

## Adolescent girls, capabilities and gender justice: Review of the literature for East Africa, South Asia and South-East Asia

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**M**ainstream development actors increasingly recognise that investment in young women and girls is an effective and necessary means of reaching development goals. High-profile campaigns such as Plan International's 'Because I am a Girl', the 2005 and 2010 follow-ups to the Beijing Platform for Action in Africa (Beijing +10 and Beijing +15) and the UN Girls' Education Initiative have made explicit the links between poverty and discrimination against girls. Some major successes have been achieved, especially concerning gender parity in primary education, but girls throughout the developing world continue to be constrained by the intergenerational transmission of poverty and gender inequality. The approaching deadline for achieving the Millennium Development Goals (MDGs) provides an opportunity to infuse development and poverty reduction frameworks with a more nuanced understanding of persistent gender discrimination, which is essential to support gender justice and enable girls and young women to realise a full and productive life.

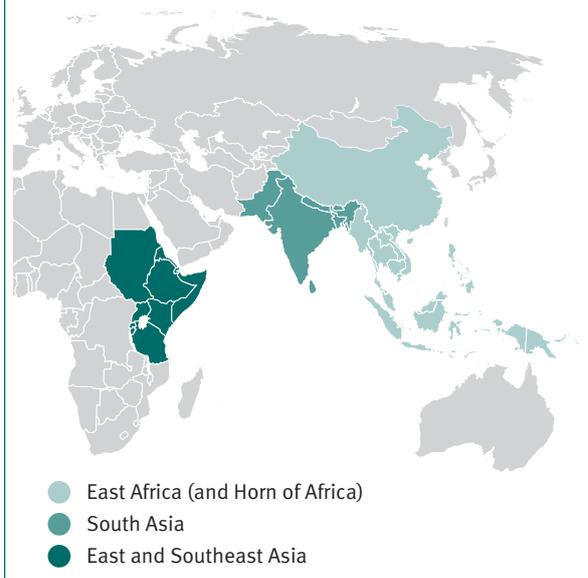
This Background Note synthesises the results of three extensive literature reviews prepared as part of continuing work by the Overseas Development Institute (ODI) exploring the extent to which gender justice for adolescent girls is shaped by formal and informal laws, norms, attitudes and practices that limit them in the attainment and exercise of their capabilities. Providing a snapshot of the social, economic and political conditions that shape girls' everyday lives, this paper covers reviews conducted over three regions: East and South-East Asia (ESEA), South Asia (SA) and East Africa and the

Horn of Africa (EA) (Figure 1). These regions were chosen to represent geographic diversity and a range of levels of economic development, socio-cultural institutions and governance conditions, including fragile and conflict/post-conflict state contexts. Coming country studies will bear out the analysis of these individual topical areas through direct study of four focus countries: Ethiopia (fragile), Nepal (post-conflict), Uganda (fragile/post-conflict) and Viet Nam (stable). Future reports will examine policy, programmes or interventions intended to address gender injustice or enhance girls' capabilities.

### Aims, scope, methodology and limitations of literature reviews

A regional level of analysis presents opportunities to understand how the interaction of historical, political,

Figure 1: Regions covered



cultural and religious influences develops or inhibits girls' capabilities. However, social processes that define capability development, formal and informal laws, norms, attitudes and practices tend to operate at the household and community levels or between individual countries or areas. This paper focuses on major discriminatory trends, behaviours and macro processes in each region; key issues and gender-based vulnerabilities; and regional and local perspectives, priorities or conceptual frameworks established by groups working on gender justice and adolescent girls.

Limitations of the method used include: differences in countries as reported by different development agencies; significant outliers such as China and India; and the massive internal diversity that impedes regional generalisation (OECD, 2010).

Another limitation is the lack of gender- and age-disaggregated data and documentation of rigorous assessments of programmes and interventions. Available data tends to focus on adult women, with few data available on the situation of adolescent girls. Some domains such as education are well researched, while others, such as domestic violence and political voice, are particularly challenging to study and are therefore largely unexamined.

This note covers a wide array of data sources, including the Social Institutions and Gender Index (SIGI); regional Organisation for Economic Co-operation and Development (OECD) reviews; regional follow-up reports to international conferences or commitments through regional UN bodies and inter-state commissions; agency or programme-specific reviews; academic studies; and country-specific reports. Box 1 outlines the research methodology.

## Conceptual framework

A growing literature addresses adolescent girls and young women's experiences of poverty in terms of allocation of resources among children (Quisumbing, 2007), HIV/AIDS (Seeley, 2008) and especially education (Hossain et al., 2009; Rose and Dyer, 2008). There is also increased attention to the intergenerational transmission of poverty through discriminatory practices including abuse, maternal nutrition, early marriage, and transactional sex (Cramer, 2008; de Coninck and Drani, 2009; Moore et al., 2008). The evidence for investing in girls as essential to sound development policy is well developed and too extensive to cover here.<sup>1</sup>

Our initial work on social norms and girls built on the OECD Social Institutions and Gender Index (SIGI) analysis of the impact of 'social institutions' on women's overall socioeconomic status, and was also informed by Amartya Sen's (1999) seminal work on capabilities. SIGI remains an important tool for analysing gender discrimi-

### Box 1: Research methodology

The literature review was carried out in three stages: (1) a survey of known reports, to provide key regional themes; (2) an iterative key word search based on themes from stage 1; and (3) a 'snowball' bibliographic search.

