



Submission by Human Rights Watch to the Committee on Economic, Social and Cultural Rights on Denmark

66th session, 2019

This submission relates to the review of Denmark under the Committee on Economic, Social and Cultural Rights. It focuses on the protection of students, teachers, and schools during armed conflict.

Protection of Education During Armed Conflict (article 13)

In September 2016, the Danish Armed Forces published their manual on international law in international operations, that incorporates explicit protections for schools and universities from military use. The manual states:

The protection of children and youth ... implies a certain respect for the right of children to education, etc., even in areas of conflict. It is necessary, therefore, to exercise restraint with respect to the military use of children's institutions, including day-care facilities, schools, and orphanages.

In this context, restraint should be exercised in using schools and other educational institutions in support of Danish military operations. The reason for such special consideration of schools, etc., is that the military use of schools has severe consequences not only in that it immediately endangers the lives of children and youths who are present in and near such schools but also in regard to the longer-term consequences for the education of school children. [Footnote to UN Security Council resolution 2143, and to the Safe Schools Declaration.]¹

¹ Danish Ministry of Defence, Military Manual on International Law Relevant to Danish Armed Forces in International Operations ("Militærmanual om folkeret i internationale militære operationer"), September 2016, pp. 87, 73, 195, and 422.

Denmark endorsed the Safe Schools Declaration in May 2017.²

Human Rights Watch recommends that the Committee:

- Congratulate Denmark on endorsing the Safe Schools Declaration and on their Danish Armed Forces manual recognizing the importance of protecting educational institutions during armed conflicts, including from their use for military purposes.
- Encourage Denmark to advocate for all members of the European Union and NATO to endorse the Safe Schools Declaration, and continue to develop and share examples of its implementation of the Declaration's commitments—including concrete measures to deter the military use of schools—with this Committee and with other countries that have endorsed the Safe Schools Declaration, including fellow European Union and NATO members.

² 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; 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*.