguards human dignity, fortifies economic development and social cohesion, and contributes to building peace. It is also what people ask for once their most immediate basic needs have been met.

Despite receiving more attention and a growing share of humanitarian funding, education remains the most poorly supported of all public services in humanitarian contexts, leaving a critical and increasing gap – especially for the most vulnerable.

Given the significant and rising numbers of children and young people whose education opportunities are denied, disrupted and/or limited owing to situations such as armed conflicts, disasters or other emergencies, and the ensuing humanitarian repercussions, the Movement needs to keep working, as appropriate, to ensure the safety of, and enable access to and continuity of education for, those affected, as well as to strengthen the resilience of the education sector.

Belonging as they do to the largest and most networked of all humanitarian movements, each component of the Movement, in accordance with its mandate, has a unique role to play in preparing for and responding to education-related humanitarian needs.

The resolution submitted to the 2017 Council of Delegates encourages the Movement components to build on their specificities and strengths to develop appropriate frameworks and multidisciplinary approaches that are short- and long-term, evidence-based and complementary to the work of other (humanitarian) actors. It is based on the current practices of the various components in addressing education-related needs. Although it focuses on the needs of children, adolescents and young adults in the formal education system, it does not exclude other target audiences and educational settings.

Underpinning this report and the resolution is the recognition of the value of education for communities in situations in which components of the Movement work, including armed conflicts, disasters and other emergencies. They enshrine the commitment of the Movement's

¹ UNESCO Institute for Statistics (UIS), "Reducing global poverty through universal primary and secondary education", Global Education Monitoring Report, policy paper 27 / factsheet 37, UIS, Montreal, June 2017: <http://uis.unesco.org/sites/default/files/documents/reducing-global-poverty-through-universal-primary-secondary-education.pdf>, all web addresses accessed July 2017.

² Conflict-affected countries have only 20% of the world's primary-school-age children but 50% of the world's out-of-school children. UIS and UNICEF, *Fixing the Broken Promise of Education for All: Findings from the Global Initiative on Out-of-School Children*, UIS, Montreal, 2015, p. 11: <http://dx.doi.org/10.15220/978-92-9189-161-0-en>

components to work together and in partnership with other organizations to provide a (better) future for affected communities, especially the younger generations.

1) INTRODUCTION

Education, an essential public service, is systematically disrupted in situations of armed conflict, disasters and other emergencies. The impact is felt through the hampering of access of children, adolescents and young adults³ to educational facilities; the loss of teachers and intellectuals; the flight of families (sometimes in search of education opportunities for their children); the heightened risk of violence, in particular against children; and the suspension of investment and resources in this sector.

Of the estimated 462 million youth aged 3–18 living in countries affected by situations of armed conflict, disasters and other emergencies, 75 million do not have adequate education provision. While 37 million children of an age to attend primary and lower secondary levels are out of school in these countries,⁴ many of those (remaining) in school are at risk of poor quality education, disruption to their schooling, and higher drop-out levels. Such situations increase their vulnerability and their likelihood of being displaced, separated from their families, associated with armed forces or non-State armed groups, and subject to other forms of violence.

Among the estimated 14 million refugees aged 3–15 in countries affected by situations such as armed conflict, disasters and other emergencies, very few go to pre-primary school, one in two go to primary school and one in four to lower secondary school. Furthermore, 90% of the 27 million youth affected by armed conflict and without access to formal education are internally displaced.⁵ Girls are 2.5 times more likely to be out of school than boys in countries affected by armed conflict.⁶ More than 90% of children with disabilities in developing countries are not attending school, and the world's poorest children are four times more likely not to go to school and five times more likely not to complete primary school than the world's richest children, and these percentages only grow in situations such as armed conflict, disasters and other emergencies.⁷ Among the more than 1.2 billion students enrolled in primary and secondary schools worldwide, approximately 875 million are in high-seismic-risk zones and hundreds of millions face regular flooding, storms, landslides, droughts, fire hazards, health-related hazards and social hazards.⁸

³ These terms are used without prejudice to existing legal obligations. Different definitions and understandings of terms such as “children” and “young people” exist. Pursuant to Art. 1 of the Convention on the Rights of the Child (CRC), “a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier”.

The Geneva Conventions (GC) and their Additional Protocols use different age limits with respect to different protective measures for children.

As for IHL provisions specifically referring to education, Art. 24 of GC IV refers to children of 15 years old and Art. 94 of GC IV refers to children and young people.

See also Art. 38 of the CRC and Arts 1–4 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OPAC).