Research was limited to resources published since 2000, with the exception of certain foundational resources. Landmark reports on adolescent girls in the global South as well as regional follow-up reports to international commitments on gender equality provided the starting point for building a relevant bibliography of key issues. Searches were then carried out using online resources, academic databases and library catalogues. This stage also included searches of online databases run by specialised research organisations.

In stage 3, the references of each recorded source were checked for additional resources. Most involved research on individual countries or areas within countries rather than the desired regional-level analysis. Some of this was included in the analysis, however, to provide country-level illustrations of key regional themes.

nation, particularly because its focus on social institutions allows policy-makers to address the cultural, legal and traditional roots of discriminatory practices, often perceived as 'untouchable' or sacrosanct. However, SIGI has certain shortcomings, as it focuses on adult women only and does not effectively analyse intra-household dynamics such as the division of labour, children's inheritance, patterns of residence and arranged marriages. More recent iterations of SIGI attempt to address some of these issues. Furthermore, SIGI does not facilitate the analysis of historical and contextual forces that build social institutions, such as political systems, colonial legacies and religious fundamentalism.

In identifying discriminatory social institutions, laws, norms and practices that deny girls the ability to reach their full potential, we are seeking to understand how this potential is both constructed and limited. We suggest two key analytical approaches to enhance our understanding: capabilities and entitlements. Both of these have potential for analysing and acting on systemic gender inequalities. **Capabilities** frameworks include diverse definitions and interpretations of capabilities and the ways these have been applied to adolescence and girls. **Entitlements** approaches are frequently informed by a rights perspective and consider the range of key economic, socio-cultural and political entitlements fundamental to a transformative approach to development and the achievement of social justice. Both approaches inform our development of an analytical framework to enhance adolescent girls' capabilities by addressing discriminatory social institutions, and more specifically the discriminatory practices and non-actions that compromise girls' development. Our end goal is to explore notions of,

and approaches to, achieving gender justice, bridging thinking around capabilities, rights and discriminatory laws, norms and practices.

Our conceptual framework also combines analysis of social institutions with attention to lifecycle differences that show how development, or lack of capability development, has an impact on discrimination throughout girls and women’s lives. The five capability domains analysed here are: (1) restricted opportunities for development of capabilities through education; (2) restricted access to economic opportunities, productive resources and assets; (3) gender inequalities within the household, marriage and the family; (4) limitations on physical security, bodily integrity and reproductive health; and (5) limitations on political and civil liberties, agency, gender justice and citizenship.

### Summary of regional observations: East Africa (EA) and the Horn of Africa

Of all regions, sub-Saharan Africa scores the lowest on the SIGI (OECD, 2012). Widespread and persistent poverty is an underlying threat to attempts to build gender equality. Entrenched patriarchal norms and values that prioritise males for resources and opportunities expose females to higher risks in times of crisis (ECA, 2010; Karega and Bunwaree, 2010). Gender discriminatory practices such as early marriage, SGBV and FGM/C, further impede girls’ development of their capabilities. SGBV is aggravated by the level of political and social instability in EA, especially the use of sexual violence as a weapon of war.

Girls and young women often have less access to health and education services. Maternal mortality rates remain high, and women and girls – particularly adolescents – disproportionately suffer from HIV/AIDS (OECD, 2012). HIV also increases the burden on young girls orphaned by AIDS, as they are expected to give up school or work to care for other children.

### Summary of regional observations: South Asia (SA)

Although the SIGI records substantial progress towards gender equality in SA, it remains the third-lowest-ranked region (OECD, 2012). Despite rapid economic growth, high levels of poverty and extreme inequality persist (SAARC and UNICEF, 2011). Further instability results from conflict, insecurity and the increasing frequency and severity of natural disasters. Human development indicators, such as education, health and life expectancy, remain low (Ramachandran, 2011). The region has the second highest rates of maternal mortality and HIV/AIDS after sub-Saharan Africa (Bhattacharya, 2010; Mukherjee, 2010) and the

highest number of undernourished children under five in any region (SAARC and UNICEF, 2011).

Primary school enrolment has increased in South Asia, and Sri Lanka and Bangladesh have achieved gender parity, but secondary-level access remains challenging, particularly for girls (UNESCO and Plan, 2011). Restricted access to education hinders capability development, and women face continued discrimination in the labour market, where they are subject to an enduring gendered wage gap, relegation to low-quality jobs and a double burden with domestic duties (Fontana, 2009).

**Table 1: Regional SIGI comparisons**

Region	Overall rank among 7 regions	Highest-ranked country (rank out of 86)	Lowest-ranked country (rank out of 86)
East Asia and Pacific	2	Philippines (12)	Laos (49)
South Asia	4	Nepal (36)	Afghanistan (69)
Sub-Saharan Africa	7	South Africa (4)	Mali (8)

Source: OECD (2012).

Son bias, with its attendant manifestations, is also more evident in SA than any other region, and represents one of the biggest challenges facing the region. Sex ratio data highlight the problem of ‘missing’ women and girls, and sex-selective abortions are increasing (OECD, 2012).

