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SHAPING PACIFIC DEVELOPMENT

Mapping of existing legislation, programs and other mechanisms to support Women's Leadership in the Pacific

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Abbreviations

| | |
|--------|---|
| CEDAW | Convention on the Elimination of all forms of Discrimination against Women |
| CLGF | Commonwealth Local Government Forum Pacific |
| DFAT | Department of Foreign Affairs and Trade (Australian Government) |
| ELF | Emerging Leaders Forum |
| FWCC | Fiji Women's Crisis Centre |
| FWRM | Fiji Women's Rights Movement's |
| GEL | Gender Equality in Leadership |
| IFC | International Finance Corporation (of the World Bank) |
| ILO | International Labour Organisation |
| LLG | Local Level Government |
| LLP | Legislative Lobbying Project |
| M4C | UN Women's Markets for Change Project |
| PIPSO | Pacific Islands Private Sector Organisation |
| PIC | Pacific Island Country / Countries |
| PIFS | Pacific Islands Forum Secretariat |
| PLP | Pacific Leadership Program |
| PNG | Papua New Guinea |
| PNGWiB | PNG Women in Business |
| RPPA | Revised Pacific Platform for Action on Advancement of Women and Gender Equality |
| PRAJA | Poverty Reduction through Access to Justice for All |
| PYWLA | Pacific Young Women's Leadership Alliance |
| RPPA | Revised Pacific Platform for Action on Advancement of Women and Gender Equality 2005–2015 |
| RRRT | Regional Rights Resource Team |
| SPC | Secretariat of the Pacific Community |
| TSM | Temporary special measures |
| UNDP | United Nations Development Program |
| VAW | Violence against women |
| WIBDI | Samoa Women in Business Development Inc |
| WINLA | Samoa Women in Leadership Advocacy Group |
| WISDM | Increasing women's representation in shared decision-making |
| WUTMI | Women United Together Marshall Islands |
| YWCA | Young Women's Christian Association |
| YWCASI | Young Women's Christian Association Solomon Islands |
| USAID | United States Agency for International Development |

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Introduction

For the purposes of this paper, women's leadership is seen in two main dimensions: being in a position of authority and as the exercise of power. The paper acknowledges the complex nexus between culture and women's leadership in Pacific Island Countries (PICs)¹. Given the complexity of the Pacific region and the large number of leadership initiatives being implemented, this paper is not exhaustive. It provides examples of existing programs, strategies, legislation and other mechanisms that aim to improve women's leadership and decision-making in politics, government and business in the Pacific. In addition, the paper looks at leadership in relation to improving the safety of women and children; and enhancing leadership of young women. There is, however, some inevitable overlap between these areas. Reviews of programs are included where available.

Gender equality is inextricably linked to women's leadership. Women are not able to be leaders in their communities when they are in an inherently unequal situation. In some PICs, the laws of the country entrench inequalities. In 2010, the International Finance Corporation (IFC) reviewed the laws of five PICs and found several laws that clearly discriminate against women. These can be found at Annex 1.

There is a widespread view that women have an equal chance to run for office and participate in decision-making but this is not accurate. There are numerous institutional, cultural, attitudinal and financial barriers. There is a body of literature concerning barriers and challenges to women's leadership in the Pacific² and while these are of direct relevance, the main emphasis of this paper is on opportunities that currently exist so that future initiatives can be considered.

Many leadership programs exist in the Pacific that do not have a specific focus on women but obviously do benefit many women. This paper does not generally include general leadership programs.³ The *Pacific Leadership Program* (PLP) commissioned a baseline report on leadership initiatives in Solomon Islands⁴, which found that leadership is included in a general rather than specific way in many cases, such as church-led initiatives and training. Very few initiatives were targeted specifically at women. Similarly many programs targeted at women did not have a leadership focus.

It is recognised that many PICs have a pool of well-educated women who are already leaders in many fields. Women are increasingly active in the public and private sectors and hold some senior positions. It should also be acknowledged that no country or region in the world has full gender equality. The purpose of the paper is not to berate the Pacific for its lack of gender equality but to

¹ PICs in this paper refers to the members of the Pacific Islands Forum (PIF): the Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu. (Note: Australia and New Zealand are also members of the PIF but are not included)

² For example, Pacific Islands Forum Secretariat (2006) *A Women's Place is in the House of Parliament*, Suva and Pacific Islands Forum Secretariat and UNDP (2009) *Utilising Temporary Special Measures to Promote Gender Balance in Pacific Legislatures*, Suva

³ For example, Emerging Pacific Leaders Dialogue, Leadership Fiji,

⁴ Pollard, Alice (2011) *Solomon Islands Leadership Mapping Report A Study of Leadership Initiatives in Solomon Islands*, PLP, Suva

identify good practices that work in the Pacific in order to build upon and continue to improve the status of women in order to build a critical mass of women leaders.

This paper was largely a desk review of documents from a wide range of sources. It was enriched by the author's face-to-face interviews with key informants and with information provided by three DFAT gender focal points. A list of those consulted is at Annex 2.

Key international and regional instruments / agreements

PICs have committed internationally and regionally to promoting the advancement of women and to gender equality. International and regional instruments on gender equality set the parameters and guiding frameworks for any discussion on improving women's lives.

The Convention on the Elimination of all forms of Discrimination against Women (CEDAW)

All but two PICs⁵ have ratified CEDAW, which is a commitment by States to undertake all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

Implementation of CEDAW at the national level remains a challenge, particularly in progressing States' obligations under Article 2, to 'embody the principle of the equality of men and women in their national constitutions or other appropriate legislation' and to adopt appropriate legislative and other measures 'prohibiting all discrimination against women'. Strong leadership is required to drive legislative change. The use of CEDAW as a catalyst for change has contributed to the passing of legislation in the area of family law, domestic violence and employment relations.

Pacific Leaders' Gender Equality Declaration 2012

At the 2012 Pacific Island Forum, Leaders adopted the Pacific Leaders' Gender Equality Declaration. This reaffirms Leaders' commitment to gender responsive policies and programs targeting violence against women, embracing women's participation in all levels of decision-making, promoting gender responsive legislation, and overall aims to improve equality of outcomes for women. The Declaration further refers to the need for increased representation of women in the private sector and for an increased proportion of women in senior positions in the public sector and in state-owned enterprises. To fulfil the Leaders' commitment, it was recognized that necessary investments in capacity building

⁵ As of June 2014, Palau had signed but not ratified CEDAW. Tonga has neither signed nor ratified.

and the development and resourcing of policies, programs, implementation and accountability mechanisms, are critical to galvanise real progress towards gender equality.⁶

Revised Pacific Platform for Action on Advancement of Women and Gender Equality 2005–2015

The Secretariat of the Pacific Community (SPC) coordinated the Pacific Platform for Action on Advancement of Women and Gender Equality that formed the basis of the Pacific region's contribution at the Beijing Conference in 1995. The Pacific Platform for Action identified 12 critical areas of concern for gender equality and women's empowerment. This later became 13 critical areas: health, education and training, economic empowerment, agriculture and fishing, legal and human rights, shared decision-making, environment, culture and the family, mechanisms to promote the advancement of women, violence, peace and justice, poverty and indigenous people's rights. In 2004, the 9th Triennial Conference of Pacific Women reviewed the Pacific Platform for Action including national and regional achievements, challenges, and obstacles. Ministers re-clustered the 13 critical areas of concern under four strategic themes in the Revised Pacific Platform for Action on Advancement of Women and Gender Equality 2005–2015 (RPPA).

A key concern of the RPPA is the participation of women in political and public decision-making. Objective 2.2.2 is equitable participation by women and girls in public life. This has seven indicators, one of which is the same as a Millennium Development Goal 3 indicator: the proportion of seats held by women in national parliament.⁷

The Pacific Plan

The Pacific Plan was endorsed by Pacific Island Forum Leaders in 2004 as a blueprint for regional cooperation and integration. It was further revised in 2007 and comprehensively reviewed in 2013. Improved gender equality was strategic objective 8 in the original Pacific Plan although leadership was only indirectly referenced. In 2014, a new framework for Pacific regionalism is under discussion.

Women's Leadership in Politics and Government

Women's political representation in Pacific parliaments is the lowest in the world. One of the key issues highlighted in both regional and international commitments includes addressing barriers to women's political participation. Equality of women and men in the realm of political life is recognised

⁶ <http://www.forumsec.org/resources/uploads/attachments/documents/2012%20Forum%20Communique,%20Rarotonga,%20Cook%20Islands%2028-30%20Aug1.pdf>

⁷ Secretariat of the Pacific Community, *Revised Pacific Platform for Action on Advancement of Women and Gender Equality 2005–2015*, pp50-51. Note: all PICs are party to the Millennium Development Goals, which are not legally binding.

as a human right in international frameworks. In CEDAW Article 7, it is outlined that State parties should take all appropriate measures to eliminate discrimination against women in the political and public life of a country.⁸

Temporary special measures⁹

Both Article 4 of CEDAW and the Pacific Leaders Gender Equality Declaration state that governments may need to implement affirmative action in the form of TSM to advance gender quality. Considerable research and advocacy by different development partners has occurred in relation to TSM. Despite lobbying and in some countries, bills going to parliament, Samoa is the only PIC that has legislated TSM to promote gender balance in national legislatures. In 2013, the Samoan Parliament passed the Constitution Amendment Act that provides for a minimum of 10 percent of seats (equivalent of five seats) for women Members of Parliament. If five or more women are elected into Parliament after any election, the Amendment will not take effect. If five or more women who contested in any election were unsuccessful then those with the highest percentage will be the additional members of Parliament, and new total number of seats will be 54.

