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The Parliament of the Commonwealth of Australia

# Empowering women and girls

**The human rights issues confronting women and girls in the Indian Ocean–Asia Pacific region**

Joint Standing Committee on Foreign Affairs, Defence and Trade

December 2015  
Canberra

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## Foreword

The Minister for Foreign Affairs the Hon Julie Bishop MP has declared the promotion of the human rights and empowerment of women and girls in Australia's region to be 'a personal passion'.<sup>1</sup> It is a passion that is shared by members of the Committee and we hope that this report will be a practical contribution to Australia's efforts to support the advancement of the human rights of women and girls across the Indo-Pacific region.

The scope of the terms of reference for the inquiry were extremely broad, nothing less than an examination of the human rights circumstances of women and girls across a vast region that includes six of the world's ten most populous nations, with countries as different in size and character as China, Afghanistan, and Nauru. Not surprisingly the Committee faced considerable challenges in attempting to cover the diversity of the region and the great range of issues that impact on the human rights of women and girls.

The report has endeavoured to capture the breadth of the evidence. In particular, this report draws upon the submissions and evidence from the Australian Government, especially the Department of Foreign Affairs and Trade, together with non-government organisations and academic experts working in the fields of human rights and development.

Reflecting the balance of evidence received, the report has a greater focus on the human rights issues in countries in Australia's immediate region, especially the South Pacific, and in countries that are significant recipients of Australian development assistance. The Committee still sought to cover, as far as possible, the full diversity of the challenges faced by women and girls across the Indo-Pacific region and to that end drew upon a range of publicly available reports and studies. However, the availability of reliable data, or lack thereof, emerged as a significant issue.

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1 The Hon Julie Bishop MP, Minister for Foreign Affairs, 'The New Aid Paradigm', Speech, June 2014 <[foreignminister.gov.au/speeches/Pages/2014/jb\\_sp\\_140618.aspx](http://foreignminister.gov.au/speeches/Pages/2014/jb_sp_140618.aspx)> viewed 17 November 2015.

The Committee has made a number of recommendations concerning the need for further research to underpin future policy and development assistance programs, and the need for better co-ordination and sharing of data between organisations working on these important issues.

What did emerge in evidence was that the circumstances of hundreds of millions of women and girls across the Indo-Pacific region are dire, blighted by violence, poverty, and exclusion from economic, social and political participation.

Many countries have made great progress in advancing the human rights of women and girls, especially in recent decades as international awareness and scrutiny of these issues has grown. However, more than six and a half decades after the adoption of the Universal Declaration of Human Rights, a great deal more progress must be made for women and girls to be truly considered as equals.

In this regard, this report should not be seen as singling out any particular country or group of countries for criticism or judgment. Rather it is an effort to describe the extent and depth of problems across the region and to look at ways in which governments, communities and non-government organisations can work together to make further progress in protecting and improving the lives of women and girls, empowering them for the benefit of all.

Evidence received by the Committee documented nothing less than an epidemic of violence experienced by women and girls in many nations, perhaps most notably, but by no measure exclusively, in South Asia and the South Pacific.

In highlighting this problem in other countries, the Committee does not seek to diminish or ignore the scale of violence and abuse against women and girls in Australia. On the contrary it is the Committee's view that this is a common problem that demands urgent action across the entire region.

Violence perpetrated against women and girls because of its nature, its embeddedness in cultures and social attitudes, as well as its different triggers, represents an ongoing and deep-seated challenge. The diversity of the Indo-Pacific region also presents a major challenge for the implementation of development assistance programs to address this problem. However, as Oxfam Australia observed to the Committee, 'Violence is not inevitable, and it is preventable.'<sup>2</sup>

The Committee acknowledges the efforts made by the Australian Government in seeking to combat violence through diplomatic means, including: the advocacy of the Minister for Foreign Affairs and the Ambassador for Women and Girls, former Senator Natasha Stott Despoja; through international fora and government to government dialogues; and through programs that advocate for political and legislative change, such as the Pacific Regional Ending Violence against Women Facility Fund.

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2 Oxfam Australia, *Submission 13.1*, p. 2.

However, the Committee has recommended an intensification of efforts and the development of new programs that take into account both the cultural and social diversity of the region, and the insights of further research to identify the most effective responses.

Similar challenges are evident in relation to health, education, economic participation and the involvement of women in community decision-making and political life more broadly. Across these areas there has been progress, but much remains to be done, and in some areas urgent action is required to ensure that hard won gains are not reversed or lost.

The Committee's recommendations consequently span a large range of issues and government programs, and underline the need for a broad and sustained commitment of resources.

There are no easy solutions for any of the problems discussed in this report and all of them require a preparedness by policy makers to commit to programs that are likely to deliver substantial progress over decades rather than years, and in some cases perhaps only through intergenerational change.

That said the long term benefits are potentially significant. Quite apart from the importance of respecting and enhancing the human rights and life opportunities of individuals, greatly reducing domestic violence and improving educational and economic opportunities for women and girls will bring substantial economic and social benefits to the countries in the region. As the Minister for Foreign Affairs has observed, 'when women are able to actively participate in the economy, and in community decision-making, everybody benefits.'<sup>3</sup>

The Committee would like to thank all of the non-government organisations, academics and individuals for generously donating their time, effort and resources to make submissions and appear at public hearings or private briefings. The Committee also thanks the Australian Government agencies, as well as the foreign governments and their representative forums that provided submissions or gave evidence, in particular the governments of Afghanistan, Mauritius, Vietnam, Timor-Leste, and Sri Lanka. The range of information, expertise and experience that was available to the Committee was invaluable to the production of this report.

The Committee would especially like to thank the staff and students of Auburn Girls High School in Sydney which hosted two days of public hearings on 21-22 August 2014. The Committee was very pleased to have this opportunity to 'bring Parliament to the people' and the question and answer session with students that accompanied the public hearings was particularly enjoyable. Members of the Committee heard the views of articulate young women who may


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3 The Hon Julie Bishop MP, Minister for Foreign Affairs, 'The New Aid Paradigm', Speech, June 2014, viewed 17 November 2015.

well be future community leaders and, to judge by some of their challenging questions, perhaps think about entering political life themselves.

As Chair of the Human Rights Sub-Committee, I would like to thank my predecessor Mr Luke Simpkins MP, and my other colleagues on the Committee who have worked collaboratively, and engaged closely with this inquiry.

The Hon Philip Ruddock MP  
Chair  
Human Rights Sub-Committee



## Membership of the Committee

Chair           The Hon Teresa Gambaro MP

Deputy Chair   Mr Nick Champion MP

Members       The Hon Bob Baldwin MP  
(from 19 October 2015)

The Hon Michael Danby MP

The Hon David Feeney MP

Mr Laurie Ferguson MP

The Hon Alan Griffin MP  
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Mr Alex Hawke MP (until 12 October 2015)

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**Mr Don Randall MP**  
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**The Hon Bruce Scott MP**

**Mr Luke Simpkins MP**  
(until 22 September 2014)

**The Hon Dr Sharman Stone MP**


**Ms Maria Vamvakinou MP**

**Mr Nickolas Varvaris MP**  
(from 9 September 2015)

**Senator the Hon Ursula Stephens**  
(until 30 June 2014)

**Senator Peter Whish-Wilson**

**Senator Nick Xenophon**



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(until 22 September 2014)

The Hon Philip Ruddock MP  
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**Deputy Chair** Senator Anne McEwen

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## Terms of reference

### **Inquiry into the human rights issues confronting women and girls in the Indian Ocean–Asia Pacific region**

The Committee will inquire into the human rights issues confronting women and girls in the Indian Ocean–Asia Pacific region. The Committee will consider the following issues during its inquiry:

- The barriers and impediments to enhancing the human rights of women and girls in the Indian Ocean–Asia Pacific region, especially regarding the impact of family and sexual violence, women’s leadership and economic opportunities;
- The achievements to date in advancing women and girl’s human rights in these key areas;
- The implications for economic and social development in the Indian Ocean–Asia Pacific region of promoting women and girls’ human rights;
- The effectiveness of Australian programs to support efforts to improve the human rights of women and girls in the Indian Ocean-Asia Pacific region.





## List of abbreviations

ACWF	All China Women's Federation
AAPTIP	Australia-Asia Program to Combat Trafficking in Persons program
ACFID	Australian Council for International Development
ACIAR	The Australian Centre for International Agricultural Research
ACMC	Australian Civil Military Centre
ACWC	ASEAN Commission on the Promotion and Protection of the Rights of Women and Children
ADB	Asian Development Bank
ADDC	Australian Disability and Development Consortium
ADF	Australian Defence Force
ADG	Attorney-General's Department
ADRs	Aggregate Development Results
ADS	Australian Development Scholarship
AFP	Australian Federal Police
AHRC	Australian Human Rights Commission
AIDS	Acquired Immune Deficiency Syndrome
ANCP	Australian NGO Co-operation Program

ANP	Afghanistan National Police
ANU	Australian National University
AO	Order of Australia
APEC	Asia-Pacific Economic Co-operation
APHEDA	Australian People for Health, Education and Development Abroad
APRP	Afghanistan Peace and Reconciliation Program
ASEAN	Association of Southeast Asian Nations
AUD	Australian dollar
AVI	Australian Volunteers International
AWARD	African Women in Agricultural Research and Development Program
BPA	Beijing Platform for Action
CDHS	Cambodia Demographic and Health Survey
CEDAW	<i>Convention on the Elimination of All Forms of Discrimination against Women</i>
CEO	Chief Executive Officer
CGIAR	Consultative Group on International Agricultural Research
CHWs	Community Health Workers
CRI	Children's Rights International
CROP	Council of Regional Organisations
CRR	Centre for Refugee Research
CWLA	Catholic Women's League Australia
DAC	OECD Development Assistance Committee
DBE	Dame of the British Empire

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DFAT	Department of Foreign Affairs and Trade
DFID	Department for International Development
EDGE	Evidence and Data for Gender Equality project
EFA	Education for All
EPSP	Economic and Public Sector Program
EVAW	Ending Violence against Women
FAO	Food and Agriculture Organisation
FARA	Forum for Agricultural Research in Africa
FCA	Family Court of Australia
FRIEND	Foundation for Rural and Integrated Enterprises and Development
FRUs	Family Response Units
FSV	Family and sexual violence
FWCC	Fiji Women's Crisis Centre
GBV	Gender-based violence
GDP	Gross Domestic Product
GLASS	Gender, Leadership and Social Sustainability Research Unit
GPE	Global Partnership for Education
HIV	Human Immunodeficiency Virus
HPV	Human Papillomavirus
HRW	Human Rights Watch
ICG	International Crisis Group
ICRW	International Centre for Research on Women
IDG	International Deployment Group

IFC	International Finance Corporation
ILO	International Labour Organisation
IORA	Indian Ocean Rim Association
IPEC	International Programme for the Elimination of Child Labour
IPU	Inter-Parliamentary Union
ISRHR	International Sexual and Reproductive Health and Rights (Consortium )
IWDA	International Women’s Development Agency
JSCAFDT	Joint Standing Committee on Foreign Affairs, Defence and Trade
KiriCAN	Kiribati Climate Action Network
LGBT	Lesbian, Gay, Bisexual and Transgender
M&E	Monitoring and Evaluation
MAMPU	Maju Perempuan Indonesia untuk Penanggulangan Kemiskinan – Empowering Indonesian Women for Poverty Reduction
MCC	Male Champions of Change
MCO	Multi-Country Office
MDG	Millennium Development Goal
MEDEP	Micro-enterprise Development Program
MFMV	Medicines for Malaria Venture
MP	Member of Parliament
MSF	Médecins Sans Frontières
MVAWG	Male violence against women
NAP	National Action Plan
NAP-GBV	National Action Plan on Gender-Based Violence

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NATO	North Atlantic Treaty Organisation
NGO	Non-Government Organisation
NSW	New South Wales
ODA	Official Development Assistance
ODE	Office of Development Effectiveness
OECD	Organisation for Economic Co-operation and Development
Pacific Women	Pacific Women Shaping Pacific Development initiative
PEKKA	Perempuan Kepala Keluarga – Women Headed Household Empowerment Program (Indonesia)
PICs	Pacific Island Countries
PICTA	Pacific Island Countries Trade Agreement
PICTs	Pacific Island Countries and Territories
PIF	Pacific Island Forum
PIFS	Pacific Island Forum Secretariat
PLP	Pacific Leadership Program
PM&C	Department of Prime Minister and Cabinet
PNG	Papua New Guinea
PPDP	Pacific Police Development Program
PSO	Public Solicitors Office
PWPP	Pacific Women’s Parliamentary Partnerships Project
PYWLA	Pacific Young Women’s Leadership Alliance
RLC	Regional Learning Community
SANAM	South Asian Network to Address Masculinities

SDG	Sustainable Development Goal
SEPI	Secretary of State for the Promotion of Equality
SGBV	Sexual and gender based violence
SGP	Strongim Gavman Program – ‘Strengthening Government Program’ (PNG)
SMEs	Small and Medium Enterprises
SPC	Secretariat of the Pacific Community
SRSP	Sarhad Rural Support Programme
SSGM	State, Society and Governance in Melanesia
STIs	Sexually Transmissible Infections
TB	Tuberculosis
TPP	Trans Pacific Partnership
UK	United Kingdom
UN	United Nations
UDHR	Universal Declaration of Human Rights
UNAMA	United Nations Assistance Mission to Afghanistan
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNFPA	The United Nations Population Fund
UNICEF	The United Nations Children’s Fund
UNSCR	United Nations Security Council Resolution
US	United States
USAID	United States Aid
USD	United States Dollar



USP	University of the South Pacific
UWA	University of Western Australia
VAW	Violence against women
VAWG	Violence against women and girls
WASH	Water, Sanitation and Hygiene
WHO	World Health Organisation
WIBDI	Women in Business Development Incorporated
WILPF	Women's International League for Peace and Freedom
WPS	Women, peace and security
WPSAC	Women, Peace and Security Academic Collective
YWAM	Youth With a Mission
YWCA	Young Women's Christian Association





# List of recommendations

## Human rights of women and girls and the role of the law

### Recommendation 1

The Committee recommends that Australia's diplomatic efforts continue to encourage legislative change to enhance the situation for women and girls, and to build the capacity of legal entities to enforce laws and ensure access to justice for women and girls. Specific areas that should be addressed include building a well-developed understanding of the needs of women and girls in:

- policing and law enforcement;
- courts and legal aid; and
- legal advice and advocacy services for women and girls.