SA’s deeply rooted patriarchal norms, especially discriminatory family codes and laws, are demonstrated by difficulties in implementing the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (ESCAP, 2009). Sexual and gender-based violence is prevalent, with girls and young women facing unique threats such as courtship-related violence (e.g. acid throwing), ‘dowry deaths’ and ‘honour’ crimes (UNICEF IRC, 2008; UNICEF ROSA, 2006; 2010). Furthermore, the practice of female exclusion, or *purdah*, and related gendered ideologies of segregation between the male ‘public’ and female ‘private’ spheres reinforce notions of ‘honour’ and ‘shame’, through which physical control over women’s bodies is a central concern (Naryan, 2010).

Lack of mobility contributes to a number of discriminatory social outcomes for women and girls in the region, including restrictions on schooling, work outside the home, participation in labour markets and socialisation. Girls, particularly the poorest and most marginalised, also face the pressure of early marriage, which represents a significant threat to their health, education and economic security and their opportunities to develop life skills (Ramachandran, 2011; SAARC and UNICEF, 2011). Gender inequality in South Asia is also intertwined with disadvantage based on class, caste, ethnicity and religion. Girls

from marginalised groups – lower castes, ethnic minorities, hill tribes, refugees and illegal immigrants – are particularly vulnerable (Saravanan, 2000).

### **Summary of regional observations: East and South-East Asia (SEA)**

East and SEA boasts the second-highest regional SIGI ranking after Latin America and the Caribbean (OECD, 2012), and most countries are in the medium or high category of the Human Development Index. However, there are extreme disparities: Singapore's per capita income, for example, is 20 times that of Lao PDR (ASEAN, 2007). Despite three decades of rapid economic liberalisation, urbanisation and migration, patriarchal norms persist, particularly among the many ethnic minority populations and those in rural areas.

Gender parity in primary education has largely been achieved, and gaps are closing at the secondary level (CGD, 2008). However, barriers remain in rural areas, and countries such as Cambodia, Lao PDR and Papua New Guinea still have low enrolment levels overall and significant gender gaps, particularly at secondary level (World Bank, 2012). Transition to work presents new challenges, as women continue to be concentrated in the informal economy in low-skilled, low-waged work, often in precarious or risky conditions (UNGEI, 2008).

Sexual and gender-based violence is widespread, especially in relation to trafficking and sexual exploitation linked to tourism. Application of CEDAW protections is uneven: the region counts the most reservations on cultural grounds (UNDP, 2010). Domestic violence is often implicitly condoned, though in public it is taboo. Girls from ethnic minorities are more likely to suffer from gender-discriminatory practices such as early marriage, which are otherwise on the decline in the region.

Women and girls remain marginalised from the political domain, and discriminatory assumptions about their role in society limit access to opportunities for civic participation.

### **Restricted opportunities for capability development through education**

Globally, education – a major pathway to capability development – has been the greatest focus of programmes and interventions directed at girls. Gender gaps in primary education are closing in all three regions but persist at secondary level. The most disadvantaged girls are poor, live in rural areas, and belong to ethnic minorities. In EA, the poorest girls are 3.5 times more likely than the wealthiest girls to be deprived of an education (Presler-Marshall and Jones, 2012). Girls' access to education is also vulnerable to systemic shocks like economic downturns, conflict or natural disasters.

Adolescent girls may be pulled from school before completing secondary level because sons are seen as a better investment for the family's future. Gendered stereotypes around domestic work also lead to girls being removed from school, to contribute to household and agricultural chores (Plan International, 2008). In EA, the impact of HIV/AIDS can lead to children, most often girls, having to sacrifice their education to look after sick family members or take on paid work or domestic duties (Akunga, 2006). Early marriage and pregnancy also lead to girls dropping out of school. Almost half (48%) of girls in SA are married before the age of 18 and the same proportion are not in secondary school (Naryan, 2010).

School violence is a global issue (Jones et al., 2008), and the risk of sexual violence and exploitation is a major barrier to girls' access to education (Pereznieta et al., 2010). Teasing, threats, sexual harassment, sexual violence and rape suffered travelling to and from school, on school grounds or in the classroom, often go unnoticed and unpunished, and result in exclusion, poor performance and emotional trauma and exacerbate problems of early pregnancy and the spread of HIV (Akunga, 2006).

Girls who stay in school often face poor conditions and lack of resources, gender-insensitive environments and gender bias in school materials. Lack of appropriate sanitation and facilities to deal with menstrual hygiene affects girls' attendance, leading to high levels of absenteeism, poor performance and subsequent drop-out (Akunga, 2006; Miske, 2004). Called the 'hidden curriculum', gender stereotypes in SA are embedded in the content and methodology of education and in teachers' expectations of girls and boys (Gunawardena and Jayaweera, 2008). Women and girls are often not represented in textbooks, and teachers may compound this by asking girls to make tea, wash cups and sweep floors (Heijnen-Maathuis, 2008; Naryan, 2010). In ESEA, schools and job training programmes stream girls and boys based on gendered stereotypes future work and employment (CGD, 2008; World Bank, 2012).

An estimated three-quarters of girls who do not attend school in SA are members of marginalised groups (Heijnen-Maathuis, 2008). Gender discrimination also interweaves with other forms of exclusion. For example, low-caste Dalit children in rural India, especially girls, are sometimes compelled to clean school latrines, and religious fundamentalism across the region is increasingly limiting girls' access to schools (Naryan, 2010).

### **Restricted access to economic opportunities, productive resources and assets**

Women's labour force participation has increased dramatically in recent decades and is an important part of both developing and actualising capabilities.