In Papua New Guinea, prior to the election in 2012, the Government tabled a Bill to reserve 22 seats for women but it was not passed. In the Federated States of Micronesia, legislation to reserve four seats for women in the national congress has been tabled twice without success. Associate members of the PIF, French Polynesia and New Caledonia, have implemented TSM.

There has been somewhat more success at the sub-national level, In PNG, the Autonomous Region of Bougainville has three reserved seats for women. In addition, under s10(e) of the Organic Law on National and Local-Level elections 1997, Provincial Assemblies are required to include 'one women representative nominated in accordance with an Act of Parliament and appointed by the Provincial Executive Council. Similarly, in Local Level Government (LLG), the same law stipulates that two women should be nominated as members of all LLGs nationwide and one in each urban LLG.¹⁰

Tuvalu has passed a law requiring female representatives on local councils, and Samoa has initiated a program to appoint a woman representative in every village council. In 2013, the Parliament of Vanuatu unanimously passed significant legislation amending the Municipalities Act to reserve one seat in every ward for women. The Act came into effect in time for the municipal elections in January 2014 and ensures a total of five reserved seats for women in local government. Kiribati and Cook Islands have some form of TSM at the sub-national level.

⁸ Secretariat of the Pacific Community (2013) *Women's Legal and Human Rights*, Paper presented at the 12th Triennial Conference of Pacific Women, 5

⁹ A detailed guide to using TSM is: UNDP and PIFS (2008) *Utilising Temporary Special Measures to Promote Gender Balance in Pacific Legislatures*, Suva

¹⁰ Clarke, Lesley (2014) *Options for Promoting Increased Participation of Women in Parliaments and in Elected Bodies at Sub-national Level in the Pacific Region 2014–2017*, UNDP Pacific Centre, Suva, 15

The main partners working in advocacy and lobbying for TSM include the various offices of UNDP, UN Women, SPC's Regional Rights Resource Team (RRRT) and the Pacific Islands Forum Secretariat (PIFS).

Programs on leadership in politics¹¹

In 2013, the UNDP Pacific Centre commissioned research to review opportunities for training and support for women's political participation in the Pacific. The research found that there are at least 26 bodies organising at least 75 programs and projects in this area. These include regional organisations, UN bodies, national governments and civil society organisations. The study analysed the programs and projects according to criteria developed by the UNDP Report *Gender Equality in Elected Office in Asia Pacific: Six Actions to Expand Women's Empowerment*. These are 1) constitutional reform; 2) implementation of new electoral and political party laws, including campaign finance; 3) introduction of gender quotas and reserved seats; 4) voluntary reform of political party rules; 5) capacity building of women candidates and MPs; and 6) introduction of gender sensitive rules and procedures in legislative bodies.

The analysis found that all agencies are delivering on Action Step (5): capacity building. This has typically included mock or practice parliaments and training and handbooks for women candidates¹². There has been some work around (1) constitutional reform and (3) introduction of quotas and reserved seats but there are program gaps around (2) implementation of new electoral and political party laws, including campaign finance and (4) voluntary reform of political party rules. The analysis further found that more programs need to specifically engage with men, especially male MPs and male political leaders at the local level, who could be encouraged to act as champions for change, advocate for women's political leadership and mentor candidates. There is a need for a greater focus on male voters in civic education programs to challenge traditional cultural attitudes by highlighting the benefits of women's leadership.

Stakeholder analysis also showed that activities are not spread evenly across the Pacific with few programs planned for the Smaller Island States¹³ and Federated States of Micronesia. The main recommendation of the review is that partners should avoid duplication of effort and improve coordination and effectiveness. Detailed recommendations can be found in the report, which provide excellent ideas for future programming.¹⁴

The Centre for Democratic Institutions (CDI) ran programs for aspiring women in politics (WiP) in six countries from 2008–2012 for some 72 participants, which included women from four PICs: PNG, Solomon Islands, Vanuatu and Fiji. A participatory evaluation was conducted in 2012–2013 and the

¹¹ This section is taken largely from findings in, Clarke, Lesley (2014) *op cit*

¹² For example, Centre for Democratic Institutions (2013) *A Guide for Women Candidates in the 2013 LLG Elections in PNG – Campaign Handbook*, Canberra

¹³ The Pacific Islands Forum Secretariat classifies the following PICs as Smaller Island States: Cook Islands, Kiribati, Nauru, Niue, Palau, Marshall Islands

¹⁴ See Clark, *op cit*, pp 8-11. Recommendations are to focus activities in the areas highlighted where gaps exist as cited above.

participants cited the acquisition of campaigning skills and strategies, lobbying and media skills, and learning about different electoral systems and regulatory and legislative measures as the most relevant aspects of the four WiP courses. Women from PNG, Indonesia, Fiji, Vanuatu and Solomon Islands reported that the course had not only given them the confidence and skills to engage more effectively in their political parties but had elevated their status within those same parties. They explained that the hierarchy within the party now deferred to their substantial knowledge and practical skills particularly in terms of campaign planning and lobbying.¹⁵ One of the recommendations of the evaluation was that: *Relevant stakeholders should adopt a systems approach to policy, programs and activities relating to gender equality.*¹⁶ In other words, training for women in politics should be seen in the broader context of gender equality.

Another program in women in politics was UN Women's *Gender Equality and Political Governance Program*, which had its first phase from 2008–2012. A review of this phase showed mixed results: there had been some good work in raising awareness and gaining public support for gender equality in political governance but too much emphasis on one-off trainings rather than institutional strengthening at the national level. Overall, despite high levels of investment, the impact of the program was deemed to be low. The program was seen as relevant and it was recommended that it should continue in a revised form.¹⁷ The point was made in the evaluation that it is very difficult to separate the impact of one development partner or program as so many are working on this issue.

The revised program has been retitled to UN Women's *Advancing Gender Justice in the Pacific* program, which includes the Gender-Responsive Political Governance Initiative to promote women's political participation and representation and gender responsiveness of state structures, systems and processes. The program has been designed using nationally-identified priorities that acknowledge and highlight the complexity in changing social norms, values and cultural practices around human rights, access to justice and women's political participation. Three of the five outcomes are relevant to leadership: Pacific women's increased voice and participation in national electoral processes, and national and regional political fora; gender responsive political and electoral systems and processes; and increased awareness among key stakeholders and public of gender equality in public life. The *Advancing Gender Justice in the Pacific* program is intended to be rolled out in 11 PICs.¹⁸

Fiji Women's Forum: Women leaders' from all across Fiji first met in April and June of 2012 to take part in the Fiji Consultation on Women's Participation in National Democratic Processes (Fiji Women's Forum) to develop a series of time-bound strategic actions to ensure that the upcoming political processes including the constitution consultation in the lead up to the return to parliamentary democracy takes into account conventions, treaties and commitments to women's human

¹⁵ Peaceworks Ltd (2013) *Ni Buhta Sudedeh Women in Politics Review Report*, 3

¹⁶ Op cit, 5

¹⁷ Qoro, Sivia et al (2012) *Evaluation of the Gender Equality and Political Governance Program*, UN Women and AusAID, Suva

¹⁸ Details on the activities of Advancing Gender Justice in the Pacific are at <http://www.pacificwomen.org/resources/policy/advancing-gender-justice-in-the-pacific/> Note: POP funded the *Gender Equality and Political Governance Program* and the evaluation. PLP and Pacific Women together provided transitional funding for a period of six months to the ADJP program but are not funding it beyond that.

rights.¹⁹ Since conducting its 4th Forum in June 2013, where it expressed ‘deep concern with the disproportionate representation of women in parliament’²⁰, the Forum has been undertaking activities in the following thematic areas: Capacity Building and Mentoring Women Candidates; Fundraising for Women Candidates; Voter Education and Influencing Political Parties Manifestos and Constitutions.