⁴ This represents a full 30% of those out of school globally across these age groups. See S. Nicolai et al., *Education Cannot Wait: Proposing a Fund for Education in Emergencies*, ODI, London, 2016: <https://www.odi.org/sites/odi.org.uk/files/resource-documents/10497.pdf>

⁵ E. Ferris and R. Winthrop, *Education and Displacement: Assessing Conditions for Refugees and Internally Displaced Persons Affected by Conflict*, UNESCO, 2010, paper commissioned for the EFA Global Monitoring Report 2011, *The Hidden Crisis: Armed Conflict and Education*.

⁶ S. Nicolai et al., *Education Cannot Wait: Proposing a Fund for Education in Emergencies*, ODI, London, 2016: <https://www.odi.org/sites/odi.org.uk/files/resource-documents/10497.pdf>

⁷ EFA Global Monitoring Report 2015, UNESCO

⁸ Save the Children, *Education Disrupted: Disaster Impacts on Education in the Asia Pacific Region in 2015*, Save the Children, Singapore, 2016:

http://reliefweb.int/sites/reliefweb.int/files/resources/education_disrupted_save_the_children_full_report.pdf

In addition, the destruction, damage, use or takeover of educational facilities – be it by State armed forces and non-State armed groups in armed conflict, or to temporarily host people affected by an emergency situation (which may happen when there is a lack of sustainable shelter alternatives) – can cause students to go without education for extended periods of time.

For example, the earthquake and severe aftershocks that struck Nepal in 2015 destroyed more than 36,000 classrooms and damaged an additional 17,000, disrupting the education of over 1 million children.⁹ As a result of the Ebola outbreak in 2014–2015, schools remained closed for over seven months in Guinea, Sierra Leone and Liberia, impacting 11 million children and young people under 20.¹⁰

Furthermore, it has been reported that in 70 conflict-affected countries surveyed between 2005 and 2013, educational facilities, students and teachers were deliberately targeted by State armed forces and non-State armed groups, with a significant pattern of attacks observed in 30 of them.¹¹ Weapon contamination – i.e. the presence of unexploded ordnance – in educational facilities and along access roads is a further concern. For instance, at least 1,188 schools are affected by the ongoing armed conflict in South Sudan, with 95 occupied by weapon bearers or displaced people, and since December 2013 over 9,000 children are alleged to have been associated with armed forces or non-State armed groups.¹²

Without doubt, education is a humanitarian need. It is cited as a priority concern by people affected by situations such as armed conflict, disasters and other emergencies, and is systematically listed as a top priority by children, adolescents and young adults when asked.¹³ Addressing it both sustains life and protects, particularly for youth.¹⁴ The corollary is that failure to ensure safe and continuous access to the best possible quality education increasingly undermines communities' capacity to sustain their lives and livelihoods, identify solutions or emerge from the grinding disadvantage of being affected by situations such as armed conflicts, disasters or other emergencies.

In today's world, education plays a crucial role in providing the knowledge, values and skills necessary to develop resilient individuals, families and communities, and thereby in lifting communities out of poverty¹⁵ and shaping more peaceful and prosperous societies. Not only does each year of education reduce the risk of armed conflict by around 20%,¹⁶ but each

⁹ UNICEF, 2015 (extracted from the ODI background paper for the Oslo Summit on Education for Development, *Education in Emergencies and Protracted Crises: Toward a Strengthened Response*)

¹⁰ Inter Agency Network for Education in Emergencies (INEE), *EiE Crisis Spotlight: Ebola – West Africa*, 2015 (extracted from the ODI background paper for the Oslo Summit on Education for Development, *Education in Emergencies and Protracted Crises: Toward a Strengthened Response*)

¹¹ According to the Global Coalition to Protect Education from Attack.

¹² INEE, *EiE Crisis Spotlight: South Sudan*, 2015 (extracted from the ODI background paper for the Oslo Summit on Education for Development, *Education in Emergencies and Protracted Crises: Toward a Strengthened Response*)

¹³ Save the Children, *What do Children Want in Times of Crisis?*, Save the Children, London, 2015, pp. 1 and 16: http://www.savethechildren.org.uk/sites/default/files/images/What_Do_Children_Want1.pdf. This report revealed that 99% of children surveyed by multiple studies included education in their top five priorities.

¹⁴ The INEE Minimum Standards for Education, the leading standard-setting document, says "in emergency situations through to recovery, quality education provides physical, psychosocial and cognitive protection that can sustain and protect lives".