### Recommendation 2

The Committee recommends that the Australian Government prioritise aid investment in relevant local women's legal aid organisations, advocacy bodies and law reform commissions in the Indo-Pacific region where laws that disadvantage women and girls are in place.

### Recommendation 3

The Committee recommends that the Australian Government encourage the Australian Courts to expand their investment in the work of making the registration of marriages and births more accessible in Indonesia; and expand its efforts to pursue similar work where it can facilitate reform in other countries in the Indo-Pacific region.

#### Recommendation 4

The Committee recommends that the Australian Government:

- encourage the Afghan Parliament to enact and enforce the Law on Elimination of Violence against Women; and
- provide diplomatic, technical and administrative support for the implementation of the law.

#### Recommendation 5

The Committee recommends that the Australian Government:

- expand its support efforts for increasing the number of women recruits into police forces in the Pacific Island countries, including Papua New Guinea and Solomon Islands;
- help increase and retain the number of female recruits to the Afghan police force, law enforcement roles and public services, while supporting efforts to provide sufficient protection for these recruits; and
- increase support for improved professional standards for law enforcement professionals, prosecutors and judicial officers, including gender sensitivity training throughout the region.

### Violence against women and girls

#### Recommendation 6

The Committee recommends that the Australian Government take every opportunity:

- to engage with governments in the Indo-Pacific region, including at regional fora, to highlight the extent of violence against women and girls, the persistence of the problem, and its consequences; and
- to press other governments to enact and enforce laws that protect the human rights of women and girls, in particular in relation to sexual and gender-based violence, especially under-age and forced marriage and marital rape.

#### Recommendation 7

The Committee recommends that, in light of the evidence showing continuing and pervasive violence against women and girls across the Indo-Pacific region, the Australian Government:

- facilitate targeted and co-ordinated research (including gathering national prevalence and incidence data, as well as quantitative and qualitative surveys of community attitudes), legal reform, and

programs directly aimed at community attitudes that are tolerant of violence against women and girls; and

- consider increasing funding for activities to combat violence as a proportion of Australia's development assistance budget, as well as commit to the provision of resources for the long term.

#### Recommendation 8

The Committee recommends that the Australian Government:

- continue to support existing programs that partner with governments, non-government and community organisations, and faith-based organisations which:
  - ⇒ deliver education with a particular focus on boys and adolescents, to promote understanding of consent, healthy sexuality, and respectful relationships; and
  - ⇒ make use of technology to expand the reach and engage young people.
- explore ways to extend programs addressing violence, such as those being run by the Fiji Women's Crisis Centre, and linking to similar initiatives operating in Australia and other countries across the region; and
- review work being undertaken in Australia and overseas to address gender-based violence to identify programs of best practice that are culturally appropriate for countries in the Indo-Pacific region.

### Women and girls in war, conflict and disaster zones

#### Recommendation 9

The Committee recommends that the Australian Government:

- adopt the proposals made in the 2014 Second Annual Civil Society Report Card: Australia's National Action Plan on Women, Peace and Security; and
- encourage governments in the region, which have not already done so, to prioritise the approval of national action plans for UN Security Council resolution 1325 on women, peace and security.

#### Recommendation 10

The Committee recommends that the Australian Government work to ensure that Australian responses to disasters and humanitarian crises factor in the unique and additional needs of women and children, by ensuring:

- that all plans, toolkits and guidance documentation for humanitarian and disaster relief include a requirement to take into account the unique needs and vulnerabilities of women and children, and guidance on how this can be achieved; and
- humanitarian responses funded by the Australian Government model gender-sensitive processes, and avoid additional harms to women and children.

## Health, reproduction and amenities

### Recommendation 11

In light of the continuing high levels of maternal mortality, unsafe abortions, and infant and child ill health in many parts of the Pacific and Timor-Leste, the Committee recommends that the Australian Government maintain funding and support for reproductive health programs, including obstetric and gynaecological services, across the Indo-Pacific region with an increased focus on the Pacific and Timor-Leste. In particular, the Australian Government should:

- work in partnership with non-government organisations and Pacific Island authorities to increase funding to maternal and reproductive health programs in the Pacific region;
- support improved provision of timely and high quality sex education in the Pacific region by providing support to Pacific leaders and health ministers in implementing the program of work in sex education these leaders endorsed in 2014; and
- maintain a strong strategic focus on maternal mortality in the design and delivery of aid programs in Timor-Leste and the Pacific.

### Recommendation 12

The Committee recommends that the Australian Government prioritise funding for services that address the immediate needs of survivors of sexual and physical violence in the Indo-Pacific region. These services should be holistic, incorporating:

- accessible, timely and affordable treatment for physical injury;
- accessible, timely, affordable and culturally sensitive counselling and trauma relief;
- legal and justice services, including timely collection of evidence for prosecution;
- counselling and appropriate assistance for pregnancies and diseases arising from sexual assaults; and

- support to prevent further exposure to violence, such as through the provision of safe emergency accommodation.

#### Recommendation 13

The Committee recommends that the Australian Government prioritise work with governments in the Indo-Pacific region, non-government organisations, and the scientific research community for the development of effective, low cost, accessible medicines to treat HIV/AIDS, tuberculosis and malaria, with a focus on disadvantaged women and children in the region.

#### Recommendation 14

To support women and girls with disabilities, who are ‘doubly disadvantaged’, the Committee recommends that:

- all programs funded or supported by the Australian Government that seek to address violence against women and girls are designed with the specific needs of women and girls with disabilities taken into account in the design phase;
- all women’s health and reproductive rights programs supported by the Australian Government take into consideration the needs of women and girls with disabilities and seek to ensure these women and girls are included – and not adversely affected – by the programs; and
- work to support women and girls with disabilities in the Indo-Pacific region remains a priority for the Australian Government, and is included in the Department of Foreign Affairs and Trade’s Country Plans.

#### Recommendation 15

The Committee recommends that the Australian aid program retain a focus on ensuring that clean water, and access to satisfactory sanitation and hygiene, especially in schools, underpins development initiatives.

#### Recommendation 16

The Committee recommends that the Australian Government prioritise providing culturally appropriate, hygienic and safe sanitation facilities for women and girls, and that:

- all Australian Government funded humanitarian relief responses, including refugee settlements and disaster relief shelters, provide culturally appropriate, hygienic and safe sanitation facilities; and
- all education programs designed to keep girls in school address the issue of sanitation facilities; providing facilities that can be adequately maintained and serviced locally.

**Recommendation 17**

The Committee recommends that the Australian Government support culturally appropriate, community-driven programs that provide sanitary products for girls and women to allow them to remain engaged in work and education during menstruation.

**Recommendation 18**

The Committee recommends that Australian Government agencies working in the Indo-Pacific region take advantage of opportunities to partner with faith based networks where they play a major role in delivery of health care services and care support.

**Education and the rights of girls****Recommendation 19**

The Committee recommends that the Australian Government maintain its support for increasing primary school enrolments generally, and gender parity in enrolments specifically, across the Indo-Pacific region where the levels of female enrolment remain low.

The Committee also recommends that Australian funding and programs in education should include a particular focus on the most disadvantaged communities; notably, children with disabilities, and disadvantaged ethnic minorities.

**Recommendation 20**

The Committee recommends that the Australian Government increasingly target aid funding towards girls at the secondary and tertiary levels, by:

- providing additional funding that focuses on secondary school enrolment and completion initiatives for adolescent girls in key countries in the region;
- increasing support to programs designed to encourage more young women to complete tertiary qualifications throughout the region; and
- supporting research and programs designed to address the gap between educational attainment and employment/economic opportunities for women in the Indo-Pacific region.



### Recommendation 21

The Committee recommends that the Australian Government seeks to address the quality and character of education in the region, including through:

- supporting government bodies and local education advocates who are working to change the curricula and methodology in teaching to promote gender equality; and
- offering to provide expertise in drafting gender-sensitive, culturally appropriate resources for schools, particularly in the Pacific, and/ or funding the development of such expertise in-country.

## Women and leadership

### Recommendation 22

The Committee recommends that the Australian Government prioritise girls' and women's leadership and political participation, and integrate these as a priority across the aid program.

### Recommendation 23

The Committee recommends that the Australian Government should:

- increase support to organisations such as the Fiji Women's Crisis Centre, which are able to focus on co-ordinating the priorities of countries in the region to address the needs of women and girls;
- take a stronger stance in the protection of high profile women and organisations advocating for the human rights and empowerment of women and girls;
- fund women's advocacy organisations working in the Indo-Pacific region where women leaders are most at risk;
- continue to support capacity building in parliaments, the judiciary, and accountability bodies in the region to support women's promotion into leadership roles; and
- advocate at an international level to promote women's empowerment for leadership as a priority goal within the global development agenda.

### Recommendation 24

The Committee recommends that the Australian Government increasingly promote women's leadership at all levels of government, in business and the public sector, through flagship gender programs such as the Pacific Women Shaping Pacific Development initiative, and trial pilot models in other countries of the region, which:

- provide opportunities for women candidates to train and gain leadership skills at all levels of government, including by investing in partnerships with parliamentary and political studies and research centres;
- foster research, networking and mentoring opportunities across the professions, public sector and business in partnership with governments, peak bodies, the private sector and civil society, with some targeted to engage young women;
- promote women's leadership under country plans, through relevant Memoranda of Understanding, and in contracts with private sector partners and non-government organisations; and
- conduct gender analysis and develop individual and longitudinal assessment criteria to better assess outcomes of scholarships and leadership mentoring programs to increase aid effectiveness.

#### Recommendation 25

The Committee recommends that the Australian Government continue to develop and invest in gender awareness components in programs targeting male leaders, including:

- through international parliamentary visits, delegations and exchanges, and as an adjunct to the Pacific Women's Parliamentary Partnerships and other regional leadership initiatives; and
- by supporting 'champions for change' initiatives as community outreach through local leadership bodies, organisations and faith-based groups as part of the women's leadership empowerment agenda.

### The economic empowerment of women

#### Recommendation 26

The Committee recommends that the Australian Government take a lead role in promoting women's economic development as a key part of the international human rights agenda for the empowerment of women and girls, by:

- advocating through international fora for an increased investment in women's economic empowerment;
- promoting gender centric approaches to women's economic development in key sectors, for example, the agricultural sector through the Consultative Group on International Agricultural Research and other relevant regional bodies;
- engaging in bilateral, regional and international negotiations to implement obligations and promote ratification of existing

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international labour instruments, harmonising migration and domestic laws, and regulating fees and charges on remittances to better protect migrant workers in a region-wide solution to outmigration.

