Girls’ rights are human rights. Yet, millions of girls continue to struggle to claim their rights. Rarely are girls mentioned as a specific demographic in international law and where they are, there is a failure to fully reflect the particular barriers they face. In order to remedy this, States, UN Agencies and civil society must identify the realisation of girls’ rights as an objective in itself and attach greater importance to empowering girls throughout their life-cycles.

Girls are the largest excluded group in the world. They face discrimination and abuse simply for being young and female. At all stages of their early lives up to adulthood, girls face distinct disadvantages in education, health, work and family life that are directly related to this double discrimination. When factors like poverty, ethnicity or disability intersect and where gender stereotyping and uneven power relations prevail, girls’ disadvantage is magnified. Our major new report Girls’ Rights are Human Rights and wide-ranging online resource and legal database, the Girls’ Rights Platform, aim to strengthen girls’ position in international law and to highlight their challenges.

WHAT ARE GIRLS’ RIGHTS?

Two mutually reinforcing conventions on women’s and children’s rights form the cornerstone of girls’ rights: the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC). CEDAW promotes women’s and girls’ rights and requires countries to eliminate discrimination based on gender. The CRC on the other hand, guarantees the rights of all children without discrimination in any form. It obliges States parties to ensure that each child – boy or girl – within their jurisdiction has all the rights recognised in the Convention. Girls’ rights are also addressed in many regional instruments, most notably the African counterpart of the CRC, the African Charter on the Rights and Welfare of the Child (ACRWC).

In addition to human rights treaties, girls’ rights are promoted in soft-law documents. These are quasi-legal instruments that do not have any legally binding force, but are authoritative standards, which strengthen commitment to existing agreements and reaffirm international norms. The biggest overlap with regard to topics addressed by the different international soft law documents on women, children, or girls focus on the issues of violence, discrimination, harmful practices, trafficking, development, and HIV/AIDS.

REPORT FINDINGS: GIRLS IN THE SHADOWS OF WOMEN’S AND CHILDREN’S RIGHTS

Through analysing more than 1,300 international documents underpinning girls’ rights, Plan International has revealed the extent to which girls are rendered invisible in international law. The majority of international policy documents are gender- or age-neutral and often corral girls into the generic categories of ‘children’, ‘adolescents’, ‘youth’ or ‘women’ – therefore relegating girls’ rights to the margins of children’s or women’s rights.

Despite the existence of the CRC and CEDAW, international law overlooks girls, effectively rendering them invisible. Rarely are girls mentioned as a specific demographic and where they are, there is a failure to fully reflect the challenges and barriers they face.

While the CRC and the CEDAW constitute an important framework for the promotion and protection of girls’ rights, the particular challenges girls face are often overlooked in both conventions.

Although the CRC was designed to be gender-neutral, scholars argue that the interpretation given to it is biased
provisions of their choice), as well as refusals to ratify
States to waive their obligations under certain treaty
The politicisation of girls' rights has often also resulted in
marry, is inconsistent at best.
right to decide what happens to her body, or whom to
education. As a consequence, the protection of a girl's
sexual and reproductive rights, receive far less attention
certain topics considered to be controversial, like girls'
discrimination faced by girls. This has also meant that
international law has failed to consistently address the
discrimination faced by girls, and at worst a desire to safeguard the precarious space occupied by women’s rights.

Although girls feature more prominently in international soft law documents than in legally binding instruments, their presence has been quite intermittent. The political agendas of States involved in drafting, negotiating and adopting international standards is the main reason that international law has failed to consistently address the discrimination faced by girls. This has also meant that certain topics considered to be controversial, like girls' sexual and reproductive rights, receive far less attention in soft law than politically neutral issues such as education. As a consequence, the protection of a girl’s right to decide what happens to her body, or whom to marry, is inconsistent at best.

The politicisation of girls’ rights has often also resulted in reservations, (caveats in international law which allow States to waive their obligations under certain treaty provisions of their choice), as well as refusals to ratify conventions altogether. While reservations are an important tool used to encourage ratification, they also throw States' commitment to girls' rights into serious doubt. Not only is CEDAW the human rights convention with the largest number of reservations, States have also lodged reservations to the CRC and many other international agreements. In doing so, they have taken deliberate steps to weaken their obligations towards girls in international law. To learn more about how reservations in international law affect girls’ rights, please read our factsheet “Reservations in International Law”.

Finally, Plan International’s research reveals the importance of consistently employing the most progressive agreed language. The availability of weak language, means that States can pick and choose the terminology they want to draw on when developing new international law documents. This opens up negotiations to bargaining tactics and results in roll-backs on some girls’ rights.

HOW CAN WE REAFFIRM GIRLS’ RIGHTS AS HUMAN RIGHTS?

Despite milestone agreements and promises to tackle gender equality, millions of girls worldwide still cannot claim their rights as set out in international law. The way that international rights instruments are currently being interpreted and applied does not stop girls from being marginalised – let alone help them to thrive. It’s time to act to change this.

Plan International is calling on the international community to articulate their rights and needs in a way that has never been done before. Girls require targeted actions to reflect the particular and intersecting challenges of gender- and age-based inequality. States should intentionally and explicitly address the double burden of discrimination faced by girls, and recognise the realisation of girls’ rights as an objective in itself. To succeed in doing so, Plan International has suggested a number of recommendations in the final chapter of its Girls’ Rights are Human Rights report.