¹⁵ 171 million people could be lifted out of poverty if all students in low-income countries left school with basic reading skills. This is equal to a 12% cut in global poverty. EFA Global Monitoring Report, *Education Counts: Towards the Millennium Development Goals*, UNESCO, 2011, p. 8:

<http://unesdoc.unesco.org/images/0019/001902/190214e.pdf>

¹⁶ P. Collier, *Doing Well out of War*, World Bank, 1999, p. 5:

<http://siteresources.worldbank.org/INTKNOWLEDGEFORCHANGE/Resources/491519-1199818447826/28137.pdf>

additional year of schooling increases an individual's earnings by up to 10%¹⁷ and raises average annual gross domestic product by 0.37%.¹⁸

Mindful of all these recognized benefits of education, the fourth Sustainable Development Goal (SDG) is to “[e]nsure inclusive and equitable quality education and promote lifelong learning opportunities for all”, which is a goal that is widely acknowledged as key to achieving many of the other SDGs. The importance of education has also been recognized in, for example, UN General Assembly Resolution 64/290, “The right to education in emergency situations” (2010).

Despite these efforts, some analytical data¹⁹ demonstrates the extent of the challenge faced by humanitarian organizations in addressing emergency education needs. Whilst the UN Global Education First Initiative has set a modest agreed target of 4% of all humanitarian aid for education funding, the actual amount sought by the UN Humanitarian Response Plans has been a very modest 2.9%.²⁰ Between 2000 and 2014, out of nearly 350 Humanitarian Response Programme appeals, 15 of them provided nearly 50% of all education funding.²¹ The majority of this funding was disbursed for a limited number of sudden-onset natural disasters, and school feeding programmes in Sudan, whilst 50% of the world's primary-school-age children that are out of school live in conflict-affected countries.²²

Despite greater donor attention to education in emergencies, support for education services remains episodic and not consistent across the humanitarian sector. The existing humanitarian response primarily targets communities and families which are either settled, i.e. in camps, or under government control in safer environments, thereby leaving unaddressed the education needs of entire groups. Finally, education-related needs are both short- and long-term and require a concerted humanitarian response and voice, which is where the International Red Cross and Red Crescent Movement (Movement) is well positioned as the largest and most networked of all humanitarian movements.

While it is recognized that many international, regional and local organizations have specific expertise in this field, and that ownership of and responsibility for education lies primarily with States, there is a clear need for the Movement components to support efforts to ensure access to and continuity of education. The unique role they have to play in this regard is grounded in their respective strengths, including proximity to affected populations, access to government authorities and non-State armed groups, and the capacity to build a community of interest around humanitarian concerns.

2) BACKGROUND

This report and resolution build on Resolution 2 of the 31st International Conference of the Red Cross and Red Crescent (International Conference), [“4-year action plan for the implementation of international humanitarian law”](#), and the 2011 pledges [“Skills- and values-based education”](#) and [“Preventing, mitigating and responding to violence”](#); the Humanitarian Education Platform workshop held at the 2013 Council of Delegates; and the side event “Taking Fundamental Principles and humanitarian values to action: Reinforcing and uniting the Principles’ perception by humanitarian education” at the 32nd International Conference and the 2015 pledges [“Changing minds, saving lives and building resilience through values-based](#)

¹⁷ EFA Global Monitoring Report, *Education Counts: Towards the Millennium Development Goals*, UNESCO, 2011, pp. 7 and 8

¹⁸ *Ibid.*, p.6.

¹⁹ This data is derived largely from the EFA Global Monitoring Report 2015, UNESCO.

²⁰ Education also had the lowest response rate from donors, receiving only 36% of the requested funds, compared with 60% received for all other sectors on average (*ibid.*).

²¹ Of the 4.3 billion US dollars channeled through the CERF, CHF and ERF mechanisms between 2010 and 2014, just 3% was for education, compared to 25% for the health sector (*ibid.*).

²² <http://en.unesco.org/news/unesco-half-all-out-school-children-live-conflict-affected-countries>

[education for all](#)”, [“Strengthening the protection of education during armed conflict”](#), [“Promotion of disaster-preparedness education”](#) and [“Taking Humanitarian Principles to action – innovations in humanitarian education”](#). It is worth highlighting that, altogether, these education-related commitments were signed by 90 National Red Cross and Red Crescent Societies,²³ 21 governments²⁴ and 7 external organizations.²⁵

The report and resolution also rely on the extensive practical evidence gathered by the different Movement components that deal in particular with building community resilience and work with the education sector.