### Recommendation 27

The Committee recommends that the Australian Government increase:

- overall Official Development Assistance (ODA); and
- the proportion of ODA allocated to economic and productive sectors in the Indo-Pacific region in which women are predominant, as a key component of its gender mainstreaming commitments, including by investment in:
  - ⇒ research and programs supporting leadership and female empowerment in agriculture and key employment sectors for women;
  - ⇒ whole of community and local empowerment models, with a focus on changing social attitudes and values to support women's economic empowerment, and on innovative literacy and 'second chance' training programs for women; and
  - ⇒ development of infrastructure to reduce women's household burden and appropriate childcare solutions in partnership with Governments, non-government organisations and the private sector, and promote this through country development plans and development contracts.

### Recommendation 28

The Committee recommends that, in negotiating international and regional trade, mining and other development agreements, the Australian Government:

- have recourse to available research and data on the gendered impacts of this development to ensure it maximises opportunities for both men and women;
- require this research where it does not exist; and
- deploy relevant research and data to refine and inform programs developed with the purpose of supporting women's economic empowerment across the Indo-Pacific region.

## Improving Australian programs

### Recommendation 29

The Committee recommends that the Australian Government:

- lift the percentage of total Official Development Assistance that is ‘primarily’ focussed on women and girls from the current five per cent level to between at least eight and 10 per cent over the next five years, particularly as a proportion of aid to the Pacific region;
- focus its limited investments and gender expertise on large-scale, long-term (10 years or more) programs designed directly for women’s empowerment in key countries, using the Pacific Women Shaping Pacific Development program as a model; and
- focus its investments on programs that directly build local capacity through supporting local women’s organisations.

### Recommendation 30

The Committee recommends that the Australian Government introduce a requirement that all Official Development Assistance programs, regardless of their OECD Development Assistance Committee gender rating, must ‘do no harm’ to women and girls. Programs must be screened to ensure they will not:

- further entrench women’s disempowerment;
- result in unintended violence against women and girls or leave women and girls more vulnerable; or
- disadvantage specific sectors of the population of women and girls, including women and girls with disabilities or those from ethnic minorities.

### Recommendation 31

The Committee recommends that the Australian Government increase both the percentage and overall number of staff at the Department of Foreign Affairs and Trade (DFAT) who receive training in gender-sensitive programming, including staff located in Canberra, with the aim of ensuring all staff who play a role in the design and implementation of Official Development Assistance programs have the ability and confidence to apply good practice gender analysis. The Committee further recommends that DFAT:

- introduce to the Department’s performance management system a formal requirement for such training to be completed by staff engaged in providing development assistance;

- increase the number of male members of staff participating in this training; and
- report on a) the numbers of staff trained, and b) the percentage of the workforce trained, in the Department's Annual Report.

#### Recommendation 32

The Committee recommends that the Australian Government take steps to improve data collection and reporting on gender outcomes in aid and diplomacy, by:

- introducing enhanced collection and reporting of qualitative data to measure cultural and attitudinal change, such as changes in attitudes towards the roles and status of women and girls;
- requiring the collection of, reporting and utilisation of baseline data on the status and experiences of women before programs begin so that the efficacy of programs can be measured against that data;
- supporting nations in the region to collect and publish gender-disaggregated data, especially with regard to poverty, health, education and experiences of violence;
- supporting organisations such as UN Women and Oxfam in their provision of 'hubs' of knowledge, data and resources on women and girls around the world.

#### Recommendation 33

The Committee recommends that the Australian Government build upon the good work of Australia's Ambassador for Women and Girls by:

- providing further resourcing for the work of Australia's Ambassador for Women and Girls; and
- supplementing the role through the additional appointment of a 'Male Champion' for women and girls.



## Background

### Conduct of the inquiry

- 1.1 On 28 February 2014, the Minister for Foreign Affairs wrote to the Joint Standing Committee on Foreign Affairs, Defence and Trade (JSCFADT) to refer the following matter for inquiry and report: 'the human rights issues confronting women and girls in the Indian Ocean-Asia Pacific region'. The Minister requested that the inquiry be conducted by the Human Rights Sub-Committee of the JSCFADT.
- 1.2 The terms of reference for the inquiry required the Sub-Committee to consider the following issues:
  - The barriers and impediments to enhancing the human rights of women and girls in the Indian Ocean-Asia Pacific region, especially regarding the impact of family and sexual violence, women's leadership and economic opportunities;
  - The achievements to date in advancing women and girl's human rights in these key areas;
  - The implications for economic and social development in the Indian Ocean-Asia Pacific region of promoting women and girls' human rights;
  - The effectiveness of Australian programs to support efforts to improve the human rights of women and girls in the Indian Ocean-Asia Pacific region.
- 1.3 On 5 March 2014, the Committee considered the Minister's letter, adopted the terms of reference in the form proposed by the Minister and resolved that the Human Rights Sub-Committee undertake the inquiry.
- 1.4 The Committee called for submissions with a closing date of 22 May 2014. Relevant stakeholders were contacted directly and notified of the inquiry. Governments of countries in the region were also contacted and invited to

make submissions. The closing date for submissions was subsequently extended to 17 June 2014 and then to 29 August 2014.

- 1.5 The Committee received more than 90 submissions and 26 supplementary submissions. Submissions are listed in Appendix A and documents received as exhibits during the inquiry are listed in Appendix B. Public hearings were held in Canberra, Melbourne and Sydney. Details of witnesses who gave evidence can be found in Appendix C. Copies of submissions and transcripts of public hearings are available on the inquiry's page on the website for the JSCFADT.<sup>1</sup>
- 1.6 The majority of submissions were focussed on term of reference number one (barriers and impediments to enhancing the human rights of women and girls); with some also considering term of reference number three in detail (the economic impacts of promoting girls' and women's human rights).
- 1.7 Evidence on terms of reference two (the achievements to date in advancing women and girl's human rights) and four (the effectiveness of Australian programs to support efforts to improve the human rights of women and girls) was more limited. The Committee sought to rectify these gaps through seeking additional information and data from the Department of Foreign Affairs and Trade (DFAT).
- 1.8 Submissions were received from the following governments and their diplomatic representatives:
  - Islamic Republic of Afghanistan, Ministry of Foreign Affairs Minister's Office;
  - Socialist Republic of Vietnam;
  - Democratic Republic of Timor-Leste;
  - The High Commission of the Democratic Socialist Republic of Sri Lanka;
  - High Commission of the Republic of Mauritius; and
  - The Republic of Mauritius Minister of Foreign Affairs, Regional Integration and International Trade.

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1 Available at <[www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Foreign\\_Affairs\\_Defence\\_and\\_Trade/Human\\_Rights](http://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Foreign_Affairs_Defence_and_Trade/Human_Rights)> viewed 4 May 2015.



## Background to the inquiry

### The Indian Ocean–Asia Pacific region

- 1.9 The terms of reference required the Committee to report upon relevant issues within the ‘Indian Ocean–Asia Pacific region’. The same region was referred to as the ‘Indo-Pacific’ in some of the evidence. ‘Indo-Pacific’ has now become the predominantly used term within the Australian Government, including in the 2015–16 Federal Budget. For consistency, the term ‘Indo-Pacific’ will be used in this report.<sup>2</sup>
- 1.10 DFAT’s submission defined the region as follows:
- The Indo-Pacific Region includes countries in the Pacific Islands, ASEAN [Association of South-East Asian Nations] and the Indian [Ocean] Rim Association [IORA]. Connecting the Indian and Pacific Oceans, the region it describes forms the centre of gravity of Australia’s strategic and economic interests. It includes many of our major trading partners as well as the countries that are the focus of our aid program.<sup>3</sup>
- 1.11 The Committee viewed the geographic scope of the region to broadly include:
- countries of Eastern, South and West Asia;
  - all countries with a coastline fronting the Indian Ocean, which includes eastern Africa and some Persian Gulf countries;
  - the Pacific Islands and New Zealand; and
  - the United States (US) and Canada.
- 1.12 Russia, South America and Central America were excluded. Within the Indo-Pacific region, Australian development assistance is provided to various countries. The list of countries below is considered by OECD to be eligible for Official Development Assistance (ODA).

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2 The Committee notes the comment by Dame Carol Kidu that ‘you should not call us the Asia-Pacific region; call us Asia and the Pacific, because we are so different. Geographically, the Asia-Pacific may be a region, but it is chalk and cheese when it comes to some of the basics. We like being called Asia and the Pacific.’ *Committee Hansard*, Canberra, 3 February 2015, p. 7.

3 Department of Foreign Affairs and Trade (DFAT), *Submission 27*, p. 9.

Table 1.1 Countries eligible for Australian ODA located within the Indo–Pacific region

Pacific	East Asia	South and West Asia	African East Coast
Cook Islands	Burma	Afghanistan	Somalia
Federated States of Micronesia	Cambodia	Bangladesh	Kenya
Fiji	Indonesia	Bhutan	Tanzania
Kiribati	Laos	Maldives	Mozambique
Nauru	Mongolia	Nepal	South Africa
Niue	Philippines	Pakistan	Madagascar
Papua New Guinea	Timor-Leste	Sri Lanka	Seychelles
Republic of Palau	Vietnam		Comoros
Republic of the Marshall Islands			Mauritius
Samoa			
Solomon Islands			
Tokelau			
Tonga			
Tuvalu			
Vanuatu			

Source Department of Foreign Affairs and Trade —correspondence.

1.13 The Indo–Pacific region is diverse culturally, linguistically, and in terms of human rights outcomes for women and girls. During the inquiry, witnesses were hesitant to make general characterisations about the region. Indeed, many witnesses talked about the need to ensure solutions were appropriate to the different contexts in the region. For instance, the Australian Council for International Development (ACFID) submitted:

The Indian Ocean–Asia Pacific region covers a highly diverse range of countries and cultures, and the context for women varies accordingly. Programs that are designed to enhance human rights and gender equality may not be easily replicable between countries. They must be responsive and adaptable to the widely diverse contexts and support any pre-existing frameworks and plans in place to address gender inequalities.<sup>4</sup>

1.14 Great diversity is also evident within many countries in the region. For instance, the Committee was reminded that Papua New Guinea (PNG) consists of more than 800 language and tribal groups. Additionally, rapid urban development in the capital, Port Moresby, has created a notable distinction between urban and rural settings in PNG.<sup>5</sup>

4 Australian Council for International Development (ACFID), *Submission 25*, pp. 5–6.

5 Dame Carol Kidu and Professor Betty Lovai, Private capacity, *Committee Hansard*, 3 February 2015, p. 2.

- 1.15 When responding to the terms of reference, many submitters directed their evidence towards specific countries, with most emphasis placed on countries nearest to Australia geographically or those that receive Australian development assistance.
- 1.16 The largest proportion of evidence received for the inquiry referred to:
- Indonesia
  - Timor-Leste
  - Cambodia
  - Vietnam
  - Burma/Myanmar
  - Sri Lanka
  - Bangladesh
  - Afghanistan
  - Pacific Islands countries, including Papua New Guinea and Solomon Islands.
- 1.17 The inquiry received relatively little evidence on the African East Coast countries, and none on the United States and Canada.
- 1.18 This report of the inquiry does not intend to unfairly criticise or single out individual countries or governments. However, unavoidably there were countries or groups of countries that were subject to critical commentary in the evidence received. For example, in relation to:
- the rates of violence against women in PNG and the Pacific Islands; and
  - the exceptionally low rates of female representatives holding seats in Pacific Island legislatures.
- 1.19 Some major Indo-Pacific countries, including China and India, were discussed in only a few submissions.

### **Empowering women and girls—an Australian foreign policy priority**

- 1.20 Announcements by the Minister for Foreign Affairs, the Hon Julie Bishop MP, which coincided with the progress of this inquiry, have placed the empowerment of women and girls among the Australian Government's foreign policy priorities.
- 1.21 On 18 June 2014, the Foreign Minister announced the Government's new aid paradigm. The Minister said this policy 'takes the long view and hails a new phase in development assistance in the tradition of the Colombo

Plan.’<sup>6</sup> The Minister said that the Australian aid program would now have six priority areas, one of which included the empowerment of women and girls in the region. On this issue, the Minister stated:

We will focus in particular on women’s economic empowerment – on promoting women’s leadership in politics, business, communities and families and on eliminating violence against women and children. One of our performance benchmarks is that all of our aid investments must assess gender issues with at least 80 per cent focused on support and empowerment of women. Training women for employment, building their capacity and challenging barriers to their participation will deliver social and economic benefits to all societies. Evidence shows that it is women who spend extra income promoting the health, education and well-being of their families.<sup>7</sup>

1.22 One month later, the Minister commented further in a media release relating to the Pacific Islands, which stated:

The Australian Government considers women’s economic empowerment, ending violence against women and girls, and enhancing women’s leadership opportunities in the Pacific a foreign policy priority.

...

