



LIVE & LEARN
INTERNATIONAL

**Submission to the senate inquiry into human rights issues
confronting women and girls in the India Ocean – Asia Pacific
region**

**Violations of Fundamental Freedoms to Women and Girls in
Remote Areas of the Western Pacific**

I. ABOUT LIVE & LEARN

1. Live & Learn International is a non-government organization part of an Asia Pacific wide Live & Learn network consisting of 11 local Live & Learn organizations. The network is working towards a sustainable and equitable world free of poverty. In doing this we seek to enhance community resilience through education, economic development, environmental sustainability and gender equity.
2. Live & Learn has a permanent presence in Fiji Islands, Vanuatu, Kiribati, Solomon Islands, Papua New Guinea (PNG), Cambodia, Vietnam and Maldives. Year Live & Learn reaches thousands of communities with clean water, safe sanitation, education programs for young women, advice on sustainable forest practices and alternative income generation schemes.
3. Live & Learn is a member of the Australian Council for International Development (ACFID). ACFID unites Australia's non-government aid and international development organizations to strengthen their collective impact against poverty. Live & Learn is signature to the ACFID Code of Conduct, which sets the standards for accountability, transparency and effectiveness.
4. A particular focus for Live & Learn is combating violence against women and children. For the past decade Live & Learn has been working with communities seriously affected by clear fell logging activities in remote areas where sexual exploitation of children and women is an emergency and needs urgent attention and action.

II. CONTEXT AND CHALLENGES

5. The Western Pacific has experienced significant civil turmoil, increasing social and economic inequality; corruption; high unemployment (particularly for youth); ethnic tensions; environmental degradation; and declining health, education and living standards. The development solutions to counteract the current challenging facing the three countries are compromised by lack of good governance and leadership at community, local, provincial and national level. PNG, despite the cessation of hostilities in Bougainville, West New Britain, Southern Highlands and the Central Highlands continues to be the scene of considerable volatility.
6. In July 2003 a multinational peace-keeping force led by Australia and supported by New Zealand and other Pacific Nations was deployed in the Solomon Islands to pull the country back from the brink of civil war and shore up a government that had all but ceased to function. Civil tension and tribal instability is making the task of protecting human rights and reducing poverty and hardship challenging. Five years of ethnic tensions, which afflicted the Solomon Islands from 1998 to 2003, have left a legacy of violence against women, including rape, torture, loss of property and displacement as well as an exacerbation of the domestic violence which they were already experiencing in the home prior to the conflict.
7. PNG is large by Pacific standards. PNG has a population of 4.9 million and the Solomon Islands has 476,000. They are resource rich, have quickly expanding populations and are highly diverse geographically, ethnically and politically with almost 80% of populations living in rural and remote areas. Looking at the land-person ration and large forestry and fisheries resources in Western Pacific there no fundamental reason why these populations should be poor. But natural resources have been depleted and compromised by multi-national logging companies to the detriment of rural communities. Forests are being harvested between four to six times above the sustainable threshold and no benefits flowing to the poor. Depletion of these resources is directly linked with the high risk of a large-scale human rights crisis in which the basic human rights and of women and children are seriously compromised.

8. Where logging has brought some economic development to the Western Pacific it has left a trail of destruction, corruption, violence and marginalization in its path, especially against women. Social research by Live & Learn¹ and the Church of Melanesia² shows alarming human rights abuse in remote communities where logging and other extractive industries operates. Child prostitution and fundamental rights of women are violated through random violence, rape, and exclusion of any participation in community life, decision-making and political access. There is an absence of political will from local and provincial governments to take proactive steps towards dealing with the issue and hold those responsible to account. Child prostitution and rape is causing increase in unwanted pregnancies, substance abuse, tribal conflict, and suicide and community exclusion.
9. Significant violations in remote areas go unchallenged for mainly two reasons: people do not have the confidence and skills to challenge and the current systems and structures allow current human rights abuse to go unchecked. Education and awareness will assist in building public demand for an end to such abuse and through this process will give human rights defenders greater confidence and support. The silent culture of oppression and violence against women and children is further allowed due lack of public awareness and absence of good leadership.
10. The presence of logging camps throughout the Western Pacific has caused immense violations and have left deep physical and emotional scars left on children and women affected. The very existence of these problems highlights a much deeper problem is Western Pacific; the low status of women and children in civil society. This low status encourages a culture of marginalization and violence. These systems must be challenged by public demand, broad based partnerships and a confident movement of human rights defenders who have got the space and support to operate at local, provincial, national and Pacific-wide.
11. Currently the capacity of local communities to respond to this human rights crisis is very low. The very fact that women and children are overcome with marginalization and inequality and that woman in remote regions of the target countries are excluded from any type of decision-making and meaningful participation in community is life stifling human rights and development.
12. Human rights abuse in the Western Pacific goes unnoticed as abuse is taking place in very remote areas affected by logging outside international attention. Women and children that have been systematically violated have no access to legal advice, no access to reliable communication and limited resources or support from the government or civil society, which allows this abuse to go unnoticed to the general public. The legal courts have challenged very few offenders.

III. RECOMMENDATIONS

13. ***Direct and sustained assistance to local civil society groups supporting rights of women and children.***

Part of building vibrant society includes the protection of women. Civil society Groups in the Pacific are well organized and well networked. Investment in these local networks will directly benefit marginalized and vulnerable women.

14. ***Support and training of men in advocating for protection of the rights of women.***

¹ Live & Learn (2010) *Research of Aspiration and Perception; Combating commercial exploitation of children and violence against women in remote regions of the Western Pacific impacted by large scale commercial logging* Melbourne, Australia

² Church of Melanesia, UNICEF: *Commercial Sexual Exploitation of Children in the Solomon Islands: A report focussing on the presence of the logging industry in a remote region*: July 2007

Violence against men is of embedded in cultural inequality and men plays a critical role in phasing out this problem. Large awareness and education programs targeting men are needed to break a culture of silence and marginalization, which has now become institutionalized in political systems across the Western Pacific.

15. ***Improve monitoring of extractive industries in the Western Pacific.***

Governments across the Western Pacific needs support to better monitor activities of extractive industries and their social impact is critical. The assumption that economic development as a way of lifting people of poverty is not consistent with evidence from the development sector in the Pacific. In fact economic development such as logging, mining and commercial fishing of creates poverty through inequality, marginalization of vulnerable groups and wide spread corruption. Building infrastructure, especially roads, often leads to widespread depletion of natural resources and plummets subsistence communities in social chaos and poverty.

16. ***Improve the policies and political response to human rights violations in remote areas.***

Countries in the Western Pacific have signed several Conventions which contain provisions protecting the rights of women and children, including: *Convention on the Rights of the Child*, *Convention on the Elimination of all Forms of Racial Discrimination*, *Convention on Economic, Social and Cultural Rights* and *Convention on the Elimination of All Forms of Discrimination against Women*. These Conventions protect rights such as the:

- right to be free from violence
- right to health and adequate standard of living
- right to a decent working environment
- right to protection from child labour
- right to protection from all forms of violence.

International law does not automatically form part of domestic laws. By signing a Convention, the governments are making a commitment to enact national laws that comply with its obligations under the Convention. If a Convention has not been incorporated into national law, it may still have some domestic effect. For example, when a Court interprets legislation, it must do so in a way that is consistent with international law, unless this would go against the express words of the legislation. In particular, legislation should be strictly construed to prevent violations of fundamental human rights. More support must be provided to support national laws.