3) ANALYSIS / PROGRESS

National Red Cross and Red Crescent Societies

Drawing on their auxiliary role, National Red Cross and Red Crescent Societies (National Societies) already undertake a range of activities that contribute to: enabling access to education and planning for educational continuity in the face of all expected hazards and threats; protecting learners and education workers from death, injury and harm in schools; and safeguarding education sector investments. Examples of such activities include school disaster-management measures (e.g. drills and early warning systems, standard operating procedures and contingency planning), the setting-up of child-friendly spaces, the construction or renovation of educational facilities, the supply of educational materials, school feeding programmes, the payment of tuition fees through cash transfer, and road safety initiatives to accompany children on their way to school.

National Societies promote and support public authorities’ efforts to integrate community engagement, risk reduction, protection, safety, gender, diversity, inclusion and resilience-related matters into disaster and emergency preparedness, response and recovery policies and practices in the education sector at local, national, regional and international levels.

They are also actively engaged in developing curricula and educational resources as well as in providing skills- and values-based (humanitarian) education in formal, non-formal and informal settings, including through peer-to-peer approaches, on topics ranging from health, water, sanitation, hygiene, nutrition, shelter and settlements, road safety and risk reduction to migration, international humanitarian law and principles, gender, respect for diversity, intercultural dialogue, social inclusion and violence prevention. These preventive activities, most often led by youth volunteers, aim at developing individuals’ knowledge, values and skills and hence their ability to take humanitarian action and contribute to building peaceful, inclusive and resilient communities.

²³ The National Societies of: Afghanistan, Algeria, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas (the), Bahrain, Bangladesh, Belarus, Belgium, Belize, Bulgaria, Brazil, Cambodia, Cameroon, Canada, Chile, Colombia, Comoros (the), Costa Rica, Côte d’Ivoire, Denmark, Dominica, Gambia (the), Greece, Guatemala, Guyana, Egypt, Ethiopia, France, Indonesia, Iran (the Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kiribati, Latvia, Lesotho, Liberia, Libya, Macedonia (the former Yugoslav Republic of), Madagascar, Malawi, Maldives, Mali, Mauritius, Micronesia, Mongolia, Morocco, Namibia, Nepal, New Zealand, Nicaragua, Norway, Pakistan, Palau, Palestine, Panama, Papua New Guinea, Paraguay, Peru, Philippines (the), Qatar, Romania, Russian Federation (the), Rwanda, San Marino (the Republic of), Serbia, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Spain, South Sudan, Suriname, Switzerland, Trinidad and Tobago, Tunisia, Uganda, United Kingdom, United States of America, Yemen, Zambia

²⁴ The governments of: Afghanistan, Argentina, Australia, Austria, Belgium, Canada, Denmark, Ecuador, Greece, Iran (the Islamic Republic of), Luxembourg, Madagascar, Netherlands, New Zealand, Norway, Romania, Rwanda, Spain, Switzerland, Uruguay and Zambia

²⁵ International Olympic Committee, British Council, Global Campaign for Peace Education, Human Rights Watch, Save the Children International, Culture of Peace Initiative, and the UN Special Representative for Children and Armed Conflict

To date, 73 of the 190 National Societies have reported working in partnership with educational institutions in both formal and non-formal settings – 31 of which reported having signed an official agreement with their Ministry of Education.²⁶

International Federation of Red Cross and Red Crescent Societies

The International Federation of Red Cross and Red Crescent Societies (IFRC) supports the strengthening of National Societies' and public authorities' capacities to address education-related needs in both emergency and non-emergency situations, with a particular focus on the most vulnerable groups (e.g. orphans, unaccompanied minors, separated children, displaced people, people living with disabilities, single-parent-headed households, out-of-school youth, and dropouts). For example, the IFRC collaborates with educational actors to design and operate safe spaces, deploys specific delegates in the field, and coordinates the development of numerous global frameworks, strategies²⁷ and tools, including educational materials and initiatives.²⁸ To date, it has signed 22 global partnership agreements with intergovernmental organizations, UN agencies, (international) non-governmental organizations, academia and the private sector that include educational aspects across all its thematic areas of focus.

The IFRC promotes and supports the integration of inclusive, gender- and diversity-sensitive approaches in the education sector, as well as the incorporation and provision of skills- and values-based (humanitarian) education into relevant national policies, strategies and operational plans, and into formal, non-formal and informal curricula, from the earliest age. It also advocates for and supports globally harmonized, effective, multidisciplinary preparedness and response efforts to education-related matters – in particular with respect to access, continuity, risk reduction, protection and safety – in relevant international and regional forums, such as the World Humanitarian Summit, the Education World Forum and the UN World Conference on Disaster Risk Reduction.

