



BEIJING+25:

Review of progress in implementing the
Beijing Platform for Action in Pacific
Island countries and territories



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Suva, Fiji, 2021

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ABBREVIATIONS

ADB	Asian Development Bank
BNPL	basic needs poverty line
BPA	Beijing Declaration and Platform for Action
BPA+25	25th anniversary of the Beijing Declaration and Platform for Action
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CIWGD	Cook Islands Women and Girls with Disabilities
CRC	Convention on the Rights of the Child
CROP	Council of Regional Organisations of the Pacific
CRPD	Convention on the Rights of Persons with Disabilities
CSO	civil society organisation
DFAT	Department of Foreign Affairs and Trade [Australia]
DWA	Department of Women's Affairs [Vanuatu]
EIA	environmental impact assessment
ESCAP	Economic and Social Commission for Asia and the Pacific
FPIC	free prior and informed consent
FWRM	Fiji Women's Rights Movement
GANHRI	Global Alliance of National Human Rights Institutions
GPC	Gender and Protection Cluster [Vanuatu]
HIES	household income and expenditure survey
HPV	human papilloma virus
ICAAD	International Center for Advocates Against Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICPD	International Conference on Population and Development
ICT	information and communication technology
ILO	International Labour Organization
IWDA	International Women's Development Agency
MDGs	Millennium Development Goals
MWCSD	Ministry of Women, Community and Social Development [Samoa]
NCDs	non-communicable diseases
NDMO	National Disaster Management Office [Vanuatu]
NZLC	New Zealand Law Commission
PACMAS	Pacific Media Assistance Scheme
PFRPD	Pacific Framework for the Rights of Persons with Disabilities
PICs	Pacific Island countries
PICTs	Pacific Island countries and territories
PIFS	Pacific Islands Forum Secretariat
PLGED	Pacific Leaders' Gender Equality Declaration
PPA	Pacific Platform for Action on the Advancement of Women and Gender Equality
RRRT	Regional Rights Resource Team [SPC]
SDGs	Sustainable Development Goals
STEM	science, technology, engineering and mathematics
STIs	sexually transmitted infections
TSMs	temporary special measures
TVET	technical and vocational education and training
UNDP	United Nations Development Programme
UNFCCC	UN Framework Convention on Climate Change
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNSCR1325	UN Security Council Resolution 1325
UNTOC	UN Convention against Transnational Organized Crime
UPR	universal periodic review
WHO	World Health Organization
WUTMI	Women United Together Marshall Islands

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The opinion pieces share the personal journeys, aspirations, ambitions and set-backs of leading figures with expertise in each area. The pieces paint a rich tapestry showing that we have much to celebrate after 25 years, but there have been challenges along the way that the authors discuss from their perspective and 'herstory'.

The constructive input and insights provided by country gender focal points and stakeholders during the finalisation of the report are gratefully acknowledged.

FOREWORD

It is an honor for me to introduce the regional overview of progress in 25 years of implementing the Beijing Platform for Action in the Pacific (BPfA). In celebration of the 25th anniversary of the Beijing Declaration and Platform for Action, it is time to take stock of implementation in the Pacific. This is in terms of what more must be done to achieve the full and equal participation of women in our societies in all areas, taking into account their diverse circumstances – where they live, how old they are and factors to ensure their inclusivity at all levels. Much has been achieved, however more needs to be done to achieve the world envisaged in 1995 for each woman and girl to exercise freedoms and choices, and realize their rights, live free from violence, protect and preserve our physical environment, to go to school, to participate in decisions and to earn equal pay for equal work. The BPfA endures as one of the most influential international policy frameworks for women's human rights.



Dr Hilda C. Heine

President

Republic of the Marshall Islands

(2016-2020)

As I read this report, I reflected about what we can demonstrate in terms of real results that show progress towards the goal of “gender equality, development of peace for all women everywhere in the interest of all humanity” as stated in the Beijing Declaration. The report highlights very clearly that there is much to celebrate. Investments that increase access to health services and education for women and girls are showing positive outcomes. Most Pacific Island countries and territories (PICTs) have conducted robust and rigorous research on the high prevalence of violence against women and girls, with the results and evidence used successfully to lobby governments to enact domestic violence legislation. More women are active in the labor force, and in some nations, social protection systems support them to balance their reproductive and productive roles. Some nations have implemented measures to increase the number of women in leadership and decision-making; and despite our dissatisfaction with the results of our electoral reform campaigns, the number of women elected to political office at national and subnational levels has increased in some countries, but we have a long way to go to see parity in decision-making. Advocates and government gender offices are making effective use of gender data and sex disaggregated statistics to promote gender equality, but we still lack some critical information to build the case for gender inclusion in environmental management, paid and unpaid work and universal health coverage. Across the region there has been a general increase, slight in some cases, of government budgetary support for national gender offices, although the overall amount in relation to the total budget is still very low. International development assistance for gender equality has generally increased, noteworthy is the 10-year AUD 320 million Australian Government commitment to improve the political, social and economic opportunities of women living in the Pacific, supporting the implementation of the 2012 Pacific Leaders Gender Equality Declaration.

Yet the victory cries from 1995 are softening and in some ways beginning to sound a bit hollow; we still have a long way to go; but we are unwavering and accept that our challenges are now broader. The region is in a climate crisis, the scale and magnitude of which was not anticipated in 1995; in the space of one generation, low-lying islands have disappeared or become uninhabitable across the region. The increasing intensity and frequency of natural disasters has resulted in considerable cost to the people affected as well as governments and the private sector. Almost all nations are experiencing a non-communicable disease (NCDs) epidemic, and our women and girls are increasingly at risk to NCDs because of obesity, poor nutrition and lack of physical exercise. We are beginning to implement child protection and early childhood development programs to improve outcomes for children, but there is a long way to go. The age composition of our populations is changing, and while we still have very high rates of fertility and very young populations, there is an increasing proportion of elderly women, often widows, who need support. Unfortunately, across the region violence against women and children is endemic and intergenerational, and this is a priority concern that we are all trying to address because it insidiously undermines all of our sustainable development efforts. We have born witness to terrible acts of violent extremism in the region that none of us ever imagined or thought possible, and there is ongoing social unrest in some nations; while in others processes of peace and reconciliation are continuing. In some Pacific nations, indigenous women continue to strive for recognition of their inalienable rights.

It would be remiss not to acknowledge the significant achievements of civil society organizations and the feminist movement in advancing the BPfA. When we as governments become stymied in bureaucracy, we are quietly confident in the knowledge that non-state actors will mobilize to influence decision makers through their constituencies.

Gender equality is a collective moral and human imperative, so we truly 'leave no one behind'. In order to reflect critically on Beijing+25, and what more must be done to close the gender gap in the 12 critical areas of concern, SPC has compiled this report from country progress and SDG reports, consolidating progress, reflections and learning about realizing the goals of the Beijing Platform for Action in Pacific Island countries and territories. I commend not only the authors and direct contributors, but all of us in our ongoing efforts to collectively raise our 'Pacific voices' in regional and global discussions measuring progress against gender equality commitments.



Dr Hilda C. Heine
President, Republic of the Marshall Islands
(2016-2020)

PREFACE

The 1995 Beijing conference was the Fourth World Conference on Women, following the first conference in Mexico City in International Women's Year in 1975, a mid-decade conference in Copenhagen in 1980, and a third conference in Nairobi in 1985. The 1995 Beijing conference, attended by more than 17,000 participants from 189 UN member states, unanimously adopted the Beijing Declaration and Platform for Action (BPA) as the global agenda to accelerate the achievement of gender equality and the empowerment of all women and girls. With its strategic framework and key actions for realising gender equality in 12 critical areas of concern, including poverty, power and decision-making, violence against women, and environment, the BPA is a brilliant, far-sighted blueprint for achieving gender equality and women's empowerment globally. It is a historic document, reflecting the collective knowledge, analysis, vision and hopes of the international women's movement, and a large number of feminist activists were closely involved in drafting the text and negotiating its adoption. The discussion of each of the 12 critical areas, their strategic objectives and proposed actions for governments, intergovernmental organisations and other actors reflect the collective knowledge and vision of the global women's movement and gender and development advocates and the political will of committed governments.

In 1994, in preparation for the Fourth World Conference on Women in Beijing, delegates from 22 Pacific Island countries and territories (PICTs) met in Noumea and endorsed collective principles and a plan of action to advance gender equality in the region – the Pacific Platform for Action on the Advancement of Women and Gender Equality (PPA). The PPA was a landmark achievement for the region, and a remarkable one as it emerged prior to the globally negotiated and endorsed BPA, and its 13 critical issues mirrored most of the critical areas of the BPA. This was not surprising for, as Dr Penelope Schoeffel Meleisea commented in her review of the PPA in 2004, "The PPA was a pioneering achievement for Pacific women. After it was declared in 1993 [and endorsed in 1994], it contributed to the formulation of the Jakarta Declaration, which, in turn, influenced the formulation of the global BPA in 1995."

For PICTs, BPA implementation from 1995 was twinned with actioning the PPA. The PPA in fact has been central to accelerating implementation of the BPA in the region. Responsibility for progressing both was undertaken by the Pacific Community (SPC, formerly known as the Secretariat of the Pacific Community), and specifically its Social Development Programme (SDP), which was mandated by the Council of Regional Organisations in the Pacific (CROP) as the technical lead on gender equality.

SPC has historically been the intergovernmental organisation that has led gender work in the Pacific region. Its early Community Education Training Programme graduated hundreds of Pacific women throughout the region over several decades and is legendary. SPC's long-established mechanisms for reviewing the situation and status of women have been its triennial conferences of Pacific women, attended by representatives of government ministries and departments with responsibility for gender, women NGOs and other regional and international organisations; and the meetings of ministers of women which followed the triennial conferences. SPC also established and maintained for many years the first and only regional institutional machinery for the advancement of women, the Pacific Women's Resource Bureau. Following the Resource Bureau's dis-establishment, the Human Development Programme was formed which further evolved into the SDP and led gender equality work within SPC. SDP's work focused on mainstreaming gender throughout SPC's various divisions and technical programmes, including its agriculture and fisheries programmes, and working with governments, other regional organisations, civil society and its own divisions to build capacity, collaboration, knowledge and practice on gender equality and social inclusion. The addition of the Regional Rights Resource Team (RRRT) to SPC in 2008 gave the organisation a strong human rights focus, supporting its capacity to advance gender equality regionally by providing human rights technical assistance and legal services to SPC member states, and capacity building to civil society to monitor Pacific Island countries' compliance with their international human rights obligations.

In 2020 SPC established its newest division, the Human Rights and Social Development (HRSD) division. HRSD brings together the previous SDP and RRRT. The merger of these programmes occurred with the objective to amplify impact on these related areas of work across Pacific Island countries and territories (PICTs) and SPC.

SPC's sustained work since 1995 in regionally coordinating PPA and BPA implementation is noteworthy and has been critical to advancing national implementation efforts in PICTs. Its signature work in support of the first critical issue of the PPA, which dovetails with Critical Area H of the BPA, has focused on two tracks: strengthening institutional mechanisms for the advancement of women, mainly by supporting gender mainstreaming; and production of gender statistics to track progress and highlight understanding of issues by correlating gender-disaggregated data sets. Progress in implementing the PPA is monitored and evaluated at SPC triennial conferences of Pacific women.

The triennial conferences and meetings of ministers for women have not only kept the attention of governments, development agencies and women's NGOs focused on PPA and BPA implementation, they have also strengthened the regional architecture for gender equality.

The 25th anniversary of the PPA was proudly celebrated in the region during International Women's Day in March 2019. Since it was adopted in 1994, the PPA has undergone two substantial reviews, in 2004 and 2015. The current iteration was endorsed by ministers for women in 2017 as the Pacific Platform for Action for Gender Equality and Women's Human Rights 2018–2030. The primary objective of the Pacific Platform for Gender Equality and Women's Human Rights is to accelerate the implementation of gender commitments in order to achieve gender equality and the promotion and protection of the human rights of all women and girls. It incorporates all regional and international instruments for promoting gender equality, including the 2012 Pacific Leaders' Gender Equality Declaration (PLGED), and the 2030 Agenda for Sustainable Development as well as other commitments made by PICTs to progress gender equality. The PLGED, initiated by the Pacific Islands Forum Secretariat (PIFS) and endorsed by Pacific Islands Forum Leaders in 2012, is particularly important. The high-level declaration sets out specific policy actions in five priority areas, to progress gender equality "in the areas of gender-responsive government programmes and policies; decision-making; economic empowerment; ending violence against women; and health and education". It is supported by all regional organisations through the CROP Gender Working Group, as well as a broader development partners group. PIFS' own initiatives to progress gender equality under the PLGED include promoting temporary special measures and running practice parliaments to increase women's political representation in national parliaments. Other commitments include national gender policies, the Framework for Pacific Regionalism, the SAMOA Pathway, the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), the Convention on the Rights of the Child (CRC), the Convention on the Rights of Persons with Disabilities (CRPD) and, not least, the Beijing Platform for Action.

Progress in implementing the BPA is reviewed and appraised every five years through national, regional and global processes, with the 2020 review marking the 25th anniversary of the Beijing Declaration and Platform for Action (BPA+25). The 64th session of the Commission on the Status of Women in March 2020 reviewed and assessed the implementation of the BPA and the outcomes of the 23rd special session of the United Nations General Assembly prior to the culmination of the review process in a one-day high-level meeting during the United Nations General Assembly in September 2020.

The 25th global review of the BPA took place in a world fundamentally changed from what it was in 1995 when the BPA was adopted. The contemporary world in which we seek to advance gender equality and women's empowerment is marked in some regions by war and violent extremism and the massive displacement of people; in others by an intensified race to extract the last of the planet's natural resources including polymetallic nodules from the seabed; by an escalating climate crisis that poses existential threats to humanity and other species across the planet; extreme levels of economic inequality with most of the world's wealth concentrated in the hands of a very few; a rise in illiberal democracies that oppose human rights, and with new technologies of political manipulation and citizen surveillance made possible by big data; the steady shrinking of formal sector jobs and job security and an explosive growth in precarious informal sector livelihoods; and an unprecedented reliance on private corporations to support development work, including the realisation of global development goals. Major transformative changes are needed, going forward, to restore enabling environments for the global realisation of the promise of the BPA.

This regional BPA+25 review and appraisal of implementation includes an assessment of current challenges affecting the implementation of the BPA and the achievement of gender equality and women's empowerment to inform the global BPA+25 review. The regional review report is a compilation of the comprehensive national review reports on BPA+25 and responses to the Economic and Social Commission for Asia and the Pacific (ESCAP) surveys submitted by 11 PICTs.¹ Other sources of information used to complement national reports include national and regional reports relating to the Sustainable Development Goals (SDGs), national statistical survey reports and analyses, outcome documents from regional conferences on gender equality issues, and data from SPC's online databases. The report benefited from the inputs and comments of a number of individuals and institutions, at the regional and international level, some of whom are mentioned in the acknowledgements section. Unless otherwise stated, country information specific to the topic of each chapter is drawn from national reports submitted by PICTs for BPA+25, or from voluntary national reviews on progress to achieve the SDGs. Other sources consulted include official national reports relating to gender equality, sustainable development and human rights; as well as resolutions and recommendations from the last Triennial Conference of Pacific Women.

1 PICT Beijing+25 reports used as of December 2019: Cook Islands, Fiji, FSM, Kiribati, Palau, RMI, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu. In addition, Fiji, FSM, Nauru, Palau, Tonga and Vanuatu shared their voluntary national reports on the Sustainable Development Goals, which include supplemental information on gender issues.

The report reflects on areas of progress and challenges in fulfilling commitments to achieving gender equality in the Pacific Islands region and raises issues and challenges to promote dialogue between governments, civil society actors, development partners and Pacific Island women and men about strategic actions to accelerate progress in achieving gender equality. It presents some of the most significant advances in and barriers to the implementation of the BPA in all 12 critical areas of concern.

The picture that emerges is that, despite the raft of commitments and evident advances in some areas and by some states, progress in achieving gender equality in the region has been slowed by structural and underlying social, cultural and economic barriers. These include harmful social norms and exclusionary and discriminatory practices; pursuit of an economic growth model that undermines ordinary people's livelihoods; gender equality not being systematically integrated into legal and policy frameworks; limited resources for addressing gender inequality issues combined with limited capacity within governments to develop and implement gender-responsive policies and programmes; and finally weak leadership in terms of mercurial political will to address gender equality beyond rhetoric: actions do not necessarily follow from words.





EXECUTIVE SUMMARY

The Pacific region includes a myriad of cultures, languages and ethnic groupings. It is diverse in terms of geography, natural resources, social systems and colonial contact experiences. Each country has also had unique experiences transitioning to and integrating political and economic systems that differ from their historical practices. What is common however is the prevalence of male-dominated systems of decision-making, even in countries with matrilineal systems of lineage and inheritance. This creates a commonality of gender disadvantage across the region although it may be manifested in diverse ways.

Gender, culture and age are three social organising principles that have intersected over time to entrench gender roles, stereotypes and expectations. Culture is revered in the Pacific and establishes a rich historical heritage kept alive in ceremonies, the arts, and family dynamics. Culture has contributed to social stability and secures access to land for many groups. Culture has also perpetuated harmful discriminatory practices against women and girls. This is fully explored in the final chapter of this report.

The remoteness and isolation of the region has historically inhibited information sharing and equitable distribution of services (Figure 1). Urban and rural women in the Pacific have different opportunities to access education, employment and support services.² Women and men in remote and rural areas are more likely to be subject to strict gender roles and divisions of labour and have fewer education and employment choices. In addition, women in rural areas are more vulnerable to poverty than men and have limited access to justice if they are subject to violence, harmful traditional practices and discrimination.³

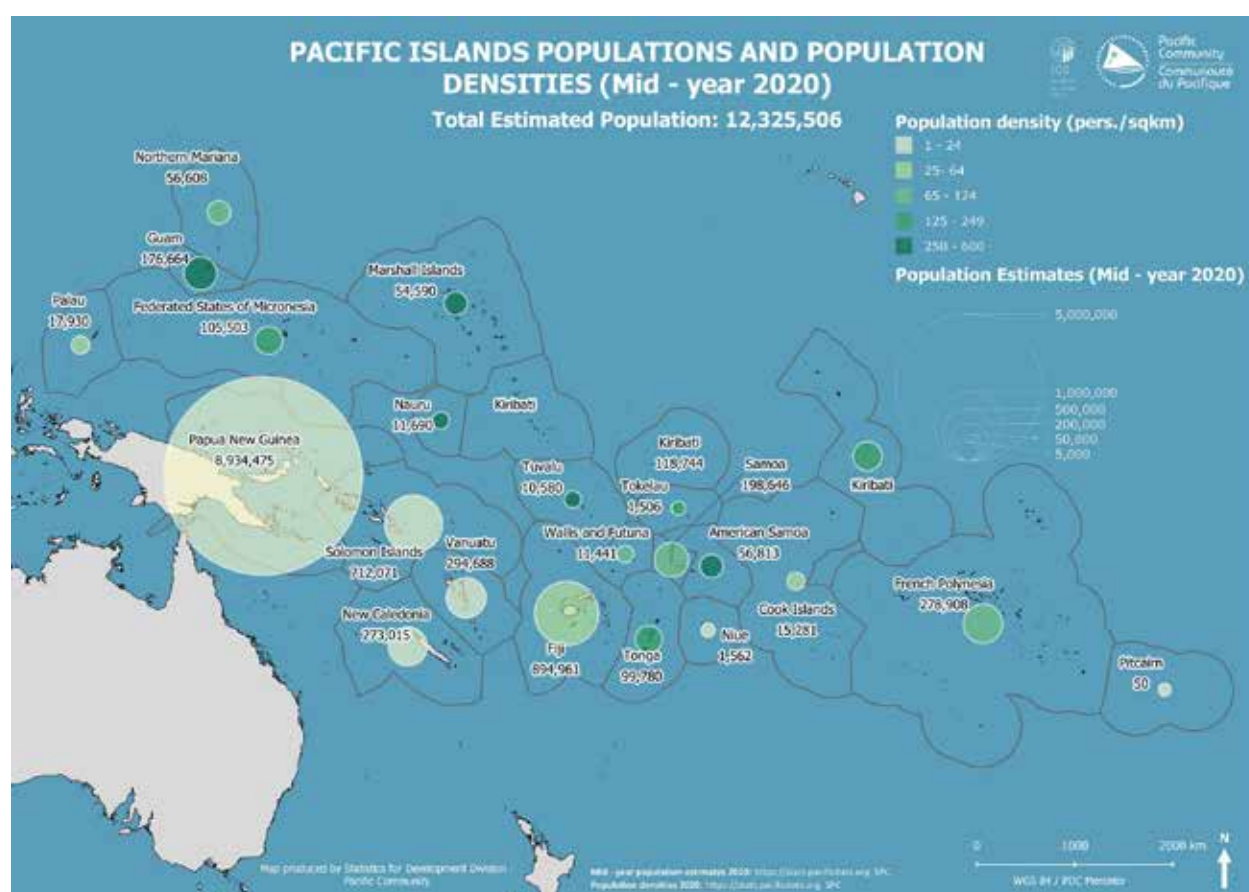


Figure 1. Pacific Island country and territory population estimates, 2018.

Source: SPC's Statistics for Development Division GIS.

² Individual chapters reference available data from surveys and censuses in the region.

³ Jalal P.I. 2009. Law for Pacific women: A legal rights handbook. Suva. See also Government of Australia 2016. Conflict management and access to justice in rural Vanuatu. Available at: https://pacificwomen.org/wp-content/uploads/2016/12/Law_for_Pacific_Women.pdf

Transport infrastructure is expensive and limited, and while communication infrastructure is advancing, many communities and islands still have intermittent access to basic services such as electricity, safe water, sanitation and adequate housing. Mobile phone ownership varies from country to country but has seen a steady increase and phones are the main method used to access the internet.

Despite multiple challenges, the past 25 years have seen significant advancements in gender equality policies and legislation in the region. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the Beijing Platform for Action (BPA) and the Sustainable Development Goals (SDGs) as well as regional agreements have established standards and indicators that are facilitating progress.

These indicators and processes have guided integration of gender equality objectives and measurements into a number of regional and national policies and data systems. At the same time, the region is hampered by a shortage of rigorous and accessible development-oriented research on gender and power relations. Quality, evidence-based research is critical to effective and efficient development planning and implementation of action on critical areas of concern. Collection and analysis of sex-disaggregated data is improving but persistent gaps make it difficult to track progress.

National legislation addressing violence against women has been developed in 13 Pacific Island countries and is pending in Niue.⁴ Numerous countries have also revised discriminatory legislation on citizenship, divorce and marital property and have restructured business regulatory systems to support gender equity and equality across sectors.

Disability is a cross-cutting issue in all of the critical areas of concern. Eleven Pacific Island countries have ratified the UN Convention on the Rights of Persons with Disabilities (CRPD) and there is increasing attention to gender-differentiated experiences of persons with various types of disabilities.⁵

Challenges remain in financing and implementing the gender equality commitments that are now on paper. While most countries have institutionalised 'women's machineries', they are consistently underfunded and generally marginalised from national planning and budgeting processes. At country and regional levels, stated political will for gender equality is not adequately demonstrated. A continuing lack of accountability mechanisms for gender equality policies means that failure to meet commitments has few consequences for decision-makers.

KEY OBSERVATIONS ON PROGRESS

The following points summarise some overarching issues as well as key challenges and areas for further work in relation to the 12 critical areas of concern.

Poverty

In Pacific Island countries and territories (PICTs), poverty is difficult to measure for several reasons including the ways in which benefits of communally owned land are distributed and the existence of traditional systems of social and family obligation. Poverty measurement at the individual level within households is currently not possible except through specifically designed surveys. Women and men experience poverty or deprivation differently and violence against women exacerbates their multiple dimensions. Poverty and hardship also vary from rural to urban areas, and female-headed households struggle more in terms of access to land, livelihoods and well-paid employment. The region requires improved social protection systems that are accessible to women of all ages and abilities.

Education

PICTs have made commitments to universal access and free education at least to the end of primary school. Gender parity has been achieved, or nearly so, at primary level in most countries. Initiatives to make curricula gender responsive have started in a few countries but require ongoing investment and enhanced teacher training. Multiple countries have introduced policies to ensure that girls can complete their education even if they become pregnant as adolescents – however social stigma and family pressure may still cause these girls to drop out. Concerns about safety from sexual harassment and assault can prevent rural girls from attending boarding schools to complete their secondary education.

4 Pacific Women Shaping Pacific Development: <https://pacificwomen.org/stories-of-change/niues-progress-towards-family-law-legislation/> (accessed 22 September 2020).

5 As of 2018, 11 Pacific Island countries have ratified the CRPD (Cook Islands, Fiji, Federated States of Micronesia, Kiribati, Nauru, Palau, Papua New Guinea, Republic of the Marshall Islands, Samoa, Tuvalu and Vanuatu): http://www.internationaldisabilityalliance.org/sites/default/files/final_sdg_report_2018_print_.pdf

Health

Sexual and reproductive health and rights for women of all ages, diversities and abilities remains an area of challenge in the Pacific. Maternal health indicators have improved across almost all countries; however unmet need for contraceptives, adolescent pregnancies and addressing the sexual and reproductive health needs of women with disabilities remain problematic. Non-communicable diseases (NCDs) are epidemic in the region with associated disabilities and mortality. Women bear a disproportionate share of the burden of caring for family members while falling victim to NCDs themselves. Mental health and depression are largely unmeasured but surveys on violence against women indicate that women who experience violence are often depressed and may consider suicide⁶

Violence against women

Violence against women is high in the Pacific region and is both a symptom and driver of gender inequality. Increasing regional coordination and development of integrated service protocols are gradually improving services for survivors, but large numbers of women do not report violence due to fear of stigma or further retaliation. Governments and development partners recognise that ending violence against women requires changing social norms and entrenched gender power dynamics. These changes take time, integrated and well-funded initiatives and continued advocacy from both male and female leaders in communities, churches and governments. Challenges include finding means to adapt political and development programming cycles to the scale and scope of the effort required.

Women and armed conflict

The Pacific has no current armed conflicts but in recent history Papua New Guinea (PNG) and Solomon Islands experienced armed struggles internally. In both instances women played their traditional role as peacemakers, bringing parties together to negotiate issues and truce. However women have continually been excluded from formal negotiations to establish ceasefires and terms of peace.

Women and the economy

Pacific women are entrepreneurial by necessity and, while there are many variations between subregions, they are highly involved in informal sector production of goods for subsistence and micro-enterprise. There are significant rural to urban variations in women's engagement in the formal labour force and business. Across the region the public sector is the largest employer of women, and women in urban areas are more likely to be in secure paid employment than rural women. Women's economic empowerment is an ongoing area of work in the region, and recent efforts to engage rural women more actively in different levels of agricultural and handicraft value chains are showing positive results. The Pacific sees continuing challenges linked to access to collateral and credit and other financial services, however a number of collaborative development initiatives are improving financial literacy and inclusion.

Women in power and decision-making

At all levels and across countries gender power dynamics disadvantage women as decision-makers. This is tempered by individual relations and competencies, and there are exceptions, but socio-cultural norms in the Pacific see men as the 'natural' spokespeople for families, communities and governments. Increasing women's participation in all levels of decision-making is progressing at community levels, in public service and in civil society organisations. At the national political level women still hold few seats and temporary special measures are only used by a few countries.

Institutional mechanisms

All Pacific governments have established national machineries to promote gender equality and are making commitments to integrate gender across sectors through institutional mechanisms. These commitments are linked to changes in legislation and policy that require central and line ministries to implement gender-responsive development. However, gaps in accountability mechanisms, and limited technical capacity to do gender analysis and prepare gender-responsive budgets continue to slow progress.

6 WHO methodology studies on violence against women in the Pacific identify that victims are more likely to think about and attempt suicide than women who have not experienced violence. See for example: <https://pacific.unfpa.org/sites/default/files/pub-pdf/SolomonIslandsFamilyHealthandSafetyStudy.pdf> and <http://www.fijiwomen.com/wp-content/uploads/2017/11/National-Survey-Summary.pdf>

Human rights of women

With the exception of Tonga, all Pacific Island governments have made commitments to CEDAW. Palau has signed the convention and 12 other states have ratified it. States are working to revise discriminatory legislation and promote gender equality. However limited investment in gender mainstreaming and women's human rights demonstrates a gap between stated and demonstrated political will of leaders. A number of governments have or are exploring establishment of national human rights institutes and the Pacific Community through the HRSD provides technical assistance on CEDAW implementation across the region. The Republic of the Marshall Islands (RMI)'s parliament passed the region's first Gender Equality Act in September 2019.⁶

Women and media

Women comprise more than 45 per cent of Pacific reporters, but mainstream media coverage of gender issues, and of women as role models in leadership, community service and business, continues to be limited. The rapidly changing media landscape and widespread use of the internet on mobile phones has both positive and negative effects. Many gender equality civil society groups are using internet-based media to develop alternative narratives that challenge patriarchal social norms and offer young women increased agency. At the same time online exploitation of women and children, cyber-bullying and sexual harassment are becoming more common.


Women and the environment

The Pacific region has diverse natural environments and women are active users and managers of the ocean, rivers and land. Increasing impacts of climate change are being felt across the region and women are becoming highly involved in disaster risk reduction and adaptation initiatives. As climate change emerges as a new area of policy and programming, gender-inclusive standards and practices, largely introduced through development partners, are supporting women to lead and demonstrate their capabilities to their communities and peers. Climate change is a major concern for women in the Pacific as it is already threatening livelihoods, homes and citizenship.

The girl child

Due to the fact that Pacific cultures are traditionally hierarchical with youth and femaleness denoting lower status, girls face multiple barriers to equality. Girls are at high risk of sexual abuse within families and from strangers. In some subregions girls may be kept out of school to help with heavy household workloads or to protect them from perceived threats at boarding facilities. In other subregions, women and girls are supported to attend school but concurrently expected to fill traditional family roles as a priority over other life options. Children and adolescents are increasingly exposed to pornography, which negatively impacts their potential to develop respectful relationships.⁷ A number of civil society organisations are working to give girls options and increase their ability to network, share experiences and advocate for policy changes that will allow them to more fully exercise their rights.

7 Information on children's access to pornography on mobile devices has been identified by the Cyber Safety Pasifika program, <https://www.cybersafetypasifika.org/#main>. It was also noted in consultations for the ADB Country Gender Assessments for Solomon Islands and Fiji (2015): <https://www.adb.org/sites/default/files/institutional-document/176812/sol-country-gender-assessment.pdf>. Correlations between children's access to mobile phones and pornography have been drawn in global studies. A recent Pacific study by the University of the South Pacific indicates children's increased use of all types of digital technology to access and navigate the internet, https://www.itu.int/en/ITU-D/Regional-Presence/AsiaPacific/Documents/Events/2014/September-COP/Salanieta_Tamanikawaiwaimaro.pdf



CRITICAL AREA A

WOMEN AND POVERTY

INTRODUCTION

Women and poverty is the first of the 12 critical areas of concern in the Beijing Platform for Action (BPA) adopted in 1995. Poverty is also one of the 13 critical issues identified by Pacific delegates at the Sixth Triennial Conference of Pacific Women in Noumea for the 1994 Pacific Platform for Action (PPA). The PPA's strategic objective in respect to poverty was "to recognise the increasing incidence of poverty in the Pacific, particularly as it relates to female headed households, and to promote means to address the root causes of this growing problem"⁸. The references to "root causes" resonated with the BPA's call to eradicate "the persistent and increasing burden of poverty on women by addressing the structural causes of poverty through changes in economic structures". The current Pacific Platform for Action for Gender Equality and Human Rights 2018–2030 highlights "vulnerability to poverty" among the "pervasive problems remaining in advancing gender equality", and notes that poverty is "an increasing concern, with women and children at greater risk, especially in urban areas".

Ending poverty in all its forms everywhere by 2030 is the first of the 17 globally endorsed Sustainable Development Goals (SDGs). Eradicating extreme poverty and hunger by 2015, with a target of halving extreme poverty rates, was similarly prioritised as the first of the Millennium Development Goals (MDGs). In the Foreword to the Pacific Leaders Gender Equality 2012–2016 Trend Assessment Report, Pacific Islands Forum Secretariat (PIFS)'s Secretary General, Dame Meg Taylor, wrote: "At the dawn of the Sustainable Development Goals in 2015, the region was reminded that gender equality and poverty remained unfinished business from the Millennium Development Goals".

As noted in the Beijing+20 report,⁹ official recognition and acknowledgement of the existence of poverty in PICTs has been a longstanding problem, stemming from beliefs that Pacific people have communally owned land and a subsistence livelihood to return to and are supported by a widely subscribed cultural ethic and traditional practices of sharing and caring for kin. Ideas about the 'traditional safety net' and 'subsistence affluence' together with euphemisms of 'hardship' and 'poverty of opportunity' have also delayed attention to material or income poverty in the Pacific, even as visible evidence emerged in towns with the rapid spread of informal settlements and beggars on the street. Much as we rightly defend the protection of communal landowning systems for the subsistence livelihoods they make possible for a majority of people in the Pacific, the daily deprivations of subsistence/semi-subsistence living, especially in more remote and marginalised areas, can also be hidden in plain sight, making qualitative as well as quantitative methods of research and data collection essential to understanding the nature and extent of poverty in PICTs.

Today poverty is recognised as a primary challenge in our part of the world, and a major obstacle to achieving gender equality. Leaving no one behind requires that we address it. In doing so, the insight reflected in the 1994 PPA's direction to confront "the root causes of poverty" is instructive. The 1995 report of the PPA¹⁰ included a three-page discussion of the impacts of macroeconomic policies on women. Actions to be taken by governments under the first Strategic Objective of Critical Area A in the BPA include analysing macroeconomic policies from a gender perspective with respect to their impact on poverty, on inequality, and particularly on the well-being of women and families, and adjusting them, as appropriate, "to promote more equitable distribution of productive assets, wealth, opportunities, income and services".

Macroeconomic policies, no less than natural disasters, can have severely impoverishing effects, but in a much less visible or immediate way. Following a global trend, but even less recognised in the Pacific until very recently, is the more concerning problem of economic inequality, which also has its roots in macroeconomic policies that, inter alia, involve public sector retrenchments and gutting of state capacity, trade liberalisation and tariff reductions, regressive taxation systems and reduced state revenue, job losses, wage stagnation, wealth concentration and capital outflow, steadily shrinking formal sector jobs and an explosion in informal sector livelihoods, where working women are mainly concentrated. All of these have impacts to which attention has long been drawn by non-governmental organisations in the region, to little avail. There have been no assessments of such policy impacts, no review or modification of macroeconomic or social policies as called for under BPA A.1 (a). Policies are made by governments and can be changed if there is sufficient political will.

8 SPC 2004. Proceedings of the 9th Triennial Conference of Pacific Women, 16–19 August 2004 and 2nd Pacific Ministerial Meeting on Women, 19–20 August 2004, Vol. 2, Technical Papers, p. 66. Nadi, Fiji: SPC.

9 SPC 2015. Beijing+20 – Review of progress in implementing the Beijing Platform for Action in Pacific Islands countries and territories, p. 20. Noumea: SPC.

10 SPC 1995. Pacific Platform for Action – Rethinking sustainable development for Pacific women towards the year 2000, pp. 57–59. Noumea: SPC.

Poverty is also being seen in areas of the region where extractive industries are operating. Whether fisheries, logging, mining or oil/gas extraction, all have entailed impoverishing communities by their destructive environmental impacts. They have created income inequalities between those who are paid royalties and those who are not, bred corruption and in some cases triggered open conflict. An extraction-based economic growth strategy may increase national wealth but it does so at enormous environmental and social cost and resource earnings often do not result in improved social provisioning. The social costs of extraction-led growth is most dramatically and tragically illustrated at present in PNG's Hela Province.¹¹

CONTEXT AND PROGRESS

This section presents what is known today, 25 years after BPA implementation efforts began in the region, about women, poverty and income inequality, and whether specific measures adopted by governments have been addressing women's specific realities in the last five years since Beijing+20 reports were submitted.

DEFINITIONS OF POVERTY

Extreme or absolute poverty is often claimed to be rare in the region, and its measurement by the proportion of the population living below USD 1.90 a day is generally considered inappropriate in the Pacific where income dependency is moderated by the notional ability of most people to access some non-cash livelihood support. As stated in the *Samoa Hardship and Poverty Report*, "In the Pacific region, the extent of extreme poverty or food poverty is generally very low. Most households, particularly those in the rural areas, have access to land for subsistence cropping, and many have access to the sea for fish and seafood. They are therefore able to meet a high proportion of their daily food needs".¹² For the increasing proportion of the population living in towns in some PICTs, and particularly for second and third generation urban dwellers, access to land on which to grow food is more theoretical than real.

Poverty has come to be measured in PICTs by the proportion of people living below the national basic needs poverty line (BNPL), which is determined in each country by calculating the cost of a basket of foods required to sustain a family of four on a basic diet, plus an additional allowance to meet the cost of basic non-food expenditures. The most useful data on poverty and income inequality are obtained through household income and expenditure surveys (HIES). These have been irregularly conducted in some PICTs and have not used standardised formats, making regional comparisons difficult. Employment and unemployment surveys are also useful sources of information on poverty, but such surveys are not carried out in all PICTs. SPC's recent development of a standardised HIES instrument and procedures for use by national statistics offices in the region will significantly improve data collection to guide policy development. It will also enable more meaningful tracking of the spread and depth of poverty, and uncover some of its multidimensional aspects.

The region's first quadrennial report on the SDGs relays findings from recent household surveys in seven PICTs that extreme poverty is "relatively low" but that "an estimated one in every four Pacific Islanders are living below their national poverty lines (particularly in FSM, PNG and Fiji)", and elderly people and other vulnerable groups are at risk of falling into "hardship or poverty".¹³ These findings were shared by Samoa's Deputy Prime Minister, Fiame Naomi Mata'afa, on behalf of Pacific Island Forum Leaders at the High Level Political Forum on the Sustainable Development Goals on 10 July 2019 in New York.¹⁴

The Asian Development Bank (ADB) reports much higher proportions of Pacific populations living below national poverty lines in some countries.¹⁵ Table 1 shows information on percentages of total populations living below nationally defined poverty lines, with data drawn primarily from most recent HIES, as well as the share in national consumption of the poorest quintile (lowest 20 per cent) of households.

11 Cox E. 2019. Ending violent conflict and violence against women in Papua New Guinea's Highlands Region: the state, extractive industries and civil society. In Samuel K., Slatter C and Gunasekara V. (eds), *The political economy of conflict and violence against women: Cases from the South*. London: Zed Books.

12 Government of Samoa, Samoa Bureau of Statistics and UNDP Pacific Centre 2016. *Samoa hardship and poverty report. Analysis of the 2013/14 household income and expenditure survey*.

13 CROP (Council of Regional Organisations in the Pacific) 2018. *First quadrennial Pacific sustainable development report, 2018*. Suva, Fiji: Pacific Islands Forum Secretariat. Available at: <https://www.forumsec.org/wp-content/uploads/2018/10/First-Quadrennial-P.S.D.R.-Full-Report.pdf>

14 A quarter of Pacific islanders live below 'basic needs poverty lines', top UN development forum hears, UN NEWS, 10 July 2019. Available at: <https://news.un.org/en/story/2019/07/1042161>

15 ADB (Asian Development Bank) 2019. *Basic statistics 2019, April 2019*, Statistics and Data Innovation Unit. Available at: <https://www.adb.org/sites/default/files/publication/499221/basic-statistics-2019.pdf>

Table 1. Percentages of total population living below national poverty lines, and share of poorest quintile in national consumption.

Country or territory	Basic needs poverty (%)				Share of poorest quintile in national consumption (%)			
	Pre-2010		Latest		Pre-2010		Latest	
Cook Islands	2006	28.4			2006	9.0	2016	9.8
Fiji	2002–2003	39.8	2008–2009	35.2	2002–2003	5.9	2008–2009	5.4
FSM			2013	41.2			2013	9.3
Kiribati	2006	21.8			2006	7.8		
Nauru	2006	25.1	2013	24.0	2006	6.4	2013	12.2
New Caledonia	2008	17.0						
Niue	2002	13.0			2002	6.6		
Palau	2006	24.9			2006	10.2	2014	4.0
PNG	2009	36.9						
Samoa	2008	26.9	2013	18.8	2008	9.3	2013	9.8
Solomon Islands	2006	22.7	2013	12.7	2006	6.7	2013	4.6
Tonga	2001	16.2	2009	22.5	2001	9.4	2009	10.0
Tuvalu	2004–2005	21.2	2010	26.3	2004–2005	10.2	2010	8.1
Vanuatu	2006	13.0	2010	12.7	2006	7.4	2010	8.3

Source: SPC, Pacific Data Hub, <https://pacificdata.org>, accessed October 2019.

Percentages are rounded and sourced from each country's most recent household income and economic survey, except for Samoa, where data are sourced from the Samoa Bureau of Statistics. Data for Cook Islands, Kiribati and Palau are for 2006; Fiji and New Caledonia 2008; PNG and Tonga 2009; Tuvalu and Vanuatu 2010; and FSM, Nauru, Samoa and Solomon Islands 2013.

SOURCES OF DATA ON WOMEN, POVERTY AND INEQUALITY

Information and data on gender and poverty, and gender and inequality are patchy. We do not have figures on the number of women living in poverty, or the baseline data to be able to track trends in relation to female poverty. In household surveys increasing attention is paid to female-headed households with a view to tracking trends towards 'feminisation of poverty'. Not all HIES reports offer gender-disaggregated interpretations of the data, or details and interpretations of income distribution to provide a broader context for understanding poverty trends in countries of the region. Three recent household surveys that do are the Solomon Islands HIES (2012–2013, analytical report published in 2015);¹⁶ the Samoa HIES (2013–2014, report published in 2016),¹⁷ and the Cook Islands HIES (2015–2016, undated publication).¹⁸ Discussion of some salient aspects of these reports relevant to both gender and poverty, and to inequality in general, follow.

The Solomon Islands HIES of 2012–2013 interprets the data revealed in the survey on male-headed and female-headed households. Nationally, 90 per cent of households (87 per cent in urban areas and 91 per cent in rural areas) were male-headed, and the small proportion of female-headed households, across all age-based income groups, were earning less than male-headed households, and contributing only 8 per cent to total national household income. The report comments that this confirms the extent of unequal distribution of income between male-headed and female-headed households. More men than women (38 per cent compared to 22 per cent) were engaged as employees in both the public and private sectors in urban areas. The same pattern was found in rural areas too, where 11 per cent of men, compared with just 4 per cent of women, were engaged as employees, suggesting labour market bias in favour of males in both urban and rural areas of the country.

16 Solomon Islands National Statistics Office 2015: Solomon Islands 2012/13 household income and expenditure survey – National analytical report, Vol. I, Ministry of Finance and Treasury, Honiara. Available at <https://www.statistics.gov.sb/component/advlisting/?view=download&format=raw&fileId=409>

17 Government of Samoa, Samoa Bureau of Statistics and UNDP Pacific Centre 2016. Samoa hardship and poverty report. Analysis of the 2013/14 household income and expenditure survey. Available at https://www.sbs.gov.ws/digi/Samoa_Hardship_and_Poverty_Report_2016.pdf

18 Cook Islands Statistics Office and SPC 2018. Cook Islands household income and expenditure survey 2015–2016 report. Available at http://www.mfem.gov.ck/images/documents/Statistics_Docs/5.Census-Surveys/3.Income-and-Expenditure-Survey-Tables/Cook_Islands_2015-16_HIES_final_report_-_FINAL.pdf

By contrast, the Cook Islands HIES (2015–2016) revealed that 18 per cent of female-headed households in Rarotonga were living below the poverty line, compared with 24 per cent of households headed by men. Households headed by women made up 32 per cent of households in the lowest quintile (20 per cent) of household expenditure in Rarotonga. This meant three out of every 10 households in the lowest spending group of households in Rarotonga were female-headed; in the Southern Group of islands, one out of every four households in the lowest spending quintile were female-headed. These findings are contrary to interpretations of earlier (2011) gender-disaggregated data from the Cook Islands, as they do not suggest an overrepresentation of female-headed households among the poorest households. What is not reflected in HIES statistics but is mentioned in the opening paragraph of the country's report for Beijing+25 is the considerable loss of human resources that Cook Islands had to contend with in the late 1990s, with the exodus of large numbers of families from the Cook Islands to Australia and New Zealand following a swathe of neoliberal reforms including public sector downsizing. A large proportion of public sector job cuts were those held by women.

The report of the Samoa HIES of 2013–2014, titled *Samoa Hardship and Poverty Report*, commented that “the gender dimension of poverty in Samoa, akin to most Pacific countries... is rather subtle and mild.” This is indicated, according to the report, by the proportional representation of female-headed households below the food poverty line (2.9 per cent of all female-headed households compared to 2.8 per cent of all male-headed households). While female-headed households are “over represented below the BNPL” – at 12.8 per cent of all female-headed households compared to 10.1 per cent of all male-headed households in this group – they are equally represented with male-headed households across poor and vulnerable groups in Samoa. In terms of earnings, however, female-headed households are worse off, with average weekly salary and wages earned per capita per week lower than for male-headed households. Gender-based disparities are also reported to be more significant in the higher expenditure deciles, reflecting “the concentration of women in low paid jobs and junior positions”. And women are reported to have had a lesser share than men of the benefits of Samoa's economic growth, as more of the growth has been in male-dominated jobs like construction.

These HIES studies provide a snapshot of gender-based disparities in income and employment opportunities, albeit alongside a mixed picture in respect to income/expenditure comparisons between male- and female-headed households.

In recent years, endeavours have been made to develop instruments for more gender-sensitive, multidimensional measurements of poverty by looking at intra-household inequalities. This is important, given that female-headed households constitute a minority (albeit a significant minority in Nauru, where they constitute more than 30 per cent of households,¹⁹ and Palau where 30 per cent of rural households are female-headed²⁰) and most women live within male-headed households. One such instrument, the Individual Deprivation Measure (IDM), explores intra-household inequalities through separate interviews with each adult household member based on gender-sensitive questions covering 15 different dimensions. Developed by the Australian NGO the International Women's Development Agency (IWDA), a trial survey was undertaken in collaboration with the Fiji Bureau of Statistics, supported by Australia's Department of Foreign Affairs and Trade (DFAT). The report of the survey highlighted several gender-specific deprivations experienced by women within the households surveyed. The following summary of findings from a household of four illustrates the usefulness of this instrument.

The men of the household are less hungry, perceive more control over their lives, feel they can present themselves in socially acceptable clothing, are exposed to fewer environmental pollutants, and face less deprivation in exposure to unclean cooking fuels. The father perceives more voice in the community than all other household members. In some dimensions (toilet, control, and environment) the daughter-in-law is equally as deprived as the men. The least deprived household member is the son, and the most deprived is the mother. Dimensions in which they most differ include water, clothing, family planning, and environment.²¹

19 This was noted in the CEDAW Committee's concluding observations on Nauru's 2017 CEDAW report.

20 Palau National Review Report for BEIJING+25, p. 38.

21 Fisk K. and Crawford J. 2017. Exploring multidimensional poverty in Fiji – Findings from a study using the individual deprivation measure. Melbourne, Australia: IWDA. Available at <https://iwda.org.au/assets/files/IDM-Fiji-Final-Study-Report-31072017.pdf>

INCOME DISPARITIES AND INEQUALITY

The Solomon Islands HIES¹⁶ revealed considerable income inequalities across the country, between regions (primarily urban and rural areas) and within each of these areas, between the highest and lowest income-earning households. In terms of cumulative total income, 50 per cent of households received only 19 per cent of the total income, while 20 per cent received slightly more than half (58 per cent) of the total income. Urban households earned on average close to three times the average income of rural households, and twice the median and per capita income, indicating significant inequality in income distribution among urban and rural households, and skewing the average income figure such that the median income was “more representative of the average income of the middle class” (p. 53). Moreover, urban households earned six times more income from wages and salaries (cash income) than rural households, and household-based businesses in urban areas earned more than four times what rural-based household businesses earned. Women within rural households can reasonably be assumed to be more disadvantaged than those in urban areas.

The extent of income inequality across the country is highlighted through a breakdown of income distribution by deciles: the highest earning 10 per cent of households received more than one-third (or 42 per cent) of total income earned in the country, and 55 per cent of all cash income in the country. The same “richest group of households” was reported to be receiving 89 times the income of the lowest decile. Interestingly, income inequalities between the highest and lowest earning men were shown to be more extreme than between the highest and lowest earning women. Women in the lowest earning quintile (20 per cent) received 16 per cent of the income received by women in the highest quintile; men in the lowest quintile received a mere 4.5 per cent of the income received by men in the highest quintile. Whether expatriate income earners were included in the survey is unclear. If so, their higher incomes would have skewed the results.

The Samoa HIES offers a closer reading and a cautionary analysis of the decline in the general level of hardship and poverty between 2008 (26.9 per cent) and 2013/2014 (18.8 per cent). It raises attention to the increase in inequality (measured by the Gini coefficient) that has occurred over the same period, accompanying Samoa’s growth and macroeconomic performance between 2010 and 2014. The contradictory trends suggest, the report says, that the distribution effects of growth were “just enough to lift a significant proportion of the population out of food and basic needs poverty, but not enough to provide decent income and reduce vulnerability”. The trend in rising inequality regardless of progress in terms of poverty reduction is stated as “quite alarming and has been observed throughout the Pacific region.”²²

The above comments raise attention to the importance of addressing not just poverty but more importantly inequality in the Pacific region as this is on the rise, both between urban and rural areas, and between income groups. That it is taking place in a region marked by longstanding practices of redistribution, rather than accumulation, is concerning. It makes little sense to approach the goal of gender equality with blinkers on, and find ourselves seeking an equal share with men of a steadily shrinking portion of the national pie. In short, the concern with poverty in relation to gender equality needs to be broadened to a focus on addressing economic and income inequality through redistributive policies.

SOCIAL PROTECTION

The idea of strengthening social protection floors, long advocated by the International Labour Organization and linked to the idea of economic and social rights, involves states assuming responsibility for the well-being of their people by ensuring social security guarantees and income security across their lifetime. In recent years, and especially since 2016, social protection began to be actively promoted by international financial institutions and donor agencies as a means of achieving SDG 1 (End poverty) by catalysing inclusive growth.

Country reports for Beijing+25 indicate that several Pacific Island states now have a range of social protection programmes in place to support vulnerable, disadvantaged or marginalised groups within their populations. They include raising an existing minimum wage; increasing existing poverty alleviation allowances; instituting or increasing regular financial support for persons living with disability or their carers; introducing bus fare concessions for the elderly; a support fund for orphaned children in need; an insurance scheme to provide cover for loss of shelter through accident or fire; instituting or raising the amount for non-contributory social pension schemes for elderly persons without a source of income; legislating a contributory provident fund for workers in the informal economy (Solomon Islands); temporary support for populations affected by natural disasters such as cyclones, earthquakes and volcano

²² Government of Samoa, Samoa Bureau of Statistics and UNDP Pacific Centre 2016. Samoa hardship and poverty report. Analysis of the 2013/14 household income and expenditure survey, p. 52.

eruptions; various job training/skill training including business training to help transition social protection beneficiaries to self-employment; distributing seedlings, poultry and livestock upon request; and providing unconditional (or conditional) 'cash transfers'.

Many of the above programmes have been very recently introduced as they were not recorded in a 2019 inventory of non-contributory social protection programmes in Asian and Pacific countries produced by UNDP and UNICEF.²³ Some of the new social protection programmes, especially those involving cash transfers, are/will be supported by donor or development agency funding. Australia's current aid programme is focusing strongly on "supporting initiatives that provide regular and predictable cash or in-kind transfers to individuals, households and communities in [its] partner countries." Social protection programmes involving cash transfers are seen as "one of the key responses to reducing poverty and supporting inclusive economic growth."²⁴ The expectation is that this will "unlock ...the economic potential of the poorest" by assisting them "to purchase enough food to be able to work hard, obtain transport to access work opportunities and purchase assets to invest in income generating activities."²⁵

Women are beneficiaries of several social protection programmes. In Fiji, 55 per cent of the beneficiaries of the Poverty Benefit Scheme in 2017 were women. Of those now receiving assistance under the Social Pension Scheme for elderly people without a source of income, 56 per cent are women. Additionally, 1611 women benefited from a food voucher programme for rural mothers which began to be implemented in 2019, and 4000 elderly women and 218 women living with a disability are benefiting from bus fare concessions.

In Solomon Islands, the establishment of the National Provident Fund 'You Save' programme aims to provide social security through a long-term savings scheme and retirement fund for those working in the informal sector, who are predominantly women. A Support Fund for Victims which will be set up under the Family Protection Act will also provide material support for victims of domestic violence.

In Vanuatu, the majority (58 per cent) of the recipients of the Ambae Cash Transfer Response, implemented by Oxfam in partnership with the central and provincial governments, local organisations and banks, and funded by New Zealand, were women. Women vendors also dominated in Oxfam's recent cash transfer programme innovations pilot to test the delivery of smart vouchers using block chain technology – 81 per cent of those enrolled in the pilot were women and 21 women out of a total of 28 vendors were trained in the use of a smart phone.

In 2019, Tuvalu increased its financial support scheme initially established in 2006 for persons with disabilities or their carers, and for the aged, seeing these protections as important in helping "to reduce poverty and hardship, and financially contribute to the burden of care work that is traditionally taken on by women" (National Report for Beijing+25). Tuvalu has also set up a Family Protection Fund, and consultations are taking place on a Social Protection Bill to broaden social protection coverage to babies, pregnant women, widows and school children. Discussions are also being held on whether an old age care home or a domestic violence shelter is needed.

Tonga has introduced a conditional cash transfer scheme. The Women's Extension Service of the Ministry of Agriculture also provides training to "empower women to be able to provide for themselves...with a stable source of income", and distributes to women each year, upon request, seedlings, poultry and livestock. Tonga also provides cash assistance to persons living with disability and a pension scheme for the elderly.

23 IPC-IG (International Policy Centre for Inclusive Growth) and UNICEF 2019. Social protection in Asia and the Pacific: Inventory of non-contributory programmes. Brasília: IPC-IG. Available at: https://ipcig.org/pub/eng/RR28_Social_Protection_in_Asia_and_the_Pacific_Inventory_of_non_contrib.pdf

24 Available at: <https://dfat.gov.au/aid/topics/investment-priorities/building-resilience/social-protection/Pages/social-protection.aspx>

25 Ibid.

CONTINUING CHALLENGES AND AREAS FOR ACTION

The first quadrennial report stated that more work is needed to be able to measure income inequality. Historical data on trends in inequality correlated with economic policy periods would be useful. So too would correlating inequality data with data on employment/unemployment, health and education data, crime statistics, gender-based violence against women statistics and other social problems.

As with micro-credit schemes, women are likely to be preferentially targeted as beneficiaries of new social protection programmes aimed at achieving the dual outcomes of poverty reduction and inclusive economic growth. The monetarisation of women places responsibility for lifting families out of poverty on the shoulders of women. This minimises the role of the state, the institution assigned primary responsibility in the BPA for ending poverty, and diverts attention from revisiting redistributive policies.

Little attention is being paid to employment creation in PICTs. Social protection schemes are premised on the idea that people will be motivated enough to be able to pull themselves out of poverty. Short-term seasonal work schemes in Australia and New Zealand are meanwhile being relied on to provide job opportunities and the means of earning decent wages, albeit temporarily, and for only 4–5 months of the year.

RECOMMENDATIONS

Delegates made the following recommendations to the 13th Triennial Conference on Women:

- strengthen social protection measures to support women's economic security throughout their lives; and
- ensure appropriate social protection measures for poor women and their dependents that provide cash and in-kind transfers, protect the vulnerable against livelihood risks, and enhance the social status and rights of marginalised people.

OPINION PIECES

WOMEN AND POVERTY IN FRENCH POLYNESIA

Irmine Tehei, French Polynesia, September 2019

French Polynesia is considered a country with a high living standard in the Pacific. But those averages conceal large imbalances in terms of family incomes and living conditions, whether in urban areas, rural zones or on the outlying islands. Official, that is to say incontestable, studies have shown that poverty does, in fact, affect a certain percentage of the population (2019: 30 per cent of French Polynesian families live under the poverty threshold of XPF 48,000) and each year 3000 people get food and basic supplies from social supermarkets. In 2017, it was estimated that there were more than 700 homeless people and seven deaths of homeless people have been recorded in 2019. Economic poverty, characterised by low or erratic income compared to the high cost of living, goes together with maladjustment to modern society, its rules, codes and requirements. Such maladjustment gives rise to the hardship experienced by a significant section of French Polynesian society. The changes in women's status have had some positive aspects, all the more so because most women control their own fertility and so, have fewer children.

Main progress made: Daring to be open to modern life, empowering ourselves, creating and running businesses. Official statistics show that an increasing number of women successfully complete their studies, and so, are fit for opportunities other than being 'housewives'. For that reason, women have a labour force participation rate of 49 per cent. However, they still have to continue to fight for positions of responsibility and for the salaries they have the right to expect but don't receive yet. Due to a lack of gendered data, it is impossible to provide exact figures but plenty of examples do exist. It would be good to implement measures and organise ongoing training to help women reach the highest level of existing positions.

Pathways to the advancement of women: In order to promote economic activity and lift themselves out of poverty, women make use of all the existing government support measures. For example, the Association for the Right to Economic Initiative (*Association au Droit à l'Initiative Economique – ADIE*) provides them with access to loans to create their own micro-enterprises. Women's associations encourage the sale of traditional or modern handicrafts by women from all walks of life. Women play active roles in a wide range of associations on all fronts, e.g. cultural groups (singing and dance), religious associations for all different persuasions, and agencies to promote sustainable development (the Chamber of Agriculture's chair is a woman). Nothing stops women, their strength is based on respect, perseverance and rights. They vindicate their rights, while advocating peace. They state their demands while promoting dialogue.

They take action, while remaining open to progress and sharing.

The weak point of the 'Ma'ohi' people has been and still is shame – from not mastering their language be it French or Tahitian, from a lack of self-confidence, from the fear of daring to be different, from only having a basic education. Women suffer more from this than men do, which is why they work in associations and rarely on their own. Their gardens are wonderful, their handicrafts magnificent, but they are embarrassed to sell them. The vahine is a natural artist thanks to skills passed down from mother to daughter. They have recently begun to understand that they possess riches for their children's future, for continuing the fight and earning a decent living.

Lessons learned for the future:

- Stand firm and remain vigilant and active: don't give up, continue the fight, contribute to and share all the richness of our cultural, historical and family heritage.
- Use everything our environment has to offer: nature, the climate, the riches of our land, sea and air – all this implies once again learning to protect the environment.
- Preserve what we have gained: in terms of rights, heritage, culture, knowledge, and human, traditional and Christian values.
- Share knowledge: cultural, artistic, handicrafts. Children's school education misled mothers, who stopped passing on their knowledge and skills to their daughters, thinking that schools would take care of that. However, realising their innate talents, they are changing this mind-set and beginning once again to train their daughters and offer them the riches they inherited.

Ongoing problems: The lack of numerical gendered data makes it very difficult to verify many different issues involving women. And yet women enduring hardship are faced with:

- many different forms of poverty due to gaps in the system, income inequality and serious difficulties coping – no housing, no land for families drawn to the cities from the outer islands, irregular and inadequate forms of transport, the locations of social housing projects, a complete inability to plan for the future;
- living conditions that are both too expensive and inappropriate – more than half of households where the mother is the main breadwinner are unable to purchase even basic supplies. Everything is imported and so everything is taxed – foodstuffs, furnishings, personal items, etc.; and as the last one in line, the consumer pays! And yet the legal minimum wage and family allocations have stagnated for many years now;
- the low number of long-term jobs. Those with the best qualifications emigrate; 3000 people earn a diploma every year but there are only 1500 job offers open; fixed-term contracts rarely lead to long-term jobs. As for diplomas themselves, they cannot in any way be considered as an effective defence against unemployment, for women or men, qualified or unqualified. There are limited or no community facilities to assist job seekers, particularly on the islands located the farthest from Tahiti and in rural municipalities. Training for adults is inadequate, poorly adapted to local activities such as farming, handicrafts, mechanics, work at sea, housekeeping for girls, and caring for the sick and elderly.

Other problems that affect women and men are dropping out of school, unstable family lives, juvenile delinquency, loss of motivation, addiction, incomes that are too low or irregular making it very difficult to manage the family budget – a source of family conflict and violence against women: the number of assaults has doubled in 11 years (1239 cases in 2004, 2656 in 2015 including 250 cases involving the sexual assault of minors). In 2012–2013, six women were killed.