Despite this, girls and women in the three regions experience continued discrimination, including gendered stereotypes about ‘appropriate’ work, wage gaps, exploitation, and a persistent double burden of paid work and domestic duties. Moreover, children are often exploited as cheap labour in both productive and household duties.

In EA, girls engaged as domestic workers are often subject to exploitation and physical, psychological and sexual violence. However, they are often ‘invisible’, which confounds both research and interventions (Zuberi, 2005). Child domestic labour puts girls at risk of abuse and increases the likelihood that families will prioritise productive tasks over girls’ education (Adepoju, 2005; EASSI, 2009). In SA, in Kathmandu, one in five households employs children for domestic duties (Edmonds, 2003).

In all three regions, wage gaps and labour segregation persist. Most women work in agriculture, especially in SA, where only 17% work outside agriculture (UNICEF ROSA, 2006). South Asian women’s access to work outside the home varies by class and the type of *purdah* observed; only the most disadvantaged women undertake manual work. Limitations on women’s mobility also impair their access to decent work and ensure a persistent wage gap. Throughout the region, women earn between half and two-thirds of men’s earnings (Fontana, 2009).

In ESEA, women continue to be concentrated in low-wage, low-skilled work (World Bank, 2012), with 45% engaged in agriculture (Rao, 2011). Conditions are exacerbated by economic liberalisation and trends towards male migration for work. In Cambodia, between 1998 and 2004, women’s engagement in agriculture rose from 35.0% to 52.5% (Prak and Schütte, 2007). A substantial portion of these women’s work is redistributed among daughters, to the detriment of their education or skills development.

Outside agriculture, women and girls are often concentrated in the informal economy. In sub-Saharan Africa, this accounts for roughly 75% of the female labour force (Dwasi, 1999, in Nyamu-Musembi, 2007). Unstable working conditions make women and girls vulnerable to exploitation, violence and volatile economic conditions. Women’s overrepresentation in the informal sector is reinforced by a lack of access to training programmes and gender bias in recruitment.

Even when girls and women engage in productive labour outside the home, they remain almost exclusively responsible for domestic care duties. Women tend to work far more hours than men but for much lower pay (World Bank, 2012). Time poverty limits capability development through education, training, civic engagement or other non-work activities. In Bangladesh, women work between 13.6 and 17.6

hours a day; in Uttar Pradesh, it is 17-18 hours a day (Chowdhury, 2003). Without adequate childcare services, older daughters often cover the shortfall. Women working on contract in agriculture often bring their children to work.

Time poverty and the double burden of productive and reproductive labour render girls and women vulnerable to systemic shocks such as natural disasters, conflict and economic crises. The current global economic climate has intensified the gendered aspects of insecurity in ESEA. Declining demand for migrant workers and reduced income is stretching household resources and forcing people to decide which of their children go to school, or whether any of them do. Employers assume men to be breadwinners and are likely to lay off women first; state approaches to unemployment also favour men. These kinds of shocks force women to adopt alternative coping mechanisms, which, in the extreme, may include sex work or trafficking (Praparapun, 2010).

Trafficking, related to the sex industry or other forms of exploitation like child labour, is a major problem in all three regions, motivated by socioeconomic conditions and processes like rapid urbanisation, population growth and conflict (Beyrer, 2001; Cotter, 2009; Rushing et al., 2005). Growing tourism in ESEA has increased employment opportunities and mobility for some women, but the corresponding growth in the sex industry and trafficking has had serious detrimental effects. Young women’s involvement is difficult to measure because much of the activity – up to 70% in Viet Nam – is hidden within the tourism industry (Rushing et al., 2005). In SA, internal and cross-border trafficking is prevalent in Bangladesh, Nepal, Pakistan and India. Each year, 12,000 Nepalese girls are trafficked into the commercial sex industry, mostly in India (Edmonds, 2003). Trafficking is also on the rise in EA.

While women’s labour force participation has increased in many countries in the three regions, important indicators of economic independence and capabilities, such as access to credit or property ownership, remain elusive. In ESEA, for example, access to credit is often based on land title; women, less likely to own land than men, are shut out (ASEAN, 2007). This compounds challenges facing female-headed households, which generally have smaller holdings and poorer access to other productive inputs and support services. In SA, state-run land distribution programmes often favour men as heads of households. In India, only Kerala counts both unmarried adult sons and daughters as separate units, most likely because of the state’s matrilineal tradition (UNICEF ROSA, 2006).

Discriminatory inheritance practices are often at the root of women and girls’ economic disadvantage. In EA, death or divorce can rob women of land rights, since property is assumed under the care of a male fam-

ily member. Daughters are not usually inheritors, and bride price practices place a limit on what women can accumulate. Widows cannot sell or exchange property and must marry again within the family in the practice of ‘wife inheritance’. Polygyny can also result in unfair distribution among wives and children. ‘Land grabbing’ by male relatives is widespread and increased mortality owing to HIV/AIDS aggravates this (Steinzor, 2003).

In SA, both Muslim and Hindu inheritance laws traditionally disadvantage women (Mukherjee, 2010). Legislation in many countries has codified male privilege, preventing women’s access to property or inheritance and leaving women and children at greater risk of poverty (UNICEF ROSA, 2006). Single women, especially widows without sons, are at the greatest disadvantage. In many areas, agricultural land is also treated differently from other forms of property, such that daughters have no rights by birth. In the case of dowries, sometimes termed ‘female inheritance’, a wife’s in-laws are often in control of assets received, and conflicts may be a source of intra-household gender violence (Quisumbing, 2008, in Jones et al., 2010).

