

**Submission to the Committee on the Rights of the Child
Review of Sierra Leone
90th Pre-Session
*June 2021***

We write in advance of the 90th pre-session of the Committee on Rights of the Child and its adoption of a list of issues prior to reporting regarding Sierra Leone's compliance with the Convention on the Rights of the Child. This submission includes information on barriers to the right to primary and secondary education and the country's efforts to protect education from attack during armed conflict.

Barriers to the Right to Primary and Secondary Education (Articles 2, 24 and 28)

Pregnant Pupils

On March 30, 2020, President Julius Maada Bio and Education Minister David Moinina Sengeh announced the immediate end to the government's school ban against pregnant girls and teenage mothers in place since 2010.

Sierra Leone was among a handful of countries in Africa that explicitly banned girls who became pregnant or are mothers from its schools as government policy. In December 2019, in a case brought by a coalition of Sierra Leonean and international groups, the Court of Justice of the Economic Community of West African States (ECOWAS) ruled that the ban was discriminatory and ordered the Sierra Leone government to revoke it.¹ The court also found that alternative schools for pregnant students, a largely donor-funded government program, was also discriminatory.²

Teenage pregnancy is endemic in Sierra Leone. Thirty-six percent of all pregnancies in the country occur among adolescent girls. Only 38 percent of girls are enrolled in secondary schools.³

Human Rights Watch calls on the Committee to recommend to the Sierra Leone government:

¹ Sabrina Mahtani, "Sierra Leone's ban of pregnant school girls outlawed in landmark ruling," *African Arguments*, January 27, 2020, <https://africanarguments.org/2020/01/sierra-leone-ban-pregnant-school-girls-outlawed-landmark-ruling/> (accessed June 15, 2021).

² "Victory at ECOWAS Court for girls in Sierra Leone," *Equality Now*, December 12, 2019.

³ United Nations Population Fund, "Adolescents and Youth Dashboard - Sierra Leone," <https://www.unfpa.org/data/adolescent-youth/SL> (accessed June 15, 2021).

- Adopt a human rights-compliant “continuation” policy to ensure that the decision is fully put into effect nationwide, and that it spells out girls’ rights so that education staff have clear guidance.
- Adopt a policy that provides special accommodations for young mothers at school, for instance time for breast-feeding, time off when babies are ill or to attend health clinics, and access to nurseries or early childhood centers close to schools.

Streamline its laws governing marriage to ensure that there is a clear, internationally recognized minimum marriage age of 18 for both boys and girls, without parental consent.

Human Rights Watch recommends that the Committee ask the Sierra Leone government:

- Other than revoking the policy that prevented pregnant girls from attending regular schools, what steps has the Sierra Leone government taken to comply with the recommendations of the 2019 ECOWAS Court of Justice?
- What is the status of the adoption of a national policy to facilitate continuation of education for pregnant girls?
- What steps are being taken to ensure pregnant students, adolescent mothers and married students can return to school, remain in school and be successful in their studies? What steps are being taken to ensure schools are inclusive environments free from stigma and discrimination against pregnant students, adolescent mothers and married students?
- What steps are being taken to tackle barriers that lead to low retention of female 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?
- With regards to Education Plus, the government’s new adolescent girl-focused flagship program,⁴ what steps are being taken to adopt a strong curriculum on comprehensive sexuality education that complies with international standards, is mandatory, age-appropriate, and scientifically accurate; and that includes information on adolescent sexual and reproductive health and rights, responsible sexual behavior, consent, and prevention of early pregnancy and sexually transmitted infections?
- What measures are being taken to raise the minimum age for marriage to 18 and to protect the rights of married girls?

⁴ Ministry of Basic and Senior Secondary Education, “Sierra Leone to Champion Education Plus – a new Global Initiative to Accelerate Adolescent Girls and Young Women’s Empowerment,” March 30, 2021, <https://mbsse.gov.sl/sierra-leone-to-champion-education-plus-a-new-global-initiative-to-accelerate-adolescent-girls-and-young-womens-empowerment/> (accessed June 18, 2021).

Protection of Education from Attack (Article 28)

Sierra Leone endorsed the Safe Schools Declaration in June 2015, contributing to global efforts to protect education and improve compliance with international law.

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 conflict⁵; 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*.⁶

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 “all State Parties’ should either ban the use of schools for military purposes, or, at a minimum, enact concrete measures to deter the use of schools for military purposes in accordance with the Safe Schools Declaration’s Guidelines on Protecting Schools and Universities from Military Use during Armed Conflict, including through their legislation, doctrine, military manuals, rules of engagement, operational orders, and other means of dissemination to encourage appropriate practice throughout the chain of command.”⁷ In January 2021, the African Union began requiring countries contributing troops to its peace operations to “ensure that schools are not attacked and used for military purposes.”

As of April 2021, Sierra Leone was contributing 62 military staff officers, experts, and police to UN peacekeeping operations around the world. The 2017 Child Protection Policy of the UN Department of Peace Operations, Department of Field Support, and Department of Political Affairs 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 ... United Nations peace operations personnel shall at no time and for no amount of time use schools for military purposes.⁸

⁵ Safe Schools Declaration, May 28, 2015, https://www.regjeringen.no/globalassets/departementene/ud/vedlegg/utvikling/safe_schools_declaration.pdf (accessed January 23, 2020).

⁶ *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).

⁷ African Committee on the Rights and Welfare of the Child, General Comment on Article 22: Children in Situations of Conflict, (2020), para. 59.

⁸ UN Department of Peacekeeping Operations, Department of Field Support and Department of Political Affairs, “Child Protection in UN Peace Operations (Policy),” June 2017.

Sierra Leone's peacekeeping staff are currently deployed in Mali and South Sudan— both countries where attacks on students and schools, and the military use of schools by local parties has been documented as a problem.⁹

Human Rights Watch recommends that the Committee congratulate Sierra Leone for having endorsed the Safe Schools Declaration, and ask the Sierra Leone government:

- What steps has Sierra Leone 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 Sierra Leone's armed forces?

⁹ Education Under Attack: 2020, The Global Coalition to Protect Education from Attack, 2020, https://protectingeducation.org/wp-content/uploads/eua_2020_full.pdf