

# **Human rights issues confronting women and girls in the Pacific region**

**Submission to the Joint Standing Committee on Foreign Affairs, Defence and Trade;  
Inquiry into the Human Rights issues confronting women and girls in the Indian Ocean –  
Asia Pacific region**

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## 1. What is the Secretariat of the Pacific Community?

The Secretariat of the Pacific Community (SPC) is a regional intergovernmental organisation founded in 1947 to provide technical assistance, policy advice, training and research services to 22 Pacific Island countries and territories (PICTs)<sup>1</sup> in development areas, including human rights, social policy, public health, statistics and demography, natural resources management and economic development.

SPC also has responsibility for coordination and reporting on regional development frameworks such as the Revised Pacific Platform for Action and Gender Equality and the Advancement of Women (RPPA), and the Regional Cultural Strategy, and is a representative on Pacific Forum reference groups on gender-based violence and women, peace and security.

SPC brings particular expertise in law, human rights, culture and gender equality through its **Regional Rights Resource Team (RRRT)** and **Human Development Programme (HDP)**.

SPC's **Statistics for Development Programme (SDP)** helps PICTs establish good data-collection systems and improve the quantity and quality of data, indicators and related reports.

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<sup>1</sup> American Samoa, Cook Islands, Federated States of Micronesia, Fiji, French Polynesia, Guam, Kiribati, Marshall Islands, Nauru, New Caledonia, Niue, Northern Mariana Islands, Palau, Papua New Guinea, Pitcairn Islands, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, Vanuatu, and Wallis and Futuna, plus Australia, France, New Zealand and the United States of America, which are four of the founding countries. <http://www.spc.int/en/about-spc/members.html>

## 2. Executive summary

Every parent wants his or her daughter to grow up secure and happy, with access to healthcare to keep her well, access to education to give her choices in life, and the knowledge that she lives in a society that respects her, values her contribution and protects her human rights inside and outside the home.

But this is not the reality for a vast number of the five million girls and women<sup>2</sup> in the Pacific countries and territories. They do not enjoy the human rights that most of us take for granted. Women who are unable to enjoy basic human rights are prevented from reaching their human, social, economic and intellectual potential, and this has serious implications for sustainable economic development in the Pacific, the region's security, and the ability of countries to develop resilience in the face of environmental stresses such as climate change.

### **Barriers to enhancing the human rights of women and girls in the Pacific**

A major impediment to enhancing the human rights of women and girls in the Pacific is widespread and pervasive discrimination. Many girls and women are raised to believe that they are second-class citizens without the right to respect and the freedoms and dignities enjoyed by their fathers, brothers, husbands and sons. **Many Pacific cultures condone violence against women and girls** and physical, sexual and emotional violence is common.

Violence places huge direct and indirect costs on society and the economy as a whole. However, women's access to justice remains very limited. Where laws to protect women exist, they are often not enforced, and perpetrators suffer no real consequences.

In terms of **governance and leadership**, women are half the population – but very few are able to gain decision-making roles in the bodies that speak for them as citizens. In the Pacific, traditional views that leadership is a man's role influence electorates to the extent that Pacific-region parliaments have the lowest representation of women in the world.

In terms of **access to health services and sexual and reproductive health rights**, women's low status often means that they are unable to access the healthcare they need and often lack the power to make important decisions about their own sexual and reproductive health. Healthcare systems tend not to be responsive to gender-based issues such as violence; research has found that women with disabilities are not always able to access the same quality of health care as other women. Non-communicable or lifestyle diseases, such as diabetes, cancer and heart disease are a significant concern for the Pacific region, causing eight in every 10 deaths and leaving many disabled and in long-term poor health.

In terms of **access to education**, girls and boys participate fairly evenly in primary schooling in most part of the Pacific. However, worries about personal safety pose barriers. Other blocks to education include early marriage and pregnancy, the risks associated with travelling to education institutions,

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<sup>2</sup> <http://www.spc.int/sdd/>

insecure toilet facilities, risks of harassment and sexual assault from students and teachers, and the direct and indirect costs associated with education.

Increased urbanisation in the Pacific has resulted in higher population density and school overcrowding; increased poverty, which affects enrolment and retention rates; the varied quality of education services; inequitable provision of good-quality education to outer islands and remote rural communities; and the growing number of marginalised young people who are disengaged from schooling. Women with disabilities are less likely to be educated.

In terms of **access to productive and economic resources**, better education for women has not translated into increased economic opportunity. Women's labour-force participation rates remain low, with significant disparity recorded in Solomon Islands, Fiji, Papua New Guinea, Republic of the Marshall Islands and Samoa. Labour-force discrimination, lack of property rights and poor infrastructure significantly impact on women's workloads and their participation in the formal and informal sector.

There is often little in labour law to protect women, with policy and legislation slow to recognise women's participation in the labour force. There are few examples of legislative protection in key employment areas such as non-discrimination provisions in recruitment and retrenchment; paid maternity leave; affirmative action policies; wage discrimination and sexual harassment.

Women's contributions remain invisible in national accounts. Lacking is the appropriate technical expertise as well as capacity to conduct cost-benefit analyses or gender audits of policies, budgets and economic partnership agreements so that they support the greater participation of women in the economy. This situation persists at great cost to women and their families, as well as to national economies.

In terms of **institutional mechanisms to enhance women's access to human rights**, many promises have been made. But institutional change to protect women's human rights is proving slow in spite of Pacific Island leaders' commitments to gender-responsive government programmes and policies through various agreements and mechanisms, among them the Convention for the Elimination of All Forms of Discrimination against Women (CEDAW), the Millennium Development Goals, the Revised Pacific Platform for Action on Advancement of Women and Gender Equality 2005-2015 and the 2012 Pacific Leaders Gender Equality Declaration 2012.

Two critical components of gender and human rights responsive government is gender mainstreaming<sup>3</sup> and the domestication of human rights obligations into policy and law in all areas and at all levels. Assessments by the United Nations Population Fund has found that the extent to which Pacific national development plans and strategies did this found that gender is "ghettoised" – addressed in a separate section of strategies and plans, rather than being mainstreamed. Some countries' plans and strategies made virtually no mention of gender issues.

Similarly, at a regional level, human rights and gender have generally not been well integrated into mainstream regional development frameworks. This shortcoming is a significant issue with the

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<sup>3</sup> Gender mainstreaming is the concept of assessing the different implications for women and men of any planned policy action, including legislation and programmes, in all areas and at all levels.

Pacific Plan – the main regional framework for addressing stability, security and development in the region. In addition, the 11 agencies that are members of the Council of Regional Organisations do not, in general, prioritise gender equality. Gender and human rights experts are rarely involved in high-level planning and policy discussions and gender perspectives are not systematically mainstreamed into sectoral policies and programmes

## **Achievements in enhancing the human rights of women and girls in the Pacific**

The most notable achievements in supporting Pacific women and girls to access their full human rights have been in **elimination of violence against women**: building awareness of what it is and its huge personal, economic and social cost, and developing legislation towards its elimination<sup>4</sup>.

However, there is still much more to do. Much of the new awareness of gender-based violence has been driven by in-depth studies that have provided internationally-comparable national data on the prevalence, characteristics and causes of gender-based violence. At the end of 2014, there will be comparable national prevalence data for 11 Pacific Island countries and territories. Countries own this data and have used it to inform practical action; national policies against to combat gender-based violence have been developed and endorsed, and some countries have strengthened their violence-related law.

Services to victims of gender-based violence are slowly improving, with Pacific Island countries and territories developing new and improved ways of responding to violence against women in a more coordinated and survivor-centred manner.

In terms of **governance and leadership**, women are better represented in local politics than national politics. Temporary special measures are being explored to improve female representation at national level, and constituencies are slowly being built inside government, with government ministries and civil society organisations working together to create change. Male-dominated regional organisations have renewed their commitment to their own gender equality – but this needs to be monitored to ensure it does not drop off the agenda as has happened in the past.

In terms of **access to health services and sexual and reproductive health rights**, skilled birth-attendant rates are improving, and maternal death rates are falling in most parts of the Pacific. Teenage pregnancy rates are falling in most Pacific countries, and positive progress is being made on tackling on HIV/AIDS and sexually-transmitted diseases.

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<sup>4</sup> Since 2008, 8 countries have passed domestic violence related legislation – Fiji, Federated States of Micronesia (Kosrae), Marshall Islands, Palau, Papua New Guinea, Samoa, Tonga, Vanuatu.

Leaders have recognised non-communicable diseases as a major cause of premature death in the region and now at epidemic proportions, creating a human, social and economic crisis.

National health-service mechanisms and services are being improved, with Solomon Islands and Fiji among a few countries developing gender policies and plans of action to be embedded in their departments of health to promote improved access to health services. Several countries are undertaking initiatives for women with disabilities following a 2013 United Nations Population Fund study on the health of women with disabilities in Kiribati, Solomon Islands and Tonga.

In terms of **access to education**, the majority of Pacific Island countries and territories have achieved gender parity in primary education. But challenges remain, particularly for remote communities and persons with disabilities. These include gendered learning pathways that limit opportunities for women and girls to engage in education that suits their interests and capabilities. There have been a number of significant initiatives, among them Papua New Guinea's decision in 2010 to abolish school fees for the initial three years of schooling; girls generally have experienced lower rates of enrolment in primary education than boys in PNG. A preliminary analysis of this approach has shown that this initiative has increased primary school enrolments, particularly for girls. Another key initiative has been the Pacific Islands Literacy and Numeracy Assessment (PILNA) in 2012, which was used to set literacy and numeracy baselines amongst Pacific Island countries and territories.

In terms of **access to productive and economic resources**, national political leaders have restated their commitments to enabling women's economic participation, and a reporting framework has been devised to track change, supported by the Government of Australia's 10-year initiative to improve political, economic and social opportunities for women in Pacific Island Forum countries.

Women's access to financial services, business ownerships and markets is slowly improving, and several countries have improved local market infrastructure to enable women's rights to safe, fair and equal participation in their local economies. For example, Fiji, Solomon Islands, Papua New Guinea and Vanuatu have begun improving local market infrastructure, which includes improvements for security for women.

In terms of the **institutional mechanisms that support women's access to human rights**, regional organisations have restated their commitment to their gender equality pledges. Numerous regional initiatives have focused on building government capacity to mainstream gender. The Secretariat of the Pacific Community has developed gender-indicators framework so users have sound data to inform policy and practice, and the gender statistical profiles produced to date have provided the opportunity to map gender gaps in key sectors such as education, health, employment and justice.

Many of the national bodies responsible for women's affairs are reviewing their activities and so far, a shift has been seen from a women-in-development approach to a gender-equality-and-women's-empowerment approach, with specific targets for addressing the causes of gender inequality. Most policies have also set as a key outcome the development of the government's capacity to mainstream gender.

## **The implications for social and economic development in the Pacific**

Let us be blunt: the Pacific will not achieve sustainable social and economic development and security without women's participation. At present, the female half of the Pacific's human capital is undervalued and underutilised. Encouragement of women's abilities through enhancement of their human rights could increase economic growth, reduce poverty, enhance societal well-being, and help ensure sustainable development.

However, there is still too much talk and not enough action; too many words and not enough political will. Despite declarations and reports, most recently the Pacific Leader's Gender Equality Declaration and 2013 Regional MDG Tracking report, translation of commitment to concrete, resourced and measurable action that indicates domestication of human rights norms and standards is not evident across governments of the region.

Closing the gender gap depends on Pacific leaders and their governments turning their words on gender-related human rights into action. When Pacific governments take ownership, lead and are willing to be held accountable for concrete progress on gender equality through legislation, policy and budgetary reforms, real progress can be made.

Partnerships that deliver real gains for women and girls in terms of their access to human rights are built on solidarity, cooperation and mutual accountability. They are fostered with local and national government, regional organisations and development partners, people living in poverty, those with disabilities, civil society, indigenous and local communities and women's groups, multilateral institutions, the business and private sector and community and academia.

## **The effectiveness of Australian programs to support the human rights of women and girls in the Pacific region**

Based on the experience and work at both country and regional level of the SPC, the following observations are made.

Australia has made substantial contributions, both political and financial, to Pacific island countries and territories to improving the situation of women and girls' human rights in the region in four key areas: **institutional mechanisms and processes, women's legal and human rights; access to services mainly in health and education** but with less of a target to improve access for women and girls, and **women's economic empowerment**.