Women in local government

Local government is an important opportunity for women’s leadership. This level of government is close to the community and thus potentially the most accessible to women. It provides entry points for addressing critical issues such as urban poverty, local economic development, health, violence against women and water and sanitation among many others, but is strikingly absent from international, regional and national gender strategies and plans. There are over 7,500 councillors (1,000 excluding PNG) across the Pacific, not including ward committee members and village council members. If those were included, it would take the number to around 50,000, which represents a significant opportunity for women’s leadership and political participation.²¹ Apart from elected officials, local government is a significant employer of women, yet only an estimated eight percent reach senior management levels.²²

A key informant for this paper pointed out that Pacific people typically vote on traditional lines and that formal and traditional leadership are very inter-linked. Aspiring politicians have to make a mark in the cultural decision-making setting first, which is a barrier for women as they generally do not operate in that setting. Women have to work extra hard to get extended family and community support before they can move to other levels. Women thus have to cross many layers of decision-making before they are accepted as potential leaders. Women also do not typically have the resources expected for political campaigns.²³ A DFAT paper noted that ‘*a strong division of labour currently exists in which women are confined to domestic duties, while public sphere duties are dominated by men. Women are not viewed as leaders or decision-makers and are pressured into voting according to the preferences of influential males in their lives (husbands, fathers, brothers etc.)*’.²⁴

The *Commonwealth Local Government Forum Pacific* (CLGF) works with 10 PICs²⁵ and has a Gender Equality and Women’s Empowerment (Local Government) program. The main focus is on creating an enabling institutional environment that allows for women to participate and succeed at the local government level. Unlike many other programs, it does not focus on getting women in to positions of leadership but provides support for improving the environment. CLGF has established a regional online platform for advocacy, networking and resource sharing for women in local government²⁶;

¹⁹ Usman, Shazia (2012), *Fiji Women’s Forum*, p.1. *Balance Newsletter* (June, Issue 2), Fiji Women’s Rights Movement, Suva. Available here: <http://www.fwrn.org.fj/content/balance/balancejune2012.pdf>

²⁰ Usman, Shazia (2013), *Women’s Forum plans voter education*, p.3. *Balance Newsletter* (June, Issue 2, Fiji Women’s Rights Movement, Suva. Available here: <http://www.fwrn.org.fj/content/balance/balancejune2013.pdf>

²¹ CLGF Pacific, Gender Equality and Women’s Empowerment (Local Government) Program Strategy

²² CLGF, Creating Space on the Mat, CGLF Factsheet

²³ Interview with Joanne Lee Kunatuba, Gender Officer, PIFS

²⁴ DFAT (undated) *Gender and Political Participation in the Pacific*, 4

²⁵ Cook Islands, Kiribati, Nauru, Niue, PNG, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu.

²⁶ <http://www.clgfpacific.org/women-in-local-government/>

research on TSM at local government level; develops fact sheets/ position papers to inform policy and programming; publication of stories of women in local government and has developed a cohort of trainers from 10 PICs in gender and local government. In addition, CLGF provides mentors to women who are already in local government although the demand exceeds the supply. CLGF provides sustained support to individual councils to incorporate gender equality responses into their policies, programs and service delivery and strengthens the leadership capacity of women elected to and working within the local government sector through training, networking and mentoring. CLGF has established twinning opportunities between six PNG and Australian local authorities.²⁷

A previous CLGF women's leadership program, *Strengthening Women's Participation in Municipal Governance*, was originally designed to advance gender equality in municipal local government in Fiji. Due to the changed political situation in Fiji and Fiji's subsequent suspension from the Commonwealth, the program evolved to have a regional focus. Although its overall objective remained essentially unchanged, the focus shifted from elected representatives at the municipal level to women working at management and service delivery levels in local government. The United Nations Democracy Fund conducted an independent evaluation at the end of the *Strengthening Women's Participation in Municipal Governance* program; and found that the project was successful at putting women in local government on the regional agenda of both CLGF and the Pacific Islands Forum, embedding this issue in future action across the region.

Case studies and examples of initiatives

The Samoan Women in Leadership Advocacy Group (WINLA) was established in 2010 as a high-level network for supporting and improving gender equality in Samoa. It comprises all current and former women parliamentarians and all women heads of government organizations. While the forum was founded on the principles of health promotion, the mission of WINLA continues to expand to take on a much broader focus to include the orientation of women to become informed future leaders across the public and private sectors. For example, in 2012 the group championed awareness concerning the new *Education Act 2009*, which provides for zero tolerance around corporal punishment in schools, after the media exposed several high profile cases of teachers abusing students through the exercise of corporal punishment. More recently they have successfully lobbied to increase teacher salaries. This level of political support for progressing gender equality in Samoa provides a strong foundation for progressing change within Government, civil society and communities. WINLA is a good example of a 'home-grown' approach to women's leadership that has not relied on development partners for its existence.

Increasing women's representation in shared decision-making (WISDM), Vanuatu: the WISDM coalition aims to increase the participation and representation of women at all levels of legislative decision-making. Guided by a Women in Leadership Development Strategy that was collectively developed, PLP provides support to WISDM in two ways: direct support to WISDM and the Vanuatu

²⁷ CLGf, op cit

Director of Women to conduct discussions on leadership and adaptive leadership training and action research. Through funding from PLP, SPC RRRT's Legislative Lobbying Project has also worked with WISDM to facilitate advocacy and lobbying around a number of reforms in Vanuatu. WISDM was closely associated with the enactment of the Bill to the *Decentralization and Municipalities Acts* (2013) that provided reserved seats for women at the municipal level.

The *Brukim Bush* Project was an initiative of the Village Courts Secretariat assisted by the Provincial Government on Manus Island, PNG. The purpose of the Custom–Women–Village Courts *Brukim Bush* Project was to try to increase women's voice in decision making and to enhance community life in PNG. It was also aligned to PNG's commitments to CEDAW, which include measures to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against women.²⁸ The project was part of the Australian aid funded PNG Australia Law and Justice Partnership. It developed the underlying law by giving communities an opportunity to use customary law methods of decision making together with local laws to make changes to customs which were not working well for their communities. The *Brukim Bush* Project was piloted in Manus in 2009–2010. After a second phase, it was found, among other things, that 'the consultations on declaration of custom enabled women's voices to be heard and women's issues to be raised.'²⁹ The emerging conclusion of this *Brukim Bush* stage was that the process showed great promise as an effective way to engage whole communities, in particular women, in their own governance, using a combination of law and custom in a completely original and relatively low cost approach to law and justice service delivery at village level.³⁰ Although a third phase was planned, the project stalled due to lack of commitment and resources in the village courts and funding was not continued.

The *Pacific Women Parliamentary Partnership Program*, funded through *Pacific Women*, is being implemented by the Australian parliament over a five-year period from late 2012. It is working to build the capacity of current Pacific women MPs and emerging leaders and will give support to Pacific parliaments to better address gender equality issues. It has organised two forums in Australia; and initiated mentoring and exchanges between MPs among other activities. At the program's second forum to be held in Tonga in July 2014, over 25 women parliamentarians from across the Pacific and Australia will meet to strengthen their skills in community consultation and working with women's groups and male advocates to influence policy changes that benefit women..

An example of an outcome of participating in the *Pacific Women Parliamentary Program* was that two Senators from Palau, Senators Jerryln Senior and Rukebai Kikuosky Inabo, who participated in the 2013 Forum, returned to Palau and were inspired to start a new organisation: the Center for Women's

²⁸ CEDAW, , Op Cit, Article 2(f)

²⁹ Howse, Genevieve (undated) Topic to be addressed: The Role of Custom in developing the Underlying Law, 9

³⁰ From Howse, Genevieve (2013) *The Role of Custom in Developing the Underlying Law-The Brukim Bus project in Manus Province as a case study*, Paper delivered to the Constitution and Law Reform Commission conference on the underlying Law in Port Moresby in September 2013

Empowerment Belau which aims to increase women's political representation by supporting women candidates and advocating for gender equality in the work of parliament.³¹

Women United Together Marshall Islands (WUTMI) GEL (*Gender Equality in Leadership*):

WUTMI worked hard to address the need for civic education leading up to the November 2007 elections. Sponsored by USAID, the initial GEL project provided funding for research on voter knowledge and behaviour, a national conference to sensitize voters to women leaders and discuss what basic civic education needs exist in the Marshall Islands, and the development of a media campaign and gender-sensitive school curriculum. A complimentary UNIFEM project sent mentors to all of the outer islands to conduct civic education workshops, again with a focus on women in leadership.

WUTMI's Women in Leadership Media Campaign: Funded by USAID, the Women in Leadership Media Campaign was developed to enhance the GEL project. The project researched traditional women's leadership roles and staged a media campaign based on that research using television, print, radio and newspapers. The Women in Leadership Media Campaign also preserves traditional knowledge through the collection of interviews.³² (Note that these WUTMI projects have now ended due to the end of funding).

Programmatic Gaps

For the most part, the approach to women in politics in the Pacific has been about numbers: getting women into decision-making positions. There has been less consideration of how such a presence can be leveraged to further the more important long term goals of transforming gender relations in communities and targeting basic service delivery to women and men's needs, and therefore improving their quality of life.

The UNDP evaluation of women in politics clearly shows that there is a multiplicity of players providing training for women candidates but there is rather a narrow focus on one dimension. There appears to be very little ongoing support or mentoring for women who are in either positions of political leadership or senior bureaucratic positions. The *iKnowPolitics* website, which has a focus on women's political participation, proposes some non-traditional means of encouraging women in politics apart from TSM or quotas.³³ These include parties establishing women's wings and committees; parties allocating funds for training women candidates; providing financial aid and incentives to women candidates; providing women a forum for policy lobbying and discussions; and ensuring parity in party activities. The *iKnowPolitics* website also offers online training courses on topics such as induction courses for new parliamentarians and professional development training

³¹ Information provided by DFAT

³² <http://www.wutmimi.org/> Note: it was not clear whether the GEL project is still operational.

