



**Submission by Human Rights Watch
to the United Nations Committee
on the Rights of the Child concerning Sri Lanka**

*77th Working Group
January 2018*

This submission relates to Articles 28 and 38 of the Convention on the Rights of the Child, and focuses on the protection of students, teachers, and schools during armed conflict.

In its 2010 Concluding Observations under the Optional Protocol on the involvement of children in armed conflict, this Committee called upon Sri Lanka to:

- a) Immediately discontinue military occupation and use of the schools and strictly ensure compliance with humanitarian law and the principle of distinction and to cease utilizing the primary section of V/Tamil MV school and the Omanthai Central College in Vavuniya to host separatists; and
- (b) Ensure that school infrastructures damaged as a result of military occupation are promptly and fully restored.¹

As of August 2017, Sri Lanka was contributing 456 troops and 21 military experts to United Nations peacekeeping operations around the world. Sri Lanka's peacekeeping troops are deployed in the Central African Republic, Lebanon, and South Sudan. All three of these countries have endorsed the Safe Schools Declaration, 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; 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*. As of October 2017, 69 countries have endorsed the Safe Schools Declaration, but not Sri Lanka.

¹ United Nations Convention on the Rights of the Child, "Consideration of reports submitted by States parties under article 8 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, Concluding observations: Sri Lanka," CRC/C/OPAC/LKA/CO/1, October 19, 2010, http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC/C/OPAC/LKA/CO/1&Lang=En (accessed October 19, 2017), para. 25.

Sri Lanka's troops deployed on peacekeeping missions are required to comply with the United Nations 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."²

Moreover, the new 2017 Child Protection Policy of the United Nations Department of Peacekeeping Operations, Department of Field Support, and Department of Political Affairs also 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, recognizing the adverse impact of the use of schools for military purposes, in particular its effects on the safety of children and education personnel, the civilian nature of schools, and the right to education, United Nations peace operations personnel shall at no time and for no amount of time use schools for military purposes.³

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

Expresses deep concern that the military use of schools in contravention of applicable international law may render schools legitimate targets of attack, thus endangering the safety of children and in this regard encourages Member States to take concrete measures to deter such use of schools by armed forces and armed groups.⁴

Human Rights Watch recommends to the Committee that it ask the government of Sri Lanka:

- On what date did the military use of the primary section of V/Tamil MV school and the Omanthai Central College in Vavuniya cease?
- On what date were restoration efforts completed to restore damage caused by the military use of the primary section of V/Tamil MV school and the Omanthai Central College in Vavuniya?
- On what date were students able to commence studies at the primary section of V/Tamil MV school and the Omanthai Central College in Vavuniya, following their use for military purposes?
- Are any schools, anywhere in the country, currently being used, held, or occupied for military purposes?
- What steps has Sri Lanka taken in line with UN Security Council Resolution 2143 (2014) and 2225 (2015) to deter the use of schools for military purposes?
- Are protections for schools from military use included in any policies, rules, or pre-deployment trainings for Sri Lanka's armed forces?

Human Rights Watch asks the Committee to:

- Congratulate Sri Lanka for attending the Buenos Aires Safe Schools Conference in March 2017.

² United Nations Infantry Battalion Manual, 2012, section 2.13, "Schools shall not be used by the military in their operations."

³ United Nations Department of Peacekeeping Operations, Department of Field Support and Department of Political Affairs, "Child Protection in UN Peace Operations (Policy)," June 2017.

⁴ United Nations Security Council, Resolution 2225 (2015), S/RES/2225 (2015), <http://unscr.com/en/resolutions/doc/2225> (accessed October 19, 2017), para 7.

- Call upon the government of Sri Lanka to endorse the Safe Schools Declaration, and take concrete measures to deter the military use of schools, including by bringing the *Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict* into domestic military policy and operational frameworks.