### **Australian contributions to development have led to safer environments for Pacific women.**

Australian funds have supported legislative change through the SPC Regional Rights Resource Team (RRRT) to address violence against women in Tonga, Kiribati, Samoa, Solomon Islands, Tuvalu, with support to other countries in legislative change. Australian also contributes to services for victims of violence through the Fiji Women's Crisis Centre, Vanuatu Women's Crisis Centre and the Tonga Centre for Women and Children in addition to offering support and training to other crisis centres around the region.

**Australia has supported women's leadership** through the Pacific Leadership Development Programme with a particular focus on developing skills for women and youth through Harvard University's Women in Public Policy Programme, through the University of the South Pacific School of Government and the Emerging Leaders Dialogue programme. Support for women in leadership

needs to be stepped up and linked to regional and national efforts for strengthening the participation and leadership of women in all sectors. Emphasis needs to be put on targeting male leaders as advocates for gender balance at all levels of decision-making.

**Australia has helped Pacific countries and territories to start making gender issues a part of their planning and policy**, channelling its support through SPC in mainstreaming gender and improving gender statistics, and conducting gender analysis and evaluation of regional and bilateral programmes. This work needs to be built on. There needs to be better integration of gender and human rights across all national and regional development and planning processes. This is best achieved by requiring that gender and human rights experts are involved and gender analysis undertaken, and that systems and structures are put in place to support high level multi-sectoral ownership of gender equality.

There should be support for continual improvement in domesticating human rights commitments and gender mainstreaming, including the development, use and expansion of a regional human rights and gender-equality accountability tools to monitor implementation of these commitments.

**Australia's support has been delivered mainly through short-term projects.** Support has generally related to specific projects and generally been short term (up to five years), raising questions of how sustainable they are. Longer horizons would allow projects to respond to societal change and produce better long-term outcomes. The 10-year Pacific Women Shaping Pacific Development Initiative is a good example of this: it's long-term, with commitments to continue support in line with country priorities and plans as well as regional developments.

**Support has been delivered mainly through multi-lateral agencies or, more recently, through Australian contractors or Australia-based and led projects.** This limits opportunity for projects to be grounded in Pacific realities and experiences, and for Pacific people to assume long-term ownership.

**Support has been delivered through sectoral regional or bilateral programmes, such as health and education**, where it is difficult to see specific deliverables in relation to improving the human rights of women and girls as they are not linked to regional tracking mechanisms. It is not clear, for example, whether Australian education or health-sector support over the past 10 years has led to improvements in women and girls' health and delivered on regional gender equality and women's human rights frameworks, such as the Revised Pacific Platform for Action.

**Improved coordination at national level** will improve delivery of Australian support, and there are good examples of such collaboration with SPC, the Asian Development Bank and the UN on gender mainstreaming and gender statistics in Nauru, Solomon Islands and the Cook Islands. More systematic coordination at national level, working through national systems and processes for aid coordination and regular development partner dialogues on progressing gender equality and human rights at country and regional level. Joint programming, in-country consultations and monitoring of action at national level would ensure that Australia's resources are used in a more effective and sustainable manner.

## **Recommendations**

The Government of Australia, through Department of Foreign Affairs and Trade has been a leading donor in the Pacific in the areas of human rights and gender. It is in an excellent position to influence



how aid is given and how development projects are delivered in these sectors. Therefore, the Secretariat of the Pacific Community recommends that the Government of Australia should aim to:

- a) **Influence how aid is delivered** by ensuring that all development projects not only do no harm in terms of contributing to human rights for women and girls, but also ensure that projects enhance and contribute to measures that address barriers to accessing human rights. Aid programmes need to recognise the multi-sectoral nature of barriers to accessing human rights for women and children through support to integrated approaches. They should recognise that gender equality and human rights require sustained long-term behavioural change through provision of long-term project support.
- b) **Support the integration of human rights and gender within regional agencies.** In the Pacific, this would be through the Council of Regional Organisations of the Pacific (CROP) agencies. A review of the CROP agencies in 2007 which examined and made recommendations on gender mainstreaming within those agencies has been largely ignored, with many recommendations left unimplemented. Australia should insist that gender and human rights analysis are done at the planning, implementation and evaluation phases of projects funded through CROP agencies.
- c) **Support information that informs practice.** Research in the area of human rights and gender is lacking in the region. It is proven that solid research informs actions. The Kiribati and Solomon Islands Family Health and Safety Surveys, which led to legislative and other reforms to address violence against women, are clear examples of the power of good research and statistics.
- d) **Build national and regional capacity in gender and human rights.** There is a growing pool of Pacific people with expertise in these areas. However, more technical expertise is required both at the sectoral levels in areas such as education, health, infrastructure, energy, and economic growth as well as in general gender and human rights mainstreaming policy. Scholarship programmes are a good start and would benefit from being linked to mentoring programmes in both regional and national agencies.

### **3. Barriers and impediments to enhancing the human rights of women and girls in the Pacific**

The barriers and impediments to Pacific women and girls enjoying their full human rights are many and complex. Gender-based discrimination intersects with a broad range of other cross-cutting and often conflicting factors, such as centuries-old traditions, the impact of colonialism and missionary activity, periods of armed conflict and the growing forces of modernisation, globalisation and climate change.

This submission draws on SPC's experience working with its 22 member countries and throughout the region through training, workshops, meetings, reviews, conferences, and dialogues involving civil society, government officials and development partners.

While recognising that this is not an exhaustive list of issues, this paper will focus on factors hindering women's human rights in relation to:

- a. Cultural and social barriers
- b. Violence against women and girls
- c. Governance and leadership
- d. Access to health services and sexual and reproductive health rights
- e. Access to education
- f. Access to productive and economic resources
- g. Institutional mechanisms

## **A: Cultural and social barriers**

**Inequality is imposed by socio-cultural beliefs and practices.** The bonds of family, kinship and community are central to Pacific societies. However, while women are valued as mothers, wives, caregivers, food providers, and keepers of traditional knowledge and skills, they are viewed as subordinate to men – often as the property of husbands and fathers – and restricted to clearly defined gender roles.

This inequality imposed by socio-cultural beliefs and practices is a fundamental barrier to girls and women enjoying their human rights. Value systems that link masculinity with authority over women have contributed to high rates of physical, emotional and sexual violence against women and girls, further reinforcing women's dependency and disempowerment.<sup>5</sup>

Gender disparities persist in and outside the home. Women and girls face attitudinal and structural barriers to equal participation in education, paid work, and public decision-making at all levels, and have limited rights over land, housing, property and other resources.

## **B: Violence against women and girls**

**Violence is used to keep women subservient.** Violence is often used to enforce sexual norms and gender roles on women and girls. Pacific women experience various forms of gender-based violence (GBV), including domestic violence, sexual assault, rape (including marital rape), trafficking, commercial sexual exploitation, violence as a result of traditional beliefs (eg, that some women are sorcerers, as in Papua New Guinea, and that their torture or murder is therefore justified) and harmful traditional practices such as early marriage and 'bride price' – goods or money paid by the groom or his family to the parents of a bride.

Research has found that in Solomon Islands, bride price is a strong a risk factor for intimate partner violence. Women whose bride price had not been fully paid were particularly at risk; they were more

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<sup>5</sup> Pacific Islands Forum Secretariat (2013). Pacific Regional MDGs Tracking Report.

than two and a half times more likely to experience partner violence than women whose marriage did not involve bride price.<sup>6</sup>

Aspects of Pacific island culture such as traditional forgiveness practices, early, arranged or forced marriages, and informal adoptions may contribute to the prevalence of violence. Rape has been used as a weapon of warfare, as documented in Solomon Islands, Papua New Guinea and Bougainville.

United Nations research released in 2013 has shown that 23% of men who were interviewed about their perpetration of sexual violence against women had admitted to committing at least one rape. The United Nations Multi-country Study on Men and Violence in Asia and the Pacific interviewed more than 10,000 men in six countries in Asia and the Pacific. The findings reveal feelings of sexual entitlement, or notions that a man has the right to have sex with a woman whether or not she consents. In Bougainville, 62% of men admitted to forcing a woman to have sex. Of these, just under half had perpetrated this crime more than once. Men who had themselves suffered violence as a child were more likely to commit rape and partner violence. More than half of non-partner rape perpetrators first did so as adolescents (19 years of age or younger), which points to young people as an especially important population to engage for prevention of rape.<sup>7</sup>

**Many Pacific cultures condone violence against women.** Violence is justified on the basis that it is part of culture and custom. Research indicates that in Solomon Islands, nearly two in three (64%) ever-partnered women, aged 15-49, reported experiencing physical or sexual violence, or both, by an intimate partner. The majority of women (73%) in Solomon Islands believed that a man was justified in beating his wife under some circumstances – in particular, for infidelity and disobedience. The most common reason given by men for hitting their wives was “disobedience” and “discipline”. When men were asked what a wife should do to improve the situation, the overwhelming response was that she should learn to obey him and do what he asked.<sup>8</sup>

In most cases, women are prevented from leaving a violent or sexually abusive relationship due to discriminatory family rules and practices as well as their lack of financial independence.<sup>9</sup>

Sexual harassment in workplaces and schools is also a major barrier to women’s and girls’ economic and educational advancement. In 2002, the Fiji Women’s Rights Movement interviewed 550 employed women in homes and found that 33% had been sexually harassed at work, with 20% overall having been harassed in the preceding 21 months. For 14% (one in six of all women interviewed) the harassment was on-going.<sup>10</sup>

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<sup>6</sup> SPC and Government of Solomon Islands. Solomon Islands Family Health and Safety Study: A study on violence against women and children, 2009.

<sup>7</sup> Fulu, E., Warner, X., Miedema, S., Jewkes, R., Roselli, T. and Lang, J. (2013). Why Do Some Men Use Violence Against Women and How Can We Prevent It? Quantitative Findings from the United Nations Multi-country Study on Men and Violence in Asia and the Pacific. Bangkok: UNDP, UNFPA, UN Women and UNV.

<sup>8</sup> SPC and Government of Solomon Islands. Solomon Islands Family Health and Safety Study: A study on violence against women and children, 2009.

<sup>9</sup> SPC (2010). Beijing +15: review of progress in implementing the Beijing platform for action in Pacific Island countries and territories.

<sup>10</sup> Fiji Women’s Rights Movement, 2002. Report on Workplace Sexual Harassment in Fiji.

**Sexual violence is linked to health problems.** In addition to undermining women’s human rights, physical and sexual violence against women is linked to the spread of HIV and sexually-transmitted diseases, teen pregnancy, gynaecological problems, induced abortions and negative pregnancy outcomes such as miscarriage, low birth weight and foetal death.<sup>11</sup> And this costs: A study published by the journal *Reproductive Health* estimated that preventing unintended pregnancies in Vanuatu and the Solomon Islands could save up to US\$112 million in health and education expenditures between 2010 and 2025.<sup>12</sup>

The 2013 UNFPA report *A Deeper Silence: The Unheard Experiences of Women with Disabilities – Sexual and Reproductive Health and Violence against Women in Kiribati, Solomon Islands and Tonga*, reported that women and girls with disabilities are even more vulnerable to violence than non-disabled women. They experience additional forms of violence, including withholding of medication, medical assistance and reproductive health options, denial of food or water, forced sterilisation and medical treatment, and are vulnerable to sexual assault in institutions.<sup>13</sup>

**Violence places huge costs on society as a whole.** A number of studies show that gender-based violence places a huge direct and indirect burden on national economies, with costs incurred from police, court and jail time, time off work, medical and legal costs. An economist at the University of the South Pacific estimated that domestic violence cost Fiji’s economy \$498 million in 2011.<sup>14</sup>

## **C: Governance and leadership**

**Women are half the population – but very few are able to gain decision-making roles.** Women continue to experience extreme discrimination in political spheres. In the Pacific, traditional views that leadership is a man’s role influences electorates to the extent that Pacific-region parliaments have the lowest representation of women in the world – and in the Federated States of Micronesia, in Palau and in Vanuatu, there are no female parliamentarians at all. Additionally, the Federated States of Micronesia is one of three countries worldwide to have never elected a woman to national office.<sup>15</sup>

Most Pacific countries and territories, including Samoa and Solomon Islands, use majority electoral systems, such as first-past-the-post, which has been proven to be generally more favourable to men than women.<sup>16</sup>

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<sup>11</sup> SPC. Ensuring approaches to maternal health in the Pacific are evidence-based, human rights- and human development-based and multi-sectoral, Submission to the New Zealand Parliamentarians’ Group on Population and Development Open Hearing on Maternal Health in the Pacific, 21 September 2009.