WOMEN IN POVERTY – A 'PRACTITIONER'S' RANT 2019

Chantelle Kahn, Fiji

I am a Roman Catholic, from which I draw strength and inspiration for the ongoing work on social justice and human rights. From the earliest part of my work, I have been engaged with developing a contextual community engagement model that seeks to empower local communities (at the time men, women and youth), to figure out what is happening around them and to do what they feel is necessary and relevant to changing this situation.

Inequality and injustice welded through physical and sexual violence underscores this issue of women and poverty. Implementing this engagement model as an independent NGO since 2010, the situation of women in rural Fiji is the core element of this work. Through this work, learnings about the necessity of women and their empowerment has become glaring and painful in the many instances of violence and economic hardships that they face. In all communities, it is clear that women are not only the cornerstone but also the backbone upon which the life of the community is drawn – unpaid, and many times underappreciated, they work. Yet when it comes to being involved, included, consulted, and heard – they are missing from this process. Perhaps less so in the individual homes and

families but definitely the more outward looking and higher up you go. Their voice, views and experiences are overlooked, trivialised and/or dismissed as the ramblings of something 'women'. This cycle of silencing is so deeply engrained in many rural communities it is accepted as cultural, as the norm, and the status quo. Yet, leading this work for the School Employment Exposure Programmer (SEEP) initiative, we believe that this unjust status quo, because it is manmade, can be unmade or transformed for the immediate and long-term benefit of society as a whole.

Through the work of the Ecumenical Centre for Research Education and Advocacy on economic and social justice, the hardships women face in urban informal settlements and how they continue to be resilient came through so strongly. The impact of the savings scheme in which women took the lead to collect, document, deposit and report back to the families was nothing short of impressive. This led to more observation and discussion with women in rural areas on how they manage their finances, and seeing the same diligence, commitment and clarity, even shrewdness, with which they handled small businesses. The practice of SEEP has been about the empowerment of women in decision-making at community level, and in doing so, capacity building of groups of women to shift the status quo by being successful through their humble plans of action that are mostly for socio-economic income generation. Their ongoing income-generation projects have gone from strength to strength, and in some communities, shifts in their status in the community are slowly being seen.

The first issue is lack of support and/or follow-up from the Ministry of Women. In our experience in rural remote Fiji, where there are active women's groups with their small community or household-based income-generation plans, there is a gap between where the women are and where the assistance comes through. A number of years ago, for example, as part of the 'walking out of poverty' strategy, the Ministry went nation-wide handing out sewing machines to women and women's groups. Reports were coming in from women that these sewing machines were either old, not working when they were handed out, or cost more to repair/replace than the money they could be making from them. In another instance, there was a project from the Ministry for making bread as a source of income. Except that there was no follow-up and the project fell flat even though there was a high demand for bread in rural areas. This 'gap' continues with women (groups and individuals) ready to do their part for their income generation on the one hand, and the Ministry lacking the capacity to follow through on their own projects and provide trainings about the project.

The second and perhaps the more insidious challenge, is the power dynamics ever-present in the lives of all women. For most of our partners, aside from physical and sexual violence, this culminates in the abuse of funds raised. Despite the many instances of success for women and groups of women to generate income and establish paths to improve their standard of living, reports are given of how the funds have been taken – by the community leader, by the men, by the Treasurer to give to her husband who happens to be leader/there/demanding/threatening, and so on. In our work, we have found this to be a troubling reality for many women who have worked hard to raise these funds to improve their lives and who see it simply taken away without their consent, awareness or agreement. After this, they give up and lose interest. The poverty cycle continues unbroken, and even increases, as the women now drift back into non-participation depending once again on their male partners for economic survival.

Strengthening women's income-generation strategies at community level has been progressed well in that they are familiar with where they can access assistance, who to speak with and in many instances have developed a camaraderie with these technical assistance providers. The women's confidence to engage with the Ministry even at local government level has increased, and they are beginning to hold them to account about the lack of follow through on promises made. The women's confidence links through the progress and achievements of the next generation, who are doing better over time in their academic performance and their confidence to dream bigger and better.

In Fiji, having also spoken to several women active in this area, the agreement is that since the Beijing Conference small local businesses, micro-finance opportunities and support for these has been phenomenal in bringing options and opportunities to women in poverty whether they live in rural or urban areas. These range from home-based shops, community or family canteens, the grandmother selling kava and cigarettes; to the women whose businesses have grown and shifted into other bigger ventures. The increased access to services and credit for women in small or micro-enterprises is major progress for women in poverty. The assistance by the Ministry of Women (when it reaches women) has boosted their revenue providing women with access where it was normally difficult. The support also in terms of providing them 50 per cent partnership for bigger income generation has also been beneficial in creating opportunities for women who have been waiting for this.

There are three remaining or emerging issues that need more attention.

- a. The lack of harmonisation between legislation and policy often leads to hindrances and blockages to these micro-enterprises. While the Ministry may have the best intentions to assist growing micro-businesses to assist women in poverty, other ministries' and sometimes local authorities' different policies continue to trap women into going round in circles. For example, a single woman heading a household and making a meagre income from selling rolls of cigarettes to her local community (as this is how they can afford to buy it), now cannot do

this because new laws prevent them from selling cigarettes by the roll; customers cannot afford to buy the whole packet, so the business suffers. This is only one such example of the many that have come up, making it hard for women to sustain their small businesses.

- b. The ongoing issue of lack of follow up and monitoring by the Ministry. As stated above, quite aside from the harmonisation of legislation to ensure that it does not adversely affect the efforts of women in poverty, the ongoing work of connecting and monitoring local women and local groups is ad hoc. While under-resourcing at the Ministry is the explanation, we have witnessed first hand the lack of capacity on the side of the Ministry to engage in proper ongoing awareness and to challenge themselves in making information available for their groups who cannot and do not have time to keep updated with the changes at policy level that eventually affect them. And further to that is the need for the Ministry to better equip itself in engaging with other ministries in the interest of women in poverty and advocate within government spaces for the easing of illogical policies that add burdens to an already burdened sector of society.
- c. When the women are moving – it is our experience that those of us outside helping need to prepare for the time when the women are empowered, ready and excited to own their own realities. Do we make way for this or are we threatened by it?

In our experience, targeted approaches to empowering women at the community level are essential and they cannot be generic. Each community and group with its own nuances and leadership requires support to grow confidence, gain access and build networks out of situations of vulnerability to poverty. For us, the Ministry, because of their reach, and historical commitment to Beijing, have the responsibility and greater potential for alleviating the situation of poverty. Thus all programmes run at Ministry level need to be founded on empowerment of women, i.e. empowerment to engage power structures. It is our recommendation that in order to properly serve women who are highly vulnerable to poverty, those who are serving need to undergo thorough consciousness raising and reality checking before engaging so that there is a realisation that as women serving women, we are in the struggle together.

To the new generation of women reading this, you have access, you have reach. Now you have responsibility to conscientise yourself on the realities faced by our sisters whether they be rural or urban – poverty is what it does. If we are going to serve, then we must serve with a consciousness that poverty is structural and therefore can be dismantled. The question is – are you willing, as the next generation, to go in when you need to, journey when it is demanded of you, and step away to let it grow without you when it is time? We need you in the struggle and we need to work together for our sisters. Not because they are helpless but because, as feminism says, our liberation binds us.

Disclaimer:

The views and opinions expressed above are those of the author and do not necessarily reflect SPC's official position.





CRITICAL AREA B

WOMEN AND EDUCATION

INTRODUCTION

Education and training of women is the second of the 12 critical areas of concern in the BPA. It is also one of the 13 critical issues in the 1994 PPA and remains so in its current iteration, the Pacific Platform for Action on Gender Equality and Women's Human Rights. The BPA emphasises education as "a human right and an essential tool for achieving the goals of equality, development and peace" and sets out six strategic objectives²⁶ and a comprehensive set of actions to be taken by governments to achieve each of them. Responsibility for meeting the first strategic objective under the BPA – ensure equal access to education – is firmly placed on governments, suggesting that realisation of the right to education depends on governments ensuring equitable access to public education systems.

"Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all" is SDG 4. There are seven targets outlined for implementation of SDG 4 and they focus on primary and secondary education; early childhood; technical, vocational, tertiary and adult education; skills for work; equity; literacy and numeracy; sustainable development and global citizenship; education facilities and learning environments; scholarships; and teachers. These go well beyond the minimalist single-target goal of achieving universal primary education under the MDGs. The indicator of male/female parity in primary school enrolment under MDG 2 was achieved by a good proportion of PICTs. Gender parity in education at all levels is one of six key areas that Pacific leaders prioritised in the PLGED²⁷, adopted in 2012 and reaffirmed in 2015.

CONTEXT AND PROGRESS

The First Quadrennial Pacific SDG Report (2018) noted that access to education had improved, but there is a need to focus on "improving the quality and relevance of education and cognitive learning outcomes, where results such as literacy and numeracy have not made the expected gains for all". The report noted the "renewed focus on lifelong learning" but said priority attention needed to be given to early childhood education and post-secondary education and training, and "changes in approaches to learning will require new ways of teaching".

Several PICTs are committed to investing in educating all their citizens with the aim of making their countries "knowledge-based societies". Education is an important part of national development plans and strategies. For Fiji, it is aligned to wider goals of reducing unemployment, eradicating poverty and achieving stronger growth and development "by preparing people for skills required in the modern workplace and the global economy". For RMI, where the focus is on reviewing the curriculum to incorporate values, it is key to turning out responsible "global citizens" instilled with respect for international values like human rights and gender equality as well as with Marshallese values. Nauru's educational vision is that every student "completes school as a confident citizen" with the knowledge, skills, attitudes and values to participate in and contribute to both the nation and to international society and economy.

Table 2 provides an overview of selected gender and education indicators for the region. The data illustrate variation in gross enrolment ratios between countries at secondary level. The table also highlights the shortage of current data for some countries.

ACCESS TO EDUCATION

Most PICTs have achieved universal access and gender parity at primary level. Fee-free education at primary level has been a factor in improving access, and several governments are recognising both primary and secondary education as a right for all citizens and have been putting in place laws and policies to ensure that education is accessible to all. In Fiji both primary and secondary school education up to Form 7 is fee-free. The government's free education initiative includes per capita grants to schools as well as additional supports to minimise other costs involved in attending school, such as bus fare and boat fare subsidies, free textbooks and other financial assistance.

In 2009, Samoa made education compulsory through the 2009 Education Act, under which children aged 5–14 years were required to attend school; compulsory early childhood education is now being enforced for children

26 The strategic objectives of Critical Area B in the BPA are: ensure equal access to education; eradicate illiteracy among women; improve women's access to vocational training, science and technology and continuing education; develop non-discriminatory education and training; allocate sufficient resources for and monitor the implementation of educational reforms; and promote lifelong education and training for girls and women.

27 "Encourage gender parity in informal, primary, secondary and tertiary education and training opportunities", Pacific Leaders Gender Equality Declaration, 30 August 2012, Rarotonga, Cook Islands. Available at: <https://www.forumsec.org/pacific-leaders-gender-equality-declaration/>

Table 2. Key gender and education indicators.

Country	Secondary school gross enrolment ratio (GER) (total enrolled as a % of official secondary school age population)			Female share of tertiary students (% of all bachelor's or master's students)		
	Male	Female	Year and source	Gender parity index (based on GER)	% female	Year and source
Cook Islands	64.0	78.0	2014 EMIS	122	74.4	2012 UNESCO
Fiji	93.6	101.9	2014 EMIS	109	58.6	2014 UNESCO
FSM	80.1	86.7	2005 UNESCO	108	–	–
Kiribati	62.4	81.0	2008 EMIS	130	–	–
Nauru	56.9	61.5	2014 EMIS	108	–	–
Niue	100.5	101.0	2014 EMIS	100	–	–
Palau	110.5	116.9	2014 EMIS	106	58.2	2013 UNESCO
PNG	24.6	23.6	2014 EMIS	96	–	–
RMI	101.4	104.4	2009 UNESCO	103	56.9	2002 UNESCO
Samoa	70.0	84.0	2015 EMIS	120	39.7	2000 UNESCO
Solomon Islands	48.9	50.6	2014 EMIS	103	–	–
Tonga	100.2	104.1	2013 UNESCO	104	30.9	1999 UNESCO
Tuvalu	67.0	87.0	2015 EMIS	130	–	–
Vanuatu	48.2	52.3	2014 EMIS	109	36.2	2003 UNESCO

Source: ADB and SPC. 2016. *Gender statistics: The Pacific and Timor-Leste*. Manila, Philippines: ADB.

Data are from the national education management system (EMIS), or the UNESCO Institute for Statistics database if national sex-disaggregated data were not available from the EMIS.

between the ages of 3 and 5. In 2010, Samoa introduced free education at primary level through the School Fee Grant Scheme, guaranteeing access to primary schooling for disadvantaged children. The scheme has now been extended to secondary schools, removing a key obstacle to disadvantaged Samoan children completing their education. The scheme is a priority policy of the government.

Tuvalu's National Policy for Persons with Disability aims to improve access to education for women and girls living with disabilities. Palau has an equal opportunity policy that includes access to education for persons with disability.

RMI's planned new curriculum for social citizenship is intended to include informal education components to be delivered to out-of-school youth through outreach training/workshops on outer islands. Palau's Adult High School programmes offer out-of-school youths (both male and female) aged 18 and above the opportunity to complete their education. Solomon Islands National University (SINU) has a Second Chance programme for men and women, boys and girls who have dropped out of school.

Despite education being made free and compulsory between the ages of 5 and 18 for all Nauruan children – and in recent years for the children of refugees and asylum seekers on Nauru as well – and the introduction of other incentives including free lunches, free transport and an attendance allowance of AUD 5 a day, Nauru continues to face problems of truancy, retention and pass rates. The average attendance rate across the education system in 2016 was 54 per cent; in the following two years it fell to 44 per cent in each year.

Gender-disaggregated school enrolments

Enrolment rates in early childhood education (preschool, head-start, day care or kindergarten) in Palau were high in 2018 (65 per cent), with female enrolment rates higher than male enrolment rates (72 per cent compared with 59 per cent). Between 2014 and 2018 female enrolments at secondary level were 7 per cent higher than for males. The 2015 census also showed slightly more females than males attending tertiary institutions (313 compared with 293). There is a general pattern across the region of female enrolments being higher than male enrolments at both secondary and tertiary levels.

Dropout rates continue to be a problem at secondary level. Gender-disaggregated comparisons of primary and secondary school enrolments in Samoa suggest a higher dropout rate among males than females between primary and secondary levels. This is indicated by the lower gap between primary enrolments (20,381) and secondary

enrolments (8556) for female students, compared with the gap between primary enrolments (21,687) and secondary enrolments (7967) for male students (National Report, Graph 3, p. 37). No explanation is given for the 36.7 per cent of students who did not complete secondary education; it was surmised that they may have left to pursue technical or vocational training. Female students in Samoa showed a higher secondary school completion rate than males (72.2 per cent compared with 53.1 per cent).

In Nauru, the primary school completion rate was 85 per cent in 2017 but the secondary school completion rate was much lower at 56 per cent, suggesting high attrition rates after Year 6. From 2018 figures, it is evident that 13 per cent of Years 6 and 7 students did not enrol in class at the next level the following year. The proportion of dropouts increased in higher level classes – in Years 8 and 9, 43 per cent; in Year 10, 51 per cent, and in Year 11, 63 per cent. There are no gender-disaggregated data on attrition rates.

In 2012 the Cook Islands raised the minimum age for leaving school from 15 to 16. Ninety per cent of children in the Cook Islands remain in school until Year 11 (age 15). At senior secondary level, girls are performing better than boys although they have a narrower range of training opportunities than boys. Figures indicate that girls completing secondary education have not been “moving into the labour force”. Research is needed to discover the reason(s) for this disjuncture between successful completion of education and failure to enter the labour force.

Protecting girls’ rights to education

Adolescent pregnancy has been a key cause of girls dropping out of school. Social stigma and family pressure and lack of support for girls who become pregnant have also prevented them from returning to school to finish their education after the birth of a child. Figure 2 shows the rates of teen pregnancies in PICTs.

Births per 1,000 women aged 15-19 years

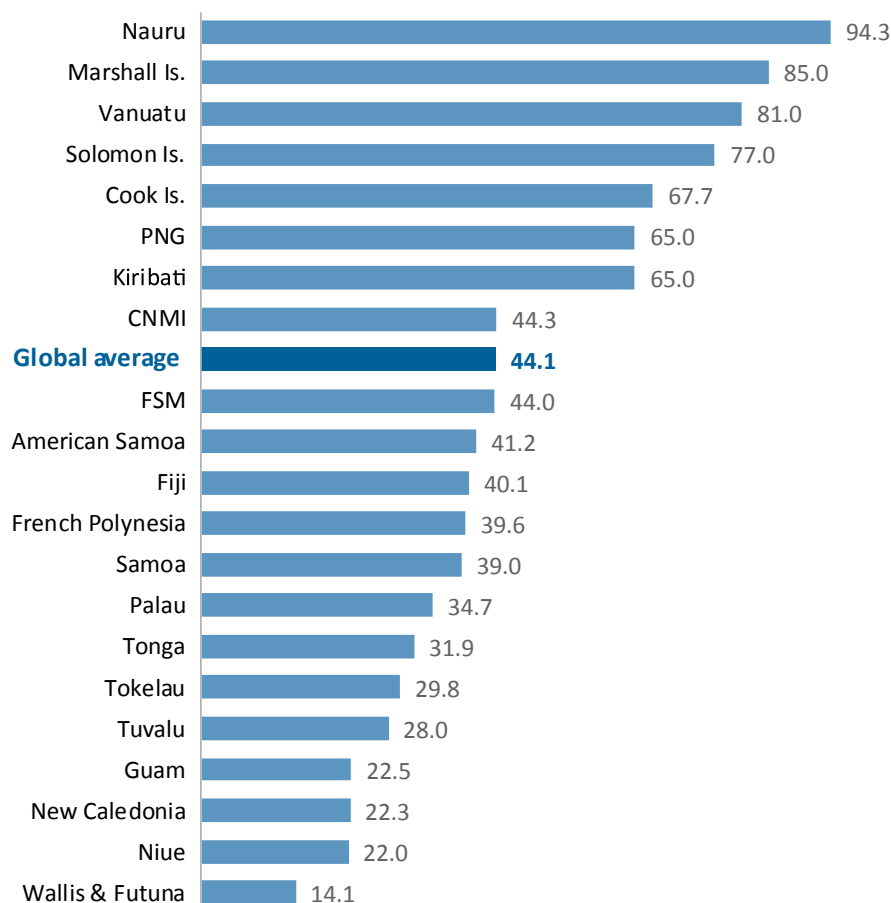


Figure 2. Adolescent pregnancies in PICTs.

Source: SPC (most recent census, demographic and health survey, and/or vital statistics reports).

The adoption of new, rights-based initiatives to provide a supportive environment for girls to pursue their education has been gaining traction in PICTs. Samoa has joined Palau and the Cook Islands in adopting a public school policy under which schoolgirls who become pregnant are no longer expelled but allowed to continue their schooling, with

the school providing support to students during pregnancy and securing their return to school following childbirth.²⁸ Support for young student mothers in Palau extends to tertiary level where Palau Community College has a day care centre on campus.

Tuvalu has already changed its policy to allow the return to school of expelled pregnant teenagers after their babies are born. And Solomon Islands is currently reviewing its 2014 Education Act to address the same issue of re-entry to schools for girls expelled for becoming pregnant. Some schools in the country are reported to be already practicing reintegration of pregnant girls.

FSM reported that although pregnant girls do not face expulsion from school, there are no specialised health facilities on public school campuses to assist them, which effectively forces girls to leave school when they become pregnant. Mothers often accompany their teenage daughters to the public health clinic to be advised and supplied with contraceptives. The FSM Youth Program meanwhile coordinates an Abstinence Program for Youth and a Personal Responsibility Education Program (PREP). At the College of Micronesia–FSM a staff nurse and a small clinic provide health services to students, including pregnant students, but there are no counselling services.

Samoa's National Safe Schools Policy aims at providing a positive learning environment for all children and students and expressly prohibits violence, bullying (including cyber bullying), sexual harassment and abuse as well as "stigmatizing pregnancy amongst young women". Policies on bullying and sexual harassment in schools have been introduced by several PICTs. Several have either made corporal punishment illegal or have policies expressly prohibiting it in schools or during any activity organised by schools. Gender equality and human rights training for both students and teachers is being undertaken in several PICTs.

Tertiary education

Aside from the University of the South Pacific which is jointly owned by 12 Pacific governments, several PICTs – namely PNG, Guam, Samoa, Fiji, Solomon Islands, New Caledonia and French Polynesia – boast a national university (more than one, in some cases) and others have at least one tertiary college and/or technical and vocational training institutions. A good proportion of students in tertiary institutions study under government or other scholarships or with the support of government-provided education loans. In several of these tertiary institutions female student enrolment and graduation numbers are on par with male student numbers or, in some cases, higher.

In Palau women's higher enrolment in tertiary institutions is resulting in a larger number of female graduates. Already women make up 54 per cent of Palauans with tertiary qualifications and the government reports increases in women's tertiary degrees, professional careers and annual incomes.

Access to TVET and STEM programmes and continuing education

Palau is promoting a skilled Palauan citizen workforce, by mandating the establishment of a vocational certification programme at Palau Community College. To stimulate job creation Palau has also created a tax incentive for businesses to hire vocational certified students. However, despite other tertiary level gains for women in Palau, science, technology, engineering and mathematics (STEM) programmes continue to be dominated by males and only one in four students (23 per cent) are women.

Fiji has been encouraging gender balance in training courses for trades that have traditionally been gender defined. As a result, the numbers of female students enrolling for industrial arts in Years 9 and 10 have substantially increased over the past five years. Since 2015, the government-run Technical College of Fiji has also seen more women than men enrolling in agriculture, and female students have also enrolled in construction and engineering programmes. Although there is a growing interest in technical and vocational education and training (TVET) as a whole, and the numbers of female students accessing TVET training in male-dominated areas has increased, the overall enrolment of female students in technical and vocational colleges, at 34 per cent, remains low. Of those women who do enrol, 60 per cent complete their programmes.

In Tuvalu, as a step towards achieving gender balance and extending equal opportunity to women and girls, young women are increasingly being offered training and employment in fields that have long been male dominated or exclusive to males. In the last five years young women have been enrolled in the maritime school, the numbers of women police officers have increased, and a woman is shortly to start working on a patrol boat. Women's role in fisheries and natural resource management is also being recognised, and a woman has been employed as a fisheries observer.

²⁸ The policy change in Samoa followed advice from its MWCSD in 2015 in its role to protect the interests of children and the rights of women and girls.

IMPROVING QUALITY AND STANDARDS OF EDUCATION

Palau has passed legislation for minimum educational qualifications for classroom teachers and introduced a number of policies to raise educational standards and performance, and improve access to education for all. Teaching in the vernacular (Palauan language) has been mandated in every school to improve learning and enable Palauans to succeed in life. Testing of Grades 1–8 by the Palau English Reading Assessment for 2015, 2016 and 2017 indicated below-average performance.

Nauru is into its sixth year of a teacher education programme to increase the number of qualified Nauruan teachers. So far, the programme has produced 33 graduates for early childhood education (ECE) teaching level, 15 for primary and five for secondary level teaching.

CURRICULUM REVIEW

RMI's elementary school curriculum is being reviewed with assistance from SPC's HRSD with a view to integrating social citizenship values and understanding of human rights obligations, gender equality, social inclusion, and nuclear issues. The aim is to "connect gender and social inclusion, rights and responsibilities to Marshallese cultural values and practices in the school curriculum". The project will include training for teachers and support for schools in adopting policies against sexual harassment and bullying.

This curriculum initiative is aimed at creating a generation of 'social citizens' able to claim their rights and fulfil their responsibilities to other citizens and to the wider community. Building social citizens through formal education means instilling in students values of respect, dignity, care, consent, and responsible participation in the community. The goal of this project is to address the root causes of gender inequality and gender-based violence through formal education.²⁹

In Fiji, new education reforms are being undertaken focused on making the school curriculum more relevant to the changing labour market and increasing returns from investment in primary, secondary and tertiary education. The introduction of the Healthy Living curriculum for primary schools and the Family Life curriculum for secondary schools has enabled the incorporation of appropriately designed gender-based violence (violence against women) material into primary and secondary school programmes, with secondary coverage including gender-based violence and abuse, self-esteem, respect for others and oneself, preventive methods and actions, what to do if abused, who do you trust, and treatment for post-traumatic stress disorder.

TEACHERS

Male teachers are reported as dominating leadership positions within both primary and secondary schools in Fiji, holding 83.3 per cent of principal posts in secondary schools and 74.2 per cent of primary head teacher posts. Women dominate early childhood education teaching. The same trends appear in the 15 TVET centres established since 2015. Corporal punishment was outlawed in Fiji by a decision of the Supreme Court in March 2002 that it was unconstitutional. Despite its illegality, teachers periodically have been reported administering corporal punishment to students. In 2018, 33 teachers were terminated for inflicting corporal punishment on students.³⁰

CONTINUING CHALLENGES AND AREAS FOR ACTION

The fact that human rights, gender equality, respect for diversity, sexuality and reproductive health and rights, and violence against women are generally not established components of the educational curricula in PICTs is a continuing challenge.

Continuing focus on education and training for shrinking segments of the labour market and limited adaptation of curricula to prepare more students for work in expanding technical or informal sector employment is also a challenge and reflects a disconnect between education and job creation policies. There are also continuing barriers to women and girls with disabilities accessing education in mainstream schools because of low investment in encouraging inclusive education and disability-friendly schools.³¹

29 <https://rrrt.spc.int/projects/pacific-partnership-to-end-violence-against-women-and-girls> (accessed 12 April 2021).

30 <https://www.fijitimes.com/33-teachers-terminated-because-of-corporal-punishment/> (accessed 22 September 2020).

31 CROP (Council of Regional Organisations in the Pacific) 2018. First quadrennial Pacific sustainable development report, 2018. Suva, Fiji: Pacific Islands Forum Secretariat. Available at: <https://www.forumsec.org/wp-content/uploads/2018/10/First-Quadrennial-P.S.D.R.-Full-Report.pdf>, p. 18.

RECOMMENDATIONS

The 13th Triennial Conference of Pacific Women called on PICTs to:

- review early childhood, primary and secondary education curricula, teacher education and student assessment to promote and guarantee gender equality and human rights and challenge gender stereotyping and similar harmful norms;
- promote lifelong learning for all women, of all diversities, and encourage and support young women to develop skills in science, technology, engineering, mathematics and economics, and gain qualifications that enhance their employment prospects;
- improve the educational environment for TVET, to attract women, young women and girls into technical fields and apprenticeships;
- adopt measures to promote and guarantee that all places of learning and work are safe places for women, young women and girls of all diversities;
- increase women's access to ICT and digital services, including for women with disabilities and women living in remote areas;
- support government and regional organisations to undertake and implement gender-responsive budgeting;
- provide incentives for the private, not-for-profit and state sectors to train and employ women; and
- support family life education that promotes gender equality, human rights and sexual and reproductive health and rights.

OPINION PIECE

GENDER AND EDUCATION FROM THE PERSPECTIVE OF WOMEN WITH DISABILITY

Ms Ipul Powaseu, Disability Advocate, Papua New Guinea

In my work as an advocate for women and girls with disabilities and for people with disabilities generally, I have yet to see tangible and concrete projects or policies that truly empower women with disabilities to attain quality education.

As I am penning my opinion on the achievements or progress, if any to date, made in relation to women and education from a perspective of a woman with disability, I am on the last leg of my PhD studies. Yes, I am a woman with a disability but when I look around me in my own country, I notice that not many women with disabilities are employed in formal employment. And many are not accessing further education, other than basic level (either Grades 6, 8 or 10). Further education is for those who are able to find their place within the education echelon.

At a recent strategic workshop held with women with disabilities in PNG that I facilitated, women with disabilities called for access to education as one key priority area. They point out that many girls with disabilities are not attending school due to various factors and they named some of these factors as issues of security, school fees, bullying associated with stigma and discrimination, physical and communication accessibility, as well as lack of resource support for their integration.

This range of challenging factors can contribute towards low self-esteem by children with disability, but more so for young girls with disabilities. While there is political will for inclusion of people with disabilities in areas of social and economic opportunities, challenges are encountered during implementation stages to make this real. Policy implementers are stating that they do not have the skills to integrate children with disabilities into mainstream schools, and therefore many people with disabilities are left out of the opportunity to an education. Girls with disabilities face further marginalisation when issues such as school fee burdens, security and bullying are taken into consideration.

I also noticed there is a disjoint between civil society advocates and the government policy-makers when it comes to disability issues. The discourse around disability is that whilst the Convention on Rights of Persons with Disability identifies disability as a social construct, policies formulated tend to see disability as a personal tragedy and therefore the challenges for inclusion of a child with disability becomes the responsibility of the parents or family members.

As countries in the Pacific become signatories to the various treaties and frameworks for actions, the government has the responsibility for all of its citizens and therefore access to education for women and girls with disabilities becomes the state's responsibility.

Women and girls with disabilities see education as key to a better life, but because of the challenges they face both from their immediate families (confronted with the issues of stigma), and society at large (faced with the various barriers for their full and effective participation), many are not accessing quality education or even not going to school.

As noted above, there is a need for better collaboration between disability service agencies, the government, the community at large, and people with disability organisations if inclusion is to really happen.

Governments need to monitor current government policies for education and identify current resources available for the inclusion of women and girls with disabilities; and if these are not sufficient they have to make investment in critical areas so as to allow women with disabilities to access quality education.

Secondly, organisations charged with education have the responsibility to up-skill their practitioners to be able to provide equal opportunities for inclusion of girls in education.

I notice as well that when policies and plans are reviewed, representation of people with disabilities as part of the review team is often absent. This is one area that needs critical consideration if we want to make a real difference and leave no one behind.

I end with this quote below from one of our girls with disabilities Facebook posts: "Persons with disabilities are influenced to participate equally BUT do not benefit equally." While you may bring a child with disability to school, if the child with disability is sitting in class and not learning anything, then he or she is not benefitting equally; and therefore it becomes the responsibility of all to make sure that child is accessing and benefitting fully from education.

Disclaimer:

The views and opinions expressed above are those of the author and do not necessarily reflect SPC's official position.

A close-up photograph of a woman in a white lab coat and gloves using a pipette in a laboratory. She is looking down at the pipette tip. The background is slightly blurred, showing laboratory equipment and colorful folders.

CRITICAL AREA C

WOMEN AND HEALTH

INTRODUCTION

Women and health is the third critical area of concern in the BPA. Health was also one of the 13 critical issues in the 1994 PPA, reaffirmed in the updated PPA, the Pacific Platform for Action on Gender Equality and Women's Human Rights 2018–2030. Improving reproductive health services for adult and young women is among the six commitments reaffirmed by Pacific states in the PLGED, adopted at the 2012 Pacific Islands Forum meeting, and is consistent with commitments made by Pacific Island states to the International Conference on Population and Development (ICPD) Program of Action in 1994 and reaffirmed in all subsequent ICPD review processes.

Under Critical Area C, the BPA calls for realisation of a number of women's social rights: to the highest standard of physical and mental health throughout the entire life cycle; to good nutrition; to protection from exposure to health hazards; to quality health services and resources including reproductive health services; to autonomy in controlling their fertility and deciding on matters relating to their sexuality including sexual and reproductive health, free of coercion, discrimination and violence; and to protection from gender-based violence, trafficking and other forms of abuse and exploitation.

The PPA (1994) called for attention to the following concerns under the critical issue of health: low life expectancy, high rates of maternal and infant mortality, poor quality of health services, malaria and infectious diseases, non-communicable diseases (NCDs), HIV/AIDS, sexually transmitted infections (STIs), fertility rates, and reproductive health and family planning. The revised PPA 2018–2030 identifies as primary concerns improved health services for women; affordable and accessible medical and reproductive health care; health education; preventive health programmes especially on NCDs; cancer screening; the special health needs of women living with disabilities; and the reproductive and sexual health needs of young women and adolescents.

MDG 5 was focused on the single goal of improving maternal health, expressly through two targets: reducing the maternal mortality ratio by 75 per cent and achieving universal access to reproductive health. SDG 3, on health, is much broader: "Ensure healthy lives and promote wellbeing for all at all ages". Among its several targets, those most relevant to this regional BPA+25 review are: universal access to sexual and reproductive health care including family planning (3.7); universal health coverage and access to safe, effective, quality and affordable essential medicines and vaccines for all (3.8); research and development of vaccines and medicines for the communicable and non-communicable diseases that primarily affect developing countries (3b); increased health financing and recruitment, development, training and retention of the health workforce in developing countries, and especially in...small island developing states (3c); and strengthened prevention and treatment of substance abuse, including narcotic drug abuse (3.5).

CONTEXT AND PROGRESS

There are still many areas where 'women and health' issues noted in the BPA and each iteration of the PPA continue to be problematic and under-resourced. Regional investments of effort and monitoring towards meeting MDG 5 have seen improvements in women's health. As noted in the PPA (2018), increased coverage of antenatal care and attendance of trained personnel at births have reduced maternal mortality rates in the region, although preventable maternal deaths do still occur.

Pacific Island states have ongoing commitments to the ICPD Plan of Action, especially on sexual and reproductive health and rights, improving reproductive health services, making pregnancy safe, and adopting rights-based approaches to family planning. Improvements have been slower in some areas than others. Young people especially have largely remained outside the ambit of family planning coverage, as have marginalised and vulnerable groups.³² Teenage pregnancy rates are high and said to be increasing in some countries, and STI rates also remain high. In some PICTs HIV/AIDS continues to be a challenge. Contraceptive prevalence rates remain as low as 33 per cent in some countries.³³ In 2018 the United Nations Fund for Population Activities (UNFPA) began a multi-country³⁴ programme aimed at reducing the unmet need for family planning in the region to zero by 2020.³⁵ Figure 3 shows the unmet need for contraception among married or partnered women. Data on unmet need among young and/or single women are not available.

32 CROP (Council of Regional Organisations in the Pacific) 2018. First quadrennial Pacific sustainable development report, 2018. Suva, Fiji: Pacific Islands Forum Secretariat. Available at: <https://www.forumsec.org/wp-content/uploads/2018/10/First-Quadrennial-P.S.D.R.-Full-Report.pdf>, p. 18.

33 SPC 2017. Pacific Platform for Action on Gender Equality and Women's Human Rights 2018–2030, p.10. Noumea, New Caledonia: SPC.

34 The countries are Fiji, Kiribati, Samoa, Solomon Islands, Tonga and Vanuatu.

35 UNFPA Pacific Sub-Regional Office (PSRO) A transformative agenda for women, adolescents and youth in the Pacific: Towards zero unmet need for family planning 2018–2022. Available at: <https://www.dfat.gov.au/sites/default/files/transformative-agenda-women-adolescents-youth-pacific.pdf>

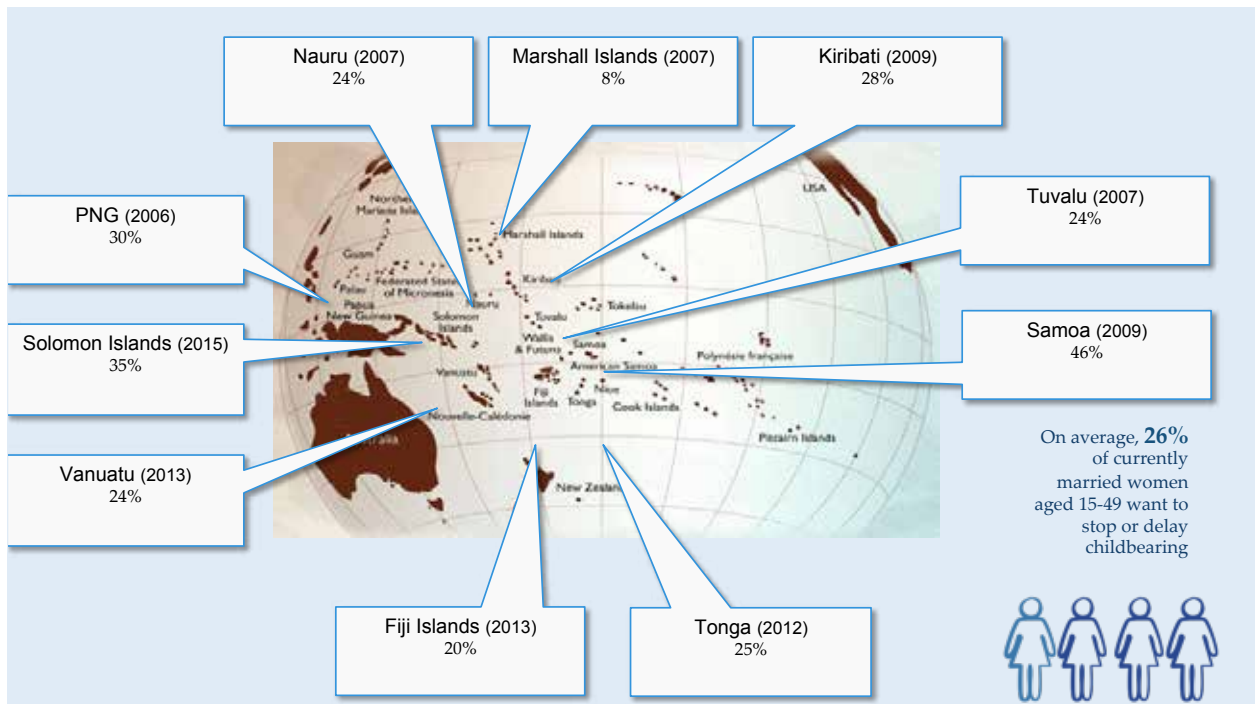


Figure 3. Unmet need for family planning.

Source: most recent census or demographic and health survey data in the respective country.

In the last decade the region has come to face worrying new health challenges. NCDs, often referred to as ‘lifestyle diseases’, now pose the biggest threat to women’s health in the region. Across the region an NCD epidemic is impacting families, economies and health systems, resulting in early deaths, amputations and disability and imposing an additional burden on women to whom the work of caring for others afflicted by NCDs usually falls. Incidences of women’s cancers, namely breast and cervical cancers, are especially high. The prevalence of diabetes, hypertension and cardiovascular diseases, together with obesity and cancer, reflects changes in lifestyle and eating habits. Diets are increasingly high in simple carbohydrates, sugar and salt, meat and inferior food imports while consumption of fresh vegetables and fruits is limited. Figure 4 shows the percentage of overweight and obese men and women in PICTs.

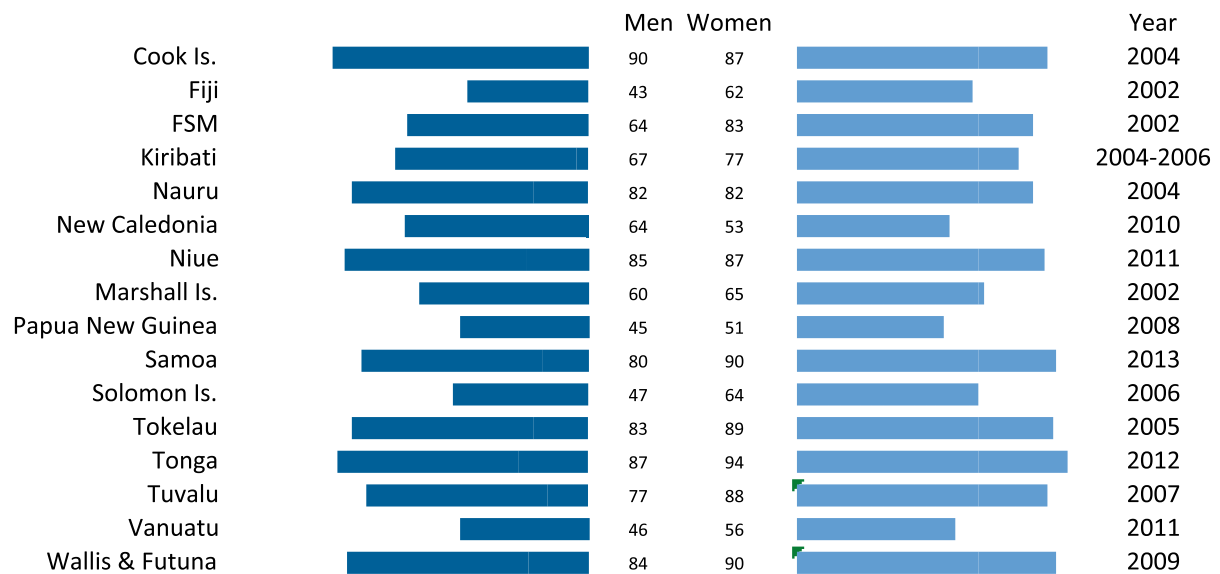


Figure 4. Percentage of overweight and obese men and women.

Source: Most recent WHO STEP surveys or national health agency survey data.

Palau reported that comprehensive surveys and reports on family health and protection have been completed to improve the government's ability to track progress on health indicators. Gender-disaggregated results from an NCD risk factor survey conducted in 2013 of men and women in the 25–64 age group indicate worrying trends in men's and women's health in Palau; 55 per cent of women had three to five risk factors for NCDs compared with 61 per cent of men.³⁶ Palau's school health screening between 2017 and 2018 also indicated increased NCD risks for both sexes; the report showed 36 per cent of school age girls, compared with 40 per cent of boys, are either overweight or obese. Palau reports that NCDs have lowered life expectancy especially for men. The most recent statistics (2014) from the Ministry of Health are 74.5 years for women and 57.6 years for men.³⁷ Compared with figures from the 2012 mini-census, life expectancy for men had remained unchanged and life expectancy for women had slightly declined from 75.5 years in 2012.

A new health concern, which has begun to emerge in the last four years or so but is still not flagged in national reports, is drug use. In the absence of facilities to rehabilitate addicts, the spread of hard drug use within several of the PICTs is challenging and implies increased risks of violence and crime in the region. It also has potentially negative impacts for women who can themselves fall victim to addiction, be abused by addicted partners, or exploited by organised crime.

The following sections highlight women and health issues drawn from national reports for Beijing+25. The reported information shines a spotlight on key achievements made at national levels and highlights gaps and remaining challenges.

HEALTH POLICIES, PROGRAMMES AND SERVICES

Government health policies, programmes and services for women and girls in all PICTs have predominantly focused on maternal and child health and strengthening sexual and reproductive health services including family planning, safe sex practices and STI prevention, screening and treatment. This has brought significant improvements in women's health. In recent years the crisis of NCDs, which affects women as much as men, has claimed priority attention from governments.

In some PICTs sexual and reproductive health information and services are culturally sensitive and, where this is so, accessing such services by young women and men can be difficult. Governments are often grateful to have the support of well-resourced NGOs that provide services in the health sector to complement their own. In Fiji NGOs are acknowledged for strengthening the capacity of the government, including by providing post-rape care, safe abortion counselling and violence against women counselling, by operating the Domestic Violence Helpline and the Child Helpline, and generally supporting other government initiatives towards ending violence against women.

Solomon Islands adopted a National Health Strategy (2016–2020) and a National Reproductive and Child Health Strategic Plan (2016–2020) in 2016, and a National Population Policy (2017–2026) in 2017.

Palau's national health policy mandates universal access to quality health services for women and girls (15–18 years) and strategies and action plans are in place to implement the policy. Women hold 72 per cent of professional health jobs and 71 per cent of jobs across the entire health sector, including jobs involving residential care.

Health services for women and girls in Palau are offered free or for a minimum cost. Services include primary health care, maternal health (ante- and postnatal), mental health, food security and nutrition, disability, sexual and reproductive health, treatment and rehabilitation for substance abuse, geriatric health, HIV and STIs. Palau also provides a medical programme for new mothers, regular medical checks for women and children in communities and schools, and discounts for medicines. Health workers delivering these services are gender sensitised.

In keeping with commitments to the ICPD Plan of Action, RMI is actively improving reproductive health services, including making pregnancy safe and offering adequate family planning services with a view to achieving quality sexual and reproductive health services for all people of RMI in maternal and neonatal health, family planning, adolescent sexual and reproductive health, control of STIs/HIV and integration with other sexual and reproductive health programmes.

36 More women than men chewed betel nut daily (64 per cent compared to 57 per cent) and women were more likely to add cigarettes and tobacco with betel nut than men; 62 per cent of women (compared to 44 per cent of men) do no form of recreational exercise; and 47 per cent of women (45 per cent of men) had a body mass index in the obese range.

37 Republic of Palau 2019. Pathway to 2030 – Progressing with our past towards a resilient, sustainable and equitable future, First Voluntary National Review on the SDGs, p. 14.

Fiji's decentralised health system continues to provide access to quality health facilities and services with improved doctor to patient ratio and increased funding for essential drugs. The improvements to maternal health care facilities and services include the addition of new birthing units on Koro Island, which was devastated by Tropical Cyclone Winston in 2016, and a low risk maternity unit at Makoi in the Central Division that is expected to manage 800 births a year and ease demand on the main referral hospital in Suva. In addition, new subdivisional hospitals as well as new health centres in rural areas will help to decentralise care provision.

Doctors in Fiji are trained and sensitised to ensure, in cases of termination of pregnancy or abortion, that women give informed consent in accordance with the Crimes Decree, are subject to the conditions set out in that decree, and are adequately counselled on the choices they make.

Despite offering information and awareness programmes on sexual and reproductive health that are "youth friendly and rights-based", under-18-year-olds in Fiji can only access prescription contraceptives with parental consent, and there is stigma attached to unmarried adolescents attending sexual and reproductive health clinics.³⁸ The Fiji Adolescent Health Situational Analysis in 2016 commented that programmes relating to sexual and reproductive health "largely appear to cater for older and married adolescents", and adolescent sexual and reproductive health services had largely become 'drop-in' centres in the three main cities, focused on clinical testing for STIs and HIV and contraception.³⁹

PROMISING PRACTICE

Rights-based training of health workers in Fiji on gender equality and gender-based violence aims to ensure there is no discrimination on the grounds of ethnicity, gender, sexual orientation, gender identity or marital status and that survivors of sexual assault are given confidential and non-judgmental assistance.

NEW INTERVENTIONS

Across the PICTs new interventions have been made to combat the explosion in NCDs which has been imposing a significant burden on national health systems and taking a serious social and economic toll across the region.

In Palau, under its 2015 Strategic Plan of Action to combat NCDs, cost-effective interventions are being made which include: (i) promoting a healthy lifestyle, and early detection and treatment of metabolic risk factors (tobacco use, harmful alcohol consumption, unhealthy diets and lack of physical exercise); (ii) advocacy and community outreach; and (iii) reliable data collection. Palau also reported the introduction of a Wellness Worksite Program to combat NCDs and national health insurance coverage for annual health check-ups.

RMI, which reports epidemic levels of NCDs, is specifically addressing cervical cancer, the most common cause of death for women, through a national comprehensive cancer control programme on Ebeye and Majuro, as well as on outer islands via a mobile health team. The programme supports a cancer registry, a cancer support group, and a cancer prevention programme. It includes vaccinating children, including on outer islands, against the human papilloma virus (HPV).

In Fiji, where cervical cancer is the most common form of female cancer mortality, a nationwide HPV vaccination campaign targeting girls between the ages of 9 and 12 years was successfully introduced through the existing school-based immunisation programme in 2008.⁴⁰ HPV vaccination of girls aged 11–13 is now part of Fiji's school health programme, aimed at reducing cervical cancer in adult women.

To reduce NCDs in Samoa, the Ministry of Health has adapted the WHO Protocol on Essential Non-communicable Disease Interventions (PEN) for a primary care programme. The programme is delivered through village women's committees trained by the Ministry of Health to carry out NCD screening and make referrals to district hospitals for early intervention. The Health Ministry conducts village awareness programmes with church youth groups into which family planning, safe sex practices and sexual and reproductive health are incorporated.

38 Ministry of Health and Medical Services, Fiji 2016. Fiji adolescent health situational analysis 2016. Available at: https://www.aidsdatahub.org/sites/default/files/Fiji_Adolescent_Health_Situational_Analysis_2016.pdf

39 Ibid.

40 La Vincente S.F., Mielnik D., Jenkins K. et al. 2015. Implementation of a national school-based Human Papillomavirus (HPV) vaccine campaign in Fiji: knowledge, vaccine acceptability and information needs of parents. BMC Public Health 15, 1257. Available at: <https://bmcpublichealth.biomedcentral.com/articles/10.1186/s12889-015-2579-3#citeas>

CHALLENGES AND AREAS FOR ACTION

Information from national Beijing+25 reports identifies ongoing challenges in the region. While some challenges are country specific, others are common to many countries and territories.

NCDs are at epidemic levels. Palau reported that NCDs account for 70 per cent of all deaths, with heart disease, strokes and cancer claiming most lives among working age people. In RMI, 74 per cent of deaths of people between 15 and 49 years of age were attributed to NCDs in 2017. The RMI country report reflected that high NCD morbidity and mortality, combined with productivity losses and the costs of health care, will impact on development in terms of health (life expectancy) and socio-economic development.

A major challenge that applies to almost all PICTs was illustrated in RMI's report. It notes that 94 per cent of rural women and 79 per cent of urban women across all ages, education and income levels in RMI have reported problems in accessing health care. Ensuring access to health services in rural areas, especially outer islands and more remote inland areas, is complex and expensive to address, requiring investment across multiple sectors.

Meeting the sexual and reproductive health needs of young people is also challenging across the region, whether because of restrictive legislation, policies informed by conservative ideas about sexuality, or stigma associated with visiting sexual and reproductive health clinics. Rates of teenage pregnancy and STIs around the region continue to be high despite sexual and reproductive health programmes specially targeting young people.

Increasing protection from cervical cancer by extending coverage of the vaccination against HPV, two strains of which cause cervical cancers, has also been a challenge in the region. The vaccines are costly and access to them by Pacific Island states has only been attained through substantial donor support, aided by strong lobbying with development partners by the Pacific Islands Forum Secretariat (PIFS).⁴¹ In RMI the vaccination programme, which is advised for girls and boys between 11 and 12 years, has also met resistance in the outer islands from parents not consenting to their daughters being vaccinated.

A nationally specific challenge was highlighted in the RMI report. RMI faces ongoing nuclear illnesses occurring within the lifetime of the cohort of population exposed to fallout radiation in 1954 from US military weapons testing, among whom excess cancers are estimated to have totalled 530, within an expected total of 6130 cancers. As a State Party to the Convention on the Rights of the Child (CRC), RMI raised the issue of the continuing health and environmental impacts of US nuclear testing when submitting its 2017 report to the CRC Committee, citing the Special Rapporteur's report on a visit to RMI which said "Radiation from the testing has resulted in fatalities and in acute and long-term health complications" and that "the full effects of radiation on the right to health of Marshallese women may have been, and continues to be, underestimated."⁴² RMI also raised the issue in its report, as a State Party to the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), to the CEDAW Committee.

RECOMMENDATIONS

The 13th Triennial Conference of Pacific Women recommended that governments adopt, review and implement legislative measures to:

- ensure access to sexual and reproductive health and rights is available to all people, with increased support and protection for girls and young women, including enhancing access to education and appropriate resourcing, human and financial; and
- increase financing and sustained investment to provide affordable, high-quality and accessible care services, such as child care, elder care, mental health care and disability care.

41 For details on donors supporting or, in the case of ADB, preparing to support the introduction of the HPV vaccine in PICTs see <https://www.forumsec.org/cervical-cancer/> and <https://www.adb.org/sites/default/files/project-documents/50282/50282-001-rrp-en.pdf>, accessed 22 September 2020

42 United Nations Committee on the Rights of the Child, 23 February 2017. Consideration of reports submitted by states parties under article 44 of the Convention, Third and fourth periodic reports of States parties due in 2010, Marshall Islands. CRC/C/MHL/3-4: 23. Available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fMHL%2f3-4&Lang=en

OPINION PIECE

WOMEN AND HEALTH IN SAMOA

Palanitina Tupuimatagi Toelupe⁴³

I admit having joined many local critics, who expressed views on the Samoan delegation of mostly elderly women for the Beijing Global Conference on Women in 1995. The report that followed as the Beijing Declaration on the Platform for Action (BPA) silenced my ignorance. Fast forward to 1998, I found myself as the Assistant Secretary (Assistant Chief Executive Officer) heading the Division for the Advancement of Women in the new Ministry of Women Affairs. I had left a public health education and health promotion specialist job which provided for me a very clear orientation on the health of women. This opinion paper is one's reflection of the first decade from 1995 to 2006, and followed by the next decade from 2007 to 2019 since the BPA was declared. Mirrored in the statistics for Samoan women's health status was a typical 'developing country' picture with obvious dominance of communicable diseases as causes of morbidity and mortality. The disease patterns changed in the latter decade with non-communicable diseases (NCDs) now the leading causes of morbidity and mortality in Samoa.

Women's health status: Whilst women's health automatically translates in the context of maternal and child health for many, there is, in my opinion, much more to women's health. Samoan women's bleak health status generally includes the demeaning and disempowerment of women due to the cruelty of being disabled and bedridden by diseases. This is associated with poverty, especially those living on leasehold urban areas and isolated parts of the country. As in many island countries, women's poor health status is visible in the poor – a status the Samoan government refuses to accept exists. There is also unequal access to health services for safe deliveries, domestic violence, rape, incest and mental health. I compare the women's health status and all of Samoa's to a 'double edge sword'. In the first decade, women were still being affected by communicable diseases which were yet to be fully controlled. Additionally, NCDs were intruding into the women's health picture with a vengeance. Many women were still being challenged with sexual and reproductive health issues. Maternal death rates from birthing were high. Samoa was also troubled by the increasing number of teenage pregnancies. Mental health and domestic violence issues were seemingly ignored. By the second decade since the BPA declaration, empirical evidence showed a high rate of women infected by sexually transmitted diseases, more specifically chlamydia. It was a blessing in disguise that there was no parallel increase of HIV-infected women. The apparent poor health status of women in Samoa was compounded by the increasing and visible emergence of lifestyle-related NCDs. Smoking and alcohol use amongst women were prevalent and peaking. Obesity had become a normal feature of Samoan women's physique. NCDs had brought in their wake a worsening and more difficult situation with pregnancies and birthing, especially those diseased by obesity, diabetes mellitus, high blood pressure and heart disease to name a few. There was also a noted increase in women affected and dying from cancer. Violence against women plus mental health issues associated with poverty called for urgent intervention. Disabled women were also side lined until 2015. Health problems emanating from climate change were gaining prominence in women's health patterns and trends. The devastation from the tsunami in 2009 exemplified the already challenging health status of women. Sadly enough, more women and children were traumatised and died from the tsunami than men.

As a health leader of this particular era, I would naturally wish to claim an optimistic view on women's health. However, there is no denying the fact that a number of challenging factors with Samoa's health system made any leadership efforts less effective. For example, a policy shift that directed the institutional affiliation of women's committees to be coordinated by the newly established Ministry of Women Affairs in 1991 impacted on the health promotion and primary health care (PHC) roles of women's village committees (WVCs). WVCs were being multitasked with an income-generating focus instead, so the traditional claim of WVCs being the backbone of public health in Samoa was no longer true. The autonomous establishment of WVCs for health services only was no more. Naturally, the policy shift impacted on the expected benefits from sustained health promotion and PHC. Rural women in turn were no longer accessing affordable and readily available health services. What was established as one of the most effective PHC systems in the region, if not the world, was being disestablished. Professional groups in the health system possessively competed against each other for prominence in PHC service provision. Some aspects of health promotion and PHC were being compromised. People's access to health services, including that for women, were being vertically provided.

43 Former: (1) Chief Health Educator/Health Promotion Specialist, Samoa Ministry of Health, Jan 1982–Aug 1998; (2) Division Head for the Advancement of Women, Samoa Ministry of Women Affairs, Sep 1998–Feb 2005; (3) Director General of Health/Chief Executive Officer, Ministry of Health, Feb 2005–Feb 2014; (4) General Manager of Samoa's National Health Services (NHS), May 2016–Feb 2019 when NHS was legally dissolved by the MOH Amendment Act 2019.

Achievements and progress: The situation was not all gloom. Whilst the WVCs evolved multifaceted roles in the first decade of the BPA 1995 declaration, the health reform between 1998 and 2005, which extended to a health sector wide approach programme until 2018, revitalised the principles and application of health promotion and PHC. A vigorous revival was championed as a result. Cabinet endorsed for Samoa's health system to be founded on health promotion and PHC principles. The Samoa National Health Service (NHS), the government's biggest health care service provider then, re-established a PHC Division which culminated in the revival of nurse-led health promotion and PHC services. The medical fraternity, when they were available, provided primary care. Women were again taking responsibility for their health status and they championed throughout the whole of Samoa a social movement for healthy living. Physical activities, healthier eating, smoke free advocacy, HIV/AIDS prevention, calling for stop to violence against women, mental health concerns, tsunami recovery plus many other issues became the focus of community development for health. A policy change in February 2019 resulted in the remerger of the Ministry of Health and the NHS, further distorting the 2005 revival of PHC. Primary care became the priority public health service with the current health leaders' assurance that there will be a medical doctor servicing every district hospital by 2020. The five-year-old infrastructural improvement which built a modern state-of-the-art hospital for tertiary care in Samoa has also improved birthing facilities for women. Another achievement worth noting is the growth of health-focused NGOs to advocate and deliver health services for women in Samoa.

Lessons learnt: Without a doubt, the BPA 1995 recognised effective PHC services as the best health services to provide access for all, especially women. The global agreement known as the Ottawa Charter on Health Promotion 1986 further enhanced the spirit and vision of PHC, exemplifying an enabling environment for men and women to take responsibility for their health. This was the new approach to public health that facilitated ownership and action by the people for themselves. Whilst Samoa's health system shifted from these fundamental principles of the health model to a more medical model orientation, it is my view that the lessons that must be learnt from these shifts reaffirm the fact that Samoa and any other small economy will never have enough money to cost ill health. Despite the new hospital being a state-of-the-art facility, there is no capacity in country to care for all the sick women of Samoa due to the double burdens of communicable diseases and NCDs. The current situation with increasing NCDs is only a tip of the iceberg. Additionally, the power and might of multinational companies perpetuating the negative impact of social determinants responsible for influential lifestyle-associated NCDs can only be eased off by health promotion and disease prevention advocacy.

Emerging and re-emerging health issues: These are well researched and documented. National health systems through the World Health Organization (WHO) are advised on appropriate strategies and in-country actions to counter these. However, the health problems associated with lifestyle changes and climate change remain as Samoa's challenges. Mental health, violence against women, the health needs of disabled women and many more are real critical areas from the BPA 1995 which have not being addressed well.

Disclaimer:

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CRITICAL AREA D

VIOLENCE AGAINST WOMEN

INTRODUCTION

The opening text in the BPA on Critical Area D is, sadly, no less relevant today than it was in 1994: “Violence against women is an obstacle to the achievement of the objectives of equality, development and peace. Violence against women both violates and impairs or nullifies the enjoyment by women of their human rights and fundamental freedoms. The long-standing failure to protect and promote those rights and freedoms in the case of violence against women is a matter of concern to all States and should be addressed... In all societies, to a greater or lesser degree, women and girls are subjected to physical, sexual and psychological abuse that cuts across lines of income, class and culture. The low social and economic status of women can be both a cause and a consequence of violence against women. Violence against women is a manifestation of the historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of women’s full advancement.”

More recently, the CEDAW Committee noted that “gender-based violence against women [is] rooted in gender-related factors such as the ideology of men’s entitlement and privilege over women, social norms regarding masculinity, the need to assert male control or power, enforce gender roles, or prevent, discourage or punish what is considered to be unacceptable female behaviour. These factors also contribute to the explicit or implicit social acceptance of gender-based violence against women, often still considered as a private matter, and to the widespread impunity for it. ... Gender-based violence against women occurs in all spaces and spheres of human interaction, whether public or private. These include the family, the community, the public spaces, the workplace, leisure, politics, sport, health services, educational settings and their redefinition through technology-mediated environments...”⁴⁴

The BPA outlines three strategic objectives in addressing this critical area: (1) take integrated measures to prevent and eliminate violence against women; (2) study the causes and consequences of violence against women and the effectiveness of preventive measures; and (3) eliminate trafficking in women and assist victims of violence due to prostitution and trafficking.

CONTEXT AND PROGRESS

Violence against women was the third critical issue in the 1994 PPA. It was integrated into the second strategic theme of women’s legal and human rights in the revised 2004 PPA, which clustered the 13 critical issues under four strategic themes, with a specific reference to “including targets for eliminating violence against women”.

