



Plan International, Inc.

Submission for OHCHR report on promoting, protecting and fulfilling women's and girls' full enjoyment of human rights in humanitarian situations

Plan International has developed this submission to inform the forthcoming UN report on promoting, protecting and fulfilling women's and girls' full enjoyment of human rights in humanitarian situation. This submission builds on Plan International's programmatic experience, as well as on previous consultations conducted with adolescent girls in four different humanitarian settings.

Plan International, Inc. is an independent non-governmental organisation and is in General Consultative Status with ECOSOC. Founded in 1937, Plan International is one of the oldest and largest children's rights organisations in the world. We strive to advance children's rights and equality for girls in both development and humanitarian contexts. Working with children and young people in more than 75 countries around the world, we tackle the root causes of inequality faced by children, especially girls, through our programme and influencing activities.

Introduction

The risks of all forms of violence and human rights violations girls and young women face outside of emergencies are multiplied and exacerbated in humanitarian contexts, while conflict and displacement often give rise to new forms of violence. Adolescent girls face specific risks as a result of their gender and age. Humanitarian crises often drive increases in rates of child, early and forced marriage and other harmful practices which specifically affect girls. Adolescent girls are also particularly vulnerable to some of the worst forms of child labour, including forced prostitution and subject to conflict-related sexual violence and mutilation. As girls flee violence or rights abuses, they risk being abducted by armed groups or trafficked across borders. Younger adolescent girls, girls with disabilities and separated and unaccompanied girls are at particular risk of some human rights violations. Girls face additional obstacles in accessing education and essential services, including sexual and reproductive health services, increasing their risks of unintended or unwanted pregnancy and maternal mortality and morbidity.

Hearing from girls themselves: the impacts of humanitarian crisis on girl's agency and full enjoyment of human rights

While there's been some progress towards ensuring equitable access of young women and girls to their rights, this is far from being a reality in many humanitarian contexts. In consultations conducted by Plan International in five humanitarian contexts, girls and young women reported a wide range of barriers and discrimination based on their age, gender and disability that prevent them from taking decisions about their lives and accessing their rights.¹

Violations of girls' and young women's rights are often underpinned by gender inequalities, and exacerbated by harmful social norms and discrimination associated with age, (dis)ability and sexual orientation that permeate their life experience. These same norms also, in large part, limit girls' and

¹ Adolescent Girls in Crisis – Available at [Adolescent Girls in Crisis | Plan International \(plan-international.org\)](https://www.plan-international.org/adolescent-girls-in-crisis)

young women's access to accountability for violations of their rights, not only in their community, but also from institutions that are supposed to protect and uphold their rights at different levels.

Extreme poverty and insecurity in humanitarian contexts pose new challenges and exacerbate existing gender inequalities and discrimination generating particular struggles for girls and young women to access strained or inexistent basic services. Girls reported that restrictions on their freedom of movement due to fear of violence, particularly gender-based violence are one of the main barriers in accessing services. The lack of freedom of movement also poses a major hindrance for young women and girls in humanitarian settings in accessing justice or speaking out against rights violations. In a consultation with girls in South Sudan, adolescent girls described a continuum of violence in both the home and the community which restricted them accessing public spaces, furthering the risks and inability of enjoying their rights and reporting violations.²

Even when girls can access services or some form of accountability mechanisms, weakened protective structures within communities and discriminatory gender norms often drive stigma and a culture of silence around rights violations, particularly related to sexual gender-based violence (SGBV). Survivors of violence and abuse often report not having the support of family members and may face stigma and discrimination from the community, which affects levels of reporting and access to formal accountability mechanisms for survivors. In some countries, for example South Sudan, SGBV, including rape and child marriage cases are addressed at the family or community levels, often resulting in perpetrators marrying the victims. The congested conditions in displacement camps can also undermine confidentiality for survivors of violence and abuse, resulting in threats to the survivors and reluctance to report to relevant authorities.

Discriminatory gender norms also often mean that girls and young women's ability to influence

Protecting and promoting girls' rights in South Sudan

Plan International South Sudan is implementing awareness raising activities on the protection and promotion of girls' and women's rights in most projects to streamline gender equality and girl's empowerment across programming and advocacy. An example of this is Plan International's Girls Get Equal campaign and Champions of Change programme which among other, aims at promoting girls' participation through child friendly and gender sensitive safe spaces, as well as working with boys and young men to tackle harmful gender stereotypes.

decisions that affect them, at all levels, is severely constrained. For married girls, those who are pregnant or mothers, choices and influence is often acutely curtailed. Child brides are denied their right to decide when and if they want to have children, are at increased risk of intimate partner violence and are less likely to be able to negotiate safe sex due to inherent power imbalances in the marriage. In a Plan International needs assessment in Northeast Nigeria, respondents reported that married girls are unable to participate in any activities outside the home, including continuing their education without approval from their husbands.