<sup>12</sup> Kennedy E. et al (2013). The case for investing in family planning in the Pacific: costs and benefits of reducing unmet need for contraception in Vanuatu and the Solomon Islands. In *Reproductive Health 2013*, 10:30

<sup>13</sup> Spratt, J. (2013). *A Deeper Silence – The Unheard Experiences of Women with Disabilities – Sexual and Reproductive Health and Violence against women in Kiribati, Solomon Islands and Tonga*. Suva, Fiji: UNFPA Pacific Sub-regional Office.

<sup>14</sup> Fiji Broadcasting Corporation.

<sup>15</sup> PIFS (2013). Pacific Regional MDG Tracking Report.

<sup>16</sup> Fraenkel, J. (2007). *The Impact of Electoral Systems on Women’s Representation in Pacific Parliaments: A Report Conducted for the Pacific Islands Forum Secretariat by the Pacific Institute of Advanced Studies in Development & Governance*.

Vanuatu uses the single non-transferable vote system. Research shows this may be more proportional in outcome, leading to more women being elected. Yet, since independence in 1980, only five women have been elected to Vanuatu's parliament. In the French Pacific, reserving seats for women has remarkably improved their number in parliaments.

Women's own demands for action in recent years have become more sharply focused with the help of practical learning experiences such as training workshops and 'practice parliaments'.<sup>17</sup>

**Bodies that make decisions for women need to include them as decision-makers.** Better balanced parliaments and decision-making structures are essential for good governance as they ensure a diversity of perspectives and the greater likelihood that issues of direct concern to women and their families are considered. Gender-responsive governance is not only about political representation, it is also about a mechanism in which a diversity of needs and priorities are addressed, with adequate resources allocated.

Gender-responsive governance must also reflect the multiple realities of women and men: women are not all the same, but all women, regardless of socio-economic status, ethnic background or physical ability must be given the opportunity and encouragement to contribute to the structures that govern them.

## **D: Access to health services and sexual and reproductive health rights**

**Women's low status can limit their ability to get the healthcare they need.** Access to good healthcare services remains a challenge in the Pacific islands region. Constraints to women's access to health services are numerous; women tend to have lower social status than men in many Pacific Island societies and often do not have the power to make important decisions about their own sexual and reproductive health.

Fertility rates in many Pacific Island countries remain relatively high, with nine countries, including Papua New Guinea, having rates of four or more births per woman. Lack of recognition and protection of Pacific women's reproductive and sexual health rights have significant impacts on them. A 2009 Secretariat of the Pacific Community submission to the New Zealand Parliamentarians' Group on Population and Development Open Hearing on Maternal Health in the Pacific showed that maternal health remains a serious concern across the Pacific Islands region, despite gains made over the past few decades.

The submission cited leading causes of maternal mortality in the Pacific as post-partum haemorrhage, pre-eclampsia, obstructed labour, puerperal sepsis and complications of unsafe abortion. Data from different sources show that countries such as Papua New Guinea, Solomon Islands, Vanuatu, Kiribati and Federated States of Micronesia have high maternal mortality.<sup>18</sup>

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<sup>17</sup> UNDP (undated). Mock or Practice Parliaments Help Put More Pacific Women in the House. [http://asia-pacific.undp.org/content/rbap/en/home/ourwork/democraticgovernance/successstories/Practice\\_Parliaments\\_Put\\_More\\_Women\\_In\\_the\\_House/](http://asia-pacific.undp.org/content/rbap/en/home/ourwork/democraticgovernance/successstories/Practice_Parliaments_Put_More_Women_In_the_House/)

<sup>18</sup> SPC (2009). Ensuring approaches to health in the Pacific are evidence-based, human rights-and human development-based and multi-sectoral: Submission to the NZ PGPD Open Hearing on Maternal Health in the Pacific, September

Maternal mortality and morbidity in Pacific Island countries must be understood as arising from a variety of direct and indirect factors, including delays in receiving the required care and the major impact of underlying determinants of maternal health, many of which are outside the mandate of the health sector and traditional health-sector development partners. Further, the lack of complete and current data and/or the inability to properly analyse data compromises the effective development of laws, policies and programmes in support of maternal health.<sup>19</sup>

**Healthcare systems tend not to be responsive to gender issues.** Despite the tremendous health issues faced by women in the Pacific, regional health dialogues and frameworks for action on various aspects of health in the Pacific are largely gender-blind – that is, they do not consider gender – and there is limited technical expertise in gender and health at regional and national levels. Existing and new health initiatives designed at both national and regional level do not integrate a gender perspective nor do they deliver gender-specific outputs.

Healthcare providers require training to develop a sound understanding of gender issues that are affecting women's health and their access to services. Healthcare institutions also need to improve their services to victims of violence and the specific needs of women with disabilities.

The prevention of unintended pregnancies through family planning is an important element of reproductive health and rights, but it relies on effective family planning programmes and universal access to quality contraceptive services, including information, commodities and counselling.

Inadequate access to family planning services is associated with high maternal mortality and morbidity. In the Pacific, contraceptive use rates remain below 50%, and rates of sexually-transmitted disease STI rates continue to be high – up to 30% in some cases.<sup>20</sup> Pregnancy in adolescents is a common issue: in the Marshall Islands, Nauru, Solomon Islands, Vanuatu and Papua New Guinea, teenage pregnancy rates exceed the world average adolescent (15-19) birth rate.<sup>21</sup>

Critical challenges in many of these countries include inadequate funding and chronic under-investment; discriminatory practices, especially in relation to adolescents; lack of human resources, particularly at the primary health level; poor infrastructure; unreliable supply of reproductive health commodities (particularly for vulnerable groups); and weak information systems for monitoring.

Young people often lack access to youth-friendly information, services and contraception. In addition, research has found that often young people lack control over their sexual and reproductive health. Studies conducted by UNICEF in Solomon Islands, Vanuatu and Kiribati found that between 38% and 45% of sexually active youth had experienced forced sex, with approximately 20% reporting their first sexual encounter as forced.<sup>22</sup>

**Lifestyle diseases are a significant concern.** Non-communicable diseases, such as diabetes, cancer and heart disease, are a significant concern for the Pacific region, causing eight in every 10 deaths. When not fatal, they can cause disability and poor health.<sup>23</sup> Unhealthy diets, smoking, drinking

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<sup>19</sup> Ibid

<sup>20</sup> SPC (2014). Pacific Sexual Health and Wellbeing Shared Agenda Policy Document.

<sup>21</sup> SPC: Statistics for Development.

<sup>22</sup> SPC (2014). Pacific Sexual Health and Wellbeing Shared Agenda Policy Document.

<sup>23</sup> World Bank (2013). Thwarting a Disease Crisis in the Pacific.

alcohol and physical inactivity are key causes of non-communicable diseases.<sup>24</sup> Cancer of the cervix, caused by the human papilloma virus (HPV), is also a non-communicable disease, and rates among Pacific women are among the highest in the world.<sup>25</sup> Biological differences, social marginalisation, social customs and gender roles mean that women and men are exposed to different non-communicable disease risks, with these factors contributing to an increased risk of poor health for women.<sup>26</sup>

**Women with disabilities are doubly marginalised.** There are consistent reports across the Pacific that women with disabilities are not always able to access the same quality of health care as other women. In 2013, a United Nations Population Fund study entitled *A Deeper Silence* explored the health of women with disabilities living in Kiribati, Solomon Islands and Tonga. It was found that there is a lack of awareness about the needs of women with disabilities and their sexual and reproductive health needs. It was also found that women and girls with disabilities are two to three times more likely to be victims of physical and sexual abuse than those without a disability.<sup>27</sup>

## **E: Access to education**

**Fears about personal safety remain among the blocks to girls' education.** The 2013 Pacific Regional MDG Tracking Report highlights a number of key issues. For example, most Pacific Island countries and territories have boys and girls at school in equal proportions, but several are nowhere near this.

Issues that also affect enrolment and retention rates amongst girls include: pregnancy, risks associated with travelling to education institutions and centres, early marriage, insecure toilet facilities, risks of harassment and sexual assault from students and teachers, and the direct and indirect costs associated with education.<sup>28</sup>

The opportunity costs of attending school can also be a factor. In some cases, girls are required to stay at home to care for younger children or older relatives while parents work. Some families may need girls to seek paid work to contribute to family incomes.

Other issues impacting on access to education include increased urbanisation resulting in higher population density and school overcrowding; increased poverty, which affects enrolment and retention rates; the varied quality of education services; inequitable provision of good-quality education to outer islands and remote rural communities; and the growing number of marginalised young people who are disengaged from schooling.

**Women with disabilities are less likely to be educated.** Women and girls with disabilities also experience poorer access to education and training than their non-disabled peers. A survey by the Fiji National Committee on Disabled Persons found that 57% of people with disabilities had received

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<sup>24</sup> Pan-American Health Organisation (2012), *Non-Communicable Diseases and Gender*.

<sup>25</sup> United Nations Population Fund (2013).

<sup>26</sup> Pan-American Health Organisation (2012), *Non-Communicable Diseases and Gender*.

<sup>27</sup> Spratt, J. (2013). *A Deeper Silence – The Unheard Experiences of Women with Disabilities – Sexual and Reproductive Health and Violence against women in Kiribati, Solomon Islands and Tonga*. Suva, Fiji: UNFPA Pacific Sub-regional Office.

<sup>28</sup> Ibid.

primary education (29% of women with disabilities) and 17% secondary education (7% of women with disabilities). Overall, 13% received special education (4% women and girls).<sup>29</sup>

Women and girls also continue to be disadvantaged in technical and vocational education and training. Access for girls is limited by the current and traditional school curricula, which tend to push girls into home economics and boys into technical trades.

Whilst scholarships can open opportunities for women and girls in vocational, trade and technical areas at post-secondary and tertiary level, the gender-stereotyped education offerings in secondary schools tend to undermine the opportunities these scholarships offer.

Access to higher education is also limited by inflexible and outdated rules prescribed by institutions; a lack of recognition of the experience and skills gained in the informal sector; scholarship opportunities that limit participation of women and girls to those who have passed certain formal examinations and high-level literacy tests; and a lack of curriculum resources, instructors and targeted, structured programmes.

There is also a shortage of data available about women and girls' educational achievement in post-secondary, professional and tertiary education.

It must be noted that in some Pacific Island countries and territories, including Samoa, Fiji and Kiribati, girls stay at school longer than boys and achieve better results. In Samoa, significantly more boys than girls are struggling with literacy and mathematics, according to standardised tests.<sup>30</sup> The University of the South Pacific also has more female than male students and graduates. The big question: Will these achievements translate into jobs?

It needs to be noted that Fiji has greater facilities for persons with disabilities in comparison with other Pacific nations, and therefore Fiji would not be representative of most Pacific nations.

## **F. Access to productive and economic resources**

**Better education for women has not translated into increased economic opportunity.** In the last decade, poverty has worsened in and within some Pacific countries, and has increased among certain disadvantaged groups including single mothers, women and youth.<sup>31</sup> Poverty affects not only economic growth, but also people's wellbeing, including health, education, resilience to natural disasters and climate change and the capacity to adapt to socio-economic changes, all of which has the potential to disrupt peace and political stability.

A lack of data on poverty and on the gender dimensions of poverty hinders the capacity of Pacific Island countries to respond. However, an estimated one-third of the region's population does not have the income or access to subsistence production to meet basic needs<sup>32</sup>. This has a particular impact on women, especially those in the rural areas and outer islands.

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<sup>29</sup> Fiji National Council for Disabled Persons (2010): Making Women with Disabilities Visible

<sup>30</sup> Samoa Ministry of Education, Sports and Culture (2010). Education Statistical Digest.

<sup>31</sup> The Pacific Platform for Action, 2004; 30.

<sup>32</sup> AusAID. (2009). Tracking development and governance in the Pacific.



Progress in women's access to education in the Pacific region has not translated into significant improvements in economic opportunity. Due to cultural norms, the acceptance of traditional gendered divisions of labour, a persistent lack of educational opportunities in some countries and reliance on men's wages, the majority of women in the Pacific remain employed at home or in the informal sector.