Violence against women remains a key focus of the Pacific Platform for Action on Gender Equality and Human Rights 2018–2030, under Priority Area 2: Legal and human rights. Twenty-five years after the adoption of the BPA and the PPA, gender inequality remains a major debilitating aspect of PICT societies and the predominant cause of ongoing gender-based violence against women and girls. Socio-economic disparities between women and men are intertwined with men’s power and control over women and girls, which is generally manifested at all levels of society, from the private realm of the family to the public sphere of the state.

Gender-based violence against women is experienced in multiple ways at the personal level – verbal, physical, emotional or psychological, sexual – and is often underpinned by economic control. It is not unusual for these different forms of violence to occur in the same unequal, gendered, intimate partner relationship. Non-partner gender-based violence against women and girls is also prevalent within the supposed sanctuary of the family, in communities and in public spaces. Sexual harassment, cyberviolence and online stalking are other forms of gender-based violence experienced by women. As the CEDAW Committee explains, “Gender based violence against women is one of the fundamental social, political and economic means by which the subordinate position of women with respect to men and their stereotyped roles are perpetuated”.⁴⁵ In its extreme form, gender-based violence against women can end in women being killed – femicide – and, not unusually, brutally so.

Figure 5 shows data from countries that used the WHO methodology for surveying violence against women, except for Tuvalu where the demographic and health survey module was used. As the graph shows, violence against women and girls in the region is well above the global average of 35 per cent. Available country-level rates of lifetime experience of gender-based violence show that in Tonga the figure is 79 per cent, Samoa 76 per cent, Kiribati 73 per cent, Fiji 72

44 CEDAW Committee General Recommendation 35, Clauses 19 and 20, p. 6. General Recommendation 35 replaces the term “violence against women” with the more precise term “gender-based violence against women” which makes explicit the gendered causes and impacts of the violence. In this report, however, we use the term violence against women – or violence against women and girls – as this is the term commonly used in the region, including by UN Women.

45 CEDAW Committee, General Recommendation 35.

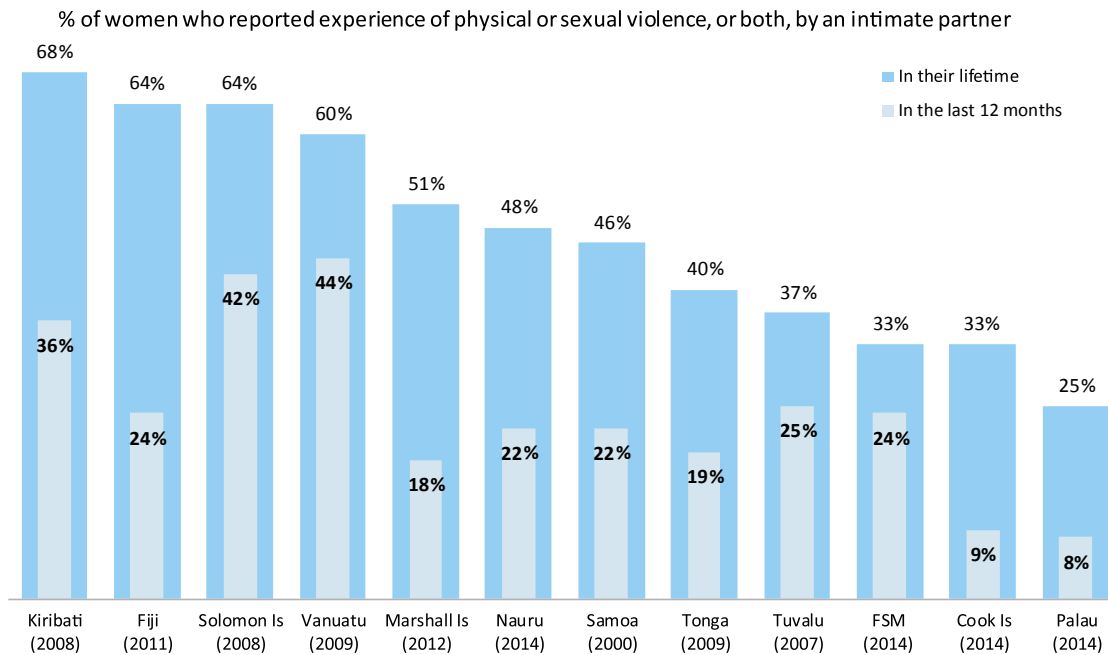


Figure 5. Women's experience with physical or sexual violence by an intimate partner.

Source: SPC presentation of UNFPA data.⁴⁶

per cent, Vanuatu 72 per cent and Solomon Islands 64 per cent.⁴⁷ While the global average of intimate partner physical and/or sexual violence for women is around one-third, Pacific rates are much higher with Samoa at 86 per cent,⁴⁸ PNG and Kiribati 68 per cent, Fiji and Solomon Islands 64 per cent, Vanuatu 60 per cent, and RMI 51 per cent. According to the Fiji Women's Crisis Centre, as of June 2019, 295 cases of domestic violence had been reported over 180 days.⁴⁹ Women most often do not make official complaints intimate partner violence, and in Fiji it takes on average 2.5 years for women to share their experience of repeated partner violence.⁵⁰ In RMI when women did report the violence, "it was because they were severely injured, their life had been threatened or they could not endure the violence any longer. Most women who experienced physical violence had experienced it multiple times."⁵¹

Most concerning of all in recent years have been incidents of brutal public torture and execution of women accused of sorcery in PNG. Men have also been targeted but a study by Oxfam and Queensland University of Technology reportedly cited 232 sorcery violence incidents in which 56 per cent of the victims were women, one-third of whom said they had "some kind of disability". The perpetrators were predominantly (89 per cent) men.⁵²

ADDRESSING VIOLENCE AGAINST WOMEN

All PICTs have recognised the seriousness of gender-based violence and the endemic nature of physical and sexual violence against women and girls in the region. In several countries women's groups and NGOs have strongly campaigned for decades against all forms of violence against women and children and have been collaborating with governments to address this major social problem. Across the region, the problem has received more than 30 years of attention through NGO advocacy, research, public education, victim counselling and training, including of males. There is no doubt about the high prevalence and seriousness of the problem. Attention has more recently turned to

46 Available at: <https://asiapacific.unfpa.org/knownvawdata>

47 Pacific Women Shaping Pacific Development: <https://pacificwomen.org/our-work/focus-areas/ending-violence-against-women/> (accessed 22 September 2020).

48 NRHI (National Human Rights Institution) 2018. National public inquiry into family violence in Samoa. Apia, Samoa: Samoa Office of the Ombudsman / National Human Rights Institution. Available at: https://ombudsman.gov.ws/wp-content/uploads/2018/09/National-Inquiry-Report-into-Family-Violence_-_State-of-Human-Rights-Report-2018-SUMMARY_English.pdf

49 Narayan V. FWRM strongly condemns brutal and horrific killing of Fijian women. Fijivillage News, 22 August 2019. Available at: <https://fjivillage.com/news/FWRM-strongly-condemns-horrific-and-brutal-killing-of-Fijian-women-in-intimate-partner-violence-92rk5s>.

50 Ibid.

51 Results of 2015 survey on violence against women by Women United Together Marshall Islands (WUTMI), cited in RMI National Report for Beijing+25.

52 Davidson H. 'Bloodlust hysteria': sorcery accusations a brutal death sentence in Papua New Guinea. The Guardian, 4 January 2018. Available at: <https://www.theguardian.com/world/2018/jan/05/bloodlust-hysteria-sorcery-accusations-a-brutal-death-sentence-in-png>

trying to understand root causes in order to end it. Samoa recently held a national public inquiry into family violence, which included three weeks of public and closed hearings in which survivors and perpetrators shared their stories and understanding of the problem and how it could be addressed.⁵³

At the regional level, the Pacific Forum leaders have expressed grave concern over gender-based violence and their strong commitment to end violence against women, including sexual violence, is reiterated in the PLGED adopted in 2012 at the Rarotonga meeting of the Pacific Islands Forum. Three years earlier, the Forum Regional Security Committee established an independent expert reference group to address violence against women. In the same year, 2009, at the Cairns meeting of Forum Leaders, a strong commitment was made to “eradicate VAW [violence against women] and ensure all individuals have equal protection of the law and equal access to justice”. It was envisaged that the inclusion of ending violence against women in the Gender Equality Declaration would usher in an integrated approach combining education, health care, support and counselling, protection and prevention, and the development of comprehensive legislation for increased access to justice for victims and survivors.

Over the last five years, several PICTs have reported taking integrated measures at the national level to prevent and eliminate violence against women and girls. These include collaboration between government and non-government organisations in education and awareness-raising activities, review and implementation of laws, facilitating expeditious and supportive procedures for victims/survivors, carrying out social surveys on the prevalence of gender-based violence, as well as addressing trafficking in women and girls and cybercrimes such as gender-based bullying and stalking.

Regionally, since 1992, the Pacific Network Against Violence Against Women, comprising 13 countries and 40 NGOs aided by an advisory group, has been tirelessly working to end all forms of violence against women and girls. The network comprises independent national NGOs set up by strong women leaders to provide counselling and other support to women victims of violence against women, advocate for legislative and policy changes, and mobilise public awareness and support for ending gender-based violence against women at national level. It meets every two years and the 60 participants in the meetings are mostly women although male advocates are also involved. The Fiji Women’s Crisis Centre is the chair of the network.⁵⁴

In late 2018 donor partners including the European Union (EU), the Australian Government, the UN, SPC and PIFS announced a new partnership to end violence against women. The EUR 19.5 million project, named the Pacific Partnership to End Violence Against Women and Girls (2018–2022), is a five-year initiative involving a strengthened partnership among donor organisations, the UN and regional intergovernmental bodies, in collaboration with civil society (including the private sector) and governments of the region. Led by the EU, which has contributed the most funds (EUR 12.7 million), with strong support from the Australian Government (EUR 4.9 million) and some backing from UNIFEM (EUR 0.6 million), the partnership aims at promoting gender equality, preventing violence against women and girls, and increasing the quality of services to survivors of violence.⁵⁵ It will “build on the decades of work in the region led by civil society and governments to address this issue”,⁵⁶ and focus on “transform[ing] social norms that allow violence against women and girls to continue.”⁵⁷

Employers are also increasingly joining the efforts to address gender-based violence because of its impacts on workers and employers (see for example International Finance Corporation led research in the Solomon Islands⁵⁸). Studies have been conducted in the past of the economic costs of violence against women. New initiatives like the World Bank’s Women, Business and the Law biennial reports are centred on enabling and empowering women by promoting legislative changes on the understanding that “laws influence women’s decisions to start and run businesses or get jobs”.⁵⁹

53 NRHI 2018. National public inquiry into family violence in Samoa. Apia, Samoa: Samoa Office of the Ombudsman / National Human Rights Institution. Available at: https://ombudsman.gov.ws/wp-content/uploads/2018/09/National-Inquiry-Report-into-Family-Violence_-_State-of-Human-Rights-Report-2018-SUMMARY_English.pdf

54 Personal communication, Ms Shamima Ali, Fiji Women’s Crisis Centre Coordinator, 16 August, 2019.

55 Pacific Islands Forum, <https://www.forumsec.org/reference-group-on-sexual-and-gender-based-violence-welcomes-gender-declaration-2/>. UN Women. <https://asiapacific.unwomen.org/en/countries/fiji/ending-violence-against-women/pacific-partnership>

56 New Pacific partnership addresses gender equality and violence against women, 26 November 2018. Available at: <https://www.forumsec.org/new-pacific-partnership-addresses-gender-equality-and-violence-against-women/>

57 Ibid.

58 IFC 2019. Waka Mere Commitment to Action improving business outcomes in Solomon Islands through advancing workplace gender equality, November 2019. Available at: <https://www.ifc.org/wps/wcm/connect/c90592dd-ac2c-42a8-a20d-d0d499e4103c/Waka+Mere+Commitment+to+Action-Report.pdf?MOD=AJPERES&CVID=mUQkvzN>

59 World Bank Group 2018. Women, business and the law 2018. Washington, DC: World Bank. Available at: <https://openknowledge.worldbank.org/handle/10986/29498>

DATA ON VIOLENCE AGAINST WOMEN AND GIRLS

While several countries have provided statistics over the last two decades on gender violence, no PICT has conducted annual surveys. Recent studies have been conducted in RMI and in Samoa. Women United Together Marshall Islands (WUTMI) conducted its survey in 2015 and found that 51 per cent of women had experienced intimate partner physical and/or sexual violence in their lifetime, and 18 per cent were experiencing physical and/or sexual violence during the survey period. Two out of three women were survivors of physical and/or sexual violence by intimate partners or non-partners in their lifetime. Disturbingly, 85 per cent of women agreed that domestic violence is justified under certain circumstances. Violence begins early in relationships, as 38 per cent of 15–24-year-old survey respondents reported partner violence. Twenty-one per cent of ever-partnered women had experienced at least one act of sexual violence in their lifetime and more than 25 per cent reported that their partner took their money.

The Samoa Family Safety Study, commissioned by the Ministry of Women, Community and Social Development, released in July 2017,⁶⁰ found high levels of family violence against women, children, disabled persons and the elderly. The national public inquiry into family violence by Samoa's National Human Rights Institute – the first such inquiry ever carried out in a PICT – took place over 2 years, 2016–2018. The report, released in October 2018 with the subtitle *Let the TRUTH be Out and RIGHT be Done*,⁶¹ uncovered high levels of seemingly normalised intra-family violence, including against children, wives who are from outside the village (*nofotane*), trans females (*fa'afafine*) and between male family members. The public inquiry was an unprecedented, far-sighted initiative that uncovered aspects of family violence which were not being recognised, and highlighted “underlying misconceptions related to the term human rights” and the need for “dialogue at all levels on the status of women and inequities present in the current way of life”.⁶² Samoa has called for “proactive leadership by village councils, church leaders and government” to address the problem of violence in a holistic way and try to end it, including by drawing on the interlinked cultural values of *fa'asamoa*, human rights and Christianity.

Besides more regular surveys of violence against women, data from police, hospitals, NGOs and other service providers could usefully be collated on a regular basis so that trends can be seen and the impacts of new legislative, policy and community-based interventions monitored and evaluated.

Violence and discrimination commonly experienced by LGBTIQI (lesbian, gay, bisexual, transgender, queer or questioning, and intersex) persons have tended, until recently, to largely remain under the radar, and the focus on high levels of intimate partner violence may have left other forms of family violence less examined. The submission made to the Constitutional Review Commission in Fiji in 2012 by Fiji-based lesbian, bisexual and transgender feminist and human rights group DIVA for Equality changed that.⁶³ DIVA's effective organisation of LBT women, and recent publication of the results of pioneering evidence gathering research on the lifetime experiences of human rights violations by LBT persons,⁶⁴ has uncovered this formerly hidden or ignored dimension of gender-based violence that flies in the face of Fiji's constitutional protection for all persons from discrimination on the basis of sexual orientation, gender identity and expression.

POLICIES, LEGISLATION AND ACCESS TO JUSTICE

All but one of the PICTs are states parties to, or have signed, CEDAW and have begun to address gender discriminatory policies and laws. However, with the exception of RMI which has comprehensively reviewed its domestic laws in preparation for CEDAW-compliant legislative reform, much more work is required for PICTs to comply with their CEDAW obligations.

In the last five years, some existing laws have been amended and new laws have been introduced to strengthen legislative frameworks to end violence against women in PICTs. All countries have domestic violence legislation, pending legislation (Niue), or partial legislation on domestic violence. In FSM two states have domestic violence laws while two do not. Table 3 provides detail on each country or territory's laws and dates of enactment.

60 Ministry of Women, Community and Social Development 2017. 2017 Samoa family safety study. Apia, Samoa: Government of Samoa. Available at: <https://library.nzfvc.org.nz/cgi-bin/koha/opac-detail.pl?biblionumber=5617>

61 NRHI 2018. National public inquiry into family violence in Samoa. Apia, Samoa: Samoa Office of the Ombudsman / National Human Rights Institution. Available at: https://ombudsman.gov.ws/wp-content/uploads/2018/09/National-Inquiry-Report-into-Family-Violence_-_State-of-Human-Rights-Report-2018-SUMMARY_English.pdf

62 Samoa National Report for Beijing+25.

63 Diverse Voices and Action for Equality (DIVA) 2012. Submission to the Constitution Review Commission of Fiji.

64 DIVA for Equality 2019. Unjust, unequal, unstoppable: Fiji lesbians, bisexual women, transmen and gender non conforming people tipping the scales toward justice. Suva, Fiji: DIVA. Available at: https://drive.google.com/file/d/1D2YiPOQb_erOxBK2rdRt45Z8mEB1no0z/view?fbclid=IwAR1heHPXMzf6lby-6QNntdGX8y_

Table 3. Pacific Island countries and territories domestic violence legislation.

Country/territory	Legislation	Date of Legislation
Cook Islands	Family Protection and Support Act	2017
Fiji	Family Law Act and amendment by Decree	2003 and 2012
	Domestic Violence Decree	2009
	Crimes Decree	2009
FSM		
· Pohnpei	Domestic Violence Act	2017
· Kosrae	Family Protection Act	2014
· Chuuk		
· Yap		
French territories	Covered under French law by Law 2010-769: Violence Against Women, Violence Between Spouses, and the Effects of These Types of Violence on Children	2010
· New Caledonia		
· French Polynesia		
· Wallis and Futuna		
Kiribati	Family Peace Act	2014
Nauru	Domestic Violence and Family Protection Act	2017
Niue	Niue Family Bill	Drafted 2016
Palau	Family Protection and Domestic Violence Act	2014
PNG	Family Protection Act	2013
	Lukautim Pikinini Act	2015
RMI	Domestic Violence Prevention and Protection Act	2011
Samoa	Family Safety Act	2013
	Crimes Act	2013
Solomon Islands	Family Protection Act	2014
Tonga	Family Protection Act	2014
Tuvalu	Family Protection and Domestic Violence Act	2014
Vanuatu	Family Protection Act	2008

Source: For all except Niue and French territories source is Government of Australia 2018. *Legislative Barriers to Gender Equality in Pacific Island Countries (draft)*; Niue information sourced from *Pacific Women Shaping Pacific Development Website* <https://pacificwomen.org>; French territories information sourced from <http://www.loc.gov/law/foreign-news/article/france-law-on-violence-against-women/>

A number of countries are also reviewing their legislation relating to sexual assault, rape and sexual abuse of minors. In many countries the legal definition of rape continues to exclude penetration by objects other than a penis or requires corroboration of the assault. There are also some countries that do not consider marital rape as a form of sexual assault. Palau reported to the Human Rights Council (HRC) Working Group on the Universal Periodic Review in January 2016 that “by removal of marriage as a defence”, marital rape is now a crime of sexual assault in Palau.

Few PICTs formally cover sexual harassment in the workplace and where it is addressed it is generally only dealt with as a policy issue through guidelines or codes of conduct within public service employment. In Fiji, sexual harassment complaints can be directly dealt with using the law. In Kiribati and Solomon Islands the law can be used if sexual harassment complaints are filed as sexual assault cases.⁶⁵ Tonga undertook a gender audit in its public service in 2018, and for the first time recognised gender-based bullying and harassment as offences.

Violence against women is included in the 2018 National Security Strategy Policy of Samoa. A number of countries have adopted policies and laws to address cybercrimes including bullying and stalking. Fiji’s Online Safety Act 2018 is an example and under the legislation an Online Safety Commission has been established to receive and assess complaints and refer cases for investigation.

A number of PICTs have adopted ‘zero tolerance’ and ‘no drop’ policies on gender-based violence. These include the Cook Islands, Fiji, Solomon Islands, Tonga and Vanuatu. The domestic violence legislation (Table 3) contains provisions

⁶⁵ ILO Office for Pacific Island Countries 2015. *Eliminating sexual harassment in workplaces in the Pacific Policy Brief*. Suva, Fiji. Available at: https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-suva/documents/policy/wcms_407363.pdf

that protect victims of domestic violence by authorising police and judiciary officers to execute restraining orders and police protection orders to keep perpetrators away.

Between 2012 and 2016, the Fiji Women's Rights Movement (FWRM) reported that seven out of ten restraining order applications were by women and that in the three years preceding 2017 these restraining order applications had more than doubled.⁶⁶

Access to justice, protection and support for victims and survivors of violence against women have improved in some PICTs but this is still a major issue for women in rural and remote areas. Counsels for the Director of Public Prosecutions Office in Fiji have assisted victims of violence who are disabled to strengthen their court cases so that perpetrators are convicted.

The collaboration among governments, NGOs and donor partners has resulted in manuals and protocols for service providers to victims and survivors of violence against women. Several PICTs have also reported that gender-based violence training programmes and sensitisation regarding victims and survivors of violence against women have been instituted for police and judicial officers. Besides donor partners, the Fiji Women's Crisis Centre has been involved in these programmes in Vanuatu and Tuvalu.

Police forces in a number of countries, for example the Cook Islands and RMI, have established domestic violence units to provide more specialist and supportive services.

In 2018, Fiji sought to improve referral networks through the launch of a National Gender Based Violence Service Delivery Protocol. Besides the long-standing Fiji Women's Crisis Centre's 24/7 helpline, a domestic violence helpline was established by the government in 2017 to provide free 24-hour counselling to women. The Ministry of Women, Culture, and Poverty Alleviation also launched a toll-free child helpline. Solomon Islands has SAFENET, a network of service providers specifically for violence against women cases, established in 2013 but implemented from 2016. Through SAFENET, women and girls have access to essential health services, including reproductive and sexual health services, maternal health, mental health and social welfare services. In 2018 the SAFENET referral system began to be rolled out to the provinces with support from UN Women. The rollout is continuing in 2019 financed by the Pacific Partnership.

Whilst shelters and safe houses for victims and survivors have been established in a number of countries (Fiji, Tonga, the Cook Islands), they are still not available in other countries (RMI, Nauru, Kiribati), and there are not enough of them to adequately meet the needs of all victims and survivors and their dependents. This is especially the case for remote localities and outer islands. In Fiji and Tuvalu, modest cash transfer or voucher programmes have been established to temporarily support victims.

Several countries have also reported that registered counsellors are being provided to support victims and survivors. However, it is not very clear what type of education and training these counsellors have undergone, and the nature of the counselling support provided. Research on counselling services for survivors of violence against women was conducted in 2016 and is being used to guide work on counselling training.⁶⁷

Despite the adoption of family protection and domestic violence legislation, statistics continue to "reflect the grim and horrific reality" for women in Fiji⁶⁸ and other PICTs. In condemning the brutal killing of a woman by her estranged husband on 23 August 2019, Ms Nalini Singh, Chief Executive Officer (CEO) of the FWRM said "Yet again, we add another death to the gruesome statistics we have for fatalities through domestic violence in our country. When will this stop? When will society decide that enough is enough? Women and children should be safe in their homes, schools and workplaces."⁶⁹

66 Sumner C., Lister L. and FWRM Gender and Transitional Justice Team 2017. *Balancing the scales: Improving Fijian women's access to justice*, p. 22. Suva, Fiji: FWRM. Available at: http://www.fwrmm.org.fj/images/fwrmm2017/publications/analysis/Balancing-the-Scales-Report_FINAL-Digital.pdf

67 DFAT (Australia's Department of Foreign Affairs and Trade) 2017. *Review of counselling services in the Pacific final report*, Pacific Women Shaping Pacific Development. Available at: https://pacificwomen.org/wp-content/uploads/2017/08/ReviewofEVAWCounsellinginthePacific_FINAL_April2017.pdf

68 Narayan V. 2019. FWRM strongly condemns brutal and horrific killing of Fijian women. *Fijivillage News*, 22 August 2019. Available at: <https://fijivillage.com/news/FWRM-strongly-condemns-horrific-and-brutal-killing-of-Fijian-women-in-intimate-partner-violence-92rk5s>

69 Nacei L. 2019. FWRM decries brutal killing. *Fiji Times*, 24 August 2019, p. 4.

AWARENESS RAISING AND EFFORTS TO END VIOLENCE AGAINST WOMEN

National and community-level campaigns to raise awareness on gender-based violence and build understanding that it is wrong have been reported by many countries. These campaigns have involved cooperation between government agencies, NGOs and church groups, as well as donor partners such as Oxfam. The Sixteen Days of Activism and associated series of ‘international days’ has been mentioned as central to these campaigns by a number of PICTs, and in Palau the annual ‘White Ribbon’ campaign is used to raise awareness among men and boys about violence against women. The Ministry of Justice’s Bureau of Public Safety organises the ‘White Ribbon’ community campaign. A global initiative, this is a movement of men and boys to end violence against women and girls, and promote gender equity, healthy relationships and a new vision of masculinity. It seeks to transform attitudes and sensitise men and boys on this issue. In its report to the HRC Working Group in January 2016, Palau reported that “the enactment of the FPA [Family Protection Act] and subsequent increase in public awareness of the law has resulted in an increased number of cases [of violence against women] being reported”.⁷⁰

Fiji reported that 64 local communities are certified as ‘zero tolerance of violence’ villages. In Samoa, the Ministry of Women, Community and Social Development has collaborated with chiefs, church leaders and community groups to raise awareness about domestic violence. The Safer Families, Safe Villages campaign in 30 villages and groups across Samoa is seeking to change attitudes, mindsets and encourage zero tolerance towards violence. Samoan NGOs have taken up this campaign in other districts.

CHALLENGES AND AREAS FOR ACTION

Progress has been made towards ending violence against women, including greater awareness about its widespread presence and negative consequences for victims/survivors, their families and wider society. This in turn has led to the criminalisation of sexual and gender-based violence in almost all PICTs.

Resourcing of facilities and support services is a critical challenge for all PICTs. In a number of countries, protocols and manuals have been put in place to support empathetic assistance and coordinated service delivery to victims and survivors, and in some cases access to justice has been improved. However there are still countries where facilities and support services for victims and survivors of violence against women are very limited. The absence or small number of shelters, lack of counsellors, and poor transport and communication options in remote locations and outer islands all increase risks for women dealing with violence.

Reporting of violence against women remains a major issue in all PICTs due its normalisation, social stigma, and women’s fear of isolation or retaliation from families and/or partners. As was noted in the BPA+20 review, and as is reflected in demographic and health survey data, intimate partner violence is commonly condoned and perceived as a normal aspect of relationships between men and women. In a number of countries both men and women justify violence against women. In RMI the WUTMI survey showed that 85 per cent of the women respondents believed that violence against women was justified in certain circumstances. In Solomon Islands, 69 per cent of the women surveyed similarly indicated that violence against women was justified under certain circumstances compared to 65 per cent of the men respondents. In Vanuatu, a 2011 survey indicated that 60 per cent of the women felt that a man could beat his wife for certain reasons. “Such widespread attitudes of tolerance of violence against women are likely to generate a climate of minimisation of women’s experiences of violence, and to deter reporting. In addition, small populations and a lack of privacy in communities often create peer pressure and stigma against reporting.”⁷¹

Maintaining current statistics on violence against women is an ongoing challenge. Without accurate data trends in incidences of violence against women, progress cannot be monitored and neither can the effectiveness of policy and laws be assessed, and if necessary strengthened. There is scope for closer cooperation and coordination of efforts among service providers such as police, health workers, NGOs and donor partners.

Access to justice remains a major problem for women as the cost of taking matters to the courts is beyond the means of nearly 50 per cent of women (in Fiji). Even though there is a ‘no drop’ policy, women find that police continue to direct them to resolve intimate partner violence privately. And even though there are numerous Legal Aid Commission offices in the country, these have been used by twice as many men as women, as men tend to be accused of criminal

70 Human Rights Council Working Group on the Universal Periodic Review Twenty-fourth session, 18–29 January 2016. National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21 Palau. A/HRC/WG.6/24/PLW/1, p. 19. Available at: https://www.upr-info.org/sites/default/files/document/palau/session_24_-_january_2016/a-hrc-wg.6-24-plw-1-e.pdf

71 SPC 2015. Beijing+20: Review of progress in implementing the Beijing platform for action in Pacific Islands countries and territories, p. 49. Noumea, New Caledonia: SPC.

offences.⁷² Ambassador Nazat Shameem Khan, speaking at a conference of Fiji Legal Aid Commission officers, observed that, "...women and girls still found it difficult to report domestic violence and sexual assault to the police and justice system ... There are women and girls who are choosing not to come before the court and we must ask ourselves how well does the justice system treat them?"⁷³

RECOMMENDATIONS

The following recommendations on violence against women were made by delegates at the 13th Triennial Women's Conference. Delegates:

- recognised the need for effective partnerships between academics, governments, CROP agencies, development partners and the private sector to conduct studies, gender analysis and participatory research to generate knowledge on...causes and social and economic impacts of gender-based violence, and strategic approaches to address harmful social norms;
- urged governments to adopt, review and implement legislative measures to address all forms of sexual and gender-based violence in all areas of life;
- called on the public and private sectors to improve working conditions for women by supporting enterprises to introduce and strengthen violence and harassment policies and conduct gender audits to identify measures to ensure gender equality at all levels, establish respectful and safe workplace environments for women and men, and enable reconciliation of work and family responsibilities;
- encouraged the development and strengthening of partnerships between women and men, and between government institutions, civil society organisations (CSOs), faith-based organisations, unions and the private sector to:
 - a) establish high-level corporate leadership of gender equality to advance policies for addressing gender-based violence, discrimination and sexual harassment, and promote the appointment of women to leadership positions; and
 - b) support the initiatives of CSOs to challenge harmful gender norms, gender-based violence and discriminatory practices, and to promote equality and the human rights of women and girls of all diversities; and
- called on PICTs, CROP agencies and development partners to establish or support the implementation of and reporting on existing commitments with accountability mechanisms that demonstrate: development and implementation of legislative measures, policies and programmes to eliminate gender-based discrimination and violence and harmful gender norms in the workplace.

OPINION PIECES

WOMEN AND DOMESTIC VIOLENCE

Teretia Tokam, Kiribati

Twenty-five years ago, violence against women was considered a taboo or a private matter. Studies have found that the prevalence of violence is high and that it is more severe in developing countries. Kiribati, like most other countries in the Pacific region, is a legal pluralist nation. Both traditional customs (informal laws) and the democratic government system (formal laws) are recognised and respected in every aspect of the community and government structure.⁷⁴ Kiribati is a male-dominated country or a patriarchal society, where men by virtue of their sex have more power than women in terms of social, economic and political life. Kiribati is a less developed country and our women face the burden of not only poverty but also high levels of violence.

The 2008 research on violence against women in Kiribati, supported by SPC, found that the rate of gender-based violence in Kiribati was then the highest in the Pacific region. As a result, with the support of civil society and community leaders, violence against women issues were brought to the forefront of the Government's agenda, thus making it a public matter. The study found that 68 per cent of I-Kiribati women between the ages of 15 and 49 years had ever

72 Sumner C., Lister L. and FWRM Gender and Transitional Justice Team 2017. Balancing the scales: Improving Fijian women's access to justice. Suva, Fiji: FWRM. Available at:

http://www.fwrp.org.fj/images/fwrp2017/publications/analysis/Balancing-the-Scales-Report_FINAL-Digital.pdf

73 Nasiko R. 2019. Khan: Reconciliation remains a challenge. Fiji Times, 23 August 2019.

74 Jalal I. 1998. Law for Pacific women: A legal rights handbook. Suva, Fiji: FWRM. Available at:

<https://pacificwomen.org/resources/law-for-pacific-women-a-legal-rights-handbook-and-supplement-to-law-for-pacific-women/>

experienced physical and/or sexual violence by their partners. For the first time in the history of Kiribati, this issue of violence against women, or domestic violence, was brought the attention of local communities, te unimwaane or old men, women's groups, government bodies, and regional and international organisations, and they were encouraged to work together and develop strategies to address the problem. In 2009, the first motion (Motion 20) to combat violence against women was tabled in parliament and was unanimously supported by all members. The policy and a 10-year national action plan to eliminate gender-based violence in Kiribati (2011–2021) was endorsed by Cabinet in 2011. In 2013 two landmark things happened: the new Ministry of Women, Youth and Social Affairs (MWYSA) was created; and domestic violence legislation called Te Rau n te Mweenga Act of 2013 (meaning family peace) was passed by members of Te Maneaba ni Maungatabu, or House of Parliament. These remain as the two biggest achievements of the combined efforts to address the problem of violence against women. The MWYSA began implementing intervention programmes and primary prevention programmes at the village and national level with support from development partners. A series of national consultations and trainings were conducted with key government bodies such as the police and judiciary and with the wider community both in urban and rural centres to raise awareness about the law and ministry.

In 2018 a new centre called the Kiribati Women and Children Support Centre (KWCS) was established in response to the problem of limited support services for survivors of gender-based violence. It is the first, and only, formal advocacy and crisis counselling service in Kiribati. Data from the centre revealed that there is an increasing number of women and girls who are seeking assistance from the centre. Most women who came to the centre expressed their feelings of relief and said that this kind of centre should have been established ten years ago. One client told KWCS: "I didn't know where to go to when I am badly hit by my husband, now, I know that there is a centre that will support me when my husband abused me again..."

Between 2018 and 2019 another study, the Kiribati Social Development Indicators Survey (KSDIS), was conducted in Kiribati and the findings showed that 67 per cent of women between ages 15 and 49 had ever experienced physical and/or sexual abuse by their intimate partners. The findings gave a clear message that the prevalence of violence remains high in Kiribati. The findings of the studies are that both a patriarchal society and gender inequality are the causes of violence against women. Feminist theorists also argue that both a patriarchal society and gender inequality are the root causes of domestic violence undermining women's autonomy and human rights at all levels. Moving forward, we have realised that one of our key focus areas has to be addressing cultural gendered norms because they are key indicators and root causes of the problem. The cultural gendered norms are components of a male dominant society or a patriarchal system that perpetuates violence against women.

This is an indicator on what programmes are required for the government to do in order to address the root causes of the problem. Kiribati needs a new plan and a set of goals to combat the prevalence rate and cultural practices that undermine the protection and realisation of women's human rights in Kiribati. And we need all of our people to implement the plan for us as a nation to make sure all of our people live their lives without the fear and terror of violence.

OPEN LETTER FROM DAME MEG TAYLOR DBE TO THE PEOPLE OF PAPUA NEW GUINEA⁷⁵

I write this as a Papua New Guinean and a daughter of this nation.

I believe in the rights of women. I believe that the Constitution of the Independent State of Papua New Guinea, the Mama Lo, safeguards the place of women in our nation.

I understand the strengths and limitations of our cultures and customs. It is with this in mind that I must acknowledge, at the outset, the women of my homeland; the mothers, sisters and girls that make-up the silent majority that serve our families and communities on a daily basis.

As will be the case with many Papua New Guineans today, I too have followed with deep regret and great sadness the stories surrounding the brutal death of a young girl and mother – Ms Jenelyn Kennedy. Hers was a death so violent that it brought me to my knees.

And yet, hers is not a death of an extraordinary nature. Indeed, the frequency of cases like hers is why I have decided to pen this letter today. I believe that our society has reached a pivotal juncture where we must determine for ourselves if we, as a nation, will stand by and continue to tolerate these acts of horrendous violence or if we will take a stand and make a commitment towards real societal and behavioural change.

We need to dig deep into our hearts and minds and ask ourselves – how many more vicious and violent deaths need to happen in our homeland before we wake up to this serious social issue? How can we, as individuals and communities, stand up for and speak out on violence against women – violence in all forms.

⁷⁵ From <https://asiapacificreport.nz/2020/07/02/dame-meg-taylor-now-we-must-act-over-gender-based-violence-in-png/>

How can we encourage women to speak up? How can we encourage men to speak up with no fear of retribution – of payback?

So blinded by complacency?

Have we become so blinded by complacency, truly believing and trusting of the values that we as Christians share – love, respect, humility and generosity towards each other? These acts of violence and our related silence are demonstration of our disrespect and disingenuousness towards our Christian faith. It calls into question how our society values women and girls.

I firmly believe that women are the core of all societies – women birth life, they are the primary caregivers in all families, the conduit of societal teachings and values, the very core of all economies.

To look at our society today, I cannot help but ask: what kind of country are we building for the future generation when women and girls are tortured, abused and killed and where families know about abuse and torture and say nothing. This is exactly what is happening on a daily basis in our country.

In the most part, where we have failed is that my generation and the mothers and fathers of today have not guided our children, especially our sons, and instilled in them the values of caring, hard work and the honouring of family and community.

We have not instilled in our sons the primary values of respect. We make excuses and we go the extra mile for our sons whilst our daughters, from a very young age, carry burdens of responsibility.

When there is violence against women we settle the situation with compensation payments but we do little or nothing at all to help young families seek help and heal.

Laws are part of our solution to protect those who are assaulted and attacked but that is not enough. The responsibility rests with every citizen. Our behaviour and our attitude and how we fashion the society we want to live in will deliver this homeland of ours.

A duty and obligation

We have a duty and obligation to invest in the future of our country and the only way we can be assured of a safe place, is to invest in our children.

We have many good and decent people who want the best for our society and our future. We have so many kind and generous people who help others and work to build a better home.

Indeed, power and money has bred a new culture of greed and entitlement in pockets of our society – people who walk all over others and are not accountable for what they do.

This is not right. Don't let the death of this young woman Jenelyn and others who have died in such circumstance be in vain. Do your bit each day. Our shame is everybody's shame and we carry this burden until we are rid of it.

This country – our nation of a thousand tribes – is made up of each one of us and we are each responsible for how we live and how we care and protect women and girls.

Papua New Guinea, we are better than this. We can be a strong and confident people, but it will take a whole of society effort for all of us to stand up and be counted. Carry our shame and be rid of the brutality and violence toward women. We can do this, all together.

Let's speak up, speak out and be a form of strength in our communities as we advocate for change in our societies and homes. At the end of the day we must hold strong to the fact that the Kumul can only be magnificent and proud when both wings are strong – we need each other – this is all we have.

Dame Meg Taylor, DBE

Suva, Fiji

Disclaimer:

The views and opinions expressed above are those of the author and do not necessarily reflect SPC's official position.



A woman with dark hair, wearing a white shirt and a black vest, is speaking into a microphone. She is wearing a watch on her left wrist. The background is blurred, showing green trees and a yellow flag. The text "CRITICAL AREA E" is overlaid in white, bold, sans-serif font.

CRITICAL AREA E

WOMEN AND ARMED CONFLICT

INTRODUCTION

The strategic objectives under Critical Area E of the BPA are: (1) increase women's participation in conflict resolution at decision-making levels, and protect women living in situations of armed conflict and other conflicts or under foreign occupation; (2) reduce excessive military expenditure and control the availability of armaments; (3) promote non-violent forms of conflict resolution and reduce the incidents of human rights abuse in conflict situations; (4) promote women's contributions to fostering a culture of peace; (5) provide protection, assistance and training to refugee women, other displaced women in need of international protection and internally displaced women; and (6) provide assistance to the women of the colonies and self-governing territories.

The PPA of 1994 included among its 13 critical issues "peace and justice" and peace and security has been repeatedly flagged as a critical issue at SPC triennial conferences of women over the last 10 years. Delegates to the 11th Triennial Conference called for the development of both a regional action plan on women, peace and security and for national action plans where appropriate. The 12th Triennial Conference cited peace and security among emerging areas of work and the 13th Triennial Conference "acknowledged that peace and security are preconditions for women's economic empowerment and resilience".

The adoption of UN Security Council Resolution (UNSCR) 1325 on women, peace and security in 2000 provided a vehicle for advocacy on women, peace and security in the Pacific region. UNSCR1325 recognised the changing nature of war with civilian populations increasingly being targeted, the continued exclusion of women from peace negotiations and processes, the different ways that conflict and war impact on women, and the greater prospects of achieving a lasting peace if women are involved in the peace process. It also explicitly encouraged expansion of the role and contribution of women in UN peace-keeping operations.

The following actions under Critical Area E provided reference points for this chapter:

- recognise and address the dangers to society of armed conflict, the negative effect of excessive military expenditures, and the need to combat illicit arms trafficking, trafficking in illicit drugs and trafficking in women and children (143 (d));⁷⁶
- work actively towards general and complete disarmament under strict and effective international control, including nuclear disarmament (143 (f) (i) and (ii));
- encourage the further development of peace research with the participation of women to examine the impact of armed conflict on women and children and the nature and contribution of women's participation in national, regional and international peace movements, and identify innovative mechanisms for containing violence and for conflict resolution for public dissemination and for use by women and men (146 (b));
- reaffirm the right of self-determination of all peoples, in particular of peoples under colonial or other forms of alien domination or foreign occupation, and the importance of the effective realisation of this right (145 (a); and support and promote the implementation of the right of self-determination...by providing special programmes in leadership and in training for decision-making; (149 (a)); and
- ensure that the human rights of refugee and displaced women are protected and that refugee and displaced women are made aware of these rights (147 (k)).

CONTEXT AND PROGRESS

Although Critical Area E may seem inapplicable to a region where there are no active conflicts, all of its objectives have relevance for the Pacific region.

ARMED CONFLICT IN THE REGION

Women have played key roles in the recent past in working informally to end conflict and secure peace in PICTs. Notable preliminary facts on conflict and peace-making in the region include the following.

- Although formal peace talks have always excluded them, women have been strong mediators and negotiators in traditional settings including the armed conflicts in PNG and Solomon Islands.
- Significant regional disarmament occurred in a period marked by serious internal conflicts.

⁷⁶ Bhagwan Rolls S. 2006. Women as mediators in Pacific conflict zones. Available at: https://www.isiswomen.org/downloads/wia/wia-2006-2/02wia06_03Sharon.pdf

- Pacific societies have longstanding cultural practices of resolving disagreements and conflicts through dialogue as well as systems of restorative justice, and women are often traditionally bestowed with peace-making responsibility.
- Fiji and Samoa have earned solid reputations for their longstanding contributions of soldiers and police (including a small number of women) to UN peace-keeping missions in conflict-affected regions abroad, and several PICTs cooperated in a regional peace-keeping operation in Solomon Islands from 2003.
- Across the region and in difficult contexts women have played strong roles in fostering a culture of peace, establishing organisations for the purpose and providing training in peace-making skills.
- Two PICTs have had the challenging experience of hosting, under controversial contracts with Australia and for several years, large numbers of asylum seekers awaiting processing of their applications for refugee status, and have come under the spotlight for alleged breaches of human rights.
- Although it is an anachronism in the 21st century, colonies and territories remain a part of political reality in the Pacific.

While most women living in the region today have been spared the experience of armed conflict, many of their parents lived through the Second World War, in colonial times when the Pacific became a theatre of war, and had first-hand experience of the scourge of international war including, in some cases, displacement and military atrocities by enemy forces. Following the war, RMI and FSM as well as French Polynesia were subjected by the militaries of occupying powers to the horrors of nuclear weapons testing, the effects of which continue to be experienced today on both the environment and the health and well-being of communities. Nuclear testing in the Pacific, and the use of a Pacific island to send planes to bomb Hiroshima and Nagasaki, spawned a strong nuclear-free and independent Pacific movement, supported by independent Pacific Island states, which paved the way to the South Pacific Nuclear Free Zone Treaty of 1985.

In the post-independence period, the region has experienced two domestic armed conflicts. The 10-year mining war on the island of Bougainville in PNG ended in 1997 with almost 15,000 fatalities. In Solomon Islands, inter-ethnic tensions escalated from December 1998 to outbreaks of open conflict, involving the use of home-made and repurposed Second World War weapons by one side and modern weapons illegally seized from the police armoury by the other, and caused the loss of 50 lives before it ended. Law and order was restored with the help of an Australian-led regional assistance mission that remained in place for 10 years. In both conflicts women were subjected to sexual violence with many raped at gunpoint by combatants on both sides. At great risk to themselves, women bravely acted to try and end the fighting and get combatants to disarm.⁷⁷ Both Bougainville and Solomon Islands are post-conflict societies, with unfinished healing processes.

Fiji has not experienced armed conflict, although its people have suffered the traumas of four military coups since 1987, with disturbing impacts: inter-ethnic tensions, temporary displacement of terrorised communities, and detention, beatings or degrading treatment of dissidents including women activists. Fiji's army is male-dominated and still predominantly comprised of one ethnic group.

Continuing struggles for independence in the region have been marked by periods of violence or ongoing armed conflict. The last incidents of armed resistance to French rule in New Caledonia took place in 1988/1989, but the demand for sovereignty remains strong in both New Caledonia and French Polynesia. Both territories are now on the UN Decolonisation Committee list and New Caledonia has just completed the first of three referendums on independence provided for under the Noumea Accord.⁷⁸ West Papua's struggle for independence from Indonesia has been the most difficult and violent, and Pacific leaders have difficulty reconciling region-wide abhorrence of human rights violations in West Papua (brought to light through social media) with recognition by most Pacific governments of Indonesian sovereignty over the territory.⁷⁹

77 Garasu L. 1996. The role of women in promoting peace and reconciliation. BICWF Forum for Peace Workshop. Accord 12. Available at: <https://www.c-r.org/accord-article/role-women-promoting-peace-and-reconciliation>; and Fangalasuu J., Maetala R., Rodi P., Vota A. and Wickham E. 2011. Herem kam: Story blong Mifala Olketa Mere, Women's Submission to the Solomon Islands Truth and Reconciliation Commission. Honiara, Solomon Islands. Available at: <https://www.ictj.org/sites/default/files/Solomon-Islands-TRC-Submission-Sept-2011.pdf>

78 As per the 1998 Noumea Accord, New Caledonia will hold three referendums to determine a new political status between 2018 and 2022. The first, held in November 2018, resulted in a 43.33 per cent vote in favour of independence, much higher than predicted (15–30 per cent). In 2013 the UN General Assembly adopted a consensus resolution tabled by Nauru, Tuvalu and Solomon Islands and voted to put French Polynesia back on the UN decolonisation list.

79 Maclellan N. 2000. Historical moment for West Papua at Forum., Pacific News Bulletin, November.

Recounting the Pacific’s experiences with conflict and war, past and present, helps us appreciate the relevance of BPA Critical Area E to this region, and the significance of positive developments that have occurred over the years since the adoption of the BPA.

Two positive developments emerged from the conflicts in both PNG and Solomon Islands. The first is women’s autonomously initiated efforts to end the conflict and bring about peace and reconciliation during the hostilities⁸⁰ and alongside peace talks. Their courageous efforts during the fighting have gone into the annals of herstory on peace-making in the region. Second is the surrender and disposal of weapons that was accomplished as part of the peace processes that ended both conflicts. A Pacific-wide “consensus on disarmament”⁸¹ reportedly emerged after the Bougainville war ended, through which several Pacific Island states accepted Australian and New Zealand help in better securing their armouries and agreed to the destruction of much of their firearms stock.⁸² This consensus on disarmament among Pacific Island states was remarkable. That it was accomplished in a region in which only three Pacific Island states have standing armies, and most have unarmed police, does not diminish the political significance of these concrete steps consciously taken to minimise the risk of armed conflict in future.

PROMISING PRACTICE

Following the peace talks, Solomon Islands destroyed the entire arsenal of its police force, making the country a “gun-free nation” with “only a handful of specially trained police permitted to carry arms”.

PROMISING PRACTICES

This section highlights some of the promising practices by PICTs since the last regional report on BPA implementation, which align with the objectives of Critical Area E of the BPA, the peace, security and justice concerns of the 1994 PPA, SDG 16 (Peace, justice and strong institutions), and UNSCR1325.

Fostering a culture of peace

Most PICTs, as mentioned, have no military, their police forces are unarmed, and they are intent on remaining so. This is a conscious policy that is eloquently articulated in Samoa’s Beijing+25 report: “Respect for the rule of law has been an integral part of Samoa’s 55-year journey as an independent nation.” Peace and security are maintained by “cultural institutions and the traditional chiefly system”, and constitute a core part of Samoa’s village governance structure, in which women’s committees play an important role.⁸³

PROMISING PRACTICE

“Samoa has no regular military forces, doesn’t belong to a military grouping and has only a small civilian police force, and its only defense and shield against threats of aggression is the rule of law and international justice.”

*National Review Report
Beijing+25*

Longstanding traditions of women playing peace-making roles are often referenced in PICTs. RMI’s report for Beijing+25 records that in traditional Marshallese society, women are integrally involved in decision-making and peace-keeping, and this is reflected in traditional proverbs such as Lejmaanjuri, which vests mothers and older sisters in each family with responsibility for peace-making – to “keep the peace and stop fights between male members of the family.”⁸⁴ The traditional role given to and played by mothers and sisters in peace-making is also known in Fijian society. Pollard has described how different cultures in Solomon Islands provide means for women to intervene in conflicts to resolve them.⁸⁵ In Areare culture, “women intervene by using their clothes, words or body contact”⁸⁶ to bring fighting to an immediate end and commence negotiations for reconciliation and compensation.

80 For further information on the role played by women in trying to get both parties in the conflict to disarm and bring an end to the Bougainville war, see Garasu L. The role of women promoting peace and reconciliation, in Carl A. and Garasu L. (eds) 2002. Accord: Weaving consensus—the Papua New Guinea-Bougainville Peace Process. London: Conciliation Resources, pp. 28–31. Available at: <http://www.c-r.org/resources/weaving-consensus-papua-new-guinea-bougainville-peace-process>. For more information on the role played by the Women for Peace group in Solomon Islands in trying to “convince the fighting parties to lay down their arms” and enter into peace negotiations, see Pollard A.A and Liloqula R. 2000. Understanding conflict in Solomon Islands: a practical means to peacemaking, SSSGM Discussion Paper 00/7. Canberra, Australia: ANU; and Fangalasu J., Maetala R., Rodi P., Vota A. and Wickham E. 2011. Herem kam: Story blong Mifala Olketa Mere, Women’s Submission to the Solomon Islands Truth and Reconciliation Commission. Honiara, Solomon Islands. Available at: <https://www.ictj.org/sites/default/files/Solomon-Islands-TRC-Submission-Sept-2011.pdf>

81 Alpers P. 2015. The Pacific region lives up to its name with disarming success. The Conversation, 27 February, 2015. Available at: <https://theconversation.com/the-pacific-region-lives-up-to-its-name-with-disarming-success-36134>

82 Ibid.

83 Government of Samoa 2019. Beijing+25 Samoa national report. Available at: <https://www.unwomen.org/-/media/headquarters/attachments/sections/csw/64/national-reviews/samoa.pdf?la=en&vs=801>

84 RMI. 2019. National review for the Beijing+25. Available at: https://www.unwomen.org/-/media/headquarters/attachments/sections/csw/64/national-reviews/marshall_islands.pdf?la=en&vs=1901.

85 Pollard A.A. 2000. Resolving conflict in Solomon Islands: The Women for Peace Approach. Development Bulletin, Conflict and Peacemaking in the Pacific: Social and Gender Perspectives 53: 44–46.

86 As Pollard illustrates with an example, body contact is tambu but can be suggested as having happened by words (“you have stepped over my legs”), compelling compensation.

Global arms control

In its national report for Beijing+25, Samoa expressed the view that “small arms and light weapons in the wrong hands can cause instability, encourage criminal activities, disrupt peace and hinder sustainable development.” Samoa joined global efforts to reduce the possibilities for armed conflict by ratifying the Arms Trade Treaty in 2014 and submitting a comprehensive report on its compliance with the UN Programme of Action Addressing the Illicit Trade in Small Arms and Light Weapons in 2016. It also ratified the Biological Weapons Convention in 2017.

In 2018, Samoa also hosted a regional Pacific Island states parliamentary workshop, attended by legislators from across the Pacific region, to advocate for improved compliance with the UN Programme of Action on Small Arms and Light Weapons. The workshop highlighted the importance of encouraging the participation of women parliamentarians in defence and security. Samoa is currently undertaking work to develop a small arms and light weapons database to be administered by the Ministry of Police, and this is aligned with its National Security Policy 2018.

Four Pacific Island states – the Cook Islands, Palau, Samoa and Vanuatu – have ratified the landmark Treaty on the Prohibition of Nuclear Weapons (2017). The treaty, which resulted from a long campaign spearheaded by the International Campaign Against Nuclear Weapons, outlaws nuclear weapons and makes long overdue provisions for victim assistance and environmental remediation. It offers the possibility of some degree of justice to Pacific Islanders in countries of the region which continue to suffer intergenerational health and environmental effects of the nuclear tests perpetrated by colonial powers, and the danger of nuclear waste buried on their islands. The treaty rekindles hope that global nuclear disarmament, as called for by the nuclear-free and independent Pacific movement in the 1970s and 1980s, will one day be achieved.

Eleven Pacific Island states have become states parties to the UN Convention against Transnational Organized Crime (UNTOC).⁸⁷ Fiji, Kiribati, FSM, Nauru and Palau have also ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children supplementing UNTOC. Four Pacific Islands states have become states parties to the second protocol under UNTOC against the Smuggling of Migrants by Land, Sea and Air,⁸⁸ and three have ratified UNTOC’s third Protocol against Illicit Manufacturing of and Trafficking in Firearms, the Parts and Components and Ammunition.⁸⁹ Ratification of these international laws by Pacific Island states shows commitment to helping combat transnational organised crimes that significantly impact on the safety and security of women and girls, namely trafficking in persons and in firearms and ammunition. Palau has also introduced a human trafficking office and a temporary shelter.

Participation of women in peace-keeping and security services

In 2007, Cook Islands withdrew its reservation on Article 11 (2) (b) of CEDAW, regarding women’s recruitment into or service in the armed forces and law enforcement agencies “in situations involving violence or threats of violence”. Following the establishment of the Regional Assistance Mission to Solomon Islands (RAMSI) in 2003 and with the support of the Australian and New Zealand governments, 22 Cook Islands police personnel including four women were trained for armed conflict situations, and served for up to nine months on assignment in Solomon Islands, progressing BPA and UNSCR1325 with respect to ensuring appropriate representation of women in the police force in peace-keeping missions. Tuvalu also contributed two policewomen to RAMSI for peacekeepers duties in Solomon Islands.

Fiji currently has a little more than 100 women soldiers including officers deployed in peace-keeping missions abroad. Fiji reported on appointments of women to senior military leadership positions within the Republic of Fiji Military Forces as indicative of Fiji’s commitment to gender equality. The senior appointments include one full colonel, two lieutenant colonels, one major, 12 other commissioned officers, the first ever female Chief of Staff Land Force Command, and the first female Commanding Officer at the Logistic Support Unit. With the acquisition in 2018 of navy vessels equipped with facilities for women, Fiji will be moving to recruit women into the Navy. Fiji also aims to double the number of women within the military by 2020.⁹⁰

Samoa’s women police officers have been an important part of Samoa’s contributions to UN peace-keeping efforts since 2000. Thirty-nine female police officers have been sent on peace-keeping missions. In 2017 Samoa signed the UN voluntary compact between the United Nations Security Council and states involved in supporting UN operations on the ground such as peace-keeping to prevent and address sexual exploitation and abuse.

87 Cook Islands, Fiji, Kiribati, RMI, FSM, Nauru, Niue, Palau, Samoa, Tonga and Vanuatu.
<https://www.unodc.org/unodc/en/treaties/CTOC/signatures.html>

88 Fiji, Kiribati, Nauru and Palau.

89 Fiji, Nauru and Palau.

90 Boyle M. 2019. RFMF to increase women recruits. FBC News, 14 June 2019. Available at:
<https://www.fbcnews.com.fj/news/rfmf-to-increase-women-recruits/>

Women, peace and security action plans

In October 2012, the Pacific Islands Forum adopted a Regional Action Plan on Women, Peace and Security (2012–2015). The action plan was developed by the Working Group for Women, Peace and Security which was set up on the 10th anniversary of UNSCR1325 by Forum member states, CROP agencies, UN agencies and civil society. The Working Group comprised representatives from Solomon Islands Government, PIFS, FemLINKPacific, UNDP, UNFPA, UN Women, SPC and the Office of the United Nations High Commissioner for Human Rights (OHCHR). Sustained independent advocacy efforts over several years by FemLINKPacific and its partners for regional implementation of UNSCR1325 had paved the way to this inter-governmental initiative.

The Regional Action Plan provides a framework to support regional and national efforts in: (1) utilising and enhancing women's capabilities as peace-builders, including at state institution levels, to provide a secure and conflict-free environment for our communities; (2) increasing the visibility and active participation of women in conflict prevention and peace-building activities, including by increasing women's engagement with and in security sectors; and (3) ensuring necessary frameworks of protection for women and girls during humanitarian crises and transitional and post-conflict situations.⁹¹ The first two elements of the plan could potentially produce a sea change in security policy protocols with the inclusion of women in formal conflict prevention, management and post-conflict recovery efforts, and at the same time effect transformation in how women are perceived – no longer simply as victims, but as effective agents of change.

A number of PICTs subsequently adopted national action plans on women, peace and security. Solomon Islands' Women, Peace and Security National Action Plan (WPS-NAP) (2017–2021) was adopted in 2017. Based on the UNSCR1325 priorities, WPS-NAP's four priority outcomes are: (1) women's participation, representation and decision-making in peace and security are expanded at all levels; (2) women's human rights are protected, and women are secure from sexual and gender-based violence; (3) Solomon Islands actively prevents conflict and violence against women and girls; and (4) women's and girls' priorities and rights are reflected in development and peace building.⁹²

Solomon Islands also planned to mainstream women, peace and security at the provincial level by formulating four gender and women's policies for Malaita, Guadalcanal, Western Provincial Governments and the Honiara City Council, with priority outcomes on women, peace and security. A new national security strategy makes protecting the rights of all citizens a national security goal, and explicitly states a concern to "ensure that women, youth and children's perspectives are incorporated into the security efforts of Solomon Islands". The plans and strategy reflect political will, but Solomon Islands admits it lacks the resources, capacity, knowledge and skills to implement them, and in some provinces there is neither a specific women's policy nor a mandate on peace and security and no infrastructure to bring women together to collaborate. According to the national report, there is a need "to establish women's desk officers and peace officers in some provinces".

CHALLENGES AND AREAS FOR ACTION

The Pacific Ocean has become a major highway for drug smuggling and the vast dispersal of the many islands makes national borders porous to the illegal entry of contraband products. It is difficult for PICTs to adequately defend borders as they have very limited naval surveillance capacity. New drug smuggling routes between Central/South America and Australia via the Pacific Ocean, using methods of dropping a huge cache in the ocean secured in a net with GPS location identified for a pickup vessel, recently came to light after packages of cocaine/methamphetamine washed up on Pacific beaches after breaking free from their ocean moorings in rough seas. Worth millions of dollars on the Australian market, these dangerous drugs pose a worrying new external threat, with enormous security and criminal implications. According to the UN Regional Centre for Peace and Disarmament in Asia and the Pacific (UNRCPD), "despite its extensive maritime borders, the Pacific region suffers minimally from large-scale arms trafficking".⁹³

Minimising the risks of armed conflict

PICTs with national armies or armed constabularies can take further steps to minimise the risks of armed conflict by reducing risks of access to arms within national borders, and ensuring that the role of militaries is confined to providing defence from external threats.

91 PIFS 2012. Forum chair launch regional action plan on women, peace & security. Available at: <https://www.forumsec.org/forum-chair-launch-regional-action-plan-on-women-peace-security/>

92 Solomon Islands Government Women's Development Division Ministry of Women Youth Children and Family Affairs 2019. Beijing+25 national review report. Available at: <https://www.unwomen.org/-/media/headquarters/attachments/sections/csw/64/national-reviews/solomon-islands-en.pdf?la=en&vs=711>

93 The United Nations Programme of Action on Small Arms and Light Weapons. Available at: <http://unrcpd.org/conventional-weapons/poa/>

Mining wealth, guns and conflict

Another worrying threat to peace and stability in the region is the build-up of arms in the mining provinces of the PNG Highlands, and especially Hela province. Corporate mining of rich gas and oil fields has created new divisions, inequities and insecurities among people, igniting resentment and anger among those excluded or negatively impacted, which have begun to be played out in inter-tribal hostilities. The proliferation of guns, including high-powered weaponry, in the hands of young men is dramatically changing the dynamics and impacts of tribal warfare, increasing threats to women's security. Following a recent, uncommonly brutal massacre of women and children in the village of Karida in Hela province, attention was raised to the high risks of an internal conflict erupting in the region by humanitarian and community groups who reported that "the influx of high-powered weapons and an insufficient police force have emboldened tribal violence in Papua New Guinea's Highlands". Officials were reported as saying that local police were "ill-equipped" to combat tribal "warlords".⁹⁴ Hela highlights the enormous risks of pursuing extractives-based growth.⁹⁵

Reparations and compensation

Compensation claims for violations of women's rights during the conflict in Solomon Islands between 1998 and 2003 are still outstanding. Under the terms of the Townsville Peace Agreement, the government was to offer adequate reparations to victims of the conflict. However only 9 per cent of the claimants who received payments were women⁹⁶ and only two of the documented claims were for sexual harassment. Solomon Islands is committed to addressing the issue of reparations for violations of rights including those of women and girls. The Truth and Reconciliation Commission (TRC)⁹⁷ in its report recommended the development and adoption by parliament of a Reparation Bill, and the establishment of a Reparations Commission to hear and process reparation claims from victims of the conflict. The need for reparations to be made is also emphasised in the Solomon Islands' National Peacebuilding Policy and Framework. The Women, Peace and Security National Action Plan 2017–2022 calls for stronger attention and commitment by Solomon Islands to recovery, rehabilitation and reconciliation efforts that respond to the needs of women and girls. A Prime Minister's Reparations Steering Committee was established to enable discussion on government's reparation priorities. One of their key duties was to ensure the development of a national reparation framework, outlining activities towards the nation's healing through proper closure and providing economic skills training opportunities for all communities' well-being. The Steering Committee recommends that the principles of non-discrimination, restorative justice, empathy, equity, fairness, efficiency, and confidentiality are central to the operating principles of the national reparation framework. Consultations on the framework have been conducted in Honiara, Guadalcanal, Choiseul/Shortlands and Malaita Province, where women made specific interventions.

