

Human Rights Watch
Submission to the Committee on the Elimination of Discrimination against Women
Review of Niger
81st Pre-Session
June 2021

We write in advance of the 81st pre-session of the Committee on the Elimination of Discrimination against Women and its adoption of a list of issues prior to reporting regarding Niger's compliance with the Convention on the Elimination of All Forms of Discrimination against Women. This submission includes information on barriers to the right to primary and secondary education in Niger and the country's efforts to protect education from attack during armed conflict.

Barriers to the Right to Primary and Secondary Education (Article 10 and 16)

Pregnant Pupils

Niger has one of the highest rates of adolescent pregnancy, according to UNICEF data analyzed by Human Rights Watch.¹ In Niger, 180 per 1000 women ages 15-19 gave birth.² Only 42 percent of girls are enrolled in basic education, compared with 58 percent of boys, according to the Nigerien government.³ Many girls' education suffers as a result of early marriage and pregnancy.⁴

Niger is among 24 countries that lack a policy or law to protect pregnant girls' right to education, based on research by Human Rights Watch on pregnant pupils' and adolescent parents' rights to primary and secondary education in all African Union member countries.⁵

¹ UNICEF, "Unicef Data Warehouse," June 9, 2021,

https://data.unicef.org/resources/data_explorer/unicef_f/?ag=UNICEF&df=GLOBAL_DATAFLOW&ver=1.0&dq=UNICEF_SSA+KEN+COD+CAF+NGA+NER+MOZ+ZAF+CMR+MWI+UGA+TZA.MNCH_BIRTH18..&startPeriod=2009&endPeriod=2021 (accessed June 9, 2021).

² World Bank, "Adolescent fertility rate (births per 1,000 women ages 15-19) – Niger", undated, <https://data.worldbank.org/indicator/SP.ADO.TFRT?end=2019&locations=NE&start=1960&view=chart>

³ Republique du Niger, "Plan de transition du secteur de l'éducation et de la formation 2020 – 2022," <https://www.globalpartnership.org/sites/default/files/document/file/2020-19-NigerTEP.pdf> (accessed June 9, 2021).

⁴ UNESCO, *Tackling Gender Inequalities in Niger's Educational System*, 2016, <http://www.unesco.org/new/fileadmin/MULTIMEDIA/FIELD/Dakar/pdf/TacklingGenderInequalitiesNigerEducationalSystem.pdf> (accessed June 9, 2021).

⁵ "Leave No Girl behind in Africa: Discrimination in Education against Pregnant Girls and Adolescent Mothers," Human Rights Watch, June 14, 2018, https://www.hrw.org/sites/default/files/report_pdf/auo618_web.pdf

This often leads to irregular enforcement of compulsory education at the school level, where school officials can decide what happens with a pregnant girl's education.

Child Marriage

In sub-Saharan Africa, a staggering 40 percent of girls marry before age 18, and African countries account for 15 of the 20 countries with the highest rates of child marriage. Without progress to prevent child marriage, the number of girls married as children will double by 2050, and Africa will surpass South Asia as the region with the highest number of child brides in the world.⁶

According to UNICEF, Niger has the highest rate of child marriage in the world. Before the pandemic, three in four girls are married in Niger before they turn 18. In some areas, the rates are even higher: in the region of Maradi, 89 percent of girls are married as children. The onset of the Covid-19 pandemic has created significant additional pressure on an already overburdened health and social service delivery systems and exacerbated vulnerabilities in affected populations.⁷

The link between education and the prevalence of child marriage is clear: 81 percent of women ages 20-24 with no education and 63 percent with only primary education were married or in union at age 18, compared to only 17 percent of women with secondary education or higher.⁸

Human Rights Watch recommends that the Committee ask the Niger government:

- What measures will the government adopt to fully support pregnant students and adolescent parents' to continue with their education in school?
- What steps are being taken to ensure pregnant and married students who wish to continue their education can do so in an environment free from stigma and discrimination?
- What steps are being taken to tackle barriers that lead to low retention of pupils in school, including school fees, indirect costs and gender discrimination, particularly in rural areas?
- What steps are being taken to increase coverage of adolescent health in rural areas, and provide girls with sexual and reproductive health services?
- What steps are being taken to adopt a strong curriculum on comprehensive sexuality education, which complies with international standards, is mandatory, age-appropriate, and scientifically accurate; including information on adolescent sexual and reproductive health and rights, responsible sexual behavior, consent, and prevention of early pregnancy and sexually transmitted infections?

⁶ "Ending Child Marriage in Africa: Opening the Door for Girls' Education, Health, and Freedom from Violence," Human Rights Watch news release, December 9, 2015, https://www.hrw.org/news/2015/12/09/ending-child-marriage-africa#_ftn4

⁷ Lalaina Fatratra Andriamasinoro, "COVID-19: a threat to progress against child marriage in Niger," *UNICEF*, April 29, 2021, <https://www.unicef.org/niger/stories/covid-19-threat-progress-against-child-marriage-niger> (accessed June 4, 2021).