In addition, the IFRC actively participates in a number of global alliances and networks addressing education-related issues, such as the Alliance for Child Protection in Humanitarian Action and the [Global Alliance for Disaster Risk Reduction and Resilience in the Education Sector](#). As an active member of the latter, the IFRC contributes to the operationalization of the [Comprehensive School Safety Framework](#)²⁹ and the implementation of the [Worldwide Initiative for Safe Schools](#). It supports governments with the development of national strategies for safe learning facilities, school disaster management, and risk reduction and resilience education as part of existing national disaster-risk-reduction or education plans.

Furthermore, the IFRC coordinates the implementation of a global humanitarian education initiative supported by a network of committed National Societies which, in April 2016, developed a three-year action plan in preparation for the 33rd International Conference in 2019. The action plan seeks to document, frame and profile the Red Cross and Red Crescent contribution to and added value in the education sector, to strengthen partnerships with all relevant educational humanitarian or development actors, and to foster sharing of education-related knowledge, experience and tools. The outcomes will ultimately inform the development of a strategic framework on education in close collaboration with National Societies, including

²⁶ Results from a pilot baseline mapping on humanitarian education conducted in 2013–2014.

²⁷ Such as the Youth Policy and Youth Engagement Strategy; the Violence Prevention, Mitigation and Response Strategy; and the Child Protection Policy and action plan 2015–2020.

²⁸ Such as toolkits to promote healthy lifestyles or community-based health and first aid (CBHFA); a guide on public awareness and public education for disaster risk reduction (PAPE); a manual and toolkit on the participatory approach for safe shelter awareness (PASSA) and its adaptation for youth (PASSAYouth); a Youth as Agents of Behavioural Change (YABC) initiative and toolkit; and the One Billion Coalition for Resilience (1BC) initiative.

²⁹ See annex 2.

key ways forward for the further incorporation of education-related matters in emergency-response tools and activities.

International Committee of the Red Cross

International humanitarian law (IHL) does not establish a right to education as such. IHL does, however, contain rules that are aimed at guaranteeing that education can continue in situations of armed conflict. In this context, some of these rules specifically envisage a role for the International Committee of the Red Cross (ICRC).³⁰ Students, education providers and schools – as civilians and civilian objects – are also protected under IHL. Other international legal frameworks, as applicable, also contain provisions on or relating to education.³¹

In terms of its operational engagement, the ICRC's role in education currently focuses on four main areas. First, the development of a protection dialogue with parties to armed conflict, consisting in engaging with authorities, weapon bearers and other key influential actors to prevent IHL violations, including about the rules which address education or otherwise contribute to ensuring continued access to or protection of education. Second, activities aiming at enhancing the protection of schools in areas that are particularly exposed (close to a front line, for instance). Third, economic or material support for caretakers and school-aged children, such as distributing school materials, income-generating programmes to allow families to afford school fees, or rebuilding damaged schools. And fourth, activities targeting specific vulnerable groups (including detainees, children associated with armed forces or non-State armed groups, unaccompanied children and children of missing persons) to allow them to have access to education. Recent years have seen, in particular, highly developed programmes in communities in Latin America, many in close collaboration with National Societies, which have had a very positive impact on children, young people, families and teachers.³²

The ICRC's Strategy on Children 2011–2014 identified access to education as one of the organization's four ongoing priorities. This has resulted in much-needed support and leadership for field initiatives as well as humanitarian diplomacy efforts.

As regards humanitarian diplomacy efforts, the ICRC has been active in a wide range of events and policy initiatives on the protection of education. The ICRC has, for example, followed discussions around Security Council resolutions related to education and the process within the Global Coalition to Protect Education from Attack of drafting the [Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict](#).

The ICRC retains a lead role in IHL dissemination, and has the support of National Societies in doing so. Between 2001 and 2015, this was reflected through a structured global education programme (Exploring Humanitarian Law – EHL) whereby the ICRC and National Societies brought the values and principles of humanitarian action to youth in schools. In recent years this programming has become part of wider Red Cross or Red Crescent humanitarian education programmes in many countries.

Recognizing the growing level of humanitarian needs generated by the disruption of education, and the increasing requests of victims affected by situations in which the ICRC works, the organization embarked on a year-long period of consultation and internal discussion in order to identify what enhanced role it could play in responding to these needs. In light of the ICRC's mandate, States and other stakeholders were supportive of it stepping up its engagement in this area. This process led to the development and adoption of a framework for its work in

³⁰ Art. 125, GC III; Art. 142, GC IV.

³¹ For further details, see annex 1.