Inheritance customs and laws vary hugely across ESEA. Confucian traditions emphasising patrilineality prevail in Viet Nam, whereas matrilineal ties are more important in Thailand (Belanger and Li, 2009; Jones, 2009). Patrilineal inheritance customs effectively marginalise daughters and can make female-headed households particularly vulnerable. Laws to support gender equality have been enacted in many countries, in line with commitments under CEDAW, but wider social norms, traditional customs and religious practices shape inheritance and access to assets (Rao, 2011).

### **Gender inequalities in the household, marriage and family**

Traditions and customs of marriage, family and household composition differ significantly between regions and communities but always exist at the intersection of a wide array of values, norms and cultural, social and religious influences. Even when not codified, as is often the case in EA, most customary law reflects and entrenches patriarchal relationships (Strickland, 2004). In many countries, fathers are considered guardians of their daughters until responsibility is passed on through marriage, such that women are in many ways forever seen as dependants and minors. Since women and girls are not part of patrilineal lines of succession, they are therefore excluded from inheritance as well as allocation of family resources (Steinzor, 2003).

Early marriage is common in ESA, and may lead to girls’ early exit from education. Across the region, 36% of women aged 20-24, or 6.5 million, have been

married or in union before the age of 18. The practice is particularly prevalent in Uganda and Tanzania but also affects girls in Ethiopia, Eritrea and Somalia (EASSI, 2009). Girls who marry young often have little control over fertility-related decisions, resulting in early pregnancy and reproductive health complications, and are vulnerable to sexually transmitted diseases, including HIV/AIDS. Contraceptive use among the youngest adolescents remains low, and lower still within marriage (Firth Murray, 2008). Children of young mothers are more likely to be born underweight and to die within their first year.

Patriarchal norms also persist in ESEA, contributing to contextual factors that pattern adolescent girls’ capability development. British colonialism in countries like Malaysia entrenched traditional gender roles by codifying religious family laws through power bargaining with local leaders, while communist countries have a tendency to challenge discriminatory traditional practices such as arranged marriage, polygamy and concubinage (ICRW, 2009). Islam is not as restrictive on women’s roles and mobility as in SA because of ESEA’s comparatively more egalitarian inheritance customs and division of labour (Gonsoulin, 2005). Buddhism can prove restrictive, since girls are not allowed to access temples, which are often local sources of education, and because of beliefs that being born a girl is the result of bad karma (Norsworthy, 2003). Although China’s sex ratios at birth significantly favour boys, such that it is a key example of Sen’s ‘missing women’ hypothesis, son preference is not systemic in the region (OECD, 2012). However, Myanmar, Papua New Guinea and Viet Nam also have sex ratios that significantly favour males (OECD, 2010; World Bank, 2012).

Many SA countries prohibit early marriage, but it remains widely practised and supported by religious and customary laws. It can be a response to economic pressure, gendered notions of protection and submission, or fear of social stigma and loss of family ‘honour’. There are significant variations within groups and between rural and urban areas, but rates of 65% in Bangladesh, 57% in Nepal, 54% in Afghanistan and almost 50% in India are recorded. Subsequent limited access to education and exclusion from social life perpetuate the intergenerational transmission of poverty and traditional values. Intra-household inequality is also a concern, since women who marry young have fewer opportunities and lower bargaining power within the household (Ramachandran, 2011; UNICEF ROSA, 2006). Where age differences in marriage are large, young brides may become young widows and customs preventing remarriage can lead to further impoverishment.

Dowries can impose significant hardship on families and reinforce traditions of son preference (Srinivasan,

2005, in Farré, 2012). Despite India's Dowry Prohibition Act of 1961 and Bangladesh's ban in 1980, the practice has spread and increased. In some cases, parents may push daughters into early marriage to avoid large dowry payments (Nasrin, 2011, in Farré, 2012).

### Limitations on physical security, bodily integrity and reproductive health

Many young girls live with the regular threat of violence or without access to or information about life-saving services. As well as being the clearest demonstration of gender-based discriminatory norms and practices, sexual and gender-based violence and denial of physical autonomy inhibit development of capabilities.

Sexual and gender-based violence takes many forms in East Africa, some of which – like female genital mutilation/cutting – have caused international controversy. 'Widow cleansing' also has severe consequences for victims and survivors. Cultural norms and values continue to support harmful traditional practices, and their impact on girls and young women persists (ECA, 2005). Most of the 130 million women and girls who have undergone the dangerous and discriminatory practice of female genital mutilation/cutting live in Africa, with prevalence highest in the Horn, where 70% of girls and women aged 15-49 are affected. Often associated with puberty rites, the practice of female genital mutilation/cutting carries significant health risks and can cause birth complications, including fistula – a leading cause of maternal mortality in Africa (EASSI, 2009).<sup>2</sup> The practice is underpinned by myths about hygiene and female aesthetics and by social pressures associated with control over girls' sexuality, as well as by traditional values regarding coming of age and transition to adulthood (Firth Murray, 2008).

