**Plan International’s submission to the report of the**

**Working Group on Discrimination Against Women in Law and Practice:**

**“Deprivation of Liberty of Women and Girls”**

Plan International has developed this submission to inform the forthcoming report of the UN Working Group on Discrimination Against Women in Law and Practice on “Deprivation of Liberty of Women and Girls”.

[Plan International](http://www.plan-international.org/) is an independent non-governmental organisation and is in Special 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 and young women in both development and humanitarian contexts. Working with children and young people in more nearly 80 countries around the world, we tackle the root causes of inequality faced by children, especially girls and young women.

Girls’ confinement as a “protection measure”

*“Our daughters must be protected”.* Such a phrase could be heard in households around the world from well-meaning and loving parents. The sentiment seems harmless at first glance and certainly stems from the best intentions. However, when further unpacked, it becomes evident that the efforts to protect girls from violations of their rights can paradoxically be the very cause of violations.

Rates of all forms of violence against girls are indeed exceedingly high in every region of the world, and the need to protect girls from violence is crucial. However, when examined from the perspective of gender norms, the vulnerability girl’s faces combined with age-related norms around the need to protect children, measures taken by families to protect their daughters can amount to discrimination and violate their fundamental rights.

Approaches to gender equality may been seen under three categories[[1]](#footnote-2):

1. **Formal approach:** this so-called “neutral” approach does not recognise gender discrimination or differences in experience between women and women. It thus does nothing to correct discriminatory practices, and in fact may continue or worsen discrimination.
2. **Protectionist approach:** this approach seeks to limit women’s and girls’ activities or freedoms in view of “protecting” them from potential violations of their rights. However, this approach does not dismantle gender discrimination but rather reinforces gender stereotypes and discrimination, and can in fact lead to further violations.
3. **Corrective approach:** this approach recognises that in order to achieve true substantive equality, as outlined by the CEDAW, unequal power relations between women and men must be transformed. It places the burden on the environment to adapt in order to create not only equal opportunities for women and girls, but also equal access to those opportunities.

From this perspective, we understand that the confinement of girls to the domestic sphere or restrictions to their freedom of movement often stems from this mentality. While it may be done with the intention of protecting the girl from harm , such a protectionist approach serves not only to reinforce gender stereotypes about girls as weak and strips girls of agency, but also constitutes a violation of their right to freedom of movement. It can also lead to further violations, including their right to education, health, freedom of association, among others. Such a protectionist approach does not lead to substantive equality by correcting the context in which such confinement takes place; that is, efforts to change social norms around girls’ role and agency and efforts to eliminate gender-based violence against girls in all spheres.

In addition to the issue of protecting daughters from real or perceived risks of violence, family honour is frequently cited as a reason for restricting girls’ freedom of movement. Girls are perceived as the embodiment of family honour.[[2]](#footnote-3) Girls’ “misbehaviour” or their victimization in sexual violence may be perceived as a stain upon family honour. For this reason, girls – more than boys – may be restricted and controlled in their movements.

The following sections (1.1 and 1.2) will examine two examples of contexts in which girls may be confined for their own protection or the protection of family honour, as well as the consequences that such confinement may have on the enjoyment of their rights.

1. Causes of confinement of girls in specific settings
	1. Example 1: Confinement of girls in humanitarian settings

A recent study conducted by Plan International with nearly 1,000 adolescent girls and boys living in humanitarian crisis settings, reveals that deprivation of liberty is a major concern for girls and the greatest change in their life since arriving in the camps.[[3]](#footnote-4) Adolescent girls report that they cannot move freely about the community for a combination of cultural reasons, perceived safety concerns and a lack of space.

The experience of confinement in the displacement context is distinctly gendered – additional restrictions are often placed on the freedom of movement for women and girls in displacement contexts due to fear of sexual violence and the ensuring stigma and social blame. The role of women and girls in community life is often curbed in the name of protection in contexts of displacement, either mirroring or further exacerbating the influence of the crisis itself.

