

RIGHTS REVEALED

HUMAN RIGHTS AND ARMED CONFLICT

PART 3

In times of armed conflict, respect for, protection and fulfilment of human rights take on a heightened significance. It is precisely during challenging moments in the chaos of war that the protection and promotion of human rights become even more essential.

This publication, the third in Amnesty International's series of educational explainers, delves into the international legal frameworks that define the right to education, and the obligations to respect, protect and fulfil the right to education, even in the midst of war and conflict.

EDUCATION IN CONFLICT ZONES: *THE RIGHT TO EDUCATION*

INTRODUCTION: THE IMPORTANCE OF EDUCATION IN CONFLICT AND VIOLENCE

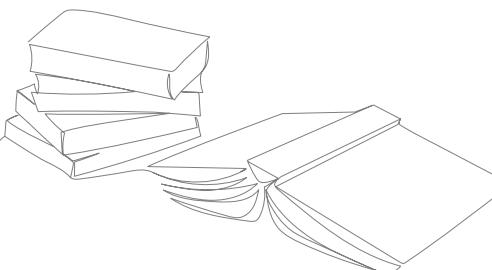
Education is about more than gaining academic knowledge. Children learn **social and emotional skills** in school. Schools help build **strong communities**. It is a crucial element for a **peaceful present and future**. In times of peace, education prepares children and adults alike with the tools to be informed and active citizens. But in times of conflict, education takes on an even more critical role. It becomes a lifeline for coping with violence, loss and trauma. It offers stability and sense of normalcy amid chaos and encourages hope for a better future.

Despite the disruptions of war, **the right to education persists**. This right not only exists during times of peace; like other economic, social and cultural rights, it remains in force even during times of profound unrest. However, unfortunately, education is often one of the first casualties of war. In situations of conflict and violence, worldwide, schools are routinely destroyed and deliberately targeted despite being protected under international law. Teachers and students are forced to leave their homes, or they may be abducted or killed.

Where education continues there is evidence that teachers can be forced to indoctrinate students. The route to school can be dangerous to travel, and the idea of learning is often overshadowed by the immediate need for survival.

Precisely in these hard times, education must be protected and preserved. Education is a vital tool to protect children and young people, to empower them and give them hope during the conflict and in the longer term. It helps communities build strength, recover and work towards long-term peace.

This explainer will delve into the right to education during armed conflict and crisis. We will explore its legal foundations, the impact of conflict on education, and the obligations of states and non-state actors to safeguard this vital right.



TRUE OR FALSE?



TRUE FALSE

1. States involved in armed conflict can legally suspend children's right to education until the conflict is over.
2. Education is considered non-essential during periods of armed conflict.
3. Many teachers in conflict zones are forced to abandon their posts due to the constant risk of violence, which makes the educational crisis worse.
4. Worldwide governments spend almost as much on education as they do on military expenditure.
5. Attacking schools is considered a war crime under international law, unless the school is being used for military purposes.

THE CORRECT ANSWERS AND EXPLANATIONS TO THESE STATEMENTS ARE INTEGRATED THROUGHOUT THE CONTENT OF THIS EXPLAINER*. AS YOU READ ON, SEE IF YOUR ANSWERS ALIGN WITH WHAT YOU LEARN ABOUT THE RIGHT TO EDUCATION IN CONFLICT.

*and our answers are on page 10

THE RIGHT TO EDUCATION AS A HUMAN RIGHT

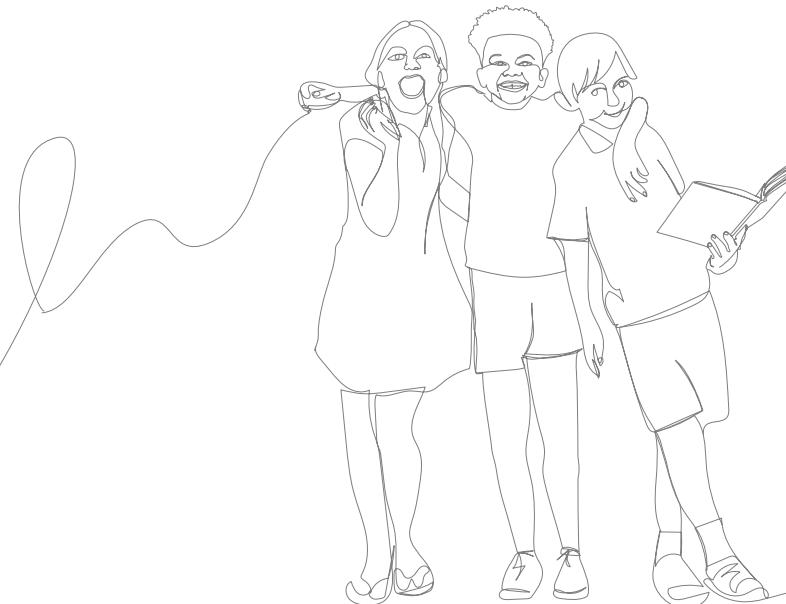
We all have the right to education. Education is a universal human right, recognized and protected by many key international instruments.