Female genital mutilation/cutting is also closely linked to early marriage, forced marriage and marriage by abduction. Girls from impoverished backgrounds are more vulnerable to harmful cultural practices, partially because of the link with girls' perceived marriageability and associated financial pressures (IOM, 2006). Girls in these situations, as well as their female children, are unlikely to continue education or engage in other activities to enhance their capabilities beyond the domestic sphere.

Afghanistan, Pakistan and India are three of the five most dangerous countries for women (TrustLaw, 2011). Household surveys indicate that the majority of men and women in India believe that a husband is sometimes justified in hitting or beating his wife, and women and children may remain trapped in abusive situations with little access to justice (UNICEF ROSA, 2006). Extremists in Afghanistan have attacked girls

for attending school (Filkins, 2009). Younger women may also experience greater vulnerability: 48% of 15–19-year-old women in urban Bangladesh reported physical or sexual violence, or both, by a partner within the past 12 months, compared with 10% of 45–49 (Hindin et al., 2008, in Jones et al., 2010).

Sexual and gender-based violence in SA is influenced by region-specific phenomena such as courtship-related violence, 'dowry deaths' and 'honour crimes' (UNICEF ROSA, 2006). So-called 'honour killing' is a broad term for violence committed against girls deemed to have brought shame on their families by contravening accepted social norms (UNICEF, 2007). Although the full extent is unknown, an estimated 5,000 women and girls are killed in the name of honour every year (UNFPA, 1998). These practices tend to victimise younger women (UNICEF IRC, 2009). Acid attacks – often motivated by rejected courtship advances, domestic violence over dowry payments, property disputes or political rivalries – are a particular threat to young girls. In Bangladesh, half of acid attack victims are under 18 and the majority of perpetrators are young men aged between 17 and 25 (UNICEF ROSA, 2006). Dowry deaths – young women murdered or driven to suicide by husbands and in-laws attempting to extort an increased dowry – have similar root causes.

The pronounced preference for sons in Asia helps provide a framework for understanding the regional specificity of sexual and gender-based violence. Sen's 'missing women' hypothesis claims that practices such as sex-selective abortion, female infanticide, neglect and poor nutrition of girl children are responsible for skewed sex ratios, especially in China and India. In SA, value systems based on patriarchal notions of 'honour' and 'shame' and the rigid segregation of public and private spheres not only support harmful and violent practices but also prevent intervention. In Bangladesh, for example, the state cannot intervene in the home even in cases of domestic violence or marital rape. Women in SA who report rape but cannot provide explicit evidence are often accused of *zina*, the crime of unlawful sexual relations, the punishment for which, according to Muslim customs and laws, is often stoning.

In ESEA, sexual and gender-based violence, especially domestic violence, is often implicitly condoned, and taboos about discussing it in public impede research and interventions. Almost one-quarter of Cambodian women indicate that violence is part of their married life (Prak, 2007); while 86% of women in Timor-Leste and 81% in Lao PDR agree that domestic violence is sometimes justified (OECD, 2012). Rape is also used as a means of forcing marriage, with violence likely to continue within the marriage (USAID, 2003). Enforcement of anti-SGBV laws is weak, as the

state is reluctant to intervene in ‘private’ family affairs (Vijayarasa, 2010). Trafficking is a major contributing factor to sexual and gender-based violence.

Systemic shocks, including conflict, natural disasters and economic downturns, aggravate both trafficking and involvement in sex work. In Burundi, Eritrea, Ethiopia, Sudan and Uganda, sexual and gender-based violence during conflict has been widely reported, with rape and other forms of systematic violence used as weapons of war (Akunga, 2006). Girls may be abducted and used as combatants, servants or sex slaves. Peacekeepers have also been implicated in sexual abuse during conflict (ibid.). In SA, conflict is a factor in sexual and gender-based violence in Afghanistan, Nepal, Pakistan, Sri Lanka and parts of India (Gunawardena and Jayaweera, 2008). Natural disasters have similar consequences: in Indonesia, the number of early forced ‘tsunami’ marriages rose in response to acts of sexual assault (Felten-Biermann, 2006).

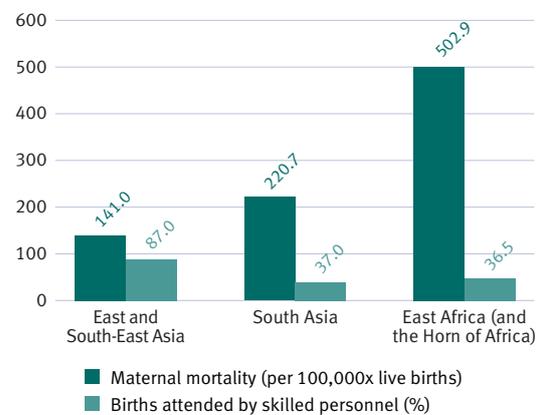
A similar set of traditional norms and poverty dynamics impede women’s control over their own bodies, their reproductive health and their ability to access sexual health information and services. Lack of access to reproductive healthcare and family planning services, including safe abortion, remains a leading factor in maternal mortality throughout the developing world, disproportionately affecting young women. Even where family planning services are legal and available, young women may resort to more secretive, risky channels.

EA and SA have the two worst records for maternal mortality globally. Less than half of all births in EA (46.5%) are attended by skilled health workers.<sup>3</sup> Contributing factors are poor translation of policy into action, acute human resource shortages, inadequate funding and high levels of malaria and HIV/AIDS infection, all aggravated by women’s low social standing, poverty, illiteracy and poor health-seeking behaviour. In SA, skilled personnel attend only 37% of births, and one out of every 43 women is at risk of dying during childbirth (UNICEF ROSA, 2006).