Women's labour-force participation rates are low, with significant disparity recorded in Solomon Islands, Fiji, Papua New Guinea, Republic of the Marshall Islands and Samoa, where the male participation rate is almost double that of women.<sup>33</sup>

Labour-force discrimination, lack of property rights and poor infrastructure significantly impact on women's workloads and their participation in the formal and informal sector.

**There is often little in labour law to protect women.** Women's disadvantage also stems from the failure of policy to deliver and fund services that work as well for women as they do for men. Policies and legislation have been slow to recognise women's participation in the labour force, and there are few examples of legislative protection in key employment areas such as non-discrimination provisions in recruitment and retrenchment; paid maternity leave; affirmative action policies; wage discrimination and sexual harassment.<sup>34</sup>

**Women's contributions remain invisible in national accounts.** Women's contribution to the economy through subsistence production remains invisible in systems of national accounts. Lacking is the appropriate technical expertise as well as capacity to conduct cost-benefit analyses or gender audits of policies, budgets and economic partnership agreements so that they support the greater participation of women in the economy. This situation persists at great cost to women and their families, as well as to national economies.

Throughout the region, there is very little evidence that efforts are being made in macroeconomic policies and programmes to address gender inequality issues. There is little awareness that structural adjustments, annual budgets and public and private investments may have very different impacts on women and men and contribute to increased gender inequalities.<sup>35</sup> What is required is the political will and sustained support for Pacific Island countries and territories to implement initiatives across a range of sectors to accelerate women's participation in the economy.

## **G: Institutional mechanisms**

**Despite the promises made, institutional change is proving slow.** Pacific Island leaders have made commitments to develop gender-responsive government programmes and policies through various agreements and mechanisms, among them the Convention for the Elimination of All Forms of Discrimination against Women (CEDAW), the Millennium Development Goals and the Revised Pacific Platform for Action on Advancement of Women and Gender Equality 2005-2015.<sup>36</sup> In 2012, to much

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<sup>33</sup> PIFS (2013). 2013 Pacific Regional MDGs Tracking Report

<sup>34</sup> SPC. Supplement to Law for Pacific Women: A legal rights handbook. Suva, 2013

<sup>35</sup> SPC, 2010. Beijing + 15 : Review of progress in implementing the Beijing Platform for Action in Pacific Island countries and territories.

<sup>36</sup> SPC (2004). Revised Pacific Platform for Action on Advancement of Women and Gender Equality 2005-2015.

fanfare, leaders reiterated that commitment in the Pacific Leaders Gender Equality Declaration 2012.<sup>37</sup> Progress towards releasing these commitments has been slow.

A critical component of gender-responsive government is gender mainstreaming. This is the concept of assessing the different implications for women and men of any planned policy action, including legislation and programmes, in all areas and at all levels.

Assessments by the United Nations Population Fund in 2008 of the extent to which Pacific national development plans and strategies did this found that gender is mainly addressed in a separate section of strategies and plans, rather than being mainstreamed, and that some countries' plans and strategies made virtually no mention of gender issues.<sup>38</sup>

SPC launched stocktakes of members' gender mainstreaming capacities in 2008. They have been conducted in 14 countries<sup>39</sup> and recognise that effective mainstreaming of gender and women's human rights requires a strong legal and policy framework, political commitment, accountability, a supportive organisational culture, resources, and technical capacity across the whole of government. The stocktake seeks these enabling factors, as well as the capacity of national women's machineries to act as catalysts for gender mainstreaming. (National women's machineries include government offices, departments, commissions or ministries that provide leadership, coordination, monitoring and support for government efforts to achieve greater gender equality. They are critical in ensuring governance and development in their country or territory is responsive to women's needs and human rights, yet they remain highly marginalised in most of the Pacific).

Stocktake results have identified very weak enabling environments for gender mainstreaming. Without exception, all of the first 14 countries had no systematic mechanisms for gender mainstreaming, low technical capacity for gender analysis, planning and budgeting; limited collection and use of gender indicators across government sectors; varying degrees of political will for (and often awareness of) gender issues; and wholly inadequate human and financial resources for gender mainstreaming. All of these areas need extensive strengthening and support, including the necessary changes in attitudes and practices.

Faster progress needs strong political will accompanied by systems that hold individuals accountable for ensuring gender equality, especially among decision-makers and senior managers. Although several Pacific Island countries and territories have adopted promising approaches in the last two years, gender statistics are not yet systematically produced and interpreted. National machineries for women remain marginalised and under-resourced.

**Regional organisations are not walking the talk.** Similarly, at a regional level, gender has generally not been well integrated into mainstream regional development frameworks. This shortcoming has been a significant issue with the Pacific Plan – the main regional framework for addressing stability,

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<sup>37</sup> Pacific Islands Forum Secretariat (2012). The Pacific Leaders' Gender Declaration.

<sup>38</sup> UNFPA (2008) Gender, Reproductive Health and Rights: A report on National Development Plans of Ten Pacific Island countries. The countries covered were: Cook Islands, FSM, Fiji, Kiribati, RMI, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu.

<sup>39</sup> SPC stocktakes of the capacity of governments to mainstream gender have been conducted in Cook Islands, FSM, Fiji, (on-going) Kiribati, Marshall Islands, Nauru, Papua New Guinea, RMI, Samoa, Solomon Islands, Tonga and Tuvalu.

security and development. The Pacific Plan was heavily criticised for its lack of attention to gender issues through its development.

It is now being reviewed. Alarming, the current draft Pacific Framework for Regionalism, which will replace the Pacific Plan, is silent on gender and gender equality goals. There is a real risk that the final plan that emerges will be deficient in gender terms unless there is high-level commitment from countries and the agencies that make up the Council of Regional Organisations (CROP)<sup>40</sup> and development partners to ensure that gender equality is enshrined as a core value. A new Pacific Plan needs to include development goals with specific, measurable gender-equality targets and deliverables across all priority areas. A detailed gender analysis of all regional frameworks and strategies would help to highlight both the deficiencies and potential solutions.

CROP agencies do not, in general, prioritise human rights and gender equality. None are led by women, only three have women in executive roles, and women fill less than half of all management positions. Just two have full-time gender positions, with relatively small and restrictive annual budgets. None of the other CROP agencies have gender and human rights experts among their staff, nor is this expertise involved in high-level planning and policy discussions and gender and human rights perspectives are not systematically mainstreamed into sectoral policies and programmes. Despite long-standing gender commitments through mechanisms like the CROP Gender Strategy (1998, revised 2005), implementation has been extremely weak and there are no monitoring or accountability systems in place. Executive, senior management and professional positions remain heavily male-dominated, while support-staff positions are female-dominated. Regional mechanisms are needed to ensure that all future regional strategies (or reviews of existing strategies) systematically integrate gender and human rights and involve the participation of relevant experts.

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<sup>40</sup> CROP agencies include the Pacific Islands Forum Secretariat (PIFS), SPC, Pacific Islands Forum Fisheries Agency, Secretariat of the Pacific Regional Environment Programme, South Pacific Tourism Organisation, University of the South Pacific, Pacific Islands Development Programme, Fiji School of Medicine and the Pacific Power Association.

## **Achievements in advancing the human rights of women and girls in the Pacific**

This section will highlight significant developments at both national and regional level to address the barriers and impediments identified in Section 3 of this submission. The most notable achievements have been in developing awareness of, information about and legislation towards elimination of violence against women. However, there is still much more to do.

There has been little progress in the meaningful integration of women into the economy. There has been little action on strengthening institutional mechanisms for progressing gender equality, although it is recognised that institutional change is difficult and requires changes in mindset and behaviour that are developed socially and culturally over time.

However, it is encouraging to note that many of the achievements highlighted below demonstrate that attitudes are changing, albeit slowly. There is growing acceptance that gender equality and the participation of women is critical to sustainable development.

### **A: Violence against women and girls**

Action against gender-based violence has enjoyed renewed momentum and action in recent years, due in part to encouragement and support of development partners such as Australia, the United Nations, and women's human rights groups.

**Awareness of the social and economic cost of violence against women is higher than it has ever been.** In 2009, in a milestone for Pacific women, Pacific Island leaders at their annual Pacific Island Forum leaders committed to eradicating sexual and gender-based violence. The Pacific Leaders' Gender Equality Declaration, which acknowledged the high social and economic cost of violence against women, followed in 2012.<sup>41</sup> A Forum Reference Group now exists to raise awareness of the impact of sexual and gender-based violence. One of its tasks is to consider options for costing the economic and social impact of violence against women on individuals and governments. Another is to consider laws and policies that will improve resource allocation to services and initiatives that prevent violence and support victims.

Similarly, successive Triennial Conferences of Pacific Women and meetings of Pacific Ministers for Women have reviewed progress and committed to implementing measures to eliminate violence against women and girls. This includes essential services for survivors of violence and the enactment and implementation of legislation that protects women while imposing appropriate penalties on offenders.

At regional level, annual Gender and Development Partners meetings have recognised the need for improved coordination while working within national frameworks, policies and action plans to build and strengthen systems and capacities as long-term measures to eliminating violence against women. For example, in the Solomon Islands, the United Nations is taking a joint programing (or

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<sup>41</sup> Pacific Islands Forum Secretariat (2012). The Pacific Leaders' Gender Declaration.

“One UN” approach), and Australia is providing support for community roll-out of the country’s new family law legislation.

**We have better, internationally comparable national data on the prevalence, characteristics and causes of gender-based violence.** Studies into gender-based violence have been completed in Samoa, Solomon Islands, Vanuatu, Tonga, Fiji and Kiribati. Studies in an additional five countries – Cook Islands, Federated States of Micronesia, Republic of the Marshall Islands, Nauru and Palau – are to be completed. At the end of 2014, there will be comparable national prevalence data for 11 Pacific Island countries and territories. Conducted by United Nations Population Fund and the Secretariat of the Pacific Community with support from Australia, these studies use the World Health Organisation methodology, which allows global comparisons.

The study findings have been published and distributed widely. The data is being used to advocate for the elimination of violence against women and the strengthening of women’s human rights and gender equality approaches. For example, in Solomon Islands and Kiribati, research findings were disseminated through intensive and widespread consultations at national and local levels, with the media engaged in advocacy campaigns. This was carried out by multi-sectoral dissemination teams which included members of parliament, village leaders, and representatives of civil society including non-governmental and faith-based organisations.

**Country ownership of data has informed action.** The governments of Kiribati and Solomon Islands, through ministries and national statistics offices, own their data. Ownership has been demonstrated through high-level political and government support for acting on research findings. Research findings and final reports in both countries were launched at the highest levels of government, and, in Kiribati, members of parliament were involved in dissemination of the findings at island council level.

The heightened focus on eliminating violence against women brought about by the research has provided a catalyst for putting gender equality and women’s human rights more firmly on the national agenda. This has opened up opportunities to develop a multi-sector approach to implementing gender equality commitments, which includes gender mainstreaming, CEDAW implementation and reporting, and improved development-partner coordination in both countries. The Secretariat of the Pacific Community is working in all of these areas.

**National policies to combat gender-based violence have been developed and endorsed.** As a direct result of the studies, a number of governments have endorsed policy initiatives towards gender equality and the elimination of violence against women. In the case of Solomon Islands, this led to the review and development of an overarching national Gender Equality and Women’s Development Policy of which eliminating gender-based violence is a core component. Kiribati has developed a new national women’s policy. These plans provide a framework of priority actions for implementation, resourcing and monitoring, and can be used by both government and development partners to provide support and monitor progress. It is critical that all relevant partners, including government agencies and civil society organisations, are engaged in this process. Adequate resourcing and phased resourcing is also key.

A distinguishing feature of the studies undertaken in Kiribati and Solomon Islands was that they included a component on interventions. This enabled the identification and implementation of key capacity-building activities in both countries aimed at strengthening the ability of government institutional machinery in various sectors such as health, law and justice, women's departments, as well as non-governmental organisations, to assist survivors of gender-based violence. In addition, capacity-building was a focus throughout all phases of the project and in particular in the research phase. All those involved in carrying out the research, including field workers, supervisors, data-entry personnel, national statistics office staff, country and regional teams and dissemination teams, had to undergo basic gender training and then training on the research methodology and processes.

**Countries have strengthened their violence-related law.** Over the last six years, there has been a steady increase in the establishment of legislative frameworks that address gender-based violence, domestic violence in particular. Recent examples are highlighted below:

**Federated States of Micronesia:** A specific offence of domestic violence was created under the Pohnpei Family Violence Bill 2012 and Kosrae Domestic Violence Bill 2012.