The **Universal Declaration of Human Rights**, adopted in 1948, declares that “everyone has the right to education”. This foundational document has influenced many subsequent treaties and declarations that uphold the right to education as a universal standard.

The **International Covenant on Economic, Social and Cultural Rights**, adopted in 1966 and ratified by the majority of States, sets out the right to education without discrimination and the means for its full achievement. All children should be able to access free primary schooling. Secondary school should be open and easy for everyone to join and be made progressively free. Higher education should be based on ability and qualifications. It also sets out the purpose of education, including strengthening the respect for human rights and fundamental freedoms.

The **Convention on the Rights of the Child (CRC)**, adopted in 1989 and almost universally ratified, specifically recognises the right of *every child* to education without discrimination. By doing so, the treaty recognizes that children have unique needs and that governments must make sure that this right is realized for all children, even in emergencies or wars. Article 19 of the CRC requires governments to protect children from violence at home, school or in the community.¹ This means they must ensure children safe access to education, even in dangerous times.

The **Optional Protocol to the Convention on the Rights of The Child** notes the harmful impact of armed conflict on children and condemns “*the targeting of children in situations of armed conflict and direct attacks on objects protected under international law, including places that generally have a significant presence of children, such as schools and hospitals*”²



THE RIGHT TO EDUCATION UNDER INTERNATIONAL HUMANITARIAN LAW

In conflict and war, international humanitarian law (IHL) recognizes the special need to protect children and education, and it provides additional legal protections for education. Under the **Geneva Convention** of 1949, schools are classified as civilian objects. This means they must not be attacked. Attacking schools is considered a war crime under the Rome Statute of the International Criminal Court, unless the school is being used for military purposes. And even then, strict rules apply to minimize harm. Revenge attacks on schools are also banned under IHL and international law requires armies to take every possible step to avoid harming educational facilities during military operations.

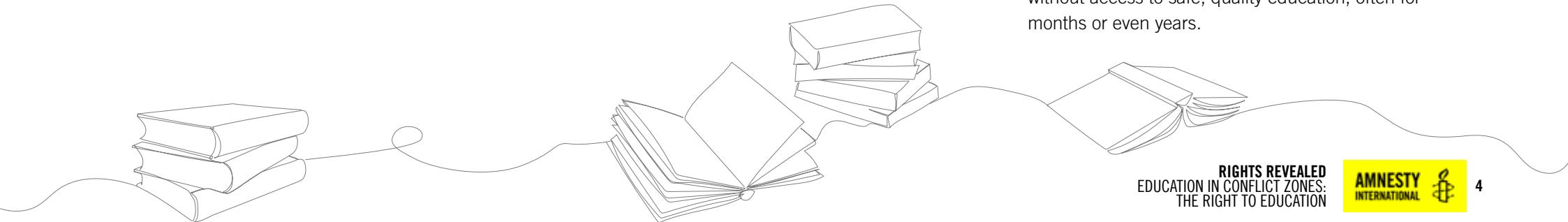
The **Convention Relating to the Status of Refugees**, adopted in 1951, affords all refugees the same right to education as nationals of the host country in relation to elementary education. This is particularly important for ensuring that displaced children continue to have access to schooling despite the disruption in their lives.

The **United Nations Resolution on the Right to Education in Emergency Situations**, adopted in 2010, protects education during all types of emergencies, including conflict. It recognises education as an important part of humanitarian aid. All sides in a conflict must follow international laws to protect education and fulfil their obligations. Countries are urged to create plans to make sure education continues during crises. They should use their resources and get help from the global community to do this.