Improving leadership and decision-making opportunities for women in the region is essential to reducing poverty and promoting economic growth and democracy. All people prosper when women are equal participants in society, including in politics and in the economy.<sup>8</sup>

1.23 An opinion article published in *The Australian*, written jointly by Foreign Minister Bishop, then-Defence Minister Senator Johnston, then-US Secretary of Defence Chuck Hagel and US Secretary of State John Kerry stated:

Empowering women and girls and advancing gender equality is crucial to the economic and political success of the region.<sup>9</sup>

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6 The Hon Julie Bishop MP, Minister for Foreign Affairs, ‘The New Aid Paradigm’, Speech to the National Press Club, 18 June 2014 < [foreignminister.gov.au/speeches/Pages/2014/jb\\_sp\\_140618.aspx?ministerid=4](http://foreignminister.gov.au/speeches/Pages/2014/jb_sp_140618.aspx?ministerid=4) > viewed 16 April 2015. For more information on the ‘Colombo Plan’ see < [www.colombo-plan.org/](http://www.colombo-plan.org/) > viewed 14 October 2015.

7 Minister for Foreign Affairs, ‘The New Aid Paradigm’, Speech to the National Press Club, 18 June 2014.

8 Minister for Foreign Affairs, ‘Increasing Women's Leadership in the Pacific’, *Media Release*, 16 July 2014.

9 Minister for Foreign Affairs the Hon Julie Bishop MP; Minister for Defence, Senator David

- 1.24 In October, when addressing a reception of the Indian Ocean Rim Association Council of Minister's meeting, the Foreign Minister said that there should be focus on the economic empowerment of women in the Indian Ocean Rim area:
- ...because some of the lowest labour force participation amongst women occurs in the Indian Ocean Rim. We know if more women were able to take part in the labour markets, the formal economies, the GDP of our region would increase significantly.<sup>10</sup>
- 1.25 More recently, the 2015–16 Federal Budget allocated \$50 million to establish a 'competitive gender equality fund to strengthen gender equality and women's economic empowerment in our region'.<sup>11</sup>
- 1.26 This inquiry has therefore been timely, given the level of attention being dedicated to the issues within the inquiry's terms of reference.

## Previous work of the Committee

- 1.27 The Joint Standing Committee on Foreign Affairs, Defence and Trade has a number of Sub-Committees that have undertaken relevant inquiries in recent years.
- 1.28 For instance, the Human Rights Sub-Committee's most recent report was entitled *Trading Lives: Modern Day Human Trafficking*, published in June 2013. The report examined the crimes of trafficking in persons, slavery and slavery-like practices.
- 1.29 The Foreign Affairs and Aid Sub-Committee conducted an inquiry into the role of the private sector in promoting economic growth and reducing poverty in the Indo-Pacific region. The report, *Partnering for the Greater Good*, was tabled in June 2015. Chapter eight of this report examines women's empowerment and economic growth.
- 1.30 In June 2012 the Committee initiated an inquiry into Australia's Human Rights Dialogues. This inquiry examined the effectiveness of the dialogue process.

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Johnston; US Secretary of State John Kerry; US Secretary of Defense Chuck Hagel, 'Alliance with US a Boon for Asia', *The Australian*, 12 August 2014, p. 12.

10 The Hon Julie Bishop MP, Minister for Foreign Affairs, 'IORA 2014 Welcome Reception', Speech to the IORA 2014 Welcome Reception, 8 October 2014 <[foreignminister.gov.au/speeches/Pages/2014/jb\\_sp\\_141008a.aspx?ministerid=4](http://foreignminister.gov.au/speeches/Pages/2014/jb_sp_141008a.aspx?ministerid=4)> viewed 16 April 2015.

11 The Hon Julie Bishop MP, Minister for Foreign Affairs, '2015 Foreign Affairs Budget', *Media Release*, 12 May 2015 <[foreignminister.gov.au/releases/Pages/2015/jb\\_mr\\_150512.aspx?ministerid=4](http://foreignminister.gov.au/releases/Pages/2015/jb_mr_150512.aspx?ministerid=4)> viewed 4 May 2015.

## Barriers to enhancing the human rights of women and girls

- 1.31 The increased focus on empowering women and girls reflects a recognition that many barriers still exist that prevent women and girls realising their human rights and achieving their potential.
- 1.32 The terms of reference asked the Committee to examine the following term of reference: ‘barriers and impediments to enhancing the human rights of women and girls’. Evidence addressing this term of reference demonstrated that women and girls are still heavily disadvantaged, with many suffering abuses against them on the basis of their gender.<sup>12</sup>
- 1.33 The Committee received many detailed examples of human rights abuses during the inquiry. The most frequently cited issues impacting the human rights of women and girls were:
- violence against women and girls, including physical and sexual violence, forced marriage and trading of women;
  - continuing discrimination against women in legislation and, where legislation has been enacted to promote the rights of women and girls, a failure to implement it or punish transgressions;
  - negative impacts of conflict and disasters on women and girls, who are often more vulnerable in crisis zones;
  - reproductive rights abuses, including lack of access to family planning and safe birthing conditions;
  - lack of access to health care and basic amenities;
  - discrimination and abuse of disabled and minority women;
  - barriers for women in accessing education above the primary school level, and especially higher education;
  - limited access to paid work, fair working conditions and economic opportunities, such as access to finance; and
  - barriers to women’s independence and leadership in their communities and the formal political sphere.
- 1.34 These barriers are explored in detail throughout this report with specific discussion of progress that has been made so far, and programs that are working to bring about change.

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12 Dr Susan Harris Rimmer, *Exhibit 28: J Klugman et al, Voice and Agency: Empowering Women and Girls for Shared Prosperity*, World Bank Group, 2014, p. xvi.

## Structure of the report

- 1.35 The Committee acknowledges that the terms of reference for the inquiry were very broad and far reaching. As such, the Committee was not able to address all aspects of women's human rights in the course of the inquiry, and was limited in its capacity to investigate specific issues. The report, instead, focusses on the main factors addressed in the evidence.
- 1.36 It should be noted that the Committee's focus in this report is international, not domestic. Although the Committee noted evidence received relating to Australia, the inquiry was not able to address these issues.
- 1.37 The recommendations made in this report are drawn from those made to the inquiry or are informed by consideration of the evidence presented throughout the inquiry. A number of the recommendations suggest the continuation of existing programs, particularly those that evidence suggests are having some success.
- 1.38 The report's primary focus is in areas where Australia can make a difference, particularly through ODA and diplomacy in the region. Consequently, the majority of the recommendations made in the report pertain to Australia's ODA within the region. A number of recommendations also pertain to DFAT's focus, priorities, and processes and procedures in relation to gender in the aid program and its diplomatic work.
- 1.39 The report's structure is, as follows:
- **Chapter one – Background.** This chapter outlines the conduct of the inquiry and terms of reference, and introduces the region's scope. It also clarifies that the rights of women and girls are a foreign policy priority for Australia.
  - **Chapter two – Human rights of women and girls and the role of the law.** This chapter addresses term of reference one, summarising the key human rights challenges faced by women and girls, and considers international instruments designed to promote the rights of women and girls worldwide. It outlines the legal status of women and girls in the region, considering legislative protections, discriminatory laws, policing and security services, and changes over time.
  - **Chapter three – Violence against women and girls.** This chapter presents evidence in relation to gendered violence in the region and the impact that violence is having on the lives of women and girls. It considers achievements and programs that are having an impact.

- **Chapter four – Women and girls in war, conflict and disaster zones.** This chapter looks at evidence the inquiry received about the gendered impacts of war, conflict, natural disasters and displacement, where women can be especially vulnerable. It considers some of the achievements made in this field and Australia’s work.
- **Chapter five – Health, reproduction and amenities.** This chapter presents evidence around the health and welfare of women and girls in the region, with a particular focus on sexual and reproductive health, access to sanitation and facilities, disease, and the particular concerns of women with disabilities. The chapter considers achievements to date, and examples of successful programs.
- **Chapter six – Education and the rights of girls.** This chapter presents evidence on the remaining barriers to education and empowerment faced by many women in the region, while acknowledging the progress that has been made in girls’ participation in primary education. The chapter looks at achievements to date, areas where women and girls are still disadvantaged, and examples of programs that are having an impact.
- **Chapter seven – Women and leadership.** This chapter provides an overview of the progress that women have made as leaders in communities and in parliaments across the Indo-Pacific region, and reflects on the constraints which continue to limit their participation as decision makers. The chapter also considers some of the mechanisms that are building skills and opening opportunities for women to take on leadership roles, and how the Australian government could better support these efforts.
- **Chapter eight – The economic empowerment of women.** This chapter discusses women in paid and unpaid work in the region and those factors that enable or inhibit their participation and capacity to benefit from economic growth. This chapter also responds to the term of reference requiring examination of the implications for economic and social development in the Indo-Pacific region of promoting women and girls’ human rights.
- **Chapter nine – Gender in Australia’s aid and diplomacy.** Referring to evidence from DFAT and other witnesses, this chapter sets out the evidence describing the gender focus of Australia’s aid program and diplomatic efforts in the region. It also addresses term of reference number four, which refers to the effectiveness of Australian programs to support efforts to improve the human rights of women and girls in the Indo-Pacific region.



- **Chapter 10 – Improving Australian programs.** This chapter presents evidence received in the course of the inquiry from DFAT and others on the availability and quality of data and research to measure the effectiveness of gender programs. It further considers DFAT’s plans for improving its gender programming, and presents some of the key recommendations from the non-government sector.



## Human rights of women and girls and the role of the law

- 2.1 Domestic and international laws are used to articulate and protect the rights and responsibilities of citizens, including women and girls. This chapter outlines the legal situation for women and girls in the Indo-Pacific region, as presented in evidence to the inquiry.
- 2.2 The chapter examines:
- what is meant by ‘human rights’ generally, and the human rights of women and girls more specifically;
  - international treaties and agreements that relate to women’s human rights;
  - domestic laws relating to women and girls, and to gender-based violence, in the region;
  - the enforcement of those laws, including access to justice and the role of law enforcement professionals; and
  - what works for improving the situation for women and girls in relation to the law and justice.

### Human rights

- 2.3 Human rights are the articulation of a belief that all human beings have inherent value and worth and that ‘[e]veryone has the right to life, liberty and security of person,’ free from abuse and oppression.<sup>1</sup> They set out

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1 United Nations (UN), Universal Declaration of Human Rights, <[somethingincommon.humanrights.gov.au/get-informed/introduction-human-rights#What are Human Rights](http://somethingincommon.humanrights.gov.au/get-informed/introduction-human-rights#What%20are%20Human%20Rights)> and the UN Universal Declaration of Human Rights<[www.ohchr.org/EN/UDHR/Document](http://www.ohchr.org/EN/UDHR/Document)> viewed 10 August 2015.

standards for the fair interaction of people with each other, with society, and with governments.<sup>2</sup> According to the United Nations (UN), human rights have the following qualities:

- Human rights are inherent: human rights do not have to be given to us by a government to exist. They are our birthright and belong to us simply because we exist as human beings.
- Human rights are inalienable: human rights cannot be given away or taken away.
- Human rights are universal: human rights belong to everyone, irrespective of their sex, race, colour, religion, national or social origin or other status.<sup>3</sup>

- 2.4 The UN has enshrined many human rights in international human rights instruments, notably the Universal Declaration of Human Rights (UDHR), adopted in 1948. Its Preamble states that the ‘recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world’.<sup>4</sup>
- 2.5 The UDHR provides a framework for promoting an end to practices that interfere with people’s full enjoyment of their rights, such as slavery or arbitrary imprisonment. The UN and many human rights bodies within countries continue to use the UDHR as a tool to draw attention to ongoing abuses of human rights around the world.<sup>5</sup>
- 2.6 The struggle to achieve universal human rights continues for women and girls. The Australian Human Rights Commission states that gender inequality stems from long-standing traditions, inequitable social structures, adherence to stereotypes, and attitudes about the roles and capabilities of women.<sup>6</sup>

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2 Australian Human Rights Commission, ‘An Introduction to Human Rights’ <[somethingincommon.humanrights.gov.au/get-informed/introduction-human-rights#What are Human Rights](http://somethingincommon.humanrights.gov.au/get-informed/introduction-human-rights#What%20are%20Human%20Rights)> viewed 10 August 2015.

3 Australian Human Rights Commission, Fact Sheet, *Women’s Human Rights: UN Convention on the Elimination of All Forms of Discrimination against Women: CEDAW*, 2008, p. 1, <[www.humanrights.gov.au/sites/default/files/content/sex\\_discrimination/publication/CEDAW/CEDAW\\_complete.pdf](http://www.humanrights.gov.au/sites/default/files/content/sex_discrimination/publication/CEDAW/CEDAW_complete.pdf)> viewed 14 July 2015.