**Fiji:** Fiji's Family Law Act 2003 introduced no-fault grounds for divorce and provided for civil protection orders, maintenance and fairer property settlements. The Domestic Violence Decree came into effect in 2009. The Crimes Decree 2010 includes crimes against humanity and genocide, which may be committed by acts of rape, sexual servitude and sexual slavery. It also includes offences of trafficking in women and children and puts in place harsher penalties (12-25 years imprisonment) for such offences. Eliminating violence against women is part of the National Women's Plan of Action (2010-2019).

**Kiribati:** Kiribati's Te Rau N Te Mweenga (Family Peace) Bill was passed in April 2014. The Bill creates a domestic violence offence and provides for protection orders. The bill ensures safety and protection of people who experience or witness domestic violence and provides support and redress for survivors of violence.

**Marshall Islands:** The Republic of the Marshall Islands Domestic Violence Prevention and Protection Act 2011 criminalises domestic violence, provides for specific punishment and contains comprehensive protection order provisions. The Act also creates a specific fund which can be used to assist services, such as safe houses for victims of domestic violence.

**Samoa:** Protection orders are available under the Family Safety Act 2013. Domestic violence is identified in the Crimes Act 2013, which also provides a wide definition of rape and rape within marriage. Violence against women is covered under policy objectives in the National Policy for Women of Samoa 2010-2015 and the National Policy for Children in Samoa 2010-2015.

**Solomon Islands:** The Family Protection Bill, issued in 2013, provides for domestic violence offences. The Child and Family Welfare Bill is awaiting Cabinet ratification. In the court case *Regina v Gua*<sup>42</sup>, immunity for marital rape was tossed out, with the court confirming that a man is criminally liable for the rape of his wife.

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<sup>42</sup> SPC (Pacific Regional Rights Resource Team, 2013). Pacific Human Rights Law Digest: Volume 4.

**Tonga:** The Family Protection Act 2013 promotes the health, safety and wellbeing of victims of domestic violence. Its definition of domestic violence and domestic relationships is broad, and allows for protection orders as well as clarifying the roles of police officers and health practitioners. Moreover, it allows for the establishment of a Family Protection Advisory Council to advise and oversee the Act's implementation. The Act also enabled the creation of a fund to assist victims of domestic violence.

**Tuvalu:** The Tuvalu Police Powers and Duties Act 2009 provides for a definition of domestic relationship and domestic violence, but omits economic violence. There is no comprehensive provision for protection orders, although these are available as remedies under common law. A Family Protection and Domestic Violence Bill 2011 is currently undergoing community consultation.

**Palau:** The Domestic Violence Act was passed in 2012.

**Papua New Guinea:** The Family Protection Act was enacted in 2013. It criminalises domestic violence and gives legislative backing for interim protection orders, allows neighbours, relatives and children to report domestic violence, and gives police the power to remove perpetrators from their homes to protect the victim. The definition of domestic violence includes psychological violence, but omits economic violence. The country's controversial Sorcery Act, which provided a defence for violent crime – often murder – if the accused was acting to stop 'witchcraft', was repealed in 2013.

**Vanuatu:** The country is developing its National Gender and Women's Empowerment Policy 2013-2023. The Vanuatu Family Protection Act 2008 was enacted in 2009, and is being implemented by the Department of Women's Affairs. It creates a specific domestic violence offence, provides for civil protection orders and excludes the payment of bride price as a defence in domestic violence cases.

In addition, Papua New Guinea, Republic of Marshall Islands, Solomon Islands, Federated States of Micronesia, Kiribati and Cook Islands have amended their criminal laws to remove some of the discriminatory features of the law and practice in sexual offence cases. Where countries have not revised their legislation, gender-based violence is not recognised as a specific crime. Rather than insisting on effective punishment as deterrent, emphasis continues to be placed on reconciliation. The challenges ahead now lie in ensuring that newly enacted legislation is resourced, implemented and monitored.

**Services to victims of gender-based violence are slowly improving.** Pacific Island countries and territories are developing new and improved ways of responding to violence against women in a more coordinated and survivor-centred manner. Referral networks and systems that are more comprehensive and engage more providers are gaining prominence. Service providers are continuing to develop ways of ensuring that survivors get more direct access to help, by setting up hotlines and monitoring referrals to other agencies. Providers are collecting more detailed data about survivors and cross-checking some of that information with other agencies in order to better target and improve services, as is the case in Kiribati and Solomon Islands.

For example, the Pacific Prevention of Domestic Violence Programme is a joint initiative of New Zealand Aid Programme, New Zealand Police, and the Pacific Islands Chiefs of Police organisation. It focuses primarily on building the capacity of Pacific police services to prevent domestic violence and respond effectively to it.<sup>43</sup>

**Pacific government and civil society groups are becoming more involved in international policy advocacy and lobbying on gender-based violence.** In 2013, Pacific governments and civil society representatives were closely involved with negotiations on developing the Agreed Conclusions during the Commission on the Status of Women. States are now using the Agreed Conclusions as a new guide for preventing and eliminating violence against women. In July 2012, Pacific parliamentarians at a regional human rights consultation issued the Participating Pacific Members of Parliament UNITE Statement. The statement affirmed a strong commitment to preventing and responding to violence against women, children and persons with a disability, and was aligned with the United Nations Secretary-General's UNITE campaign to end violence against women.<sup>44</sup>

In 2012, the governments of Papua New Guinea and Solomon Islands invited the United Nations Special Rapporteur on violence against women for official country visits. Her official reports, released in 2013, presented findings and specific recommendations for each country.<sup>45</sup> Both governments are taking action to address the recommendations in the reports.

In addition, the United Nations Rapporteur released a seminal report in 2013 on state responsibility for the elimination of violence against women – another tool that governments and civil society organisations can use for advocacy and implementation. This report underscores the importance of states' addressing the need of individuals for appropriate responses and justice, as well as the need to establish functional systems for response, prevention and accountability.<sup>46</sup>

**There remains much, much more to be done to eliminate violence against women.** For the majority of women survivors of violence, access to services remains, unfortunately, still out of reach. **Skilled providers** that can provide high quality, sensitive, confidential services are needed across sectors: health, social welfare, police, justice and education. Each of these service providers need **specific guidelines** to deliver responses to survivors that are developed in collaboration with survivors of VAW as the experts and that are **consistently enforced and monitored**. **Service providers must work with each other**; no one type of service can solve the problem alone. Much new legislation remains to be implemented; only Tonga and Kiribati have draft legislative implementation plans that include training and support to service providers.

Women's **access to justice remains very limited**, particularly to formal justice systems. Women who experience violence need **impartial and fair treatment by all protection and justice actors**, who take violence very seriously and act immediately to protect the woman and her family.

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<sup>43</sup> Pacific Prevention of Domestic Violence Programme.

<sup>44</sup> SPC (2012). Pacific MPs united on ending violence against women.

<sup>45</sup> Office of the High Commissioner for Human Rights. Country visits, Papua New Guinea and Solomon Islands.

<sup>46</sup> Office of the High Commissioner for Human Rights (2013). State responsibility for eliminating violence against women.



**Systems for government accountability** are needed to ensure that commitments are fulfilled in a progressive manner; various government departments can assist in holding each other accountable, with support from civil society.

Increased attention to **preventing violence before it starts** is essential to interrupting the cycle of violence and creating future generations who can live without the fear and consequences of violence.

And finally, **the cultivation of a supportive, non-blaming environment for survivors of violence against women** is essential to allow women to break their silence about violence, tell their story and receive the help they deserve.

## **B: Governance and leadership**

**Temporary special measures are being explored to improve female representation at national level.** Most Pacific Island countries and territories, including Samoa and Solomon Islands, use majority electoral systems such as first-past-the-post, which has been proven to be generally more favourable to men than women.<sup>47</sup> Of the 162 candidates who stood for parliamentary elections in Solomon Islands in March 2011, only eight were women, and just two were elected.

In early 2012, the Government of Samoa proposed to increase the number of women in Parliament by creating a temporary special measure through a constitutional amendment. The bill became law in June 2013, introducing a minimum quota of five women (10%) in the Samoan Parliament. This indicates that allocating seats to women in Parliament is slowly gaining momentum.

Vanuatu uses the single non-transferable vote system, which research shows may be more proportional in outcome, leading to more women being elected. Yet since independence in 1980, only five women have been elected as members of Vanuatu's parliament. There has, however, been progress at municipal level, with an amendment to Vanuatu's Municipality Act, making it mandatory to reserve 30-40% of municipal council seats for women. Vanuatu's Department of Women's Affairs recently started a comprehensive gender-responsive diagnostic of the 2012 elections, which highlights the specific challenges faced by women in getting elected. This diagnostic will better inform how to promote temporary special measures in Vanuatu.

In the Solomon Islands since independence, only two women have been elected to the national parliament. At the provincial assembly level, just over a dozen women have been elected. The Ministry of Women, Youth, Children and Family Affairs has framed the development of temporary special measures as a necessary consequence of the government's policy statement, rather than a women's initiative. A Temporary Special Measures Legislative Taskforce, reporting to the Ministry for Women, Youth, Children and Family Affairs, and the Prime Minister's Office, was established in 2011 to pursue legislative and policy options, including re-visiting a 2009 temporary special measures proposition. Options include: (i) enactment of the Political Party Integrity Bill, outlining the support women candidates would receive and options that would encourage parties to support them; (ii) change the electoral system, which has been recommended by the Political Integrity and

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<sup>47</sup> Fraenkel, J. (2007). The Impact of Electoral Systems on Women's Representation in Pacific Parliaments: A Report Conducted for the Pacific Islands Forum Secretariat by the Pacific Institute of Advanced Studies in Development & Governance.

Stability Project; and (iii) provide civic education on temporary special measures for reserved seats for women in parliament.

The taskforce and the Ministry for Women, Youth, Children and Family Affairs have endorsed all the recommendations and are beginning the process of civic education and consultation. The taskforce conducted the first civic education and planning consultation in Honiara in September 2013, and plans to repeat this in the other nine Solomon Islands provinces.

**Women are better represented in local politics than national.** Local government elections offer a greater number of opportunities for women simply because of the greater number of elected bodies and positions. If elected and appointed positions in local government are combined across the region (excluding the territories), there are over 7000 positions, an estimated 7.5% of which are held by women. If Papua New Guinea is excluded, there are over 900, of which an estimated 5.9% are held by women.<sup>48</sup>

In many Pacific island countries, local governments are significant local employers and have responsibilities for basic service delivery including public infrastructure, transportation, local economic development, physical planning, water and sanitation. The level of government closest to the community is well placed to raise awareness of gender issues, to involve women in making decisions concerning their basic living conditions, and to make use of their knowledge and capabilities.<sup>49</sup>

Local government in some countries has a higher representation of women in elected and appointed decision-making positions than at the national level. Between 2006 and 2008, Fiji, Solomon Islands and Tuvalu were in this category, but the latter two had no women in parliament at the time. Although these are still token numbers and women are grossly under-represented even in local government, it is important for any discussion of political participation to include and consider these sub-national levels and to analyse the differences and relative impacts they have.<sup>50</sup>

Anecdotal evidence from some Pacific Island countries and territories suggests that increasing numbers of women are holding senior posts in the public service. Cook Islands, Fiji, Palau, Samoa, Solomon Islands, Tokelau and Tuvalu have had good female representation in the civil service over the years. However, reports of high levels of harassment in the public service across the region are emerging, thought to be a result of renewed attention to women in decision-making and violence against women.

More research and open discussion on this issue is needed, working closely with public service commissions around the region. Australia is supporting research in this area in Papua New Guinea, and there are opportunities to address this problem through a University of the South Pacific training public-service training programme, which is supported by Australia.<sup>51</sup>

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<sup>48</sup> Commonwealth Local Government Forum (2008–2009). Preliminary scoping on gender and local government in the Pacific. CLGF Pacific Project.

<sup>49</sup> SPC (2010). Beijing + 15 : Review of progress in implementing the Beijing Platform for Action in Pacific Island countries and territories

<sup>50</sup> Ibid.

<sup>51</sup> <http://www.usp.ac.fj/index.php?id=10644>

**Constituencies are slowly being built inside government.** The passing of the Tonga Family Protection Bill was presented as an example of lobbying and building support within the decision-making ranks of government at the 2013 Triennial Conference of Pacific Women. Lobbying for the bill's passage involved perseverance and understanding the working relationships between the different ministries and the different CSOs; creating champions in the cabinet and the legislative assembly; achieving government buy-in through a cabinet decision, establishing strong relationships with the attorney-general's office and the head of police, engaging key NGOs, and nurturing relationships with development partners.