The **United Nations Security Council Resolution 2601**, adopted in 2021, focuses specifically on the protection of children affected by armed conflict and facilitating the continuation and the protection of education in armed conflict. It reaffirms the role of education in promoting peace and security and highlights its value not only as a fundamental right but also as a life-saving safe space for children during crises.

The **Safe Schools Declaration** from 2015 is an inter-governmental political commitment to protect schools from being used for military purposes during armed conflict. It encourages countries to keep education safe by preventing attacks on schools and ensuring that they remain safe spaces for learning. It also calls for education to be continued in areas affected by conflicts and wars, to support the rights of children and their future.

Together, these documents create a robust legal and policy framework that protects the right to education, even in the most challenging of circumstances, when conflict and crisis are impacting daily life. On paper, these protections for the right to education all sound great. But in practice, as with other rights, they are often not met. Many governments fail to meet these commitments for a range of reasons – a lack of resources, political instability, deliberate attacks on education by armed groups and/or through a lack of political will. As a result, millions of children are left without access to safe, quality education, often for months or even years.



DID YOU KNOW?

FACT:

In 2024, 251 million children worldwide are currently out of school, with conflict and crises being a significant cause.³

FACT:

In conflict zones, children who miss out on education are 2.5 times more likely to be out of school permanently than those in peaceful areas.⁴

FACT:

In many conflict zones, attending school reduces a child's risk of child marriage, recruitment by armed groups, or exploitation.⁵

FACT:

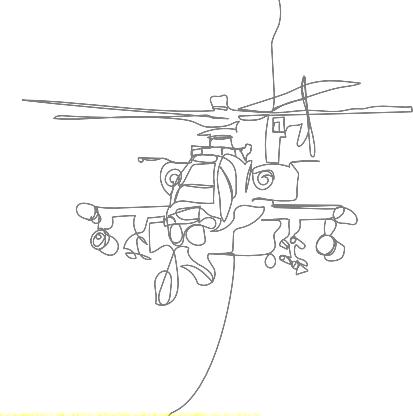
As of 2024, the Safe Schools Declaration has been endorsed by 120 countries, committing them to protect schools from military use during conflict.⁶

FACT:

Between 2022-2023, armed forces occupied schools in more than 30 countries.⁷

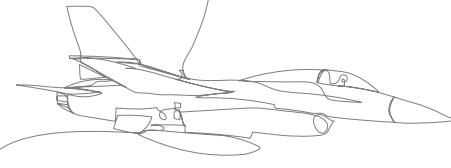
FACT:

Repurposing just 3% of global annual military spending to education could achieve quality universal primary and early secondary education for all.⁸



OBLIGATIONS OF STATES AND THE ROLE OF NON-STATE ACTORS

Human rights are based on the idea that everyone deserves to live with dignity and have their basic needs met. Education is one of the human rights we have. But having a right is not enough, it also needs to be upheld. That's where the idea of **state obligations** comes in. Governments have **binding duties** to make sure that human rights are respected, protected, and fulfilled. These three duties work together to make rights a reality, even during challenging times like war or conflict.



- 1. RESPECT** the right to education: This means that governments must avoid unduly interfering with or harming education. For example, **by not seeking to impose ideological teaching by way of indoctrination through the curriculum and/or teaching materials.**
- 2. PROTECT** the right to education: Governments must shield schools, teachers and students from harm by non-state actors. This includes making sure that armed groups do not attack or occupy schools and ensuring the safety of children and teachers.
- 3. FULFIL** the right to education: This is about ensuring everyone has access to education. During conflict, it means governments must still find ways to provide learning opportunities, including using innovative and digital means.

Particularly in the context of conflict and crisis, other actors beyond governments often have a critical role to play in ensuring the right to education is safeguarded and guaranteed. Non-governmental organisations (NGOs), international bodies and local communities can all play important roles in protecting education during conflict. For instance, international aid organizations provide resources, train teachers, and set up safe spaces for children to learn. Meanwhile, UN monitoring bodies and human rights organizations track and report on violations and abuses, and push governments to meet their legal obligations.

FROM PRINCIPLES TO ACTIONS: RESPECT, PROTECT OR FULFIL?

Consider the following actions, and decide whether they align with
RESPECTING (R), **PROTECTING (P)** or **FULFILLING (F)** the right to education:

1 Governments rebuild schools that have been destroyed during armed conflict.

R **P** **F**

3 Military and other armed forces in the area agree to avoid school zones, even if fighting breaks out nearby.

R **P** **F**

5 Humanitarian aid organisations set up alternative learning spaces, such as temporary classrooms in refugee camps or using online platforms for learning.