4 UN, Universal Declaration of Human Rights <[www.un.org/en/documents/udhr/](http://www.un.org/en/documents/udhr/)> viewed 14 July 2015.

5 UN, ‘Human Rights’ <[www.un.org/en/sections/priorities/human-rights/index.html](http://www.un.org/en/sections/priorities/human-rights/index.html)> viewed 14 July 2015.

6 Australian Human Rights Commission, *Women’s Human Rights: United Nations Convention on the Elimination of All Forms of Discrimination against Women: CEDAW*, 2008, p. 1, viewed 14 July 2015.

## International treaties and agreements

- 2.7 The UN *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW) is the key international human rights document that seeks to ensure the enforcement of the human rights of women on an equal basis with men. CEDAW is the only comprehensive treaty dedicated to women. CEDAW came into force on 3 September 1981, and had 99 signatories and 189 member states as at April 2015. Australia ratified CEDAW in 1983.<sup>7</sup> Australia has two reservations to CEDAW, which relate to women in the armed forces and the provision of paid maternity leave.
- 2.8 Key elements of the Convention are summarised below:
- State parties are required to eliminate discrimination against women, including by enshrining equality in national laws and by abolishing laws, customs or practices that discriminate against women (Article 2);
  - Parties must take appropriate measures to advance women, in order to guarantee ‘the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men’ (Article 3);
  - Parties must work to eliminate stereotypes and prejudice against women, including by modifying ‘social and cultural patterns’ (Article 5);
  - Parties must suppress the trafficking of women (Article 6);
  - Women must be permitted to hold public office and participate in political activities (Article 7);
  - Women’s rights to nationality are to be equal with men (Article 9);
  - Educational and study opportunities are to be equal with men (Article 10);
  - Parties must grant various employment rights to women; including equal pay, social security access, unfair dismissal protections, maternity leave, child care and a limit on duties during pregnancy (Article 11);
  - Parties must provide access to health care and family planning (Article 12);
  - Women’s legal capacity must be equal with men in contract, property and legal procedure (Article 15); and

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7 CEDAW, Chapter IV, Human Rights, UN Treaty Collection database <[treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-8&chapter=4&lang=en](http://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&lang=en)> viewed 15 October 2015.

- Marriage, children and family decisions must be made between men and women on an equal basis. In addition, the law should set a minimum age of marriage (Article 16).<sup>8</sup>
- 2.9 An Optional Protocol, concluded in 1999, provides a procedure for communications and complaints to the CEDAW Committee by individuals or groups. The CEDAW Optional Protocol, which entered into force on 21 December 2000, has 80 signatories and 106 member states as at October 2015. Australia ratified the Optional Protocol to CEDAW in 2008.<sup>9</sup>
- 2.10 CEDAW defines the scope of discrimination against women:
- For the purposes of the present Convention, the term ‘discrimination against women’ shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.<sup>10</sup>
- 2.11 Following on from CEDAW, the Fourth World Conference on Women Beijing Declaration (the Beijing Declaration), in 1995, adopted the Beijing Platform for Action (BPA). The BPA sets out that equality between the sexes is an essential aspect of achieving human rights, and that all countries have a responsibility to prioritise action in this area.<sup>11</sup>
- 2.12 A number of other agreements commit governments to uphold the rights of women and provide political and legal protections for women. These include:
- *The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime* (2000);
  - *The UN Security Council Resolution 1325* (2000) on Women, Peace and Security, which ‘reaffirms the important role of women in the prevention and resolution of conflicts, peace negotiations, peace-

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8 UN Women, CEDAW full text in six parts <[www.un.org/womenwatch/daw/cedaw/text/econvention.htm#article16](http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm#article16)> viewed 15 October 2015.

9 Optional Protocol to CEDAW, Chapter IV, Human Rights, UN Treaty Collection database, viewed October 2015.

10 UN Women, CEDAW, Part I, Article 1, viewed 15 October 2015.

11 DFAT, *Submission 27*, p. 12.

building, peacekeeping, humanitarian response and in post-conflict reconstruction’;<sup>12</sup>

- *The Declaration on the Elimination of Violence against Women (1993);*
- *The Declaration on the Protection of Women and Children in Emergencies and Armed Conflicts (1974);*
- *The Declaration on the Elimination of Discrimination against Women (1967), which was a precursor to CEDAW;*<sup>13</sup>
- *The Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (1962);*
- *The Convention against Discrimination in Education (1960);*
- *The Discrimination (Employment and Occupation) Convention (1958);*
- *The Convention on the Nationality of Married Women (1957);*
- *The Convention on the Political Rights of Women (1953);*
- *The Equal Remuneration Convention (1951);*
- *The Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949).*

2.13 Other treaties and agreements with general application also have relevance to women and girls:

- *The International Covenant on Civil and Political Rights and Optional Protocol (1966);*
- *The International Covenant on Economic, Social and Cultural Rights (1966);*
- *The Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984);*
- *The Convention on the Rights of the Child (1989) and Optional Protocols (2000);*
- *The Rome Statute of the International Criminal Court (ICC) (1998), which ‘sets out the crimes falling within the jurisdiction of the ICC, the rules of procedure and the mechanisms for States to cooperate with the ICC’;*<sup>14</sup> and

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12 UN Women, ‘Landmark Resolution on Women, Peace and Security’ <[www.un.org/womenwatch/osagi/wps/](http://www.un.org/womenwatch/osagi/wps/)> viewed 14 July 2015.

13 UN Women, CEDAW: ‘Short History of CEDAW Convention’ <[www.un.org/womenwatch/daw/cedaw/history.htm](http://www.un.org/womenwatch/daw/cedaw/history.htm)> viewed 14 July 2015.

14 International Criminal Court, ‘What is the Rome Statute?’ <[www.icc-cpi.int/en\\_menus/icc/about%20the%20court/frequently%20asked%20questions/Pages/3.aspx](http://www.icc-cpi.int/en_menus/icc/about%20the%20court/frequently%20asked%20questions/Pages/3.aspx)> viewed 14 July 2015.

- The, *Fourth Geneva Convention* (1949) which ‘affords protection to civilians [during military conflicts], including in occupied territory’.<sup>15</sup>

## Millennium Development Goals and Sustainable Development Goals

2.14 The Millennium Development Goals (MDGs) have formed an important context for efforts to promote the human rights of women and girls since 1990. MGD 3, to ‘Promote Gender Equality and Empower Women’, was designed to:

Eliminate gender disparity in primary and secondary education, preferably by 2005, and in all levels of education no later than 2015.<sup>16</sup>

According to the UN, this goal has been met in terms of girls’ participation in primary education, but not at other levels of education or leadership.<sup>17</sup>

2.15 MGD 5, to ‘Improve Maternal Health’, set the objective to:

a) Reduce by three quarters, between 1990 and 2015, the maternal mortality ratio; and b) Achieve, by 2015, universal access to reproductive health.<sup>18</sup>

2.16 Some progress has been made in achieving the MDG targets. The UN *Millennium Development Goals Report 2015* advised that, since 1990, the global maternal mortality ratio has declined by 45 per cent worldwide, with most of the reduction occurring since 2000. Further, more than 71 per cent of births were assisted by skilled health personnel globally in 2014, an increase from 59 per cent in 1990.<sup>19</sup> However, the UN states that the maternal mortality ratio in developing regions is still 14 times higher than in the developed regions, and only half of pregnant women in these areas are receiving the minimum of four antenatal care visits.<sup>20</sup>

2.17 As the MGDs approached the end of their intended lifecycle, the UN launched a new process to develop a set of Sustainable Development

15 *Convention (IV) relative to the Protection of Civilian Persons in Time of War*, Geneva, 12 August 1949, cited in United States Council on Foreign Relations, ‘Geneva Conventions’ <[www.cfr.org/human-rights/geneva-conventions/p8778](http://www.cfr.org/human-rights/geneva-conventions/p8778)> viewed 14 July 2015.

16 UN, ‘Goal 3, Promote Gender Equality and Empower Women’, Target 3.A, UN *Millennium Development Goals Report 2015*, p. 28, <[www.un.org/millenniumgoals/2015\\_MDG\\_Report/pdf/MDG%202015%20rev%20\(July%201\).pdf](http://www.un.org/millenniumgoals/2015_MDG_Report/pdf/MDG%202015%20rev%20(July%201).pdf)> viewed 15 October 2015.

17 UN, ‘Goal 3, Promote Gender Equality and Empower Women’, UN *Millennium Development Goals Report 2015*, pp. 29, 31, viewed 15 October 2015.

18 UN, ‘Goal 5, Improve Maternal Health’, Target 5.A, UN *Millennium Development Goals Report 2015*, p. 38, viewed 15 October 2015.

19 UN, ‘Goal 5, Improve Maternal Health’, UN *Millennium Development Goals Report 2015*, p. 8, viewed 15 October 2015.

20 UN, ‘Goal 5, Improve Maternal Health’, UN *Millennium Development Goals Report 2015*, p. 9, viewed 15 October 2015.



Goals (SDGs) which will build upon the MDGs and integrate with a post 2015 development agenda.<sup>21</sup>

- 2.18 The UN General Assembly finalised the SDGs in time to be adopted by the Heads of State and Government during the UN General Assembly Summit on 25–27 September 2015, where they were formally adopted.<sup>22</sup>
- 2.19 DFAT, and many other witnesses to the inquiry, lobbied for the inclusion of gender equality as a standalone goal in the SDGs.<sup>23</sup>
- 2.20 The Sustainable Development Goals include a standalone gender equality goal. Goal 5 aims to: ‘Achieve gender equality and empower all women and girls’.<sup>24</sup>

## Domestic laws

- 2.21 The CEDAW, the Beijing Convention, and other agreements provide an international framework through which the domestic laws and practices of countries in relation to women and girls can be assessed.
- 2.22 The World Bank’s research on the legal status of women around the world has demonstrated a significant reduction in the number of discriminatory laws worldwide from 1960 to 2010.<sup>25</sup> According to the World Bank:

More countries than ever guarantee women and men equal rights under the law in such areas as property ownership, inheritance, and marriage. In all, 136 countries now have explicit guarantees for the equality of all citizens and non-discrimination between men and women in their constitutions.<sup>26</sup>

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21 UN, ‘Sustainable Development Goals’, *Sustainable Development Knowledge Platform*, <[sustainabledevelopment.un.org/topics/sustainabledevelopmentgoals](http://sustainabledevelopment.un.org/topics/sustainabledevelopmentgoals)> viewed 7 May 2015.

22 UN, ‘General Assembly Embarks on Historic Task of Finalizing the Post-2015 Agenda’, *Sustainable Development Knowledge Platform* <[sustainabledevelopment.un.org/?](http://sustainabledevelopment.un.org/?)> viewed 15 October 2015.

23 Ms Sally Moyle, Acting Assistant Secretary and Principal Gender Specialist, Human Rights and Gender Equality Branch, DFAT, *Committee Hansard*, Canberra, 15 May 2015, p. 8.

24 UN Sustainable Development Knowledge Platform, ‘Transforming our World: the 2030 Agenda for Sustainable Development’ <[sustainabledevelopment.un.org/post2015/transformingourworld](http://sustainabledevelopment.un.org/post2015/transformingourworld)> viewed 24 September 2015.

25 Witnesses to the inquiry, including Dr Susan Harris Rimmer, referred to World Bank data as a key source of data on women and the law. Reference: World Bank, ‘Women’s Legal Rights Over 50 Years: Progress, Stagnation or Regression?’, *Policy Research Working Paper 6616*, 2013.

26 World Bank, *World Development Report 2012: Gender Equality and Development*, 2012, p. 2, <[openknowledge.worldbank.org/bitstream/handle/10986/4391/9780821388105\\_overview.p df?sequence=6](http://openknowledge.worldbank.org/bitstream/handle/10986/4391/9780821388105_overview.p df?sequence=6)> viewed 15 October 2015.