Pacific processing centre in Nauru

The CEDAW committee in its concluding comments to Nauru in 2017, expressed concern about reports that refugee and asylum-seeking girls are subject to harassment, bullying and violence, causing them to drop out of school.⁹⁸ The Committee called on Nauru to train law enforcement officers, including the police and the judiciary, as well as health service providers and social workers, to ensure that they are able to respond adequately to the needs of victims of gender-based violence, including domestic and sexual violence, paying particular attention to disadvantaged groups such as women with disabilities and refugee and asylum-seeking women.

RECOMMENDATION

Noting the (then) forthcoming Treaty on the Prohibition of Nuclear Weapons, the 13th Triennial Conference of Women delegates called specifically for "the development and implementation of gender-responsive policies and programs, where appropriate, to address the inter-generational effects of nuclear testing, including on women's health and other areas".

94 Srinivasan P., Harriman B. and Roe I. 2019. Papua New Guinea massacre of women and children highlights poor policing, gun influx. ABC Radio Australia, Pacific Beat, 11 July 2019. Available at: <https://www.abc.net.au/news/2019-07-10/png-tribal-massacre-poor-policing-weapons-influx-fuel-violence/11297136>

95 For more details see Cox E. 2019. Ending violent conflict and violence against women in Papua New Guinea's Highlands Region: the state, extractive industries and civil society. Available at: https://dawnnet.org/wp-content/uploads/2019/12/DawnInforms_2019_04-EN_v10.2-Digital.pdf

96 Truth and Reconciliation Commission 2012. Solomon Islands Truth and Reconciliation Commission Report, Vol. 1, pp 281–284. Available at: <http://pacificpolicy.org/files/2013/04/Solomon-Islands-TRC-Final-Report-Vol1.pdf>

97 The TRC was commissioned by a TRC Act in 2008. Its main purpose was to examine human rights violations and abuses during the tension; promote reconciliation through hearings from both victims and perpetrators with special attention to sexual abuses and experiences of children; and help restore dignity of victims and make recommendations for reforms and other measures.

98 Committee on the Elimination of Discrimination Against Women 2017. Concluding observations on the combined initial and second periodic reports of Nauru. Adopted by the Committee at its sixty-eighth session (23 October–17 November 2017). CEDAW/C/NRU/CO/1-2. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW/C/NRU/CO/1-2&Lang=En





CRITICAL AREA F

WOMEN AND THE ECONOMY

INTRODUCTION

The BPA includes six strategic objectives under Critical Area F: (1) promote women's economic rights and independence, including access to employment, appropriate working conditions and control over economic resources; (2) facilitate women's equal access to resources, employment, markets and trade; (3) provide business services, training and access to markets, information and technology, particularly to low-income women; (4) strengthen women's economic capacity and commercial networks; (5) eliminate occupational segregation and all forms of employment discrimination; and (6) promote harmonisation of work and family responsibilities for women and men.

CONTEXT AND PROGRESS

In PICTs women's economic roles and participation are affected by the gender division of labour, the burden of care work, cultural norms and practices, gender and other bases of discrimination (age, class, ethnicity, education, disability etc.), the limited supply of formal sector jobs and a growing informal sector. Even though gender parity has been achieved in primary education, and women and girls have higher achievements in secondary and tertiary level education, this has not translated into an increased share of formal sector employment by women.

WOMEN'S ACCESS TO EMPLOYMENT AND PRODUCTIVE RESOURCES

Generally, PICT economies are characterised by a large informal sector and a relatively small formal sector. The informal sector generally comprises household-based small-scale agricultural and livestock production as well as micro-business activities such as the production and sale of farm produce, handicrafts, seafood, cooked meals, cut flowers and floral arrangements, as well as the provision of a range of services including tailoring and sewing, domestic work, care-giving, grass-cutting and gardening. The formal sector is dominated by the public sector with private sectors varying in size from very small in atoll states to relatively large in Fiji, PNG and Samoa. Table 4 provides a range of information on key elements of women's participation in the labour force.

Table 4. Key labour force indicators.

Country	Labour force participation rate (working and unemployed persons as % of total working age population)		Gender gap (male– female)	Paid employment rate (persons in paid work as % of total working age population)		Women's share of wage employment in non- agriculture sector (%)	Year and source
	Male	Female		Male	Female		
Cook Islands	77	65	12	68.9	59.3	47.3	2011 Census
Fiji	80	46	34	64.3	28.8	33.2	2010-11 LFS
FSM	66	48	18	–	–	37.9	2010 Census
Kiribati	67	52	15	33.9	25.9	47.4	2010 Census
Nauru	79	49	30	58.2	35.2	37.6	2011 Census
Niue	69	61	8	65.5	56.1	46.0	2011 Census
Palau	77	60	17	–	–	39.6	2005 Census
PNG	62	62	0	–	–	–	2009-10 HIES
RMI	–	–	–	48.0	26.5	36.7	2011 Census
Samoa	40	24	16	29.8	20.1	37.5	2012 LFS
Solomon Islands	69	67	2	35.2	17.6	33.2	2009 Census
Tonga	63	42	21	44.0	29.6	47.9	2011 Census
Tuvalu	68	51	17	–	–	43.5	2012 Census
Vanuatu	81	61	20	37.2	23.4	41.3	2009 Census

Source: ADB and SPC. 2016. *Gender statistics: The Pacific and Timor-Leste*. Manila, Philippines: ADB.

Data from population and housing censuses, labour force surveys, or household and expenditure surveys.

Notes: Working age population is 15 years and above. Employment, as part of the labour force participation rate, includes paid employment, subsistence production of goods and materials for own use and consumption, unpaid community work and unpaid work in a family business (except for Cook Islands where subsistence is not included). Paid employment includes those with an employment status of employees, employers, self-employed, producing goods mainly for sale, and paid family workers.

In virtually all PICTs, women do non-paying or very low paying informal sector work, especially in agriculture. They are also mainly engaged in household and care-giving work. In Palau for instance, 75 per cent of this kind of work is done by women (2015 census). Their labour force participation rates have been much lower than men's and it was reported in the regional review for Beijing+20 that the proportion of economically active women had declined since the Beijing+10 review in FSM, Kiribati, Niue, Palau, Samoa and Vanuatu. Palau's national reported that in 2014 75 per cent of women were in the labour force, 54 per cent of whom were in paid employment, 2 per cent were self-employed, and 16 per cent were unpaid family workers. Samoa indicated a slight increase in women employees in the public sector to 28 per cent in 2016 compared to 22 per cent in 2011.

Country BPA+25 reports contained some more recent figures than Table 4 and a wider range of variables. Fiji's statistics on gender differentials in labour force participation show that men's participation is 76 per cent compared to women's at 37 per cent. More disturbing is the trend of a steady decline in the number of women in paid employment from 39 per cent in 2002, to 33 per cent in 2011 and to 31 per cent in 2017. In that year the unemployment rate for women remained at 7.8 per cent, the same as in 2011, and more than double the men's unemployment rate of 2.9 per cent. A joint Asian Development Bank (ADB) and International Labour Organization (ILO) study reported more than half of employment in Fiji being in the informal sector, "leaving workers without income security or social protection and vulnerable to shocks"; most female workers being in informal employment and "engaging in subsistence activities" and urban workers' average earnings being more than double those of rural workers.⁹⁹

Women's employment figures in the Solomon Islands public service, however, were high at 44 per cent. However, an ADB study showed that women held only 5 per cent of senior management positions and 22 per cent of middle management posts. The Solomon Islands Demographic and Health Survey 2015 reported that more than 50 per cent of the women surveyed were unemployed in the year preceding the survey. It also highlighted that of the 37 per cent of women who indicated that they were employed, about half were not paid. The report noted that outside of the capital Honiara, women worked in the agricultural sector and 80 per cent of them were not paid, and were subsistence agriculturalists "producing food for their own family".¹⁰⁰

From Table 4, labour force participation rates in the Cook Islands, Nauru, Niue, Tonga, Tuvalu and Vanuatu are approaching or above 70 per cent for men, although in Vanuatu the rate is inflated with the inclusion of unpaid subsistence work. Samoa, surprisingly, has relatively low participation of males in the paid labour market, only 42 per cent. Among these countries, with the exception of the Cook Islands where women's labour force participation is 73 per cent, the gender participation indices for Tuvalu (0.57), Samoa (0.62), Tonga (0.63) and Nauru (0.69) are all very low. Labour force participation rates can be inflated by the inclusion of subsistence workers as part of the employed population; according to the ILO definition of the labour force, subsistence workers should not be included in the employed population.

The Cook Islands and Niue have higher proportions of women in paid employment, 59 per cent and 56 per cent respectively. Nauru has 35 per cent, Tonga 30 per cent, Kiribati 26 per cent, Vanuatu 23 per cent, Samoa 20 per cent and Solomon Islands 18 per cent. At the sector level women hold a majority of low-paid service positions in several PICTs including the Cook Islands (93 per cent), Samoa (89 per cent), Nauru (80 per cent), Tuvalu (77 per cent) and Kiribati (66 per cent). However, for Solomon Islands and Vanuatu, women are mostly engaged in agriculture, at 71 per cent and 67 per cent respectively. By contrast, 59 per cent of employed women work in the manufacturing sector in Tonga.

Overall, women's relatively lower participation in the labour force in PICTs, their much smaller numbers in – and even absence from – senior manager positions in both the public and private sectors, and their higher numbers in the informal sector and especially in agricultural production, reflect gender inequality and the urgent need to address women's economic empowerment.

The Beijing+20 review report validly noted that land and natural resources are not owned or controlled by women. Cultural, social and legal norms and practices continue to be barriers to women's control over and access to land and natural resources.

99 ADB 2015. Fiji: Creating quality jobs - Employment diagnostic study. Available at: <http://hdl.handle.net/11540/5307>

100 Department of Foreign Affairs and Trade (Australia), Ministry of Health and Medical Services (Solomon Islands), Secretariat of the Pacific Community (SPC), Solomon Islands National Statistics Office (SINSO), Solomon Islands Resource Facility (SIRF), United Nations Children's Fund (UNICEF). Solomon Islands Demographic and Health Survey 2015. Available at: http://www.spc.int/DigitalLibrary/Doc/SDD/DHS/SI/SI_Demographic_and_Health_Survey_DHS_2015.pdf

WOMEN'S ECONOMIC EMPOWERMENT

Fiji's national report for Beijing+25 identified the obstacles and gaps that affect women's participation in the economy, which can be applied more broadly to nearly all PICTs:

The list of barriers to women's economic empowerment is long and multifaceted: greater burden of household and care work; concentration in precarious, casual, low wage, informal employment; lack of control over income and assets; greater levels of violence against women; lower levels of education; restricted mobility; lower levels of financial literacy; greater levels of financial exclusion; lack of access to, control over, tenure of, land and other natural resources; lower levels of access to market-related information; lack of access to training and extension services; unequal pay; and discriminatory attitudes toward women in general, and toward their economic participation in particular.

These barriers to women's economic empowerment were also recognised by the Pacific Leaders Gender Equality Trend Assessment Report 2012–2016, which stated that

...challenges include gender pay disparities, [lack of] legal protection for women in the informal sector, legal, policy and social barriers for women to access economic and employment opportunities including land, credit and resource needs for sustainability of business and enterprise. Additional barriers to achieving women's economic empowerment in the Pacific include archaic labour regulations and laws, gendered norms at the workplace resulting in occupational segregation, limited access to leadership and decision making opportunities, lack of recognition and economic value placed on women's care and domestic (unpaid) work and security related issues including the impact of violence against women and girls...

While domestic and informal sector work contribute to women's vulnerability and poverty, the incomes earned by women in the public sector can also be low. Samoa's HIES (2013/2014) recorded 11 per cent of women earning below the BNPL in the public sector, and 23 per cent below the BNPL in the private sector.¹⁰¹ Given that women occupy the lower categories of employment in these sectors in all PICTs, it is likely that they form significant proportions of the working poor.

PROMOTING ECONOMIC EMPOWERMENT OF WOMEN

National governments and regional organisations are committed to gender equality and the economic empowerment of women. As states parties to CEDAW, nearly all PICTs have adopted enabling policies and strategies towards the economic empowerment of women. Such policies have been advocated by women's groups and pushed by the increasing number of women in decision-making positions. As noted in Palau's BPA+25 report, increased numbers of women holding decision-making positions in elected offices and in professional fields have helped to drive gender-related policies.

In some PICTs, laws and policies have been introduced to address sexual harassment in the workplace, improve facilities and safety for women market vendors, and increase access to both credit facilities and export markets for goods and services supplied by women in business.

Fiji, Samoa, Solomon Islands, Tonga and Tuvalu have adopted national gender equality policies and, together with many other PICTs, have been reviewing laws and policies to create a more enabling social and economic environment for women. Legislative initiatives have included the institution of minimum wage regulations in Fiji and RMI, the provision and extension of maternity leave in nearly all PICTs, the institution of paternity leave in some PICTs, the explicit proscription of sexual harassment at the workplace in Fiji, and criminalisation of gender-based violence in nearly all countries.

Within the framework of Fiji's National Gender Policy, the Family Law Amendment Act 2017 provides for paternity leave of five days and increases maternity leave by 14 days from 84 to 98 days. Fiji has adopted a new Family Care Leave Law to allow employees to attend to family emergencies and care for sick family members.

In the RMI there have been progressive increments to the minimum wage which reached USD 4.00 an hour in September 2020. To this end, the Minimum Wage Act of 1986 was amended in 2017, making the regulated minimum wage in public and private sectors USD 2.50 per hour. This was increased to USD 3.00 an hour in 2018, and is envisaged

¹⁰¹ Government of Samoa, Samoa Bureau of Statistics and UNDP Pacific Centre 2016. Samoa hardship and poverty report. Analysis of the 2013/14 household income and expenditure survey, p. 66.

to increase to USD 3.50 an hour by late 2019. RMI's Equal Employment Opportunity Act 2017 prohibits discrimination and requires equality of treatment of employees including in the benefits they receive.

Fiji's national minimum wage of FJD 2.00 an hour, established in 2013, increased to FJD 2.32 in July 2015, and subsequently to FJD 2.68 in 2017, was reported to have "significantly benefited women who work as house maids, house helpers, in garment factories, restaurants, supermarkets and private and small companies". However, the weekly wage this realises of FJD 107.20 for a 5-day week falls well below the BNPL of FJD 200 a week for a family of four (two adults and two children).

Several PICT governments have partnered with NGOs to promote and support women producers in the cultural or handicraft industry, as well as in food production and processing. Since 2013, Samoa has worked to revive traditional knowledge and skills in fine mat (le Samoa) production by women, with the result that there are now more than 3000 producers of this highly valued cultural commodity, including young women. Production of fine cloth mats and other artefacts has also increased in RMI as young mothers and 'school dropouts' are taught basic handicraft and sewing. In Samoa and Fiji national gatherings and exhibitions are held to promote handicraft production. In Fiji, the National Women's Expo which began in 2014 has gained momentum, and in 2017, 340 women artisans were provided with opportunities to refine the designs of their products, and improve product packaging, marketing and business management. Palau and other PICT governments have supported the attendance of handicraft makers at national, regional and international cultural expositions such as the 12th Festival of Pacific Arts in Guam in 2016.

Virgin coconut oil, noni juice, and cocoa for chocolate making have also become important products for women in Fiji and Samoa. Women are active in the Palau Organic Growers Association which seeks to promote organic farming and support rural families in agriculture. Samoa's Ministry of Women, Community and Social Development (MWCSD) has partnered with Australia's DFAT and the UN to provide entrepreneurial skills training for women which included creating business plans, elei printing, carving and handicraft, siapo (tapa) making, cut flowers/floral arrangements, vegetable gardening, farming, poultry, and financial literacy. MWCSD has also supported internships and scholarships for technical and vocational training of kitchen hands, chefs, waitresses, and culinary skills using traditional practices. The Samoan Chamber of Commerce internships for career development have been given to both women (65 per cent) and men (35 per cent).

Fiji reported that the Ministry of Women, Culture and Poverty Alleviation (MWCPA) opened 30 new resource centres, 26 women's extension centres and established networks with 1702 groups to encourage income generation programmes. The resource centres provide space for handicraft making, and to incubate micro-businesses.

Several PICTs have also reported providing financial literacy training for women and significant increases in micro-credit facilities for them. The Samoan National Financial Inclusion Strategy 2017–2020 led by its central bank in partnership with the Development Bank of Samoa facilitated training for 778 participants (558 female and 220 male). Unemployed women, and women who have been victims of domestic violence, have been enabled to establish 138 micro-businesses.

In Fiji between 2014 and 2017, 2643 women were assisted with micro-credit loans and business training by the National Centre for Small and Medium Enterprises. The South Pacific Business Development initiative, which also operates in Samoa with the objective of empowering women in rural villages to start, grow and maintain income-generating micro-enterprises, provided 6900 women with credit and business training. Solomon Islands' National Strategy for the Economic Empowerment of Women and Girls (NSEEWG) 2014–2017 promotes financial inclusion through financial literacy training, saving schemes, access to credit and affordable financial services. In Vanuatu, VANWODs, the micro-credit agency, has provided financial support to 8000 members in the informal sector with a good proportion being women.

Vanuatu, Fiji and Solomon Islands have reported significant improvements in market facilities and security for women market vendors. The Markets for Change Project (M4C) with UN Women started in Fiji in 2014 and involved six market vendor associations. This number doubled in 2018 with 12 such associations comprising 3500 members. Women led nine out of the 12 associations and also held 50 per cent of the leadership positions. Vanuatu's UN Women M4C project, which also began in 2014, has 3700 members and covers markets in four provinces. All leadership positions are held by women.

Several PICTs have reported that short-term labour migration to Australia and New Zealand has increasingly included more women and contributed to women's economic empowerment. Australia started working with eight countries but has expanded its programme to include all Pacific island states. New Zealand's partnerships are with Fiji, Kiribati, Nauru, PNG, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu. The Australian Seasonal Workers Programme established in 2012 has been enhanced since 2018 by the Pacific Labour Scheme providing employment for unskilled and semi-skilled workers in horticulture and other sectors.

At the regional level, the work of SPC in mainstreaming gender in fisheries and agriculture has opened opportunities for these sectors to assess the situation of women in fisheries and women in agriculture and the rural sectors. Gender assessments in agriculture and the rural sectors have been completed for Fiji, PNG, Samoa, Solomon Islands, Tonga and Vanuatu; while gender assessments in fisheries have been completed for the Cook Islands, FSM, Samoa and Solomon Islands. These studies provide valuable information for policy and programme development in these sectors, particularly given women's participation in these sectors of the economy.

CHALLENGES AND AREAS FOR ACTION

As stated in the Beijing+20 report, labour markets in nearly all PICTs are small and the private sector in most of them is underdeveloped. Formal employment is largely limited to the urban areas of larger 'main islands'. Although gender parity has been attained in education in most PICTs, and women and girls have demonstrated higher achievements in tertiary-level education, this is not reflected in their share of formal sector employment. There is scope for more jobs for women in the public sectors of several PICTs. There is also a need for more vocational and technical training for women, including training for non-gender-stereotyped occupations, so that gender segregation in labour markets is reduced.

In aggregate terms, workers in vulnerable employment, defined as working in the informal and subsistence sectors as family and own account workers, remains unchanged with 84 per cent of women and 71 per cent of men affected. For women, the burden of unpaid household and care work also means a significant opportunity cost with regards to accessing training and opportunities to achieve economic independence.

No PICT has instituted mechanisms for gender-responsive budgeting and gender audits of their public expenditures. Gender budgeting is challenging and requires not only national-level political will but also specific technical knowledge and robust national budget systems. Raising awareness about and undertaking gender-responsive budgeting in the region remains aspirational.

The absence to date of gender-disaggregated data to inform women-empowering economic policy-making constitutes a major obstacle. Work to improve data collection and build capacity for gender analysis of statistics is ongoing as part of SPC's technical assistance to national statistics offices, UN agencies responsible for gender equality and civil society organisations, but funding and technical support is currently not commensurate with need.

The newly adopted ILO Convention on Violence and Harassment in the World of Work (Convention 190, 2019) is an important new international law providing protection particularly for women workers and should be ratified by PICTs.

RECOMMENDATIONS

Delegates to the 13th Triennial Women's Conference made the following recommendations.

- Women's economic empowerment must be supported by all sectors, including information and communication technology (ICT), education, finance, justice, public service, water, agriculture, marine resources and infrastructure, and by subnational and local government and the private sector.
- Central and local governments, with the assistance of CSOs, faith-based organisations, CROP agencies and development partners, are encouraged to mainstream gender across their policies, legislation, programmes and services.
- Support women's entrepreneurship.
- Facilitate financial inclusion of women.
- Support enterprises to introduce and strengthen violence and harassment policies and conduct gender audits to identify measures to ensure gender equality at all levels, establish respectful and safe workplace environments for women and men, and enable reconciliation of work and family responsibilities.
- Improve infrastructure and governance of market places to create inclusive and gender-responsive environments.
- Implement training, mentorship, internship, apprenticeship and sponsorship programmes to enable female employees to develop their skills.
- Ensure that structural reforms, budgets, economic policies, taxation, aid arrangements and trade agreements do not disadvantage women.
- Provide high-quality, accessible and affordable child care.

- Introduce appropriate gender equity measures in public procurement to encourage women-led businesses in the formal and informal sector to bid on government tenders, or provide assistance to women-owned enterprises, such as setting mandatory procurement targets and subcontracting goals in supply chains.

OPINION PIECE

WOMEN AND THE ECONOMY

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In the Pacific, there are frequent flourishes of recognition for the economic achievements of women. Women running successful internet businesses, women-run businesses securing international contracts; women being appointed to corporate boards; women in male-dominated employment sectors; women harvesting bumper agricultural crops; women innovating in the creative industries; women organising cooperative work. These achievements are worthy of recognition because they surface possibilities for future Pacific societies and because they rightfully highlight the remarkable nature of such success.

At the same time, we are too frequently reminded of enduring tragedies of gender-based violence, extensive sexual harassment of women in the workplace, significant gender pay gaps, the lack of affordable and accessible child care, inequitable tax systems for working women, and poor working conditions for women. These realities require continued considerable attention to those directly and indirectly affected. They also remind us of how far we are from realising our shared aspirations to be citizens of nations we can be proud of because all flourish equally.

A key question to ask when contemplating the success stories against the tragedies and hardships is how can we make these successes somewhat less remarkable and much more transformative of stubborn patriarchal norms. To answer this, first, we need to recognise the diversity of economies and economic practices that exist in the Pacific. Second, we need to consider how to protect this diversity in the face of the expansive and dominating nature of capitalist economies where the foremost incentive for economic activity is to deliver profits to shareholders. This requires a pincer movement; on the one hand working to ensure formal economies uphold the rights of women workers, and on the other hand working to foster economic activities based on shared values of generosity, care, respect and reciprocity.

The formal cash economy involves a growing number of women but they are still mostly found at lower paid segments of the labour markets, and/or in precarious work where job security is not assured. In this economy women are contributing taxes to the national purse and, mostly, contributing to national superannuation funds. In return however, they are short-changed on state-funded affordable and accessible child care, sufficient maternity leave, comprehensive health care or minimum years of education for their children. Further, their relative employment success often invites unwelcome demands from the wider family and community, and in too many cases, these demands are backed up with violence.

In addition to the formal economy, women and girls in all their diversities are involved in gift economies which encompass a range of activities replenishing the cultural and social fabric from which we all emerged. The care economies are also ever-present, providing comfort and nurture of future generations, the elderly and the unwell; these care activities are overwhelmingly gendered. And, increasingly, virtual economies are crossing time and space divides and creating new ways of working or connecting to family members working abroad.

The diversity of these activities in these economies offers good prospects for further enhancing the livelihoods of women and their communities. However, they need to be recognised for the contributions they make to overall societal well-being, and this begins by the state committing to the progressive realisation of basic human rights. In the current socio-economic system, without the protection of human rights, the freedom to develop is partial.

Despite the good news stories, more often women and girls, in all their diversities, continue to be unappreciated, undervalued and unrecognised for the wide-ranging economic activities to which they contribute. Yet the livelihoods of many families in the Pacific thrive because of their efforts. By actively supporting and carefully nurturing economic practices that value generosity, care, respect and reciprocity, we can begin to address many of the recurrent socio-economic and environmental issues that continue to trouble the routes for young women and girls into whatever economic activities they choose – informal marketing, care work for family members, preparing for affordable prestations, managing companies, specialising in skilled work. There are many emerging issues to consider – the possibilities of virtual economies, the increase in the mobility of work and workers, the impacts of climate change, the growing debt burdens, the growth in illegal exchanges of drugs and sex.

Dominant economic systems very easily exclude activities in other kinds of economies, but we are fortunate in the Pacific that in many places different economic systems co-exist. However, national, local and community government, all of which need to include more women, can make a difference to ensuring the existence of multiple co-existing economies that actively support gender equality. This can be done both in how resources accumulate (e.g. cutting tax on basic food items and increasing tax on alcohol and tobacco) and how it is spent (e.g. providing affordable and accessible child care). Other key policy areas that would have a huge positive impact on women in the economy are offering affordable sexual and reproductive health care, providing free portable water, and adopting special temporary measures at all levels of government.

When women flourish in their choice of economic activity, everyone flourishes.

Disclaimer:

The views and opinions expressed above are those of the author and do not necessarily reflect SPC's official position.

A woman with dark hair pulled back, wearing a light blue button-down shirt, is looking down at a document on a table. The table has two clear plastic water bottles with blue caps and labels. The background is a plain, light-colored wall. The text is overlaid on the image in white, bold, sans-serif font.

CRITICAL AREA G

WOMEN IN POWER AND DECISION-MAKING

INTRODUCTION

Critical Area G of the BPA has only two strategic objectives: (1) take measures to ensure women's equal access to and full participation in power structures and decision-making; and (2) increase women's capacity to participate in decision-making and leadership. Both are critical to achieving equality for women and enabling their full involvement at all levels of decision-making in their communities and nation states.

Actions to be taken by governments under the first strategic objective for Critical Area G include: committing to the goal of gender balance in government bodies, committees, public administrative entities and the judiciary and setting specific targets and implementation measures to achieve it; taking measures in electoral systems to enable proportional representation of women; monitoring and evaluating progress in the representation of women through regular collection, analysis and dissemination of data on women and men at all levels in various decision-making positions in public and private sectors; and taking measures to achieve shared work and parental responsibilities to enable women's increased participation in public life.

Among the actions to be taken by government and non-state actors under strategic objective 2 are the following: providing leadership and self-esteem training to women and girls and particularly those with special needs, women with disabilities and women belonging to ethnic and racial minorities; ensuring transparent criteria for decision-making positions and gender-balanced selection bodies; mentoring and training inexperienced women in leadership, decision-making, public speaking etc.; and promoting non-discriminatory working relationships and respect for diversity through gender-sensitive training for women and men.

The 1994 PPA included "shared decision-making" among the 13 critical issues. The 2004 review of the PPA resulted in the revised PPA which clustered the 13 critical issues into four strategic themes. "Women's political leadership" was included under the theme of women's legal and human rights, underscoring participation by women in decision-making and leadership as a human rights entitlement. It remains under Priority Area 2 – Legal and Human Rights in the Pacific Platform for Action for Gender Equality and Women's Human Rights 2018–2030.

The PLGED, adopted in 2012 and reaffirmed in 2015, included commitments to: "adopt measures, including temporary special measures (such as legislation to establish reserved seats for women and political party reforms) to accelerate women's full and equal participation in governance reform at all levels and women's leadership in all decision making"; and "advocate for increased representation of women in private sector and local level governance boards and committees (e.g. school boards and produce market committees)".

CONTEXT AND PROGRESS

Meeting the strategic objectives of BPA Critical Area G remains a challenge in the Pacific region. However, progress on several fronts has certainly been made over the years since the BPA was adopted, and particularly in the last 20 years. The achievements made in relation to women in power and decision-making are highlighted in this chapter, together with remaining challenges.

EFFORTS TO ACHIEVE BALANCED REPRESENTATION OF WOMEN

Pacific Island states still have a long way to go in achieving balanced representation of women in national parliaments. With the exception of the French territories where equitable representation of women in their legislative assemblies is ensured by the French parity law, which compels all political parties to include an equal number of women as men on their party list, women's representation in national parliaments across the region is shockingly low. The Pacific region had earned the dubious distinction of having the lowest representation of women in the world. As shown in Figure 6, three Pacific Island states currently have no women in parliament at present. The Inter-Parliamentary Union reported in 2016 that across the region including Australia and New Zealand women comprised less than 16 per cent of parliamentarians. While there are no legal barriers to women contesting elections, social barriers are strong, including negative perceptions of women in politics and traditional views of leadership and decision-making being men's role.

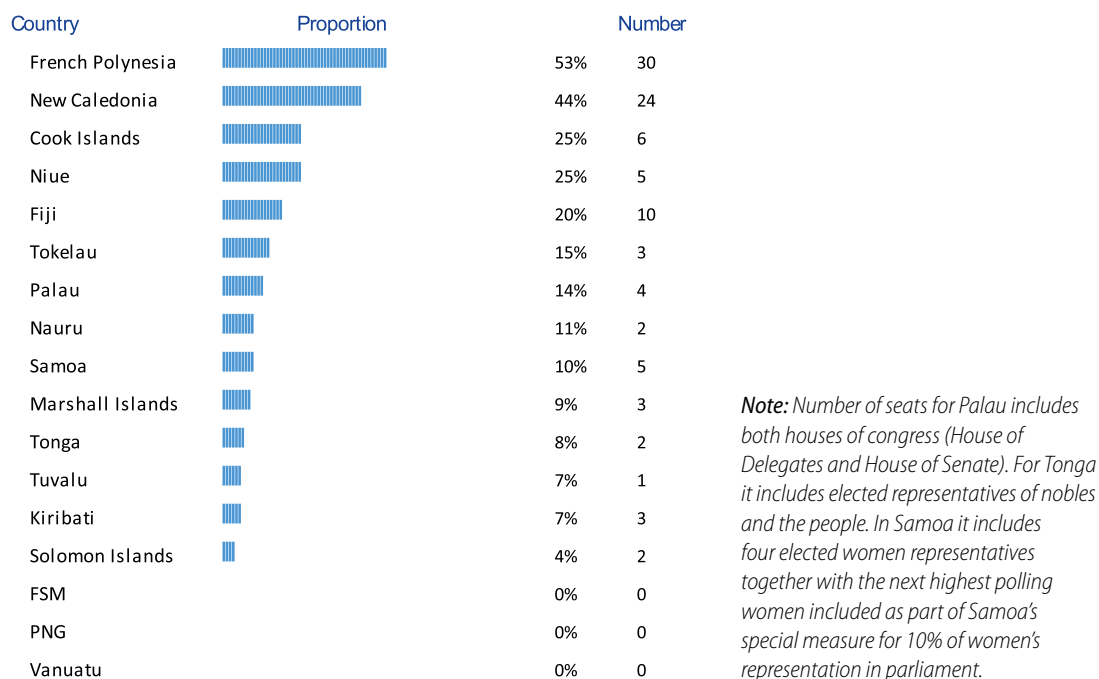


Figure 6. Seats held by women in national parliaments, 2019.

Sources: For all countries except New Caledonia and French Polynesia data are from *Pacific Women in Politics*, <https://www.pacwip.org/women-mps/national-women-mps/>

Data for New Caledonia and French Polynesia are from *CIA World Fact Book*, https://www.cia.gov/library/publications/the-world-factbook/geos/print_nc.html and <https://www.cia.gov/library/Publications/the-world-factbook/geos/fp.html>.

Over the last two decades, enormous efforts have been made by women’s NGOs, regional intergovernmental organisations, UN agencies and donor partners to increase women’s political leadership and representation in national legislatures and local government, through research and advocacy, consultations with governments, public education, mobilisation and training of women, and engagement with women parliamentarians. This work has included: national and regional level women in politics projects from the late 1990s which have encouraged women to stand for local and national elections, trained potential candidates, tracked progress, celebrated women’s electoral successes and profiled women MPs; non-partisan voter education and profiling candidate positions on women’s issues in the lead up to national elections;¹⁰² commissioned regional research¹⁰³ into factors that enable or constrain the advancement of women’s political representation, with follow-up work exploring with governments in several countries the possibilities of introducing temporary special measures (TSMs) or a quota system in national legislatures; national studies on barriers to women’s political participation and factors that limit or enable electoral success;¹⁰⁴ public education and campaigns on women’s leadership; practice parliaments for women, initiated by UNDP and PIFS (with subsequent support by UN Women) and held in 10 PICs between 2011 and 2016 with the support of national parliaments and departments of women;¹⁰⁵ and community and voter surveys on perceptions of women’s leadership and attitudes towards women candidates.¹⁰⁶

102 Voter education and profiling candidates’ positions on women’s issues during national elections in Fiji was an established part of FWRM’s work until the 2014 Electoral Decree (Section 115 – Restrictions on Campaigns) prohibited NGOs receiving foreign funds or assistance to engage in any way with elections or election issues.

103 A PIFS-commissioned study in 2006 proposed the introduction of TSMs or quotas for women (Huffer E. (ed). 2006. *A woman’s place is in the house—the house of parliament: research to advance women’s political representation in Forum island countries: a regional study presented in five reports*. Suva, Fiji: Pacific Islands Forum Secretariat). PIFS subsequently explored the implementation of TSMs with a number of Pacific states, and a joint PIFS/UNDP Pacific Centre initiative proposed TSM options to advance gender equality. See Clark L. and Rodrigues C. 2009. *Utilising temporary measures to promote gender balance in Pacific legislatures: A Guide to Options*. Suva, Fiji: UNDP Pacific Centre.

104 UNDP study in Solomon Islands on women’s leadership and political participation as part of the Strengthening the Electoral Cycle in Solomon Islands project II (SECSIP II).

105 Practice parliaments were run in Kiribati, RMI (2011), PNG (2012), Palau (2011, 2013), Tuvalu (2013, 2016), Solomon Islands and Tonga (2014), Samoa (2015), Nauru and Fiji (2016).

106 Fiji Women’s Forum 2014. *Public perceptions of women in leadership; Young Women’s Parliamentary Group in Solomon Islands’ study of voter attitudes/behaviour to women candidates before and after the 2014 elections*.

These efforts have not been in vain. A small number of parliaments in Pacific Island states have passed laws to introduce TSMs in one form or another to bring a small quota of women representatives into the national parliament (in two cases) or onto local government councils (in two cases).

The earliest law enacted by a Pacific parliament to introduce TSMs to ensure women's representation in parliament was PNG's Equality and Participation Act of 2011. The initiative of Dame Carol Kidu, Minister for Community Development at the time and PNG's sole woman MP for 10 years until she retired in 2012, the Act amended PNG's constitution to allow the reservation of 22 seats for women – one for each province – and was passed by 72 votes to two. Implementing this major legislative achievement was stymied, however, in 2012 when PNG's parliament did not pass the enabling legislation for the Act, which consisted of amendments to the organic law. The last national elections in PNG in 2017 saw no women win a seat in PNG's 111-member parliament, despite a record number of 167 women candidates contesting.

In June 2013, Samoa legislated a minimum quota of five reserved seats for women by amending Article 44 of its constitution. This achievement was part of a programme on increasing political participation of women in Samoa. The seats are filled through election and, where necessary, through appointments of unsuccessful women candidates with the highest numbers of votes, to make up a shortfall. As a result of the TSM, which came into effect before the 2016 national elections, Samoan women MPs now constitute 10 per cent of the national legislature. Following the elections, Samoa earned further distinction by appointing a woman as Deputy Prime Minister. Hon. Fiame Naomi Mata'afa is a distinguished and experienced member of parliament and cabinet minister. A follow-up project focused on women in leadership in Samoa which has linkages with the national, regional and global development agendas to which Samoa is committed (SAMOA Pathway, Agenda 2030 and SDGs, and Samoa's Community Development Sector Plan).

Vanuatu's Parliament passed the Municipalities (Amendment) Act (No. 11 of 2013), and a further amendment (Act No. 5 of 2015) to strengthen women's representation in municipal councils by reserving one seat in each local government ward for women. The amendments to the Act followed strategic lobbying by the Women in Shared Decision Making (WiSDM)¹⁰⁷ coalition, which sought provisions for a 30–34 per cent quota in municipal councils. Reserved seats are contested by women candidates on a first-past-the-post basis, but women may also contest general seats, which are based on proportional representation. Five women won seats in Port Vila's municipal council elections in 2014, resulting in 35.7 per cent representation in the 14-member council; and five women were also elected to Luganville's 13-member council in elections in 2015, raising women's representation to 38.4 per cent. In 2018, six women were elected in Port Vila and five in Luganville. Although no women were elected in Lenakel municipal council, the achievements in Port Vila and Luganville are significant; prior to the introduction of TSMs both councils had only one woman representative following elections in 2009 (for Port Vila) and in 2011 (for Luganville).¹⁰⁸ Two of the women councillors in the Luganville council are deputy mayors.

"In the nine national general elections held since Solomon Islands gained political independence in 1978, only three women have won a seat in parliament. This compares to 308 male MPs. Between 1980 and 2010, a total of 93 women candidates ran for office compared to 2,504 men. In the same period, the total number of votes cast for women candidates was 30,000 compared to more than a million votes for male candidates."

UNDP Pacific Office, PIFS et al. (2016) Temporary Special Measures to Increase Women's Political Participation in the Pacific: Case Studies of Implementation the Region.

Vanuatu women's representation at national and provincial levels, however, remains poor – in the last two national elections no women were elected to parliament but a newly formed women's party planned to field five candidates in the elections scheduled to be held early in 2020. The Leleon Vanua Party, launched at the Vanuatu National Council of Women's 15th National Congress in May 2018, has also been engaging in advocacy for increased women's representation at provincial level. Through the work of Vanuatu's Department of Women's Affairs (DWA), for the first time, a woman in "one of the most patriarchal islands, Tanna", contested the provincial elections.¹⁰⁹ Under the Decentralization Act, Area Councils (administrative areas within provinces) are now required to have a women's representative.

In June 2014 Solomon Islands passed the Political Parties Integrity Act which introduced a requirement that political parties reserve "at least 10 percent of the total number of candidates it selects and endorses for women" (Art. 48:1)). The Act includes the incentive of a "temporary special measures grant" for parties that "are successful in returning women candidates at elections" (Art. 49) and even permits parties to benefit from the grant if a successful independent

107 The WiSDM coalition was formed in 2012 with representatives from the Vanuatu Electoral Office, the Attorney General's Office, the University of the South Pacific and the Department of Women's Affairs (DWA). It was supported by the Pacific Leadership Program and other donor partners (UNDP Pacific Office et al. 2016).

108 See http://www.clgf.org.uk/default/assets/File/Country_profiles/Vanuatu.pdf

109 Government of Vanuatu 2019. Beijing+25 National Review Report. Available at: <https://www.unwomen.org/-/media/headquarters/attachments/sections/csw/64/national-reviews/vanuatu.pdf?la=en&vs=4050>

woman candidate subsequently joins the party (Art. 49:3). A weakness in the provision is indicated in Art. 48:2, under which a party will not have breached the law if the number of women who applied or agreed to be nominated by the party falls short of the required minimum stipulated in Art. 48:1. This is a loophole that effectively permits parties to make minimum effort in seeking women candidates.

A Pacific regional conference on temporary special measures, held in Port Moresby in November 2015 and jointly sponsored by UNDP, PIFS and UN Women's Multi-Country Office in Fiji with the support of Australian Aid, brought together women ministers of government, women MPs, male ministers of government and MPs, senior public servants including a registrar of political parties and a principal electoral officer, leaders of women's rights organisations, academics and PIFS, UNDP and UN Women experts, to discuss the success stories with implementing TSMs in the region, and share lessons learned from them.

A second effort in 2018 to legislate the reservation of 10 parliamentary seats for women in Solomon Islands was overwhelmingly defeated. Despite this setback, and without the aid of TSMs, two women were successfully re-elected in the 2019 elections in Solomon Islands. In several other PICTs, the numbers of women in parliament have also been steadily rising without the aid of TSMs. In Solomon Islands, the adoption of TSMs will remain high on women's agenda, with attention now focused on accelerating women's participation and representation at the provincial level. The Premier of Western Province and his executive are leading the way by endorsing the option of reserving three elected seats for women in the Western Province Provincial Assembly. A TSM legislative working group comprising government, the Women's Rights Action Movement, the National Council of Women, UN Women and others meanwhile has been continuing to work for the adoption and implementation of TSMs at national and provincial levels.

Only two women have ever won seats in Nauru's Parliament, one of whom is a cabinet minister. Although many women contested the 2013 general election, the idea of introducing TSMs, when raised during Nauru's constitutional reforms in 2006, reportedly met with resistance from many in the community, including women. The CEDAW Committee expressed concern about the absence of any TSMs in the legislation or policies of the state party, and about women and men opposing the introduction of TSMs, saying it indicated incorrect public understanding of the purpose and non-discriminatory nature of such measures. The Committee recommended that Nauru "adopt and implement temporary special measures, including goals, statutory quotas and gender-responsive budgeting", to achieve substantive equality of women and men in all areas in which women are disadvantaged or underrepresented.

Tuvalu has only one woman in its 15-member parliament, and since independence in 1978 there have only ever been three women MPs, and no more than one at a time. The Tuvalu BPA+25 report notes that despite women's political participation being "a matter of discussion for many years", TSMs being "widely discussed over the past five years" and the Gender Affairs Department together with the Attorney General's Office producing a TSM options paper that recommended the creation of two extra seats in parliament for women, TSMs remain an ongoing challenge for the advancement of gender equality. Traditional ideas about men's and women's roles have been suggested as the reason for the resistance to TSMs in Tuvalu.¹¹⁰

In the Cook Islands 2018 elections, six out of the 10 women who contested were elected to the 24-seat parliament, giving women 25 per cent representation in the parliament, without TSMs.¹¹¹ The Cook Islands also has a woman Speaker, Hon. Tutonga Puapii Picknic Rattle (Nikki Rattle), which brings the total number of women in the Cook Islands Parliament to seven. The Cook Islands reported to the CEDAW Committee in 2018 that women dominate the House of Ariki (High Chiefs) which advises the government on matters concerning custom and tradition and landholding.

RMI reports candidly that it has "one of the lowest rates of representation at the legislative level internationally", with only three elected women in the 33-seat parliament (*Nitijela*). One of them, however, holds the highest political office of President. There are two women members of the Council of Iroj (Chiefs), the role of which is largely consultative on matters of custom and traditional practice. All other decision-making structures and the judiciary are male dominated. Although a proposal from the *Nitijela* was brought to the 2015 Constitutional Convention to establish a quota of six reserved seats for women, following deliberations and public consultations, it was defeated in the 2017 Constitutional Convention. Large numbers of women (165) nonetheless contested in local government council elections in RMI in 2015 – albeit far fewer than men (657) – and 56 women won seats. Only five women out of a total of 91 contested in the elections for the *Nitijela* that year.

110 Government of Tuvalu. 2019. Beijing+25 national review report: Tuvalu. Available at: <https://www.unwomen.org/-/media/headquarters/attachments/sections/csw/64/national-reviews/tuvalu.pdf?la=en&vs=758>

111 There were much fewer women than men contesting the elections, but women candidates had a much higher success rate (60 per cent) compared with male candidates who had a 30 per cent success rate, with 18 of the 60 male candidates who contested the elections winning seats. Two of the women's results were initially contested post-election, requiring each of them to run in by-elections held in 2019, which they won. A third woman candidate was confirmed winner of her seat following a successful petition for the scrutiny of the constituency roll. <http://www.mfem.gov.ck/elections>

In 2010 the FSM Congress introduced a bill to amend the national constitution to provide for reserved seats for women in Congress but it was never acted upon. A second attempt was made in 2012 with a new bill with the same objective being put to the vote, but it did not receive sufficient support to pass. The same bill “resurfaced in 2014”, but was still “pending” when FSM reported to the CEDAW Committee in October 2015.

Fiji has not adopted TSMs. However, the 2018 general elections, the second held under the single national constituency and proportional representation system introduced in 2014, saw a record number of 10 women elected to Fiji’s 51-seat parliament, thereby achieving very close to 20 per cent parliamentary representation. This is the largest representation ever achieved since Fiji gained independence in 1970. The system of proportional representation has been a boon for women contesting elections under a large party ticket as the number of seats are allocated to parties on the basis of the proportion of total votes won by their candidates. Popular leaders amass large numbers of votes which increases the chances of their women candidates securing seats. Three women MPs hold ministerial posts and a further two are assistant ministers.

Women are poorly represented in Palau, where men hold almost nine out of ten (87 per cent) nationally elected positions and three out of four (75 per cent) state-elected positions.

Looking back at how far the region has come, and how much further it has to go, we can say that we are starting to gain traction in this long march to equal representation. There has been some slippage and there are one or two seemingly intractable contexts, but on the plus side, we now have 43 women representatives in national legislatures across the region (outside of the French territories)¹¹² and overall there has been a 50 per cent increase in female parliamentarians over the last decade. The Inter-Parliamentary Union 2018 review indicated that the Pacific region with 18.4 per cent female representation had achieved an increase of 12.1 per cent between 1995 and 1 January 2019, a little under the world average increase of 13 per cent.¹¹³ PICTs can also count among their successes the historic election of the first ever woman president in the Pacific Islands region, Her Excellency Hilda Heine of the Republic of Marshall Islands. The appointments (and renewals) of the first two women speakers of parliament, in the Cook Islands and Fiji, are also achievements.¹¹⁴

COMMITTING TO THE GOAL OF GENDER BALANCE

The 2012 PLGED reflects a major commitment by governments, although more needs to be done in concrete implementation at national level. Several PICTs have adopted national gender equality policies and plans with stated policy outcomes but mostly without setting goals and measurable targets to progressively achieve gender balance in government bodies, committees, public administrative entities and the judiciary. Implementation of national gender equality policies and plans are also reported to be hampered by different sections of government not fully understanding or subscribing to the policies, and by capacity constraints, in one case caused by high staff turnover.

Instituting gender balance in all decision-making panels and boards is expressly stated and included in four key actions proposed as needed special measures to meet the objectives of the Solomon Islands’ Gender Equality and Social Inclusion in the Public Service Policy. Vanuatu’s Council of Ministers has called for 40 per cent representation of women in national task forces and committees.

There is no gender balance policy mentioned in the Cook Islands national report but women dominate the public service, occupying 60 per cent of positions. Women head six of the 14 government ministries and half of the 10 crown agencies. In addition, two of the 10 island executive officer positions and one island mayoral position are held by women.

In Tuvalu women make up 46 per cent of senior management within the public service, but comprise only 32 per cent of the highest levels of senior management.

In Solomon Islands women comprised 44 per cent of the public service work force in 2018, an increase from 30 per cent in 2007, but a majority are employed at junior administrative levels. Only 25 per cent of senior positions in government (from Level 9 to Speaker level) are held by women. There are only four women permanent secretaries out of a total of 24.

112 A breakdown of numbers of women parliamentarians by country: Tonga two, Tuvalu one, the Cook Islands six, Fiji 10, Kiribati three, RMI three, Nauru two, Niue five, Palau four, Samoa five and Solomon Islands two (<https://www.pacwip.org/>)

113 Inter-Parliamentary Union 2019. Available at: <https://www.ipu.org/resources/publications/reports/2019-03/women-in-parliament-in-2018-year-in-review>

114 The late Hon. Dr Jiko Luveni was appointed Speaker following the 2014 national elections, and was re-appointed Speaker following the 2018 national elections, a position she held until her death in December 2018.

Samoa now has four women judges – two Supreme Court judges and two district judges – as well as two women Lands and Titles Court judges. A Family Court was established in 2014 and a Drug and Alcohol Court in 2015. The latter receives funding from the gender programme to support officers of the court. Both the Family Court and the Drugs and Alcohol Court are presided over by female Supreme Court judges.

Palau's judiciary is close to gender balanced with four women judges out of a total of nine, and women hold an almost equal share (49 per cent) of managerial positions.

Following a policy directive in 2004 and with the support of provincial governments, many women magistrates were appointed to PNG's village courts. PNG reported to CEDAW in 2010 that Eastern Highlands Province had led the way by appointing 86 women magistrates, and 15 provinces at the time had made appointments of women magistrates.¹¹⁵

Nauru reports that although only two women have ever been elected to parliament, the value of women's contribution to public life is reflected in the large proportion of public sector agencies that have historically been headed by women.

Encouraging shared work and responsibilities

While the "difficulties of combining family life, work life and politics" are recognised in some national reports as an obstacle to women seeking political office, there have been no reported policies, awareness or sensitisation training, or work-based champions to encourage a change in the disproportionate responsibility for household duties and care of children that women carry, founded on fixed ideas about women's roles.

Training women for leadership

Training women for leadership is undertaken in most PICTs, both by governments and women's NGOs, and often with the support of UN agencies and/or donor partners. The practice parliaments run in 10 PICTs between 2011 and 2016 by UNDP, PIFS and later with UN Women support provided excellent leadership, skill-building and confidence training to aspiring political leaders and potential women candidates in national elections.

In Solomon Islands, a Gender Equality and Social Inclusion in the Public Service policy has been drafted that recognises the need for special measures to be adopted to achieve gender equality and social inclusion. The policy includes a focus on women's leadership and staff training/learning, and proposes the following key actions: providing enhanced training for women "to fast-track higher qualification"; creating TSMs to increase the number of women leaders and institute gender balance in all decision-making panels and boards; adopting affirmative action in making selections for training, particularly in sectors with wide gender disparities; and developing a training plan to accelerate women in middle management.

With support from the Electoral Office and funding from the Pacific Leadership Programme, the Department of Women's Affairs in Solomon Islands was able to offer training to women contestants in provincial elections in two provinces. The department also organised, with the support of the State Law Office, several training sessions for elected women councillors on the role of councillors, leadership and ethical decision-making.

The National Council of Women in Cook Islands (NCWCI) has a long history of individually mentoring candidates for national and islands council elections. In partnership with the government and supported by the Commonwealth Local Governance Fund, the NCWCI also conducts leadership training workshops with potential women candidates for island governance elections on each of the islands.

Fiji Parliament's standing orders require parliamentary committees to apply "gender-based analysis" when scrutinising legislation or performing other oversight functions. A gender group, comprising the chairpersons and deputy chairpersons of parliament's six standing committees, was initiated by the Office of the Speaker of Parliament to ensure that gender considerations are applied in the work of all committees, and reflected in the reports they table in parliament. To guide MPs (male and female) in scrutinising legislation from a gender perspective, the Fiji Parliament developed a toolkit with the help of the UNDP Fiji Parliament Support Project. This serves as a sort of training manual for applying gender analysis in parliamentary committee work.

APPOINTMENTS TO DECISION-MAKING POSITIONS

Vanuatu's Public Service Commission in 2018 appointed on merit the first two women directors-general (to the Ministry for Internal Affairs and the Ministry for Justice and Community Services), and in February 2019 made further merit-based appointments of eight women to director positions, increasing women's appointments at these senior

¹¹⁵ CEDAW Pre-session working group 46th session, 12–30 July 2010, Responses to the list of issues and questions with regard to the consideration of the combined initial, second and third periodic reports – Papua New Guinea.

levels to 5 per cent and 21 per cent respectively. The directorship appointments cover several non-gender-stereotyped responsibility areas: finance, environment, women's affairs, geohazards, labour, tertiary education, biosecurity and civil aviation. Vanuatu also has a female Commissioner of Labour, and in May 2019 appointed its very first female ni-Vanuatu Supreme Court judge. Senior appointments of women have also been made in the Vanuatu police force, with the women officers appointed to senior positions deployed in international UN peace-keeping missions.

The numbers of women appointed to management level positions (CEO and assistant CEO) in government ministries in Samoa have increased in the last five years. Sixty per cent of these positions are now held by women. Samoa has two women cabinet ministers and two women MPs chair parliamentary committees, the Public Accounts Parliamentary Committee and the Social Sector Committee of Parliament.

RMI reports increasing numbers of women being appointed to "high level government positions, management, government boards and diplomatic posts". This has been driven by women gaining higher level education and degrees and by government support for equitable access for men and women to decision-making posts and participation in public life.

PROMISING PRACTICE

"In March 2019 the Inaugural Pacific Women Leaders Coalition Conference was convened by President H.E. Dr. Hilda C. Heine, as the first virtual conference for women around the Pacific to establish a women's coalition to support leaders to accelerate progress toward gender equality and empowerment of women."

RMI National Report for Beijing+25

WOMEN'S LEADERSHIP IN CIVIL SOCIETY

Most PICTs have strong and long-established women's NGOs including women's rights organisations, many of which enjoy a high profile in the region at large. There are two strong and active regional networks of women's NGOs, headed by very able and effective women leaders, working in the areas of ending violence against women; and women, peace and security and women's media. Several women's organisations run training programmes and mentor younger women as part of their organisational mandate. In some PICTs, women's NGOs also provide leadership for national NGO coalitions, such as the NGO Coalition on Human Rights in Fiji.

There are longstanding relationships in many PICTs between established national women's NGOs and governments. These relationships are often mutually supportive partnerships. In the period since the last regional report, many women's NGOs have also effectively engaged with governments at the regional level through SPC and PIFS processes, to deliberate on issues of common concern in the region such as sustainable development, climate change and oceans, and help set regional development agendas and strategies. Women's NGOs and women-led coalitions and networks have been centrally involved in these processes.

CHALLENGES AND AREAS FOR ACTION

TSMs have proven successful in increasing women's political representation in PICTs. They will remain an important vehicle for progressing women's political participation and representation in national parliaments, and local government councils. Legislating reserved seats or the mandatory inclusion of a specific quota of women candidates in parliaments and councils depends on both effective advocacy and lobbying by champions within and outside government, and political will. Introducing a requirement for political parties to include a particular proportion of women in the candidates they put forward for election also depends on increased involvement by women in executive positions within political parties.

Reforms of electoral systems have often been undertaken to achieve fairer representation than through systems based on first past the post. Proportional representation systems are known to benefit smaller parties and are usually fairer to women candidates. Electoral reforms can present challenges however, and women's organisations and women leaders need to ensure that they are consulted and included in any electoral reform process. They also need to be alert to the possibilities that even proposed new systems may have negative consequences for women's representation, for instance if they include a qualifying threshold of votes that is set too high for an independent candidate or small party to attain.¹¹⁶

¹¹⁶ This is the case with Fiji's new election system, introduced in 2014 by decree. Independent candidate Roshika Deo secured 1055 votes in the 2014 elections but failed to win a seat as her total votes fell far below the high threshold of 5 per cent of all votes cast. See Liki A. and Slatter C. 2015. Control, Alt, Delete: How Fiji's new PR electoral system and media coverage affected election results for women candidates in the 2014 election. *Journal of Pacific Studies* 35(2).

Women in all PICTs constitute roughly 50 per cent of the voting population. Not all women voters give their vote to women, however. The Fiji Women's Forum's 2014 survey of community attitudes to women's leadership returned a 72 per cent response from women surveyed in favour of having more women in national government. Yet Fiji election results in 2014 indicated that only 16 per cent of women voters actually voted for women candidates. In the 2018 elections, the percentage of women voters supporting women candidates fell to 8 per cent. This suggests the need for more advocacy among women voters who should be expected to be the natural vote bank for women candidates.

Achieving gender balance in other decision-making bodies in the public sector, including the boards of statutory bodies, commissions and advisory committees, remains an ongoing challenge, although some progress has been made. The CEDAW Committee has expressed concerns to Pacific nations about women's under-representation in parliament and decision-making positions in government. In one case, the Committee highlighted, "discriminatory stereotypes, nepotism and favouritism" as "barriers to the full and equal participation of women in political and public life".

RECOMMENDATIONS

Delegates to the 13th Triennial Women's Conference made the following recommendations:

- increase the number of women in national and subnational parliaments and legislatures, in customary institutions and in senior decision-making positions in government;
- set appropriate targets for the representation of women, men and marginalised groups across the key decision-making areas noted in the PLGED, and consider adopting TSMs, where appropriate, to increase women's representation in legislatures;
- work with women, particularly the most marginalised, to amplify their voices and support representative organisations to negotiate with national, subnational and local government and private sector bodies;
- promote a safe and enabling environment for all civil society actors, with a specific focus on women human rights defenders, and more equitable access to resources for grassroots, local, national and regional women's organisations and CSOs to support women in asserting their economic rights;
- encourage women's participation and leadership in trades unions, organisations for informal workers, employers' and business organisations and professional associations; and
- promote women's influence and agency by supporting the capacity of special interest groups, such as market vendors, to develop their bargaining power in economic areas.

OPINION PIECE

GENDER-PARITY LAWS HAVE STEPPED UP WOMEN'S POLITICAL PARTICIPATION IN FRENCH POLYNESIA, BUT THEY NEED TO STRENGTHEN THEIR INFLUENCE

Armelle Merceron, Uffo

As too few women were being elected to political office, French legislators decided to hasten the trend through a series of laws requiring parity on party lists in most elections. This legislation has been applicable in French Polynesia because of its status as a largely self-governing entity within the French Republic.

An initial law in 2000 established the principle of equal access to elected office for both men and women. But that law produced mixed results as it did not include any requirements as to the order of party lists, so there were still fewer women than men since women were not in positions where they would actually take office! Subsequent laws required strict alternation on party lists for elections to French Polynesia's Assembly and to town councils in municipalities with more than 1000 inhabitants. Parties who fail to ensure candidate parity during French national parliamentary elections are liable to financial obligations or penalties.

Following the introduction of these rules, the number of women in office quickly rose and while no more than a handful of women sat in the French Polynesian Assembly prior to 2000, since 2013 they have accounted for 50 per cent of the 57 members. Female representation also rose sharply on the 48 town councils in French Polynesia, going from 19 per cent in 1995 to 43 per cent since 2014. As legal parity requirements also apply to deputy mayor positions, 44 per cent of such positions are now filled by women. In addition, the new rules for French national elections have reversed the status quo with two out of the three members of French Parliament and one of the two French senators allocated to French Polynesia being women.

Although these legal constraints have given an undeniable and dramatic boost to women's political participation, the number of women at the executive level remains low as the law does not prescribe anything in that regard. There are only nine female mayors on French Polynesia's 48 town councils and women are in a minority in the government (currently three out of 10), regardless of the political party in power. No woman has ever been president or vice-president of the government and only one has been Speaker of the Representative Assembly.

What needs to be done to strengthen women's political participation?

The first challenge is agreeing to stand for elections. When the new electoral rules first came into effect, women who were willing to be candidates had to be found and men persuaded to accept them. Parity was imposed all of a sudden. Up until then politics was considered men's business. Party leaders, who were almost always men, then had to 'remove' men who had been friends or allies from their lists and find women likely to be willing to take on political roles, which led to quite some gnashing of the teeth, manoeuvring, blackmailing and acrimony.

Some women turned down offers because they felt unable to leave their roles as wives, mothers and behind-the-scenes social advocacy to become women in the spotlight. Those who did accept generally had a professional or association background, been active in their communities or hailed from politically involved families.

French Polynesian women still often see their role as being primarily to take care of the home and children and being available for the community, i.e. associations and churches. Most men around them and male community leaders share this view!

Once elected, the second challenge is feeling able to perform one's duties effectively (do all men ask themselves such questions?). My experience from 1996 to 2018 in the Government, Assembly and the town council in my home area taught me a number of things. I noticed in my daily work at the French Polynesian Assembly that women generally have higher attendance rates and outnumber men in chairing domestic affairs commissions, particularly those where people expect to find women, such as education, health and family matters. Women take their roles on public corporation boards or sector-based commissions very seriously. They are now better educated and take on social and professional responsibilities, so they should be more confident, feel able to assume office and be unafraid to speak up.