³² These include the Creating Humanitarian Spaces programme, and similar initiatives, in Rio de Janeiro (Brazil), Ciudad Juarez (Mexico), Medellín (Colombia) and other urban contexts in Latin America.

education, together with a three-year strategy for 2018–2020. The priority focus of this strategy is to ensure access to education at all levels, to the extent possible. This goal could be achieved by, for example, including access to education in the ICRC's assessments of public services affected by armed conflict, conducting multidisciplinary programming and working in partnership with others.

4) CONCLUSION AND RECOMMENDATIONS

Despite growth in support for education-related humanitarian responses, less than 2% of humanitarian funding targets education.³³ It is arguably the least supported and most disrupted of all essential public services and yet is considered last by humanitarian organizations, after food, water and shelter. Given the significant and rising numbers of children and young people in need of education support, the service gap is critical and growing. It is time for our Movement to consider how best to respond to this growing emergency and scale up our efforts. We have the opportunity to join forces to build an effective, multidisciplinary and coordinated approach, which is to scale and sustainable. This would allow us individually, or in cooperation with each other and/or with relevant stakeholders – as appropriate – to respond, reactively or preventively, to the education-related needs of people affected by armed conflicts, disasters and other emergencies, in particular children, adolescents and young adults.

The resolution submitted to the 2017 Council of Delegates recognizes the important contribution all components of the Movement make in relation to the education sector. It welcomes initiatives that continue to address education-related humanitarian needs, including by developing appropriate frameworks that take into consideration the unique perspectives and experiences of each Movement component and complement the efforts of other (humanitarian) actors. As such, the resolution encourages the components of the Movement, as appropriate to their contexts and according to their respective mandates and institutional focuses, to keep working to ensure the safety of, and enable access to and continuity of education for, those affected, as well as to strengthen the resilience of the education sector. Particular emphasis is also placed on adequate preparedness, response and recovery measures, and on capacity building for comprehensive risk reduction and mitigation.

³³ The UN has recommended that 4% of humanitarian budgets address this essential public service. Even if this figure was achieved, the education deficit for millions of children and young people would continue to increase.

ANNEX 1: RELEVANT LEGAL FRAMEWORK

LEGAL PROTECTION OF EDUCATION IN ARMED CONFLICT

International humanitarian law (IHL) does not establish a right to education as such. There are, however, many IHL rules which specifically address education or otherwise contribute to ensuring the protection of education, including obligations to protect civilians and civilian objects in the conduct of hostilities.

Specific IHL rules aimed at guaranteeing education during armed conflict

International armed conflict

The Geneva Conventions (GC) of 1949 and Additional Protocol I (AP I) of 1977 specifically address education with regard to the following situations in international armed conflict (IAC): all children under 15 who are orphaned or separated from their families as a result of war; civilian internees (notably children and young people); occupation; circumstances involving evacuation of children; and prisoners of war.

All children under 15 who are orphaned or separated from their families as a result of war: Parties to armed conflict must take the necessary measures to ensure that children under 15 who are orphaned or separated from their families as a result of the conflict are not left to their own resources and that their education is facilitated in all circumstances. As far as possible, their education shall be entrusted to people of a similar cultural tradition (Art. 24, GC IV). This obligation applies to the entire population of the countries in conflict without any adverse distinction based, in particular, on race, nationality, religion or political opinion (Art. 13, GC IV).

Civilian internment: During internment, the detaining power must, for example, encourage intellectual, educational and recreational pursuits amongst internees, whilst leaving them free to take part in them or not. It must take all practicable measures to ensure the exercise thereof, in particular by providing suitable premises. All possible facilities must be granted to internees to continue their studies or to take up new subjects. The education of children and young people must be ensured; they must be allowed to attend schools either within the place of internment or outside (Art. 94, GC IV). Internees must be allowed to receive, by post or by any other means, individual parcels or collective shipments containing, for example, books and objects of an educational character which may meet their needs. Such shipments do not free the detaining powers from their obligations under the Convention (Art. 108, GC IV). These obligations must be read together with the obligation to provide relief societies and other relevant organizations, in particular the ICRC, with all facilities for visiting protected persons and distributing relief supplies and material from any source that are intended for educational purposes (Art. 142, GC IV).

Occupation: Occupying powers must, with the cooperation of the national and local authorities, facilitate the proper working of all institutions devoted to the care and education of children. In cases where the local institutions are inadequate for the purpose, occupying powers are obliged to make arrangements for the maintenance and education, if possible by people of their own nationality, language and religion, of children who are orphaned or separated from their parents as a result of the war, and who cannot be adequately cared for by a near relative or friend (Art. 50, GC IV). This shows that occupying powers are bound not only to avoid interfering with the activities of children's institutions, but also to support them actively.