- 2.23 Dr Jeni Klugman, a fellow at the Harvard Kennedy School's Women and Public Policy Program and former Director of Gender and Development at the World Bank Group, summarised research that indicated significant legal discrimination continues across many of 143 economies surveyed. Dr Klugman pointed out that of those economies studied:
- ... 128 have one legal difference in how men and women are treated in terms of economic opportunities; 56 countries have at least five barriers; and 28 countries have more than 10 such barriers. These barriers have been documented and include, for example, restricting women's ability to obtain an ID card, to own property, to build credit or to even get a job without their husband's permission.<sup>27</sup>
- 2.24 Dr Klugman went on to explain that all countries in South Asia have at least five laws that constrain women's rights, and those in East Asia and the Pacific have on average six, with some countries having more than 10 legal constraints imposed on women.<sup>28</sup>
- 2.25 These countries also often lack laws that protect women and girls. Dr Klugman provided the example of PNG, where 'there is no general anti-discrimination provision in the constitution [and] there are no laws mandating non-discrimination in hiring or pay'.<sup>29</sup>
- 2.26 Dr Klugman and other witnesses to the inquiry also highlighted the problem of enforcement. For instance, although laws protecting women from intimate partner violence do exist in most countries in the region, enforcement is often lacking or insufficient.<sup>30</sup>
- 2.27 Ms Yasmeen Hassan, the global director of Equality Now, suggests that the adoption of treaties and legislation has not translated universally into equality in the lived experience of women and girls:
- Since Beijing, countries have revoked sex discriminatory laws and adopted legislation against various forms of violence against women, including harmful traditional practices. International law on gender equality has developed significantly – all due to the global women's rights movement. Going forward, the focus must be on the implementation of such laws, so we can make equality a reality.<sup>31</sup>

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27 Dr Jeni Klugman, Private capacity, *Committee Hansard*, Canberra, 6 May 2015, p. 1.

28 Dr Klugman, *Committee Hansard*, Canberra, 6 May 2015, p. 1.

29 Dr Klugman, *Committee Hansard*, Canberra, 6 May 2015, p. 1.

30 For examples, see Oxfam Australia, *Submission 13*, pp. 2-3; and Secretariat of the Pacific Community (SPC), *Submission 24*, p. 3.

31 Ms Yasmeen Hassan, quoted in Natricia Duncan, 'Women's Rights: What Have We Achieved in the Last 20 years?', *The Guardian*, 8 March 2014 < [www.theguardian.com/global-](http://www.theguardian.com/global-)

- 2.28 The Committee heard evidence from numerous witnesses who echoed this view, including Dame Carol Kidu DBE, who said of PNG:
- ... we do have to make legislative reform and there has been good progress made in that area, but implementing the legislative reform will take a lot longer. Laws do not change reality but they do set benchmarks ...<sup>32</sup>
- 2.29 Legislative reform, however, can be a first step in changing the reality for women and girls. Ms Julie McKay, Executive Director of the Australian National Committee for UN Women, explained the three steps involved in making change:
- The first is around ensuring we have the laws in place. The second is about how the policies we need to implement ... are rolled out and implemented. The third is probably the hardest one: attitudinal change.<sup>33</sup>
- 2.30 A number of countries have repealed discriminatory laws over recent decades. In fact, the World Bank found that over half of the worldwide legal restrictions on women's rights have been repealed between 1960 and 2010.<sup>34</sup> Many of these changes were made within five years of the countries' ratification of CEDAW (the World Bank refers to this as the 'CEDAW effect').<sup>35</sup> However, many discriminatory laws still exist, with the largest number in the Middle East and North Africa.<sup>36</sup>
- 2.31 While most discriminatory laws exist in countries outside the region covered by this inquiry, there are examples within the region too. For instance, laws limiting rights of inheritance for married women in Nepal,<sup>37</sup> and laws limiting the rights of married women in Malaysia to choose

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development-professionals-network/2014/mar/08/womens-rights-what-have-we-achieved-in-the-last-20-years> viewed 22 June 2015.

32 Dame Carol Kidu, Private capacity, *Committee Hansard*, Canberra, 3 February 2015, p. 6.

33 Ms Julie McKay, Executive Director, Australian National Committee for UN Women, *Committee Hansard*, Canberra, 24 June 2014, p. 2.

34 World Bank, *Women, Business and the Law 2014: Removing Restrictions to Enhance Gender Equality*, p. 11 <[wbl.worldbank.org/~media/FPDKM/WBL/Documents/Reports/2014/Women-Business-and-the-Law-2014-FullReport.pdf](http://wbl.worldbank.org/~media/FPDKM/WBL/Documents/Reports/2014/Women-Business-and-the-Law-2014-FullReport.pdf)> viewed 16 October 2015.

35 World Bank, 'Women's Legal Rights Over 50 Years: Progress, Stagnation or Regression?', *Policy Research Working Paper 6616*, 2013, p. 3. <[www.wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2013/09/23/000158349\\_20130923083314/Rendered/PDF/WPS6616.pdf](http://www.wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/2013/09/23/000158349_20130923083314/Rendered/PDF/WPS6616.pdf)> viewed 16 October 2015.

36 World Bank, *Women, Business and the Law 2014: Removing Restrictions to Enhance Gender Equality*, 2014, p. 8.

37 Dr Susan Harris Rimmer, *Exhibit 28: J Klugman et al, Voice and Agency: Empowering Women and Girls For Shared Prosperity*, World Bank Group, 2014, p. 29.

where they live.<sup>38</sup> Also, while most countries in the region have specific laws against domestic violence, Pakistan does not.<sup>39</sup>

- 2.32 Numerous countries in the region still have legislation that restricts women's family planning and prevents access to safe abortions.<sup>40</sup> In fact, the Institute of Sexual-Reproductive Health and Rights (ISRHR) Consortium claims that restrictive abortion laws are in place in 85 per cent of countries in the Indo-Pacific region.<sup>41</sup>
- 2.33 Laws restricting the rights of minority women – or failing to protect them – are also a concern. For instance, legal discrimination persists against lesbian, gay, bisexual and transgender women and girls in the region, and 'it is illegal for LGBT people to engage in consensual sex in 77 countries in the world, including nearly half of the countries in Oceania and Asia'.<sup>42</sup>
- 2.34 While there is still work to be done in securing legal equality for women and girls, most countries in the region have achieved significant legal reform in recent decades. However, in many regions cultural change has not kept pace with legislative change; for instance, in relation to family violence:
- In many countries, cultural norms do not treat family violence as a crime, but as a normal part of family life, and those tasked with law enforcement are oftentimes reluctant to act in what is seen as a private matter.<sup>43</sup>
- 2.35 UN Women is currently undertaking a process of analysing national laws in the region to see how well they comply with CEDAW.<sup>44</sup>

## Current legislative frameworks

### The Pacific region

- 2.36 A significant proportion of evidence received by the inquiry referred to the Pacific region.
- 2.37 The UN Pacific Gender Group noted that most Pacific Island Countries and Territories (PICTs) are former colonies. It advised:

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38 Dr S Harris Rimmer, *Exhibit 28*: 2014, p. 30.

39 World Bank, *Women, Business and the Law 2014: Removing Restrictions to Enhance Gender Equality*, [2014], p. 25, viewed October 2015.

40 Marie Stopes International, *Submission 40*, p. 6.

41 International Sexual and Reproductive Health and Rights Consortium (ISRHR Consortium), *Submission 52*, p. 3.

42 GLASS Research Unit, Monash University, *Submission 7*, p. 4.

43 ChildFund Australia, *Submission 2*, pp. 1–2.

44 UN Women, *Supplementary Submission 10.1*, p. 2.

In most PICTs [the] formal legal system is based on that of the PICTs former colonial powers. However while countries like the United Kingdom have updated and amended many of their laws to abolish discrimination, PICTs have in general been very slow to update their legislation.<sup>45</sup>

- 2.38 While progress has been slow in the PICTs, many have now passed legislation to criminalise domestic violence and have introduced protection orders for victims of violence. Relevant legislation includes:
- The Vanuatu *Family Protection Act 2008*
  - The Republic of Marshall Islands *Domestic Violence Protection and Prevention Act 2011*
  - The Samoa *Family Safety Act, 2013*
  - The Palau *Family Protection Act 2012*
  - The Tonga *Family Protection Act 2013*
  - The Kiribati *Te Rau N Te Mwenga Act 2014 (Family Peace Act for Domestic Violence)*.<sup>46</sup>
- 2.39 Dr Klugman also advised that: 'Fiji introduced a decree in 2009 that criminalises domestic violence, which has been defined to include emotional abuse'.<sup>47</sup>
- 2.40 While the adoption of these laws has been a positive development, UN Women pointed out that the new laws have been mainly limited to providing protection orders for victims, and they impose relatively lenient sentences for domestic violence offences compared to other violent crimes.<sup>48</sup>
- 2.41 Despite introducing legislation on family safety, Tonga and Palau have yet to ratify CEDAW.<sup>49</sup>
- 2.42 DFAT expressed broad concerns about the legal systems and human rights protections in Pacific Island countries:
- Pacific Island countries have ineffective oversight by legislatures and poor record of ratification of international human rights instruments, resulting in limited implementation of international standards into domestic law, and largely absent legal frameworks and institutionalised mechanisms (such as national human rights

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45 UN Pacific Gender Group, *Submission 49*, p. 4.

46 Cited in UN Pacific Gender Group, *Submission 49*, p. 4, and see Pacific Islands Legal information Institute data base at <[www.paclii.org/](http://www.paclii.org/)> viewed 16 October 2015.

47 Dr Jeni Klugman, *Committee Hansard*, Canberra, 6 May 2015, p. 2.

48 UN Women, *Submission 10*, p. 6.

49 Pacific Islands Forum Secretariat, *Submission 17*, p. 4.

institutions) for human rights protection. Corruption continues to be a major challenge, while oversight and regulatory institutions, such as the Offices of Ombudsman and Auditor General, are often poorly resourced.<sup>50</sup>

2.43 The Secretariat of the Pacific Community (SPC) explained that, in relation to sexual violence, PNG, the Republic of Marshall Islands, the Solomon Islands, the Federated States of Micronesia, Kiribati and the Cook Islands have all 'amended their criminal laws to remove some of the discriminatory features of the law and practice in sexual offence cases'. The Secretariat further suggested that '[w]here countries have not revised their legislation, gender-based violence is not recognised as a specific crime'.<sup>51</sup>

2.44 National and international bodies are now building upon steps already taken to ensure countries have the necessary legal frameworks in place to provide protection of women's human rights. As part of their project to analyse national laws for compliance with CEDAW, UN Women are working with domestic bodies in Fiji. The submission explained:

In collaboration with government and civil society partners UN Women Fiji MCO [Multi-Country Office] has begun analysing domestic law to assess how well it complies with international CEDAW standards and domestic practice both from a legal standpoint and in practice, and what relevant socio-cultural and legislative steps can be taken to ensure that it does.<sup>52</sup>

2.45 The UN Pacific Gender Group submitted that PNG still has a long way to go to achieve legislative equality for women and girls. It pointed to the 2012 visit of the United Nations Special Rapporteur on Violence Against Women, its Causes and Consequences (the Special Rapporteur), highlighting the Special Rapporteur's recommendations for PNG. These included:

- suggested constitutional amendments to explicitly define and prohibit sex discrimination;
- changes to the Family Protection Bill and action to enact the Bill;
- legislation to prohibit and penalise sexual harassment;
- repeal of the Sorcery Act of 1971 and punishment for crimes committed against those accused of sorcery; and

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50 DFAT, *Submission 27*, p. 17.

51 Secretariat of the Pacific Community (SPC), *Submission 24*, p. 23.

52 UN Women, *Submission 10*, p. 7.

- review of, and amendments to, the process within the Supreme and National Courts, to ensure that cases of violence against women are given priority and are resolved swiftly by the courts.<sup>53</sup>
- 2.46 The Special Rapporteur also visited the Solomon Islands and proposed the introduction of laws to protect women and girls, including ‘as a matter of priority the enactment of a specific law on violence against women’.<sup>54</sup>
- 2.47 The high level of sexual violence is a known problem in the Solomon Islands. However, despite legal reforms, the law of the Solomon Islands only currently recognises an assault as ‘rape’ in the case of proven penile penetration of the vagina, and does not criminalise rape within marriage, or recognise the possibility of rape against boys and men.<sup>55</sup>
- 2.48 To challenge the limitations of these laws, the Special Rapporteur proposed a number of reforms, including:
- criminalising all forms of sexual violence, including marital rape;
  - eliminating the classification of sexual violence as a ‘crime against morality’;
  - establishing minimum sentences for offenders;
  - changing the Islanders’ *Marriages Act 1945* to establish the age of 18 as the legal minimum marriage age; and
  - allowing for protection orders for unmarried women who are victims of violence.<sup>56</sup>
- 2.49 The ability for women to serve in positions of leadership within their communities is important for the realisation of women’s human rights through legal protections. Dr Klugman quoted evidence showing that the ‘removal of discriminatory legislation in countries is correlated with the ratification of CEDAW but also the share of women in parliament’.<sup>57</sup> The role of women in legislatures is further explored in chapter seven.

## East Asia

- 2.50 Comparing the legal situation for women and girls in the countries of the world from 1960 to 2010, the World Bank found that countries in the East

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53 UN Pacific Gender Group, *Submission 49*, p. 3.