The Regional Rights Resource Team's projects<sup>52</sup>, supported by Pacific leaders, have directly contributed to women's participation in lobbying and advocating for improved women's human rights in the areas of employment, addressing gender-based violence and women's participation in political decision making. The largest campaigns supported under this project include:

- Campaigns to address gender-based violence through legislative change in Tuvalu, Tonga, Kiribati, Vanuatu (amendment to penal code) and Solomon Islands;
- Campaigns to increase women's participation through temporary special measures – Vanuatu – inclusion of temporary special measures into the Port Vila Municipal election 2013;
- Campaigns for improved employment legislation; increase in national minimum wage campaign in Vanuatu. This project has contributed both to developing leadership skills, as well as enhancing women's participation in decision making at the national level.

**Regional organisations have renewed their commitment to their own gender equality – but this needs to be monitored.** In 2014, leadership of CROP agencies continues to be male-dominated. The Pacific Islands Forum Secretariat has two female deputy chief executive officers. The Secretariat of the Pacific Community, which is much larger, has a single woman in its executive team. Like all the other CROP agencies, SPC's senior management positions are almost exclusively male at both corporate and programmatic or technical levels. Given the role of CROP agencies in the design and delivery of technical services to PICTS, this has to change in order for these services to be truly and equally reflective of the needs of all Pacific Islanders – men, women, boys and girls.

Encouragingly, in its first meeting in 2014, CROP heads are committed to getting back on track to meet gender-equality commitments made almost 10 years ago, following a gender mainstreaming stocktake of all CROP agencies and the development of a CROP gender strategy. However, progress on this commitment needs to be closely monitored and maintained to ensure it does not drop off the agenda again.

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<sup>52</sup> <http://www.rrrt.org/projects>

## C: Access to health services and sexual and reproductive health rights

The ICPD Pacific Report<sup>53</sup> shows three areas have shown important and encouraging improvement.

**Skilled birth-attendant rates are improving.** Professional care at birth by doctors, nurses, auxiliary nurses or other allied health professionals – skilled birth attendance – helps reduce complications during childbirth that can lead to maternal disability and death. Compared to the 1990s, rates have increased in all Pacific countries except three: Federated States of Micronesia, Papua New Guinea and Vanuatu. Nine countries reported rates over 90%; of these, Cook Islands, Nauru, Niue and Palau reported 100% skilled birth-attendant rates. According to the 2012 MDG Tracking Report, Kiribati, Solomon Islands and Vanuatu reported rates below 90% and PNG less than 50%; the latter three countries are regressing.<sup>54</sup>

**Maternal death rates are falling in most parts of the Pacific.** Most Polynesian countries will achieve MDG 5a (Reduce the maternal mortality ratio by three-quarters between 1990 and 2015) by 2015, but most Melanesian countries, where most of the deaths occur, will not. Of particular concern is the slow progress in Solomon Islands and Vanuatu and the regression noted in PNG. For Micronesia, the picture is mixed with respect to that target. It is noteworthy that for most PICTs, the actual number of women who die in childbirth each year remain in the single digits, but each death is one death too many.<sup>55</sup>

**Teenage pregnancy rates are falling in most Pacific countries.** This refers to births to women 15-19 years/1000 women 15-19 years. This declined in 11 countries between 1990 and 2010-11, although rates continue to be over 50 for five countries (Republic of the Marshall Islands, Nauru, Papua New Guinea, Solomon Islands and Vanuatu). Persistently high adolescent fertility rates in some countries highlight the need for a stronger focus on adolescent sexual reproductive health services and information.<sup>56</sup>

Additionally, the Secretariat of the Pacific Community has been leading development of the Pacific Sexual Health and Wellbeing Shared Agenda 2014-2018 to address sexual and reproductive health needs in the region. The Shared Agenda sets out the vision for addressing sexual health in the region, as identified by 22 Pacific Island governments, regional partners, civil society organisations and at-risk groups. It examines how best to deliver comprehensive sexual health services and programmes to address interrelated sexual health issues, such as sexually-transmitted diseases *and* human immunodeficiency virus, unintended pregnancy, gender-based violence and the promotion of positive, healthy relationships. It was recently endorsed by national heads of health.

**Positive progress on HIV/AIDS and STIs continues.** Since the 11<sup>th</sup> Triennial Conference of Pacific Women in Noumea in 2010, there has been progress in addressing HIV/AIDS and STIs in the Pacific. However, remaining challenges are associated with “incomplete or non-testing of affected

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<sup>53</sup> United Nations Population Fund (2013). Pacific Regional ICPD Review.

<sup>54</sup> Pacific Islands Forum Secretariat (2013). Pacific Regional MDG Tracking Report.

<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

individuals, leading to underreporting, [and] acknowledgement of the fact that there may be other socio-cultural factors at play.”<sup>57</sup>

In 2012, a draft human rights and gender equality policy was developed by the Pacific Islands Regional Multi-Country Coordinating Mechanism (PIRMCCM). This was submitted to the 12th PIRMCCM meeting and the Pacific Response Fund Committee (PRFC) for final review. The policy was developed after consideration of the gender and women’s human rights audit of the Implementation Plan for the second Pacific Regional Strategy on HIV and other Sexually Transmissible Infections 2009–2013 (PRSIP II). The policy recommends action related to leadership, programme development and resource mobilisation which address the specific inequities due to men's and women’s different health risks and health-seeking behaviours. Some important gains have recently been outlined in the Pacific Regional ICPD Review, as described below.<sup>58</sup>

- **Life-saving treatment for HIV** has been provided to all those who need it.
- **Protocols to eliminate mother-to-child transmission of HIV** have been put in place in a number of countries.
- **Greater attention is being paid to the issues of stigma** in order to ensure anonymity for HIV+ pregnant women and their babies, within the constraints of small countries and their small, close-knit communities.
- **Papua New Guinea is showing** encouraging signs in developing its own National Health Plan (2011-2015) and National HIV/AIDS Plan (2011-2015) and taking steps taken to enhance its HIV surveillance system, with improvement in data quality as well as increased testing.
- **Girls are being vaccinated against the Human papillomavirus virus (HPV)**. Eight Pacific Island countries and territories, with assistance from the USA and New Zealand, are now vaccinating school girls against the HPV virus, which can lead to cervical cancer. Australia has supported vaccination for secondary-school girls in Fiji. There is encouragement from the Global Alliance for Vaccines and Immunisation for PNG and Solomon Islands to apply for pilot funding.

**Leaders have recognised the burden of non-communicable diseases.** Pacific Islands Forum Leaders have recognised NCDs as a major cause of premature death in the region and now at epidemic proportions, creating a ‘human, social and economic crisis’. In 2012, Leaders adopted the Forum Leaders Statement on NCDs, and committed to take action in this area.<sup>59</sup> At this stage, it is not clear whether efforts will dedicate special attention and resources to the specific gender aspects of NCDs.

**National health-service mechanisms are being improved.** Pacific Island countries and territories are in the process of implementing measures to improve their national health workforces. For example, Fiji, Kiribati, Marshall Islands, Samoa, Solomon Islands, Tuvalu and Vanuatu have created task forces

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<sup>57</sup> United Nations Population Fund (2013). Pacific Regional ICPD Review. Review of the Implementation of the International Conference on Population and Development Programme of Action in the Pacific Beyond 2014.

<sup>58</sup> Ibid.

<sup>59</sup> United Nations Population Fund (2012). The Impact of Non-Communicable Diseases on Reproductive Health in the Pacific, with Special Reference to the Health of Women and Girls.

to address issues relating to human resources for health. A medical internship programme is also under way in Kiribati, with high school graduates sent to Cuba to study.<sup>60</sup>

Additionally, a few countries have developed gender policies and plans of action to be embedded in their departments of health to promote improved access to health services. This is crucial to ensuring equity between women and men as users and providers of health services. It can also take into account specific needs and considerations, such as geographic isolation with regard to sexual and reproductive health services, and can support same-sex health-service providers for sensitive issues.

Solomon Islands and Fiji are two examples in which promising initiatives for gender-sensitive policy development can be found. In Solomon Islands, the Ministry of Health and Medical Services (MHMS) has designated a Gender Focal Point in the Police Department. The MHMS engages with the national committee for implementation of the Gender Equality and Women's Development (GEWD) policy, through chairing sub-committees and hosting the coordination of the SAFENET 'whole of government' mechanism for the prevention of and response to violence against women and children.

In Fiji, the Health Sector Support Programme has recently undergone an assessment to promote gender equality and social inclusion, leading to recommendations. These include recommendations at the strategic policy level and interventions by the Ministry of Health in line with Fiji's Roadmap for Democracy and Sustainable Socio-Economic Development (2009–2014) and the Ministry of Health's Shaping Fiji's Health: Strategic Plan (2011–2015) at the organisational and community level.

**Several countries are undertaking initiatives for women with disabilities.** As a result of a 2013 United Nations Population Fund study on the health of women with disabilities in Kiribati, Solomon Islands and Tonga,<sup>61</sup> initiatives are being undertaken in each of these countries. Kiribati has developed the Kiribati National Development Plan 2012-2015, which aims to strengthen support services for women and inclusion for people with a disability in decision-making. The Draft Kiribati National Disability Policy 2011-2014 was developed to meet the needs of people with a disability and dismantle barriers to equality.

## **D: Access to education**

**Barriers to access are being tackled and the quality and relevance of education addressed.** There have been a number of significant initiatives. In 2011, Pacific Leaders at the 42<sup>nd</sup> Pacific Islands Forum reaffirmed their commitment to raising educational standards, expanding vocational and technical training, and improving participation rates. Leaders welcomed Australia and New Zealand's announcement that they would work to ensure that by 2021, a total of 500,000 more children in the Pacific were enrolled in school and that 75% of them would be able to read by the age of 10.

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<sup>60</sup> World Health Organisation & Secretariat of the Pacific Community (2013). 10<sup>th</sup> Pacific Health Ministers Meeting: Health Workforce Development in the Pacific.

<sup>61</sup> Spratt, J. (2013). A Deeper Silence – The Unheard Experiences of Women with Disabilities – Sexual and Reproductive Health and Violence against women in Kiribati, Solomon Islands and Tonga. Suva, Fiji: UNFPA Pacific Sub-regional Office.

In 2012, the Forum Education Ministers meeting discussed sustainable equality education and the progress made under the Pacific Education Development Framework. It found that whilst progress had been made, there are still challenges in access to education, particularly for remote communities; narrow learning pathways through national curriculum, which limits opportunities for women and girls to engage in education that suits their interests and capabilities; and the negative trend in boys' performance and enrolment.

Although not specific to women and girls, a key initiative has been the Pacific Islands Literacy and Numeracy Assessment (PILNA) in 2012, which was used to set literacy and numeracy baselines amongst Pacific Island countries and territories. A regional sample of about 27,000 Pacific Island pupils completing four and six years of primary schooling in 2012 in 14 countries was selected. All pupils who completed four and six years of primary education were target populations in the smaller countries, while a stratified cluster random sample of about 2000 pupils from each year level was taken in the seven larger countries. It found that seven in every 10 students completing six years of formal primary school failed to acquire the literacy expected by the end of six years' schooling (70.8%), relative to regional benchmarks. For numeracy, the figure was five in every 10 students (51.8%).

International agencies have been addressing the lack of resources and trained staff in the region in relation to climate change, non-communicable diseases, human security and technical and vocational education by offering research scholarships, curriculum and resource development, and training of trainers. A pilot programme for train-the-trainer and resource development work was undertaken in 2012 by the German Society for International Cooperation (GIZ), the Secretariat of the Pacific Community and national education systems in Tonga and Vanuatu. The programme has resulted in 57 women trained in climate-change mitigation responses at SPC's Community Education Training Centre alone, and more in Tonga and Vanuatu.

Country initiatives have also taken place. For example in 2010, Papua New Guinea abolished school fees for the initial three years of schooling; girls generally have experienced lower rates of enrolment in primary education than boys. A preliminary analysis of this approach has shown that this initiative has increased primary school enrolments, particularly for girls.

