



**Human Rights Watch Submission
to the United Nations Committee on the Rights of the Child
Review of the Republic of Congo
95th Pre-Session
*February 2023***

We write in advance of the 95th pre-session of the Committee on the Rights of the Child and its review of the Republic of Congo. This submission focuses on barriers to realizing the right to education, particularly the rights of pregnant students 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, and 29)

The Republic of Congo continues to face high rates of teenage pregnancy according to UN Population Fund data: From 2004 to 2020, the adolescent birth rate was 111 per 1,000 adolescent girls and women aged 15-19.¹ Recent and clear public data pertaining to gender parity in school enrollment in Congo is unavailable. But as of May 2015, disparities in school enrollment between girls and boys had been reduced at the primary level, yet gender parity between lower and upper secondary education was far from being achieved.² Education for many girls suffers as a result of early marriage and pregnancy.³

The Republic of Congo is among 23 countries in the African Union that lack a policy or law to protect pregnant girls' and adolescent mothers' right to education, based on research by Human Rights Watch.⁴ The country's 2016 Girls' Education Strategy recognizes the need to protect

¹ "Republic of Congo Country Page," UNFPA, <https://www.unfpa.org/data/CG>.

² République du Congo, "Stratégie Sectorielle de L'Education 2015-2025," <https://www.globalpartnership.org/fr/content/plan-sectoriel-de-leducation-2015-2025-republique-du-congo> (accessed January 17, 2023), pp. 40-41.

³ "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).

⁴ "Leave No Girl behind in Africa."

pregnant students against educational exclusion, but it does not specify how the government intends to practically address the challenges faced by students who are pregnant or are adolescent mothers.⁵

Human Rights Watch has found that a lack of positive protections often leads to irregular oversight and enforcement of inclusion at the school level, where school officials can decide what happens with a pregnant girl's education at their discretion. Policies adopted by governments should ensure that pregnant students and young 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, and can complete their education at their own pace with adequate social and financial support.⁶

Human Rights Watch recommends that the Committee ask the government of the Republic of Congo:

- How have disparities in school enrollment between girls and boys in primary and secondary levels evolved since 2015?
- 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 time 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?

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

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

⁵ Republique du Congo, "Stratégie Nationale de Scolarisation de la Fille en Republique du Congo 2016," <https://planipolis.iiep.unesco.org/en/2016/strat%C3%A9gie-nationale-de-scolarisation-de-la-fille-en-r%C3%A9publique-du-congo-7070> (accessed January 17, 2023), pp. 27-28.

⁶ "Leave No Girl behind in Africa," pp. 10-11.

- Ensure that students who are pregnant, mothers and/or married are able to continue their education after giving birth, without impediment or burdensome procedures, and take concrete steps to ensure schools are free from stigma and discrimination, such as through public awareness campaigns.
- Address financial, procedural, and systemic barriers that inhibit adolescent mothers from continuing their education.
- Ensure that trends in education, including data on gender parity in school enrollment and retention rates, are made public and accessible at the national level.

Protection of Education from Attack (article 28)

The Safe Schools Declaration⁷ 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*.⁸ The Republic of Congo endorsed the declaration in October 2022.⁹

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.”¹⁰

Human Rights Watch recommends that the Committee ask the government of the Republic of Congo:

- Are protections for schools from military use included in any policies, rules, or trainings for the Republic of Congo’s armed forces?

⁷ Safe Schools Declaration, May 28, 2015,

https://www.regjeringen.no/globalassets/departementene/ud/vedlegg/utvikling/safe_schools_declaration.pdf (accessed January 18, 2023).

⁸ 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 18, 2023).

⁹ The Global Coalition to Protect Education from Attack (GCPEA), “Safe Schools Declaration Endorsements,” 2023,

<https://ssd.protectingeducation.org/endorsement/> (accessed January 18, 2023).

¹⁰ African Union, Peace and Security Department, “International Day to Protect Education from Attack: Joint Statement by African Union Commission’s Department of Political Affairs, Peace and Security (PAPS); Department of Health, Humanitarian Affairs and Social Development and Save the Children International,” September 9, 2021, <https://www.peaceau.org/en/article/international-day-to-protect-education-from-attack-joint-statement-by-african-union-commission-s-department-of-political-affairs-peace-and-security-paps-department-of-health-humanitarian-affairs-and-social-development-and-save-the-children-international> (accessed November 2, 2022).

Human Rights Watch encourages the Committee to:

- Congratulate the Republic of Congo for endorsing the Safe Schools Declaration.
- Recommend that the government incorporate the declaration's commitments in domestic policy, military operational frameworks, and legislation, and share any good practices with other countries in the African Union.