The challenges women elected officials face are succeeding in what is still a male-dominated world, preserving an independent outlook and acquiring the ability to influence decisions so as to help bring about the changes in society that women want to see. Public speaking is an acquired skill and training before and after their time in office will give them the proficiency they need, even in so-called 'male' preserves such as finance and budgets.

Nineteen years after the first legislative measures were taken, mind-sets have slowly but surely changed through experience. While these laws imposed gender parity in a very sudden manner, it will take time for things to flow automatically, because principles and the social order have been challenged, particularly when it comes to the sharing of work within couples and families.

The law was the catalyst that set off the mind-set change in both genders and I feel it was beneficial for gender parity. Women, however, need to summon the courage to assert themselves now that their participation is mandatory. Differences in effectiveness are not a matter of gender, but up to individuals themselves. To illustrate my optimism, I would cite the example of the small Tuamotu municipalities, which have not only elected a majority of women to their town councils (seven out of 17 have over 50 per cent women councillors), but have chosen seven women mayors, even though only one of those municipalities is legally required to ensure parity.

As they are re-elected, women officials are acquiring experience and confidence and we hope they are paving the way for an increase in their numbers in the years to come.

Disclaimer:

The views and opinions expressed above are those of the author and do not necessarily reflect SPC's official position.

A photograph of two women, likely of Pacific Island descent, wearing purple polo shirts. They are looking intently at a tablet computer held by the woman on the left. The woman on the right has a white and pink flower in her hair. The background is a light-colored stone wall. The text 'CRITICAL AREA H' is overlaid in white, bold, sans-serif font across the upper middle of the image.

CRITICAL AREA H

A photograph of two women, likely of Pacific Island descent, wearing purple polo shirts. They are looking intently at a tablet computer held by the woman on the left. The woman on the right has a white and pink flower in her hair. The background is a light-colored stone wall. The text 'INSTITUTIONAL MECHANISMS FOR THE ADVANCEMENT OF WOMEN' is overlaid in white, bold, sans-serif font across the lower middle of the image.

INSTITUTIONAL MECHANISMS FOR THE ADVANCEMENT OF WOMEN

INTRODUCTION

Critical Area H in the BPA concerns national machinery – institutions, mechanisms and processes – for the advancement of women. National machinery for the advancement of women, as the BPA explains, is the central policy-coordinating unit inside government charged with supporting government-wide mainstreaming of a gender equality perspective in all policy areas. To be most effective in its role, the national machinery should be located in “the highest possible level in the government, falling under the responsibility of a Cabinet Minister”, be provided with sufficient budgetary and professional resources, be able to influence development of all government policies, and have the support of institutional mechanisms or processes that facilitate decentralised planning, implementation and monitoring, with a view to involving NGOs and grassroots community organisations.

There are three strategic objectives under Critical Area H: create or strengthen national machineries and other governmental bodies; integrate gender perspectives in legislation, public policies, programmes and projects; and generate and disseminate gender-disaggregated data and information for planning and evaluation.

“Mechanisms for the advancement of women and mainstreaming gender in development” is the first critical issue in the 1994 PPA. National machineries for the advancement of women, which had been called for by women in the region long before the PPA or the BPA came into being, were envisaged as the means by which the PPA would be implemented. In her review and evaluation of the PPA, Penelope Schoeffel at the Fourth Triennial Meeting in 2004 recorded that national machineries for women had been promoted in the Pacific as “a model for the advancement of women” by ESCAP and subsequently UNIFEM (now UN Women) and other agencies from as early as 1975. In that year, the first UN Conference on Women was held in Mexico City marking what the UN designated as International Women’s Year, and setting in train the series of UN conferences that culminated in the 4th World Conference on Women in Beijing, and the adoption of the Beijing Declaration and the BPA.¹¹⁷

CONTEXT AND PROGRESS

Mechanisms to promote the advancement of women have remained a key plank in the PPA – it was made the first of the four themes under which the 13 critical issues were clustered following the 2004 review, and it is Priority Area 1 in the PPA’s current iteration, the Pacific Platform for Action on Gender Equality and Women’s Human Rights (2018–2030).

NATIONAL MACHINERY, MANDATES AND RESOURCES

Regionally, national machineries responsible for gender equality and empowerment of women in the region have been in existence for many years now. They operate with great dedication to implement policies for the advancement of women in line with the BPA and the SDGs. They range in capacity from two-person offices to larger units, and in status from women’s offices or departments, to women’s divisions or ministries of women where the ministry holds additional social portfolios such as social welfare, community development and youth. Where they are offices, departments or divisions, they have tended to be located in less strategic ministries and under-resourced. Even where they are ministries they have tended to be under-resourced, and for a long time were usually marginalised within the state set up, and unable to exert much influence over government policies. Today, 25 years after the Beijing Declaration and Platform for Action, national machineries in PICTs appear to be, or to feel, more empowered with the mandates given them by gender equality and/or women’s empowerment or development policies, which most PICTs now have in place. These policies, which tend to be systematically aligned to the BPA, the PPA and other relevant regional commitments, and since 2016 to the SDGs, together with national plans of action for gender equality, are welcome developments across PICTs. Their implementation, however, requires both a level of budgetary support and political will from all sectors of government, which are often not as forthcoming.

The following update on the status, mandates and programme focus of national machineries provides a snapshot of the current situation and recent developments in PICTs which submitted national reports for the Beijing+25 review.

In 2017–2018 Solomon Islands’ Women’s Development Division (WDD) suffered a substantial 19.5 per cent recurrent budget cut, amounting to SBD 90,000, compared with its allocation in the previous year, and the Ministry of Women, Youth, Child and Family Affairs (MWYCFA) in which the department is located received the lowest development budget

¹¹⁷ Thanks to the efforts of the late legendary YWCA feminist Ruth Lechte, a small contingent of young Pacific women attended the NGO Forum which was held alongside the intergovernmental Mexico Conference. In 1995, a large number of Pacific women, including a large contingent of self-funded women from PNG, attended the NGO Forum in Beijing.

in years in 2018.¹¹⁸ The WDD leads and coordinates all work on gender equality and women's development in Solomon Islands. Its mandate comes primarily from two policies – the Gender Equality and Women's Development policy (2016–2020) and the Ending Violence Against Women and Girls policy (2016–2020) – and the 2014 Family Protection Act. In addition to raising awareness of the Act, establishing the Family Protection Act Advisory Committee, and developing a domestic violence counselling framework, the department has wide-ranging key roles.¹¹⁹ The reduced budget allocation has occurred “at the same time as the Department's mandate has increased”¹²⁰ and may have implications for the department's planned work with four provincial governments in supporting the implementation of provincial women's policies that are considered blueprints for advancing gender equality and women's empowerment at the provincial level, as part of provincial peace-building programmes with key peace and security entities.

Vanuatu's Department of Women's Affairs (DWA) is located in the Ministry of Justice and Community Services. The ministry comprises two departments (the other being the Department of Correctional Services), two specialised desks (the National Child Desk and the National Disability Desk), and five statutory bodies – the Customary Land Management office, the Lands Ombudsman's Officer, the Law Reform Commission Office, the National Cultural Centre and the Malvatumauri Council of Chiefs. The DWA's mandate is to promote equal rights, opportunities and responsibilities amongst men and women and eliminate all forms of discrimination and violence against women and girls. It now has desk officers in five of the country's six provinces, following decentralisation.

A national gender equality policy, launched in 2016, is the main mechanism supporting the DWA's advocacy and lobbying on gender equality and women's empowerment. The policy is reflected in Vanuatu's National Sustainable Development Plan 2016–2030, under which gender is to be mainstreamed across the 13 government ministries, with resources allocated in the national budget to support integrating gender in the education, health, law and security sectors. However, Vanuatu reports several problems including “weak political will”, “poor awareness of the gender policy across sectors at both national and provincial levels as well as among partners”, lack of long-term funding support from government and donor agencies, and a tendency for sectors to work in silos, which presents challenges for the implementation of gender mainstreaming across sectors. The DWA receives approximately VUV 29 million from the national budget to cover operations and human resource costs but is entirely reliant on donor funding to run programmes as no programme funds are provided by the government. Donor grants intended to support gender equality and social inclusion are sometimes taken away from DWA. This happened in 2017, when DWA and the Gender and Protection Cluster received AUD 2 million to implement Cyclone Pam recovery projects to ensure they were gender equitable and socially inclusive, but the funds were ‘retrieved’ by the national government.

Tuvalu's national machinery is the Gender Affairs Department. Until September 2019 it was located in the Prime Minister's Office, having been moved from the Ministry of Health in 2013. It has now moved back into the Ministry of Health. The relocation to the Prime Minister's Office placed the department in a strategic position to fulfil its two main roles – mainstreaming gender across government and monitoring policy. However, even when it was within the Prime Minister's Office, the Tuvalu BPA+25 report notes that the department lacked the resources needed to fulfil its mandate under the National Gender Policy 2014–2019. Its government funding (resourcing) has remained unchanged in the last five years. In the 2018 government budget it received a small increase in its budget, and a one-off grant of AUD 50,000 to support the Family Protection Fund. There are five staff – Director, Policy Advocacy Coordinator, Project Manager, Communication Officer and Clerical Officer. A Gender Equality and Social Inclusion advisor funded by the Pacific Women project was placed in the department between 2016 and 2018, and a country focal officer contracted by SPC's RRRT was based in the department for some time. An important component of the national machinery in Tuvalu is the National Council of Women, which links government with civil society. A network of government agencies functions as the national coordinating committee for CEDAW, coordinating and monitoring fulfilment of Tuvalu's obligations under CEDAW.

FSM has a national machinery for gender equality and the empowerment of women; and FSM's National Strategic Action Plan 2004–2023 has a gender matrix component which informs FSM's gender policy. No further details were provided in the completed ESCAP questionnaire submitted by FSM, which was the only report it submitted for Beijing+25.

118 The MWYCFCA is one of 24 government ministries. Solomon Islands Government Women's Development Division, Ministry of Women Youth Children and Family Affairs, Beijing +25 National Review Report, 2019. Available at: <https://www.unwomen.org/-/media/headquarters/attachments/sections/csw/64/national-reviews/solomon-islands-en.pdf?la=en&vs=711>

119 The WDD's responsibilities include: formulate, coordinate, implement and review national gender and women policies; coordinate national level planning and collaborate in implementation including in the provinces; collaborate with stakeholders, civil society and development partners on research, reviews, evaluation and data collection on women issues and disseminate information widely; facilitate skills training at national, provincial and community levels, including [providing] financial and technical assistance to women and women's groups as and when needed; provide support for special initiatives for women where existing institutions and agencies are unable to meet; and work closely with the National Council of Women in promoting issues of concern to women and encourage its roles as a voice and forum for women and by women.

120 Ibid.

The national machinery for gender equality and the empowerment of women in the Cook Islands is a Gender Office comprising two staff (a Senior Gender Adviser and a Programme/Research Officer) located within the Ministry of Internal Affairs. The only budgetary details provided were for 2013–2014 – NZD 77,427 allocation to cover the two staff and operations. However, the office has received significant development assistance from UN agencies over the last 10 years to cover work on the Family Law Bill, writing CEDAW reports and promoting the findings of the family health and safety study; and from the Australian Government to support eliminating violence against women. The gender stocktake of government in 2009–2011 revealed weaknesses in the government’s gender mainstreaming efforts: gender issues rarely discussed among government agencies; gender equality not mainstreamed across the sectors; little production and use of gender-disaggregated data to guide policy-making, program design and service delivery; and little technical capacity to conduct gender analysis. The Gender Office has good working relationships with NGOs and a national biennial conference jointly organised by the Gender Division and the National Council of Women continues to be held. Gender mainstreaming, persistence of violence against women and low participation of women in high-level decision-making are reported to still be challenges, although the 2018 national elections saw a record number of women (six) attain seats in parliament. With the help of the National Statistics Office, which is producing gender-disaggregated statistics on a range of indicators, the country’s gender profile report is in the final stages of production.

In Palau, the national machinery for the advancement of women is the Gender Division of the Bureau of Aging and Gender in the Ministry of Community and Cultural Affairs. A national gender mainstreaming policy was approved in 2018, and a gender analyst will be working with the Office of Planning and Statistics and the ministries to produce gender-disaggregated data. The Office of the President and Congress supported legislation of a national budget allocation for positions in the Gender Division and a Coordinator for the Family Protection Act. Palau reports that as a matriarchal society, women have been a strong voice in steering the direction of the nation. Palau has not ratified CEDAW.

The national machinery for gender equality and the advancement of women in RMI is the Gender and Development Office, located in the Ministry of Culture and Internal Affairs. The office has a Gender Development Coordinator, a new Gender Development Officer, and the HRSD Country Focal Officer to RMI provides technical assistance to the ministry. No information was provided on budget allocations for the national machinery and nor has there been any assessment of the impact of national budget cuts on women and men. RMI is in the last year of a five-year national gender mainstreaming policy (2015–2019), the outcome of a combined effort between government and national NGOs with technical assistance from SPC. Its main purpose is “to guide the process of developing laws, policies, procedures and practices that will address the needs, priorities and aspirations of all women and men and effectively eliminate all forms of discrimination and inequality”. The policy was established in line with CEDAW, CRC, the Pacific Plan, the MDGs, the BPA and its revised iteration, the Platform for Action for the Advancement of Women and Gender Equality, the 2012 Forum Leaders Declaration, and the country’s own national strategic plan.¹²¹

RMI reports that gender equality and the advancement of women and girls is a “national priority”: it is part of the social sector of the national strategic plan and RMI is “committed to creating an enabling environment that allows all women and men to develop their capacities and fulfil their aspirations”. In August 2017, the Micronesian Women’s Conference was held on the initiative of President Heine to collectively develop strategies to progress gender equality and the empowerment of women. There appears to be no shortage of political will at present in RMI. Its efforts in the last 10 years, and especially in the last few years, to “strengthen the legal context for equality and human rights” through a comprehensive review of laws and law reform are nothing short of exemplary. Details of these legislative reforms have been noted in other chapters.

Samoa’s national machinery for gender equality and the empowerment of women is the Ministry of Women, Community and Social Development. The ministry also covers children, community, vulnerable families and people living with disability. The ministry’s work was restructured between 2016 and 2018, to move focus from working with individual groups to the following thematic areas: social development, economic empowerment, governance and leadership. The restructure involves mainstreaming women, gender, children and people living with disabilities into all the focal work areas of the ministry “for more effective responses to needs”. Samoa reports that the ministry leads on CEDAW, CRPD and CRC implementation but the government follows a “whole of government approach” and there is “strong recognition that gender equality and women’s empowerment cannot be achieved by one Ministry alone”.

121 The five priority outcomes of the policy are: “strengthened capacity across the government to deliver gender responsive programs and services; secure family wellbeing; elimination of GBV [gender-based violence] and protection and care of survivors; enabling environment for equitable participation in and benefit from economic development; and equitable participation of women and men in decision-making” (RMI National Report for Beijing+25).

Samoa's Cabinet Development Committee has made gender analysis a requirement for all aid project proposals. This is reported as a "positive step in enhancing the role of women and promoting gender issues in all government policies and resource allocation decisions." The ministry has established a district development planning programme through which to drive gender equality and social inclusion at the village level and thereby ensure a better chance of improving women's empowerment on all fronts – economic, governance, leadership, protection against violence against women, better health and educational opportunities. This is described as a first-time effort in including women, youth and persons with disabilities as equal partners in development dialogue. In 2018, 17 out of 49 district planning processes took place with strong women's representation and four committees are currently chaired by women.

Fiji's national machinery is the Ministry of Women, Children and Poverty Alleviation. A 10-year Women's Plan of Action (2009–2019) and the national gender policy guide its work. The national women's machinery has evolved from its original service delivery role to its present more strategic role in policy formulation and intervention. It has now gained recognition as the primary adviser to government on public policy issues that affect women. The Department of Women within the ministry takes a two-pronged approach to addressing women's needs: a women-in-development approach to improve the situation of women in rural and peri-urban areas; and a mainstreaming approach to integrate gender considerations across the whole of government. To implement the national gender policy, the ministry has established gender focal points across government agencies to assist mainstreaming work, but reports facing challenges with "a lack of political will and a lack of commitment to gender mainstreaming".

To assist with its international reporting requirements, the ministry has been working to improve its data collection in partnership with partners including SPC and with the support of a CEDAW working committee it established with representatives from 22 government agencies. The Women's Plan of Action addresses issues in five priority areas: formal sector employment and livelihoods; elimination of violence against women; equal participation in decision-making; access to services; and women and the law. It has also established a thematic desk on gender and climate change in response to emerging concern with the gender dimensions of climate change. LGBTQI issues raised in Fiji's last CEDAW report, however, remain unaddressed. There was an increase in government grant funding for national NGOs from FJD 100,000 in 2014 to FJD 150,000 in 2017–2018.

Tonga's Revised National Policy on Gender and Development (RNPGAD) 2014–2018 re-affirmed the country's 2000 vision of gender equity by 2025. The policy included six priority outcomes.¹²² The Women's Affairs Division, located in the Ministry of Internal Affairs, is Tonga's national machinery, charged with "coordinating, monitoring and providing advisory services in respect of the Policy". Several commendable achievements over the last five years are cited in Tonga's national report,¹²³ some of which are referred to in other chapters of this report. The Women's Affairs Division is reported, however, to have been "understaffed and under-resourced" for "most of the term of the policy", causing delays in completing work, including production of the 'Gender mainstreaming handbook'. Financial constraints and transportation difficulties also made outreach work in rural areas and outer islands uneven and inconsistent. Other challenges reported by Tonga were "lack of political will to address gender issues" with the result that "progress on gender has mostly been through donor funded projects"; and lack of awareness/understanding and capacity to implement gender mainstreaming in the public service. Tonga's withdrawal from its commitment to ratify CEDAW following public protests is also cited as a setback, together with gender-discriminatory laws.

In 2016, three new appointments were made – a Family Protection Coordinator, a Policy and Legislation Officer and a Monitoring and Evaluation Officer – providing the Women's Affairs Division for the first time with technical skills. In 2019 two publications, together with the policy, were published and launched: the 'Gender mainstreaming handbook', and 'Gender equality: where do we stand?'

At regional level, SPC through the Australian Government funded the Progressing Gender Equality in the Pacific project (PGEP) has been supporting gender mainstreaming and gender statistics work across PICs. This work started with the conduct of gender stocktakes in all PICs. These assessments have provided a solid base for strengthening the national gender machinery, through the implementation of recommendations regarding policy, as well as accountability and knowledge (data and statistics) gaps. PGEP supports work across government and civil society partners in terms of policy and planning and implementation, and closely with planning and statistics offices in terms of gender data.

122 They were: (i) enabling a familial and social environment for gender equality; (ii) equitable access to economic assets and employment; (iii) increased women's leadership and equitable political representation; (iv) create equal conditions to respond to natural disasters and environmental and climate change; (v) increased focus on addressing the additional vulnerability experienced by female-headed households, women with disabilities and women in rural areas, especially in the outer islands; and (vi) an enabling environment for mainstreaming gender across government policies, programmes and services.

123 For example: in 2017, a gender audit of the Public Service Commission (PSC) at PSC's request and with support from UNDP, with a view to "identifying avenues for promoting gender equality in the long term through the existing mandates of the Commission"; and in 2018, regular meetings of the National Advisory Committee on Gender and Development.

TRACKING GENDER EQUALITY AND WOMEN'S BUDGETS

Most of the national reports provided no information on budgets allocated for gender equality or women's empowerment work. None of the national machineries for gender equality and women's empowerment have been engaged in tracking budgetary allocations for gender equality initiatives. Tuvalu's Gender Affairs Department reported that it lacked both the capacity and resourcing to undertake such work. Most other PICTs have similar capacity constraints.

In 2017 Vanuatu's Cabinet decided to promote gender-responsive budgeting. No further details on whether and/or how this was subsequently carried through were provided in Vanuatu's report for Beijing+25.

Fiji's national machinery budget share, which was less than 1.5 per cent of the national government budget for the 3 years prior to 2015, was raised in the last 3 years and in 2019 is 2.6 per cent, its highest share yet, but still a miniscule allocation considering that the ministry's budget also covers social protection programmes for poverty alleviation. Fiji reported that despite the small overall budget share, the allocation for programme implementation more than doubled in the 2017/2018 budget, from FJD 1.2 million in 2014 to FJD 2.6 million, and funding for the Women's Plan of Action increased substantially to FJD 1.4 million in 2017–2018 from FJD 550,000 in 2013.¹²⁴

Generally budget allocations to national machineries were limited to supporting staff emoluments and operating costs. Programme work was most often dependent on donor funding.

The CEDAW Committee's concluding observations on Nauru's 2017 report to the treaty body raised concern that "sufficient human and financial resources have not been allocated to the [Women's Affairs] Department, restricting it from taking proactive action for gender equality and thereby weakening its authority and capacity to ensure coordination within the Government." The committee recommended, amongst other things, that this be rectified, that the authority of the department within government and its capacity to ensure coordination among relevant institutions be strengthened; and that Nauru "develop a gender mainstreaming strategy that includes gender-responsive budgeting and can be applied in all policies and programmes at all levels to address various aspects of women's lives".

NEW OPPORTUNITIES FOR LEADERSHIP

In many PICTs, especially those experiencing the impacts of sea-level rise or recovering from recent severe weather events triggered by the climate crisis or other disasters, the necessarily urgent attention to disaster preparedness, response and recovery under climate change adaptation and resilience programmes has further extended the work of national women's machineries. This has, however, brought new opportunities for both women's leadership and for capacity building among women, as well as openings for working cross-sectorally.

Vanuatu reported that government-led work on disaster preparedness and resilience which involves a wide cross-section of NGOs, private sector, donors, churches, chiefs and communities, was also giving women "voice, representation and leadership" within community disaster and climate change committees. Involvement in recovery work following the Ambae volcanic disaster in 2017–2018, which saw the displacement and resettlement of 11,000 people to other islands, provided the opportunity for the DWA to work with 13 ministries to ensure gender protection and social inclusion in recovery programmes. The DWA anticipates continuing work with these sectors on their budgets for gender equality and social inclusion.

RECOMMENDATIONS

Recommendations from the 13th Triennial Women's Conference relating to institutional mechanisms for the advancement of women were:

- collect, analyse and use data disaggregated by sex, age and disability on a regular basis and conduct gender analysis to better understand and track progress of women's economic empowerment and identify economic opportunities for women, in all their diversities and throughout their life cycle, including indigenous women and those from ethnic minorities, urban poor, those living in rural and remote areas, young women, women with disabilities, and lesbian and bisexual women;

¹²⁴ Government of Fiji 2019. Beijing Declaration and Platform for Action +25: Fiji country progress report. Available at: <https://www.unwomen.org/-/media/headquarters/attachments/sections/csw/64/national-reviews/fiji.pdf?la=en&vs=4101>

- develop effective partnerships to conduct studies, gender analysis and participatory research to generate knowledge on:
 - a. women's contribution to economies, especially in the informal sector, including cultural industries;
 - b. unpaid work and care, including household and community-related activities;
 - c. conditions for work and activities in the informal and formal sectors, to inform legislation and policies;
 - d. causes of pay disparity between women and men from different segments of the population, and potential measures to ensure women of all diversities receive equal pay for work of equal value;
 - e. effective measures to support the resilience of women's economic activities in the context of climate change and disaster impacts;
 - f. income-generating activities, including development of value chains, employment, and livelihood opportunities for women, especially for women with disabilities, young women, rural women, and lesbian and bisexual women;
 - g. causes and social and economic impacts of gender-based violence, and strategic approaches to address harmful social norms;
 - h. examples of practices in the Pacific region that contribute to the redistribution of unpaid work and care;
 - i. impacts – both positive and negative – of legislation and policies, including macroeconomic policies, structural reforms and aid and trade agreements, on women's productive assets and economic empowerment; and
 - j. economic models and measures adapted to the Pacific context that protect traditional knowledge and practices and communal property rights, respect the human rights of women of all diversities, and acknowledge the benefits of technological and social innovations;
- establish or support the implementation of reporting on existing commitments with accountability mechanisms that demonstrate:
 - a. the adoption and implementation of legislative and policy measures to increase women's digital, financial and property assets;
 - b. that women's human rights are protected within macroeconomic policies, in structural reforms and in aid and trade agreements;
 - c. that government budget is invested in basic infrastructure and services that contribute to alleviating the burden of unpaid care work and support women's economic empowerment;
 - d. removal of barriers to women's participation in the workforce and in decision-making, and enforcement of equal opportunity practices;
 - e. development and implementation of legislative measures, policies and programmes to eliminate gender-based discrimination and violence and harmful gender norms in the workplace; and
 - f. adoption and implementation of laws and policies promoting decent work, pay equality, and support for the reconciliation of work and family responsibilities;
- support government and regional organisations to undertake and implement gender-responsive budgeting;
- improve delivery of gender-responsive programmes;
- implement mechanisms to support gender mainstreaming processes across central, subnational and local government programmes and services;
- increase women's access to ICT and digital services, including women with disabilities and women living in remote areas;
- adopt gender and social inclusion policies to improve working conditions for women;
- remove biases and stereotypes in human resource policies, adopt practices to reduce gender gaps in hiring, promotion and pay, and establish accountability mechanisms including appropriate protocols for pay equity processes, with objective criteria for initial pay and promotion, and regular reviews of pay equity
- improve infrastructure and governance of market places to create inclusive and gender-responsive environments;
- ensure that structural reforms, budgets, economic policies, taxation, aid arrangements and trade agreements do not disadvantage women; and
- improve basic infrastructure and services, including sustainable energy, accessible ICT and transport.

OPINION PIECE

INSTITUTIONAL MECHANISMS FOR THE ADVANCEMENT OF WOMEN

Leituala Kuiniselani Toelupe Tago-Elisara, SPC

It would be fair to say that, long before the Beijing conference in 1995, where the need for institutional mechanisms for the advancement of women was recognised as a priority by the global body, in our Pacific societies our own social structures provided the mechanisms for the advancement of women across the region. The case of Samoa for example naturally comes to mind, where within the village social structure, there exists the *saofa'iga a matai* (village council of chiefs), *nu'u' o tama'ita'i* (organisation of the daughters of the village), *nu'u o taulele'a* (organisation of the untitled men) and the *saofa'iga a faletua ma tausī* (organisation of the wives of the village chiefs). The *nu'u o tama'ita'i* and *saofa'iga a faletua ma tausī* were the institutional mechanism supporting the advancement of women, within the context of the village setting and village development. Through the *saofa'iga a faletua ma tausī* and *nu'u o tama'ita'i*, matters relating to the advancement of women were addressed at the local level.

Ahead of the Beijing Conference, at the national level, governments in the Pacific had started to establish offices for women, women's desks, divisions for women or standalone ministries or departments for women's affairs. These institutional mechanisms for women were tasked with the design, promotion, implementation, monitoring, advocacy and mobilising of resources for the policies that support the advancement of women.

Prior to these developments led by governments, PICTs were already engaged in the advancement of women, not only at the village and local level, but also through the work of women-led community-based organisations, faith-based organisations and civil society groups. Through the work of these institutions, women were taking the lead in advancing their issues through these mechanisms, all of which were part of what is defined as institutional mechanisms to advance the status of women. These organisations were part of community development initiatives including support for primary health care and basic hygiene initiatives, for example, that became women's contribution to social and community development in their countries.

Main achievements and challenges

The last 25 years has seen various achievements in relation to the institutional mechanisms for the advancement of women. At national level, almost all countries in the Pacific now have a ministry or a division with a specific mandate to advance gender equality and to lead the empowerment of women. In line with this work, 14 of the Pacific countries now have a national gender policy, guiding the work on the advancement of women across the Pacific. In addition to that, Pacific countries now have dedicated staff, including gender officers, leading and driving the implementation of activities at different levels. Despite these achievements, one thing which is common across PICTs is the limited financing available to fully implement these policies; and associated with that is the limited capacity to monitor and evaluate achievements and progress made on advancing gender equality.

On the subject of integrating gender perspectives in legislation, public policies, programmes and projects, the Pacific has made some progress both at national and regional level on gender mainstreaming. The series of gender stocktakes that assessed the capacity of gender offices and governments to mainstream gender, as well as gender assessments in agriculture, fisheries and other sectors, have all contributed to efforts to integrate a gender perspective across policies and programmes. The fact that managers and experts in SPC, for example, are now requesting technical assistance and asking questions about how to integrate gender equality into their work, is clearly a demonstration of the progress that the Pacific has made, and is a culmination of years of advocacy and building awareness about gender equality and why it matters.

The region is however still challenged by capacity constraints for gender offices and in terms of mobilising a collective and whole-of-government approach to gender mainstreaming. Up until very recently, with the availability of regional support through SPC to strengthen PICTs' capacity to mainstream gender, and to monitor progress towards gender equality, there has been very little direct support to national governments for the strengthening of institutional mechanisms. For the most part, the CSOs and NGOs themselves have had some success in mobilising resources to do some of this institutional strengthening, but these initiatives typically have been minimal and ad hoc. For the government offices for gender, the experience is similar, where opportunities for capacity development are rare, opportunistic and were often dependent on what is available or offered from outside partners or through donor assistance. These realities are some of the enduring challenges impeding any progress anticipated for many ministries/departments and offices and/or organisations for the advancement of women to lead and sustain gender mainstreaming across government.

Like gender mainstreaming, the generation and dissemination of gender-disaggregated data and information for planning and evaluation has progressed in the last 5–7 years. The work of regional and international organisations like SPC, the ADB, UNFPA and now UN Women, has supported the dissemination of gender statistics that governments and development partners are now using to inform policies and decision-making; and to track progress against our gender equality commitments. The production of the ‘Gender equality: where do we stand?’ publications by SPC provides governments for the first time, in one document, a broad picture of the progress towards gender equality policy goals based on their national data sets, including population and household censuses, gender-based violence prevalence surveys, demographic and health surveys, as well as household income and expenditure surveys. The ADB gender profiles and UNFPA gender monographs also provide similar platforms where governments and development partners alike can source information for monitoring, evaluation and decision-making.

An important development that has resulted from the work on gender mainstreaming and gender statistics is the strengthening of partnerships and collaboration across different sectors of government and the national women’s machinery, including with central agencies such as national statistics offices, finance and planning and to some extent the public service commissions. It has not only strengthened this important partnership between the national women’s machinery and other sectors, particularly for national statistics offices, it has also meant that gender is now integrated across some of these national data collection systems and this is a significant development that is worth highlighting.

Despite the challenges hindering progress, one also applauds the efforts of gender ministries/departments and offices for:

- engaging in a policy platform, including consultative processes for the work on gender equality in the Pacific at the community, national and regional levels;
- generating and sustaining sometimes difficult conversations on the subject of gender equality and engaging our governments and partners in initiatives to empower women; and
- courageously keeping the movement vibrant and alive to this day, notwithstanding the setbacks and barriers on progressing gender equality.

Lessons learnt

At national level, the work strengthening institutional mechanisms for the advancement of women goes beyond national women’s machinery. The gender equality commitments that governments have signed up for are indeed for ‘governments’, i.e. the whole of government, to respond to, and not just the national women’s machinery, as is often the case. The learning from the last 25 years that we need to take forward is that the strategic engagement of all of government in this conversation, and ‘walking the talk’, needs to happen now, if it has not happened already. The dissemination and socialisation of the findings of the Pacific Beijing+25 Regional Review Report is the platform to enable that. It not only provides the entry point for dialogue, but also the baseline upon which to measure how we will track our collective response across government on advancing gender equality so that we truly ‘leave no one behind’.

At regional level, this work also is beyond SPC, and the Social Development Programme (SDP) which leads the gender equality work in the region. The mobilisation of a collective response across the CROP agencies to accelerate our responses to gender equality is key, and the socialisation of the Pacific Beijing+25 Regional Review Report is the starting point for that conversation, particularly as we engage in the development of the 2050 strategy, led by PIFS.

The last learning that we need to take forward both at national and regional level is the importance of building and sustaining Pacific expertise on gender. The strengthening of institutional mechanisms requires a dedicated focus on building that expertise at national and regional level, towards sustaining this work into the future. Additionally, the mainstreaming of gender across sectors should not replace the development of this expertise within national women’s machinery and regional organisations leading this work. It is widely acknowledged that the need for a twin-track approach to progress gender mainstreaming across sectors, and having a specific focus on building expertise in national women’s machinery and all gender focal points and focal organisations, is critical to achieving gender equality and one cannot be successful without the other.

Disclaimer:

The views and opinions expressed above are those of the author and do not necessarily reflect SPC’s official position.





CRITICAL AREA I

HUMAN RIGHTS OF WOMEN

Every woman has the right to a life free of violence

The 16 Days of Activism Against Gender Violence Campaign is an international campaign that began in 1991. From November 25th, the International Day of Elimination of Violence against Women, to December 10th, International Human Rights Day, the campaign calls on individuals and groups to end all forms of violence against women and girls.

INTRODUCTION

The Beijing Platform for Action opens discussion of Critical Area I by stating that human rights and fundamental freedoms are the birthright of all human beings; their protection and promotion is the first responsibility of governments. The BPA emphasises the critical role of governments in ensuring that women and girls enjoy the rights and freedoms that are their birthright in the following statements: “Governments must not only refrain from violating the human rights of all women, but must work actively to promote and protect these rights... The gap between the existence of rights and their effective enjoyment derives from a lack of commitment by Governments to promoting and protecting those rights and the failure of Governments to inform women and men alike about them. The lack of appropriate recourse mechanisms at the national and international levels, and inadequate resources at both levels, compound the problem.” Critical Area I has three strategic objectives: (i) promote and protect the human rights of women, through the full implementation of all human rights instruments, especially the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW); (ii) ensure equality and non-discrimination under the law and in practice; and (iii) achieve legal literacy. Table 5 shows human rights treaties ratified by Pacific island countries since 1970.

Table 5. Pacific Island countries’ ratification record by decade, 1970–2019.

Number of ratifications	Decade				
	1970–1979	1980–1989	1990–1999	2000–2009	2010–2019
	2	3	19	11	19
Treaty name and number of countries ratifying in brackets	CERD (2)	CERD (2)			
			CRC (14)		
		CESCR (1)		CESCR (1)	CESCR (2)
			CEDAW (5)	CEDAW (5)	CEDAW (1)
				CRPD (2)	CRPD (9)
				CCPR (3)	CCPR (2)
					CAT (4)
					CPPED (1)

CERD, Convention on the Elimination of Racial Discrimination; ICESCR, International Covenant on Economic, Social and Cultural Rights; CRC, Convention on the Rights of the Child; CEDAW, Convention on the Elimination of all Forms of Discrimination Against Women; CRPD, Convention on the Rights of Persons with Disabilities; CAT, Convention Against Torture; CPPED, Convention for the Protection of All Persons from Enforced Disappearance. Note: the Cook Islands and Niue ratified CEDAW in 1985 through association with New Zealand. The Cook Islands began reporting independently as of 2006. Palau is a signatory to CEDAW but has not ratified and is not counted in this table.

CONTEXT AND PROGRESS

In 2012, the then Secretary General of PIFS, Tuiloma Neroni Slade, commented that the region’s “overall level of ratification of human rights treaties is low by international standards, with almost all Pacific Island countries having ratified in some cases two at the most of the nine core international human rights instruments.”¹²⁵ In the last 10 years, PICs have made substantial progress in legally committing to the protection and promotion of human rights by ratifying international human rights laws. Today, their human rights treaty ratification record looks much more respectable. All of the independent states have ratified the Convention on the Rights of the Child (CRC), all except two (Tonga and Palau) have ratified CEDAW, and all except two (Solomon Islands and Tonga) have ratified the Convention on the Rights of Persons with Disabilities (CRPD). Except for Tonga and Palau, all PICs have ratified at least three of the nine core international human rights instruments, and five states (Fiji, PNG, RMI, Samoa and Vanuatu) have ratified five or more.

As the international bill of rights for women, CEDAW is identified as the most important international human rights law in the BPA. The fact that almost all Pacific states have ratified CEDAW is significant – indicating widespread political will to protect women’s rights and eradicate gender discrimination. Rights and principles that are also crucial to the protection of women’s interests and that guarantee substantive rights for women (especially women in developing

125 SPC 2016. Human rights in the Pacific: a situational analysis. Suva, Fiji: SPC. Available at: <https://www.spc.int/sites/default/files/resources/2018-05/Human-right-Pacific.pdf>

countries) are enshrined in other human rights laws, for example the International Covenant on Economic, Social and Cultural Rights (ICESCR) which enshrines key economic rights¹²⁶ and the UN Declaration on the Rights of Indigenous People, which inscribes the principle of free, prior and informed consent (FPIC) as a right of indigenous people.¹²⁷ The new ILO Convention on Violence and Harassment in the World of Work (Convention 190, 2019) adds significantly to the corpus of international laws protecting women's rights.

While all PICs have been making efforts to implement the international human rights laws to which they are states parties, including by meeting their reporting obligations with the CEDAW Committee and other treaty bodies, they are still a long way from achieving full compliance with the various conventions they have ratified and several of them have been behind schedule in submitting their reports. This is understandable given their under-resourced national machineries; although technical assistance from UN specialised agencies can be requested and is often provided.

This chapter summarises how PICs have been meeting their reporting obligations; implementing CEDAW and other human rights treaties; progress in establishing national human rights institutions and how they have been performing; and UN human rights missions to the region. The full enjoyment by all persons within PICTs of the rights and freedoms that are their birthright requires more than ratifying international human rights laws and undertaking legislative and policy reforms to comply with them. These are very important first steps, but beyond these are the major challenges at national level of enforcing laws and policies and fostering a culture of human rights that is embraced by all.

INTERNATIONAL REPORTING OBLIGATIONS

Only FSM, Fiji, RMI and Samoa deposited instruments of ratification for international human rights treaties after 2013. Eleven PICs have reported to CEDAW, but only seven – the Cook Islands, Fiji, FSM, Kiribati, Nauru, RMI and Samoa – have submitted a report after 2015 until 2019.

Since the last BPA review report, Samoa has reported to several treaty bodies and completed a second universal periodic review (UPR) in 2016. It submitted its second to fourth report to the CRC Committee in May 2016 and ratified the optional protocols to the treaty. In December 2016 Samoa also ratified the CRPD. One of the two first PICs to ratify CEDAW, in September 1992, Samoa submitted its sixth CEDAW report in 2017, and presented to the CEDAW Committee via video conference in October 2018. In 2018, Samoa also acceded to the Convention Against Corruption, and in March 2019 to the Convention Against Torture.

In July 2016 RMI submitted its combined third and fourth periodic reports on the implementation of the CRC, which it ratified in 1993. On 2 March 2018 RMI submitted combined initial to third periodic reports to the CEDAW Committee. Since the Beijing+20 review in 2015, RMI has also ratified four further international human rights laws – the CRPD, which RMI acceded to in March 2015, and the International Covenant on Civil and Political Rights, the ICESCR and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, all three of which were ratified in March 2018. RMI's second UPR took place in July 2015.¹²⁸

On 24 June 2019 RMI expressed strong interest in participating in global leadership on human rights by making known to the Human Rights Council that it had launched its candidacy to be elected to the Human Rights Council in 2020.¹²⁹ RMI is already a leader in negotiating global climate change commitments. President Dr Hilda Heine spearheaded talks and successful negotiations at the International Maritime Organization (IMO) meeting in London in 2018, where, fortified by the High Ambition Coalition, a sectoral cap, targets and commitment to emissions reduction in line with the Paris Agreement were secured from the shipping industry.¹³⁰

126 ICESCR enshrines the rights of all peoples to self-determination of all peoples, and to freely dispose of their natural wealth and resources; the rights to an adequate standard of living including adequate food, clothing and housing, and to continuous improvement of living conditions; the rights to education, to the highest standard of health, to safe and affordable housing, water and sanitation; the rights to work, to just and favourable conditions of work, including fair wages and safe and healthy working conditions; and the right to form and join trade unions that function freely.

127 FPIC is an internationally recognised human right enshrined in ILO Convention 169, and linked to treaty norms like the right of self-determination in the ICESCR. It obliges states to obtain the consent of indigenous people before undertaking development projects which may affect their land, territory or resources.

128 44th HR Council Regular Session, 24 June 2019. Available at:

<https://reliefweb.int/report/world/human-rights-council-opens-forty-first-regular-session-hears-update-united-nations-high>

129 Ibid.

130 See the following report on the historic agreement reached in the IMO in April 2018: 'Over 170 countries agree to reduce shipping emissions by 2050', 14 April 2018, which includes the following reference to RMI's role at the London meeting 'Zero emission from shipping by 2035 was the most ambitious proposal on the table at the IMO, made by the climate-vulnerable Marshall Islands and allies'. Available at: https://www.business-standard.com/article/news-ians/over-170-countries-agree-to-reduce-shipping-emissions-by-2050-118041400008_1.html

Reporting to UN human rights treaty bodies is a technical exercise that requires funding for specialised resources. Pacific states struggle to finance regular reporting and often rely on assistance from regional agencies and development partners. Table 6 shows the ratification and reporting status for the 12 PICs that have ratified CEDAW, noting that Palau is a signatory.

Table 6. CEDAW ratification and reporting status.

State party	Year of ratification	Periodic reports submitted
Cook Islands	1985*	2006, 2017
Fiji	1995	2000, 2009, 2016
FSM	2004	2015
Kiribati	2004	2019
Nauru	2011	2016
Niue	1985*	
Palau	Signed 2011**	
PNG	1995	2009
RMI	2006	2016
Samoa	1992	2003, 2010, 2017
Solomon Islands	2002	2013
Tuvalu	1999	2008, 2012
Vanuatu	1995	2005, 2014

Source: OHCHR website: https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=181&Lang=EN

* Note that the Cook Islands and Niue are committed to CEDAW through their association with New Zealand, which ratified in 1985. The Cook Islands began submitting independent reports in 2006.

** Palau is a signatory to CEDAW but has not yet ratified the convention.

CEDAW IMPLEMENTATION

RMI earns distinction amongst PICTs for its Gender Equality Act, the first such comprehensive standalone CEDAW legislation in the region. The act was approved by RMI's parliament, the *Nitijela*, in September 2019. A CEDAW legislative compliance review was also completed as a parallel process, paving the way for gender-based cross-sectoral law reform in the future.¹³¹ Both undertakings lay a strong legal foundation for eliminating gender-based discrimination

and promoting gender equality in RMI, and were supported by technical assistance from the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) and PIFS.

PROMISING PRACTICES

RMI's Gender Equality Bill was passed by the Nitijela in September 2019. The new law is unprecedented in the region and effectively domesticates CEDAW. RMI's Rights of Persons with Disabilities Act 2015, which is gender inclusive, is also unprecedented for its compliance with the CRPD, as are the consequential amendments now proposed for over 100 laws to eliminate disability-based discrimination and before the Nitijela as an omnibus bill.

Standalone CRPD-compliant disability legislation – the Rights of Persons with Disabilities (RPD) Act – was enacted by the *Nitijela* in 2015, a few months after RMI's accession to the CRPD. This was preceded by the adoption of a national Policy on Disability Inclusive Development 2014–2018.¹³² The RPD Act is gender inclusive. It addresses areas of intersectional discrimination and incorporates specific provisions on the rights of women and girls with disabilities.

Since ratifying CEDAW in 2011, Nauru has enacted a number of new laws. These were welcomed by the CEDAW Committee and include the Domestic Violence and Family Protection Act 2017; the Public Service Act 2016, legislating equal pay for work of equal value and maternity and paternity leave; the Crimes Act 2016 which repealed the 1899 Criminal Code and broadens the definition of rape, criminalises marital rape, removes the corroboration requirement in sexual offences and makes complainants' sexual history inadmissible; the Adoption of Children (Amendment) Act 2015, which facilitates adoption of girls and boys by families; and the Education Act 2011 which

131 The legislative review also addressed issues raised by the CEDAW Committee in its concluding observations on RMI's reports to the treaty body.

132 Report of the Working Group on the UPR, RMI, 20 July 2015.

ensures equal access to education by girls and boys, raises the age of compulsory education to 18 years and includes disciplinary action for sexual harassment in schools.¹³³

The CEDAW Committee also welcomed Nauru's efforts in improving its institutional and policy framework to support progressing gender equality. The National Women's Policy (2014–2024) sets goals for achieving gender equality; the National Policy on Disability (2015) addresses issues and concerns of persons with disabilities including women and girls; the Young Women's Action Plan (2009–2015) provides priorities for young women; the National Sustainable Development Strategy (2005–2015) recognises the rights of women, promotes equal opportunities and expresses a commitment to integrating gender across all sectors; and the Gender Country Plan includes support for women and girls affected by domestic violence, alcohol and teenage pregnancy. Nauru's ratification or accession to other human rights conventions, namely the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and its optional protocol,¹³⁴ in 2012 and 2013 respectively, and the CRPD in 2012, were also commended by the committee.

The Cook Islands reported that a systematic programme of legislative reform had been approved by the Cook Islands Government. New laws included the Employment Relations Act of 2012, guaranteeing maternity protection for female employees in both the public and private sectors, and making gender and sexual preference prohibited grounds for discrimination.

Following ratification of the CRPD in June 2017, the Parliament of Fiji passed the Rights of Persons with Disabilities Act of 2018. By August 2018, Fiji had ratified seven of the nine core international human rights laws. On 16 May 2019 parliament approved accession to the two remaining conventions, namely the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention on the Protection of the Rights of all Migrant Workers and Members of their Families. Fiji has not as yet ratified the optional protocol to CEDAW which establishes a complaints and inquiry mechanism and entails recognition by states parties of the competency of the CEDAW Committee to accept and consider complaints from individuals.

FSM reported that the National Women's Conference which is held every two years is used to push for implementation of CEDAW committee recommendations at state level. However, the FSM and its state governments "have not as yet modified their laws to respond to the requirements of the Convention". FSM reported that sex work is still an offence in the penal codes which means women engaging in sex work to support their families have no protection under the law. Domestic workers also have no protection under employment laws. There are no anti-discrimination provisions in FSM's laws and the laws in all four states of the FSM and the FSM government do not guarantee women equal conditions of work, including leave, superannuation and worker's compensation.

NATIONAL HUMAN RIGHTS INSTITUTIONS

The CEDAW Committee recommended the establishment of national human rights institutions to several PIC states parties. Most have not established them as yet.

Samoa's National Human Rights Institution, established in 2013, has distinguished itself by being accredited 'A status' by the Global Alliance of National Human Rights Institutions (GANHRI). It is the only 'A status' national human rights institution in the Pacific region. 'A status' is accredited by GANHRI to national human rights institutions that are fully compliant with the Paris Principles. Samoa's National Human Rights Institution "functions to bridge the protection gap between the rights of individuals and responsibilities of the State". Its work involves "monitoring Samoa's performance in meeting its international human rights commitments through State of Human Rights reports and Places of Detention Inspections Report"; reviewing existing and proposed legislation for compliance with human rights law; providing advice to government; making visits to places of confinement or detention; carrying out human rights education awareness and training programmes; and proposing recommendations that the international human rights community can make to the Samoan Government on pressing issues. Two further functions were reported to be "currently inactive", namely participating in judicial proceedings as a friend of the court or as a party where human rights issues arise; and receiving, investigating and resolving complaints of human rights violations.

Since it came into being, Samoa's National Human Rights Institution, based in the Office of the Ombudsman, has submitted three state of human rights reports to the Samoan Parliament and initiated the region's first ever national public inquiry into family violence, in 2018. In 2016 it initiated the My Rights Friendly School Program, a human rights education programme in three schools. Pending the availability of resources, the programme is intended to cover all schools in Samoa, and to include human rights education for teachers, parents and school committees. It also proposes

¹³³ See concluding observations of the CEDAW Committee, 2017. Available at: <https://bit.ly/3v0uiFI>

¹³⁴ The optional protocol of CAT, OPCAT, obliges a state party "to set up an independent National Preventive Mechanism (NPM) to undertake regular visits to places of detention and formulate recommendations to the authorities." See <https://www.apt.ch/en/what-is-the-opcat/>

to include, in collaboration with the OHCHR, involving schools in ‘mock’ or simulated UPR sessions and activities, with government and private schools. In partnership with UN Women, the National Human Rights Institution initiated basic human rights education for police recruits in 2015.

The Fiji Human Rights and Anti-Discrimination Commission was established by the Human Rights and Anti-Discrimination Act of 2009. Its predecessor, the Fiji Human Rights Commission, had its 2000 ‘A status’ GANHRI accreditation suspended in March 2007 and the commission then resigned from the GANHRI on 2 April 2007.¹³⁵ Under Section 45 (7) of Fiji’s 2013 Constitution the commission established in 2009 “shall be independent and shall not be subject to the direction or control of any person or authority, except by a court of law or as otherwise prescribed by written law”. It is also guaranteed “administrative and financial autonomy” and assured of “adequate funding and resources” by parliament “to enable it to independently and effectively exercise its powers and perform its functions and duties”.¹³⁶

Fiji reported that between 2016 and 2018 the Fiji Human Rights and Anti-Discrimination Commission was allocated FJD 3.8 million and conducted “outreach initiatives to more than 110 schools and 6,369 women and LGBTQI participants in 2017.” The outreach initiatives involved visiting schools and diverse women in remote, maritime and peri-urban and informal settlements to raise awareness on “gender rights, prohibited grounds of discrimination, rights to education and health, particularly reproductive health rights, domestic violence, individual rights, accessing free legal service and state welfare schemes”. The commission held six public consultations under the access to justice project, installed a human rights wall in all police stations on the constitutional rights of arrested and detained persons, collaborated with UNDP and the Fiji Women’s Crisis Centre for police training on gender-based violence and human rights, ran a juvenile justice workshop with the judiciary and OHCHR, and produced a video on LGBTI rights and a Unite Against Racism campaign booklet. No information is provided on whether the commission received and investigated any complaints on human rights violations. The NGO coalition parallel report to CEDAW in June 2017 questioned the independence and credibility of the commission and said no data has been shared on the 703 complaints the commission reported receiving since 2013, and particularly no details on violence against women and family law cases.¹³⁷

Tuvalu reported that the National Human Rights Institution Act and the Leadership Code Amendment Act were passed in 2017 to establish a national human rights institution. This was accomplished with the support of RRRRT. The National Human Rights Institution is established within the Ombudsman Office, and independent of government. Its mandate includes monitoring the performance of government in respect to its international human rights obligations. The office is currently under-resourced but there is a plan to appoint a Human Rights Commissioner and a Communication and Education Officer in 2020.

The Draft Constitution of the Republic of Solomon Islands 2018 provides for the establishment of a human rights commission. There is no human rights institution in FSM. A scoping mission on establishing a national human rights institution was completed in May 2019 in all four FSM states “to gauge interest in establishing one.” No information was provided on the outcome of the scoping mission.

VISITS BY INTERNATIONAL HUMAN RIGHTS BODIES

Several missions to PICs were made since the last report by UN HRC bodies including a UN working group, a UN special rapporteur, and a mission to the region by the UN High Commissioner for Human Rights.

Nauru’s human rights record and international reputation have been damaged by its hosting of one of Australia’s two controversial regional processing centres for asylum seekers in PICs, under a policy termed ‘The Pacific Solution’. The other, in Manus, was closed following a ruling by PNG’s Supreme Court in 2016 that holding asylum seekers in detention on Manus is unconstitutional. The regional processing centre on Nauru was visited by the UN Special Rapporteur on the human rights of migrants in 2016, when asylum seekers were still being held in detention centres. Aside from confirming mental health issues (post-traumatic stress disorder, anxiety and depression) and despair being rife, and children showing signs of mental distress, the Special Rapporteur reported “accounts of rape and sexual abuse of female asylum seekers and refugees by security guards, service providers, refugees and asylum seekers or by the local community” and the absence of “a proper and independent investigation mechanism”.¹³⁸

¹³⁵ See https://www.ohchr.org/Documents/Countries/NHRI/Chart_Status_NIs.pdf

¹³⁶ Fiji National Report for Beijing+25.

¹³⁷ Fiji NGO Coalition on CEDAW Parallel Report 2017. Submission to the UN Committee on the Elimination of Discrimination Against Women, Consideration of the Fifth Periodic Report of Fiji Submitted 29 June 2016, 69th CEDAW Session, p. 6. Available at: https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/FJI/INT_CEDAW_NGO_FJI_27677_E.pdf

¹³⁸ End of mission statement by the UN Special Rapporteur on the Human Rights of Migrants on his official visit to Australia (1–18 November 2016). Available at: <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20885&LangID=E>

In August 2017, Samoa welcomed a 10-day mission by the Working Group on Discrimination against Women in Law and Practice – the first PIC to do so – and was present in Geneva to respond when the working group presented its report to the Human Rights Council meeting in June 2018. The working group, which comprised five independent human rights experts, visited two villages and held consultations with six communities, government officials, state agency representatives, civil society leaders, religious leaders and academics. The working group chair was reported as saying “Samoa [is] only at the beginning of a long journey. There is a sense of urgency in making necessary reforms in the nation’s laws, policies and institutions to address these changes, while tensions and contradictions in social, cultural and political practice abound. With a growing youth population, this was the right time to fully honour women’s rights by ending gender-based violence, while tackling some of the misunderstandings about human rights, recognizing that family life was at the core of Samoan society.”¹³⁹

During his mission to the Pacific in February 2018, the outgoing High Commissioner for Human Rights, Zeid Ra’ad Al Hussein, urged the Fiji Government to “build on the momentum of its international leadership on climate change by ratifying the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights”. In August 2018, Fiji ratified both Covenants, following public consultations and approval by parliament.

In 2012, the UN’s Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, Calin Georgescu, undertook a mission to RMI (27–30 March 2012) and the USA (24–27 April 2012). This mission was important in bringing attention to historical human rights violations by one of the three nuclear powers which tested nuclear weapons in colonised territories in the Pacific. The Special Rapporteur’s report on the legacy of the USA’s nuclear weapons testing programme in RMI highlighted the USA’s downplaying of ongoing impacts of radioactive contamination on the health and well-being of Marshallese from the 67 atmospheric and underwater nuclear tests it conducted between 1946 and 1958, while administering the islands under UN mandate as a (Strategic) Trust Territory. The Special Rapporteur stated that the USA government “should fully fund compensation to individual Marshallese by the Nuclear Claims Tribunal, and release all secret reports concerning the extent of the contamination, the health data collected by the U.S. government, [and] the full history of the tests”¹⁴⁰ and that the President of the United States should issue a public apology to RMI.

Over the years, RMI has raised attention in its reports to both the CEDAW and CRC committees, and to the HRC during its UPR, to the outstanding matter of non-implementation of the Special Rapporteur’s recommendations.¹⁴¹

RMI has also emphasised to the HRC that the most important human right for the Marshallese is the right to exist, and that this right is threatened by climate change. RMI President Dr Hilda Heine called climate change impacts and future risk “a violation of the core human rights, security and basic dignity of the Marshall Islands”, adding that a “consistent presence [in Geneva] was vital”, and RMI was pleased to have opened a new mission there.

CHALLENGES AND AREAS FOR ACTION

While some progress has been made in several PICTs to protect women’s human rights and freedoms, the region as a whole has a long way to go in securing de jure equality for women through reform of discriminatory laws and policies. From national penal codes or laws on criminal offences, to family law, labour and employment laws, property and inheritance laws and access to justice, discriminatory provisions are awaiting reform.

A very concerning feature of Solomon Islands’ Draft Federal Constitution 2018 is its explicit exclusion of sexual orientation from the prohibited grounds of discrimination, which effectively licenses discriminatory treatment of LGBTI persons and denies them protection under the law.

The newly adopted ILO Convention on Violence and Harassment in the World of Work (Convention 190, 2019), as already noted, is an especially important addition to international law for women workers and should be ratified by PICTs.

139 UN experts say women’s sexual and reproductive rights integral to mind-set change in tackling gender discrimination in Samoa. See: <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=21981&LangID=E>

140 Broderick M. and Jacobs R. 2012. The Global Hibakusha Project: Nuclear post-colonialism and its intergenerational legacy. *Unlikely - Journal for Creative Arts* Issue 05. Available at: <http://unlikely.net.au/issue-05/the-global-hibakusha-project>

141 Presenting to the CEDAW Committee on 2 March 2018, Molly M. Helkena reiterated that the UN Special Rapporteur in 2012 had “acknowledged to the Human Rights Council that the nuclear test program resulted in both immediate and continuing effects on the human rights of the Marshallese, including fatalities, acute and long-term health complications, and the indefinite displacement of many of our people... Tragically, the devastating effects of the U.S. Nuclear Weapons Testing Program continue to linger today, and many issues remain unresolved, including the outstanding settlement of awards under the Nuclear Claims Tribunal.”

RECOMMENDATIONS

The 13th Triennial Women's Conference urged governments to adopt, review and implement legislative measures to:

- reform discriminatory legislative and regulatory frameworks to promote gender equality and women's rights to decent work and employment, equal pay, decent living wages, timely and accessible justice, freedom and personal safety, sexual and reproductive health, property, inheritance and citizenship;
- develop and support legislation, policies and programmes that challenge harmful and unjust gender norms, gender stereotypes and all forms of gender-based discrimination and violence;
- protect migrant workers and the human rights and social protection of women migrant workers;
- promote gender equality and the human rights of women of all diversities in the workplace;
- establish high-level corporate leadership of gender equality to advance policies for addressing gender-based violence, discrimination and sexual harassment, and promote the appointment of women to leadership positions;
- support the initiatives of CSOs to challenge harmful gender norms, gender-based violence and discriminatory practices, and to promote equality and the human rights of women and girls of all diversities;
- support programmes that engage men and boys as allies in challenging gender stereotypes and reducing women's double burden of paid and unpaid work; and
- support enterprises to introduce and strengthen violence and harassment policies and conduct gender audits to identify measures to ensure gender equality at all levels, establish respectful and safe workplace environments for women and men, and enable reconciliation of work and family responsibilities.

OPINION PIECES

MOVING ON FROM THE RHETORIC THAT HUMAN RIGHTS IS A FOREIGN FLOWER

'Ofakilevuka Guttenbeil-Likiliki

The prevailing argument against human rights in Tonga has always been that it is a western concept, a foreign flower, that goes against the social fabric of Tongan society. Human rights is particularly shunned when it is spoken of in relation to women, children or *leitis*.¹⁴²

In recognition of Beijing +20 in 2015, the Tonga Government announced at the Commission on the Status of Women (CSW) that it would ratify the Convention on the Elimination of Discrimination Against Women (CEDAW), albeit with reservations. CEDAW, better known in Tonga as the UN convention that promotes the rights of women, was quickly condemned as an immoral threat to Tonga's unique cultural and religious identity.

It was during the anti-CEDAW ratification protests in 2015 that we experienced human rights interpretations at their worst, to the extent that it was labelled as 'satanic' and 'of the devil'. The protests organised by fundamentalist Christian leaders, with strong support from the Catholic Women's League (CWL), displayed banners that specifically spoke to the misconstrued fears of the protestors: "CEDAW is a secret agent of Satan" and "CEDAW = 666! EVIL!" and another stating "CEDAW go to hell".¹⁴³

Then there is the age-old argument that cultural experts in Tonga use repeatedly to dispel human rights as a foreign concept belonging to westernisation. One of Tonga's leading women, an expert on culture and education, expressed her opinion openly at a women's leaders' breakfast in Tonga with the Prime Minister of New Zealand, Jacinda Ardern, that "human rights is un-Tongan," further reiterating that women's human rights was not an issue for women in Tonga. As she made her hard-hitting pronouncement, another Tongan female leader from the audience bellowed, "human rights is a foreign flower, we're okay, we have the *fahu* system".

How then do we move on from this rhetoric? As we approach the 25th anniversary of the landmark Beijing Platform for Action (BPfA) in 2020, Tonga remains the only Pacific Island country that is still to sign and complete ratification of CEDAW, with Palau having signed in 2011.¹⁴⁴ This essentially validates the criticism of both cultural and religious

¹⁴² A Tongan individual assigned male at birth who has a feminine gender expression. The Leiti Association is connected to the wider LGBTQI community in the Pacific region and internationally.

¹⁴³ Pacific Media Watch, Tonga church leaders take petition opposing CEDAW to palace, <https://pmc.aut.ac.nz/pacific-media-watch/tonga-church-leaders-take-petition-opposing-cedaw-palace-9283>

¹⁴⁴ To date, 187 out of 193 United Nations member states have ratified CEDAW. The United States is one of only six countries — along with Iran, Sudan, Somalia, Palau and Tonga — that have not ratified CEDAW.

leaders that Tonga is not prepared to accept women's rights and its application in Tonga, despite past and current government commitments to progress gender equality and women's rights in Tonga over the past 20 years. The late Queen Halaevalu Mata'aho herself led Tonga's delegation to the fourth world conference for women in Beijing in 1995, where the BPfA was born. The National Policy on Gender and Development, a huge milestone for Tonga, was launched shortly thereafter, in 2001, by the then Prime Minister of Tonga, HRH Prince 'Ulukalala Lavaka Ata, now King Tupou VI. In fact, six years later, in 2007, another huge milestone for women's rights was achieved with the amendment to Tonga's Nationality Act allowing a married woman to register her children as Tongan citizens, regardless of the foreign nationality of her husband, the father of the children. Previously this right or entitlement was only enjoyed by Tongan men married to foreign women and the children of that marriage.

