

Submission to the Committee on the Rights of the Child
Review of Djibouti
90th Session
April 2022

This submission relates to the review of the Republic of Djibouti under the Convention on the Rights of the Child. This submission focuses on barriers to realizing the right to education, particularly the rights of pregnant girls and adolescent mothers, and the country's efforts to protect education from attack during armed conflict.

Teenage Pregnancy and Child Marriage: Barriers to the Right to Education (articles 2, 19, 28, 29)

The teenage pregnancy rate in the Republic of Djibouti, according to UN Population Fund data, is 21 per 100 girls and women ages 15-19 gave birth from 2004-2020.¹ Additionally, gender disparities in education are significant.² Girls represent only 46 percent of students enrolled in primary school, and only 45 percent in secondary school.³

Child marriage and pregnancy often interrupts girls' education.⁴ Recent data shows that 5 percent of girls in Djibouti are married by age 18 every year.⁵ Child marriage is a significant contributor to girls dropping out from education and leaving school prematurely.⁶

Teenage Pregnancy

¹ "Djibouti Country Page," UNFPA, <https://www.unfpa.org/data/DJ>.

² Republique de Djibouti, "Plan D'Action de L'Education 2017-2020," https://planipolis.iiep.unesco.org/sites/default/files/ressources/djibouti_pae_version_revisee_2017-2020.pdf (accessed March 31, 2022) p. 18

³ *Id.*

⁴ "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; The World Bank Group, "Girls' Education" <https://www.worldbank.org/en/topic/girlseducation#1> (last updated February 10, 2022).

⁵ "Djibouti: Prevalence Rates," *Girls Not Brides*, <https://www.girlsnotbrides.org/learning-resources/child-marriage-atlas/regions-and-countries/djibouti/>.

⁶ "Regional Report on Out-of School Children," UNICEF, [https://www.unicef.org/mena/media/6711/file/Middle%20East%20and%20North%20Africa%20Region%20Out-of-School%20Children%20Report%20\(2015\).pdf%20.pdf](https://www.unicef.org/mena/media/6711/file/Middle%20East%20and%20North%20Africa%20Region%20Out-of-School%20Children%20Report%20(2015).pdf%20.pdf), (accessed April 04, 2022), p. 5.

Djibouti is among 23 countries that lack a policy or law to protect pregnant girls' and adolescent mothers' right to education, based on research by Human Rights Watch across all African Union member countries.⁷ The country's Education Action Plan does outline strategies to reduce gender disparities in education, including investment in girl-friendly spaces and community sensitization campaigns, but it does not specify how the government intends to practically address the challenges faced by students who are pregnant, are adolescent mothers, or are married.⁸

Human Rights Watch has found that a lack of positive protections 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.⁹ Human Rights Watch believes that Djibouti should take affirmative measures to guarantee that pregnant students can stay in school, and that students who are mothers may resume their education after giving birth.

An example of such measures would be to adopt a policy that affirms the right to education of pregnant students and adolescent mothers, and to expedite regulations that facilitate a return to primary and secondary school. Human rights-compliant policies adopted by governments should include provisions that stipulate that students who are pregnant or are mothers are allowed to remain in school for as long as they choose, are able to resume their education free from complex processes for withdrawal and re-entry, can complete their education in school environments free from stigma and discrimination, and receive adequate social and financial support.¹⁰

Child Marriage

In Djibouti, the minimum legal age of marriage is 18 years, but the law permits child marriage before age 18 with no minimum age if authorized by a guardian or judge.¹¹ Djibouti should set the minimum age of marriage at 18 for girls and boys, with no exceptions.

Child marriage often interrupts girls' education; married girls face practical barriers to education due to stigma, forced exclusion from school, and gendered expectations to remain at home and take on caregiving work.¹² While school administrators and teachers should play a role in

⁷ "Leave No Girl behind in Africa."

⁸ See "Plan D'Action de L'Education 2017-2020" pp. 21, 27, 40-41, 48.

⁹ "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, p. 13.

¹⁰ "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, pp. 10-11.

