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Sierra Leone: Discriminatory ban on pregnant girls attending school is lifted

Amnesty International (30.03.2020) - <https://bit.ly/3bGXJmq> - Following today's ministerial statement to overturn with immediate effect the ban on pregnant girls attending schools, Marta Colomer, Amnesty International's Acting Deputy Regional Director for West and Central Africa said:

"Today we have cause to celebrate as thousands of pregnant girls across Sierra Leone will be allowed back into classes nationwide when schools reopen after COVID-19.

"This inherently discriminatory ban which was formalized for almost five years now has already deprived too many young women of their right to education, and the choice as to what future they want for themselves. It has now rightly been consigned to the history books.

"Indeed, pregnant girls are given back their dignity and we welcome the government announcement to overturn with immediate effect the ban on them attending school. It's a victory for all those who campaigned tirelessly to make such a great change happen.

"We now hope that authorities in Sierra Leone will develop strategies to address the negative societal attitudes and stigmatization that pregnant girls have been facing for years. This decision gives also hope to other pregnant girls in Africa who have been stigmatized, discriminated against and, in some countries, also banned from school."

Background

Today, Sierra Leone's Minister of Basic and Senior Secondary Education issued a statement announcing that the 2010 government decision preventing pregnant girls from attending school and sitting exams was overturned with immediate effect. It is to be replaced by two new policies focused on the 'Radical Inclusion' and 'Comprehensive Safety' of all children in the education system. President Julius Maada Bio made it clear that his 'New Direction' Government makes decisions based on both evidence and constitutional due process.

On 12 December 2019 the regional Economic Community of West African States' (ECOWAS) Community Court of Justice ruled that the ban should be revoked. The case challenging the ban was brought by Sierra Leonean NGO (WAVES) in partnership with Equality Now and the Institute for Human Rights and Development in Africa (IHRDA). Amnesty International intervened as an amicus curiae ("friend of the court").

The organization has previously documented how the ban put the rights of thousands of girls under threat. The ban was formally issued in April 2015 during the Ebola crisis. Due

to Ebola, there was a sharp increase in teenage pregnancies and government should put measures in place to ensure this doesn't happen in this time of COVID-19.

ECOWAS court deems Sierra Leone pregnant girl ban discriminatory

Sierra Leone government policy banning pregnant girls from attending school breaches the right of girls to access education, according to a ruling handed down by the Economic Community of Economic State (ECOWAS) Court of Justice on Thursday, and said that this policy is discriminatory-- a victory for young girls.

By Laura Angela Bagnetto

Radio France Internationale (12.12.2019) - <https://bit.ly/36EiKvK> - "We hope this decision has an impact across Africa," said Judy Gitau, Africa Regional Coordinator at Equality Now, who has worked on the case from the beginning and was present in the Abuja courtroom when the verdict was read.

"It not only sets out how such a practice is discriminatory, but it allows people to actually see how they're relegating the young girls to a cycle of poverty and indignity," she told RFI after the verdict.

A number of human rights groups, including Child Welfare Society, Equality Now and the Institute for Human Rights and Development in Africa (IRHDA) and WAVES, a Sierra Leonean non-governmental organization, filed the case with the ECOWAS court in May 2018.

In court, the judges outlined the issues and succinctly answered each issue, said Gitau.

Discriminatory policy

The ECOWAS court said that Sierra Leone had an actual policy in place that banned school-age girls who fell pregnant. The government had argued that it was only an unfortunate statement from a minister, and not a policy. RFI reported on the issue back in 2015, where the chairman of the Conference of Principals indicated that it was a policy that was carried out in Sierra Leonean schools.

The court said that the ban was discriminatory and ordered the government to lift the ban with immediate effect.

The court also ordered the government to carry out four distinct measures in order to reduce teenage pregnancies in school. Providing sexual reproductive education, sensitising the communities on issues of discrimination, and abolishing the parallel, inadequate schools for pregnant girls.

The schools had been created by non-state actors, who only taught four subjects, three times a week, not in line with the Sierra Leone educational standards.

Vulnerable girls pay the price

The previous government had put this policy banning pregnant girls in place, but the advent of Ebola worsened the situation, according to Gitau.

A spike in teen pregnancies arose during and after the Ebola crisis.

"The majority of these girls were victims of sexual violence on account that their caregivers and guardians died and were no longer available," said Gitau.

A decision with impact

Human rights groups hope that this ban will push other African countries who discriminate to change their stance.

"This delivers a clear message to other African governments who have similar bans, such as Tanzania and Equatorial Guinea, or may be contemplating them, that they should follow this groundbreaking ruling and take steps to allow pregnant girls access to education in line with their own human rights obligations," said Marta Colomer, Amnesty International's West Africa deputy campaign director.