Girls' and women's access to formal decision-making spaces is also often very limited. Often, those spaces reproduce discriminatory norms, or are not safe or adapted to younger girls who might be excluded due to their age. A survey carried out in December 2019 by Plan International in North Darfur and South

Kordofan found that, while 25 per cent of the sampled households were female headed, customarily

² Adolescent Girls in Crisis, South Sudan



only men speak at community meetings and most decisions are made by male Shieks (local leaders). For girls and women with a disability, or of diverse sexual orientation and gender identity these challenges are further heightened. In some communities in Sudan, for example, people with disabilities and LGBTQI+ are regarded as 'cursed' and are confined to their homes.

Girls and women who are displaced face additional challenges in claiming their rights. The precarious legal status of refugees can mean that they have very few channels to ensure accountability for violations of their rights. In Malawi, for example, there are concerns amongst refugees that complaints about rights violations may affect resettlement processes, meaning that instances remain either unresolved or resolved quietly at the community level without reporting to necessary authorities for redress.

Governments and other actors must ensure laws, policies and responses address the specific barriers for young women and girls to access their rights

Undoubtedly, States are the primary duty bearers, responsible for ensuring the respect, protection and fulfillment of the rights of populations within their border in both humanitarian and non-humanitarian situations. This includes facilitating humanitarian assistance and promoting durable solutions, including through access to effective remedies for international human rights and humanitarian law violations. States are also responsible for ensuring additional protection to certain affected groups, including women, children, the civilian population and internally displaced persons. States who have ratified the 1951 Refugee Convention have specific obligations concerning the protection of refugees.

Strong legal and policy frameworks, as well as well-resourced national systems, are essential components of a protective environment for children and adolescents. Yet they are often not adapted to specific barriers girls and young women face based on their gender, age and diversity. An analysis of SDG data from 53 countries found that more than one-quarter had gaps in legal protections for violence against women and girls.³ In many countries, civil and criminal legal codes either lacked protection for LGBTQI+ individuals and/or put them at greater risk of harassment and violence through discriminatory laws, including those criminalizing consensual same-sex relationships.

Even when comprehensive national policies exist, humanitarian settings often pose particular challenges for the implementation of those policies. Areas affected by conflict often have limited access or are outside state control, which impedes the roll out of governments' implementation of accessible, gender-responsive accountability processes and mechanisms for the promotion, protection and fulfillment of rights of women and girls in humanitarian settings.

Governments may also second their responsibilities to provide assistance and protection to implementing partners, which can bring additional challenges for ensuring the rights of girls and women are protected. Humanitarian actors often replicate and reinforce gender unequal decision making and accountability mechanisms. Girls and young women are rarely consulted by the humanitarian community or other actors and excluded from decision making at all levels. Yet when asked, girls emphasize their desire to be consulted and listened to, to contribute, and to be part of solutions.

³ United Nations, Special edition: Progress towards the Sustainable Development Goals. Report of the Secretary-General. United Nations, New York, 2019.

Implementing gender transformative programmes in Malawi

Plan International in Malawi is implementing gender transformative programming which promotes refugee girls' agency, addresses harmful gender norms and supports girls to develop the necessary skills to speak out and meaningfully participate on matters that concern them. Plan International has put in place various forums such as dialogue sessions with relevant stakeholders, implementing partners and community leaders, and established safe spaces for women and girls where information can be disseminated, and which provide forums where women and girls can voice their concerns. In order to ensure a comprehensive approach, Plan International in Malawi is implementing sexual and reproductive health as well as life skills education to improve decision making, goal setting, negotiation skills, confidence and overall access to information and services. Equipped with these skills, girls and young women know their rights and have increased ability to claim them.

Accountability of humanitarian action is crucial to ensure the dignity, survival and recovery of crisis-affected girls and women and their communities, and yet children and young people, particularly adolescent girls are not part of the design nor of monitoring of accountability mechanisms. This renders most accountability mechanisms either inaccessible or inefficient to address the concerns of girls and women, particularly the ones with disabilities, who face additional challenges in accessing accountability mechanisms.⁴

Services in humanitarian setting are weakened, with schools, health and other community facilities often closed, damaged or occupied. Service provision and programming that does exist often does not adequately consider age, gender and diversity. This can disproportionately affect access for girls

and women, particularly those with a disability, or of diverse sexual orientation and gender identity. For example, sexual and reproductive health services are often not adolescent and youth friendly, and the gender related barriers girls face in accessing education, which are often compounded in humanitarian settings are many times not addressed.