³³ <http://iknowpolitics.org/en> Example of research on this website is: *Best Practices Used by Political Parties to Promote Women in Politics*

programs for parliamentarians and parliamentary staff. It also provides information on a wide range of issues such as political financing and challenges to women in local politics.³⁴

Women in the Civil Service and on Boards

In most PICs, an emerging trend is that women have increasingly taken senior civil service positions although numbers constantly change due to transfers, retirements, resignations etc. Latest available data from three PICs, showed that at mid-2014, 50 percent of Secretaries of the Government of Kiribati were women; in the Cook Islands the proportion was 45 percent; Solomon Islands 8 percent and in Fiji 11.7 percent. Although no up-to-date data is available, it is apparent that there is a growing number of women at middle-level and senior management in many civil services. A study of women in decision-making positions in Samoa and Solomon Islands by Chan Tung suggested reasons for the growing number of women in senior government roles: (i) an established cohort of highly qualified women; (ii) international pressure through Conventions on the enhancement of women's status; and (iii) the country's accommodating political climate.³⁵ But Chan Tung cautions that while increasing numbers of women in senior civil service positions is an important indicator, it does not represent gender equality as it only represents one sphere of life: 'Increasing women's presence in government leadership (and political positions, for that matter) may help highlight gender demands and lead to greater political unity among women. But what is primarily important for the advancement of gender policies is strong advocacy and co-ordination by those who aim for changes in gender relations.'³⁶

Gender mainstreaming in civil services sets an important platform for gender equality and ultimately for improved levels of leadership positions for women. SPC has undertaken stock-takes on gender mainstreaming in several PICS, which are addressed in a separate paper.

In 2013, Solomon Islands adopted an innovative approach to gender mainstreaming across government by including a gender equality related set of performance indicators in the contracts of Permanent Secretaries against which they will be assessed. This initiative introduced by the Public Service Commission is relatively simple but has the potential to have a tremendous effect on changing behaviours and attitudes towards women in the Public Service, while advancing the development and implementation of gender equality policies and programs across the government. For example, Permanent Secretaries will have to demonstrate 'evidence of gender sensitivity within the recruitment and selection process in the Ministry'; and 'zero tolerance' of workplace harassment including sexual harassment. They will also be required to appoint a gender focal point, develop a gender implementation strategy as part of their Corporate Plan, collect and disseminate gender statistics and profiles, and report on their ministry's progress on gender mainstreaming as part of

³⁴ <http://iknowpolitics.org/en/online-courses>

³⁵ Chan Tung Asenati Liki, *Leading the March for Gender Equality? Women Leaders in the Public Services of Samoa and Solomon Islands*, in *Politics, Development and Security in Oceania*, ANU, Canberra, 142

³⁶ *Ibid*, 143

annual reporting processes.³⁷ In 2014, SPC has undertaken training with the Solomon Islands Public Service on how to implement gender mainstreaming. Women's leadership and increased decision-making is an outcome of this training but it is not the primary purpose of the process.³⁸

Under the *Regional Assistance Mission to Solomon Islands*, a Strategy for Advancing the Position of Women in Government program has existed since 2003. A component to implement this Strategy was a program on *Enhancing Capacity in Organisations that have the Potential to Foster Women's Aspirations to Public Office* that was implemented from 2009–2013. Part of this was increasing the space for leadership development. This component aimed to provide support for leadership in three categories: for emerging women's interest groups, for leadership development for women with potential to reach public office, and; to develop the capacity of the National Women's Machinery for networking and building partnerships. The program logic was that if the National Women's Machinery is strengthened, and the space for women with capacity for leadership is increased, and emerging leaders are mentored by those with experience and capacity, then more women will be able to influence government decision-making.³⁹

Teaching is a mainly public sector profession with high levels of participation by women yet even in this domain they do not always achieve seniority. In the Fiji teaching force, for example, female teachers comprise just over half the number but do not achieve positions of responsibility at the same rate as men. There is a strong gender bias with the vast majority of head-teachers and principals being male. The 2012 Fiji Ministry of Education Annual Report shows that 54.7 percent of primary teachers and 53.2 percent of secondary teachers are female. Yet only 23 percent of primary head-teachers are female and 35 percent of secondary principals are female, despite having equivalent qualifications. There is some improvement at the secondary level compared to 1999 when 57 percent of primary teachers and 48 percent of secondary teachers were female and 22.5 percent and 14 percent respectively were school heads.⁴⁰

PNG has a Public Sector Senior Women in Leadership Research Group, which ended phase one of its works in 2013. Supported by the Australian Government and led by Dame Carol Kidu, a three-term parliamentarian, Dame Kidu was able bring together women holding senior positions within the public sector. Over several meetings this was expanded to include women who had previously held senior positions. The growing interest in the group has led to suggestions to involve senior women based in provinces, which will be integrated. The issue of mentoring and coaching programs for upcoming

³⁷ Secretariat of the Pacific Community, 12th Triennial Conference of Pacific Women 2013, *Mechanisms to Promote the Advancement of Women*, p3-4

³⁸ Discussions with SPC staff who conducted training for Solomon Islands Government gender focal points on gender mainstreaming.

³⁹ Regional Assistance Mission to Solomon Islands Machinery of Government (2008) *Design of Component 3 of the Strategy for Advancing the Position of Women in Government*. Note: this program was not evaluated as it was under AUD3million.

⁴⁰ Government of Fiji (2000) *Report of the Fiji Islands Education Commission / Panel*, Suva, 259

leaders has been addressed with training conducted in 2014. There is also a genuine concern for younger women who are making their way in the public sector.⁴¹

A review conducted by PIFS and UN Women on the number of women on the boards of state-owned enterprises in PICs showed that although all countries had at least some women on boards, they were a very small minority. The survey found that many women sit on multiple boards which means that the actual number of women who are on boards is even lower.⁴² This is an area that could easily benefit from the introduction of quotas for female representation.

Women's Leadership for Economic Empowerment

Women's economic empowerment is considered to be a key driver of sustainable economic development. The impact is felt directly by families who benefit from improved education and health. Working women typically have fewer children and are more empowered to negotiate decisions in the home. Research demonstrates that there is a business case for the private sector to not only ensure non-discrimination in hiring and promoting women and giving them loans, but also to pro-actively seek opportunities to support women as employees, managers, and entrepreneurs. A 2010 IFC report concluded that: *'Promoting women's economic empowerment is increasingly seen as one of the most important driving forces behind economic growth and the fight against poverty. Women's economic participation as entrepreneurs, employees, and leaders is recognized as a measure of a country's dynamism and viability. This includes women's active participation in the formal sector.'*⁴³

A key informant for this study identified many barriers and challenges to women taking leadership roles in the private sector including a lack of networks and role models as advocates; the absence of women in corporate business; the lack of 'voice' of women as they tend not to speak up on issues that affect them; and the lack of an enabling environment. She noted that government ministries tend to work in silos: national women's machineries do not link with ministries such as commerce, agriculture and trade, resulting in uncoordinated policies and practices.⁴⁴

Legislation and policies

PICs are introducing various policy and legislative measures to create an environment for increased gender equality in relation to employment. Such legislation is notoriously slow to develop as it requires agreement from the private sector and employees organisations. The International Labour

⁴¹ http://www.pngepsp.org/index.php?option=com_content&view=category&layout=blog&id=5&Itemid=102

⁴² Pacific Islands Forum Secretariat, *Survey of Women's Representation on SOE Boards In Forum Island Countries*, Paper presented to 2013 Forum Economic Ministers Meeting
http://www.forumsec.org/resources/uploads/attachments/documents/2013FEMM_FEMT.11.pdf

⁴³ IFC (2010) *Gender Investment Climate Investment Reform*, Washington, 2

⁴⁴ Interview with Mereia Volavola, CEO of PIPSO

Organization (ILO) has provided technical assistance to many PICs to develop legislation. Some significant legislation is in Table 1 below.

Table 1 Recent Employment-related Legislation Relating to Women in the Pacific

| Country | Legislation | Main features |
|---------------------|---|--|
| Cook Islands | <i>Workplace Gender Equality Act 2012</i> | Aims to improve and promote equality for both women and men in the workplace, including through maternity leave |
| Fiji | <i>Employment Relations Promulgation 2007</i> | Provides for equal pay between males and females; contains non-discrimination provisions including on the basis of gender; prohibits sexual harassment and child labour; contains maternity leave provisions and vigorous dispute resolution provisions. |
| Kiribati | <i>Employment (Amendment) Act 2008</i> | Introduced prohibition of discrimination and provisions for equal remuneration for men and women |
| Vanuatu | <i>Employment (Amendment) Act 2008</i> | Provides that a women returning to her job after maternity leave must return to the same or equivalent (or higher) position without any loss of salary, wages, benefits or seniority. |
| Samoa | <i>Labour and Employment Relations Act 2013</i> | Provides that it is unlawful to discriminate either directly or indirectly in employment, based on real or perceived HIV status. |

Several PICs have draft employment legislation or codes. Tonga has a draft Employment Relations Bill that will cover a range of employment matters including maternity leave and sexual harassment in the workplace. Papua New Guinea has a draft Industrial Relations Bill that has been in the making for over a decade. It aims to eliminate discrimination and harassment especially in relation to real or perceived HIV status. Vanuatu has a draft Employment Relations Bill that also aims to eliminate discrimination on HIV status. Kiribati has a draft employment and industrial relations code that also makes it unlawful to discriminate on the grounds of HIV status. Samoa also has draft labour law reforms. The International Labour Organization (ILO) has provided technical assistance with drafting laws and SPC RRRT has provided training and assistance to lobby and advocate for policy and legislative changes. A concept note is being developed in consultation between ILO and UN Women for extended work in smaller island states on '*Addressing legislative and policy barriers to women's economic rights*'.⁴⁵