54 UN Pacific Gender Group, *Submission 49*, p. 3. See also DFAT, *Submission 27*, p. 36.

55 Solomon Islands Law Reform Commission, *Review of the Penal Code and Criminal Procedure Code, Second Interim Report: Sexual Offences*, June 2013, p. 51.

56 UN Pacific Gender Group, *Submission 49*, p. 3.

57 Dr Klugman, *Committee Hansard*, Canberra, 6 May 2015, p. 3.

Asia region have halved the number of legal restrictions and discriminatory laws in that time.<sup>58</sup>

- 2.51 The inquiry did not receive any specific submissions in relation to Japan, and very few submissions discussed women's rights in China. However, World Bank data around the legal status of women in Japan indicates that there are few formal restrictions on women under the law and 65 per cent of women are in the workforce. However, restrictions may impact the ability of women to work in certain industries in the same ways as men, such as in mining, and the law does not formally mandate equal pay for equal work. Also, according to the World Bank, there are no laws to prohibit harassment.<sup>59</sup>
- 2.52 World Bank data also indicates that there are few formal legal inequalities for women in China. However, some restrictions exist on the types of work women can do, and there is no formal law to mandate equal pay for equal work.<sup>60</sup>
- 2.53 Despite progress in many countries, evidence to the inquiry revealed that legal restrictions still impact the human rights of women and girls in the East Asia region. For instance, Amnesty International expressed the following concerns about laws in Indonesia:
- Women face discriminatory laws about their appearance and behaviour: laws based on an extreme interpretation of sharia law which is carried out by vigilante groups, as well as the police ... Marriage and health are also very different for women. The legal age for a woman to marry in Indonesia is 16, whereas for men it is 19, and young marriages abound, especially in slum and rural areas.<sup>61</sup>
- 2.54 The World Bank commented on progress in Indonesia, citing the 1974 marriage law, which replaced the 1874 *Dutch Civil Code*, granting married women the ability to open individual bank accounts and other rights.<sup>62</sup> However, the World Bank also revealed that Indonesia has discriminatory laws in relation to inheritance of property for female and male children.<sup>63</sup>

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58 World Bank, *Women, Business and the Law 2014: Removing Restrictions to Enhance Gender Equality*, p. 2.

59 World Bank, *Women Business and the Law*, data search tool – Economy Data: Japan (data from 2013), <wbl.worldbank.org/data/exploreconomies/japan/2013> viewed 15 July 2015.

60 World Bank, *Women Business and the Law*, data search tool – Economy Data: China (data from 2013), viewed 15 July 2015.

61 Amnesty International Group, University of Western Australia, *Submission 58*, p. 7.

62 World Bank, *Women, Business and the Law 2014: Removing Restrictions to Enhance Gender Equality*, [2014], p. 11.

63 World Bank, *Women Business and the Law*, data search tool – Economy Data: Indonesia <wbl.worldbank.org/data/exploreconomies/indonesia/2015> viewed 30 June 2015.



2.55 An additional concern in Indonesia is the failure to recognise many children and relationships under the law. Ms Leisha Lister, Executive Adviser to the Family Court of Australia, provided the following testimony to the Committee:

Our most recent work, a collaborative piece of research in Indonesia, estimates that there are 50 million children without birth certificates in Indonesia. The reason many of these children do not have birth certificates or legal identity documents is that in Indonesia, in order to have the name of both parents on the birth certificate, it requires a legal marriage certificate; and in order to get a legal marriage certificate, you need to register the marriage. That requires money.<sup>64</sup>

2.56 When children are not legally recognised by the state, it is often impossible to send them to school. Problems also arise in the areas of child custody and inheritance.<sup>65</sup>

2.57 DFAT explained that the Department is working to help poor Indonesians obtain legal identity documents, as part of the Australia Indonesia Partnership for Justice, a \$50 million program running from 2009 to 2015.<sup>66</sup>

2.58 Importantly, the Indonesian government is also working to address this situation. Academic Cate Sumner wrote:

Indonesia has announced ambitious targets in its National Development Plan, released in 2015, recognizing the provision of legal identity as the first among five basic services for the poor.<sup>67</sup>

2.59 World Bank data demonstrates that many countries lack laws to help women remain in the workforce after child-bearing. For example, in Cambodia there is no legally mandated right to maternity leave, and in Cambodia, Vietnam and the Philippines there are no laws against asking women questions about their intention to have children in job interviews, and no legal requirement to provide part time or flexible work to mothers.<sup>68</sup>

2.60 Witnesses also expressed concerns regarding the inability of women in Cambodia to access justice through the court system, and a problem with

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64 Ms Leisha Lister, Executive Adviser to the Family Court of Australia, *Committee Hansard*, Canberra, 6 May 2015, p. 24.

65 Ms Lister, Family Court of Australia, *Committee Hansard*, Canberra, 6 May 2015, p. 24.

66 DFAT, *Submission 27.3*, p. 16.

67 C Sumner, 'Indonesia's Missing Millions: Erasing Discrimination in Birth Certification in Indonesia', *Centre for Global Development Policy Paper 064*, June 2015, p. 3, <[www.cgdev.org/](http://www.cgdev.org/)> viewed 18 September 2015.

68 World Bank, *Women Business and the Law*, data search tool – Economy Data, East Asia and the Pacific – Cambodia, Vietnam and the Philippines, viewed 30 June 2015.

the ‘number of young women serving long sentences in prison where they also bring up their children’, exposing the women and children to long term disadvantage.<sup>69</sup>

- 2.61 The inquiry received a submission from the Secretary of State for the Promotion of Equality from the Democratic Republic of Timor-Leste. The submission listed a number of recent positive changes to laws in Timor-Leste, including those dealing with violence (the Law Against Domestic Violence [Law N° 7/2010], the Penal Code [Law N° 19/2009], and the Law on Protection of Witnesses [Law No. 2/2009]) and those dealing with the question of women’s economic rights (the Civil Code [Law No 10/2011]).<sup>70</sup>
- 2.62 The *Law Against Domestic Violence* in Timor-Leste recognises, for the first time, that family violence is a public issue and can be reported by any witness.<sup>71</sup>
- 2.63 Despite the progress represented by these new and amended laws, there remain inconsistencies or inadequacies in the law. In the submission from the Democratic Republic of Timor-Leste, the Secretary of State for the Promotion of Equality revealed that ‘committing acts of domestic violence that lead to death of the victim carries a much lighter sentence than committing homicide’. The submission also highlighted ongoing resourcing concerns – specifically lack of judges and court capacity, and lack of access to legal assistance – that are preventing women and children from enjoying their human rights and accessing justice in cases of violence.<sup>72</sup>
- 2.64 The Democratic Republic of Timor-Leste’s submission also explained that changes to the way the law deals with family violence have meant that more cases are now being prosecuted in court, but that the courts are overstretched. The Secretary of State advised:

... the Law Against Domestic Violence (LADV) brought significant improvements in conviction rates, as previously many had been charged under Art. 145 of the Penal Code relating to ‘simple offences against physical integrity’ (a semi-public crime with a maximum of 3 years prison sentence), rather than the Article 154 relating to ‘mistreatment of a spouse’ (a public crime with a maximum of 6 years prison sentence).<sup>73</sup>

69 Children’s Rights International, *Submission 87*, p. 5.

70 Secretary of State for the Promotion of Equality (SEPI), Democratic Republic of Timor-Leste *Submission 45*, p. 1.

71 SEPI, Democratic Republic of Timor-Leste, *Submission 45*, p. 1.

72 SEPI, Democratic Republic of Timor-Leste, *Submission 45*, p. 1.

73 SEPI, Democratic Republic of Timor-Leste, *Submission 45*, p. 1.

- 2.65 According to the Secretary, the Government of Timor-Leste has allocated around \$7 million to implement the *Law Against Domestic Violence* over the three years from 2012–2014, through:
- Prevention through awareness raising, education, political and economic empowerment;
  - Services to address the needs of victims that are easily accessible and confidential and supported by trained professionals;
  - Justice through a judicial system that effectively protects victims and investigates, prosecutes and punishes perpetrators of GBV [gender-based violence] and domestic violence crimes; and
  - Coordination and monitoring that will ensure effective implementation of the NAP [National Action Plan]-GBV.<sup>74</sup>
- 2.66 The inquiry also received significant evidence regarding the legal situation for women and girls in Burma. The Australian Women Leaders Delegation, led by Ms Janelle Saffin (a former MP), visited Myanmar from 9 to 16 December 2012. At that time, the delegation observed:
- Obvious weakness of law and justice sector, with no transparency regarding government law making and no cogent legal and judicial framework, even for economic development. The Government have been slow to repeal laws that seriously impede political reform. There is no Law Reform Commission, no Ombudsman, no Parliamentary Counsel and no legal and judicial reform plan.<sup>75</sup>
- 2.67 However, the delegation also noted the creation of an integrated *Myanmar National Strategic Plan for the Advancement of Women 2012 – 2021*, which aimed ‘to create enabling systems, structures and practices – at all levels – for the advancement of women, gender equality, and the realization of women’s rights in Myanmar’.<sup>76</sup>
- 2.68 The Government of Vietnam took the opportunity to submit evidence to the inquiry in a letter delivered through its Embassy in Australia. His Excellency Mr Pham Binh Minh, Deputy Prime Minister and Minister for Foreign Affairs of the Socialist Republic of Viet Nam, submitted that the government had made significant improvements to laws regarding women and girls:

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74 SEPI, Democratic Republic of Timor-Leste, *Submission 45*, p. 1.

75 ANU Gender Institute, *Exhibit 14: ‘Australian Women Leaders’ Delegation to Myanmar, Common Report, 9–16 December 2012’*, p. 4.

76 ANU Gender Institute, *Exhibit 14: 2012*, p. 6.

Specifically, Viet Nam has promulgated legal documents spelling out the principles of gender equality and non-discrimination in accordance with the 2006 *Law on Gender Equality* and CEDAW Convention. We have adopted the National Strategy on Gender Equality for 2011–2020 and to National Program on Gender Equality for 2011–2015 with a view to raising awareness, reducing the gender gap and increasing the status of women.<sup>77</sup>

- 2.69 His Excellency revealed that Vietnam has increased mandated maternity leave provisions from four months to six months.<sup>78</sup> In addition, Vietnam was the first country in Asia and the second in the world to accede to the Convention on the Rights of the Child, and, according to the Vietnamese Deputy Prime Minister/Foreign Minister, is working positively to ensure better legal protection of children.<sup>79</sup>

### South and West Asia

- 2.70 The World Bank identified South Asia as another area where legal change for women's rights has been slow. Some countries, such as Nepal, have achieved reforms:

Reformers in South Asia include Nepal, which in 2002 reformed its General Code to allow, among other things, unmarried daughters under 35 to inherit property. But the reform did not cover married daughters regardless of their age.<sup>80</sup>

- 2.71 However, some countries, including Pakistan and Bangladesh, retain laws that limit women's rights, for example, in relation to inheritance and the industries a woman can work in. Many also lack laws that guarantee women equal pay for equal work.<sup>81</sup>
- 2.72 Evidence received on women's legal rights in India was somewhat limited. However, World Bank data for India indicates that there are few formal restrictions on women under the law. However, restrictions impact the ability of women to work in certain industries in the same ways as men, such as in mining or factories, and the law does not mandate equal pay for equal work.<sup>82</sup>

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77 Embassy of the Socialist Republic of Viet Nam, *Submission 78*, p. 5.

78 Socialist Republic of Viet Nam, *Submission 78*, p. 5.

79 Socialist Republic of Viet Nam, *Submission 78*, p. 5.

80 World Bank, *Women, Business and the Law 2014: Removing Restrictions to Enhance Gender Equality*, p. 12, viewed October 2015.

81 World Bank, *Women Business and the Law*, data search tool, Economy data: Pakistan and Bangladesh, viewed July 2015.

82 World Bank, 'India: Getting a Job', *Women Business and the Law* data search tool—Economy data: India (data from 2013), viewed 15 July 2015.