R **P** **F**

2 Local authorities consult with local communities and school leaders to secure routes and transport to schools so children can attend safely without fear of violence or attack.

R **P** **F**

4 The United Nations and international observers carry out inspections of schools in conflict areas to ensure they are not being occupied by military personnel

R **P** **F**

6 Governments pass laws to ensure that no schools can be used as storage spaces for military weapons.*

R **P** **F**

* Find our answers
on page 10

FROM PRINCIPLES TO ACTIONS: WHAT WOULD YOU DO?

We established what international legal frameworks we have, and the obligations and responsibilities to respect, protect, and fulfil the right to education during conflict. Now, let's try to apply this to action. Imagine that you are working to provide education in a country affected by war and conflict. What would you prioritize? What steps would you take? Think critically about the challenges and responsibilities involved.



SCENARIO 1:

PRIORITIZING OBLIGATIONS

You are the Minister of Education in a country on the verge of a civil war. You are asked to prepare an action plan to prioritize your ministry's limited resources:

- ◆ Protecting schools from attacks.
- ◆ Providing alternative education (e.g. mobile schools or online platforms).
- ◆ Training teachers to address trauma.
- ◆ Monitoring and reporting attacks on schools.
- ◆ Ensuring girls, children with disabilities and other more vulnerable children can stay in schools.
- ◆ Providing free school meals and hygiene kits.
- ◆ Paying teacher salaries.
- ◆ Asking for international help for funding or technical support.

► How would you prioritize, and why?

SCENARIO 2:

CHALLENGING THE DENIAL OF EDUCATION

You are a legal advocate working on the right to education, urging members of the United Nations to act in a country where the government has banned girls' access to education because of security concerns due to ongoing conflict.

- How would you explain why this ban breaks international laws and children's rights?
- What would you say to counter the government's excuse that the ban is for cultural or safety reasons?
- What steps would you ask the UN to take to help girls return to school and be able to learn in a safe and secure learning environment?

CONVERSATION GUIDE AND REFLECTION QUESTIONS

The following questions are designed to encourage self-reflection or guide group discussions. They aim to deepen understanding of the challenges and responsibilities in protecting education during crises.

If you are using this as an educational resource or in group work, please prioritize creating a safe space for discussion and understanding. Discussions around war and conflict can be emotionally heavy and may trigger a stress- or a trauma-response in participants with lived experiences. We want to emphasize the importance of self-care and emotional well-being when engaging with this material.

Education in conflict is a complicated issue, and there is no simple answer to the many challenges. This short overview highlights key points, but there are still many important questions about how to protect education and help those who need it most. Take some time to reflect on the following questions:

1. *Why is education targeted during conflict, and what does this tell us about its role in society?*
2. *How do attacks on education impact other rights, such as safety, health, and non-discrimination?*
3. *What measures could or should be taken by states to minimize disruption to education during times of war?*
4. *What practical steps can governments and NGOs take to ensure education continues during conflict?*
5. *What role can communities play in supporting education when formal schooling systems are disrupted by conflict?*



WANT TO LEARN MORE ABOUT HUMAN RIGHTS DURING TIMES OF CONFLICT? CHECK THIS OUT!

Previous publications in our *Rights Revealed* series on why human rights matter during war, and how international humanitarian law must be applied to the conflict in Israel and Gaza:

- ▶ Rights Revealed: Human Rights and Armed Conflict: Part 1: Even Wars Have Laws, Index Number MDE 15/7458/2023, 29 November 2023, available at <https://www.amnesty.org/en/documents/mde15/7458/2023/en/>; and
- ▶ Rights Revealed: Human Rights and Armed Conflict: Part 2: The Escalating Conflict in Israel and Gaza, Index Number: MDE 15/7459/2023, 29 November 2023, available at <https://www.amnesty.org/en/documents/mde15/7459/2023/en/>

We have various short human rights quizzes on Kahoot: <https://create.kahoot.it/profiles/AmnestyInternational>

Our Amnesty Academy has self-paced courses on various human rights issues in 34 languages, ranging from short courses from 15 minutes of learning to longer ones spanning several hours. <https://academy.amnesty.org>

TRUE OR FALSE?

1.

FALSE: The right to education persists despite the disruptions of war. It remains in force even during times of profound unrest. States cannot legally suspend children's right to education during armed conflict.