PIFS is exploring opportunities to collaborate with ILO and UN Women to support labour reforms in smaller island states in response to Women's Economic Empowerment Plans for the Republic of Marshall Islands and Nauru (Small Island States Catalyst Funds). UN Women has collaborated with SPC and PIFS to partner on a pilot project in Cook Islands to support craft development, provide marketing tools and strengthen market access capabilities for women involved in the pearl industry.⁴⁶

⁴⁵ Secretariat of the Pacific Community (2013) *Updates on Measures to Improve Economic Empowerment of Women, Paper presented at 12th Triennial Conference of Pacific Women*, Cook Islands, 4

⁴⁶ Ibid

Women in Business

The Pacific Islands Private Sector Organisation (PIPSO) organised a Women in Business conference in December 2012 as part of its Women in Business program. The conference identified numerous policies, regulatory and legislative barriers that confront women entrepreneurs. These include cumbersome business registration processes; high market fees and obstructive policies and practices for vendors. The conference agreed that women were rarely included in policy discussions and developments. Women have little access to seed capital and PIPSO found that 90 percent of women started their businesses with their own savings. Women identified a need for business financial and management training for micro-, small and medium enterprises and ongoing advisory and mentoring services. The conference called for an increase the number of women at the management and board level at financial institutions, which are currently extremely low.

Women in business bodies have developed in some PICs and all operate in slightly different ways according to their national situations, for example:

Samoa Women in Business Development Inc. (WIBDI) started in 1991, WIBDI is an organisation dedicated to strengthening village economies in Samoa in ways that honour indigenous tradition, use traditional and modern technology, and promote fair trade. It empowers and equips rural families to cultivate sustainable businesses that maximize farm-based resources. It also facilitates trade with global and regional partners, including The Body Shop, All Good Organics and C1Espresso, which understand the potential as well as the limitations of small-scale farming in Samoa. The organization works in 183 Samoan villages and nurtures certified organic agricultural enterprises that annually puts more than SAT\$600,000 into the hands of rural families. WIBDI is a member of the Samoa Chamber of Commerce and Industry, which is partly supported by PLP. It has also received grants from the Governments of Samoa, New Zealand, Canada, Great Britain and USA; UNDP GEF, ACIAR, Oxfam and the Australian Broadcasting Commission.⁴⁷ WIBDI has benefited from strong and consistent leadership since it began.

Solomon Islands Women in Business Association (SIWIBA) aims to promote women's active participation in economic activities in Solomon Islands. With support from PLP, it has opened a secretariat office, grown its membership, delivered training, shared information, and instigated initiatives such as the successful bi-monthly Mere's Market.⁴⁸

Women in Business (Fiji) is largely a networking body that provides some training and resources. A major event is the annual Women in Business awards that are sponsored by Westpac bank.

⁴⁷ <http://www.womeninbusiness.ws/>

⁴⁸ PLP, Solomon Islands Fact Sheet (undated)

Tonga Women in Sustainable Enterprises set up in 2010, is a businesswomen's association that aims to set up a network that provides support and training in addressing regulatory hurdles and challenges that women face when doing business. It is supported by the IFC.

Vanuatu Women's Sustainable Development Association developed as a result of the regional workshop for Pacific Women in Business held in 2010. Developing a business start-up guide for women entrepreneurs was an early project. The IFC and PLP provides support to this network of women entrepreneurs.⁴⁹

PNG Women in Business (PNG WiB) formerly known as City Mother's Business Foundation, was established in 2006. The association was formed to represent the interest of all women of Papua New Guinea as a civil society or a non-government organization. PNG WiB aims to make a positive and significant contribution to alleviate the poverty of women in PNG and promote them to become financially independent which emancipates them mentally and physically. PNG WiB convened a Women in Business conference in 2012 and has a partnership with the National Development Bank, which has established a Women in Business desk and two loan packages especially for business women. PNG WiB has received grants from the Global Fund for Women.⁵⁰

Papua New Guinea's Business Coalition for Women was formed in 2014 and is committed to promoting opportunities for women and stopping gender-based violence, social, and financial inequity. It is supported by Australian Aid and the IFC.⁵¹

Other initiatives include.

Simbu Organic Farming Local Economic Development Pilot (Solomon Islands): Women and tribal leaders from Simbu, Western Province, are collaborating with the Samoa WIBDI to implement a pilot initiative linking remote rural communities with viable export markets. PLP is supporting this pilot by providing technical assistance, procurement and logistical support, mentoring and capacity development, learning / network exchanges between Simbu, Samoa and Fiji.

UN Women's Markets for Change Project: (M4C) is a six-year (2014–2019), multi-country initiative that targets market vendors in Fiji, Solomon Islands and Vanuatu. Funded through *Pacific Women*, the program aims to improve the lives of Pacific women and increase their economic activity. It builds on experience gained through the *Partners Improving Markets* series of pilot projects implemented by UN Women from 2009–2012, as well as local initiatives and entry points for change identified in country-specific initiatives. As well as physical infrastructure, M4C has a focus on capacity development and leadership by establishing representative marketplace groups; empowering women

⁴⁹ http://www.ifc.org/wps/wcm/connect/region__ext_content/regions/east+asia+and+the+pacific/news/helping+women+in+vanuatu+get+a+head+start+in+business

⁵⁰ <https://grants.globalfundforwomen.org/GFWSearch/index.php?id=33875>

⁵¹ <http://ifcext.ifc.org/IFCExt/pressroom/IFCPressRoom.nsf/0/5B80550807A7EB9085257C9B00175D84?OpenDocument>

market vendors to advocate, organise and participate in marketplace governance and decision-making.⁵²

Women's leadership to improve women's and children's safety

Violence against women (VAW) and domestic violence more generally are significant long-term threats to the economic, social and cultural well-being and security of PICs. Violence has multiple human rights ramifications, resulting in not only trauma to women, families and communities, but also engendering productivity losses through resultant health issues, inability to advance in education or training, and loss of employment.⁵³ Responses to VAW are complex and multi-faceted: determining prevalence; accessing support services including counselling; access to justice; prevention; and creating a supportive legislative and policy environment. A UN Women review of evidence, data and knowledge on VAW in PICs concluded that the development of a legal framework for effectively addressing VAW is a crucial step.⁵⁴ This section focuses on women's leadership to change laws as well as women and men as leaders and advocates in addressing VAW. Comprehensive legislation and coordinated responses are fundamental to addressing VAW. Developing new laws and changing existing laws are complex and slow processes, especially in attempts to make domestic violence a specific criminal offence and to provide protective laws for survivors. It takes strong leadership to bring about changes and in several PICs, these changes have been driven by women.

The Regional Rights Resource Team (RRRT), established in 1995 and since 2008 part of SPC, has been a leader in supporting legislative change on VAW in PICs. From 2002–2008, RRRT was nominally part of UNDP and its work was a project called *Poverty Reduction through Access to Justice for All* (PRAJA). Since 2011, RRRT has been implementing the project entitled 'Legislative Lobbying: Building Skills in Governance and Leadership', RRRT works in seven PICs: Vanuatu, Solomon Islands, Tonga, Kiribati, Tuvalu, Samoa and Nauru.⁵⁵ The project's key impacts have included support to the passing of legislation in Tonga (*Family Protection Act 2013*) and Kiribati (*Family Peace Act 2014*) and in lobbying in support of the drafting of legislation in Solomon Islands (*Family Protection Bill*). In addition to legislative change, campaigns have been developed that advocated for disability rights, employment rights and gender equality.

RRRT provides two or three trainings that assist campaign groups through the facilitation of structured campaign planning; starting from the process of problem analysis, research, lobbying methods and

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<http://asiapacific.unwomen.org/~media/Fieldpercent20Officepercent20ESEAsia/Docs/Publications/2014/6/WEEpercent20briefpercent20Junepercent202014.pdf>

⁵³ Secretariat of the Pacific Community (2013) *Women's Legal and Human Rights*, Paper presented at the 12th Triennial Conference of Pacific Women, 2

⁵⁴ UN Women (2011, 2nd Edition) *Ending Violence Against Women and Girls. Evidence, Data and Knowledge in Pacific Island Countries*, Suva

⁵⁵ Work in Solomon Islands, Vanuatu, Tonga and Samoa is supported by the Pacific Leadership Program (PLP)

communication strategies; ensuring that groups are prepared to lobby from the community to the leadership levels. The project also provides technical support and mentoring in order to assist campaign groups along the way including: coalition building, narrowing campaign plans and strategies to be very focused, assisting with linking campaign groups with others working in those areas, and assisting with the provision of research and information required to better inform campaigns. Prior to the *Legislative Lobbying Project* (LLP), RRRT was already doing this work. Earlier results of its work were the safe passage of the *Fiji Family Law Act 2003* and the *Vanuatu Family Protection Act 2008*.

