

Upholding girls' rights in Burkina Faso: Addressing early pregnancy

CEDAW Advocacy Briefing Paper

THEME	<i>Early pregnancy, a scourge affecting girls' education in Burkina Faso, but yet to be adequately addressed</i>
SUMMARY OF THE ISSUE	<p>Though not effectively addressed in Burkina Faso's State Report, early pregnancy affects many girls and impedes their human rights. Statistics from the Ministry of Education reveal that during 2012-2016, a total of 6,401 pregnant girls in primary, post primary, and secondary schools were recorded—ranging from 9 to 19-years-old.¹ However, they are among the few who have had the opportunity to attend school and remain in the formal education system. Not included in these statistics are those who were never sent to school, those who dropped out of school, and those whose parents and tutors believe that a girl's place is in her husband's home.</p> <p>According to UNICEF and the International Centre for Research on Women, in Burkina Faso 51.55% of women between the ages of 20 and 24 were married before they turned 18.² Girls forced into early marriages often fall pregnant, increasing the risk of complications and death during child birth. For instance, in the Sahel Region which has the highest rate of child marriage at 76%, most women have their first child as adolescents.³</p> <p>Although staggering, the number of pregnant school girls likely lags far behind reality. Some schools, especially private schools, do not communicate the number of pregnant teenagers for the sake of their reputation. In rural areas, there are cases of girl students who suddenly disappear from school never to be seen again. In such instances, they are often forced into early marriages.</p> <p>Where records do exist, information is not widely shared to enable or spur any action to address the issue. From time to time, the press highlights incidents of small girls being raped, acts of paedophilia, and related court judgments. For example, a recent media report on Lefaso.net shared news about a teacher in the village of Mangodara who impregnated five girls in his classroom.⁴ Subsequently, the village chief, and therefore an authority in the community, shockingly proposed that “girls who allow themselves to be made pregnant should be flogged publicly”.⁵</p> <p>The problem of girls' early pregnancies has not been comprehensively addressed in Burkina Faso. Although some parents support their girls to carry on with school, the daily taunts and disparagement create an atmosphere that is not conducive to girls' learning and thriving. In most cases, an early pregnancy means the end of formal education of the girl. There are also many instances in which the family or the father of the child reject them, leading girls to live on their own and to fend for themselves.</p>
INTERNATIONAL OBLIGATIONS	Burkina Faso has ratified a number of international treaties, which could help in resolving the issue of early pregnancies. Among those are the Convention on the Rights of the Child, as well as its Optional Protocols on the Sale of Children and Children in Armed Conflict. Burkina Faso also ratified CEDAW in 1987, its Optional Protocol in 2005, and the Maputo Protocol in 2006. The recent adoption of the SDGs further commit Burkina Faso to protecting girls from violence and

¹ *Rapport national 2016 sur l'état de la population au Burkina Faso*. As identified and communicated by the NGO “Cadre de Concertation des ONG et Associations Actives en Education de Base” during a meeting between the Burkina Faso government and major NGOs working in the country in July 2017.

² ICRW & UNICEF, *Mariages d'enfants, grossesses précoces et formation de la famille en Afrique de l'Ouest et du Centre Schémas, tendances et facteurs de changement* (2015), p. 38.

³ *Id.*, p. 75-76.

⁴ Lefaso.net, *Grossesses précoces en milieu scolaire A Mangodara, un enseignant a enceinté cinq filles d'une même classe*, 26 July 2017, available at <http://cascades.lefaso.net/spip.php?article55&rubrique1>.

⁵ *Ibid.*

	<p>abuse, including traditional harmful practices. They also hold them responsible to their pledge to make gender equality a reality, through for instance providing access to quality education.</p> <p>Burkina Faso's international commitments have led the government to take measures at the national level. Articles 114, 115, and 117 of the national Criminal Code make provisions against sexual violence against women and girls. Burkina Faso has also made provisions in its national economic and social development plan incorporating all SDGs. For girls, the government has recently committed to fight all forms of exploitation, and specifically reduce the rates of early pregnancies at school through sensitization and the revision of the school curricula to include modules on sexual reproductive health. The results of this commitment are yet to be seen.</p>
<p>NATIONAL LEGISLATION AND POLICIES</p>	<p>In the past, pregnant school girls were simply thrown out of school. However, a national decree issued in 1974, and reinforced by Article 1 of the Constitution of Burkina Faso, now prohibits the dismissal of pregnant girls from school. While this is largely upheld by schools authorities, pregnant girls nevertheless find it difficult to cope with taunts from peers, and to balance studying with taking care of their babies.</p> <p>Law N° 015-2014/AN on reproductive health has been in place in Burkina Faso since 2005. It grants children the right to protection against torture, cruel, inhumane or degrading treatment, highlighting specifically in Article 13 acts of a sexual nature. The same article further states that all forms of violence, especially sexual violence, are prohibited and subject to punishment by law. Law N° 015-2014/AN relating to child protection similarly stipulates in Article 97 that children facing violence, including sexual abuse, are in danger and need to be protected.</p> <p>Youth sexual and reproductive health centres have been put in place in most of the 13 regions, and especially in the two major cities of Ouagadougou and Bobo- Dioulasso to provide girls, boys, young women and men with advice on preventing early and unwanted pregnancies and sexually transmitted infections.⁶ However, the small number of these youth centres and their complete absence in the majority of the cities and rural areas, means that they remain largely inaccessible.</p> <p>In October 2015, the government approved a National Girl's Promotion and Protection Strategy to address issues affecting girls, including early pregnancies. While these efforts are on-going, more needs to be done to overcome the problem, as the number of pregnant teenagers is increasing and 10% of the country's demographic growth is the result of early pregnancies.</p>
<p>SUGGESTED QUESTION FOR THE GOVERNMENT OF BURKINA FASO</p>	
<p>While laws are in place and a number of cases adjudicated, few girls report abuse and pregnant students are increasing in numbers—impeding girls' education. How does the government plan to address the root causes of early pregnancies in order to end this scourge as fast as possible and prevent child motherhood?</p>	
<p>SUGGESTED RECOMMENDATIONS FOR THE GOVERNMENT OF BURKINA FASO</p>	
<ul style="list-style-type: none"> • Work together with partners to make reproductive services available in all parts of the country, including to adolescents; • Collect and disseminate data, statistics and other information to better understand early pregnancy and to raise awareness about the situation; • Fully implement Burkina Faso's legislation to protect girls from sexual violence and abuse, and include comprehensive and effective modules on sexual and reproductive health in school curricula; • Implement specific and targeted programs combating the rise of early pregnancies and their negative human rights implications on girls throughout the country; • Initiate compulsory training programmes for teachers on sexual and reproductive health and current legislation on gender based violence. 	

⁶ In total, there are 24 centres specialized in youth sexual and reproductive health in the entire country— though most are located in major cities like Ouagadougou and Dioulasso. However, Burkina Faso has 13 regions, covering 352 communes which include 8,000 villages. Source: *Plan Stratégique Santé des Adolescents et des Jeunes au Burkina Faso 2015-2020* (2015), p. 27.