Tuvalu has also adopted an accelerated approach to improving the quality of education to address key concerns in meeting Millennium Development Goal 2, including issues related to lack of gender perspectives in service delivery. Interventions are in accordance with the Tuvalu Education Strategic Plan 2011–2015, and include developing and implementing professional standards for teaching staff, developing and implementing outcomes-based curricula, and implementing a standardised assessment for monitoring literacy and numeracy. Lastly, Tonga's Ministry of Education is implementing a gender audit of curricula to eliminate gender stereotypes.<sup>62</sup>

Schools are an important site for gender advocacy and human rights education, if teachers and academics have the skills, knowledge and passion to act as role models, educators, researchers and practitioners of gender equality. Schools can also be centres for practising and modelling human rights and gender studies.

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<sup>62</sup> Pacific Islands Forum Secretariat (2013). Pacific Regional MDGs Tracking Report.

In light of local contexts in the Pacific Islands, there needs to be less emphasis on the traditional examination model and more on diversifying education systems to facilitate relevant youth employment opportunities. On-going and more recent efforts at the regional level to improve coordination and support for technical and vocational education both regionally and nationally will also contribute to broadening the range of educational options for young people and ensuring that they are better linked to labour market needs and directed equally at young men, women, boys and girls.

**The Pacific needs to keep growing its pool of local human rights and gender experts.** The Pacific islands region is significantly short of technically-qualified local human rights and gender experts, necessitating the recruitment of international talent and detracting from local capacity to influence change internally. The awareness that gender and human rights are academic fields of study, which includes recognition of the importance of research and technical expertise in informing policies and practices, has re-emerged along with recognition of the need to break down the silo approach to gender-equality and human rights commitments.

Growing local technical expertise in areas such as human rights law, gender and development theory and methodologies, and gender-responsive social and economic policy will be critical to enhancing the long-term effectiveness and sustainability of gender-equality initiatives throughout the region. While it is promising that gender studies have been restored to the curriculum at the University of the South Pacific, efforts will need to be intensified and sustained in order to make up for decades of lost time. The Diploma in Leadership, Governance and Human Rights and the University of the South Pacific is a good example of a cross-cutting educational programme that incorporates gender and human rights.

## **E: Access to productive and economic resources**

**National political leaders have restated their commitments to enabling women's economic participation.** In 2012, the Pacific Leaders Gender Equality Declaration brought new determination and commitment to empowering women in the area of women's economic empowerment. The Declaration specifically committed Leaders to:

- Remove barriers to women's employment and participation in the formal and informal sectors, including in relation to legislation that directly or indirectly limits women's access to employment opportunities or contributes to discriminatory pay and conditions for women
- Implement equal employment opportunity and gender equality measures in public sector employment, including State Owned Enterprises and statutory boards, to increase the proportion of women employed, including in senior positions, and advocate for a similar approach in private sector agencies
- Improve the facilities and governance of local produce markets, including fair and transparent local regulation and taxation policies, so that market operations increase profitability and efficiency and encourage women's safe, fair and equal participation in local economies



- Target support towards women entrepreneurs in the formal and informal sectors, for example, financial services, information and training, and review legislation that limits women's access to finance, assets, land and productive resources.

The Pacific Leaders Gender Equality Declaration was followed by the Government of Australia announcing a 10-year AUD\$320 million dollar initiative to improve political, economic and social opportunities for women in Forum island countries. A key component is increasing economic opportunities for women through improved access to financial services and markets.

**Forum Economic Ministers (FEMM) are also seeking improvements in women's participation in economic development.** They adopted a FEMM Action Plan with specific priorities including: improving women's employment and participation in the formal and informal sectors; increasing women's access to finance, business ownership and markets; improving women's right to safe, fair and equal participation in local economies; and improving access to and the use of sex-disaggregated data.

Subsequently, there have been moves to support research to determine the economic costs of violence and related policy and legislative reforms; encourage the development and use of sex disaggregated data on women's economic empowerment; and a call for implementation of legislation that reduces discriminatory practices at national level in such matters as pay and conditions of work for women, sexual harassment and limitations to women's overall participation in the economy.

The impact on women's improved economic empowerment is difficult to track. This requires concrete and measurable implementation strategies that are reported on in various fora, national budget reporting processes most importantly.

A state-owned enterprise (SOE) survey was conducted in Cook Islands, Republic of the Marshall Islands, Palau, Niue, Tuvalu, Tonga and Fiji, with preliminary results presented at the 2013 FEMM. Apart from providing an indication of the proportion of women participating in SOEs, it also examined the factors that help women to secure leadership roles on public-sector boards. The findings will help policymakers to develop pathways that will encourage increased women's participation and appointments to SOE boards and other similar positions. FEMM have supported the extension of this SOE survey to all Forum member countries.

**A reporting framework has been devised to track change.** A reporting framework with progress indicators has been developed by the Pacific Island Forum Secretariat with the support of the Secretariat of the Pacific Community. It will assist Forum member countries to report progress against the commitments they have made in the Pacific Leaders Gender Equality Declaration.

The framework contains specific measures on women's economic empowerment and can also be used by Forum Economic Ministers to measure progress on FEMM's commitments in this area. The indicators are: basic needs poverty rate (sex-disaggregated); women's labour-force participation, women's participation in the national retirement scheme; the percentage of women in paid employment in the non-agricultural sector; and ratio of women's average wage to men's average wage.

The 2013 progress report on the Pacific Leaders Gender Equality Declaration noted that, overall, reliable data to measure women's economic empowerment remains weak, and referenced the Women's Economic Opportunity Index data on six countries – Fiji, Papua New Guinea, Tonga, Samoa, Solomon Islands and Vanuatu. Most of these countries scored well on access to education and citizenship rights. However, they were particularly weak on property ownership, access to finance and in the implementation and enforcement of the labour conventions on equal pay for equal work.

### **Country-level progress and support**

**Cook Islands** passed the Workplace Gender Equality Act 2012, which aims to improve and promote equality for both women and men in the workplace, including through maternity leave provisions. Cook Islands is receiving support for craft development through the provision of marketing tools and to strengthen market access capabilities for women involved in the pearl industry from the Pacific Islands Forum Secretariat, the Secretariat of the Pacific Community and UN Women jointly.

**Samoa** passed the Labour and Employment Relations Act, which prohibits sexual harassment in the workplace.

**Kiribati, Samoa, Papua New Guinea and Vanuatu** are progressing labour law reform with technical support from the International Labour Organisation (ILO).

**Tonga** is working to finalise its draft Employment Relations Bill. The draft bill aims to provide the legal framework for workplace employment relations, protecting the rights and welfare of employees while ensuring employers' rights and investments are secure.

**Republic of Marshall Islands and Nauru** are set to receive support from a joint initiative by the Pacific Islands Forum Secretariat, the International Labour Organisation and UN Women to address legislative and policy barriers to women's economic rights.

**Republic of the Marshall Islands and Nauru** have produced Women's Economic Empowerment Plans with support from the Pacific Islands Forum Secretariat through UN Women's Small Island States Catalyst Funds. There are plans for similar women's economic empowerment mainstreaming and policy-development projects to be implemented in remaining small island states by PIFS.

The private sector can also play a role in improving employment opportunities for women. The International Finance Corporation's (IFC) WINvest programme brings together private-sector partners and clients to substantiate and share lessons on the business case for improving working conditions and employment opportunities for women. Evidence on the business case and practical advice to companies on how to improve employment for women will be more widely disseminated among private sector actors in the region.

**Women's access to financial services, business ownerships and markets is slowly improving.** For example, the government of Papua New Guinea is removing barriers to accessing financial services through banks and microfinance institutions and by improved financial infrastructure. Such initiatives are supported by Asia Development Bank's Private Sector Development Initiative, International Finance Corporation (IFC), and co-financed by Australia. IFC is currently scaling up its mobile banking and financial literacy programme beyond Papua New Guinea to Fiji, Tonga, Samoa,

Vanuatu, and Solomon Islands – the latter a region where fewer than 15% of adults have bank accounts. Also under development is a gender-neutral business start-up guide and gender microfinance strategies for IFC financial institution clients in the Pacific Islands.

Papua New Guinea, Fiji, Samoa, Vanuatu, Tonga and Solomon Islands are also introducing a more robust, secure and cheaper mode of payment and transfers, improving the ability of women entrepreneurs and business owners to save and invest, supported by IFC.

**Several countries have improved local market infrastructure to enable women's rights to safe, fair and equal participation in local economies.** Fiji, Solomon Islands, Papua New Guinea and Vanuatu have begun improving local market infrastructure, which includes better security for women. This work is supported by UN Women, UNDP, Australia and New Zealand.

The Pacific Island Forums Secretariat and the Forum Reference Group to Address Sexual and Gender Based Violence have commissioned research to determine the economic costs on national economies, communities and families of women being affected by violence in the Pacific. This includes loss of productivity, cost of services to victims and their families, policing and judicial costs.

The progress highlighted above needs to be hugely accelerated. The main challenge is countries finding the political will and then following through, right up to the level of parliamentary accountability on measures for greater participation of women in the economy.

## **F: Institutional mechanisms**

**A Pacific gender-indicators framework has been developed.** The Secretariat of the Pacific Community has led work on improving gender statistics and indicators, and is making some progress. SPC developed a comprehensive multi-sectoral framework of gender indicators, which was endorsed at the 10<sup>th</sup> Triennial Conference of Pacific Women in 2007, and soon after by Heads of Statistics in the region. However, progress in using this framework has been slow and not systematically integrated into regional discussions on strengthening statistical capability in the region more broadly, i.e. through the 10 Year Regional Statistical Strengthening Plan.

SPC support for improved production, compilation and use of gender statistics was initiated in the Cook Islands, Fiji Islands, Marshall Islands and Vanuatu in 2012 and in Solomon Islands in 2013. The experience so far shows that the production and use of sex disaggregated data are far from systematic or comprehensive across all sectors of the government. A wealth of information can be extracted from census and other household surveys (income, expenditure, labour, demography and health) and sectoral situational analyses, but the data is not analysed comprehensively enough from a gender perspective and not used to inform policy development or monitoring and evaluation. The gender statistical profiles produced to date provide the opportunity to map gender gaps in key sectors such as education, health, employment and justice. Work done on country analyses to date has highlighted lack of capacity in national machineries for data analysis and interpretation, and in relating this information to the goals of national gender equality policies. National statistics offices are under-resourced in terms of providing the detailed statistical information required for such indicators and there are considerable data gaps, most notably in health, wages and employment, poverty and well-being and access to and control over resources.

**Building government capacity to mainstream gender has been the focus of numerous regional initiatives.** Capacity-building initiatives in the region have focused on different aspects of gender mainstreaming, such as policy development, gender budgeting and gender analysis. There has also been sectoral training in macroeconomics, climate change, energy, disaster preparedness and law reform. And it does have an impact. In 2013, the Solomon Islands Public Service Commission directed all its Permanent Secretaries to identify and include a set of gender equality-related set of performance indicators in their contract assessment criteria.

Permanent Secretaries will have to demonstrate among other things, evidence of gender sensitivity within the recruitment and selection processes in their ministry; and/or 'zero tolerance' of workplace harassment, including sexual harassment. They will also be required to appoint a gender focal point, develop a gender implementation strategy as part of their Corporate Plan, collect and disseminate gender statistics and profiles, and report on their ministry's progress on gender mainstreaming as part of annual reporting processes. SPC's gender mainstreaming programme is working with the SI Public Service Commission to share this initiative with other PSCs in the region.

**National women's machineries reviewed their activity.** The Cook Islands and Solomon Islands are among countries that have reviewed their national women's/gender policy; in the process of doing so are Fiji, Kiribati, Nauru, Niue, Marshall Islands, Samoa, Tonga, Tuvalu, and Vanuatu (none of the French Pacific territories have a national gender policy).

The policies are all demonstrating a shift from a women-in-development approach to a gender-equality-and-women's-empowerment approach, with specific targets for addressing the causes of gender inequality.

Most policies have also set as a key outcome the development of the government's capacity to mainstream gender.

Such revision of policy also provides a good opportunity to revise the mandate of the national women's machineries to focus on a coordination and policy advisory role. This would be a major shift for them, and they would need support from government, civil society organisations and development partners in this transition.