The perception of safety by parents mixed with cultural practices related to gendered roles and stereotypes of girls are exacerbated in the context of the Rohingya camps. Several girls noted that their parents would not let them leave the house, others were told they must stay at home and do household chores, while yet others mentioned that they could not leave the shelter while they were menstruating. This view was confirmed by members of the NGO community. One stated in an interview that “adolescent girls cannot leave their houses –it makes it harder to give them access to services provided – family is the biggest hindrance in this regard – when asked to make three steps outside girls answered that their fathers and uncles would kill them.[[4]](#footnote-5)

In the case of Lake Chad Basin, the fear of sexual violence and kidnapping, especially at night time was highlighted by both adolescent girls and community members. Interestingly, the research shows that this was referred to as distinctly gendered, with parents and guardians saying it was only girls who were at risk of being kidnapped.[[5]](#footnote-6)

* 1. Example 2: Confinement of girls in urban settings

Although cities present important opportunities for girls to have access to education, avoid child marriage, have better future job prospects and get involved in decision-making, urban life also brings with it frightening levels of sexual harassment, exploitation and insecurity. According to recent research conducted by Plan International, 80% of public space in cities is used by men, and girls feel 10 times less secure in these public spaces than men. Although girls and young women report experiencing different forms of violence, including sexual harassment, sexual assault or rape, theft and robbery, kidnap and murder, and acid attacks[[6]](#footnote-7), sexual harassment – verbal and physical – was by far the most commonly experienced, ranging from catcalling and intimidation to assault. As a result of this violence, several girls in the aforementioned study cite missed education, confinement to the home or neighborhood. Often they are afraid to go out alone and if they are not, their parents are afraid for them.

Plan International’s Programme Response:

The Safer Cities for Girls programme is a joint programme developed in partnership between Plan International, UN-HABITAT, and Women in Cities International. The programme goal is to build safe, accountable, and inclusive cities with and for adolescent girls (aged 13-18). The expected outcomes of the programme include:

* Increased girls’ safety and access to public spaces.
* Increased girls’ active and meaningful participation in urban development and governance.
* Increased girls’ autonomous mobility in the city.

Safer Cities for Girls is a long-term gender transformative programme, working to tackle unequal power relations and challenge harmful social norms that perpetuate insecurity and exclusion of girls in cities. The programme works across three levels of change:

1. with governments and institutions to influence municipal and national actors and policy makers to make laws and city services more receptive and inclusive to girls’ safety;
2. with families and communities to promote a supportive social environment that promotes girls’ safety and inclusion in cities; and
3. with girls and boys themselves to engage them to be active citizens and agents of change by building capacities, strengthening assets, and creating opportunities for meaningful participation.

By working to confront social and cultural norms that allow for the manifestation of unequal gender power relations across these three levels, girls’ and women’s lives in cities will be transformed, reflected in a fundamental shift of their social positions.

In the urban context, confinement of girls may be self-imposed because of fear, or imposed by parents. But in either case, the resulting confinement is forced, whether by parents or by the high rates of gender-based violence that girls in urban areas face on a daily basis.

1. Consequences of confinement of girls

**Lack of access to services, including education:** Deprivation of liberty for a girl may have important implications for her ability to realise other human rights. Girls reported that one of the primary reasons for not attending school, are the confinement imposed to them by elders and parents, including the cultural beliefs around the role of adolescent girls in supporting the household, age of maturity and appropriate age of marriage. Boys’ attendance at school was viewed as a decision for them, while girls’ access to schooling more significantly controlled by parents and heavily influenced by gender norms around freedom of movement.[[7]](#footnote-8)[[8]](#footnote-9)

“Parents say honour is more important than education that is why they do not allow children to go to school at that age.”8

* Community leader

**Unpaid household and care:** girls confined in humanitarian context also need to bear the burden of unpaid household care. In the case of Rohingya refugee camps households within the rely heavily on the unpaid household and care labour of adolescent girls who are often responsible for caring for younger siblings and disabled family members, as well cooking meals and, particularly in the case of younger adolescent girls, for collecting water and firewood. Several adolescent girls identified their care responsibilities and household duties as barriers to accessing education and engaging in recreational activities.