Maternal mortality rates have fallen significantly in ESEA, but progress is uneven (UNICEF, 2008). The majority of women (87%) give birth in the presence of skilled personnel, but maternal mortality remains an important cause of death in Cambodia, Indonesia, Lao PDR and Papua New Guinea, all of which have rates above 400 deaths per 100,000 live births (ibid.). Women are less likely to give birth with a skilled attendant present in rural areas, where the age of first birth is lower and the risk of early marriage much higher (ibid.).

Lack of information, social stigma and value systems that emphasise virginity all threaten young women’s maternal health. Although abortion is legal in India, social stigma encourages illegal and unsafe abortion,

**Table 2: Maternal health snapshot by region**



causing high morbidity in pregnant adolescent girls (Bhattacharya, 2011). The majority of abortions in ESEA are among young unmarried women, indicating a need for greater education and sexual health services (ICOMP, 2009). In Indonesia, abortion is illegal, but its provision remains an open secret. While only 11% of abortions in the country involve single women, 40% of rural women seeking abortion are adolescents (USAID, 2003).

Similarly, stigma and taboos around the public discussion of sex in a context of gender inequality and lack of factual sexual health knowledge encourage the spread of HIV/AIDS and other sexually transmitted infections (Bhattacharya, 2011). India faces a growing epidemic and already the second-highest number of people living with HIV/AIDS. In ESEA, stigma against pre-marital sex also prevents adolescent girls and young women from obtaining sexual health information and relevant services. Young women in the region increasingly use unreliable web-based information (ICOMP, 2009). In EA, women often have little control over sexual relations or fertility, which has particularly dire consequences given the high prevalence of HIV/AIDS and the dearth of maternal healthcare facilities.

### Limitations on political and civil liberties, agency, gender justice and citizenship

In all three regions, girls and young women experience barriers to the full benefits of citizenship and significant lack of access to the public sphere and public voice. In the extreme, the practice of *purdah* in SA can isolate women completely. In both EA and ESEA, traditions of reverence towards older men prevent women from holding senior political or leadership roles. Data on civic engagement opportunities available to younger women and girls are particularly limited, so this section extrapolates mainly from research on adult women which, in any case, sets parameters for girls – both directly, through women’s inadequate control over

decision and policy-making, and indirectly, through a lack of role models and opportunities for change.

Lack of voice in the public sphere is often rooted in patriarchal norms governing all aspects of society, starting from kinship relations within the family often codified in marriage laws and practices. In EA, where women's barriers to citizenship are institutionalised, pro-equality legislation and exemptions for religious and customary family laws limit constitutional guarantees (Nyamu-Musembi, 2007). In South Sudan, women cannot pass nationality on to their children. ESEA, on the other hand, has a relatively high level of women's representation in government. However, women are often restricted to 'gender-appropriate' policy areas like family or children. In Viet Nam, female politicians have stated that they would not take on a role that had greater responsibility or power than their husband's (ECES and Paz y Desarrollo, 2009).

Limitations on citizenship or civil liberties start at birth, with significant obstacles to birth registration. Social stigma can, for example, prevent young and unmarried women from registering children, harming both mother and child, as registration is often essential for a formal social identity and access to basic services and entitlements. SA has the highest regional average of unregistered children (at 65%) and accounts for 47% of all unregistered births worldwide (UNICEF, 2010).

Women and girls' restricted mobility can be a major impediment to the development and exercise of their capabilities and public voice, particularly in strongly gender-segregated societies such as those in SA. For many girls, the transition to adulthood and sexual maturity is marked by a withdrawal from public life into the domestic sphere, changes in domestic duties and family roles, and different social and economic rights through altered relationships with men, both inside and outside their families (Lloyd, 2006). From puberty, women's mobility may be restricted because of perceived new threats to safety and security, but also because of gender ideologies that associate 'honour' with women's confinement to the domestic or private sphere. This segregation may mean increased domestic labour, the end of girls' schooling, missed training opportunities, and isolation from social networks, curtailing young women's ability to participate in life outside the family.

Women's access to justice is defined by geographical location, affordability and language, as well as the extent of legal professionals' awareness of issues specific to them (Nyamu-Musembi, 2007). Even where there are constitutional guarantees of access to justice, translating these into laws and practices remains a challenge. Religion, traditions and customs are mitigating factors in this process. For example, in SA, sex segregation, and differential legal status of evidence based on gender, complicate women's interaction with

public legal structures (Chowdhury, 2003). Women and girls may not be able to travel the distance required to access the legal system because of restrictions on participation in public life. Girls' domestic duties, and the potential double burden of paid work, mean they may not have adequate time or money to pursue the lengthy process of bringing a lawsuit (UNDP, 2010). The few who do may find themselves threatened with violence or other forms of harassment from husbands, family members or employers.

High levels of domestic violence in all three regions are not well addressed by the various legal systems. Redress for domestic violence or sexual assault is rare and does not counter the social stigma of speaking out, or further consequences like additional victimisation. Where claims are pursued, legal systems are biased against women since men are considered the primary citizens or household decision-makers; women have to contend with not being believed, values that condone violence against them, and the limitations on access to justice described above (UNDP, 2010).