At one point in time, 12 years after the BPfA, it seemed as if Tonga was on a roll, breaking down barriers in order for women in Tonga to realise their rights. However, these advancements were short-lived. Take, for instance, the fact that in the 13 years following 2007, not much has been achieved. Legally, women are still not able to register land ownership and the definition of rape under the Evidence Act remains limited to penile penetration. All other forms of sexual violence – digital, oral, anal or with an object – remain legally classified as sexual assault and therefore carry less harsher sentences. Both these age-old laws have survived more than 100 years.

Since 1954, when Tongan women were first given the right to vote and the right to stand as candidates, only five women have been successful in being elected into parliament. Following the 2010 democratic reforms, the first two general elections (2010 and 2014) saw no women elected to parliament despite both general elections having the highest number of female candidates in Tonga's history. It wasn't until the by-election of 2016 and the snap election of 2017 that Tonga's current two female members of parliament won seats. Attempts to gain support for a temporary special measure (TSM) legal framework to increase the number of women in parliament has failed to advance due to the misconstrued view that a TSM would devalue women's representation and question their ability to compete on an equal basis with men and to be elected on merit.

There is a total misunderstanding of the interwoven linkages between women's lived realities and how these impact on their ability to achieve based on 'merit alone.' For example, Mele could have the same or higher qualification, similar work experience and be a good standing citizen just like her male counterpart, Sione, who is also vying for the same seat. However, at the end of the day, the voter attitude is that Sione, being the male candidate, is more suited to the role of member of parliament because the 'thinking' that men are the decision makers and men are the leaders has been ingrained since childhood. Furthermore, Sione's private life and past experiences are not arbitrated as much as Mele's personal life experiences are.

What then will Tonga have to celebrate come 2020 and the Beijing +25 review? Have we failed our women that terribly when it comes to the realisation of women's human rights and gender equality in Tonga? Perhaps we have been held captive for too long, internalising the constraining views of cultural and religious experts, and therefore have failed to examine the veracity of these learned opinions?

With the failure to progress post 2007, the backsliding of commitments to ratify CEDAW, the lack of recognition that a TSM is a temporary equalising tool used to advance women's representation in parliament, and the fear-mongering discourse propagated by cultural and religious experts that human rights is un-Christian – and that women's rights are not for Tongan women – should we even bother reporting or being part of the Beijing +25 review?

What we need to do is change the rhetoric of human rights. The hidden gem or saving grace for women's rights being accepted in Tongan society is the 1875 Tongan Constitution. As simple as it sounds, the irony is that the answer is actually embedded in the cultural and religious fabric of Tongan society. The Constitution of Tonga is made up of three parts. Part one is the declaration of the bill of rights. Part two addresses the form of government and part three provides laws for land ownership and succession. The fact that the Tongan Constitution was enacted by King George Tupou I himself in 1875, 73 years before the United Nations Declaration of Human Rights, otherwise known as the international Magna Carta for all humankind, is confirmation that human rights has been a part of Tongan society for more than 140 years. Why then have we let the oratory around human rights become a foreign flower in the Tongan context? It seems if we are to progress women's rights in Tonga, we must first change the narrative around human rights and re-educate the masses in Tonga about the far-sightedness of our King Tupou I in 1875. Only if this happens, will we be able to revisit women's rights with a better understanding and appreciation of how it aims to empower women in Tonga economically, socially, politically and culturally, and not take away from the foundations of being Tongan.

NOUMEA AGREEMENT: WOMEN LEFT BY THE WAYSIDE ON THE PATH TO THE FUTURE

Francoise Caillard, Femme Indigène Citoyenne – An Indigenous Woman Citizen, New Caledonia

It is as a free woman that I am making this brief contribution to the discussions on how the current political system supports the patriarchy. What should be done to ensure that equal rights become a reality in our country, which is building its future?

New Caledonia is at a major turning point in its political history with the Noumea Agreement signed in 1998 by pro-independence and non-independence men and by male representatives of the French Republic. Not a single woman. That agreement makes no reference to women's development in either letter or spirit, much less to the specific rights of women, which leads us to note that women have been left by the wayside on the path to the future laid out by the Noumea Agreement.

What is, in fact, the position given to women in this evolving process? A stronger patriarchy!

Based on the principle that the country was entering a phase of institutional reform in both its form and essential facets, we hoped to finally see a project about achieving a new balance that would take gender equality into account in all areas. Unfortunately, our joy was short-lived since as feminists, every day we have seen the patriarchal power born of this new process grow in strength. In fact, despite the June 2000 law on parity, in spite of grand declarations and the creation of government services devoted to women's development, our survey on women's participation in political life shows that women are still widely under-represented in or even absent from decision-making bodies.

The most visible causes are, on the one hand, political parties, most of which continue to be directed by men and, on the other, 'masculinised' institutional sectors such as the Customary Senate, which prohibits access to women. These two systems demonstrate a patriarchal conservatism that reveals itself in the lack of any 'feminist' programmes or vision on their parts.

To support this analysis, let's look back at Resolution 2 signed on 30 August 2019 by the Congrès du Pays Kanak (Kanak Country Congress) and the Customary Senate: based on the Noumea Agreement, it officially confirms "that they have sole jurisdiction to determine the place of women in customary structures (institutions and the chiefly system)."

With that in mind, as an indigenous feminist who holds a customary law status, I can only disapprove of the form and legal means used by those men to exercise power to control women's social and civic lives.

I believe that here the French Government, as the institution in charge of ensuring respect for human rights, must take on its responsibilities by exercising authority over women's rights in all public and private spheres that discriminate against women.

Evolution of the concepts that are supposed to guide legal application of rights within the country's institutions

In the second part of my statement, I am going to try to show how two charters, i.e. the Kanak Values Charter and the New Caledonian Values Charter, signed by male local elected officials and a male representative of the French Republic, can have an influence on political and legal decisions with regards to women. It should be noted that that these documents, whose vocation is philosophical and political, are intended to guide and inform legal practitioners and politicians in both the current institutional framework and after the Noumea Agreement has come to an end.

Here is how each one treats women's rights based on their own patriarchal concept of the world, as stated in each document.

- A. Charter and Foundation of Kanak Values: "Kanak society is a patriarchal society. Social structure is founded on the transmission of male-based rights, powers and responsibilities. Women are sacred beings who give life. They are the source of life and fertility. Women are the foundation, ensuring social cohesion, and are the vessels for reproduction in society. Women are called on to serve in other clans."
- B. Charter of New Caledonian Values: "We affirm our commitment to promoting and defending women's rights..." In the same paragraph, there is this contradictory (to say the least) statement: "Cultures may recognise that men and women have different responsibilities in the traditional social structure..."

Patriarchy permeates these value charters. The female gender remains an issue in a political context that however claims to be consensual between tradition and the modern world.

Although the two charters are not legally binding, they are important because of the influence they have. In reading the above two extracts, it can be seen that they agree as soon as the issue is determining women's place and rights. The desire to control women in their daily lives permeates their wording. The Kanak Values Charter refers solely to women's 'maternal' function, emphasising their duties over their rights. The New Caledonian Values Charter, while

referring to the Declaration of Human Rights and to CEDAW, seriously downplays equality between legal statuses in terms of the sharing of responsibilities in traditional society.

This situation once again proves that women remain an issue in modern and traditional male-dominated societies. Depending on the circumstances, each one uses terms like women's right or women's development based on the political, economic, social or cultural interests at stake, undervaluing women as individuals with full human rights.

To conclude, I would say that the patriarchy has never been as powerful as it has been since the Noumea Agreement. The agreement has placed the legal means at the disposal of political leaders, the vast majority of whom are men and have naturally supported the patriarchy. The reality of this patriarchal system can be measured in the sexism, institutional discrimination, inequality of access to rights based on civil status, seizure of economic power, control of parity within political parties and finally, extremely high rates of violence against women.

Beijing+25: What prospects do New Caledonian women have in their quest for equality? Is the patriarchy a rampant evil?

In New Caledonia, feminists have to fight for equal rights since the political and social issues are so complex. We note that 20 years after the signing of the Noumea Agreement, 36 years after the signing of CEDAW, 25 years after the First World Women's Summit in Beijing, women's development, their status and empowerment have not attained the expected level.

We remain hopeful that our demands will finally be heard. Political leaders have, in fact, agreed to make violence against women a 'country cause' through an action plan and they have even committed to developing a framework law to restructure New Caledonian society by integrating women's rights in every area.

At Beijing+25 we are building, step by step, our destiny as free women with equal rights.

Disclaimer:

The views and opinions expressed above are those of the author and do not necessarily reflect SPC's official position.





CRITICAL AREA J

WOMEN AND MEDIA

INTRODUCTION

There are two strategic objectives under Critical Area J in the BPA: (1) increase the participation and access of women to expression and decision-making in and through the media and new technologies of communication; and (2) promote a balanced and non-stereotyped portrayal of women in the media.

Media was not among the 13 critical issues of the PPA 1994. However the media is critical to achieving progress on both PPA issues and in a number of other BPA outcome areas. For example, the 11th Triennial Conference of Pacific Women in 2010¹⁴⁵ and the PLGED in 2016¹⁴⁶ made the link between media support for rights-based awareness campaigns to prevent violence against women, and to advocate for and empower women as leaders. Similarly, the 12th Triennial Conference of Pacific Women in 2013 recognised the power of the media to address gender inequality.

CONTEXT AND PROGRESS

The Pacific Women in the Media Action Plan developed in 2006 reinforced the strategic objectives and actions developed in Beijing, including ensuring fair representation of women in newsrooms and management positions, as well as media coverage, resistance to negative stereotyping and promotion of gender sensitivity and inclusivity on the lines of gender, promotion of human rights, and prohibition of sexual harassment in the work environment.¹⁴⁷

Since the development of this plan, there has been little regionally focused, cooperative action on Critical Area J, apart from the prioritisation of its objectives in regional training programmes. Nonetheless, there have been significant gains in some areas. Major challenges remain in others and often reflect the chronic challenges facing Pacific media in general, including financial sustainability, a rapidly evolving technological context, and human resource constraints.

Media organisations themselves have prioritised gender-based violence as a major concern, and the Pacific Islands News Association has urged the news media to “take a stronger line against this form of abuse.”¹⁴⁸ The Pacific Freedom Forum has welcomed the growth in reporting of gender-based violence against women in journalism, and the cyber bullying and online harassment of women for speaking out, and has said it will remain vigilant on this issue.¹⁴⁹

More than 45 per cent of Pacific reporters were female according to the 2015 Global Media Monitoring Project’s regional report, but women were the central focus of stories only 16 per cent of the time across seven major news topics. Just 1 per cent of news stories examined during the survey raised issues of gender equality/inequality. Female reporters were more likely to quote female news sources.¹⁵⁰

For Fiji-specific results, the 2015 global media monitoring national report states that women are dramatically under-represented in the news with an overall presence at 16 per cent. This figure was no higher in the 2010 report. Further, the report noted that men outnumbered women as newsmakers in every major news topic and that news stories on gender inequality were almost non-existent. This highlights the need for continued and consistent work on improving representation.

The Cook Islands has promoted the participation and leadership of women in the media. In contrast, the International Federation of Journalists in a 2015 report notes that Vanuatu’s media industry rates poorly in terms of both representation of women within the media sector and representations of women by the media, and recommends increased gender sensitisation by the media industry to combat the often unconscious use of sexist language.¹⁵¹

Pacific media councils are also picking up this issue. For example, the PNG Media Council launched a code of conduct in 2017 which includes guidelines referring to the need to avoid media reports that could encourage prejudice or

145 SPC 2010. Outcomes of 11th Triennial Conference of Pacific Women 2010. Available at: <http://purl.org/spc/digilib/doc/gd6qg>

146 PIFS 2016. Pacific Leaders Gender Equality Declaration Trend Assessment Report 2012–2016. Available at: https://www.aidsdatahub.org/sites/default/files/publication/Pacific_Leaders_Gender_Equality_Declaration_2016.pdf

147 Cook Islands Herald 2006. Available at: <http://www.ciherald.co.ck/articles/t170h.htm>

148 Panapasa G. and Singh S. 2018. Pacific media under siege. A review of the PINA 2018 Summit. Pacific Journalism Review 24(2). Available at: <https://ojs.aut.ac.nz/pacific-journalism-review/article/view/460/619>

149 Carreon B. 2019. Digital opportunity and challenges loom for Pacific media in 2019: Statement from PFF Chair Bernadette Carreon. Available at: <https://www.facebook.com/notes/pacific-freedom-forum/digital-opportunity-and-challenges-loom-for-pacific-media-in-2019-statement-from/2579871688719681/>

150 Global Media Monitoring Project 2015. Fiji national report. Available at: <https://www.5050foundation.edu.au/assets/reports/documents/gmmp-global-report-en.pdf>

151 Brimacombe T. 2016. Trending trousers: debating kastom, Clothing and gender in the Vanuatu mediascape. The Asia Pacific Journal of Anthropology 17(1):17–33. Available at: https://www.academia.edu/23792378/Trending_Trousers_Debating_Kastom_Clothing_and_Gender_in_the_Vanuatu_Mediascape

discrimination, or place unnecessary emphasis on gender, amongst other personal characteristics. Similarly, the Media Association Solomon Islands (MASI)'s constitution acknowledges that gender equality is a human right. In 2017 the MASI board expanded to include a representative from Women in Media Solomon Islands.

As described earlier, the issue of eliminating violence against women has emerged as a priority area. Kiribati reports that there has been increased awareness of domestic violence in communities through various channels, including the media. The RMI government and non-government organisations, in particular Women United in the Marshall Islands (WUTMI), have worked with the media (amongst other sectors) to strengthen strategies to address violence against women and girls.

WOMEN AS LEADERS

The portrayal of women in politics continues to be challenging. Voters can be reluctant to accept women as political leaders in Tonga and media exposure is critical to show women in decision-making roles.

The Fiji Electoral Act 2014, which governs media activities and political advertising, has been identified as challenging for women's organisations/candidates as it restricts broadcasts or advertising on behalf of a candidate or political party for election to a political office.

In the 2014 Fiji election campaign, coverage of some female candidates by non-partisan media "appeared to celebrate and even champion them",¹⁵² and highlight their qualifications to run for office. In other jurisdictions, coverage of women political leaders and candidates has reinforced the social, cultural and political challenges women face, and in some cases, has been "grossly sexist".¹⁵³ However, some women politicians have been able to successfully challenge the status quo, by taking control of messaging on their own social media channels.¹⁵⁴

There has been some progress. In RMI, WUTMI has used a radio programme to profile women political candidates and provide a platform for discussion of issues of concern to Marshallese women and girls such as health issues. However, much work remains to be done in promoting positive role models for women in politics and changing perceptions and attitudes regarding women's capacity to be leaders.

CIVIL SOCIETY

Since the BPA was adopted, the media landscape has changed dramatically. In some jurisdictions, mobile phones, the internet and social media have created opportunities for citizens and civil society to progress the objectives of the BPA without solely relying on traditional media. For example, women's rights activists in Fiji have used social media and other digital technologies to share and find information and alternative narratives, build online communities, generate public debate, and trigger international and domestic media coverage.¹⁵⁵

NGOs in other PICTs which are working hard to profile the voices of women and girls in their communities include, but are not limited to, Vois Blong Mere Solomon, Ma'afafine moe Famili and the Talitha Project in Tonga, Young Women for Change and Further Arts in Vanuatu, World Association for Christian Communication Pacific, the Leitana Nehan Women's Development Agency in Bougainville and Peace Foundation Melanesia in PNG.¹⁵⁶

The pioneering organisation in this field is FemLINKpacific, which since 2005 has run a suitcase radio programme which has worked to "bridge the inter-generational gap that exists – with young women learning the technology and older women finding their voice, often after years of being told to be silent."¹⁵⁷ FemLINKpacific supports networks in Solomon Islands, Tonga and PNG.¹⁵⁸

152 Liku A. and Slatter C. 2015. Control, Alt. Delete: How Fiji's new PR electoral system and media coverage affected election results for women candidates in the 2014 election. *Journal of Pacific Studies* 53(2): 71–88.

153 Rooney M. 2019. Media fail! Papua New Guinea women deserve better from media. *DevPolicy Blog*: <https://devpolicy.org/media-fail-papua-new-guinean-women-deserve-better-media-20170614/>

154 Tarai J. 2019. Social media and Fiji's 2018 national election. *Pacific Journalism Review* 25(1&2). Available at: <https://ojs.aut.ac.nz/pacific-journalism-review/article/view/476/685>

155 Brimacombe T., Kant R., Finau G., Tarai J. and Titifanue J. 2018. A new frontier in digital activism: An exploration of digital feminism in Fiji. *Asia and the Pacific Policy Studies* 2018: 1–14.

156 femLINKpacific, <https://www.femlinkpacific.org.fj/what-we-do>

157 Rolls S. 2018. Investing in young women: Sustaining women-led community media. Available at: <https://waccglobal.org/investing-in-young-women-sustaining-women-led-community-media/>

158 Austin, L. 2014. Pacific islands rentier behaviour and community radio: revisiting MIRAB. Available at: https://www.academia.edu/7814162/Pacific_islands_rentier_behaviour_and_community_radio_revisiting_MIRAB

Vois Blong Mere Solomon works to promote gender-sensitive media, but has also created its own content through the Digital Story Documentation project during 2015–2016. This project builds a resource and digital reference collection of stories about ending violence against women.¹⁵⁹ Pacific Women has supported digital storytelling workshops for community organisations Kup Women for Peace, Kafe Urban Settler's Women Association, Kedu Seif Haus and the Nazareth Centre for Rehabilitation in PNG. Digital stories about violence related to sorcery accusations and a photo exhibition were subsequently released under the initiative Yumi Sanap Strong (Let's Stand Strong Together).^{160, 161}

The Pacific Young Women's Dialogue established as part of the YWCA Pacific Regional Young Women's Leadership Strategy (2011–2014) provided a private, online space for young women to share views and network, and then develop positions to share with Pacific governments and donors in order to support young women's leadership. The platform also meant that young women unable to attend a subsequent conference could remain connected to, and participate in the ongoing conversation in real time, in a way that traditional media cannot (or will not) facilitate.¹⁶²

While technology has opened up new opportunities, the challenge of ensuring rural women have access to ICT remains. Pacific ICT Ministers in 2015 called for "greater coordination in effectively utilising ICT for sustainable development, governance, and improving the livelihood of Pacific communities", and identified gender equity as a key theme.¹⁶³

In the Cook Islands, where women have high levels of participation in media, including in senior managerial roles, many women still face barriers in accessing ICTs because they are more likely to lack basic literacy and computer skills, and because the places where they may be able to access computers are uncomfortable or culturally inappropriate. Policies specifically addressing gender dimensions of ICTs are required.

In several PICTs, the sector itself is leading by example. Women in IT Solomon Islands was formed by a group of women IT professionals with the aim of implementing projects related to gender and IT, including scholarships, internships, training opportunities, online networks and Girls in ICT Day activities. In Vanuatu, Smart Sistas is supporting women and girls in ICT and has introduced an annual camp, while the establishment of Girls in ICT aims to create a global environment that empowers and encourages girls and young women to consider careers in the growing field.

POLICY AND LEGISLATION

Across the region, a number of policies have been introduced since Beijing+20, however there is little information about the implementation and impact of these policies, or of meaningful review and evaluation processes.

Vanuatu reports that its universal access policy and ICT policy have expanded the reach of ICT (including broadband internet access) to rural and remote areas, improving women's access to information. Vanuatu launched the National Child Online Protection Policy and Strategy in 2018.

Nauru acknowledges that work is still needed to bring about reform in the areas of an independent media and freedom of information (amongst others) to help deliver on its BPA commitments. For example, it says community awareness and understanding of legislation is necessary through media dissemination in the Nauruan language. It states the provision of universal and reliable access to internationally competitive communication services and an independent and commercially viable media as a desired outcome.

Fiji's National Gender Policy (2014) declares: support for women-led media initiatives; allocation of at least 30% of public service broadcasting funding for the promotion of CEDAW and gender equality projects; a requirement for all public service broadcasting to have a gender policy and gender codes; and annual qualitative and quantitative gender audits by the Ministry of Information of content produced by government information networks using the Global Media Monitoring Guidelines.

159 UN Women, <https://www.facebook.com/unwomenpacific/posts/vois-blong-mere-solomon-vbms-has-officially-launched-the-video-documentary-break/1412449425529566/>

160 Pacific Women website, Photography, film and digital storytelling – using creative media to prevent sorcery accusation-related violence. Available at: <https://pacificwomen.org/news/photography-film-and-digital-storytelling-using-creative-media-to-prevent-sorcery-accusation-related-violence/>

161 Yumi Sanap Strong. Available at: <https://yumisanapstrong.org/about/background/>

162 Brimacombe T. 2017. Pacific policy pathways: Young women online and offline, pp. 141–162 in Macintyre M. and Spark C. (eds) Transformations of gender in Melanesia. Canberra, Australia: ANU. Available at: <http://press-files.anu.edu.au/downloads/press/n2310/pdf/ch06.pdf>

163 Pacific ICT Ministers 2015 Outcome statement. Available at: <https://cropict.usp.ac.fj/images/papers/8662t61Ag03/Pacific-ICT-Ministers-outcome-Final.pdf>

New and amended laws in the review period include a new right to information law in Vanuatu. This currently covers government departments but there are plans to extend it to cover statutory organisations including the National Council of Women.¹⁶⁴

Fiji's Online Safety Act of 2018 was introduced in response to the high levels of sexual exploitation of women and girls online.¹⁶⁵ There have been some criticisms of the Act from civil society and the media,¹⁶⁶ and in particular of the provision criminalising "the posting of an electronic communication with the intention to cause harm to an individual", on the grounds that it could be used arbitrarily to quash political discussions.¹⁶⁷

The Fiji Police Force also has a cyber crime unit which investigates complaints related to online sexual harassment, online stalking and non-consensual sharing of intimate images.

Other PICTs, such as Vanuatu, have taken a policy rather than legislative approach to this issue, launching a national Child Online Protection Policy and Strategy. Several, such as RMI, have acknowledged the need to develop legislation on the matter of violence against women and girls facilitated by technology and note that it should be part of moving plans forward.

TRAINING

Australian Aid is the largest donor to the media and communication sectors in the region through its Pacific Media Assistance Scheme (PACMAS), although other development partners also support training. PACMAS has itself made a number of commitments to advancing gender equity in line with Critical Area J including: advocating for leadership by women in the media; partnerships to overcome gender stereotyping and degrading images of women in print, electronic, visual and audio communications; balanced coverage of women's diverse lives and contributions to society; empowerment of women with skills and knowledge; and enabling access to appropriate and accessible ICTs.

Training that has actively addressed issues of gender equality has been delivered in Samoa, Tonga, PNG, Vanuatu and regionally. Fiji's Media Industry Development Authority (MIDA) and PACMAS partnered to deliver 'Do no harm' training for journalists on reporting gender-based violence.¹⁶⁸

While much of PACMAS's training supports media organisations, journalists and communications teams in community organisations, it also supports some IT initiatives with a gender focus. PACMAS's Innovation Fund has supported M-Link, an initiative from Women in Business Development in Samoa, which connects smallholder farmers to local restaurants and hotels.¹⁶⁹

Governments in some PICTs have also endeavoured to support this commitment. For example, Tuvalu's Gender Affairs Department provided gender sensitisation training for media to encourage the creation and use of non-stereotypical, balanced and diverse images of women and girls in the media.

CHALLENGES AND AREAS FOR ACTION

While community or citizen-led online communications campaigns can provide under-represented groups with greater access than ever before, they can suffer from issues around sustainability. Donor funding supports many of them, which creates inbuilt time restrictions and can be influenced by donor country political agendas. In jurisdictions such as Fiji, they are also not necessarily subject to the same legal regime as registered media organisations, which can create imbalances. Media organisations across the region which are focussed on profiling and empowering women face their own financial constraints.

There are also deeply disturbing dimensions of unregulated online social media platforms as they permit the posting

164 Radio New Zealand 2019. Vanuatu's right to information law proving effective. Available at: <https://www.rnz.co.nz/international/pacific-news/392426/vanuatu-s-right-to-information-law-proving-effective>

165 Tarai J. 2018. Unpacking Fiji internet law narratives: Online safety or online regulation? Pacific Journalism Review 24(2). Available at: <https://ojs.aut.ac.nz/pacific-journalism-review/article/view/443/615>

166 Bernadette Carreon, the Palau-based chair of the Pacific Freedom Forum, comments accessible here: <https://edition.cnn.com/2019/01/25/asia/internet-censorship-fiji-online-safety-intl/index.html>

167 Asia Pacific Report 2019. Critics see Fiji's Online Safety Act as a 'Trojan horse' for online censors.' 23 January 2019. Available at: <https://asiapacificreport.nz/2019/01/23/critics-see-fijis-online-safety-act-as-trojan-horse-for-online-censors/>

168 Media Industry Development Authority of Fiji Consolidated Annual Report 2010–2018. Available at: <http://www.parliament.gov.fj/wp-content/uploads/2019/08/Media-Industry-Development-Authority-of-Fiji-Consolidated-Annual-Report-2010%E2%80%932018.pdf>

169 PACMAS 2015. Gender impact assessment briefing. Available at: <https://www.abc.net.au/cm/lb/9581718/data/pacmas-gender-impact-assessment-briefing-data.pdf>

and dissemination of fake news, extremist ideas and hate speech and encourage abusive anti-social interactions under cover of anonymity. Most worrying of all, these platforms assemble personal data on users through algorithms, and make this data available for sale for commercial, electoral or political surveillance purposes. These concerns are as yet not being widely discussed in the region.

RECOMMENDATIONS

The 13th Triennial Conference of Pacific Women did not identify specific recommendations on women and media. However there are outstanding areas of need. These include recommendations that governments work with the private sector and civil society to:

- develop and implement comprehensive ICT policies and action plans focused on challenging traditional gender stereotypes, reaching rural and elderly women, and promoting women to decision-making positions;
- ensure ICT and media mainstream gender and integrate systematic monitoring of women's representation in the media in order to inform future investments and interventions to advance gender equality; and
- promote equitable employment and retention of women and men in the media industry.

OPINION PIECE

PACIFIC FEMINIST MEDIA ACTIVISM

Sharon E.R. Bhagwan Rolls

I am a second-generation Fiji Islander whose feminist journey began with joining the YWCA movement through which I learnt about movement building, linking faith and feminism, and practical application of media and communications for social, economic and political change. I acknowledge wo'mentors, feminists and peace activists who paved the way in addressing the intersection of gender, media, communications and non-violent action as well as the faith and feminism nexus.

With a passion for media content development and dissemination, I am contributing to building on the legacy of the women who ensured 'women and the media' was included in the BPA. Critical Area J of the BPA has been the foundational framework for my work in the media, to utilise a range of appropriate and accessible media platforms – print, digital storytelling, online/social media and television – to increase visibility of women's and young women's viewpoints and realities.

Community media has been at the heart of my feminist practice since I joined the broadcast industry in Fiji in 1986, starting out in radio. But it was not about just 'spinning records'. I learnt from and watched the work of the International Women's Tribune Centre, a global hub for information and communication for NGO participation in the series of UN Conferences on Women, including producing content that demystified the commitments to gender equality, and showed me that I could connect my feminist and media practice.

By the end of 1999, after having worked in a range of roles in radio and television, I could see the pressure on the mainstream media, particularly public service broadcasting, to be profitable. I felt this was moving away from the role of a national broadcaster to produce and create content that informs, educates and empowers, particularly here in the Pacific where a myriad of development issues need to be discussed. Commercialisation of public broadcasting was placing time limits on discussions that were needed, drawing advertisers rather than developing programme formats that could work both for the listener and the 'bottom line'.

I am grateful however for the experience of working in the mainstream media as that has informed my understanding of media policy, technical and regulatory issues. And despite the limitations on formats, I was able to develop and produce programmes and content for radio and television, even though women's issues were usually limited to just one programme or one page and feature, rather than being mainstreamed into programming.

In 2000 I co-founded FemLINKpacific with a collective vision to amplify women's leadership in building and sustaining peaceful communities, by increasing the visibility of gender issues and women's stories within the context of the 2000 political crisis, and contributing to conflict prevention by developing, producing and distributing community media initiatives which address the root causes of violence and conflict.

Subsequently we were able to establish a programme infrastructure applying peace-building practice and a people's communications for development approach to a regional women's community media network. This included supporting women's participation and leadership at all levels of decision-making, including disaster risk reduction and humanitarian crises. I am proud that the media network now supports the development and management of a

range of media initiatives including the Pacific's first women-led community radio network, FemTALK 89FM, as well as the innovative inter-operable Women's Weather Watch information–communication system.

FemLINKpacific's journey has shown that it is possible for women-led media initiatives to communicate and localise global commitments for a local audience. But it was a lot of hard work to ensure that development and donor partners did not regard this as 'project public relations', but recognised it as a transformative process of developing, producing and distributing content to help achieve gender equality, by addressing editorial and content gaps, connecting to women and their communities and their daily lives and realities – such as access to water and improved infrastructure, sustainable livelihoods and improved disaster management systems. I hope more and more, the mainstream media will see the potential of sharing public media spaces with content created by and for diverse women.

The 2013 Pacific Women's Triennial Conference called for governments to recognise that community media and women's media networks are important for collaboration and partnerships. It also called for governments and national women's machineries to use the Global Media Monitoring project to conduct quantitative and qualitative analysis of content to help ensure that government communication and media strategies effectively promote their gender equality commitments.

So going forward we can leverage from these regional commitments, as well as the outcomes of the 62nd UN Commission on the Status of Women which (recognised) "the important role the media can play in the achievement of gender equality and the empowerment of rural women and girls, including through non discriminatory and gender-sensitive coverage and by eliminating gender stereotypes, including those perpetuated by commercial advertisements, and encourage training for those who work in the media and the development and strengthening of self-regulatory mechanisms to promote balanced and non stereotypical portrayals of women and girls, which contribute to the empowerment of women and girls and the elimination of discrimination against and exploitation of women and girls."

Critical Area J in Action is more than just about writing press releases. And if you are writing a press release or reporting on an issue, ask the questions: Where are the women? The diverse women? How are women involved? How is this decision assisting in progressing national government commitments to gender equality and the rights agenda?

National women's machineries must also be better engaged with the media sector, including community media, not just as the place where you send a press release about a workshop or event, but as a partner in the development and production of content; as a partner with the women's movement. For example, the Fiji Government National Gender Policy (2014) has adopted language linked to Critical Area J but I do not see a harmonisation of policy and practice, including budgetary allocations for women's media initiatives. We cannot simply focus on promoting 'international days' of women and campaigns, but on dedicating resources – personnel, research, funding – to continue to tell the story of the pursuit of gender equality across all sectors, including the disaster management, peace and security as well as development sectors.

But this is a recommendation that also requires caution because collaboration with all forms of the media must respect the independence of the media. Independence of all media is vital – whether it is the mainstream or community media, so it is not about only telling government's story, but telling the story of the wider work towards gender equality, the envisaged changes, the changes experienced, as well as the remaining challenges.

We must also ensure media and communications activism works for and with persons with disabilities, and being mindful of the diversity of the disability community.

Since the adoption of the BPA the ICT revolution has occurred. Today Pacific young women have a range of online media platforms available which makes being a media producer so much more do-able. I hope more younger and diverse women will embrace the possibility of a new wave of Pacific feminist media activism that will result in the emergence of a stronger community of practice, a collective of women's media activists dedicated to the development, production and distribution of content that is accessible and appropriate, making the personal voice a political voice. A voice of our Pacific feminist and gender equality movement connecting women's rights to critical areas of concern. Producing content that does not just report news or provide information but goes to the heart of issues.

Finally, be proud of the legacy of Pacific women leaders who have paved the way for us; build on and amplify their stories; connect their stories to your stories!

Disclaimer:

The views and opinions expressed above are those of the author and do not necessarily reflect SPC's official position.



A woman in traditional attire, including a black top with gold polka dots and a long, textured, light-brown skirt, stands in profile on the left side of the frame. She is carrying a child on her back, secured with a blue cloth. The background shows a coastal scene with several cars parked on a sandy or gravelly area. The sky is filled with soft, golden clouds, suggesting a sunset or sunrise. The overall tone is warm and contemplative.

CRITICAL AREA K

WOMEN AND THE ENVIRONMENT

INTRODUCTION

The BPA's discussion of women and the environment was informed by an understanding of the nature, causes and impacts of interlinked environmental challenges that were already manifesting in 1994 but which, 25 years later, have reached crisis levels and taken us into the unknown realm of exceeding planetary boundaries.

Following the Earth Summit in 1992, out of which came the UN Framework Convention on Climate Change (UNFCCC) and Agenda 21, the United Nations Conference on Environment and Development (UNCED)'s programme of action, the BPA recognised that "while poverty results in certain kinds of environmental stress, the major cause of the continued deterioration of the global environment is the unsustainable pattern of consumption and production, particularly in industrialized countries, which is a matter of grave concern, aggravating poverty and imbalances." The BPA noted that "rising sealevels as a result of global warming cause a grave and immediate threat to people living in island countries and coastal areas"; also that the use of "ozone-depleting substances, such as products with chlorofluorocarbons, halons and methyl bromides (from which plastics and foams are made), are severely affecting the atmosphere, thus allowing excessive levels of harmful ultraviolet rays to reach the Earth's surface". The effects on people's health such as "higher rates of skin cancer, eye damage and weakened immune systems" were noted, as was the harm caused to crops and ocean life. The knowledge of "ecological linkages and fragile ecosystem management" that inheres among indigenous women is mentioned, together with the fact that in many communities women are predominantly the main subsistence producers.

There are three strategic objectives under this critical area: (1) involve women actively in environmental decision-making at all levels; (2) integrate gender concerns and perspectives in policies and programmes for sustainable development; and (3) strengthen or establish mechanisms at the national, regional and international levels to assess the impact of development and environmental policies on women.

Environment was among the 13 critical issues of the PPA in 1994, the goal of which was to recognise and utilise the critical role and knowledge of women in environmental management and development, and to recognise and address the long-term environmental effects of military and mining-related activities. In the revised PPA, environment was clustered under the theme of gender equity in human and legal rights. In the current Pacific Platform for Action on Gender Equality and Women's Human Rights 2018–2030, women and the environment is covered in relation to the urgent issue of climate change, now increasingly termed climate crisis or climate emergency. Women's full participation in climate crisis adaptation and disaster risk reduction is considered essential, given their knowledge and skills in natural resource management and energy use.

CONTEXT AND PROGRESS

This chapter begins by noting some of the environmental realities that are peculiar to PICTs and pertinent to women's interests before drawing on national reports for accounts of progress made in the PICTs in meeting the strategic objectives of Critical Area K and the environment goal of the 1994 PPA. The chapter ends with a brief discussion of the UNFCCC's Gender Action Plan and indications of its implementation in the PICTs.

ENVIRONMENTAL REALITIES

PICTs are located in a zone known as the 'Pacific Ring of Fire' – "a seismically active belt of earthquake epicentres, volcanoes, and tectonic plate boundaries that fringes the Pacific basin."¹⁷⁰ They are also vulnerable to hurricanes and cyclones and periodically to tsunamis and flooding. Smaller PICTs, and particularly atoll states, have always been faced with issues of limited land and natural fresh water sources. In the last decade, with the impacts of global warming and climate change becoming more palpable and extreme, the vulnerability especially of low-lying atoll states to sea level rise registered as an existential threat. After experiencing several extreme weather events including Category 5 cyclones and witnessing the same in other regions, PICTs have become more focused than ever before on disaster risk reduction, preparedness, response and recovery, as well as on climate change adaptation and resilience-building strategies. At the global level they have provided outstanding leadership in negotiating and securing a global agreement on climate action.

There are other pressing environmental issues impacting on people, and especially women, in the larger PICTs. The social and environmental impacts of terrestrial mining in PNG, for instance, often escape being spotlighted even

170 See <https://www.britannica.com/place/Ring-of-Fire>

though they have ushered in serious security threats and human rights violations for women.¹⁷¹ All extractive industries (mining, logging and fisheries) have had environmental and social impacts in PICTs but mining has been the most destructive. As mentioned in the section on Critical Area E, in the case of Bougainville in PNG, mining triggered a 10-year war. Tailings discharged into river systems from the Ok Teki mine in PNG destroyed the river and the subsistence livelihoods it supported and was the cause of a class action by 30,000 landowners brought against the company in the Australian Supreme Court in 1994. Colonial mining of phosphate on Ocean Island and Nauru turned both these islands into wastelands.¹⁷²

While many PICTs have environmental legislation in place requiring independent environmental impact assessments (EIAs) to be carried out prior to the commencement of mining, environment departments often do not have monitoring or enforcement capacity, and developers often themselves hire consultants to carry out EIAs, and without properly consulting communities. The principle of free, prior and informed consent (FPIC) is rarely practiced. The mining company involved in Ok Tedi controversially secured legal immunity from any further environmental claims in 2001, after landowners twice brought claims against it in the Australian courts. This was subsequently overturned by Prime Minister Peter O'Neill when he gained office.

Logging has not only destroyed large areas of inland native forests but mangrove forests as well. Mangroves protect coastal areas from extreme events, are important nurseries for fish and crustaceans, and significant gleaning grounds for women fishers. Unregulated or illegal logging of trees causes serious erosion and silting in river systems resulting in flooding and loss of homes. The region's tuna fisheries, the world's largest, have been plundered for decades by foreign owned, state-subsidised, high-capacity, global industrial fisheries operations that have had impacts on the inshore fishery on which local people depend.

In two PICTs, foreign military-operated nuclear testing programmes, as mentioned in the section on Critical Area E, have left terrible legacies including ongoing environmental danger and health consequences for the people of RMI and French Polynesia (including cancers and female reproductive health problems such as birth abnormalities), for which environmental remediation and justice are still being pursued.

A future environmental threat of unknown proportions, should ambitions to pursue it come to fruition, is posed by strong interests among some PICT governments in deep sea mining of the Pacific Ocean seabed. These interests dovetail with intensified corporate interests in industrialising the oceans – the last frontier on planet Earth. The establishment of marine protected areas within PICTs' exclusive economic zones provides no insurance against damage that will almost certainly result from experimental deep sea mining, including transboundary environmental harm, for which sponsoring Pacific states would be liable. CSOs and several PICT governments are calling for a 10-year moratorium on deep sea mining. PICTs' assertion as Oceanic people, of a historical connection to and custodianship of the Pacific Ocean, and the Blue Pacific narrative adopted by PICT leaders, behave them to resist racing into mining the seabed without sufficient scientific knowledge of its possibly irreversible impacts on deep sea ecosystems or certainty about its safety.

Land-based development in PICT towns has involved some environmentally destructive practices, such as coral extraction and sand mining of beaches on coral atolls for building purposes, and on larger islands, reclaiming wetlands to build high-end housing or shopping complexes, which impacts on water run-off during heavy rains. Poorer communities occupying informal settlements in mangrove areas in towns have been pushed off these wetland areas to make way for reclamation and development. Land grabbing for elite urban housing development or to illegally log forested areas in PNG was highlighted in 2018 by the outgoing UN High Commissioner for Human Rights, Zeid Ra'ad al-Hussein, following his visit to PNG during his Pacific mission.¹⁷³

Last but not least, in almost all PICTs, majority indigenous populations enjoy access to land held under customary ownership systems that are legally and/or constitutionally protected. Both men and women generally enjoy the same usufruct rights to customary land. The retention and protection of customary landowning systems have enabled the option of subsistence/semi-subsistence livelihoods for indigenous people in PICTs. Although the CEDAW Committee has asked states parties among the PICTs to undertake land reform to give land rights to women, interfering with land laws with a view to securing individual rights for women does carry the broader risk of potentially opening the door to dispossessing whole communities.

171 Cox E. 2019. Ending violence against women in Papua New Guinea's Highlands Region: the role of the state, local civil society and extractive industries. In Samuel S., Slatter C. Gunasekara V. (for DAWN, eds) 2019. The political economy of conflict and violence against women: cases from the South. London: Zed Books.

172 In the case of Ocean Island, the destruction of the island resulted in the forced displacement/resettlement of its indigenous people on Rabi Island in Fiji; in the case of Nauru intensive phosphate mining left 90 per cent of central Nauru a wasteland (National Report for Beijing+25). Nauru took Australia to the International Court of Justice in 1989. See <https://www.icj-cij.org/en/case/80>

173 UN human rights chief laments PNG land grab problem, 12 February 2018. See <https://www.rnz.co.nz/international/pacific-news/350194/un-human-rights-chief-laments-png-land-grab-problem>

Solid waste disposal is also a major environmental issue for atoll states. Inadequate land makes the use of landfills problematic. Sewerage problems together with sea level rise are already contaminating limited natural freshwater lenses in the atoll states.

Environmental NGOs exist in almost all PICTs, although their capacities vary. Women are strongly represented within these organisations, including in leadership roles. International environmental and conservation organisations are also present in many PICTs, playing strong advocacy and policy advisory roles, and women also make up a significant proportion of their staff.

INTEGRATING GENDER CONCERNS

Environmental plans, policies and programmes undertaken and reported on by PICTs in line with BPA strategic objectives cover a number of sectors, from renewable energy and disaster risk management to land lease policies and water, sanitation and hygiene projects. In the main, what was reported under women and environment in national Beijing+25 reports focused on disaster risk reduction, preparedness, response and recovery. The importance of women's participation in this work at all levels is self-evident and great strides have been made in mainstreaming gender considerations on this front.

Samoa's National Environment Sector Plan integrates gender and the needs of vulnerable groups. Samoa has a Gender in Disaster Risk Management policy, focused on gender equity and ensuring that women are involved across all phases of disaster risk management. Samoa reported that there are many projects and programmes carried out by the Ministry of Natural Resources and Environment and supported by international partners which include a gender perspective and gender concerns, and that these concerns are "integrated at all stages of the project cycle". Among the projects cited is the opening up and leasing of customary land for development purposes – 81 per cent of land is held under customary ownership and is considered underutilised. The Customary Land Advisory Commission (CLAC) is handling the marketing of customary lands in this project. Promoting the economic use of customary lands is intended to benefit landowners and enhance the economic development of rural communities. There is no mention of a gender equitable policy in relation to the sharing of landowner lease monies. Other projects cited did not indicate whether women were involved in decision-making or gender concerns were taken into account. Samoa's National Environment Sector Plan "integrates gender and vulnerable groups' needs". Its Gender in Disaster Risk Management policy is a gender mainstreaming initiative focused on gender equity, ensuring that women are involved across all phases of disaster risk management.

Solomon Islands' Ministry of Environment, Climate Change, Disaster Management and Meteorology recognises the principle of gender equality and applies it in the implementation of meteorology services and in recruiting suitably qualified personnel. Gender concerns are integrated into the National Biodiversity Strategic Action Plan 2011–2020, particularly in targets on protected area systems and inland water biodiversity, as it is recognised that "protected area interventions require an inclusive strategic approach that includes women at all stages of the project cycle". An example of the success of the approach is a project in Roviana, Western Province, which resulted in "improved shellfish biomass, enhanced local environmental awareness, and the reinvigoration of cultural management practices".

Solomon Islands has also invested in supporting research and development initiatives to bring a stronger gender perspective into its environmental policies, particularly in the area of community-based natural resource management. One such initiative is with the Consultative Group on International Agricultural Research (CGIAR) programme on Aquatic Agricultural Systems, led by WorldFish and supported by relevant government agencies and NGOs. The research programme focuses on increasing food security and income for the thousands of people living in and depending on aquatic agricultural systems. The programme uses a "gender-transformative approach" and works to "foster change in the social environment to maximize the ability of women and men to participate in and benefit from natural resource management". A guidebook, 'Considering gender: Practical guidance for rural development initiatives in Solomon Islands', produced through the project, drew on the knowledge of 60 Solomon Islands development practitioners who shared their experience in two workshops between 2015 and 2016. The guidebook addresses the ways in which gender roles contribute to gender inequality within development activities in rural communities, and outlines strategies to bring about change.

In Vanuatu, since 2014, women have been centrally drawn into national disaster management work – from risk reduction and preparedness to response and recovery. The Department of Women's Affairs leads a Gender and Protection Cluster (GPC), established under the National Disaster Management Office (NDMO) structure in 2014. The GPC is a collaboration between 20 government agencies and CSOs/NGOs that work on gender equality. Three subclusters of the GPC address gender-based violence, child protection and disability inclusion in humanitarian action. The GPC has been playing a key role in ensuring gender, protection and social inclusion in cross-sectoral disaster risk reduction, preparedness and resilience, as well as in response and recovery work during numerous national disasters

in the last six years: the Efate flash floods (2014), Tropical Cyclone Pam (2015), Tropical Cyclone Cook and Tropical Cyclone Donna (2017), Tropical Cyclone Hola (2018), the Ambae volcano response (2017–2019), the tsunami affecting Aneityum (2018), the Ambrym earthquake/volcano activity (2018–2019) and Tropical Cyclone Oma (2019).

Vanuatu reports that gender, protection and social inclusion in preparedness, response and resilience has been mainstreamed into the NDMO's policy on climate change and disaster-induced displacement (2018), and the (draft) Schools Disaster Risk Reduction (DRR) and Resilience Building Handbook, funded by UNICEF, "includes gender responsive planning such as facilities for menstrual hygiene management, gender balance on School Disaster Management Committees and DRR decision-making bodies and processes". School safety plans take account of the needs of women, girls and people living with disabilities. In 2016, the Water Resource Management Act was amended to require a minimum 40 per cent representation of women on rural water committees.

In Shefa and Sanma provinces, disaster risk reduction, safety and security have been mainstreamed into UN Women's Markets for Change (M4C) project. Climate change and disaster risk reduction assessments have been undertaken in eight project market sites, leading to the development of market disaster preparedness and action plans that are aligned to the National Disaster Plan and training of vendors and local authorities in disaster preparedness and risk reduction measures. Women and girl's leadership in disaster planning, response and preparedness has also been strengthened through community disaster and climate change committees, school disaster committees and a women's weather watch programme ('Women Wetem Weta'), with the support of the Australian Government's Disaster Ready Program partners.¹⁷⁴

The NDMO's Cyclone Support Plan (2018) and Tsunami Support Plan (2019) mainstream gender, protection and social inclusion, and its national displacement tracking matrix (DTM), which was finalised in 2019, disaggregates vulnerable categories such as people living with a disability, single female- and male-headed households, child-headed households, elderly-headed households, pregnant and lactating women and widows. The DTM's collection of SADDD (sex, age and disability disaggregated data) provides a strong baseline for planning, implementation and monitoring of response and recovery programmes.

Vanuatu also reported that the Lands Reform Act (2013) provides for both men and women deciding on customary land ownership and usage. Decision-making processes on land now also require the approval of the 'tribe', including women representatives. Vanuatu acknowledges, however, that cultural and knowledge barriers to women being able to participate and exercise their rights in land use and ownership remain.

In Palau, significant numbers of women are being trained for disaster risk reduction, climate resilience and mitigation work and women are playing key roles in environmental protection and conservation management. In partnership with the Red Cross, the Centre for Women's Empowerment–Belau (C-WEB), which was established in 2014 to promote gender equality, is training 200 women in emergency preparedness, crisis response and recovery. The project, aimed at empowering women and funded by the Women's Peace and Humanitarian Fund, will be delivering the training in collaboration with local women's organisations in eight of the most vulnerable of Palau's 15 states.¹⁷⁵

The Palau International Coral Reef Center's research on climate-resilient reef ecosystems to protect food security at sea includes female researchers who are being supported to do graduate work related to Palau's environment. There are two women on the seven-member Environmental Quality Protection Board, which promulgates regulations and enforces environmental laws, and the Executive Officer, Laboratory Supervisor and most of the staff are female. Women have also been engaged as conservation managers and employees by the Protected Areas Network (PAN) to implement PAN management plans in their states. Palau reported that there are also "national policies and legislation that promote women's and men's equal ownership, management and use of natural resources (e.g. water, fuel, land, forests)".

Fiji's Gender Policy recognises that women in rural communities have the most limited access to energy sources including renewable energy sources. The policy stipulates ensuring that women in communities are consulted in any energy projects and enjoy affordable access to energy sources.

Nauru reported on its considerable environmental challenges, principal among which are its limited natural freshwater resources, dependence on desalination, and water shortage; intensive phosphate mining during the past 90 years which had "left 90% of central Nauru a wasteland" with limited arable land; a major problem with waste disposal; and

PROMISING PRACTICE

In Vanuatu, from 2016 there has been a stronger representation of women in all aspects of humanitarian preparedness and response, including consultations, assessments and monitoring missions; and in some emergencies women have led operations in the field. This has been due to the tireless advocacy of the GPC under DWA.

174 Partners are ActionAid, Act for Peace/Vanuatu Christian Council, CARE, Oxfam, Save the Children and World Vision.

175 See <http://wphfund.org/pacific-emergency-preparedness-response-recovery-project-palau/>

increased droughts and coastal inundation – all of which impact the health and well-being of its communities. No specific mention was made of women in this discussion.

Tuvalu's Fisheries Department has worked in collaboration with the Gender Affairs Department with a view to improving inclusion of women and women's groups. In 2016, the Gender Affairs Department provided awareness training for Fisheries Department staff to highlight women's role in fisheries and their contributions to post-harvesting processes, food preservation and food security. The Funafuti Reef Fisheries Stewardship Plan, launched in 2017, takes into account women's role and contribution. Two women are registered under the Funafuti Fisherman's Association.

The Environment Department within the Ministry of Natural Resources receives considerable development assistance to support climate change resilience efforts. A number of practices and processes have been put in place to support gender mainstreaming. Gender considerations are part of EIAs and action plans in Tuvalu, and all workshops and trainings aim for gender balance. Consultations particularly in the outer islands continue to be male dominated, but consultation facilitators aim to ensure that women are given an opportunity to speak.

The Cook Islands reported that improving the capacity of women to contribute to climate change adaptation and disaster risk reduction strategies is one of the six priority areas in the Cook Islands National Policy on Gender Equality and Women's Empowerment. Gender considerations are also part of the 2013–2016 Climate & Disaster Compatible Development Policy and programming. The national policy "recognises that women and men play different roles in the livelihood strategy of their families and their use of natural resources and provisions of food for the family differs". Climate change is also expected to affect women and men differently, requiring that responses be gender sensitive.

THE CLIMATE CRISIS AND THE GENDER ACTION PLAN

Pacific Island leaders played a leading role in securing the landmark Paris Agreement to combat climate change at the 21st Conference of the Parties to the UNFCCC (COP21) in Paris on 12 December 2015. Their success at COP21 in galvanising the conference through a coalition of developed and developing countries (the 'High Ambition Coalition') on the goal of limiting global temperatures to a 1.5°C increase, and securing the inclusion of loss and damage in the agreement, followed several years of vigorous climate change advocacy by Pacific small island developing states (SIDS) leaders, notably by the region's foremost climate (and anti-nuclear) warrior, the late Tony deBrum, former Minister for Foreign Affairs of RMI.¹⁷⁶ Pacific leaders have continued to lead in holding developed state parties accountable on their commitments to reduce green gas emissions, compensate loss and damage experienced in the SIDS, and strengthen the resilience of islands communities.

In his preface to the regional Beijing+20 report, in 2014, the then Prime Minister of Tuvalu, Hon. Enele Sopoaga, wrote: "One area in which the exclusion of women from decision-making, the violation of their fundamental human rights and the underestimation of their knowledge and experience, is hurting our societies the most is in our efforts to adapt to the adverse impacts of climate change."

According to SPC, "many Pacific Islanders had advocated for many years to take into account the differentiated vulnerability of women and men to climate change impacts and the importance [of promoting] gender equality, support[ing] the empowerment of women, and protect[ing] human rights across climate change initiatives."¹⁷⁷

In November 2017, the 23rd session of the Conference of the Parties of the UNFCCC meeting adopted the Gender Action Plan (GAP). The GAP seeks to "advance women's full, equal and meaningful participation and promote gender-responsive climate policy and the mainstreaming of a gender perspective in the implementation of the Convention and the work of Parties, the Secretariat, United Nations entities and all stakeholders at all levels."¹⁷⁸

There are five priority areas in the GAP: (1) capacity building, knowledge sharing and communication; (2) gender balance, participation and women's leadership; (3) coherence on gender and climate change across UNFCCC and the UN system; (4) gender-responsive implementation and means of implementation; and (5) monitoring and reporting. There is a two-year timeframe for implementing the GAP. The midterm report presented at COP24 found that on the goal of gender balance, more than half of the technical and decision-making bodies established under the UNFCCC have female representation "of 38 per cent or more" and "a record number of female delegates [were] elected to the positions of Chair or Co-Chair of these bodies – nine out of a possible 28 positions."¹⁷⁹

¹⁷⁶ The late Tony deBrum is credited with forming the High Ambition Coalition.

¹⁷⁷ Leduc B. 2019. Assessing implementation of the UNFCCC gender action plan in the Pacific Islands countries, Circular requesting information from PICT governments on progress made in the region in implementing the UNFCCC GAP for the Beijing+25 report, August 2019.

¹⁷⁸ Report of the Conference of the Parties on its 23rd session, held in Bonn from 6 to 18 November 2017, 8 February 2018. Available at: <https://unfccc.int/resource/docs/2017/cop23/eng/11a01.pdf#page=13>

¹⁷⁹ Promoting Gender Equality at COP 24 - #ActOnTheGAP, 2 December 2018. Available at: <https://unfccc.int/news/promoting-gender-equality-at-cop-24-actonthegap>

While only two PICTs, Palau and Tuvalu, managed to submit national GAP assessments in time for this Beijing+25 regional report, their reports on BPA implementation for Beijing+25 indicate being on track in implementation of GAP priorities.

CHALLENGES AND AREAS FOR ACTION

The need for more data on links between gender and the environment was highlighted by the Cook Islands. It was pointed out that data on changes in women's and men's work burdens as a consequence of droughts, floods or deforestation is not available. There is also no monitoring of impacts of climate change on the lives of women and men. Sex-disaggregated data on the effects of natural hazards on education, health, food and economic security are needed.

Sex-disaggregated data on national capability to protect local natural resources are also not available. Data disaggregation across a range of characteristics – including sex, gender, age, location, socio-economic status, access to basic services and ethnicity – on participation in the conservation, preservation and management of local natural resources such as water and biodiversity is also lacking, and is essential to better understand the complex interrelationships between Pacific environments, ecosystems, biodiversity, women, men, boys and girls for sustainable development.

RECOMMENDATION

The following recommendation was made by delegates to the 13th Triennial Conference of Women:

- design programmes and services that support women's roles as managers and custodians of natural resources in sectors including agriculture, fisheries, aquaculture and mining.

OPINION PIECES

WOMEN AND THE ENVIRONMENT

Marstella E. Jack, Pohnpei, Federated States of Micronesia

Sometimes it's odd trying to mix the two – women and the environment – since I have always thought that the two are one and the same. Growing up on Pohnpei island in the Federated States of Micronesia (FSM), we did everything 'outside' the house. You only stayed inside the house if you were ill. My parents did everything outside... my mom assigned me chores that involved raking the yard, hanging clothes out in the sun, harvesting swamp taro from our taro patch next to our house, doing the dishes outside with the water hose, cooking in the cook house outside (just about every meal we ate), preparing food fermentation, getting leaves to cover the uhmw (earth oven), etc. I did a lot of chores with my dad as well – gathering firewood from the mangrove forest, getting breadfruit from the tree, preparing pig food and feeding them, going to our farmland in Palikir, planting in our family garden outside the house, etc. Everything we did was done outside and was sustainable... we never used electricity for cooking and we used a lot of banana and breadfruit leaves in our cooking and packaging. Well that was in the 70s and 80s.

I honestly believe that we women are naturally connected to our environment and thus never questioned our role with respect to the preservation of the environment. It was a given that women's role in the home is subservient to the role to protect the environment because the natural environment (land and water) provided the lifeline we needed to provide for our families... the firewood, the breadfruit, the streams, the clean air, the fish, shell fish, crops, fruit, all from our land and local area.

Fast forward to the present, and I am surprised that although women's roles in their homes have evolved with the advent of electrical and technological household equipment, forcing more and more women to enter the formal workforce to earn cash income to pay for electricity, and maybe this relaxed the strain on environmental use, the adverse impacts on the environment were much greater. Did the women stop going to the streams to do laundry because the streams dried up; or did the streams dry up because the women stopped doing laundry there?

So many factors interplay in these changes. In FSM, environment was introduced into the Amended Compact in 2003 as one of the six focal sectors to be supported under the Compact with US funding. And yet, despite this agreed commitment, very little has been done to support the sustainable management and conservation of our environment. Worse yet, very little resources have been directed to the gender development programme to support women at the state or local level. In 2010 the FSM Women's Conference, held in Kosrae, invited the climate change specialist to

do a presentation and the response was that gender has nothing to do with climate change. I could not forget that response because I was appalled that the government can make that kind of statement specifically when the 2009 Copenhagen-held climate talks turned sour and did not achieve the goal everyone had hoped for. Women are the most impacted by climate change.

In 2013, the Pohnpei Women's Council held a retreat and we examined the impact of climate change on women's roles – as mothers and nurturers. It was unanimous that the women in Pohnpei were no longer farming and fishing as they had done in previous generations. Women do subsistence farming and fishing here but over the years I have seen that it has become increasingly difficult for them to do that.

For farming, the introduction of invasive species into the agricultural system has made it difficult to cultivate root crops and vegetables without constant monitoring and work. What mother has time to constantly monitor her garden amongst all the other things she has to do? As far as subsistence fishing is concerned, the fish are gone, including the shellfish. Women have to go further out on the reef and into the ocean to glean for clams and other seashells. Going further out requires sturdier transport, and where once any floating device could be used, it is no longer the same. A motor boat is needed to go out further into the ocean. Although canoes are still used today, even canoes now use motor engines so they can go further out into the ocean.

However, despite all of these roles that women have, they have not been involved in decision-making regarding environmental management. There are many women working in environment offices all across the country, with a female heading the Yap Environmental Protection agency and a chairwoman for the Pohnpei Environmental Protection Agency Board ...and yet, when it comes to substantive decision-making, women are never involved. Women are very adept, and successful, for projects for environmental conservation and resource management, and yet, when it comes to the actual conduct or implementation of the project, they deploy the men to do it.

The Pohnpei Women's Council started a market day over the last year or so to attract or re-attract women farmers and fisherwomen, but we found out that the challenge in managing the soil environment to ensure the crops do not die hindered this initiative. If you speak to a lot of Pohnpeian women, everyone wants to farm and plant pretty flowers all around the island. But the uncertainties associated with soil erosion and soil health, due to invasive species as well as the unpredictable weather patterns, have all played a part in why women do not farm that much anymore. It has nothing to do with their willingness or level of energy to farm... but it has to do with the uncertainties from the environment. Resources, information, and know-how needs to be co-designed with groups of women to enable them to take a decisive and concerted stand for more knowledge-intensive, biodiversity-rich, conservationist, and health-conscious farming methods. Women need information on the latest developments in the biofuel and other biotechnology sectors. That is not happening here in Pohnpei, or FSM as a whole.

The FSM Women's Council has prioritised environment as a key area for discussion in its biannual meetings. And yet, not one resolution from these meetings has ever been adopted to address the need to mainstream gender issues into environmental policy formulation and implementation.

The FSM Government, on the other hand, has made significant progress in terms of institutional strengthening. Last year the Office of Environment and Emergency Management was upgraded to what is now known as the Department of Environment, Climate Change, and Emergency Management (DECEM). This signifies the vital importance that the national government has towards environmental management. And yet, the environment work at the State and grassroots level is still missing. Widespread awareness and education needs to be undertaken as a priority, both in formal and non-formal sectors, and the national government needs to acknowledge that the environment and stewardship responsibility rests with the state and the local landowners, not government departments; therefore decision-making must involve all stakeholders. Women have made progress since the Beijing conference but a lot is yet to be made due to the continuing absence of collaborative work and the government's refusal to mainstream gender as a cross-sectoral issue.

The environment affects us all...men, women, boys and girls, but because women are the first users of it – land, water and air – their views and perspectives also need to be taken into account when formulating environmental management strategies at all levels of society. Perhaps it's high time we put a female to head DECEM and the state counterpart offices. Women are more in tune with our environment and therefore would make better managers. This is a true statement!