RRRT's modus operandi is to work with coalitions of stakeholders and interested parties, comprising civil society and government representatives. Leadership at the national level is critical to see legislation through its many stages. The 2014 internal evaluation of the LLP found that leadership comes from many sources. The roles of the RRRT Country Focal Officers, key senior civil servants, traditional and church leaders, and politicians were all important.

The work of RRRT has been evaluated at least three times between 2004 and 2010 and the legislative lobbying project underwent an internal evaluation in 2014.⁵⁶ The 2010 review noted considerable success in incorporating human rights into national legislation, broader than VAW legislation. RRRT has assisted with legislative drafting for many of the Bills and Acts in Table 2. One of the lessons learned early on through RRRT's work is the value of having Pacific people conducting training, so that it is contextualised in a socio-cultural context.

Fiji Women's Crisis Centre (FWCC) is a key body in addressing VAW and has taken a leadership role in the Pacific region. It runs a biannual *Regional Training Program* which lasts four weeks and includes sessions on gender, human rights and the various legal, social and political strategies for addressing VAW. In June 2014, FWCC completed its 31st Regional Training Program. Course participants are expected to return to their work-places and countries and take a leadership role in changing attitudes and practices towards VAW. This training often sees LLP participants taking part in the FWCC training as well, therefore these two trainings are mutually reinforcing. RRRT staff have been invited by FWCC to deliver sessions ranging from the development of VAW legislation in the region to human rights and gender and disability dimensions on the issue of VAW.

A review on progress in addressing VAW in Melanesia and Timor-Leste for Australian aid's Office of Aid Effectiveness noted the 'excellent practices' of the FWCC and the Vanuatu Women's Centre. It also noted that the FWCC had launched a new training methodology for working with men on ending violence against women. The report found that many actions have taken place to improve the overall quality of VAW programming. It cited the FWCC and its human rights and gender transformative approach, which has also expanded its focused training offerings in recent years to include new

⁵⁶ Madsen and Sutton conducted a mid-term review in 2004; Elliot and Goodwillie conducted a review of the Community Paralegal Training in 2004; Lempart conducted a final evaluation of PRAJA in 2007, Tavola and Leung conducted a Terminal Review of PRAJA in 2010. The 2014 internal evaluation applied only to the four countries supported by PLP for the LLP, as PLP funded the evaluation.

locations (such as PNG) and new types of attendees (such as the Fijian police force and shelter operators).⁵⁷

Churches and Faith Based Organisations: The same report noted that the Pacific Conference of Churches had made an increased effort in recent years to address gender inequality and violence against women in faith-based platforms. Pacific Conference of Churches had conducted a region-wide survey of women's position in church leadership, with a cross-cutting investigation of violence against women in all locations, and had also convened a training workshop to advance attitude change among clergy from across the region. The Solomon Islands Christian Association had conducted trainings with church leaders and community members on gender and the link between unequal power relations and violence.⁵⁸

The UN Women review of programs addressing VAW found that working with men and boys to change their attitudes and behaviour is an important part of violence prevention. This means encouraging men and boys to examine their assumptions about gender roles and masculinity through sensitisation, training and long term behavioural change programs. One example is *Pacific Island Countries Male Advocacy Network Program*, which encourages men to become agents for change and positive non-violent role models in their communities by teaching other men about gender roles, gender equality and masculinity and advocating for non-violent behaviour. This has been successfully piloted in Vanuatu, Tonga, Cook Islands and Fiji. In addition, the FWCC has developed a handbook on working with men as advocates for the elimination of violence against women in PICs.

Table 2 Status of Legislation relating to Domestic Violence / VAW in PICs

| Country | Legislation |
|---|--|
| Cook Islands | <i>Draft Family Law Bill 2011</i> |
| Federated States of Micronesia | <i>Pohnpei Family Violence Bill 2012, not yet passed</i> <i>Kosrae Domestic Violence Law 2014</i> |
| Fiji | <i>Family Law Act 2003</i> <i>Family Law (Amendment) Decree 2012</i> <i>Crimes Decree 2009</i> <i>Domestic Violence Decree 2011</i> |
| Kiribati | <i>Family Peace Bill 2013, passed by Parliament, awaiting Presidential consent</i> |
| Palau | <i>Family Protection Act 2012</i> |
| Republic of the Marshall Islands | <i>Domestic Violence Prevention and Protection Act 2011</i> <i>Criminal Code 2011</i> |
| Samoa | <i>Family Safety Act 2013</i> <i>Crimes Act 2013</i> |

⁵⁷ Ellsberg et al, (2011) *Violence Towards Women in Melanesia and Timor Leste*, evaluation report for AusAID, Canberra, 6

⁵⁸ Ellsberg et al, (2011) *Violence Towards Women in Melanesia and Timor Leste*, evaluation report for AusAID, Canberra, x

| Country | Legislation |
|------------------------|---|
| Solomon Islands | <i>Family Protection Bill issued in 2013</i> |
| Tonga | <i>Family Protection Act 2013</i> |
| Tuvalu | <i>Draft Family Protection and Domestic Violence Bill 2011</i> <i>Police Powers and Duties Act 2009</i> |
| PNG | <i>Family Protection Act 2013</i> <i>Criminal Code Act (Sexual Offences and Crimes Against Children) 2002</i> <i>Lukautim Pikinini (Child) Act (2009)</i> |
| Vanuatu | <i>Vanuatu Family Protection Act 2008</i> <i>Penal Code (Amendment) Act 2003</i> |

In PNG, ‘witch-hunts’ are not uncommon, especially in rural areas. More than 15 cases were reported in the local media from 2008–2009, which is likely to be an underestimate. In the reported cases, women were accused of practicing sorcery against fellow villagers and were brutally tortured and killed.⁵⁹ The *Sorcery Act* is undergoing review by the PNG Constitutional Law Reform Commission in response to addressing sorcery and witchcraft related killings and complying with the UN CEDAW Committee Concluding Observations.

While legislation on VAW is a great achievement, countries are struggling with subsequent implementation of laws, policies, action-plans and practices. The challenges ahead now lie with ensuring that newly enacted legislation is resourced, implemented and monitored, which will require leadership at country level.

Leadership and young women

Young women are marginalised from mainstream leadership and decision-making spheres and are discriminated against due to both their age and their gender. However many have now realised that it is important for continuity and sustainability to train, nurture and empower young women. It is also important in its own right to hear the voices and concerns of young women. This section briefly outlines a regional initiative, three good practices at the national level and notes some other initiatives and active individuals.

The Pacific Young Women’s Leadership Alliance

The Pacific Young Women’s Leadership Alliance (PYWLA), established in 2011, is a network of regional, international, and locally based organisations working with and for young women leaders across the Pacific region. The PYWLA strategy focuses on five key themes, supporting young women

⁵⁹ Japan International Cooperation Agency (2010) *Country Gender Profile: Papua New Guinea*, 8

to be: Safe, Respected, Included, Connected, and Skilled. The goal of the Alliance is to provide a network to share information, and best practices and resources; and provide a united voice to ensure that governments, donors, and other stakeholders are accountable to the needs of young Pacific women.

The Alliance aims to build the leadership skills of young women. To support achievement of this aim, greater understanding is needed as to how Pacific young women define leadership; what they believe a good leader is; and the barriers they face in achieving leadership positions and being a good leader.⁶⁰ PWYLA research found that there are many barriers to youth and particularly young women in participating in leadership. Existing opportunities for leadership such as national youth councils tend to favour males. Other opportunities often favour urban privileged youth. At the traditional and community levels, youth participation is extremely limited. Some proposed solutions to encouraging young women's leadership include:

- create a network of older women to support young women as mentors;
- provide opportunities for young women to participate in meaningful debates, workshops and further training to help build skills and strengths; and
- work with communities to support leadership potential to thrive.

In October 2013, the PWYLA convened a three-day dialogue for 26 young women leaders from 13 different PICs. The dialogue participants then attended the *12th Triennial Conference of Pacific Women*. The young women had prepared well to make interventions and they tracked their influence on the meeting and how their input had influenced the final outcomes.⁶¹ The evaluation of this work highlights very positive feedback from both Dialogue participants and Triennial delegates.

Additionally, there was significant influence to the overall outcomes of the Triennial. Young women were able to track and attribute interventions they had made to inclusion of young women's issues in the Outcome Document, including issues of age discrimination, violence against young women and girls, political participation and inclusion in regional and global development processes, and a call for comprehensive sexuality education in schools. The conclusion was that PYWLA was recognised as a leader in young women's leadership in the Pacific. The evaluation also followed up on what dialogue participants had done on their return to their home countries, which showed many positive initiatives.

The World YWCA's Global Manager for Women's Leadership commented that the PYWLA has become a model of good practice that other areas of the world including Africa, the Caribbean and Latin America are now replicating.⁶²

⁶⁰ <http://www.pacificwomen.org/wp-content/uploads/PYWLA-Dialogues-Summary1.pdf>, p3

⁶¹ PYWLA (2013) *Narrative Report Triennial 2013*

⁶² Skype interview with Juli Dugdale, World YWCA Global Manager for Women's Leadership and Focal Point for Asia and the Pacific, 13/06/14

Young Women's Christian Association Solomon Islands *Rise Up!*

PLP supported Young Women's Christian Association Solomon Islands (YWCASI) to develop and implement its *Rise Up!* program, a locally devised initiative that develops the capacity and profile of young women to exercise leadership for positive change in their communities. *Rise Up!*'s objectives are:

- young women are leading positive change in their communities;
- young women are more confident and identify as leaders in their own communities;
- community members recognise the leadership potential of young women; and
- young women are knowledgeable and skilled and are sharing information with their peers in the areas of human rights, women's rights, gender, public speaking and leadership.