Steps to ensure the full enjoyment of girls' and young women's rights in humanitarian settings

Placing girls and young women affected by humanitarian crisis at the center of laws, policies and responses is crucial to ensure their full enjoyment of rights. Participation is not only a right in itself but also an enabler of other rights. It is key to ensure that policies and responses are effective and impactful. For this purpose, a girl-centered approach must actively include girls and young women in planning, implementation and monitoring of sustainable long- and short- term solutions. Solutions for and with girls and young women in humanitarian crisis must address altogether the different barriers based on their age, gender and diversity and involve community members, local and national authorities as well as humanitarian actors.

1. Governments and all actors responding to humanitarian crisis must work at all levels to change harmful gender norms and empower girls in all their diversity to claim and exercise their rights.

- **All stakeholders should partner with girls and their communities to tackle the root causes of gender inequality and to reshape unequal gender and power relations in order to realise girls' rights and equality between all children.** This means implementing a gender transformative approach to policies and responses

⁴ <https://reliefweb.int/sites/reliefweb.int/files/resources/How%20to%20promote%20a%20gender-responsive%20participation%20revolution%20in%20humanitarian%20settings.pdf> p.27

which aims at improving the condition of girls and women while advancing their position and value in society. With a gender transformative approach, girls and women are supported to be able to make informed choices and decisions and to act upon these free from fear or threat of punishment. This includes:

1. Understanding and addressing how gender norms influence children throughout their life course.
2. Working to strengthen girls' and young women's agency over the decisions that affect them, as well as by building their knowledge, confidence, skills and access to and control over resources.
3. Working with and supporting boys, young men and men to embrace positive masculinities and to promote gender equality, while also achieving meaningful results for them.
4. Fostering an enabling environment where all stakeholders work together to support children and youth on their journey towards gender equality.
5. Ensuring girls are protected against sexual and gender-based violence.

- **All stakeholders in humanitarian crisis should create or adapt existing decision-making spaces to enable girls and young women within humanitarian settings to safely contribute to interventions in key areas affecting their lives.** Actors working directly with crisis-affected communities in particular have an important role in ensuring girls and young women have equal access to decision-making structures, by ensuring their participation in feedback and complaints mechanisms and in the design and implementation of interventions including education, child protection and health services at local and national levels. Girls should be provided with timely, relevant, accessible and understandable information to engage in participatory processes that are adapted to their age and be provided with a safe environment to voice their concerns and propose solutions. Spaces and informative material should also be disability friendly, including, but not limited to brail, sign language and other disability friendly approaches.

2. Governments, with the support of the international community, must ensure national systems identify and respond to the barriers faced by forcibly displaced and conflict affected girls and young women in the enjoyment of their rights.

- **Governments should strengthen the technical capacity of their civil servants to ensure the realization, enforcement and remedies for violations of the rights of women and girls in conflict- affected areas and displacement sites.** This includes the provision of guidance and training on human rights and gender equality in areas such as the rule of law, access to justice and remedies, prevention and response to sexual and gender-based violence, or housing, land and property rights. Additionally, governments must ensure that roles and priorities of civil servants are not affected by political changes.
- **Governments should ensure that young women and girls in humanitarian settings have access to justice systems that are adapted to their age and disability.** This includes but is not limited to creation of mechanisms to investigate and prosecute cases of sexual and gender-based violence by addressing gender- and age-based challenges in the investigation and prosecution of gender-based crimes and violations against women and children. This should

include specific measures to address the lack of expertise on both gender and age within investigative teams, to ensure the systematic collection of age and sex disaggregated data, and the complete, accurate and impartial naming of perpetrators.

- **Governments and humanitarian actors must prioritize the protection of girls and young women against all forms of sexual and gender-based violence (SGBV) within national response plans.** This includes access to comprehensive survivor-centered SGBV response services and be based on an analysis and identification of the distinct needs and realities of women, girls, boys and men, as well as sub-groups facing higher risks of gender-based violence, including adolescent girls, unaccompanied girls, girls living in institutions or on the street, and women and girls with disabilities. Authorities should also identify, address and mitigate potential sexual and gender-based violence protection risks, with a specific focus on the needs of adolescent girls who may face distinct age-related vulnerabilities. All sectors should also seek to identify and integrate SGBV prevention and response entry-points.
- **The international community, including the UN system must ensure that countries affected by humanitarian crises are supported and accountable to young women and girls.** This entails providing expertise and support for the government and actors working in countries to implement approaches that take into consideration the specificities of conflict and displaced populations through an age, gender and diversity approach. The international community should also elevate the voices and violations of girls and young women rights affected by displacement and conflict and ensure political attention through in-country diplomacy and participation at regional and international fora.
- Governments should ensure that civil society, including refugee-, IDP- and youth-led organizations, has space to contribute to the monitoring of violations of women's and girls' human rights in humanitarian settings, by working together in the development of national policies, data gathering and participation of women and girls in decision-making.