2.

FALSE: Education is essential, including during periods of armed conflict. According to the CRC, governments must make sure that the right to education is realized for all children, even in emergencies or wars.

3.

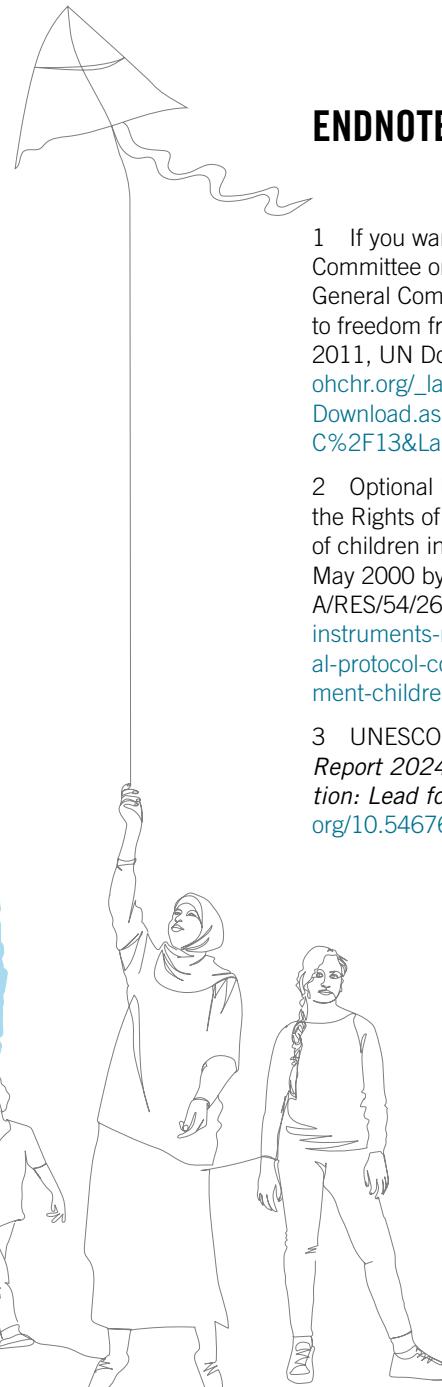
TRUE: Teachers are often forced to leave their homes, or they may be abducted or killed, leaving students without instructors.

4.

FALSE: Worldwide governments spend far more on military than they do on education. Repurposing just 3% of global annual military spending to education could achieve quality universal primary and early secondary education for all.

5.

TRUE: Attacking schools is considered a war crime under the Rome Statute of the International Criminal Court, unless the school is being used for military purposes. Under the Geneva Convention, schools are classified as civilian objects.



ENDNOTES

1 If you want to learn more please see the Committee on the Rights of the Child (CRC), General Comment 13: The right of the child to freedom from all forms of violence, 18 April 2011, UN Doc. CRC/C/GC/13, tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2FC%2FG-C%2F13&Lang=en

2 Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, adopted on 25 May 2000 by General Assembly resolution A/RES/54/263, <https://www.ohchr.org/en/instruments-mechanisms/instruments/optional-protocol-convention-rights-child-involvement-children>

3 UNESCO, *Global Education Monitoring Report 2024/5: Leadership in Education: Lead for Learning*, 2024, <https://doi.org/10.54676/EFLH5184>

4 UNESCO Institute for Statistics (UIS), *Children Out of School: Measuring Exclusion from Primary Education*, 2005, https://uis.unesco.org/sites/default/files/documents/children-out-of-school-measuring-exclusion-from-primary-education-en_0.pdf

5 Dyan Mazurana, Anastasia Marshak and Kinsey Spears, "Child marriage in armed conflict", *International Review of the Red Cross*, No. 911, August 2019, <https://international-review.icrc.org/articles/child-marriage-armed-conflict>

6 The Safe Schools Declaration, <https://ssd.protectingeducation.org/endorsement/>

7 Global Coalition to Protect Education from Attack (GCPEA), "Restrict Military Use of Education Institutions", <https://protectingeducation.org/what-we-do/restrict-military-use-of-education-institutions>

8 United Nations Office for Disarmament Affairs (UNODA), "Military Expenditures & Peace and Security", <https://education.unoda.org/docs/milex.pdf?utm>

Answers from page 7.

Respect, Protect or Fulfil?

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| 1 F | 3 R | 5 F |
| 2 P | 4 P | 6 R |

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