**Limited opportunities for networking:** whether it be networking with peers (joining associations, girl clubs, sports team, etc.), or having access to older mentors and role models, the confinement of girls to the domestic sphere limits their social contacts. Claiming their right to participate in decision-making, gathering freely with others and meeting women who will inspire them to becomes leaders requires them to have access to public spaces without fear.[[9]](#footnote-10) Although digital technologies are opening up important new spaces for girls to “leave the home” without physically leaving the home and come into contact with other girls from around the world (see below). These important new technologies are only part of a broader solution which requires combatting the social norms that underpin girls’ confinement and making all spaces safe for them.

1. Girls’ use of digital technologies as a strategy

Research from Plan International[[10]](#footnote-11) demonstrates the importance to girls, particularly in urban settings, of digital technologies. Although the gender digital divide remains wide[[11]](#footnote-12), and risks to girls online remain an important concern[[12]](#footnote-13), digital technologies also have enormous potential for empowering girls, including by helping them[[13]](#footnote-14):

* Keep in touch
* Further their education
* Become active citizens
* Find work
* Access information
* Build self-esteem
* Stay safe

Although reaching substantive equality for girls in this regard requires ensuring that they have access to all spaces without restrictions an without fear of violence, digital technologies provide an important connection to the outside world for girls who find themselves deprived of liberty or with limited mobility.

1. Recommendations
* **Data collection:** Governments should collect and publish open, accessible, standardised, data, disaggregated by sex, age, and other intersectional categorisations, to holistically track and monitor all forms of gender-based violence, including girls’ and women’s perceptions of safety, and incidences of sexual harassment in public spaces.
* **Legislative change:** Governments should put in place effective legislation to ensure girls’ safety and inclusion, including criminalising all forms of gender based violence against women and girls, including sexual harassment. Legislation must be fully implemented and enforced.
* **Participation:** Governments should enable and promote high quality, meaningful and effective participation of children and young people, and particularly girls and young women, and youth- and women- led civil society organisations in local, municipal, national, regional, and global decision-making bodies and processes, including urban programming and governance. In refugee camps, community leaders, programme planners and camp managers must listen to adolescent girls and make sure they have the opportunity to actively contribute to decision making processes. Girls and young women need to be involved in the issues that affect them, not to be hidden at home.
* **Infrastructure:** Governments should provide and maintain safe and reliable public spaces, including transport, footpaths, market places and public facilities, including sex-segregated sanitation facilities with adequate menstrual hygiene management, to support girls’ and women’s autonomous mobility, which can enable them to access education, seek employment and participate more actively and widely in social, economic and political life.
* **Safe spaces:** The private sector, municipal and transport authorities must provide support for girls in difficulty by setting up and labelling girl friendly spaces. These could include spaces in existing shops, bars, restaurants and public buildings, with specially trained staff, where girls can go, both to report harassment and to escape from it. These spaces not only provide shelter but also signal that the issue of sexual harassment is taken as seriously as girls and young women would like it to be. They must be highly visible and well publicised. Safe spaces should also be established in camps.
* **Education:** Ensure that girls’ education does not suffer, especially in humanitarian settings. The education of adolescent girls needs to be factored into crisis planning and preparedness. Education systems need to be flexible and respond to girls’ needs and circumstances, and should include life skills and vocational education. Recruiting female teachers is vital for some communities and teachers and education officials must be pro-active, not just in providing services but in enabling girls to use them.
* **Social norms change:** Work with families and community leaders to change norms around girls’ vulnerability and weakness. This also includes working to empower girls and provide opportunities for them to raise their voices and participate in decisions that affect them (both within the family and in the community).
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3. Plan International. *Adolescent Girls in Crisis: Experiences of risk and resilience across three humanitarian settings.* 2018. Available at: <https://plan-international.org/publications/adolescent-girls-crisis> [↑](#footnote-ref-4)
4. Plan International. *Adolescent Girls in Crisis: Voices of the Rohingya*. 2018. Available at: https://plan-international.org/publications/adolescent-girls-crisis-rohingya [↑](#footnote-ref-5)
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12. Plan UK. The State of Girls’ Rights in the UK. 2016. Available at: https://plan-uk.org/file/plan-international-ukthe-state-of-girls-rights-in-the-uk-2016pdf/download?token=upKuLdiO [↑](#footnote-ref-13)
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