Rise Up! has reached more than 700 people (including more than 100 men) in nearly 30 communities across four provinces in Solomon Islands and demand for training continues to grow.⁶³ An evaluation from 2013 showed that nearly 50 percent of *Rise Up!* participants had assumed more active decision-making and leadership roles in their communities since participating in the program. The evaluation showed that *Rise Up!* is a successful model and that participants had not only increased their knowledge but had shared information in their communities. The evaluation recognised the structural barriers that continue to marginalise young women and proposed ways of strengthening the *Rise Up!* program to make it more sustainable.⁶⁴

Youth parliaments

Youth parliaments are used throughout the world to encourage youth leadership and familiarise youth with major policy issues. Several PICs, including Fiji, Samoa, Solomon Islands, Vanuatu and the autonomous region of Bougainville in PNG have convened youth parliaments in the past decade, some with UNDP support. Vanuatu, for example, had a youth parliament with 52 youth from all six provinces in 2013. The Youth Parliament was organised to allow youth the opportunity to experience the procedures for parliamentary democracy, understand how a parliamentary system functions, its procedures, structure and organization of the Parliament. The youth participants will also experience how decisions made in Parliament can impact development and human rights issues in Vanuatu.⁶⁵ Solomon Islands also convened a youth parliament in 2013. Interestingly of the 20 Solomon Islanders who participated, 14 were female and six were male.⁶⁶

Youth parliaments tend to get a high profile, but according to a key informant, while they are useful for educating young people about roles and functions of parliament, they are really role play exercises.

⁶³ Pacific Leadership Program (Undated) *Solomon Islands Fact Sheet*, p2, Suva

⁶⁴ YWCASI, (2013) *Evaluation Report 2013 YWCA of Solomon Islands Young Women's Leadership Program*, Honiara, p7-8

⁶⁵ <http://un.org.au/2013/10/16/vanuatu-hosts-first-national-youth-parliament/>

⁶⁶ <http://parliamentaryeducators.org.au/uploads/Documents/Solomonpercent20Islandspercent20Youthpercent20Parl.pdf> Note, six Australian youth also took part as it was a partnership with the New South Wales Parliament

They are very costly and could be improved. For example in the United Kingdom and the European Union, the youth parliament outcomes are fed into national parliamentary process and are thus more meaningful. Youth parliaments in PICs tend to be given issues to discuss such as climate change - they do not spontaneously come up with issues that are of concern to them. In addition, they tend to favour privileged young people who are already leaders or high achievers.

Solomon Islands also has a Young Women's Parliamentary Group supported by members of parliament and other stakeholders including the UNDP Parliamentary Strengthening Project that started in 2011. The idea of having such a group came about due to the fact that in the history of the Solomon Islands National Parliament, there has only been one woman Member of Parliament. The group's vision is to create space for young women to experience and participate in leadership. Interestingly both males and females are involved. Its mission is to recognise, allow and build emerging young leaders to reach their full potential to influence positively in their communities and networking young women with current leaders, to enhance and develop young women in national leadership. Although not formally evaluated, a key informant for this study commented that: *'It has had ups and downs but it generally has provided an opportunity for young women to exercise leadership in a meaningful and effective way.'*⁶⁷

Fiji Women's Rights Movement's (FWRM) *Young Women in Leadership Program* has three components: (1) Emerging Leaders Forum (ELF) program trains women aged 18–25 over 12 months; (2) training for girls aged 10–14 in shorter programs; and (3) regional outreach that has included conducting a young women's leadership training with Kup Women for Peace (PNG), YWCA Solomon Islands *Rise Up!* and Tonga Women's Action for Change.

An impact assessment of the program was undertaken in 2011 for the 2008–2011 period. The assessment found that there had been very positive personal and professional impacts on participants of the ELF program; high levels of satisfaction with the 10–14 year old program; and good results from the regional outreach. For all components, there was however a lack of monitoring and evaluation and a concomitant lack of follow-up on participants. Concerns were expressed that the ELF program was too urban-based and possibly favoured privileged young women although it was acknowledged that marginalised groups had increasingly been included. Concerns about sustainability were raised for all components. The overall evaluation was, however, very positive with strong recommendations for continuation with some modifications. FWRM is currently looking at carrying out a tracking exercise to document where all ELF graduates are.

PLP commissioned research on successful models of youth leadership in Fiji which found that leadership activities focussed at young women typically follow a traditional model that provides training in domestic activities such as cooking and sewing. The research found that the exceptions to this were the FWRM's ELF as well as the Girl Guides Gold initiative that had a focus on leadership.⁶⁸

⁶⁷ Interview with Mereia Carling, SPC Youth Adviser

⁶⁸ Vakaoti, Patrick and Vanisha Mishra (2010) *An Exploration of Youth Leadership Models in Fiji*, PLP, Suva

PLP research on successful models of youth leadership in PNG acknowledges the gender bias of most leadership programs and was almost dismissive of young women, citing culture as the major barrier to their progress in this area.⁶⁹

Following the Fiji Women's Forum in 2012, FWRM recognised that young women needed an independent and motivating space to collaborate, discover, form an alliance and share perspectives on the national democratisation process⁷⁰. The Fiji Young Women's Forum was convened by the Emerging Leaders Forum Alumni, Generation Next, the Young Women's Christian Association (YWCA) and Diverse Voices for Action. All four organisations have a combined experience of over two decades of working with young women across the country and building on achievements of women's rights advocates. The objectives of the Forum are to: 1) encourage and influence active political participation of young women to vote in the 2014 Fiji general elections and 2) to empower young women, to lobby political parties and decision makers for better representation and inclusion of young women's issues. Some other programs that have a leadership focus are:

- **Niue Emerging Pacific Women Leaders project:** 15 young women in between 15–34 will go through a series of practical training workshops that will educate, inform, build confidence, capacity and leadership skills. (Funded by PLP)
- **Just Play:** in 11 member countries of the Oceania Football Confederation: gender equality and women's empowerment are goals. Through Just Play female coaches play an important role in helping to showcase the capacity of women both in the program and community.
- **Talitha:** established and run by young women in Tonga, The program addresses mainly sexual and reproductive health issues by creating safe and supportive environment where young women can openly discuss their experiences.
- **FemlinkPacific's Generation Next project:** has enabled FemLINKPACIFIC to invest in the development of a cadre of young women as communicators of their priority issues, and support their role as leaders.

Lessons learned

There is clearly a multiplicity of initiatives in different areas across the Pacific. What can we learn from an overview of them?

- Women in leadership is typically seen through a rather narrow lens of national political leadership. There are many layers of political leadership and women have tended to excel at the community and sub-national levels where there is relatively little support for them.

⁶⁹ Simoen et al, *Successful Models of Youth Leadership in PNG*, PLP, Suva.

⁷⁰ Chand, Mamta (2013), *Fiji Young Women's Forum*, p.8. *Balance Newsletter* (September and December, Issue 3&4), Fiji Women's Rights Movement, Suva. <http://www.fwrp.org.fj/content/balance/balancedec2013final.pdf>

- Getting women in parliament is not an end in itself. Women need ongoing support in such positions.
- Little attention has been paid to encouraging and nurturing women in middle-level and senior management in the public services of PICs.
- There is a need for structured mentoring programs in the private sector to support women.
- Women need to work in partnership with men to gain their support and to have them as champions.
- While many initiatives rely on development partner support, some are locally initiated and are self-sustaining, some with private sector support.
- There are many activities in the leadership arena. This points to a need for coordination at national and regional levels in order to avoid duplication in order to make the best use of limited resources and also to fill any gaps.
- Young women have specific areas of interest and they should be encouraged and supported.
- Work to reduce legislative and policy barriers to gender equality needs to be ongoing in order to set an enabling platform for women in decision-making and leadership roles.