PACIFIC PLUS: GENDER AND CLIMATE CHANGE – INCREASING GENDER INEQUALITY

Molly Helkena, Republic of the Marshall Islands

Twenty-five years ago, I moved back to my family land here in the Marshall Islands. We didn't talk about climate change – those two words didn't exist. But sea level rise was and is real – some of the places where I played as a child are now under water. Global warming has reshaped my life, my family, my community and my country in ways that I never imagined. Over the past four years, we've had the highest temperatures in human history, almost 1°C higher than at the beginning of the industrial revolution, and it looks like temperatures will continue to rise.

The science is clear, and horrific. We know that the climate crisis is increasing the intensity and frequency of not only natural disasters like drought and storms, but humanitarian ones as well. In the Marshall Islands there has been a state of emergency because of a dengue fever epidemic, and we have seen that changes in infectious disease transmission patterns are happening because of climate change. There are clear links between climate and communicable diseases like dengue and diarrhoeal illnesses and between extreme climate events like floods and droughts and malnutrition. We are seeing a link with non-communicable diseases as well in terms of nutritional deficiencies, especially in our children.

We know that women bear the brunt of the climate crisis in terms of our role to secure food and water for our families, to care for the elderly and infirm, grow or harvest food, as consumers and the choice of products we buy, and how we move around. Women's roles, rights, knowledge, and access to resources and services are continually obstructed and sidelined by entrenched patriarchal systems; we are shouting to be heard but no one is listening.

What is our future? The climate crisis and mass extinctions have so many different dimensions and nobody knows which one of our 'life support' ecosystems will fail next. There is a nuclear disaster sitting on my doorstep; and the climate crisis and rising sea levels will hurry this disaster along as radioactive contaminants, including one of the most toxic substances known (plutonium-239), are leaking and contaminating our ocean, compromising our food security and livelihoods: our very existence.

I am mourning for our islands and our ocean. As our ocean dies, our economy will die along with it; and while it brings me some comfort that capitalists will have less profit, it's obvious that inequality and gender discrimination will worsen. How did it come to be that corporate profit has precedence over our environment? What kind of globalism is this, and how do we stop it? But then I ask myself, who are these people and how do we hold them to account? We need climate justice but how do we do it when promises are made and broken? I look at my one-year-old grandson and wonder what the world will be like when he is my age.

Disclaimer:

The views and opinions expressed above are those of the author and do not necessarily reflect SPC's official position.

A close-up photograph of a hand writing the word "Nauti" on a dark grey chalkboard. The hand is positioned on the right side of the frame, with the index finger pointing towards the end of the word. The word "Nauti" is written in white chalk, with the letters being slightly uneven and hand-drawn. The background is a textured, dark grey surface, likely the chalkboard, with some faint, illegible markings and smudges. The lighting is soft, highlighting the texture of the hand and the chalk.

Nauti



CRITICAL AREA 1

THE GIRL CHILD

INTRODUCTION

The section of the BPA on the girl child opens with a statement that goes to the heart of the grim truth about discrimination against women, which is that it begins “from the earliest stages of life, through her childhood and into adulthood”. This applies no less in countries in the Pacific region than elsewhere in the world. There are nine strategic objectives under the section on the girl child in the BPA. They are: (1) eliminate all forms of discrimination against the girl child; (2) eliminate negative cultural attitudes and practices against girls; (3) promote and protect the rights of the girl child and increase awareness of her needs and potential; (4) eliminate discrimination against girls in education, skills development and training; (5) eliminate discrimination against girls in health and nutrition; (6) eliminate the economic exploitation of child labour and protect young girls at work; (7) eradicate violence against the girl child; (8) promote the girl child’s awareness of and participation in social, economic and political life; and (9) strengthen the role of the family in improving the status of the girl child.

The 1994 PPA did not include the girl child among its 13 critical issues. However, the current PPA on Gender Equality and Women’s Human Rights 2018–2030 includes several references to women and girls: in relation to the PPA’s objective – “promoting and protecting the rights of women and girls, in all their diversity”; in emphasising the need for a regional framework “so that women and girls can develop their full potential and have equal access to opportunities, with resulting benefits for the whole of society”; in the definition of gender equality; in noting improvements made but continuing disadvantage; in reaffirming the PLGED which includes as one of the six key areas improving education and training opportunities for girls and women; and in highlighting the greater numbers of girls than boys remaining in secondary school and enrolled at the University of the South Pacific, albeit in stereotyped courses of study.

CONTEXT AND PROGRESS

This section highlights achievements in the Pacific region in respect to meeting the objectives of the BPA under Critical Area K, and discusses some of the serious challenges remaining in this critical area.

INTERNATIONAL AGREEMENTS, LEGISLATION AND POLICY

All PICs have ratified the UN Convention on the Rights of the Child (CRC), the four core principles of which are non-discrimination, the best interests of the child, the right to life, and survival and development. Only Fiji, FSM, Nauru and Vanuatu have ratified the CRC’s optional protocols, which prohibit the sale of children, child prostitution and child pornography and the involvement of children in armed conflict. Some PICs have also ratified ILO conventions relating to protection of the rights of children. Fiji, Kiribati, PNG, Samoa, Solomon Islands and Vanuatu are states parties to the 1999 ILO Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms Of Child Labour (ILO Convention No 182)¹⁸⁰ and Fiji is also a state party to the Minimum Age Convention, 1973 (Convention No. 138). Complying with reporting obligations under these various treaties has not been easy for PICs given their limited resources. Only one-third are “on track with their CRC reporting obligations”¹⁸¹ and implementation has also been uneven across the region.

Nonetheless, four PICs have enacted child protection laws, 11 now have family protection laws in place, and across the region policy initiatives to protect the rights of the girl child have been introduced. In May 2019, representatives from government welfare ministries across 12 PICTs collaborated in developing a framework to improve child protection services in the region.¹⁸²

In progressing compliance with its international obligations, RMI introduced the Child Rights Protection Act in 2015, and the Prohibition of Trafficking in Persons Act in 2017. RMI is taking an integrated approach to implementing child rights through education, services and a programme aimed at preventing teenage pregnancy.

Nauru is reported to have demonstrated significant “political will and community support to address child protection and domestic violence”.¹⁸³ Nauru’s parliament passed the Child Protection and Welfare Act in June 2016 establishing a protective legislative framework for children. Nauru submitted its first report to the CRC Committee in October 2016. In December 2016 Nauru passed the Domestic Violence and Family Protection Act, drafted with help from SPC’s RRRT

180 See https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-suva/documents/publication/wcms_304562.pdf

181 UNICEF – Pacific Islands Countries. See https://www.unicef.org/pacificislands/overview_22695.html

182 Pacific Regional Workshop on Child Protection for the Social Welfare Sector, 31 May 2019.
See https://www.unicef.org/pacificislands/1852_28252.html

183 Domestic violence and family protection laws to protect Nauruan women and children 6 December 2017.

See <https://dfat.gov.au/news/news/Pages/domestic-violence-and-family-protection-laws-to-protect-nauruan-women-and-children.aspx>

team and funding support from DFAT's Pacific Women Shaping Pacific Development programme. Implementation will be monitored by a family protection and coordination committee and training for service providers is in progress.¹⁸⁴

The Cook Islands' Family Protection and Support Act 2017 encompasses child protection rights in line with the principles and provisions of the CRC, by putting the child's best interest at the heart of all decision-making. The Cook Islands Gender Policy seeks to reduce teenage pregnancies and the prevalence of sexually transmitted diseases amongst adolescents through education and health support.

Solomon Islands' Child and Family Welfare Act 2017 includes provision for a child protection referral pathway, which aims to ensure that girls (and all children) who need care and protection receive the support they need in a timely and coordinated manner.

Fiji reported increased budgetary allocation for its Child Services Unit and the establishment of a child helpline through a partnership between government, health providers and telecommunications companies to help eliminate violence against children. In three years of operation to October 2018, more than 42,000 calls had been registered. Community and school programmes have also been rolled out to increase protections for girls.

Palau's penal code, effective from July 2014, has been strengthened to include an expanded number of child exploitation crimes, mandatory registration of sex offenders, and public posting of the sexual offender registry list online.

While digital technology can open up a world of educational and economic opportunities, it can also make children, and in particular girl children, more susceptible to harm.¹⁸⁵ Samoa is taking steps to improve protection for girls from sexual abuse, including exploitation online through its National Cyber Security Strategy 2016–2021.

Vanuatu's Child Online Protection Awareness Strategy also seeks to strengthen safeguards for girls as part of a broader scope of work under its National Child Protection Policy (2016–2026).

While PIC governments have shown strong formal commitment to the rights of the child, including the girl child, and have been undertaking significant legislative and policy reforms to support their CRC commitments, their achievements are limited by inadequate human and financial resources for more comprehensive implementation and by the persistence of factors and practices that are seriously injurious to the girl child.

ADDRESSING GIRLS' HUMAN RIGHTS

There are many challenges to ensure the rights of female children in the Pacific are upheld. Key concerns are discussed below.

Early marriage and teenage pregnancy

According to UNICEF, region-wide 12 per cent of girls marry as teenagers, compared to 4 per cent of boys, and there are legislative gaps in eight countries where the minimum age for marriage is lower for girls,¹⁸⁶ increasing the risk of girls dropping out of school, experiencing early pregnancy with its attendant health risks, and being exposed to domestic violence. As stated in a 2006 paper presented to an expert group meeting on elimination of all forms of discrimination and violence against the girl child by well-known advocate for ending violence against women, Shamima Ali, "early marriage is not only a health risk for girls, but puts girls at high risk of physical abuse, as they move outside of their relatively protected family environment to live with their husband and his extended family".¹⁸⁷

The Justice Ministry in Tonga is supporting a campaign to end child marriage by the Talitha Project, an NGO for young women in Tonga. The 'Let Girls Be Girls!' campaign is creating awareness about child marriage and seeks to raise the legal age of marriage to 18 by repealing sections of the Births, Deaths and Marriages Registration Act 1926. Currently the legal age to marry in Tonga is 15 years, provided the child has the consent of a parent.

Solomon Islands is also working to review the Islander Marriage Act to raise the legal age of marriage, and work is similarly underway in Palau to raise the age at which a girl can marry from 16 to 18 years.

¹⁸⁴ Ibid.

¹⁸⁵ UNICEF 2017. The State of the World's Children 2017, Children in a Digital World. New York, USA: UNICEF. Available at: <https://www.unicef.org/reports/state-worlds-children-2017>

¹⁸⁶ UNICEF 2017. Situation analysis of children in the Pacific Island countries. Suva, Fiji: UNICEF. Available at: <https://www.unicef.org/pacificislands/media/661/file/Situation-Analysis-Pacific-Island-Countries.pdf>

¹⁸⁷ Ali S. 2006. Violence against the girl child in the Pacific Islands region. United Nations Division for the Advancement of Women (DAW) in collaboration with UNICEF Expert Group Meeting Elimination of all forms of discrimination and violence against the girl child. UNICEF Innocenti Research Centre. Florence, Italy, 25–28 September 2006. EGM/DVGC/2006/EP.14. Available at: <https://www.un.org/womenwatch/daw/egm/elim-disc-viol-girlchild/ExpertPapers/EP.14%20%20Ali.pdf>

In its report to the CRC Committee in 2017, RMI reported that “although child marriages officiated by the courts do not exist, this does not take into account the much more common practice of customary marriages or cohabitation”. The RMI report said “no studies [had been] conducted on customary marriages and cohabitation in children, though there is considerable anecdotal evidence of children below the legal marriageable age cohabitating”.¹⁸⁸

While teenage pregnancy is generally declining in the Pacific, it remains a concern as there are evident disparities across countries. The average adolescent (15–19) birth rate is approximately 50 births per 1000 women, although data are incomplete.¹⁸⁹ RMI has the highest teenage birth rate (85 per 1000) and teenage pregnancies account for 20.6 per cent of the total number of live births nationally, which is higher than in most other PICTs. Nauru has the second highest teenage birth rate (81 per 1000) followed by Solomon Islands (70 per 1000). Niue and Tonga (both at just under 20 per 1000) have the lowest rates.¹⁹⁰ Teenage pregnancies negatively affect young girls’ educational, health and economic prospects.¹⁹¹

In the past, pregnant teenagers faced expulsion or were pressured in other ways to leave high school. This is, fortunately, changing with several countries including the Cook Islands, Palau and Samoa permitting pregnant girls to remain in school, and Solomon Islands and Tuvalu supporting the return of young mothers to school. However, lifelong education for young mothers is not supported in all PICTs.¹⁹²

The Cook Islands has also prioritised meeting the health needs of pregnant girls and young mothers, establishing a youth-friendly clinic offering family planning services in 2010.

Despite PICs’ consistently strong support for sexual and reproductive health and rights at the International Conference on Population and Development (ICPD) and throughout the subsequent review processes on the ICPD programme of action implementation, adolescents in PICTs continue to face barriers to freely accessing sexual and reproductive health information and services, including contraceptives, because of prevailing conservative religious ideas. The practice of mothers accompanying their teenage daughters to the public health clinic to be advised and supplied with contraceptives, as some reportedly do in FSM, is enlightened but unusual. Indeed, much work is required in most PICTs to improve the right of unmarried, adolescent girls to confidential sexual and reproductive health information, advice, services and especially contraception, not least to prevent teenage pregnancies.

Child labour

Child labour is defined by the ILO as work undertaken by a child which is “harmful to the child’s health and development” and “impedes their growth and development”. Ending child labour by 2025 is Target 8.7 of the Sustainable Development Goals. Fiji has been designated a ‘pathfinder country’ of Alliance 8.7. Pathfinder countries are those that commit to accelerating efforts with new actions to achieve Target 8.7.¹⁹³

In PICTs, older children traditionally assist their families in subsistence production (agriculture and/or fishing) as well as in informal sector economic activities undertaken by their families. Increasingly, in many PICT capitals, male children are seen selling food made by a family member around shopping centres, or by the roadside, and are often selling their wares into the evening. For girl children, child labour generally involves burdensome domestic labour, which can result in their interrupted education, and a lifetime occupation of unpaid domestic service.

Child labour research conducted by the ILO’s Tackling Child Labour through Education programme found that Pacific children are also “susceptible to the worst forms of child labour, such as hazardous work, illicit activities, and commercial sexual exploitation”. Factors “aggravating risk and vulnerability of children to exploitation and abuse” included poverty, illiteracy, poor academic performance and lack of employment opportunities.¹⁹⁴

Several PICTs report a higher likelihood of girls leaving school early and becoming involved in child labour. PICTs’

188 United Nations Committee on the Rights of the Child, 23 February 2017. Consideration of reports submitted by States parties under article 44 of the Convention, Third and fourth periodic reports of States parties due in 2010, Marshall Islands.

189 United Nations Committee on the Rights of the Child, 23 February 2017. Consideration of reports submitted by States parties under article 44 of the Convention, Third and fourth periodic reports of States parties due in 2010, Marshall Islands.

190 SPC. 2015. The Pacific Youth Development Framework 2014–2023: a coordinated approach to youth-centred development in the Pacific. Prepared by the Social Development Division of the Secretariat of the Pacific Community. Suva, Fiji: SPC. Available at: <https://www.spc.int/resource-centre/publications/pacific-youth-development-framework>

191 Ibid.

192 PIFS 2016. Pacific Leaders Gender Equality Declaration: trend assessment report 2012–2016. Suva, Fiji: PIFS. Available at: <https://www.aidsdatahub.org/sites/default/files/resource/pacific-leaders-gender-equality-declaration-2016.pdf>

193 Observing the World Day against Child Labour in Suva, Fiji, 12 June 2019. See: https://www.ilo.org/suva/public-information/WCMS_710154/lang--en/index.htm

194 ILO 2014. Child labour “in a nutshell” – A Resource for Pacific Island Countries. Geneva, Switzerland: ILO. Available at: https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-suva/documents/publication/wcms_304562.pdf

increasing NCD burden also puts a strain on girls in countries such as Nauru, where they may need to leave school to care for family members with NCDs.

Violence against girl children

The most serious violations of the rights of children in PICTs come from their dependence on adults and vulnerability to violence from adults. A 2019 NGO report describes violence against children, and in particular against girl children, as being “at endemic levels across Pacific island nations” with “millions” of children affected.¹⁹⁵ The Save the Children, ChildFund, Plan International and World Vision report describes the violence facing Pacific children as “everyday violence”.

Corporal punishment in schools is outlawed in all Pacific Island nations except Niue and Solomon Islands. However, in many countries physical punishment and discipline of children are seen as acceptable within the home.¹⁹⁶ The above quoted 2019 report states that violent discipline of children is evident in 70–87 per cent of homes.¹⁹⁷ These are shocking statistics for a region that prides itself on valuing family and community, and suggests stresses in social and economic realities as contributing causes.

The violence inflicted on girl children is however also reflective of the alarming prevalence of gender-based violence, and particularly intimate partner violence, against adult women in the region. Intimate partner violence against women starts early. In a 2015 Women United Together Marshall Islands (WUTMI) survey on domestic violence, 38 per cent of young women aged 15–24 were already reporting experience of intimate partner violence.

Despite the crisis in the region of gender-based violence against women and of family violence more broadly, corroborated by surveys and research, and despite significant advances that have been made across the region at the legislative level to address this, some segments of society, including legislators, still oppose strengthened legal protections against family violence for the reason that it contradicts culture, interferes with parental authority and gives children the right to sue parents for alleged assault.¹⁹⁸

Sexual abuse and exploitation

Eight-five per cent of welfare workers from Fiji, Kiribati, PNG, Samoa, Solomon Islands, Tonga and Vanuatu surveyed in 2019 reported seeing child sexual exploitation in the past year, with two-thirds of the victims being girls.¹⁹⁹ The report of the survey highlighted homelessness, extreme poverty, labour migration, stigmatisation of victims, cultural taboos, small community size, and a general lack of agency for girls (and indeed, a lack of understanding among children of what constitutes ‘unacceptable touching’) amongst the underlying risk factors for children.²⁰⁰ The common practice of sending children to live with extended families, usually to attend school, can increase their vulnerability to violence, sexual abuse, child labour and even trafficking.

In Fiji, 16 per cent of girls under 15 reported having experienced sexual abuse according to a Fiji Women’s Crisis Centre report. In Solomon Islands, 37 per cent of women surveyed said they had been sexually abused as a child. A Cook Islands study found “about a quarter of the *aronga mapu* (youth) in the Cook Islands experience sexual violence”, and the victims were predominantly female.²⁰¹ The 2018 Samoa National Inquiry into Family Violence revealed an “epidemic” of sexual abuse and incest involving children.²⁰² Sexual abuse is most often perpetrated against girl children by close family members, within the supposed sanctuary of their homes.

195 Suthanthiraraj K. 2019. Unseen, unsafe: The underinvestment in ending violence against children in the Pacific and Timor-Leste. Sydney, Australia: Save the Children Australia, ChildFund Australia, Plan International, World Vision International. Available at: https://resourcecentre.savethechildren.net/node/15605/pdf/stc01615_unseen-unsafe-report_web-1.pdf

196 UNICEF 2017. Situation analysis of children in the Pacific Island countries. Suva, Fiji: UNICEF. Available at: <https://www.unicef.org/pacificislands/media/661/file/Situation-Analysis-Pacific-Island-Countries.pdf>

197 Suthanthiraraj K. 2019. Unseen, unsafe: The underinvestment in ending violence against children in the Pacific and Timor-Leste. Sydney, Australia: Save the Children Australia, ChildFund Australia, Plan International, World Vision International. Available at: https://resourcecentre.savethechildren.net/node/15605/pdf/stc01615_unseen-unsafe-report_web-1.pdf

198 Tongan Minister opposes Family Protection Act, 19 July 2019, Radio New Zealand; UNICEF 2017. See: <https://www.rnz.co.nz/international/pacific-news/394735/tongan-minister-opposes-family-protection-act>

199 ECPAT 10 June 2019. Pacific Region: Frontline welfare workers regularly seeing child sexual exploitation. See <https://www.ecpat.org/news/pacific-sexual-exploitation-children/>

200 UNICEF 2017. Situation analysis of children in the Pacific Island countries. Suva, Fiji: UNICEF. Available at: <https://www.unicef.org/pacificislands/media/661/file/Situation-Analysis-Pacific-Island-Countries.pdf>

201 Youth not safe from sexual violence. Cook Island News 29 May 2019. See <https://www.cookislandsnews.com/national/youth-not-safe-from-sexual-violence/>

202 Ombudsman, NHRI Samoa 2018. National public inquiry into family violence in Samoa, State of Human Rights Report – Summary https://ombudsman.gov.ws/wp-content/uploads/2019/01/National-Inquiry-Report-into-Family-Violence_-State-of-Human-Rights-Report-2018-SUMMARY_English.pdf

While girls are most often subjected to sexual abuse by someone within, or known to, the family, child trafficking and commercial exploitation linked to workers within extractive industries, for example, in remote logging communities in Solomon Islands and PNG, have become worrying concerns.²⁰³ All extractive industries – fishing, logging and mining – involve the influx of a labour force of single men, posing particular risks to girls of commercial sexual exploitation and trafficking.²⁰⁴ The complicity of family members in effectively selling girls to logging and mining workers was highlighted in 2006 by Shamima Ali, who reported some fathers in PNG misusing the customary practice of ‘bride price’ to trade their daughters for cash or goods.²⁰⁵ In Solomon Islands, the government’s Anti-Human Trafficking Advisory Committee is working in logging communities to raise awareness on child trafficking, as well as child marriage and exploitation.

The 2019 US Department of Labour’s International Child Labour and Force Labour Report on Fiji states that “Commercial sexual exploitation of children continued to occur in Fiji, particularly by family members, taxi drivers, foreign tourists, businessmen, and crew on foreign fishing vessels. Parents sometimes send their children to live with families in cities or near schools to facilitate their continuing education and to perform light household work. Research found that some of these children are vulnerable to involuntary domestic work or are forced to engage in sexual activity in exchange for food, clothing, or shelter.”²⁰⁶

PROMISING PRACTICES

In this review period, ongoing programmes continue to focus on promoting and strengthening child rights, child protection and youth leadership in the region, noting the progress countries have made with the support of UNICEF in child protection baseline research and subsequent policies and strategies that prioritise gender equality and the rights of the girl child, notably in early childhood development.

Among current promising initiatives is the Pacific Youth Development Framework 2014–2023, developed by the Social Development Division of SPC, which reflects on the difficulties of implementing past strategies, identifying one blockage as a lack of commitment and coordination between partners, governments and young people themselves, and inadequate mechanisms to ensure accountability. The framework advocates an inclusive, rights-based approach to position youth as equal partners. It avoids tokenism and identifies four priority outcomes, determined by young people: (1) more young people secure decent employment; (2) young people’s health status is improved; (3) governance structures empower young people to increase their influence in decision-making processes; and (4) more young people participate in environmental action.

While these priority outcomes are not gender specific, girls in PICTs are especially vulnerable to the barriers that prevent young people from realising their economic, health and political rights.

National efforts to improve the status of the girl child in Vanuatu are being strengthened by UNICEF’s funding of additional child protection officers to work on strategies to prevent and respond to child protection risks and concerns, to which girl children are often the most vulnerable.

In Fiji, there are moves by NGOs to establish a Child Protection Policy and a Child Safeguarding Policy (Save the Children Fund) and to empower young women to speak up and lead on issues that affect them (FWRM’s ‘GIRLS’ programme). The National Coordination Committee on Children is working to develop a holistic approach to improve adolescent reproductive health awareness to tackle the issue of teenage pregnancy, while the education ministry is working to include social issues such as violence against women and girls in the school curriculum and ensure all school professionals go through gender sensitisation training.

Education is also the focus of interventions in RMI, Tuvalu and Kiribati, where SPC is currently engaged in reviewing elementary school curricula to integrate social citizenship values, human rights obligations, gender equality, social inclusion and nuclear issues into the formal school curriculum. In the case of RMI, the goal is to connect gender and social inclusion, rights and responsibilities to Marshallese cultural values and practices in the school curriculum.

203 Robinson P. 2011. Combating commercial exploitation of children and violence against women in remote regions of the Western Pacific impacted by large scale commercial logging: Solomon Islands, Papua New Guinea, Vanuatu 2010. Melbourne, Australia: Live & Learn. Available at:

https://livelearn.org/assets/media/docs/resources/Combating_Commercial_Exploitation_Children_Violence_Against_Women.pdf

204 Ibid.; and UNICEF 2017. Situation analysis of children in the Pacific Island countries. Suva, Fiji: UNICEF.

Available at: <https://www.unicef.org/pacificislands/media/661/file/Situation-Analysis-Pacific-Island-Countries.pdf>

205 Ali S. 2006. Violence against the girl child in the Pacific Islands region. United Nations Division for the Advancement of Women (DAW) in collaboration with UNICEF Expert Group Meeting Elimination of all forms of discrimination and violence against the girl child. UNICEF Innocenti Research Centre, Florence, Italy, 25–28 September 2006. EGM/DVGC/2006/EP.14.

Available at: <https://www.un.org/womenwatch/daw/egm/elim-disc-viol-girlchild/ExpertPapers/EP.14%20%20Ali.pdf>

206 See <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/fiji>

There are a number of inspiring examples across the region of girls and young women taking the lead in advocating on issues of critical importance to their future in innovative ways, through painting, storytelling, writing, performance poetry and other art forms. The work of organisations such as Jo-Jikum Earth Champions in RMI founded by Kathy Jetnil-Kijiner and Young Solwara's artists and performers from across Melanesia, are gaining traction and having impact even beyond the region, demonstrating increased agency by young women.

Finally, global CSOs²⁰⁷ are calling for increased investment in ending violence against Pacific girls and children, saying "words on paper" need to be turned into action that protects children, that there needs to be a shift from response to prevention, and an increase in specific programme funding to eliminate violence against children.

CHALLENGES AND AREAS FOR ACTION

Gender-disaggregated data gaps exist in several areas (e.g. health; water, sanitation and hygiene; social protection) making analysis of other dimensions of disadvantage experienced by girl children difficult.²⁰⁸

Further research is needed on teenage pregnancies, including on predisposing factors to children, boys and girls, becoming sexually active; the effectiveness of sex education programmes within the school curriculum; adolescent access to sexual and reproductive health information, services and contraceptives; living conditions which pose risks to the safety and security of girl children; the impact of absentee parents through new labour migration schemes on children and especially girl children; and monitoring and evaluating the effect of new curriculum interventions, such as the HRSD-led initiative of incorporating social citizenship and human rights into school curricula, and the RMI curriculum reform initiative, in creating mutually respectful and more equitable relationships between young men and women.

Further research is also needed on youth unemployment and access to new jobs, and new initiatives are needed in respect to job creation in PICTs. In 2014 UNICEF was reported to have warned that "denial of economic and social opportunities leads to frustrated young people and the result can be a high incidence of self-harm with the loss of productive potential of a large section of the adult population".²⁰⁹

There are also key gaps in understanding key influences in young women's lives and in particular the role of faith-based organisations and churches in influencing values and behaviour.

RECOMMENDATIONS

The 13th Triennial Meeting of Pacific Women did not formulate recommendations for the girl child. However, a number of recommendations across the other areas of critical concern are highly relevant to ensuring that the human rights of girls are protected and upheld. Recommendations in other sections of this report will also lead to the profiling of female role models in communities, in business and in national leadership. Drawing attention to female role models will enable boys and girls to understand and explore their own potential and witness the benefits of gender equality.

These recommendations call on governments to:

- strengthen sex- and age-disaggregated data collection and analysis to promote legislation, policies and programmes that address the needs of both girls and boys;
- ensure social security policies protect girls and boys in poor families and facilitate their access to education, health and justice services;
- support family life education that promotes gender equality, human rights and sexual and reproductive health and rights;
- protect all children from direct and indirect impacts of domestic violence and ensure that girls are not subjected to sexual or gender-based violence in homes, schools or the wider community;
- develop and support legislation, policies and programmes that challenge harmful and unjust gender norms, gender stereotypes and all forms of gender-based discrimination and violence; and

207 Suthanthiraraj K. 2019. Unseen, unsafe: The underinvestment in ending violence against children in the Pacific and Timor-Leste. Sydney, Australia: Save the Children Australia, ChildFund Australia, Plan International, World Vision International.
Available at: https://resourcecentre.savethechildren.net/node/15605/pdf/stc01615_unseen-unsafe-report_web-1.pdf

208 Ibid.

209 See <http://www.pireport.org/articles/2014/08/15/suicide-rate-pacific-islands-among-highest-world>

- support programmes that engage men and boys as allies in challenging gender stereotypes and reducing women's double burden of paid and unpaid work.

Additional recommendations in this report identify the need to:

- recognise women's and girls' roles and knowledge as environmental managers and ensure decision-making processes about the environment are inclusive and equitable;
- recognise the positive role of culture in the lives of girls and boys and concurrently reduce harmful or discriminatory culturally reinforced norms, stereotypes and practices; and
- ensure that legislation and policies integrate consideration and proactive programming to reduce discrimination against girls with disabilities, and provide them with equitable access to educational, health, leisure and employment opportunities.

OPINION PIECES

THE GIRL CHILD

'Ana Malia Falemaka, Tonga

My name is 'Ana Malia Falemaka, 16 years of age from Tonga. I am a daughter, a sister, a head prefect at my school, a member of society and a Christian. Growing up, the roles at home were already there even before I came into this world. It was loud and clear that it's the role of girls and women to stay home, do all the cleaning and cooking while men were the ones doing the 'manly works' as described by many. I watched this in action ever since the time I realised what was going on in my little world. This is the tradition in my country.

However, as years passed, I found myself always attracted to what the boys got to do, what they got to wear, and the freedom they were given to go out anywhere at any time. At 8 I found myself always wearing beanies, dark coloured hoodies with long trousers to match those worn by boys around my age. At 9 my parents realised my talent in rugby and made me join a rugby league club down the street from the house that we rented. However, this was all when my family and I lived in New Zealand for 3 years. Coming back to Tonga, it was a completely different story. Girls do not have much opportunity to participate in sports which normally only involve men. When I was going to roam around the village wearing my trousers and hoodies, my mum would call me to put on a tupenu (Tongan skirt). My mum and aunties would scold me to wear heels to events and church, but I always preferred my sneakers and sandals. The mocking I got by my peers and even relatives was the biggest reason why I stopped and kept away from this preference of mine. However, it should not be this way, instead of pulling people down we should be empowering them to be themselves and be whoever they want to be.

It is expected by my community and others, that a young Tongan girl is well dressed in church, always abides by the decisions of her parents, and stays put at home and does not go out at night. This is the definition of the young obedient Tongan girl that everyone expects. I personally abide by this because to me it is for the best. So, when one of my peers got pregnant, the world turned against her. Parents started warning their children to keep away from her, and she was eventually given the 'off-limits' title by the people in my village. One cannot imagine the embarrassment and regret she feels. I even started keeping away from her because I feared going through the same thing she did. She is not the only one in Tonga going through this, there are many others. However, I've realised that it is not entirely their fault for what people describe as mistakes. Firstly, there is no sexual reproductive health and rights education in the school curriculum, and it is also not an appropriate topic to be discussed at home and in society. This is because it goes against my cultural beliefs. There is a saying that goes "when a door closes a window opens"; there are other ways in which we can address this issue without affecting the culture I grew up with.

The major challenging issue I face is the expectation and pressure I get. As the head prefect of the high school I go to, although not many say, I can feel the pressure and expectation that everyone has for me to set a good example and do well in my studies. There is a deep fear inside me that once I make a mistake even if it's just a little wrong, I would be a failure. I'm scared most of not being able to make my parents proud with the grades I get at school. So, when my friends started having boyfriends at the age of 13 till now, for me it was always studies first. I'm proud of what I have become but I also feel left out at times when it comes to talking about this topic. I'm sometimes ashamed that at this age I have not quite experienced the sparks of being in a relationship, but my parents are constantly reminding me that it is alright and there is a right time for that.

Social media is a major distraction to me. I always find myself on my phone, constantly checking my social media accounts. There are so many times that I wished that I was born looking like Beyoncé or Demi Lovato with the perfect body and all; thinking that it will gain me some followers on Instagram. One day, I even tried cutting my hair but

ended up shaving it, making it look so bad. Many asked and wanted to know the reason behind that stupidity, but I just wanted to be beautiful like all the others, I wanted to fit in. In my society, we have village meetings called a fono. This is a meeting between the noble of the village and the rest of the people. It is where problems and issues around the village are discussed. Ever since growing up, I have always noticed that young people my age do not attend this meeting which takes place once a month. I finally attended one *fono* in my village and it was not a surprise that young people like me are not given the opportunity to speak. Only our parents and elders discuss the matters that need urgent attention.

At 16 years old now, I wonder about when the day will come where my ideas are taken seriously just like all adults, when women and men, boys and girls are given equal opportunities, equal rights and equal say in the decisions made for the benefit of our country. Through my music, I find my peace and relaxation after a long day. I wish to study law and become a judge. I hope that one day my dreams and vision would become a reality and the challenges I met would not be faced by others behind me.

AULAIGA KAUFAKATASI: DIFFERENT GENERATIONS UNITED FOR A COMMON CAUSE

Alesi Molotii, Tuvalu

I was brought up learning the unique gender differences and how socialisation processes mean that some people are more privileged than others; and have witnessed the invaluable contributions of women at all levels of society. As I pause and reflect as a young woman, I have always wondered why women were calling for stronger acknowledgement and enjoyment of their rights in so many fields. For their voices to be heard in decision-making. They campaigned – and still do – for so many critical issues such as for the elimination of domestic violence, women’s reproductive health rights; and yet they always consider their work in the home is the normal thing to do.

I was 17 years old when my curiosity about women’s issues (which I believe to be national issues) grew. I know and see most women as implementers and they are always behind the scenes of any major event in Tuvalu: they organise, feed the people and many times display their traditional knowledge by producing the variety of exceptional gifts often given by men to special guests. They are the backbone of families, communities and Tuvalu as a whole.

I learned of the Beijing Platform for Action during some of the national campaigns and community consultations, and I started an informal youth group with my friends to help and support the various campaigns led by the women of Tuvalu. The informal Youth for Change Network helped by advocating the same issues within the BPA, as well as the National Gender Equality Policy.

We were very successful and I am proud to say that our society and communities recognise our interventions and contributions. We realise a lot needs to be done and our voices need to be heard in the priority areas of decision-making, economic empowerment, ending all forms of violence and advocating for social inclusion and human rights for all. We also promote the role of women in social media and the many issues experienced by young people, especially young women, in this ‘hi-tech’ generation. This really opened my eyes, and I realised the tremendous work of so many good people around the world who, like me, would like to see transformative change to improve everyone’s lives – a world that is equal and just for all.

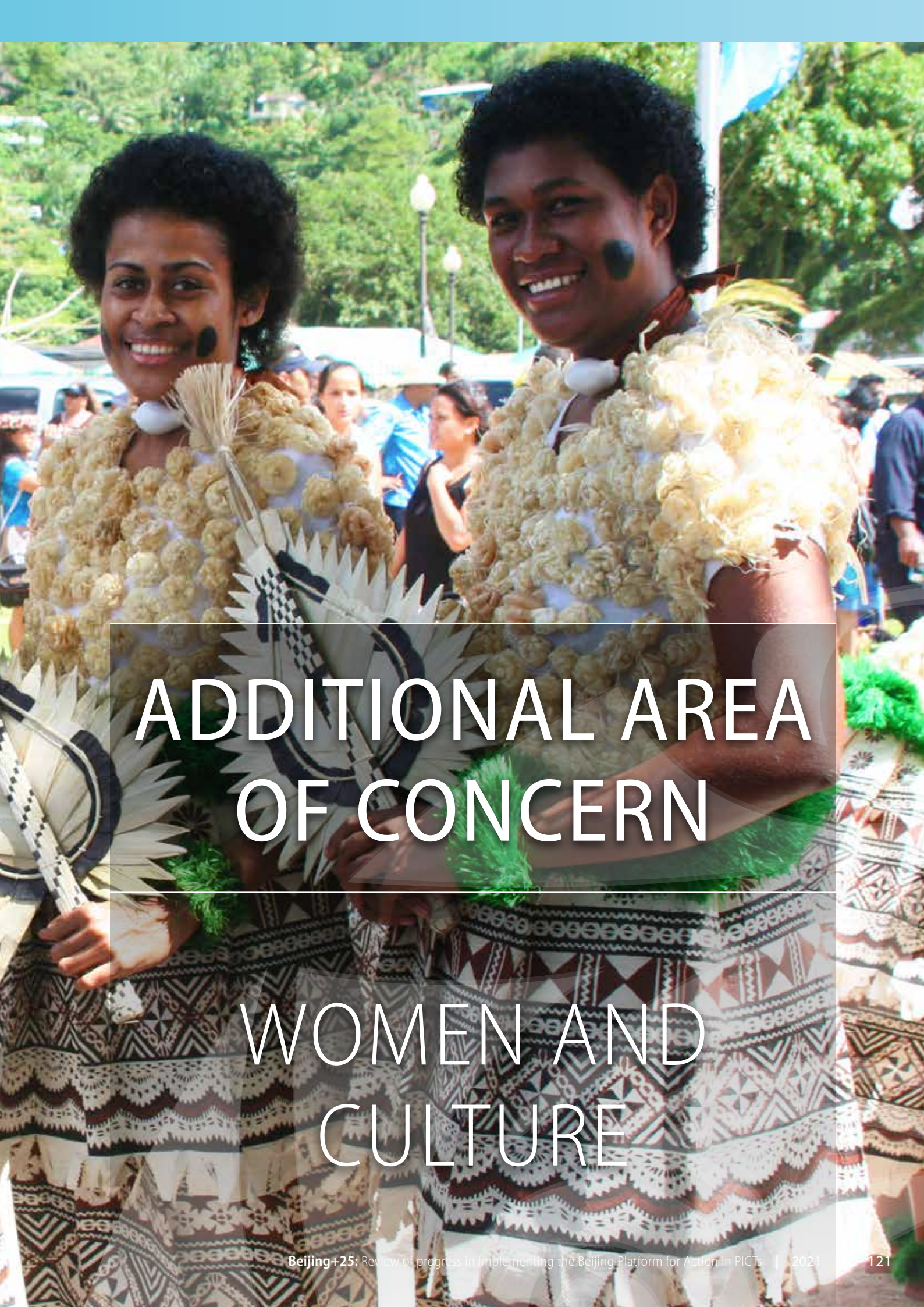
I know the issues are complex, but I believe that any change for the better requires everyone’s commitment, especially our leaders at all levels and in all parts of our lives, and we need the political will so that we all ‘walk the talk’.

Finally, we want to join hands with women CSOs with whom we share our hopes and dreams that every one of us, in all of our diversity, is respected, and we will continue the fight for equality for all. In joining other women CSO groups, we now have an organisation called the Generational Equality Coalition Alliance Network (GECAN), or *Aulaiga Kaufakatasi* in Tuvaluan, that literally means “different generations united for a common cause”. This allows our Youth for Change Network to join other generations, mostly women and trans led, to advocate with one (loud) voice for gender equality and social inclusion in all aspects, levels and walks of life for all.

Disclaimer:

The views and opinions expressed above are those of the author and do not necessarily reflect SPC’s official position.





ADDITIONAL AREA OF CONCERN

WOMEN AND CULTURE

INTRODUCTION

The BPA did not include culture as a critical area of concern, although there are references to culture in several places. Culture is recognised variously as an obstacle to women’s enjoyment of equality, rights and freedoms; as a ground of discrimination; as a right, such as with indigenous girls’ and women’s right to education that is responsive to their needs and cultures, including by having educational programmes, curricula and teaching aids in their language; and lastly, in relation to fostering diverse (multi-cultural) forms of media.

The BPA highlights the cross-cultural nature of abuse of women and girls: “in all societies, to a greater or lesser degree, women and girls are subjected to physical, sexual and psychological abuse, cutting across lines of income, class and culture”. The BPA calls for education to foster “a culture of peace that upholds justice and tolerance for all nations and peoples” and that should be “begun at an early age”; and for the promotion of women’s involvement in fostering a culture of peace. It also calls on national machineries to undertake activities to promote the advancement of women and “a culture favourable to equality”. These various references to culture in the BPA take account of culture both as the unique preserve of a distinct ethnic group, and culture as a more universal philosophy and practice which can be fostered and to which people from any background may subscribe, through education or other means of exposure and open-mindedness.

CONTEXT AND PROGRESS

Pacific Island people are proud of their cultural heritage and defensive of longstanding traditions, institutions, values and practices. There is much to be proud of. Many intrinsically positive values and practices are shared across the region. They include customs of respect, hospitality and reciprocity; an ethic of sharing and caring, a strong sense of social responsibility for the wider community; systems of collective land ownership under which all have usufruct rights;²¹⁰ redistributive practices; valuing relationship-building and investing in leisure time to do that; consensus-based decision-making; and sustainable resource use practices that allow regeneration for future use.²¹¹ Such values and practices accord with ideas that are increasingly relevant and promoted today in the face of the escalating global climate crisis on the one hand and the unprecedented crisis of extreme wealth inequality on the other – such as ideas about social solidarity and human interconnectedness, about redistribution and tax justice, inclusivity and ‘leaving no one behind’, reducing production and consumption, and sustainable resource use. While traditional systems in PICTs may not have worked ideally for everyone, and increased urbanisation has cut a growing proportion of the population off from their customary land, these systems and practices have nonetheless managed to maintain relative equality in countries of the region for decades.

COMPLEXITIES AND INTERSECTIONS

Constitutionally enshrined customary land rights, for instance, have prevented dispossession and protected subsistence livelihood options outside of the wage economy for rural dwellers, shielding them from the worst impacts of financial crises, as Vanuatu’s former Minister for Foreign Affairs, Ralph Regenvanu, pointed out in 2009 following the global economic crisis.²¹² In present times, the institutions and values shared by oceanic people living close to the land and the ocean provide a beacon to an alternative path of enjoying more with less.

In some PICTs, there has been a focus on cultural recovery, particularly of practices and systems that traditionally recognised or earned women leadership, but were undermined or ended by colonialism, Christianisation and the superimposition of Western patriarchal ideas about gender roles. The introduction of Western systems of naming is said to have deprived Vanuatu women of cultural grading ceremonies through which they traditionally gained

210 The exception is Tonga, which does not have a system of collective land ownership.

211 Elise Huffer has identified values in Pacific cultures that resonate with those at the heart of human rights, including “individual worth or dignity” and “honoring and respecting others”, both of which derive from “belief in the individual’s spiritual essence” (p.51 in New Zealand Law Commission (2006) *Converging currents – Custom and human rights in the Pacific*, Law Commission Study Paper 17, <https://www.lawcom.govt.nz/sites/default/files/projectAvailableFormats/NZLC%20SP17.pdf>). Among values identified by others as common in Pacific cultures are “respect for the natural environment and respect for ancestors, ...love and care, reciprocity (or mutuality), the manifestation of humility, generosity and wisdom and the search for consensus” which, “as a set of values ... remind individuals of the importance of group unity and of maintaining relationships with other groups” (ibid.). It is also noted that “care of the elderly and the sharing of resources are expected throughout the Pacific” (ibid.).

212 Regenvanu R. 2009. *The traditional economy as source of resilience*. Available at <http://milda.aidwatch.org.au/sites/default/files/Ralph%20Regenvanu.%20Traditional%20economy%20as%20a%20source%20of%20resistance%20in%20Vanuatu.pdf>

“rights to rank, authority and autonomy”.²¹³ Female anthropologists have played a role in recording knowledge of practices that have been discontinued.²¹⁴

There is, however, another side to culture and it is not surprising that culture (and the family) featured as one of the 13 critical issues of the 1994 PPA. For women, culture is both a source of pride and celebration and a tricky force to be reckoned with. The revised PPA refers to the revision of customary laws and practices of traditional (male-dominated) courts taking place in PNG and Vanuatu, adding that this was “a much more challenging undertaking” than reviewing and amending discriminatory provisions in legislation to comply with CEDAW. The comment raises attention to the gender discriminatory features of custom-based institutions and cultural practices that are harmful to women and girls. The retention and defence of such aspects of culture, particularly by males, have posed obstacles to advancing gender equality and women’s empowerment in PICTs over the last four decades. The facts that PICTs in the last three decades have been steadily making progress in ratifying international human rights treaties, implementing them and reporting to treaty bodies, are promising indicators of their embracement of human rights.

In 2006, the New Zealand Law Commission (NZLC) undertook a study on custom and human rights in the Pacific, with a view to making a contribution to developing the relationship between custom law and human rights in the Pacific, including by “exploring the commonalities between custom law and human rights and how the two can inform and complement each other; encouraging the development of the law and a jurisprudence unique to Pacific states by drawing on both ancestral values and contemporary legal principles; and promoting a human rights culture grounded in a Pacific world-view”. The insightful report begins by highlighting the facts that many Pacific constitutions “indicate both a strong desire to preserve the culture and identity of the people and an intention that human rights should form part of the foundation of the nation” and says “[t]he challenge of synthesizing custom and human rights is thus inherent in these constitutions”.²¹⁵

CUSTOMARY LAW AND TRADITIONAL COURTS

The strong attachment to culture and tradition in PICTs is evident in the place accorded customary law and institutions representing custom chiefs in the constitutions of several independent states. Several PICTs include a constitutional role for councils of traditional leaders or chiefs, such as the House of Ariki (the Cook Islands), the Council of Iroij (RMI) and, until it was abolished by decree in 2012, the Great Council of Chiefs, or *Bose Levu Vakaturaga* in Fiji.²¹⁶ Vanuatu’s *Malvatumauri* is a more recent invention formally established at independence,²¹⁷ and periodic interest has been shown in establishing a similar council of custom chiefs in Solomon Islands, where there was none before.²¹⁸ In the mid-1990s, PNG was “(re)discovering chiefs on a wide front and looking to traditional ‘chiefly’ structures as part of a move towards more extensive political decentralisation”.²¹⁹ In Samoa, only titled men and women (*matais*) can be elected to parliament and prior to 1991 only *matais* could vote in national elections.

According to feminist legal expert Imrana Jalal, in almost all PICTs customary law is given recognition in the constitution as well as in other legislation.²²⁰ Indeed in several PICTs, customary law is defined as constituting part

213 This is documented by Roslyn Tor and Anthea Toka in ‘Gender kastom and domestic violence report: Research on the historical trend, extent and impact of domestic violence in Vanuatu’ (with support from the Vanuatu Government and CUSO, Port Vila, Vanuatu, 2004) and cited in Slatter (2010).

214 For a discussion of scholarly work on the impacts of colonialism and Christianity on gender and custom in Pacific societies, see Slatter C. 2010. Gender and custom in the South Pacific. 14 YBNZ Juris. 13 (2010): 89. <http://www.nzlii.org/nz/journals/NZYbkNZJur/2011/11.html>

215 NZLC 2006. Converging currents: custom and human rights in the Pacific. Law Commission Study Paper 17. Available at: <https://www.lawcom.govt.nz/sites/default/files/projectAvailableFormats/NZLC%20SP17.pdf>

216 The reason given by the post-2006 coup regime for the shock decision to abolish what was described as “one of the Pacific’s oldest political institutions” – established in 1876 under colonial rule, was that it “perpetuated elitism and created divisive politics”. See <http://www.stuff.co.nz/world/6573396/Fijis-Great-Council-of-Chiefs-abolished>

217 The *Malvatumauri* was established in 1981.

218 The late Solomon Islands educationist and diplomat, Francis Bogotu, is quoted as having criticised those seeking to set up such a body, saying “A new breed of neo-politicians [has] emerged introducing chief-systems where there was none before... to confuse not only themselves but the people they claim to represent.” Cited in White G.M. 1992. The discourse of chiefs: Notes on a Melanesian society. *The Contemporary Pacific* 4(1): 73–107. Available at: https://www.jstor.org/stable/23699844?seq=1#page_scan_tab_contents

219 Growing recognition by scholars of stratified societies across PNG challenged the Big Man leadership system that was assumed to be dominant and common across Melanesia. See <http://press-files.anu.edu.au/downloads/press/p66801/mobile/ch09.html>

220 Imrana Jalal, Harmful Practices against Women in Pacific Island Countries: Customary and Conventional Laws’ Expert Paper for the Expert Group Meeting on good practices in legislation to address harmful practices against women (May 2009) https://www.un.org/womenwatch/daw/egm/vaw_legislation_2009/Expert%20Paper%20EGMGPLHP%20_Imrana%20Jalal_.pdf

of the laws of the country.²²¹ However, customary law is usually defined and interpreted by men, and is often used against women. Moreover, councils of chiefs have also been known to use their traditional power to try to pass new customary laws for the same purpose, as was the case in Vanuatu in 2005 when the *Malvatumauri* issued an edict outlawing women's wearing of trousers, shorts, pants or jeans, with a stiff fine for breaches. The law was challenged by the Vanuatu Women's Centre which ran a successful media campaign arguing that the law was unconstitutional and denied women their right to equality.²²²

In 2005, the Leitana Council of Elders in Bougainville similarly forbade women to wear shorts or trousers, saying it was against Bougainville culture for women to wear such clothes and wearing them was responsible for the increase in rape and sexual harassment cases on Bougainville.²²³ The decision was similarly strongly challenged by the Executive Director of the Leitana Nehan Women's Development Agency, Helen Hakena.

In 2006 in Vanuatu, through its Bill for the National Council of Chiefs Act (2006), the *Malvatumauri* proposed to give chiefs unlimited power to "resolve disputes according to local customs" (Sections 13 (1)(a) and 14 (1)) and to make "by-laws". These provisions were deleted from the act before it went to parliament.²²⁴

Custom has strong standing in several PICT constitutions, to the extent that, in some cases, where there is a conflict between statutory law and customary law, the latter will prevail. In other cases there is ambiguity over which has precedence, such as in the Constitution of Palau which, as cited by Jalal (2009), states "Statutes and traditional law shall be equally authoritative. In case of conflict between a statute and a traditional law, the statute shall prevail *only to the extent it is not in conflict with the underlying principles of the traditional law*".

In her report to an expert group meeting on good practices in legislation to address harmful practices against women,²²⁵ Jalal (2009) commented critically on the operation of 'traditional' courts in PICTs where women traditionally have a subordinate status. According to Jalal, these courts

are usually presided over by male chiefs or traditional elders, often unofficially and indirectly, adjudicate on the rights of women and have a critical impact on how women experience the justice system. In Melanesia, the customary law system, rather than the conventional law system, has the more significant impact on women, particularly rural women and women from outlying islands. The tension between women's rights to equality in those [PICT] constitutions which embody these principles, and their subordinate status in custom, remains a source of much controversy in the region.

A paper written for the NZLC's study on custom and human rights in the Pacific,²²⁶ cited earlier work by Jalal (2001)²²⁷ in which she stated that because customary laws are usually not written down and experts who are called "to testify to a specific custom of a particular community are almost never women", what is usually applied is "customary law as perceived by [male] village elders and chiefs". Jalal also commented that for this reason, families would do better under the formal legal system than under customary law. However, because the formal legal system is constitutionally required in several Pacific Island states to take account of customary law, rulings favouring custom over the rights and interests of women often result in the formal courts as well.

HARMFUL CULTURAL PRACTICES

In her paper to the expert group meeting, Jalal (2009) listed a number of specific cultural practices that are harmful, including bride price practices (Melanesia); traditional forgiveness practices; early, arranged or forced marriages;

221 The laws of Kiribati are defined as including customary law; Samoan's Constitution states that laws include customary law; the constitutions of Solomon Islands and Vanuatu similarly state that "customary law shall have effect as part of the law" of Solomon Islands/The Republic of Vanuatu respectively. See ICAAD (2015:26) An Analysis of Judicial Sentencing Practices in Sexual and Gender Based Violence cases in the Pacific Island Region.

Available at: <https://pmc.aut.ac.nz/pacific-media-watch/region-gender-discrimination-impacts-justice-violence-cases-says-icaad-9512>.

See also <http://www.paclii.org/other/general-materials/ICAAD-Analysis-of-Judicial-Sentencing-Practices-in-SGBV-Cases.pdf>

https://www.un.org/womenwatch/daw/egm/vaw_legislation_2009/Expert%20Paper%20EGMGPLHP%20_Imrana%20Jalal_.pdf

222 Imrana Jalal, Harmful Practices against Women in Pacific Island Countries: Customary and Conventional Laws' Expert Paper for the Expert Group Meeting on good practices in legislation to address harmful practices against women (May 2009)

https://www.un.org/womenwatch/daw/egm/vaw_legislation_2009/Expert%20Paper%20EGMGPLHP%20_Imrana%20Jalal_.pdf

223 See <https://www.rnz.co.nz/international/pacific-news/157302/png-bougainville-chiefs-ban-women-wearing-trousers>

224 See <http://press-files.anu.edu.au/downloads/press/p49351/mobile/ch05s05.html>

225 Expert Group Meeting on Good Practices in Legislation to address Harmful Practices Against Women, Addis Ababa, Ethiopia, 25–28 May 2009.

226 Slatter, C. 2010. Gender and custom in the South Pacific. 14 YBNZ Juris. 13 (2010): 89.

Available at: <http://www.nzlii.org/nz/journals/NZYbkNZJur/2011/11.html>

227 Jalal I.P. 2001. Ethnic and cultural issues in determining family disputes in Pacific island courts.

'payback' or punishment rape (Melanesia); polygamy (Melanesia); imprisonment for adultery; mistreatment of widows (Melanesia and Tonga); and virginity tests, burning or scarring of brides. Jalal also included a disturbing practice that has surfaced in PNG in recent years of mob-based public torture and executions of women accused of sorcery. This extreme form of gender-based violence against women (although some men have also been targeted, the majority of victims have been women) is not a cultural practice but has arisen in the context of weak or absent law and order, rising economic grievances and associated social tensions, and intensifying armed violence.²²⁸ Harmful cultural practices are forms of violence against women and they both reflect and perpetuate gender inequality.

In a paper to an expert group meeting on Elimination of All Forms of Discrimination and Violence Against the Girl Child in 2006, prominent feminist advocate for ending gender-based violence against women, Shamima Ali, wrote:

In many Pacific Island societies, 'culture' is frequently invoked as justification for discrimination against, and even violent and abusive treatment of, women and girls. However, the 'customs' and 'traditions' that are invoked are often distorted versions of the original, which have been modified to suit the needs of the males in the family. For example, in PNG, some fathers have used the 'tradition' of bride price as a reason for trading their daughters for cash or goods from transient logging and mining workers... Furthermore, some groups within PNG who did not practice it in the past have adopted the bride price tradition as a way of demanding cash for the marriage of a daughter.²²⁹

Bride price

In Melanesia, bride price has reportedly become part of modern custom law.²³⁰ But the original custom as practiced by the *AreAre* in the Solomon islands, according to Alice Pollard,²³¹ was one which "traditionally bound people together and reinforced community solidarity, encouraged reciprocity in gift-giving and equitable redistribution of wealth, ensured security for the children born of the union, and underscored the value of the girl child". Sue Farran has written similarly of the practice in several islands of Vanuatu.²³² The very term 'bride price', which was given by Europeans to longstanding customary practices of exchange during marriages, demeaned what is still seen by many women as practices that continue to have meaning for them.²³³

Vanuatu's report to CEDAW in 2005,²³⁴ however, stated that the practice of bride price was one of the barriers blocking the advancement of women. The Vanuatu report quoted a male chief, Ngwele, who expressed strong criticisms of bride price:

Most cultures in Vanuatu demand that bride price be paid to the relatives of the woman, where women are exchanged for cattle, pigs, money, traditional mats etc. Although these gifts are supposed to be tokens of appreciation to the woman's parents, often they have been regarded as a price for the woman. So bride price compounds the problems, as it is often interpreted as wife purchase, which gives males unlimited powers to do what they wish... We need to challenge cultural practices that dehumanize people [such as] sexual violence, bride price and polygamy, against the true customs and beliefs that each island of Vanuatu has...

The Vanuatu Government itself also took a critical view of the practice, saying "the placement of a material value on human beings is a violation of human rights, a breach of article 5 (a) of CEDAW, and is seen as restricting the enjoyment of human rights and fundamental freedoms guaranteed to women under the Constitution." It added that "many couples today find this practice financially draining and refrain from getting married for a long time, sometimes until after they have had four or five children. In 1999 for example, out of the 65,871 people who reported that they were either married or living in a defacto relationship, 8,438 people (or 11 per cent) reported living in a defacto relationship".

228 Jalal also refers to the cultural practice of "dry sexual intercourse" in Kiribati. A practice has been documented of iKiribati women 'cauterising' their genital area by squatting over hot stones, but no published reference could not be found for this report of this form of genital mutilation practiced by women themselves supposedly for male sexual benefit.

229 Ali S. 2006. Violence against the girl child in the Pacific Islands region. United Nations Division for the Advancement of Women (DAW) in collaboration with UNICEF Expert Group Meeting Elimination of all forms of discrimination and violence against the girl child UNICEF Innocenti Research Centre. Florence, Italy, 25–28 September 2006. EGM/DVGC/2006/EP.14. Available at: <https://www.un.org/womenwatch/daw/egm/elim-disc-viol-girlchild/ExpertPapers/EP.14%20%20Ali.pdf>

230 NZLC 2006. Converging currents – Custom and human rights in the Pacific, Law Commission Study Paper 17, Wellington. Available at: <https://www.lawcom.govt.nz/sites/default/files/projectAvailableFormats/NZLC%20SP17.pdf>

231 'Bride price' and Christianity. Paper presented at the Women, Christians, Citizens: Being Female in Melanesia Today Workshop, Australian National University, Canberra, 11–13 November 1998; cited in NZLC (ibid., p. 96).

232 Pigs, mats and feathers: Customary marriage in Vanuatu (2004), cited in NZLC (ibid., p. 97).

233 NZLC (ibid., p. 97).

234 Vanuatu's Combined initial, second and third periodic reports to the CEDAW Committee (submitted on 30 November 2005).

This critical view by a PICT government of a harmful customary practice is encouraging. Regardless of what it meant traditionally, the institution of 'bride price' as practised in modern times is recognised as having severely negative consequences for women who can remain locked in unhappy or violent marriages because leaving requires repaying the bride price. The institution of 'bride price' works against women in another way, depriving them of rights to their own children, who are considered to belong to the husband's family.

Reconciliation and forgiveness practices

Jalal and Madraiwiwi, in the Pacific Human Rights Law Digest (Vol. 2), discussed the gender discriminatory nature of customary reconciliation practices in sexual offence and domestic violence cases, saying it mainly involves "an engagement between heads of the families affected", is about "preserv[ing] social relations in the community or village", the victim's opinion is irrelevant, and "the remorse of the perpetrator usually plays little or no part in the process".²³⁵

Customary reconciliation practices, which are practised in Fiji, Kiribati, Samoa and Tonga, may be meaningful for restoring relationships within small communities, however they are inappropriate and highly suspect in cases of criminal offences, and particularly in cases of rape and other sexual crimes. They can result in "pressure being put on the woman victim to drop criminal charges, or be taken into consideration by the court, resulting in a reduced sentence for the convicted offender, thereby denying the victim full protection under the law".²³⁶

The Fiji Magistrates Bench Book clarified the limited use of *bulubulu* in relation to resolving offences:

Reconciliation as a means of resolving certain offences is a legislated provision under s163 CPC. However for the Fijian '*bulubulu*' system, a misconception is that every wrong or offence can be settled by such means. The *bulubulu* should be considered in its context, as a strong mitigating factor, and not a means to evade or escape criminal sanction.²³⁷

The use of *bulubulu* in Fiji (and similar practices in Samoa of *ifoga*, and in Kiribati of *te kabara bure*) as a mitigating factor is, however, also questionable, as it is often used to good effect by men to receive a lighter sentence for both sexual offences and domestic violence. Jalal and Madraiwiwi cited one positive court ruling in Kiribati that "traditional reconciliation under custom could not be a mitigating factor in rape sentencing, particularly when it was accompanied by violence".²³⁸

Recent research and analysis of sentencing decisions in the region by the International Center for Advocates Against Discrimination (ICAAD) shows the strong influence of value judgments, customs and traditions on sentencing in sexual and gender-based violence cases. The ICAAD study only looked into factors "raised and considered during the sentencing phase, including arguments in mitigation of sentence." From its examination of the sentencing records of 908 gender-based violence cases between 2000 and 2014 in Fiji, Kiribati, PNG, Samoa, Solomon Islands, Tonga and Vanuatu, ICAAD found that "cases where customary reconciliation led to a reduction in sentence were more than twice as likely to result in a non-custodial sentence, than cases where no contentious factors were considered."²³⁹ It concluded that gender discrimination had affected sentence outcomes in more than 50 per cent of sexual and gender-based violence cases in Pacific Island countries.²⁴⁰

Polygamy

Citing Jean Zorn²⁴¹, the NZLC study on custom and human rights said that whereas in the past the practice of polygamy in Melanesia may have been limited to "wealthy and influential men who could provide their wives with goods and status", today "young men may use this supposed custom to justify having 'wives' in different places whom they are

235 Jalal I.P. and Madraiwiwi J. 2008. Pacific human rights law digest, Vol. 2.
Available at: <http://www.paclii.org/other/PHRLD/pacific-human-rights-law-digest-2.html>

236 Slatter C. 2010. Gender and custom in the South Pacific. 14 YBNZ Juris. 13 (2010): 89.
Available at: <http://www.nzlii.org/nz/journals/NZYbkNZJur/2011/11.html>

237 Fiji Magistrates' Bench Book, April 2004. Available at: <http://www.paclii.org/fj/other/fiji-magistrates-court-benchbook-2004.pdf>

238 Jalal I.P. and Madraiwiwi J. 2008. Pacific human rights law digest, Vol. 2.
Available at: <http://www.paclii.org/other/PHRLD/pacific-human-rights-law-digest-2.html>

239 ICAAD 2015. An analysis of judicial sentencing practices in sexual and gender based violence cases in the Pacific Island Region.
Available at: <http://www.paclii.org/other/general-materials/ICAAD-Analysis-of-Judicial-Sentencing-Practices-in-SGBV-Cases.pdf>

240 Gender discrimination impacts on justice in violence cases, says ICAAD, 10 December 2015.
See: <https://pmc.aut.ac.nz/pacific-media-watch/region-gender-discrimination-impacts-justice-violence-cases-says-icaad-9512>

241 Zorn J. 2000. Women, custom and international law in the Pacific. Occasional Paper, University of the South Pacific, Port Vila. Cited in NZLC (2006 – ref. below).

unable to support and to whom they may not be legally married under either custom or statute".²⁴² In resource-rich areas of PNG, male beneficiaries of mining royalties from cultures in which it was not customary practice, reportedly practice polygamy today, adding to social discord and violence within the area.