### **Comparative analysis, reflections on the analytical framework and suggestions for further research**

The regional reviews uncovered similarities and differences in how gender-discriminatory laws, norms, attitudes and practices are experienced, how much they affect different groups or categories of young women and girls, and implications for policies and programmes.

The analytical relevance of the five capability domains is quite clear, as gender-discriminatory patterns and practices are evidenced across the different regions. This indicates a need for policies and programmes to address gender discrimination in each of these domains in order to provide a stronger enabling environment for the full realisation of adolescent girls and young women's capabilities.

However, the striking variations within regions and even within countries point to a need for more nuanced and detailed analysis at both national and sub-national levels, to further delineate the precise contours of gender-discriminatory norms and practices, including how they affect different groups of girls and young women over the lifecycle. Further research is required to contribute to fine-tuned policy and programme responses.

While educational opportunities may be limited for girls in all regions, countries in EA are still struggling with gender parity at primary level, while those in Asia are focusing more on secondary level. So too, SGBV is pervasive in all three regions, but takes different forms in different socio-cultural contexts, ranging from FGM/C in EA to so-called 'honour crimes', dowry deaths and acid

throwing in South Asia and the often ‘hidden’ domestic violence in ESEA. All forms of sexual and gender-based violence are underpinned by social attitudes and exacerbated by conflict, environmental crisis and poverty.

The uneasy nexus of customary, religious and statutory laws governing marriage, the family, inheritance practices and personal status codes is a key factor in gender discrimination and an impediment to gender justice in many countries in each region. While most countries have signed CEDAW, harmonisation of national laws with international gender equality standards is far from complete, and girls and women’s daily lives are governed by patriarchal family structures and values that are clearly discriminatory.

However, the precise nature and extent of discrimination within the household varies according to the context. This, in turn, patterns the degree and manifestation of ‘son preference’, influencing caring practices and parental investments in education and the gendered division of labour/decision-making within the household. In many countries, marriage systems, whether based on dowry or bride wealth, are seen to perpetuate discriminatory practices, often reducing girls to commodities and perpetuating practices such as early marriage.

Regional and national contexts also set parameters on overall economic opportunities, with gendered dynamics often operating therein: hence, after decades of economic growth in Eastern and Southern Asia, women’s labour force participation has grown, while in many countries of EA poverty has constrained economic opportunities for women and men alike. Literature from all regions, however, indicates that adolescent girls are not being provided with the assets and opportunities (including training) needed for their equal participation in the labour force, and gendered divisions of labour within the household contribute to their ‘double burden’.

Finally, differential limitations on political and civil liberties and citizenship rights for women pattern the potential for gender justice for girls, although a dearth of analysis on specific forms of participation, agency and voice for adolescent girls in different socioeconomic and cultural contexts inhibits the in-depth analysis needed to inform effective policies and programmes.

The regional-level reviews thus identified major trends and processes shaping the lives of girls and young women, but also reaffirm the need for research at lower, local levels. Box 2 identifies key themes for further, more detailed, policy-relevant research at country level, some of which will be explored in Ethiopia, Nepal, Uganda and Viet Nam (drawing on both qualitative and quantitative methodologies and

## Box 2: Key themes for further research

### Education:

- Key obstacles, opportunities and strategies to achieve gender parity/equality in secondary school and beyond
- Implications of possible trade-offs between women’s labour force participation and girls’ schooling

### Economic opportunities and assets

- Productive asset accumulation, technical training and livelihood support for adolescent girls
- Implications of liberalisation and macroeconomic development policies for young women’s labour force participation and changing relation to the ‘care economy’

### Marriage, family and the household

- Detailed analysis of family laws and changing marriage practices in particular contexts
- Family support policies linked to changing household structures and gendered socialisation processes
- Integrated programmes to address early marriage (through school-based initiatives, information campaigns, livelihood support, etc.)

### Physical security and bodily integrity

- Social mobilisation and information campaigns around masculinities linked to strengthened legal protection against sexual and gender-based violence
- Adolescents’ access to reproductive health information, services and rights

### Political and civil liberties, agency and gender justice

- Gender justice and law reform taking specific account of adolescent girls, with a focus on family law, personal status codes, religion and law, and access to justice
- Nature and extent of support for civic roles and responsibilities – including gender-sensitive youth groups, children’s parliaments, clubs and grassroots associations

### Crosscutting

- Public awareness, communication and behavioural change to combat gender-discriminatory attitudes and practices
- Strengthened linkages in research/action agendas with proponents of women and children’s rights
- Context-specific programmes, policies and interventions for adolescent girls from difficult-to-reach populations, ethnic minorities, etc.
- Innovative approaches to restricted mobility for women and girls in terms of outreach/service delivery
- Investigation of actual/potential mentorship roles for women
- Implications for girls, women and gender justice of the rise of religious fundamentalism

including the voices of women and girls). Given the different regional contexts, particular emphases and priorities will undoubtedly differ. This report has provided a rich contextual analysis for the coming country-level reports, which will develop deeper contextualised insights on formal and informal laws, norms and practices affecting girls and women’s well-being.

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#### Endnotes

1. Please see ILO et al., (2010); Jones et al., (2010); Levine et al., (2009); and World Bank (2006).
2. See also [www.unicef.org/esaro](http://www.unicef.org/esaro)
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