Annex 1 Laws that hinder women's full economic participation or do not protect their interests⁷¹

| Area of law | Current provision (discrimination or inadequate protection) | Reform required |
|--|---|---|
| Papua New Guinea | | |
| Constitutional law | The <i>Constitution</i> does not contain a definition of discrimination or a specific anti-discrimination provision. | Support the consideration by Cabinet to introduce an organic law on gender equity. Legal status should be given to CEDAW in the Constitution |
| Marriage | <i>Marriage Act</i> The minimum age for marriages is 16. <i>Marriage Act</i> recognizes customary marriages and discriminatory practices, such as bride price and polygamy, are common. <i>Adultery and Enticement Act</i> provides for the restitution of conjugal rights | The Act should be amended to change the minimum age of marriage. The rights to conjugal rights should be removed from the Adultery and Enticement Act |
| Divorce – division of property | <i>Matrimonial Causes Act</i> Provides the courts with the power to determine divorce, property distribution, maintenance, and custody. | Amend the law to introduce no fault-based divorce. Introduce guidelines into the legislation on the division of the property so that the needs and means of parties, their financial commitments, as well as their respective capacities to earn and the needs of the children, should be taken into account. Training to judges on gender implications on their decision making. |
| Inheritance (in the absence of a will) | <i>Wills and Probate Act</i> Provides for the application of customary law where there is no will. As customary inheritance laws are based on patrilineal lines, they discriminate against women. | Amend the law providing for non-discriminatory division of assets where there is no will and to provide for statute law to prevail over custom law in relation to inheritance |
| Employment | <i>Employment Act</i> Sexual harassment is not outlawed in the private sector and women have no redress. Maternity leave is unpaid in the private sector Women are prohibited from working in certain positions at night, and from working underground or in jobs that involve heavy labour. | Amend the law to include prohibitions against sexual harassment. Introduce provisions making paid maternity leave compulsory in the private sector. Remove discriminatory provision from legislation. |
| Samoa | | |
| Constitutional law | Although the Constitution protects against discrimination, in practice customary law is given lawful status in numerous areas including rights over land and involvement in village governance, which discriminates against women. | Consider automatic incorporation of international treaties (including CEDAW) into Samoa's law via the Constitution. |

⁷¹ This is taken from International Finance Corporation (2010) *Gender and Investment Climate Reform Assessment. Pacific Regional Executive Summary*, Washington, pp33-38

| Area of law | Current provision (discrimination or inadequate protection) | Reform required |
|---|--|---|
| Marriage | <i>Marriage Ordinance 1961</i> recognizes customary marriages and discriminatory practices, such as bride price and polygamy, are common. Age of marriage is 16 for girls (18 for men) | Legislation should be amended to bring it into line with CEDAW and thus remove such discriminatory practices. |
| Divorce – division of property | <i>Divorce and Matrimonial Causes Ordinance 1961</i> Divorce is either fault-based or on 5 years separation, which can be difficult for women. No guidance in the legislation and the Courts generally only recognize financial contributions which discriminate against women. Proposed laws are considering equal division of property. <i>Maintenance and Affiliation Act 1967</i> No guidelines on maintenance payments and generally the court orders low payments. | Amend the law to introduce no fault-based divorce. Proceed with amendment on equal division of property or alternatively introduce guidelines into the legislation on the division of the property so that the needs and means of parties, their financial commitments, as well as their respective capacities to earn and the needs of the children, should be taken into account. Training to judges on gender implications of their decision making. |
| Inheritance (in the absence of a will) | <i>Administration Act 1975</i> Although this Act provides for equal treatment, customary law applies to land and discriminates against women. | Amend the law providing for non-discriminatory division of assets where there is no will. |
| Employment | <i>Public Service Act</i> – only protects women in the public service from discrimination and not private sector employees. Private sector employees do not get any maternity leave although public servants are eligible for 8 weeks leave. <i>Labour and Employment Act 1972</i> Outmoded provisions preventing women from working from 12 midnight to 6 am in certain capacities exist | Amend the Labour and Employment Act in line with ILO conventions in relation to female workers. |
| Solomon Islands | | |
| Constitutional law | Currently there is a conflict between its guarantee of equality and non-discrimination on the one hand, and its entrenchment of customary law which is often discriminatory to women. | Support for the introduction of the proposed Constitution which would make international treaties which Solomon Islands had entered into automatically part of the Solomon Islands' law. |
| Marriage | The <i>Islanders Marriage Act</i> recognizes customary marriages which includes polygamous marriages and discriminatory practices such as 'bride price'. Under this Act the minimum age for marriage is 15 | Legislation should be amended to bring it in line with CEDAW and remove such discriminatory practices. |
| Citizenship | The <i>Citizenship Act</i> provides that a woman can gain citizenship by marrying a Solomon Islander. However if she divorces him and marries a non-citizen she loses her citizenship, unless she has resided in the country for at least ten years. | Amend the legislation to treat men and women equally. |
| Divorce – division of property | The <i>Divorce Act</i> is silent on how the property that has been accumulated by the couple during the marriage will be divided. This is often left to the Court to decide and conflicting results can emerge. <i>Islander Divorce Act</i> : divorce can only be on a 'fault' basis which means proving adultery, cruelty, being of unsound mind or desertion. | Amend the law to introduce no fault-based divorce. Introduce guidelines into the legislation on the division of the property so that the needs and means of parties, their financial commitments, as well as their respective capacities to earn and the needs of the children, should be taken into account. |

| Area of law | Current provision (discrimination or inadequate protection) | Reform required |
|--|---|--|
| | <i>Affiliation, Separation and Maintenance Act</i> provides that maintenance orders may be discharged by a Court in case of the wife committing adultery. | Training to judges on gender implications on their decision making. Amend the legislation to remove discriminatory provision |
| Inheritance (in the absence of a will) | <i>The Wills Probate and Administration Act</i> gives equal inheritance rights to men and women. However customary law has constitutional status and customary inheritance laws discriminate against women. | Amend the law providing for non-discriminatory division of assets where there is no will. Introduction of proposed constitution is required to address the effect of customary law in this area |
| Employment | <i>The Labour Act</i> does not apply to domestic servants where many women work. This Act does not contain any anti-discrimination provisions. Restrictions on women working in certain sectors including underground work in any mine. | Amend the law to apply to domestic servants Include anti discriminatory provisions in the legislation Remove discriminatory provision from legislation. |
| Tonga | | |
| Constitutional law | The Constitution provides that there shall be but one law in Tonga for chiefs and commoners for non-Tongans and Tongans. However the restriction on women's rights to own land is discriminatory. | Strengthen Constitution so that it explicitly provides for gender equality, and application of CEDAW into domestic law. |
| Divorce – division of property | <i>The Divorce Act</i> Is silent on how consideration given to non-financial contributions and property accumulated during the marriage is to be divided, which can be discriminatory against women. Due to restrictions in the <i>Land Act</i> , widows can obtain a life interest in their husband's land upon his death but this is terminated upon a widow's remarriage or in event of her committing adultery. | Introduce guidelines into the legislation on the division of the property so that the needs and means of parties, their financial commitments, as well as their respective capacities to earn and the needs of the children, should be taken into account. |
| Inheritance (in the absence of a will) | <i>The Probate and Administration Act</i> Has codified customary law and contains discriminatory provisions including that, upon the death of her husband, the wife only inherits a third of the estate (as opposed to the man who inherits the whole estate). | Amend the Act to remove discriminatory provisions |
| Employment | No legislation in this area and it is left to the parties, which often works against women. There is no anti-discrimination legislation and there is scope for women to be treated unfairly by employers. As there are no maternity leave provisions, there is the possibility for pregnant women to be dismissed and not re-employed which is discriminatory. | Enact employment laws which provide for non-discrimination in the workplace; prohibit sexual harassment; and introduce realistic and affordable provisions for maternity leave and pay. |
| Vanuatu | | |
| Constitutional law | Article 5 of the Constitution and Article 95(3) (and other Articles that uphold custom law) | Need to translate CEDAW principles into domestic law, including through amending the Constitution to clarify the position of custom law |

| Area of law | Current provision (discrimination or inadequate protection) | Reform required |
|--|---|---|
| Divorce – division of property | Under the Matrimonial Causes Act (cap 192), the extent to which the division of matrimonial property on divorce recognizes non-financial contributions to the marriage (for instance a wife looking after the home) is unclear. | Introduce guidelines into the legislation on the division of the property so that the needs and means of parties, their financial commitments, as well as their respective capacities to earn and the needs of the children, should be taken into account. Training for judges on gender implications on their decision making |
| Inheritance (in the absence of a will) | The English Administration of Estates Act 1925 applies where the customary practices do not. The custom in some communities is that the daughters lose their entitlement to land when they marry. | Enact an Intestate Succession Act to provide for inheritance where there is no will. Clarify that statute law over-rides discriminatory customary law |
| Employment | Employment law provides for unequal retirement ages | Amend the law to provide for the same retirement age for men and women |

Annex 2 List of people consulted

| Name | Organisation | Position |
|-------------------------|---|--|
| Sandra Kraushar | Department of Foreign Affairs and Trade | Regional Program Manager, Pacific Leadership Program/Pacific Women Shaping Pacific Development, DFAT, Suva |
| Gina De Pretto | Department of Foreign Affairs and Trade | Program Manager (telecom) |
| Juli Dugdale (by skype) | World YWCA | Global Manager for Women's Leadership and Focal Point for Asia Pacific |
| Mereia Carling | Secretariat of the Pacific Community | Youth Adviser |
| Mereia Volavola | Pacific Islands Private Sector Organisation | Chief Executive Officer |
| Megan Praeger | Commonwealth Local Government Forum | Regional Program Coordinator |
| Joanne Lee Kunatuba | Secretariat of the Pacific Community | Gender Equality Officer |
| Emily Miller | Pacific Women Support Unit | Coordinator |

Note: the author sought an interview with the Pacific Islands Forum Secretariat but due to travel and other commitments, the Gender Officer was unable to meet.

Questionnaires were sent to all DFAT gender focal points in PICs and responses were received from the following:

- Erimeta Barako, Kiribati
- Patricia Fred, Vanuatu
- Karyn Murray, Nauru
- Brenda Waleka, Solomon Islands

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