⁸ Ibid.

- What measures are being taken to raise the minimum age for marriage to 18 and to protect the rights of married girls?

Protection of Education from Attack (article 10)

Between 2017 and 2019, the Global Coalition to Protect Education from Attack (GCPEA) documented increased insecurity in Niger in both the southeastern Diffa region and in Tillabéri and Tahoua regions at the western borders with Mali and Burkina Faso. Insecurity constrained the right to education in Tillabéri region for various reasons, including armed groups preaching against alleged “Western education,” teacher shortages in conflict-affected areas, internal displacement, and threats made to education staff. It was reported that over 110 schools were closed in Tillabéri at the end of 2019 due to insecurity and targeted attacks.⁹ GCPEA reports that attacks on education nearly doubled between 2018 and 2019.¹⁰

On October 27, 2018, an armed group reportedly attacked the primary and secondary schools in Bossey Bangou village, Tillabéri region, located near the border with Burkina Faso. A total of three classrooms were burned, as well as the furniture and supplies inside them. The school remained closed for at least three weeks and an estimated 191 girls were affected. On the night of November 30, 2018, in Gueskerou, Diffa region, members of an armed group allegedly attempted to abduct a female teacher from her house.¹¹

Emerging evidence suggests that following Covid-19 related school closures, attacks resumed as schools began to reopen. For example, the UN reported that armed group members threatened two secondary schools in Tillabéri region only two weeks after schools reopened on June 1, 2020; these threats led to the schools’ immediate closures. Prior to Covid-19 school closures, reports often indicated that school canteens were pillaged during attacks. This may indicate that when schools reopen, their restocked food stores and provisions may render them vulnerable to attacks.¹²

Attacks on students and schools, and the use of schools for military purposes, disproportionately affect girls, who are sometimes the focus of targeted attacks and are more likely to be kept out of school due to security concerns, as recognized by this Committee in its General Recommendation No. 30.¹³

⁹ GCPEA, “Education Under Attack 2020,” July 9, 2020, https://protectingeducation.org/wp-content/uploads/eua_2020_full.pdf (accessed June 4, 2021).

¹⁰ GCPEA, “Supporting Safe Education in the Central Sahel,” September 2020, <https://9ehb82bl65d34wlp1irlfv5-wpengine.netdna-ssl.com/wp-content/uploads/Central-Sahel-Paper-English.pdf> (accessed June 3, 2021).

¹¹ GCPEA, “Education Under Attack 2020,” July 9, 2020, https://protectingeducation.org/wp-content/uploads/eua_2020_full.pdf (accessed June 4, 2021).

¹² GCPEA, “Supporting Safe Education in the Central Sahel,” September 2020, <https://9ehb82bl65d34wlp1irlfv5-wpengine.netdna-ssl.com/wp-content/uploads/Central-Sahel-Paper-English.pdf> (accessed June 3, 2021).

¹³ UN Committee on the Elimination of Discrimination against Women, General Recommendation No. 30, Access to Education, U.N. Doc. CEDAW/C/GC/30 (2013), para. 48.

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 conflict¹⁴; 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*.¹⁵ Niger endorsed the Safe Schools Declaration in June 2015, contributing to global efforts to protect education and improve compliance with international law.

During its tenure on the UN Security Council, and specifically under its presidency in September 2020, Niger organized an open debate on Children and Armed Conflict with a focus on attacks against schools and led the adoption of a corresponding Presidential Statement from the council.¹⁶

In October 2020, the African Committee of Experts on the Rights and Welfare of the Child issued a general comment on children and armed conflict in Africa, in which they stated that “the African Union and other relevant African inter-governmental organizations that authorize peace support operations should adopt an explicit ban on the use of schools in their operations.”¹⁷

Human Rights Watch recommends that the Committee ask the Niger government:

- What further steps has Niger taken to implement the commitments in the Safe Schools Declaration?
- Are explicit protections for schools or universities from military use included in any policies, rules, or trainings for Niger’s armed forces?
- Will the government support the position taken by the African Committee of Experts on the Rights and Welfare of the Child, and call on the African Union and other relevant African inter-governmental organizations that authorize peace support operations to adopt an explicit ban on the use of schools in their operations?
- What steps are being taken to address and remedy the disproportionate harm to girls’ access to education as a result of hostilities and military use of schools?

¹⁴ Safe Schools Declaration, May 28, 2015, https://www.regjeringen.no/globalassets/departementene/ud/vedlegg/utvikling/safe_schools_declaration.pdf (accessed January 23, 2020).

¹⁵ *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).

¹⁶ United Nations Security Council, “Statement by the President of the Security Council,” S/PRST/2020/8, September 10, 2020, <https://undocs.org/en/S/PRST/2020/8> (accessed June 3, 2021).

¹⁷ African Committee on the Rights and Welfare of the Child, General Comment on Article 22: Children in Situations of Conflict, (2020), para. 77.