**Regional organisations have restated their commitment to their gender equality pledges.** The Secretariat of the Pacific Community has developed a simple but comprehensive mechanism to monitor its own organisational gender equality commitments – the Gender Commitments Monitoring Framework. It allows for regular and systematic planning and tracking of implementation of gender equality-related commitments and requirements across the organisation. The results are reviewed six-monthly by a Gender Mainstreaming Committee comprising representatives of the executive, corporate services, planning, programmes and the staff committee. The results are reported regularly in SPC's Annual Reports and at governing body meetings. The mechanism allows for status reviews, prioritisation of gap areas, implementation planning, allocation of resources and analysis of progress over time. This mechanism was developed for all CROP agencies, but its adoption has not been systematic.

In 2012, CROP heads endorsed the establishment of the CROP Gender Working Group which had previously met on a more informal basis, with the following objectives: assist and collaborate in the

implementation of the CROP gender stocktake report; collaborate in addressing gender issues and concerns regionally where appropriate; identify emerging and high priority gender related issues and ensure that these are brought to the attention of CROP heads as appropriate; ensure that the principles of gender equality and human rights are included as primary components of all work undertaken by CROP at international, regional and national level; and assist all CROP organisations to coordinate efforts and combine skills and resources to help countries address important emerging or on-going priority issues relating to advancing gender equality. This includes mainstreaming of gender at corporate level and across their programmes and services to countries, so that gender mainstreaming is not an addition but an integral part of the mainstreaming development agenda.

**Human Rights Mechanisms at the National and Regional level.** There are no corresponding mechanisms for monitoring human rights at either national or at the regional level as these are monitored through treaty bodies at the international level. Only 1 Pacific island country has a functioning national human rights national institution; Samoan Ombudsman's office which recently in 2013 expanded its functions to include monitoring and supporting human rights. A Pacific Regional Human Rights Mechanism is being explored through a Pacific Islands Forum Secretariat Working Group on Regional Human Rights Mechanisms; however there is little political traction for this. At the national level, PIFS, SPC RRRT and OHCHR are supporting national level human rights coordination mechanisms.

## **Part 5: The implications for social and economic development in the Pacific**

### **The Pacific will not achieve sustainable economic development without women's participation.**

Sustainable development can only be achieved through long-term investments in economic, human and environmental capital achieved through enhanced observance of human rights standards. At present, the female half of the Pacific's human capital is undervalued and underutilised.

As a group, women – and their potential contributions to economic advances, social progress and environmental protection – have been marginalised. Better use of the world's female population could increase economic growth, reduce poverty, enhance societal well-being, and help ensure sustainable development in all countries. Closing the gender gap depends on countries taking action to make their gender-related human rights commitments a reality.<sup>63</sup>

Evidence from the Pacific shows that in policy terms, women are not being systematically recognised, utilised and integrated into the economy. Countries do not fully understand or realise the enormous benefits of doing this – and the critical part women's participation plays in sustainable development of both small and larger island states.<sup>64</sup>

Despite declarations and reports, most recently the Pacific Leader's Gender Equality Declaration and 2013 Regional MDG Tracking report, translation of commitment to concrete, resourced and

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<sup>63</sup> Organisation for Economic Co-operation and Development (2008). Gender and Sustainable Development: Maximising the Economic, Social and Environmental Role of Women.

<sup>64</sup> Pacific Islands Forum Secretariat (2013). Pacific Regional MDGs Tracking Report.

measurable action that indicates domestication of human rights norms and standards is not evident across governments of the region.

This is evidenced by countries' poor compliance with the Convention on the Elimination of All Forms of Discrimination against Women.<sup>65</sup> Reporting and monitoring of CEDAW by Pacific States bodies is low, with seven of 12 ratified countries having overdue CEDAW reports as at May 2014.<sup>66</sup>

The situation is similar across the agencies that make up the Council of Regional Organisations of the Pacific, who provide support to countries across the full range of development priorities and sectors.<sup>67</sup> It is very difficult to track the contribution of CROP to improving the lives of women and girls in the Pacific; it has no strategy or plans for doing this alongside member governments.

As a result, governments will continue to miss their human rights targets for the achievement of:

- Improved and more equitable economic growth;
- Reduced poverty;
- Improved business performance and innovation;
- Cost- efficient health care and social programmes;
- More honest, open and transparent governance that takes into account the needs of all citizens;
- The reduction of environmental damage as a result of unsustainable activities.<sup>68</sup>

Gender equality and human rights obligations, which countries have ratified, need to be domesticated in national laws and reflected in policies and in the identification of strategies for support through regional organisations, and demonstrated through:

- Family-friendly policies to increase the labour force participation of women;
- Development assistance that targets increasing the role of women in the economy;
- Upgrading the status of and wages for traditional areas of women's work, including through systems of national accounts;
- Incentives for women to enter science and technology careers;
- Increased access to finance and support services for women entrepreneurs;

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<sup>65</sup> United Nations Development Programme (Pacific Centre, 2007). Translating CEDAW into Law: CEDAW Legislative Compliance in Nine Pacific Island Countries.

<sup>66</sup> Office of the High Commissioner for Human Rights.  
<http://www.ohchr.org/EN/HRBodies/CEDAW/Pages/CEDAWIndex.aspx>

<sup>67</sup> SPC (2008). CROP gender stocktake recommendations and 2014 CROP Gender Working Group meeting.

<sup>68</sup> Organisation for Economic Co-operation and Development (2008). Gender and Sustainable Development: Maximising the Economic, Social and Environmental Role of Women.

- Gender-specific approaches in health care planning and treatment;
- Better integration of women immigrants in labour markets and society,
- Setting targets and goals for increasing the number of women managers and parliamentarians;
- Giving greater weight to female perspectives in climate change, disaster risk reduction and food security policies.<sup>69</sup>

Unless States comply with their human rights commitments to progress gender equality and improve the human rights of women and girls in the Pacific region, Pacific development progress will continue to be slow and unsustainable, while leaving the majority of the population behind.

## **Part 6: The effectiveness of Australian programs to support the human rights of women and girls in the Pacific region: What has been done well, and what can be improved**

Based on SPC's experience and work at both country and regional level, the following observations are made.

Australia has made substantial contributions, both political and financial, to Pacific island countries and territories to improve the situation of women and girls' human rights in the region in four key areas. They are **institutional mechanisms and processes; women's legal and human rights; access to services mainly in health and education** but with less of a target to improve access for women and girls; and **women's economic empowerment**.

### **Australian contributions to development have led to safer environments for Pacific women.**

Australian funds have supported legislative change to address violence against women in Papua New Guinea, Kiribati, Solomon Islands and Tonga, and are contributing to the process in Tuvalu and Samoa. Australian contributes to services for victims of violence through the Fiji Women's Crisis Centre, Vanuatu Women's Crisis Centre and the Tonga Centre for Women and Children, in addition to offering support and training to other crisis centres around the region.

**Australia has supported women's leadership** through the Pacific Leadership Development Programme, with a particular focus on developing skills for women and youth through Harvard University's Women in Public Policy Programme, through the University of the South Pacific School of Government and the Emerging Leaders Dialogue programme. There has been support for increased women's participation in politics and the economy through UN Women, Pacific Islands Forum Secretariat and the International Financing Corporation. This support needs to be stepped up and linked to regional and national efforts for strengthening the participation and leadership of women in all sectors. Emphasis needs to be put on targeting male leaders as advocates for gender balance at all levels of decision-making.

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<sup>69</sup> Ibid.

**Australia has contributed to better health and wellbeing for Pacific women and girls.**

Australia has made significant contributions to health and wellbeing for Pacific women and girls through shared gender and health initiatives including the second *Pacific Regional Strategy on HIV and other Sexually Transmissible Infections 2009–2013* which aimed to reduce the spread and impact of HIV and other STIs while providing support for people living with and affected by HIV in Pacific communities. This included a gender and HIV audit of the Pacific Response Fund on HIV and STIs.

Bilateral support in health sector planning including addressing cervical cancer is also being spearheaded by Australia which includes HPV vaccinations for secondary school girls in Fiji. In Fiji, the Health Sector Support Programme has recently undergone an assessment to promote gender equality and social inclusion, leading to recommendations. Support is also being provided to Nauru to ensure that gender is included in health sector planning.

However, more support is needed specifically for gender and access to healthcare initiatives. The links between gender, maternal health and NCDs are clear but are not yet being discussed in any detail or addressed. It is the same for links between VAW and sexual reproductive health rights. Access to treatment and care, across a range of women's health issues are required including for example, various forms of cancer where treatment at the national level is not available in many PICs. In addition, there is recognition that women need access to support and information on reproductive health; yet there is a great unmet need for contraceptives in the region.

**Australia has helped Pacific countries and territories to start making gender issues a part of their planning and policy**, channelling its support through SPC in mainstreaming gender and improving gender statistics, and conducting gender analysis and evaluation of regional and bilateral programmes. This work needs to be built on. There needs to be better integration of gender across all national and regional development and planning processes by requiring that gender experts and analysis be involved, and that systems and structures are put in place to support high level multi-sectoral ownership of gender equality.

There should be support for continual improvement in gender mainstreaming, including the use and expansion of a regional gender equality accountability scorecard and the development of CROP systems to monitor implementation of gender commitments.

**Australia's support has been delivered mainly through short-term projects.** Support has generally related to specific projects and generally short term (up to five years), raising questions of how sustainable they are. Longer horizons would allow projects to respond to societal change and produce better long-term outcomes. The 10-year Pacific Women Shaping Pacific Development Initiative is a good example of this; it's long-term, with commitments to continue support in line with country priorities and plans and regional developments.

**Support has been delivered mainly through multi-lateral agencies or, more recently, through Australian contractors or Australia-based and led projects.** This limits opportunity for projects to be grounded in Pacific realities and experiences, with Pacific women involved and able to assume the long-term oversight that promotes ownership and sustainability.



**Support has been delivered through sectoral regional or bilateral programmes, such as health and education, where it is difficult to see specific deliverables in relation to improving the human rights of women and girls.** It is not clear, for example, whether Australian education or health-sector support over the past 10 years has led to improvements in women and girls' health and delivered on regional gender equality and women's human rights frameworks, such as the Revised Pacific Platform for Action.

**Improved coordination at national level** will improve delivery of Australian support, and there are good examples of such collaboration with SPC, the Asian Development Bank and the UN on gender mainstreaming and gender statistics in Nauru, Solomon Islands and the Cook Islands. Also of assistance would be greater attention to coordination at national level, working through national systems and processes for aid coordination, and regular development partner dialogues on progressing gender equality at country and regional level. Joint programming, in-country consultations and monitoring of action at national level would ensure that Australia's resources are used in a more effective and sustainable manner.

## **7: Recommendations to the Joint Standing Committee**

The Government of Australia, through Department of Foreign Affairs and Trade, and previously through AusAID, has been a leading donor in the Pacific in the areas of human rights and gender. It is in an excellent position to influence how aid is given and how development projects are delivered in these sectors. Therefore, the Secretariat of the Pacific Community recommends that the Government of Australia should aim to:

- a) **Influence how aid is delivered** by ensuring that all development projects not only do no harm in terms of contributing to human rights for women and girls, but also ensure that projects enhance and contribute to measures that address barriers to accessing human rights. Aid programmes need to recognise the multi-sectoral nature of barriers to accessing human rights for women and children through support to integrated approaches. They should recognise that gender equality and human rights require sustained long-term behavioural change through provision of long-term project support. The 10-year Pacific Women Shaping Pacific Development Initiative is an excellent example of this.
- b) **Support integration of human rights and gender within regional agencies.** In the Pacific, this would be through the Council of Regional Organisations of the Pacific agencies. A review of the CROP agencies in 2007 examined the extent to which gender mainstreaming was carried out with these agencies and found little to celebrate. The report has been largely ignored, with many recommendations left unimplemented today.
- c) **Support information that informs practice.** Research in the area of human rights and gender is lacking in the region. However, it is proven that solid research informs actions. The Kiribati and Solomon Islands Family Health Surveys, which led to legislative and other reforms to address violence against women, is a clear example of the power of good research and statistics. In addition, larger evaluations that review human rights and gender practice should be shared more widely as examples of best practice. For example, a recent gender audit of education support in Solomon Islands is a good example that can inform practice elsewhere.

- d) **Build national and regional capacity in gender and human rights.** There is a growing pool of Pacific people with expertise in these areas. However, more technical expertise is required, both at the sectoral levels in areas such as in education, health, infrastructure, energy, and economic growth, as well as in general gender and human rights mainstreaming policy. Scholarship programmes are a good start. However, more opportunities are needed for Pacific women to undertake gender and human rights studies and to have access to on-the-job mentoring. One avenue to explore could be Pacific internship programmes with CROP agencies.

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