CHALLENGES

Strong challenges have been made to gender discriminatory elements in culture and custom in PICTs over the last 30 years. In an early, much quoted poem titled 'Custom', the late Grace Mera Molisa of Vanuatu criticised those who misappropriate and misuse custom "to intimidate women" and spurned the "bastardisation" of culture for "political purposes".²⁴³ Molisa was quoted in Vanuatu's combined initial, second and third periodic reports to the CEDAW Committee (submitted on 30 November 2005) as having stated in 2000: "We have detected a noticeable change in the way women in leadership roles are perceived in Vanuatu. We believe that the environment in which we are now working is one that is becoming more and more enlightened and more aware of gender equality issues than at any time in Vanuatu's modern history."

Nonetheless, Vanuatu raised to the attention of the CEDAW Committee in 2005 the continuing "cultural dominance of men in Vanuatu society", and the continued disadvantaged status of women. It recalled an important statement that had been made by the Vanuatu Government eight years earlier, in 1997, which challenged the idea of culture as fixed and unchanging:

Women feel that their contribution to the economy is under-valued, and consequently there is too little attention paid to their special needs with regard to health care, education etc. They also feel excluded from the highest levels of decision-making, there being only one woman in parliament, none in the Council of Ministers, none among the Political Secretaries and very few in senior public service management positions or on the boards of statutory corporations. *This absence of one gender from positions of power is often said to be culturally determined. But culture is not static. Societies advance by selecting and perpetuating positive, humane aspects of their culture while leaving behind discriminatory and constraining elements.* (emphasis added).²⁴⁴

Also in 2005, Bougainville activist Helen Hakena had called on custom leaders to bring their thinking and practice into line with the values of their matrilineal society and with human rights norms:

The culture here still looks down on women even when it's a matrilineal society. We are still struggling to be heard and accepted or included in decision-making processes. We urge the chiefs and men to attend workshops on human rights or other courses facilitated by churches as well as to familiarise themselves with international conventions like CEDAW which PNG has ratified. Bougainville is still an integral part of PNG, so CEDAW also applies to the ABG [Autonomous Bougainville Government].²⁴⁵

From a review of national reports for Beijing+25 and voluntary national reviews of progress in meeting the SDGs, it is evident that culture and customs hold pride of place within PICTs. In several reports there are references to strengthening culture.

Vanuatu's voluntary national review (2019) on the implementation of the SDGs, for instance, asserts traditional culture as the "foundation of life in Vanuatu", and records Vanuatu's "significant milestones in the protection and promotion of human rights that take into consideration Vanuatu's culture and Christian faith." The curriculum in Vanuatu secondary schools includes culture and heritage modules and there are also extra-curricular activities on culture and heritage. At the same time there is evident recognition of the need to change some aspects of culture. A gender equality project run by CARE is described as "helping communities to build a culture that treats men and women equally", saying young men and women are "encouraged to take a closer look at their own beliefs and behaviours" and enabled "to create new and positive norms in their communities".

242 NZLC 2006. Converging currents - Custom and human rights in the Pacific, Law Commission Study Paper 17, Wellington. Available at: <https://www.lawcom.govt.nz/sites/default/files/projectAvailableFormats/NZLC%20SP17.pdf>

243 Grace Mera Molisa. 1983. Custom. In Black Stone: Poems. Suva, Fiji: Mana Publications.

244 Consideration of reports submitted by States parties under Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women, Combined initial, second and third periodic reports of States parties Vanuatu, 30 November 2005, p23: <https://www.refworld.org/country,,CEDAW,,VUT,,4537783a0,0.html>

245 FemLINKpacific: Media Initiatives for Women, Bulletin, 9 September 2005.

In its national review report for Beijing+25, FSM openly refers to culture as an obstacle to progressing gender equality and women's empowerment, saying "persistent cultural and traditional values and practices hinder women's active participation in power and decision-making processes and structures." To date, no woman has ever been elected into the FSM National Congress, nor to state legislatures in Kosrae and Yap, making FSM one of only three countries in the world which have never elected a woman to the national parliament.

By contrast, Palau's national review report for Beijing+25 strongly affirms culture. Palau is a matriarchal society in which Palauan women actively promote traditional culture to protect both their "traditional and contemporary rights".²⁴⁶ Culture is a priority for Palau's national women's organisation, Mechesil Belau, which recently celebrated its considerable achievements on its 25th anniversary. These achievements include its successful advocacy for 25 national laws, three constitutional amendments, and one traditional law. The national government is required to "take affirmative action to assist traditional leaders to preserve, protect, and promote Palauan culture". Palauan women "with traditional leadership roles [have] the right, and [have] enforced it, to protect women and children's rights using customary law".²⁴⁷ After-school and summer programmes for children teach Palauan values and practices. Culture was one of Palau's top five priorities for "accelerating progress for women and girls" in the last five years, including by strengthening traditional leadership, family, community and cultural values. Palau's priorities in the next five years include establishing a traditional court and strengthening its language preservation programme.

Both Tonga and Samoa refer in their national review reports to (Christian) religious values underpinning culture. Samoa also cites the report of its national inquiry into family violence which asserted that principles contained within Samoan culture – namely *fa'asamoa*, faith and human rights – are "complementary and central to addressing the elimination of violence in families."

Kiribati's national review report makes only one reference to culture. In relation to building resilience to climate change, the report mentions the strategy of "exploring opportunities to develop markets and provide livelihoods and training for young people based on Kiribati cultures and traditions".

In its voluntary national report, Nauru talks about "transformative change" in relation to SDG implementation, including "the need to adapt social and other norms during the process of strengthening institutional capacities..." The report adds that "transactions will have to be carried out in a de-personalized manner which will be counter to the culture and social norms of Nauru". Elsewhere in the report Nauru speaks of increasing the number of schools teaching Nauruan languages.

In its concluding observations on Nauru's 2017 report on CEDAW implementation, the CEDAW Committee expressed concern that "society in Nauru considers the primary role of a woman to be that of a wife and homemaker and that men assert control over women with regard to their clothing, mobility and behaviour". The committee commented that "the prevalence of gender stereotyping results in further subordination of women and girls, undermining their social status and autonomy and constituting an underlying cause of gender-based violence against women", and expressed concern that the state party had not sufficiently addressed this issue.²⁴⁸

Fiji's Beijing+25 review report expresses a clear commitment to transforming existing culture and social norms, and a conscious embracing of a culture of human rights: "The Fijian Government is firmly committed to advancing and protecting the fundamental principles and values of universal human rights enunciated in the Universal Declaration of Human Rights whilst cultivating an ethos of a responsible *human rights culture*". The only other references to culture in Fiji's report are in relation to prohibited grounds of discrimination and promoting "a culture of peace and non-violence" and "respect for cultural diversity" through education.

RMI's curriculum review, which is being assisted by HRSD, is aimed at producing responsible "global citizens" instilled with respect for both international values like human rights and gender equality, and Marshallese values. Several other PICTs are engaged in the HRSD-led curriculum review project, focused on inculcating in the next generation modern values of social citizenship and human rights.

²⁴⁶ Palau National Review for Beijing+25.

²⁴⁷ Palau National Review for Beijing+25.

²⁴⁸ Concluding observations on the combined initial and second periodic reports of Nauru, CEDAW Committee's final comments on Nauru's report (2017). Adopted by the Committee at its 68th session (23 October–17 November 2017) CEDAW/C/NRU/CO/1-2.

CONCLUSION

Navigating culture in the long march towards gender equality and protection of women's human rights will continue to be a challenge for Pacific women. Women in PICTs, much more than men, question aspects of culture that are gender discriminatory or harmful to women and girls and deny them equality, rights, freedom and justice. Men in PICTs more than women often use cultural relativist arguments against human rights in general, and women's rights in particular. Having male allies in positions of traditional leadership who publicly support cultural change to align with universal values and call out those who resist can be immensely valuable. The late Ratu Joni Madraiwiwi, a high chief and former vice-president of Fiji, and an unwavering supporter of women's rights, famously said in a keynote address he gave to the 11th Annual Meeting of the Asia Pacific Forum of National Human Rights Institutions in Suva in 2006:

In the Asia/Pacific region there is some resentment about the concept of human rights. Some of our leaders are fond of decrying them as a western or alien concept at odds with our values. Human rights are universal in nature. They are about fairness and decency. At its simplest, it is treating others as one would wish to be treated. *Interestingly, it is not the downtrodden, the oppressed or the marginalised who make the criticism. It is those of us who are part of established power structures that query the applicability of these rights.*²⁴⁹ (emphasis added)

As a result of both strong advocacy from women within the region and the influence of the global human rights project, as indicated by ratifications of international human rights laws, PICT governments have been steadily making the shift, albeit slowly in some cases, towards becoming more gender equitable in law and practice. The goal of gender equality however remains a work-in-progress. Harmonising gender equality and women's rights with culture can produce win-win outcomes for men and women in the Pacific region. Identifying and emphasising commonalities in underlying values could provide a way forward in the tension between the idea of women's rights and equality and resistance based on assertions of custom and culture. The 2006 report of the NZLC study on custom and human rights in the Pacific concluded that:

Accommodating the rights of women will be a crucible for the survival of custom. If custom has sufficient dynamism to allow women to have equal partnership within society and at the same time to retain its vitality and relevance to the community, other changes to custom will follow more readily. The prospect of change to traditional gender roles is without doubt uncomfortable, possibly threatening, for many; particularly where the changes challenge male-dominated political structures. An approach that seeks to harmonize custom and human rights through underlying values can greatly assist this process.

²⁴⁹ Ratu Joni Madraiwiwi 2006. Keynote address at the 11th Annual meeting of the Asia Pacific Forum of National Human Rights Institutions, Suva, 31 July 2006. Available at: http://pacific.ohchr.org/docs/KEYNOTE_RT_JONI.doc





ADDITIONAL AREA OF CONCERN

WOMEN AND DISABILITY

INTRODUCTION

Women and disability is not one of the 12 critical areas identified in the BPA. However, the BPA specifically mentions disability under seven of the critical areas, namely women and health, violence against women, women and the economy, women in power and decision-making, institutional mechanisms for the advancement of women, human rights of women, and the girl child.

A key action relating to women and disability is included under each of these seven critical areas, with responsibility for implementation assigned, as follows.

- **Women and health:** “Ensure that girls and women of all ages with any form of disability receive supportive services with regard to their access throughout the life cycle to appropriate, affordable and quality health care, information and related services” (governments, in collaboration with NGOs, employers and workers’ associations, with the support of international institutions).
- **Violence against women:** “Ensure that women with disabilities have access to information and services in the field of violence against women in order to prevent and eliminate violence against women” (governments).
- **Women and the economy:** “Ensure access to: special programmes enabling women with disabilities to obtain and retain employment; education, skills development and training for the purpose of employment for women with disabilities; working conditions suited for the needs of women with disabilities; and legal protection against job loss on account of disabilities” (governments, employers, employees, trade unions and women’s organisations).
- **Women in power and decision-making:** “Provide leadership and self-esteem training to assist women and girls, particularly those with special needs, women with disabilities and women belonging to racial and ethnic minorities to strengthen their self-esteem and to encourage them to take decision-making positions to increase women’s capacity to participate in decision-making and leadership” (governments, national bodies, the private sector, political parties, trade unions, employers’ organisations, subregional and regional bodies, non-governmental and international organisations and educational institutions).
- **Institutional mechanisms for the advancement of women:** “Improve concepts and methods of data collection on the participation of women and men with disabilities, including their access to resources, in the processes of generating and disseminating gender-disaggregated data and information for planning and evaluation” (national, regional and international statistical services and relevant governmental and UN agencies, in cooperation with research and documentation organisations, in their respective areas of responsibility).
- **Human rights of women:** “Publicise and disseminate information on women’s human rights in formats suitable for persons with disabilities to achieve legal literacy” (governments, NGOs, the UN and other international organisations, as appropriate).
- **The girl child:** “Ensure access to appropriate education and skills training for girl children with disabilities for their full participation in life to eliminate discrimination against girls in education, skills development and training” (governments, international and non-governmental organisations).

The Convention on the Rights of Persons with Disabilities (CRPD) was adopted in 2006, with the highest number of signatories in history to a UN convention on its opening day. CRPD is the first comprehensive human rights treaty for persons with disabilities. It recognises that all persons with all types of disabilities must enjoy all human rights and fundamental freedoms.²⁵⁰ The CRPD was a catalyst for the 2030 Agenda for Sustainable Development adopted by the UN in 2015, and disability is explicitly included as part of the SDGs. The SDGs are premised on the principles of “equal opportunities” and “leaving no one behind”. Disability is referenced in five of the 17 SDGs in relation to education, economic growth and employment, inequality, accessibility of human settlements and data collection.²⁵¹

CONTEXT AND PROGRESS

According to the First Quadrennial Pacific Sustainable Development Report (2018), at least 1.5 million Pacific Islanders, or 15 per cent of the total Pacific population, are living with some form of disability. Persons with disabilities in the Pacific are over-represented among those living in poverty and under-represented in social, economic and public life,

250 See <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

251 See <https://www.un.org/development/desa/disabilities/news/news/the-sustainable-development-goals-sdgs-and-disability.html>

including in national decision-making. They also experience generally lower economic status, health and education. Women make up a significant proportion of persons with disabilities in PICTs. In Palau, for example, 63 per cent of people living with disabilities are aged 60 years and over, and 71 per cent of older persons living with disability are women.

As Table 7 shows, 11 PICs have ratified the CRPD and committed to promoting, protecting and fulfilling the human rights and fundamental freedoms of persons with disabilities.²⁵² Two additional countries, Solomon Islands and Tonga, signed the convention but have yet to ratify it, and Niue is a party to the CRPD through its political association with New Zealand. CRPD ratification obliges states parties to bring their domestic laws and policies into compliance with the convention with measures taken to ensure the enjoyment of equal rights and opportunities by persons with disabilities. This entails eliminating all barriers,²⁵³ and prohibiting all forms of discrimination against persons with disabilities, and putting in place measures for the advancement and empowerment of persons with disabilities, especially women (Article 6, CRPD).

Table 7 also shows that all but one PIC have signed or ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Both CRPD and CEDAW priorities align with the BPA. At the regional level, Pacific leaders have also committed to addressing the rights of vulnerable groups such as women with disabilities through the Pacific Leaders Gender Equality Declaration (PLGED) and the Pacific Framework for the Rights of Persons with Disabilities (PFRPD), which were developed to support Pacific governments in fulfilling their responsibilities under CEDAW and CRPD.

Table 7. Pacific Island countries’ ratification of CEDAW and CRPD.

PICT	CEDAW	CRPD
Cook Islands	State party by association with New Zealand 1985; independent reporting as of August 2006	May 2009
Fiji	August 1995	June 2017
FSM	September 2004	December 2016
Kiribati	March 2004	September 2013
Nauru	June 2011	June 2012
Niue	State party by association with New Zealand 1985	State party by association with New Zealand 2008
Palau	September 2011 (signed not ratified)	June 2013
PNG	June 1995	September 2013
RMI	March 2006	March 2015
Samoa	September 1992	December 2016
Solomon Islands	May 2002	September 2008 (signed not ratified)
Tonga		15 November 2007 (signed not ratified)
Tuvalu	6 October 1999	18 December 2013
Vanuatu	8 September 1995	23 October 2008

LEGISLATION, POLICIES AND PROGRAMMES

In line with their obligations as states parties to the CRPD, almost all PICs have adopted policies, strategies and frameworks, as well as legislation, to address inequality and discrimination on the basis of disability.

The RMI has made stand-out efforts to implement the CRPD. In 2014 the government adopted a national policy on disability inclusive development 2014–2018, together with an action plan with specific provisions to address the needs of women with disabilities. Among the objectives of the policy were the following: that all women with disabilities enjoy full human rights and fundamental freedoms; that violence against women with disabilities is effectively addressed; and that youth with disabilities are empowered to participate fully in society. In 2015, the government enacted the Rights of Persons with Disabilities Act 2015 to give legal effect to the CRPD. The Act came into force in

²⁵² Solomon Islands and Tonga are signatories to the CRPD; Niue has not signed or ratified the convention.

²⁵³ Barriers are factors in a person’s environment that, through their absence or presence, limit functioning and create disability – for example, inaccessible physical environments, a lack of appropriate assistive technology, and negative attitudes towards disability.

October 2016 and incorporates all the substantive rights and obligations under the CRPD. To meet its obligations as a state party to the CRPD to bring domestic laws, regulations and by-laws into full compliance with the convention,²⁵⁴ an omnibus bill – the Rights of Persons with Disabilities (Consequential Amendments) Bill 2019 – was subsequently developed to consolidate alignment with the CRPD and promote disability mainstreaming across the entire legislative framework. The bill has a full slate of proposed amendments to more than 100 statutes. It has had its first reading in the Nitijela and is now undergoing public consultations. RMI received technical assistance (including drafting support) from ESCAP and PIFS for the CRPD legislation, and from ESCAP, PIFS and the Pacific Disability Forum for development of the national disability policy.

The Cook Islands has had the Cook Islands Disability Act since 2008, which requires the government to institute and maintain a disability strategy, to make discrimination against persons with disabilities unlawful, and to ensure that persons with disabilities have access to certain buildings and footpaths. The Cook Islands Women and Girls with Disabilities (CIWGD) Strategic Plan was launched to mark the International Day of Persons with Disabilities in 2018. This strategy will guide all activities of the CIWGD for the next five years. The strategy was developed with support from Pacific Women Shaping Pacific Development, an initiative of the Australian Government (DFAT) designed to help PICs meet their commitments under the PLGED.

PROMISING PRACTICE

RMI's Rights of Persons with Disabilities (Consequential Amendments) Bill 2018 is the product of a detailed review of approximately 300 statutes. More than 100 statutes across 41 titles require consequential amendment for harmonisation with the Act and the CRPD. The proposed amendments address several areas of non-compliance and consolidate the mainstreaming of disability rights. This proposed overhauling of legislation to recognise and realise the rights of persons with disabilities is a practice that other PICs are following as they work towards meeting their obligations as states parties to the CRPD.

In 2018, the Rights of Persons with Disabilities Act was passed by the Fijian parliament, following ratification of CRPD in 2017. The legislation sets out the rights of persons with disabilities including the right to work and employment, equal recognition before the law, freedom from exploitation, access to justice, health, and participation in political life. It makes disability a prohibited ground for discrimination, and includes enforcement measures against discriminatory acts. The Act also establishes a National Council for Persons with Disabilities. A disability allowance provides financial assistance to 5157 people with disabilities, and bus fare concessions to more than 4000 elderly women and 218 women with disabilities.

In Samoa the National Disability Programme was launched in 2014 to support capacity building on disability-inclusive policy and implementation across government agencies, service providers and organisations supporting persons with disabilities. In 2016, the government developed the second National Disability Policy, following a review that recommended a greater focus on women with disabilities. The National Building Code was also updated to include provisions for persons with disabilities. Ongoing programmes such as the Strategy for the Development of Samoa and the Community Development Sector Plan 2016–2021 fully mainstream disability and continue to demonstrate the government's commitment to disability-inclusive development across all sectors.²⁵⁵

In order to implement the CRPD, the Government of Vanuatu has undertaken a number of important steps. It established the National Disability Policy and Plan of Action 2008–2015, the Mental Health Policy and Plan 2009–2015, and the Inclusive Education Policy and Strategic Plan 2010–2020. The Government of Vanuatu also created a disability desk within the Ministry of Justice and Community Services to monitor the implementation of disability-related policies and to coordinate collaboration with government institutions, civil society and development partners.²⁵⁶

Solomon Islands has committed to empowering women and girls with disabilities through policy reforms and programmes. The Ministry for Infrastructure and Development now considers disability in its building designs, transport infrastructure and services with regards to accessibility and connectivity. In 2019, the National Policy on Disability Inclusive Development (2013–2018) was being updated to better comply with CRPD obligations.

Disability is identified as a priority issue in the Kiribati Development Plan for 2016–2019 and a draft Kiribati national disability policy is currently being finalised. In 2015, the Kiribati Government also launched an inclusive education policy.

254 RMI National Review Report for Beijing+25.

255 Samoa Bureau of Statistics, Ministry of Women, Community and Social Development, Pacific Community and UNICEF Pacific 2018. Samoa disability report: An analysis of 2016 census of population and housing. Suva, Fiji: UNICEF. Available at: https://www.sbs.gov.ws/newsandevents/samoa-disability-monograph-2018?download=2018_Samoa_Disability_Monograph.pdf

256 UNICEF Pacific and Vanuatu National Statistics Office 2014. Children, women and men with disabilities in Vanuatu: What the data says. Suva, Fiji: UNICEF. Available at: <https://vnso.gov.vu/index.php/en/special-reports/vanuatu-disabilities-in-vanuatu-what-do-the-data-say>

Nauru currently lacks a national disability policy. However, as a signatory to CRPD, it has established a number of support mechanisms for persons with disabilities, including a disability pension for eligible persons, financial support for modifications to houses, and a school for disabled children and adults.²⁵⁷

Tuvalu's National Policy for Persons with Disability aims to improve access to education for women and girls living with disabilities. Tuvalu has also introduced a monthly financial support programme for those living with disabilities and their carers, and for elderly persons over 70 years of age.²⁵⁸ In 2019, the payment was increased to AUD 100 monthly.

The Government of Niue adopted a national policy on disability in 2011.²⁵⁹ Niue also has a welfare disability cash transfer of between NZD 150 and NZD 180 fortnightly, until death or fulltime employment.

Palau introduced its National Disability Inclusive Policy in 2017. Major achievements include the passage of a gender mainstreaming policy in 2018 and the establishment of an office for the Bureau of Aging, Disability, and Gender. Palau also has national policies mandating universal access to quality health services and equal opportunities in education for women and girls with disability. Since 2002, the Severely Disabled Assistance Fund has provided financial support for persons with disabilities of USD 75–100 a month. In the 2018 fiscal year, around 3000 persons with disabilities benefited from the fund at a cost of USD 298,000.

In 2014, the Government of Tonga adopted the National Policy on Disability Inclusive Development 2014–2018. The Tonga Disability Taskforce was then established to monitor implementation of the policy. In 2015, the Social Protection and Disability Division was established within Tonga's Ministry of Internal Affairs. A disability welfare scheme was also introduced in 2015, which includes an unconditional cash transfer programme that provides TOP 75 per month and support services for people with severe disabilities.

DISABILITY AND GENDER CUT ACROSS SECTORS

Gender and disability issues cut across sectors and require action at multiple levels from families and communities to national government programming.

Inclusive education

Strategic objective B.1 of the BPA aims to advance the goal of equal access to education by taking measures to eliminate discrimination based on gender and disability, and other forms of discrimination.

Wide disparities exist in education between persons with and without disabilities across the Pacific region. In Kiribati, one in six persons with disabilities had access to education,²⁶⁰ and in Samoa persons with disabilities were found to be five times more likely to have never attended school compared to persons without disabilities.²⁶¹ Most persons with disabilities have only completed primary education, suggesting barriers to their advancement to secondary school. In Samoa, only 37 per cent of persons with disabilities attended secondary school compared with 51 per cent of persons without disabilities. Such disparities may be due to inadequate curriculum provisions for persons with disabilities, or a lack of appropriate training for teachers working with them. In addition, some Pacific parents may tend to prioritise education for children without disabilities in the belief that they stand a better chance of achieving success and supporting the family.²⁶² These are common challenges that PICTs are taking steps to address through the adoption of inclusive education policies, which aim to make education more accessible, equitable, fair and just. For example, the Cook Islands' Inclusive Education Policy focuses on making the curriculum more accessible for all learners, and in Nauru the Inclusive Education Policy includes professional training for teachers and classroom support for students with learning difficulties and disabilities.²⁶³

Overall, investment in inclusive education and disability-friendly schools among PICTs remains low. This effectively denies the right to education to persons with disabilities.

257 Statistics Nauru and UNFPA 2015. Disability Monograph: Analysis of the 2011 Nauru population and housing census. Suva, Fiji: UNFPA. Available at: <http://purl.org/spc/digilib/doc/x37nn>

258 Tuvalu Beijing+25 national report.

259 Committee on the Rights of the Child: Concluding observations on the initial report of Niue.

260 UNICEF Pacific, Kiribati National Statistics Office and Pacific Community 2017. Kiribati Disability Monograph: from the 2015 population and housing census. Suva, Fiji: UNICEF. Available at: <http://purl.org/spc/digilib/doc/amngs>

261 Samoa Bureau of Statistics, Ministry of Women, Community and Social Development, Pacific Community and UNICEF Pacific 2018. Samoa Disability Report: An analysis of 2016 census of population and housing. Suva, Fiji: UNICEF. Available at: https://www.sbs.gov.ws/newsandevents/samoa-disability-monograph-2018?download=2018_Samoa_Disability_Monograph.pdf

262 Ibid.

263 Nauru Beijing+25 national report.

Health

Non-communicable diseases

Non-communicable diseases (NCDs) are at crisis levels in the Pacific and constitute the biggest threat to women's health in the region. According to World Health Organization (WHO) surveys, more than 50 per cent of the population is overweight in at least 10 PICs.²⁶⁴ NCDs are the leading cause of disability, morbidity and mortality in Nauru, where four in five deaths are caused by the main NCDs of ischemic heart disease, complications of hypertension (including cerebrovascular disease), diabetes, kidney disease, and lower respiratory infection. In Fiji and Samoa, where obesity and diabetes rates are much higher than the estimated global prevalence of 10 per cent, NCDs account for up to 84 per cent of deaths. Pacific leaders are taking proactive measures to address NCDs under the 2014 Pacific NCD Roadmap. Preventative primary health care for NCDs is a priority for many PICTs. Palau, for example, has national policies that mandate universal access to quality health services for women and girls, including those with disabilities (physical, auditory, visual and intellectual).

Sexual and reproductive health

Women with disabilities have the same sexual and reproductive health needs and rights as their peers without disabilities. However, women with disabilities in the Pacific are not seen as needing information about their sexual and reproductive health rights, and face stigma and prejudice when accessing sexual and reproductive health services. When women with disabilities need to be accompanied by a caregiver or sign language interpreter to obtain sexual and reproductive health services, they are less likely to seek out such services.²⁶⁵ Women with disabilities are more likely to have low levels of sexual education and access to family planning. In Kiribati, data show that women with disabilities give birth to more children than women without disabilities. On average, women with disabilities gave birth to three children compared with women without disabilities who on average gave birth to two.²⁶⁶ In Palau, the median age of first birth is 20 for women with disabilities, compared to 22 for women without disabilities aged 15 to 49 years, and on average women with disabilities tend to have a higher average number of children ever born²⁶⁷ (3.0) compared to women without disabilities (2.4).²⁶⁸ In Samoa, women with disabilities tend to start child bearing earlier compared to women without disabilities. About 20 per cent of women with disabilities had their first birth between the ages of 15 and 19 years compared to 12 per cent of women without disabilities.²⁶⁹ More studies are required to unpack these results, with particular attention to disparities in contraceptive access and use.

Caregiver support

Responsibility for caring for others in the family, including the elderly, those afflicted with NCDs and those with disability, falls mainly on women. This role is viewed in Pacific cultures as an extension of women's traditional roles. The 2018 Tuvalu Study on People with Disability found that 78 per cent of caregivers of people with disabilities are women. The Tuvalu government has introduced a social protection scheme that provides financial support to people with disabilities and their caregivers. Women are also more likely than men to be widowed, based on life expectancy and men marrying women of younger age. Elderly Pacific women often suffer the double disadvantage of widowhood and disability.²⁷⁰

Physical and sexual violence

Women with disabilities are at higher risk of all forms of violence than men and women without disabilities, and men with disabilities. In PICTs, women and girls with disabilities are two to three times more likely to be victims of physical

264 See <https://www.who.int/bulletin/volumes/88/7/10-010710/en/>

265 Young persons with disabilities: Global study on ending gender based violence, and realising sexual and reproductive rights. See: <https://pacificwomen.org/resources/young-persons-with-disabilities-global-study-on-ending-gender-based-violence-and-realizing-sexual-and-reproductive-health-and-rights/>

266 UNICEF Pacific, Kiribati National Statistics Office and Pacific Community 2017. Kiribati Disability Monograph: from the 2015 population and housing census. Suva, Fiji: UNICEF. Available at: <http://purl.org/spc/digilib/doc/amgs>

267 Children ever born (CEB) to women in a particular age group is the mean number of children born alive to women in that age group. The number of children ever born to a particular woman is a measure of her lifetime fertility experience up to the moment at which the data are collected. See <https://www.un.org/en/development/desa/population/publications/dataset/fertility/total-children.asp>

268 UNICEF Pacific, Office of Planning & Statistics and Pacific Community 2017. Palau Disability Report: An analysis of 2015 census of population, housing and agriculture. Suva, Fiji: UNICEF. Available at: <http://purl.org/spc/digilib/doc/bh7zw>

269 Samoa Bureau of Statistics, Ministry of Women, Community and Social Development, Pacific Community and UNICEF Pacific 2018. Samoa Disability Report: An analysis of 2016 census of population and housing. Suva, Fiji: UNICEF. Available at: https://www.sbs.gov.ws/newsandevents/samoa-disability-monograph-2018?download=2018_Samoa_Disability_Monograph.pdf

270 Statistics Nauru and UNFPA 2015. Disability Monograph: Analysis of the 2011 Nauru population and housing census. Suva, Fiji: UNFPA. Available at: <http://purl.org/spc/digilib/doc/x37nn>

and sexual abuse than those without a disability.²⁷¹ Data from Vanuatu suggest that parents of children with disabilities are more likely to use psychological punishment than physical punishment. In Fiji, the Violence Prevention Project works with men and women across the country to eliminate violence against women and girls with disabilities at the grassroots level. Participants are trained in basic counselling skills, data collection, referrals, policy and legislation. The project is funded by UN Women and run by the Pacific Disability Forum in association with key stakeholders, including the Fiji Disabled Peoples' Association, Fiji Women's Crisis Centre and SPC's RRRT.²⁷²

Living conditions

Disability can be a consequence of poverty when poor living conditions and limited access to health care and preventive services undermine health.²⁷³ Persons with disabilities in PICTs are more likely to live in poverty, in poor living conditions and at home, as opposed to a disability institution or facility. In Kiribati, persons with disabilities are more likely to live in households that do not have access to improved water and sanitation facilities.²⁷⁴ In Nauru, virtually all persons with disabilities live in a private household and two-thirds of both males and females with a disability live independently (with or without a spouse). This is a significantly higher proportion than for all Nauruans where only around 40 per cent are living independently. Further data and analysis are required on living conditions of persons with disabilities and women with disabilities across the Pacific, particularly in respect to enjoying access to water and sanitation facilities.

Employment

Pacific women with disabilities generally experience higher rates of unemployment than disabled men, or non-disabled women.²⁷⁵ The low levels of employment for women with disabilities correspond with the low rates of education for women with disabilities. Other barriers include physical access issues, lack of employer awareness about the potential of persons with disabilities, and negative and discriminatory attitudes. This means persons with disabilities are more likely to be either self-employed or working in a family business, as opposed to finding employment outside of the home.²⁷⁶ In Palau, only 9.5 per cent of women with disabilities are economically active compared with 18.7 per cent of men with disabilities. In contrast, 58.1 per cent of female and 74.5 per cent of males without disabilities are economically active.²⁷⁷ In Nauru, the labour force participation rate for persons with disabilities was 47 per cent, compared with 64 per cent of the total population. In Samoa, 42 per cent of persons with disabilities were economically active compared with 83 per cent of persons without disability.

BUILDING AWARENESS

PICTs acknowledge the importance of building awareness about persons with disabilities, including women and girls with disabilities, and the issues they face. A number of examples of good practice are, or have been, implemented across the region and at national levels.

Partnerships

A partnership approach that brings together governments, civil society, regional organisations, NGOs and the private sector is key to PICTs meeting their responsibilities under CRPD and CEDAW with respect to women with disabilities. The Australian Government provides support for PICs through the Pacific Women Supporting Pacific Development programme. In 2019, the New Zealand Government announced a new partnership with the Pacific Disability Forum to help implement CRPD across the region.²⁷⁸ In Fiji, partnerships²⁷⁹ with NGOs such as the Fiji Disabled Peoples

271 CROP (Council of Regional Organisations in the Pacific) 2018. First quadrennial Pacific sustainable development report 2018. Suva, Fiji: PIFS. Available at: https://www.forumsec.org/wp-content/uploads/2019/09/2018-1st-Quadrennial-Pacific-Sustainable-Development-Report_final-as-of-July-4-2019.pdf

272 See www.pacificdisability.org

273 UNICEF Pacific, Kiribati National Statistics Office and Pacific Community 2017. Kiribati Disability Monograph: from the 2015 population and housing census. Suva, Fiji: UNICEF. Available at: <http://purl.org/spc/digilib/doc/armgs>

274 Ibid.

275 See <https://pacificwomen.org/wp-content/uploads/2017/09/Pacific-Sisters-with-Disabilities-at-the-Intersection-of-Discrimination.pdf>

276 UNICEF Pacific and Vanuatu National Statistics Office 2014. Children, women and men with disabilities in Vanuatu: What the data says. Suva, Fiji: UNICEF. Available at: <https://vnso.gov.vu/index.php/en/special-reports/vanuatu-disabilities-in-vanuatu-what-do-the-data-say>

277 UNICEF Pacific, Office of Planning & Statistics and Pacific Community 2017. Palau Disability Report: An analysis of 2015 census of population, housing and agriculture. Suva, Fiji: UNICEF. Available at: <http://purl.org/spc/digilib/doc/bh7zw>

278 See <https://www.beehive.govt.nz/release/new-zealand%E2%80%99s-new-partnership-pacific-disability-forum>

279 Partnerships are the defining characteristic of the SAMOA Pathway, recognising the limited resources at country level and that the achievement of sustainable development requires genuine and durable engagement of multiple stakeholders.

Federation have produced useful resources such as the Toolkit for Eliminating Violence Against Women and Girls in Fiji, which guides community awareness campaigns and features everyday case studies of life faced by women with disabilities. NGO FemLINKpacific works with diverse groups of women constituents, including women with disabilities, to amplify their voices through radio, media and publications. In Solomon Islands, Media Association Solomon Islands has had capacity-building training on how to write appropriately and sensitively on issues of gender and disability. In Samoa, disability advocacy organisation Nuanua O Le Alofa was set up with support from the Samoan Government.²⁸⁰

Sports and leadership

Participation in sporting events such as the Paralympic games has made the issues of persons with disabilities more visible, recognised and supported in the Pacific region. The number of women with disabilities participating in sports has also increased. In 2012, a Fijian Paralympian won gold and went on to become the Assistant Minister for Youth and Sports in the Fijian cabinet following his election to parliament in 2014. This was a marvellous example of a sports hero demonstrating national leadership ability. It also signalled changing attitudes towards persons with disabilities in PICTs – apart from demonstrating inclusion and diversity in government leadership, it reflected recognition that persons with disabilities can be political leaders.

DATA COLLECTION

The issue of disability mainstreaming and improving the availability of reliable disability statistics has become more prominent in PICTs and a subject of discussion at recent high-level meetings – most recently in 2016 when Pacific leaders endorsed the PFRPD at the 47th Pacific Islands Forum in Pohnpei, FSM. Goal 5 of the PFRPD focuses on strengthening disability research, statistics and analysis.

In many PICTs, collection of data on disability is limited, often having been given low priority or excluded from official statistics in the past. The lack of disaggregated data makes it difficult to accurately map where persons with disabilities are located, especially in relation to needed services, and to identify policy issues or development impacts on women with disabilities. Available data reveal wide disparities in disability prevalence across the Pacific region, ranging from 1.2 per cent in Samoa to 5 per cent in Nauru and 18.5 per cent in Australia. This variance is most likely due to differences in how disability is defined, how data are collected, and limited capacity for producing disability statistics. The lack of data availability and the quality of existing data on disability continue to pose major challenges to policy development and service provision.²⁸¹ More reliable disability data can play a pivotal role in the development, implementation, monitoring, funding and evaluation of programmes aimed at equalising opportunities for persons with disabilities including women with disabilities. This should be given priority to avoid persons with disabilities being 'left behind'.

Some PICs have begun producing sex-disaggregated data and gender statistics in population censuses and household surveys using the Washington Group set of questions. At the same time, there has been an increase in specific national surveys to collect a range of data on persons with disabilities, notably surveys supported by UNICEF, and carried out, for example, in Tonga. Data collection is being strengthened and capacity is being built in producing and using gender statistics for policy development and monitoring progress. Nauru is in the process of finalising the Nauru National Policy on Disability, which will provide statistics and other data. The Cook Islands National Statistics Office collects gender-disaggregated data on women's health and disability, and a disability data set is currently being developed that will disaggregate gender, age and locality. For the first time in 2015, census data collection in PICs such as Kiribati and Palau used the Washington Group Short Set of Questions on Disability, which is recognised as international best practice for disability measurement in population surveys.²⁸² The short set of questions included in the 2015 census covers the six core functional domains – seeing, hearing, mobility, cognition, self-care and communication.²⁸³

280 Samoa Bureau of Statistics, Ministry of Women, Community and Social Development, Pacific Community and UNICEF Pacific 2018. Samoa Disability Report: An analysis of 2016 census of population and housing. Suva, Fiji: UNICEF. Available at: https://www.sbs.gov.ws/newsandevents/samoa-disability-monograph-2018?download=2018_Samoa_Disability_Monograph.pdf

281 ESCAP 2015. Disability at a glance 2016: Strengthening employment prospects for persons with disabilities in Asia and the Pacific. Bangkok, Thailand: ESCAP. Available at: https://www.unescap.org/sites/default/files/publications/SDD%20Disability%20Glance%202015_Final_0.pdf

282 UNICEF Pacific, Kiribati National Statistics Office and Pacific Community 2017. Kiribati Disability Monograph: from the 2015 population and housing census. Suva, Fiji: UNICEF. Available at: <http://purl.org/spc/digilib/doc/arngs>

283 UNICEF Pacific, Office of Planning & Statistics and Pacific Community 2017. Palau Disability Report: An analysis of 2015 census of population, housing and agriculture. Suva, Fiji: UNICEF. Available at: <http://purl.org/spc/digilib/doc/bh7zw>

CHALLENGES

Almost all PICTs have adopted national disability policies and several have passed legislation to domesticate the CRPD. Resources for full CRPD implementation however are limited. At the regional level, Pacific leaders have also prioritised addressing challenges faced by vulnerable groups such as women with disabilities through the PLGED and the PFRPD. Although political will is strong, Pacific governments are only able to allocate limited funding to implementing the range of measures required to fully realise the rights of persons with disabilities.

Stronger partnerships and more coordinated efforts from governments, development partners, civil society, NGOs and the private sector are needed to systematically address gender and disability concerns. Significant disparities still exist in education, health and economic activity that require urgent attention.

In order to address these issues, the collection of data must improve. More reliable disability data are needed for the development, implementation, monitoring, funding and evaluation of programmes aimed at equalising opportunities for persons with disabilities, and especially women with disabilities who may be the most disadvantaged.

The measures that have been put in place by PICTs may not as yet meet the key actions relating to women and disability called for in the BPA, but significant strides have been made.

OPINION PIECE

WOMEN AND DISABILITY

Savina Nongebatu, Solomon Islands

I am a mother to two children (son and daughter), sister to five siblings, an aunt to seven nephews and six nieces.

I have been raising awareness and advocating for the rights of persons with disabilities especially women with disabilities on the national, global and regional arenas for the last 18 years. In 2003, I was the first female president elected to lead the national disabled people's organisation (DPO), People with Disabilities Solomon Islands, following the 'ethnic tensions'. Under my leadership, we worked tirelessly to rebuild the organisation and establish new partnerships with government ministries, international NGOs and local NGOs. I held this position until 2010. In 2011, I was employed by People with Disabilities Solomon Islands as its office manager until 2017.

In 2012, I was awarded the US Secretary of State International Woman of Courage for the work in raising awareness on disability. I was extremely humbled and honoured to receive this award and credit must go to the many fellow colleagues and family who have supported me in this journey.

In March 2018, I began my employment with the Pacific Disability Forum (PDF) as Deputy Chief Executive Officer. It was indeed a great leap from the national to the regional level. My employment with PDF ended in August 2019.

What are issues close to your heart in relation to women with disability and why do you believe it is important to bring changes in this area?

As women, there are many issues of discrimination we face, however, women with disabilities are often far more badly affected due to their gender, disability, lack of accessible infrastructure and services and economic status. I have experienced discrimination and encountered challenges faced by many women with disabilities and I continue to advocate for changes for the full and meaningful inclusion of women with disabilities in all sectors of the society.

Some issues close to my heart include:

- **Accessibility**

Accessibility is a prerequisite to full and meaningful inclusion in society. Accessibility for women with disabilities is a huge issue. Accessibility goes beyond physical access to buildings. It includes receiving services in a form that is accessible to all, including people with visual or hearing impairments, people with psychosocial disabilities, and of course people with mobility impairment. It also includes things as simple as having accessible toilet facilities.

It is common that women with disabilities have little or no access to basic services such as health, where services do not cater for some of our diverse needs. For example, girls and women with disabilities are usually assumed to be asexual thus should not have sexual relationships nor bear children. Sexual and reproductive health services are not inclusive of women with disabilities and their rights are not protected. Access to education is a huge barrier: when girls are born with disability, there is very little chance she will ever attend school. There are also cultural beliefs that disability is a bad omen and this feeds to the stigma and discrimination.

Our region has very high levels of violence against women. It is no secret that women with disabilities are more vulnerable to all forms of violence. When there are incidences of violence, women with disabilities usually do not have support to report crimes committed against them, there are no interpreters in courts, and the attitudes of police are usually negative and discriminatory. The reporting process is usually long and frustrating. People working in the courts system lack knowledge on rights of persons with disabilities. In some countries family protection acts have been developed but not fully implemented.

Employment and economic empowerment are two important areas where women have shown their capabilities as contributing individuals to family and household budget. However, girls and women with disabilities are highly unlikely to be employed. The only opportunity for us is self-employment though there is little or no access to financial credit. Where credit savings groups in villages exist, women with disabilities are often not included or encouraged due to stigma.

Our region is prone to disasters such as cyclones, tsunamis, earthquakes, droughts and floods. In most countries, the national disaster management offices are the main stakeholders in disaster management and planning. Increasingly, persons with disabilities organisations are becoming an important stakeholder. This partnership seeks to make shelters more accessible. Nevertheless, women with disabilities are rarely included in these planning meetings in communities. In many cases, when disaster strikes, girls and women with disabilities opt to stay home because the shelters are not accessible, there is increased chance of abuse and violence in shelters and there is no privacy.

- **Leadership capacity/meaningful inclusion**

In the last 10 years, girls and women with disabilities have become more vocal on their issues. They have participated in national, regional and global events on gender equality and on disability. They have been able to be heard by regional and global organisations, however, their participation many times is a 'tick in the box' approach where they are counted as participants but outcomes related to women and girls with disabilities are seldom implemented. In some cases, women with disabilities are invited but have to seek funding to attend or support the attendance of their personal assistant.

Given that most girls and women with disabilities do not attend school, they will not be able to read or write. This is a huge challenge even for DPOs and a tailored approach of leadership training and inclusion must be implemented. There is a need for more meaningful collaboration to be truly inclusive of all.

- **Data**

Countries in the region have their national census every 10 years. Apart from the national census, other data are collected by other agencies. Some major projects do not have data on women with disabilities; for example the gender-based violence study done in the Solomons identified women with disabilities but the data was not included and analysed in the main report.

There is a great need for governments to use the Washington Group questions about disability in their census questionnaires. Disaggregated data is crucial for government service provision and policy development as it will capture the needs of all citizens.

How have you been involved in addressing these issues?

I have worked with government ministries, NGOs, UN agencies and regional organisations including universities in the national, regional and global arenas to address these issues.

- **Disaster risk reduction management**

At the national level, I have been involved in developing a disability-inclusive disaster risk management toolkit. I have participated in Pacific Partnerships for Gender Perspectives in Climate Response and Sustainable Development (2014). I was involved with the Australian Humanitarian Program.

- **Education**

I have been involved in pushing for inclusive education on the national scale by working with regional partners such as the PDF and Monash University (Melbourne); the result has been the Pacific Indicators for Disability Inclusive Education and the Ministry of Education developing an inclusive education policy.

- **Sexual reproduction and health rights**

I worked with UNFPA on the 'deeper silence' study on sexual and reproductive health and rights for women with disabilities; the recommendations from this study have been taken up by respective DPOs for advocacy purposes for inclusive sexual reproduction and health rights.

- **Justice**

I was involved in the national consultation on the Family Protection Act, review of penal code – sanity to plead.

- **Gender equality**

I have been involved in the review of the national gender equality women development policy; I participated in the inaugural Pacific Feminist Forum (2016); and I was a government delegate to CSW58 where I advocated for women with disabilities. I also participated in the Indigenous Persons Forum at the UN where issues of indigenous women with disabilities were highlighted.

- **Leadership**

On the national front, I have worked with youth (boys and girls) with disabilities and established the youth committee. This committee has gone on to do small data collection on youth with disabilities in urban settlements.

I was the female co-chair for the PDF from 2009 to 2011. My many interventions were as the voice for women with disabilities in the Pacific.

Since 2015 I am a board member of Pacific Women Shaping Pacific Development. It is a role I take seriously to advocate for meaningful inclusion under the three key areas of this programme (improving women's leadership and decision-making opportunities, increasing economic opportunities for women, and reducing violence against women and expanding services).

What has been the main challenge you encounter in trying to address these issues?

In my experience both as the leader of the national DPO and as office manager of the national DPO, the main challenge has been the lack of support of the government towards disability. There was no collaboration and engagement with the national DPO. There was little commitment to disability obligations both global and regional. Disability was, and is not, a priority then and now.

The national DPO has limited capacity to be an effective and efficient advocate in certain areas where good knowledge is needed to advocate well. The DPO has been involved in writing shadow reports (CEDAW, CRC, and UPR) which was challenging. Assistance has largely come from SPC's HRSD on this front.

What worked well?

The support from regional partners like the PDF in partnership with other organisations like PIFS, SPC's HRSD, and ESCAP has helped to push disability issues to discussion spaces on national and regional levels.

The inclusion of DPOs in civil society spaces at the regional level has also assisted to raise disability, especially women with disabilities, as issues for discussions. DPOs participate in events such as the Triennial Conference of Pacific Women, Pacific Feminists Forum, and PIFS CSO Gender Working Group.

DFAT funding to disability in the region has increased advocacy to governments and partners including UN agencies and broader civil society groups.

What do you consider as being the main progress in the area of women with disabilities in the last few years?

Due to strong advocacy from DPOs, one area of major progress in the region in the last 10 years has been ratification of the CRPD. All but two Pacific Island countries have ratified the CRPD. Some have done their reports to the CRPD Committee. The ratification brought positive development to disability-inclusive development through policies.

The main progress for women with disabilities has been that we are now more vocal and visible advocating for our issues. We have more knowledge on our rights and how to advocate better on our issues. Some are members of government task forces, board members of funding organisation, DFAT programmes and human rights commissioners. This has been the result of consistent advocacy by DPOs or individuals for true inclusion in the light of the CEDAW, SDGs as well as the Pacific Framework for the Rights of Persons with Disabilities (PFRPD) endorsed by all PIC governments.

What issues remain or emerge that we need to pay attention to?

A few issues I am concerned about are the following.

- Lack of genuine funding for women with disabilities and their organisations. Pacific Women Shaping Pacific Development has funded millions of dollars for country plans in 14 countries in the region. Reports have shown that a lot of this funding has gone to international NGOs rather than Pacific or community, grass roots

organisations. Pacific Women Shaping Pacific Development has no data on how many women with disabilities have access to or benefited from the millions dispersed to respective countries in the name of gender equality. It is crucial for DFAT and other funders to monitor funding on specific disability components on any proposal.

- Social inclusion is a term that is increasingly being used for those most vulnerable, including persons with disabilities. My concern is that given our diverse types and needs, the degree of discrimination can be much higher for some than others. I believe that disability should remain an issue on its own. The intersectionality of gender and disability is an area that needs more research on how one exacerbates the other.
- Whilst many governments have developed gender equality policies, there is little specific provision for women with disabilities. There has been little implementation and monitoring of these policies, let alone reports on these policies. Whilst the SDGs and CEDAW champion gender issues, there is little for women with disabilities.

What are your recommendations to improve lives of women with disability?

In order for women with disabilities to see and enjoy tangible positive changes in their lives, they must be part of the solution to their issues. They need to be informed of development issues that may affect them from the community to national levels – be it participation in water and sanitation discussion or talking to their provincial member or the member of parliament.

National DPOs must continue to build their capacity on gender equality and improve representation of women with disabilities. National DPOs need to work with ‘mainstream’ national women’s organisations to uphold all women’s rights.

Regional organisations and partners must look at research as an important component to understand and forge better ways of genuine and sustainable partnerships for all women.

What is your advice for new generation of women?

Believe in yourself, be bold! It is important to think outside the box when you are not in your comfort zone. The journey can be long, frustrating and lonely at times but don’t give up! You are part of this great jigsaw puzzle forging new and better lives for all women. Be armed with information and build on your skills. Make as many friends as you can because they will be crucial for your lobbying or networking purposes.

Disclaimer:

The views and opinions expressed above are those of the author and do not necessarily reflect SPC’s official position.

CONCLUDING REFLECTIONS

On this special anniversary of 25 years since the Fourth World Conference on Women in September 1995 and the construct of the Beijing Platform of Action (BPA), perhaps it is natural to reflect and ponder over what has been achieved, and whether the achievements are sufficient imprints of a progressive step forward or have we simply slipped back to invisibility and anonymity?

The BPA has provided the momentum to promulgate action. The year 2020 is therefore a pivotal year for the accelerated realisation of gender equality and the empowerment of all women and girls, everywhere. The Pacific Review of the BPA is a story of how Pacific women and their governments have adapted this roadmap for achieving gender equality through promoting women's leadership and participation; ending violence against women; engaging women in all aspects of peace and security processes; enhancing women's economic empowerment; and making gender equality central to national development planning and budgeting and to the full realisation of the 2030 Agenda for Sustainable Development in the Pacific.



Ms. Peseta Noumea Simi
*CEO, Ministry of Foreign Affairs
and Trade, Samoa*

While the majority of countries acknowledge that much has been achieved since Beijing, there is always a quick-to-follow comment, in an almost apologetic tone, “but much more needs to be done”. Have our expectations run ahead of our realities or is it our lot to be always a step behind? Did we plan to tiptoe, leapfrog or take measured steps that need to be inclusive of all stakeholders and then be able to say “yes, gender equality is looming near!”?

There are definitely variations in the pace we have moved from country to country. According to the feminist women of New Caledonia, they have to “fight for equal rights since the political and social issues are so complex... At Beijing+25, we are building, step by step, our destiny as free women with equal rights.” While they feel that their status and empowerment have not attained the expected level, they remain hopeful that their demands will be heard. Already their political leaders have, in fact, agreed to make violence against women a ‘country cause’ through an action plan, and there is commitment to developing a framework law to restructure New Caledonian society by integrating women's rights in every area.

Those that made the bold move to ratify the Convention on the Elimination of Discrimination Against Women early on, before Beijing, have garnered the windfalls of the UN Decade prior. One country in the region has yet to accede to CEDAW despite opportunity presenting itself to do so. While gender equality has always been contested, opposition to gender equality and to women's rights activism has become more vocal, global and organised. In this case the national condemnation of the convention as a creation of the devil and a foreign vessel to promote women's rights has no place in their country. The clash of culture, religion and globalisation of ideas has left women in the lurch, uncertain of their rights and the opportunities that might have been forfeited.

Reading between the lines of the reflections of Pacific women, one factor is overwhelmingly clear. Pacific people are singing the same tune of ‘empowerment transforms’. Women are taking steps and making considered decisions towards their empowerment. Consider the situation of French Polynesia where, in 2019, 30% of families lived under the national poverty line. Currently women have a 49% labour force participation rate. An increasing number of women successfully completed their studies which helped them find decent work opportunities to take them on a path other than being ‘housewives’.

Similarly, the women of French Polynesia delved into legislative reforms that provided for gender parity, to propel their way into a higher and more visible participation in public life. As the main report explains, “Following the introduction of these rules, the number of women in office quickly rose and while no more than a handful of women sat in the French Polynesian Assembly prior to 2000, since 2013 they have accounted for 50 per cent of the 57 members. Female representation also rose sharply on the 48 town councils in French Polynesia, going from 19 per cent in 1995 to 43 per cent since 2014.” Where there is affirmative action, women must seize the opportunity.

Women themselves must take the lead and not rely on anyone else to work towards gender equality in the context of their societies. It is not enough to wait to be counted or recognised. Innovation and initiative are critical. Pacific media feminist activism focused on utilising a range of appropriate and accessible media platforms – print, digital storytelling, online/social media and television – to increase the visibility of women's and young women's viewpoints and realities. The experiences encountered will be catalytic to evolving mindsets. The challenges women face are demonstrating success in what is still a male-dominated world, preserving an independent outlook and acquiring the ability to influence decisions so as to help bring about the changes in society that women want to see.

In 1995, where the need for institutional mechanisms for the advancement of women was recognised as a priority by the global body, our Pacific societies were cognisant of the fact that our respective social structures provided the mechanisms for the advancement of women across the region. The case of Samoa, for example, naturally comes to mind, where within each village was the institutional mechanism supporting the advancement of women through the ‘village of women’, and where related issues were addressed at local level. At the national level, governments in the Pacific started to establish offices for women, women’s desks, and divisions for women or standalone ministries. These institutional mechanisms for women were tasked with the design, promotion, implementation, monitoring, advocacy and mobilising resources for the policies that support the advancement of women. Countries continued to evaluate the efficacy of such national mechanisms and how they were serving the interests of women.

To enable the Ministry of Women, Community and Social Development of Samoa to respond in a more meaningful manner to the needs of the community, the focus of its work was restructured during 2016–2018. The restructure was premised on thematic areas of social development, economic empowerment, governance and leadership, and ensured the mainstreaming of gender, children, and people living with disability into all divisions of the Ministry of Women, Community and Social Development, and across sectors, for more effective responses to people’s needs. As the report observes, “The fact that managers and experts in the Pacific Community (SPC), for example, are now requesting technical assistance and asking questions about how to integrate gender equality into their work, is clearly a demonstration of the progress that the Pacific has made, and is a culmination of years of advocacy and building awareness about gender equality and why it matters.”

The Beijing review has encouraged continuous engagement of national mechanisms in a policy platform, including consultative processes for the work on gender equality in the Pacific at all levels; generating often difficult conversations on gender equality and engaging governments and partners in initiatives to empower women; and keeping the momentum going towards gender equality.

The main progress for women with disabilities has been that we are now more vocal and visible advocating for our issues. As Savina Nongebatu of Solomon Islands says, “We have more knowledge on our rights and how to advocate better on our issues as well as social inclusion and human rights for all”. The inclusiveness of education has shown significant improvements, as exemplified in many Pacific countries with an increase of up to 40 per cent of children with disabilities attending regular schools. All but two of the Pacific countries have ratified the Convention on the Rights of People with Disabilities. Partnerships and networks have been instrumental in bringing to the fore the priorities of people with disabilities. For instance, the collaboration of Solomon Islands and other countries with the Pacific Disability Forum and Monash University of Australia has resulted in the Pacific Indicators for Disability Inclusive Education (Pacific INDIE) and the regional ministries of education developing inclusive education policies. Funding by the Government of Australia to the Pacific region has been catalytic in highlighting the issues of people with disability as well as gender equality.

Gender parity has been achieved in most countries of the Pacific particularly in primary education, while at secondary and tertiary levels females are outperforming males as determined from surveys of learning outcomes.

Women and girls cannot live quality lives if they are not safe from violence. Since the BPA was launched Pacific countries have implemented an increasing and diverse range of measures to address violence against women, illustrating a commitment to prevent violence against women, to investigate and hold perpetrators accountable, and to provide justice and remedies to victims. These measures have resulted in strengthened and enhanced legal and policy frameworks for addressing such violence and more consistent implementation; better and more accessible protection and services for victims/survivors of violence; a greater focus on prevention of violence and the role of men and boys in these efforts; expanded and more systematic awareness-raising and capacity-building measures; and quality useful data and information that support legal and policy development.

Each one of us has the power to make a difference and collectively write a new story of healing, empowerment, and change. Reversing the traditional perceptions of a division of labour in the home, rewriting the narrative to reflect shared responsibilities, as well as shunning all language that objectifies women are the start of a new beginning. The European Union through the United Nations has certainly put the spotlight on ending violence against women and children by way of the Spotlight Initiative.

There has been considerable progress at the national policy level, and a growing awareness of the importance of gender dimensions in health policies, including general health policies and those specific to sexual and reproductive health. Most countries have highlighted progress related to revising, strengthening and amending health-related action plans, policies and agreements to include gender perspectives. Countries have identified many obstacles and challenges including insufficient statistical data, lack of expertise and resources for research on women and health, the trend to limit women’s health policies to reproductive roles (neglecting other priority issues), insufficient funding, and socio-cultural attitudes.

The BPA's strategic objectives examine the issue of women and the environment and emphasise the essential role that women play in the development of sustainable and ecologically sound consumption and production patterns and approaches to natural resource management, and stress the need for women to participate in environmental decision-making at all levels. Reflections from the northern Pacific indicate a significant delinking of women's roles from natural resources management with current policy shifts. In such cases, governments appear to have made advances at policy level but have not brought gender equality considerations to specific initiatives.

In conclusion, I wish to reiterate that 25 years after its adoption, the BPA remains the most comprehensive global policy framework for gender equality, the empowerment of women and girls and the realisation of their human rights. The 2030 Agenda for Sustainable Development and its Sustainable Development Goals, adopted in 2015 and celebrating its fifth year anniversary in 2020, provide an additional framework for action to support gender equality and the empowerment of women and girls. Therefore 2020 is a pivotal year for accelerating gender equality and empowerment of women and girls.

The progress in achieving the BPA's objectives is painfully slow and as projected it will take many more years to close the global gender gap and a few hundred years to achieve economic gender parity. Be that as it may, Pacific countries are focused on accelerating the gender equality agenda and are exploring all avenues and innovative measures to prioritise accelerated action.

Achieving gender equality and women's economic empowerment requires transformative economic and social policy agendas that are firmly anchored within a human rights framework.

Greater efforts are essential to mobilise and increase domestic and international resources for gender equality, including official development assistance.

The full and equal participation of women at all levels of decision-making to influence the planning, implementation and monitoring of policies, is essential.

Achieving gender equality requires the involvement of everyone, and is the responsibility of all stakeholders.



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