Evacuation of children: Parties to armed conflict must not "arrange for the evacuation of children, other than their own nationals, to a foreign country except for a temporary evacuation where compelling reasons of the health or medical treatment of the children or, except in

occupied territory, their safety, so require.” Whenever such an evacuation occurs, the children's education, including their religious and moral education as their parents desire, shall be provided with the greatest possible continuity while they are away (Art. 78, AP I).

Prisoners of war: While respecting the individual preferences of every prisoner, detaining powers are obliged to encourage the practice of intellectual, educational, and recreational pursuits amongst prisoners and to take the measures necessary to ensure the exercise thereof by providing them with adequate premises and necessary equipment (Art. 38, GC III). Prisoners of war must be allowed to receive parcels or collective shipments containing, for example, articles of an educational character which may meet their needs, including books, scientific equipment, examination papers and materials allowing prisoners of war to pursue their studies. Such shipments do not free the detaining powers from their obligations under the Convention (Art. 72, GC III). As is the case with internment of civilians in IAC, these obligations must be read together with the obligation to provide relief societies and other relevant organizations, in particular the ICRC, with all necessary facilities for visiting prisoners and for distributing relief supplies and material from any source intended for educational purposes (Art. 125, GC III). It should be noted that the prohibitions on the recruitment and use in hostilities of children should in many cases prevent children from becoming prisoners of war; however, should children in practice nevertheless become prisoners of war, they are afforded as a minimum all protections granted to adult prisoners of war, including as regards education.

Non-international armed conflict

Additional Protocol II (AP II) obliges parties to non-international armed conflict (NIAC) to provide children with a number of fundamental guarantees. They must provide them with the care and aid that they require. In particular, children must receive an education, including religious and moral education, in keeping with the wishes of their parents, or in the absence of parents, of those responsible for their care (Art. 4.3(a), AP II).

Customary international humanitarian law

In both international and non-international armed conflict, children affected by armed conflict are entitled under customary international humanitarian law (CIHL) to special respect and protection, which can comprise education (Rule 135, CIHL).

The protection of students, educational personnel and facilities in the conduct of hostilities

The conduct of hostilities is governed by IHL treaty law and largely equivalent customary IHL, applicable in both international and non-international armed conflicts. Under that law, students and educational personnel are usually civilians.³⁴ Like any other civilians, they are protected from attack, unless and for such time as they participate directly in hostilities.³⁵ Similarly, schools and other educational facilities are usually civilian objects³⁶ and are thus protected against attack.³⁷ Like for all other civilian objects, protection may cease when educational institutions are turned into military objectives.³⁸ Even in such cases, all feasible precautions would have to be taken when attacking such military objectives to avoid or at least minimize

³⁴ Art. 50, AP I.

³⁵ Art. 51, AP I; Rule 6, CIHL. See also: N. Melzer, *Interpretive Guidance on the Notion of Direct Participation in Hostilities under International Humanitarian Law*, ICRC, Geneva, 2009.

³⁶ Art. 52, AP I.

³⁷ Art. 52, AP I; Rule 7, CIHL.

³⁸ Art. 52, AP I; Rule 10, CIHL.

incidental harm to civilian students, personnel and facilities. Attacks on military objectives expected to cause excessive incidental civilian harm are prohibited.³⁹

Despite there being no specific treaty or customary rule of IHL prohibiting the military use of schools or other educational facilities, the use of schools or other educational facilities for military purposes does not happen in a legal vacuum; it must be read in light of IHL as a whole. For example, parties to an armed conflict are, to the extent feasible, obliged to remove the civilian population, individual civilians and civilian objects under their control from the vicinity of military objectives and to avoid locating military objectives within or near densely populated areas.⁴⁰ These obligations also apply with respect to schools and other educational facilities and with respect to students and teachers.

Special protection of schools and other educational facilities under IHL

In most international treaties, educational institutions are not listed as forming part of cultural property. However, State practice indicates that education buildings in general can be considered as part of cultural property. Where this is the case, special care must be taken in military operations to avoid damage to buildings dedicated to education unless they are military objectives (Rule 38(A), CIHL). Seizure of or destruction or willful damage done to institutions dedicated to education is prohibited (Rule 40(A), CIHL). In exceptional cases, educational institutions considered of great importance to the cultural heritage of every people and/or which constitute the cultural or spiritual heritage of peoples benefit from heightened protection (1954 Hague Convention and its 1999 Second Protocol; Rules 38(B), 39 and 40(B), CIHL; Art. 53, AP I; and Art. 16, AP II).