¹¹ République de Djibouti, "Code de la Famille," Loi n. 152/AN/02/4ème https://www.africanchildforum.org/clar/Legislation%20Per%20Country/djibouti/djibouti_family_2002_fr.pdf (accessed April 4, 2022), arts, 13-14.

¹² "Ending Child Marriage in Africa: Opening the Door for Girls' Education, Health, and Freedom from Violence," Human Rights Watch, December 09, 2015, https://www.hrw.org/sites/default/files/supporting_resources/ending_child_marriage_in_africa-

monitoring and encouraging married girls to remain in school, informal or unclear policies often leads to discretionary enforcement of the right to education.¹³ Married students are often stigmatized; family members and school officials often encourage students who are married to drop-out from school.¹⁴ Once a married student drops out, odds of re-entry are reduced due to financial barriers, new household responsibilities, and complex or indeterminate re-enrollment procedures.¹⁵

Human Rights Watch recommends that the Committee asks the government of Djibouti:

- What steps is the government taking to ensure girls who become pregnant or get married are not asked to leave, or be expelled, from school?
- What steps is the government taking to ensure girls at risk of dropping out are socially and financially supported?
- What steps is the government taking to tackle barriers that impede the retention of pregnant girls and adolescent mothers in school, including school fees and indirect costs?
- What policy or regulatory measures will the government adopt to fully support pregnant students and adolescent parents to return and remain in school, and ensure school compliance with government policies?
- What special accommodations are provided for young mothers at school, such as childcare, time and facilities for breast-feeding, or flexibility when babies are ill?
- What programs are in place to ensure access to nurseries or early childhood centers close to schools?
- What school-based counselling programs are provided for pregnant girls and adolescent mothers?
- What steps are being taken to set the minimum age of marriage to 18, without exceptions?
- How is the government working to reduce, and eventually eliminate, the practice of child marriage?

Human Rights Watch encourages the Committee to make the following recommendations:

- Adopt a human rights compliant policy that protects the right to education for pregnant girls and adolescent mothers; and monitor schools' compliance with the policy;

[updated_final.pdf](#) pp. 3, 9; "Child Marriage and Education," *Girls Not Brides*, <https://www.girlsnotbrides.org/learning-resources/child-marriage-and-education>.

¹³ "Ending Child Marriage in Africa," p. 11.

¹⁴ "Child Marriage and Education."

¹⁵ "Child Marriage and Education;" Quentin Wodon et al., "Economic Impacts of Child Marriage: Global Synthesis Brief," The World Bank and the International Center for Research on Women (2017).

- Guarantee that students who are pregnant, mothers and/or married are able to continue their education after giving birth, without impediment or burdensome procedures, and ensure schools are free from stigma and discrimination;
- Address financial, procedural, and systemic barriers that inhibit adolescent mothers from continuing their education.
- Set the minimum age of marriage at 18 with no exceptions.
- Develop and implement a national action plan to combat child marriage, with input from women’s and children’s rights groups; coordinate efforts among all relevant ministries; and ensure sufficient resources to implement the plan.

Protection of Education During Armed Conflict (article 28)

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*.¹⁶ Djibouti endorsed the Safe Schools Declaration in June 2018.

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.”¹⁷

The Djibouti Armed Forces have contributed to the African Union Mission in Somalia (AMISOM) since December 2011.¹⁸ 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.”

Human Rights Watch encourages the Committee to ask the government:

¹⁶ 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 November 6, 2018).

¹⁷ African Committee on the Rights and Welfare of the Child, General Comment on Article 22: Children in Situations of Conflict, (2020), para. 59.

¹⁸ African Union Mission in Somalia, “Djibouti,” <https://amisom-au.org/djibouti/> (accessed March 4, 2022).

- What steps has Djibouti 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 Djibouti's armed forces?

Human Rights Watch encourages the Committee to:

- Congratulate Djibouti for endorsing the Safe Schools Declaration.
- Recommend that the government of Djibouti implement the commitments of the Safe Schools Declaration, and share any good practices with other countries in the African Union.