Other relevant legal frameworks

Many other international law treaties contain provisions on or relating to education, including the 1989 Convention on the Rights of the Child (Arts 2, 22, 28, 29, 30, 38 and 39), the 1966 International Covenant on Economic, Social and Cultural Rights (Arts 2, 13 and 14), and the 1951 Convention Relating to the Status of Refugees (Arts 3 and 22).⁴¹

Age limits

Pursuant to the Convention on the Rights of the Child, “a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier”.⁴² The Geneva Conventions and their Additional Protocols use different age limits with respect to different protective measures for children.⁴³

³⁹ Arts 51 and 57, AP I; Rules 11–21, CIHL; Rule 21 of CIHL arguably applies also in NIAC; Arts 8(2)(b)(ix) and 8(2)(e)(iv), Rome Statute of the International Criminal Court (1998).

⁴⁰ Art. 58, AP I and Rules 22–24, CIHL. The more detailed Rules 23 and 24 of CIHL apply in IAC and arguably also in NIAC.

⁴¹ Among other universal treaties, see e.g. Convention against Discrimination in Education (1960), Art. 1; International Convention on the Elimination of All Forms of Racial Discrimination (1965), Arts 5(e) and 7; Convention on the Elimination of All Forms of Discrimination against Women (1979), Art. 10; Convention on the Rights of Persons with Disabilities (2006), Art. 24; Rome Statute of the International Criminal Court (1998), Arts 8(2)(b)(ix) and 8(2)(e)(iv).

⁴² Art. 1, Convention on the Rights of the Child (1989).

⁴³ 18 years of age: compulsion to work in occupied territory (Art. 51, GC IV), pronouncement of the death penalty (Art. 68, GC IV), execution of the death penalty (Art. 77, AP I), pronouncement of the death penalty (Art. 6, AP II); 15 years of age: measures to ensure that orphans and children separated from their families are not left on their own and that their education is facilitated (Art. 24, GC IV), same preferential treatment for aliens as for nationals (Art. 38, GC IV), preferential measures in regard to food, medical care and protection adopted prior to occupation (Art. 50, GC IV), additional food for interned children in proportion with their physiological needs (Art. 89, GC IV), participation in hostilities and recruitment (Art. 77, AP I and Art. 4, AP II); 12 years of age: arrangement for all children to be identified by the wearing of identity discs, or by some other means (Art. 24, GC IV). With respect to

ANNEX 2: THE COMPREHENSIVE SCHOOL SAFETY FRAMEWORK

The Comprehensive School Safety Framework⁴⁴ is a global framework in support of the Global Alliance for Disaster Risk Reduction and Resilience in the Education Sector and the Worldwide Initiative for Safe Schools.

GOALS OF COMPREHENSIVE SCHOOL SAFETY

- • Protect students and educators from death, injury, and harm in schools
- • Plan for continuity of education through all expected hazards and threats
- • Safeguard education sector investments
- • Strengthen risk reduction and resilience through education

THE THREE PILLARS OF COMPREHENSIVE SCHOOL SAFETY

Comprehensive School Safety is addressed by education policy and practices aligned with disaster management at national, regional, district and local school site levels. It rests on three pillars:

- 1. Safe Learning Facilities**
- 2. School Disaster Management**
- 3. Risk Reduction and Resilience Education**

The foundation of planning for Comprehensive School Safety is multi-hazard risk assessment. Ideally, this planning should be part of Education Management Information Systems at national, sub-national and local levels. It is part of the broader analysis of education sector policy and management that provides the evidence base for planning and action.

Pillar 1. Safe Learning Facilities

Key actors: Education and planning authorities, architects, engineers, builders, and school community members who make decisions about safe site selection, design, construction and maintenance (including safe and continuous access to the facility).

Pillar 2. School Disaster Management

Key actors: Education sector administrators at national and sub-national education authorities, and local school communities who collaborate with their disaster-management counterparts in each jurisdiction. At the school level, the staff, students and parents who are all involved in maintaining safe learning environments. They may do this by assessing and reducing structural, non-structural, infrastructural, environmental and social risks, and by developing response capacity and planning for educational continuity.

Pillar 3. Risk Reduction and Resilience Education

Key actors: Curriculum and educational materials developers, faculty of pedagogic institutes, teacher trainers, teachers, youth movements, activity leaders, and students, working to develop and strengthen a culture of safety, resilience and social cohesion.

IHL provisions specifically referring to education, Art. 24 of GC IV refers to children under 15 and Art. 94 of GC IV refers to children and young people. See also Art. 38 of the CRC and Arts 1–4 of the OPAC.

⁴⁴ For further information and the detailed framework: <http://qadrrres.net/resources/comprehensive-school-safety-framework>