- 2.73 India's *Protection of Women from Domestic Violence Act 2005* provides legal protection for women from intimate partner violence and the *Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013* provides protection in the workplace.<sup>83</sup>
- 2.74 Despite these formal legal protections, evidence received by the Committee indicated ongoing concerns in India in relation to women accessing justice for domestic violence, sexual assault and 'honour killings'. Dr Swati Parashar from the Women, Peace and Security Academic Collective (WPSAC) at Monash University stated that:
- Entrenched patriarchal norms have prevented a meaningful engagement with barriers and impediments to enhancing the human rights of women and girls in India. More women are coming out to report violence against them, despite opposition from their families but the law enforcement is extremely weak in providing them assistance and redress. In fact, women's rights groups have long demanded police reforms, which could address the apathy of the police through more gender sensitive training and by holding them accountable to the constitutional provisions.<sup>84</sup>
- 2.75 Ms Fiona McRobie, from the Amnesty International Group at the University of Western Australia (UWA), submitted evidence on sexual violence and the criminal code in India. A major point of contention is India's failure to criminalise marital rape. Ms McRobie advised:
- India is a state party to CEDAW, and yet the Indian Penal Code retains an exemption for rape under the circumstance of the two parties being legally married.<sup>85</sup>
- 2.76 Ms McRobie further explained that in a recent ruling regarding a claim of forced marriage and accusations of marital rape, Judge Virendah Bhat declared that 'forcible sexual intercourse between a husband and wife is "not rape" and, as such, no-one can be held culpable for such an act'.<sup>86</sup>
- 2.77 Dr Parashar discussed the 'Verma Commission' report that arose from a well-publicised pack rape, saying the report 'demanded that marital rape and rape by the armed forces be recognised and homosexuality

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83 World Bank Group, 'India: Protecting Women from Violence', *Women Business and the Law* data search tool – Economy data: India (data from 2013), viewed 15 July 2015.

84 Dr Swati Parashar in Women, Peace and Security Academic Collective (WPSAC), Monash University, *Submission 15*, p. 10.

85 Fiona McRobie in Amnesty International Group, University of Western Australia (UWA), *Submission 58*, p. 10.

86 Fiona McRobie, *Submission 58*, p. 11.

decriminalised'.<sup>87</sup> However, as noted by Ms McRobie, '[w]hile some of the recommendations from this report were incorporated into the Indian Penal Code, the exemption for marital rape remains'.<sup>88</sup>

- 2.78 Adolescent marriages are also common in India, despite a law declaring the minimum age of marriage for females is 18 years old. The Catholic Women's League of Australia presented evidence from UNICEF:

UNICEF's *State of the World's Children 2013*, rates countries according to the percentage who were married before the age of 18 years. India has the highest number of child brides, 47 per cent of 20 to 24 year olds were child brides – 210 million women.<sup>89</sup>

- 2.79 The DFAT submission to the inquiry cited legislative restrictions on women's economic activity as a continuing problem in South and West Asia:

Laws restricting women's economic activity (for instance, their ability to access credit or own property) are also prevalent in South and West Asia. The World Bank's report on *Women, Business and the Law* (2014) found that all five countries surveyed in South and West Asia had legal restrictions in place that negatively affected women's ability to conduct business, and thus lowered their contribution to economic growth.<sup>90</sup>

- 2.80 The inquiry received varied evidence on the situation for women and girls in Sri Lanka. The Australian Tamil Congress expressed strong concerns that Sri Lanka has 'gone backwards' in terms of women's rights. The Congress cited the World Economic Forum's *2013 Global Gender Gap Report*, which focusses on women's status in areas such as economic participation, educational attainment, and political empowerment. This report found that Sri Lanka had ranked 13th out of 115 countries in 2006 but had slipped to 55th out of 136 countries in 2013.<sup>91</sup>

- 2.81 The Sri Lankan Government, through the Sri Lankan High Commissioner in Australia, argued that much work is being done to promote women's rights. The High Commissioner pointed to various supports for women, including education and training for former combatants and legal aid for widows and single women.<sup>92</sup>

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87 Dr S Parashar in WPSAC, *Submission 15*, p. 11.

88 Fiona McRobie, *Submission 58*, p. 11; the Verma Commission is further discussed in chapter three.

89 Catholic Women's League Australia, *Submission 81*, p. 3.

90 DFAT, *Submission 27*, p. 20.

91 Australian Tamil Congress, *Submission 8*, p. 1; for the World Economic Forum report see <[www3.weforum.org/docs/WEF\\_GenderGap\\_Report\\_2013.pdf](http://www3.weforum.org/docs/WEF_GenderGap_Report_2013.pdf)> viewed 15 July 2015.

92 The High Commission of the Democratic Socialist Republic of Sri Lanka, *Submission 79*, p. 6.

2.82 The High Commissioner also highlighted amended laws that criminalise rape in marriage. However, these laws only apply where the wife is separated from her husband, or in the case of accompanying physical violence. The High Commissioner wrote:

In terms of Section 363, a man is said to commit 'rape' who has sexual intercourse with a woman without her consent even where such woman is his wife and she is judicially separated from the man. Although the act of sexual intercourse without consent of the wife is by itself not a crime under the existing law, where such an act involves violence to such a degree that the violence amounts to a crime, the act of violence is punishable under the Penal Code.<sup>93</sup>

2.83 The inquiry received significant evidence about the situation for women in Afghanistan and a public hearing was held in May 2014 largely focussed on that country.

2.84 Witnesses at the hearing stated that Afghanistan has made significant progress in recent years, having ratified CEDAW in 2003, and having seen the number of children, especially girls, attending school significantly increase since 2001, and hundreds of women entering public life.<sup>94</sup>

2.85 However, questions were asked about the *Law on Elimination of Violence Against Women*, which was 'decreed into law through an Executive Order by the former Afghan President Hamid Karzai' in 2009.<sup>95</sup> Ms Zulaikha Rafiq, Director of the Afghan Women Educational Centre, explained that the law has not actually been passed by the parliament yet, leaving it vulnerable to reversal. However, Ms Rafiq was hopeful the law will be passed in the near future, and plans for its implementation are well underway.<sup>96</sup>

2.86 Colonel Najibullah Samsour of the Afghan National Police responded to questions about the law and the National Action Plan for Afghanistan. Colonel Samsour identified Afghanistan's conservatism and recent history of conflict and violence as barriers to the implementation of these laws, saying:

... Afghanistan is a conservative society with past decades of conflict and war. So it needs time for the existence of these rules and laws to be realised and understood by the people and by

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93 The High Commission of the Democratic Socialist Republic of Sri Lanka, *Submission 79*, p. 5.

94 Ms Zulaikha Rafiq, Director, Afghan Women Educational Centre, *Committee Hansard*, Canberra, 13 May 2014, pp. 1-2.

95 Ms Fawzai Koofi, 'Where Afghan law fails women', *Aljazeera News*, 2 January 2015, <[www.aljazeera.com/indepth/opinion/2015/01/where-afghan-law-fails-women-2015119256183362.html](http://www.aljazeera.com/indepth/opinion/2015/01/where-afghan-law-fails-women-2015119256183362.html)> viewed 18 September 2015.

96 Ms Rafiq, Afghan Women Educational Centre, *Committee Hansard*, Canberra, 13 May 2014, p. 4.

everyone in the country in order for them to obey the law and for the promotion of rule of law in the country.<sup>97</sup>

- 2.87 Ms Rafiq explained that she believed '[t]he question of women's rights has made strides, and people have changed quite a bit', adding that '[w]e are preparing women at the grassroots levels'.<sup>98</sup> However, Ms Rafiq also expressed concern that women activists in Afghanistan are at risk from regressive forces who seek to wind back the reforms:

The women in Afghanistan are taking huge risks. All of us are always potential targets over there, but we feel confident because we feel as if any attempt on us would raise a huge hue and cry.<sup>99</sup>

- 2.88 The impacts of Sharia Law on women's rights were raised by a number of witnesses to the inquiry. Professor Margaret Alston, Head of Gender, Leadership and Social Sustainability at the GLASS Research Unit, Monash University stated that 'sharia law in a lot of cases has been misapplied. It is being applied to reduce women's rights and possibilities'. She further claimed that:

Sharia law is about living rightly, as it were, but it has been inadequately applied to disempower women – particularly focused on women's bodies as the source of honour.<sup>100</sup>

- 2.89 In its submission, the Islamic Republic of Afghanistan, Ministry of Foreign Affairs, thanked the Australian Government for its support in promoting human rights in Afghanistan, saying:

Currently the government of Afghanistan is in a better situation in the area of civil and political rights, and appreciates your cooperation in the areas of implementation and prevailing economic and social rights in Afghanistan.<sup>101</sup>

## African East Coast

- 2.90 This region had the highest rate of discriminatory laws in 1960, according to the World Bank, but over half of those discriminatory laws and provisions had been removed by 2010.<sup>102</sup> Laws constraining women's

97 Colonel Najibullah Samsour, Afghan National Police, translated by Mr Mohammad Sharif, Policy and Advocacy Office, Oxfam Australia in Afghanistan, *Committee Hansard*, Canberra, 13 May 2014, p. 2.

98 Ms Rafiq, Afghan Women Educational Centre, *Committee Hansard*, Canberra, 13 May 2014, p. 3.

99 Ms Rafiq, Afghan Women Educational Centre, *Committee Hansard*, Canberra, 13 May 2014, p. 3.

100 Professor Margaret Alston, Gender, Leadership and Social Sustainability (GLASS) Research Unit, Monash University, *Committee Hansard*, Melbourne, 3 November 2014, pp. 28–31.

101 Islamic Republic of Afghanistan, Ministry of Foreign Affairs Minister's Office, *Submission 75*, p. 1.

102 World Bank, 'Women's Legal Rights Over 50 Years: Progress, Stagnation or Regression?',



rights were often a legacy of the way in which these countries' legal systems were developed:

Hybrid systems, which are a mix of common law and civil law systems, often come out with the highest share of constraints in these indicators. This can be partly explained by the fact that the majority of 'hybrid' countries covered were located in Southern Africa. Their history has been marked by the rigid discriminatory aspects of apartheid rule which dominated the region until the mid-1990s. They tend both to recognize customary law and exempt it from non-discrimination, while also recognizing many of the head of household laws that limit women's legal capacity.<sup>103</sup>

2.91 Despite progress, discriminatory laws persist in many countries on the African East Coast. DFAT stated that:

In Sub-Saharan Africa, women generally face significant barriers to economic empowerment. Restrictive and discriminatory legislation remains on the books in most countries in the region. In Mozambique, for instance, married women cannot sign contracts without their husbands' consent and husbands are considered to be the sole administrators of any joint property acquired during marriage. Such legislation not only denies women equal rights but limits women's economic opportunities and thus stifles economic growth.<sup>104</sup>

2.92 The World Bank explained that land ownership laws that discriminate against women further entrench the economic inequality between women and men, particularly in societies where small-scale agriculture is a primary source of income for women.<sup>105</sup>

2.93 Inheritance laws in the region also generally favour the male child, leaving women and girls further disadvantaged.<sup>106</sup>

2.94 Most countries in the region ratified CEDAW in the 1980s or 1990s.<sup>107</sup>

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*Policy Research Working Paper 6616*, 2013, p. 2, viewed 15 October 2015.

103 World Bank, *Women's Legal Rights Over 50 Years: Progress, Stagnation or Regression*, 2013, p. 6, viewed 15 October 2015.

104 DFAT, *Submission 27*, p. 21.

105 World Bank, *World Development Report 2012: Gender Equality and Development*, p. 27, viewed 15 October 2015.

106 World Bank, 'Women's Legal Rights Over 50 Years: Progress, Stagnation or Regression?', *Policy Research Working Paper 6616*, 2013, p. 9, viewed 15 October 2015.

107 UN Treaty Collection, 'CEDAW Status', <[treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-8&chapter=4&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&lang=en)> viewed 29 June 2015.

## Enforcement of laws and the role of social norms and customary law

- 2.95 Despite the remaining legal constraints, significant progress has been made worldwide since 1960 in repealing laws that discriminate against women, and promoting laws that protect women and girls from violence and discrimination. However, submissions to this inquiry argued that even where laws are in place, the consequences for breaking them are often inadequate or non-existent.<sup>108</sup>
- 2.96 The World Bank expressed concerns that, despite progress in legislative reform, mechanisms to enforce these new laws are lacking:
- Greater capacity of the institutions that apply the laws, more accountability in the justice system to promote predictable outcomes in line with the law, and procedures to promote women's access to justice and women's representation in judicial institutions are critical on the supply side. Also important are mechanisms for the implementation of laws.<sup>109</sup>
- 2.97 Evidence received by the Committee indicated that when it comes to violence against women, law enforcement is inadequate in many countries.<sup>110</sup> Witnesses were concerned that violence is going unpunished in many countries, despite laws against it. The Asia Foundation cited Bangladesh as an example.<sup>111</sup>
- 2.98 Witnesses from Afghanistan acknowledged that, despite the law mandating that a girl must be 18 to be married, child marriages are common and no one is prosecuted.<sup>112</sup>
- 2.99 UN Women were concerned about the lack of capacity to enforce laws in countries in the Pacific:
- The legislative amendments that have been achieved in the Pacific often lack the requisite policies and mechanisms that are necessary for enforcement, and to enable women to actually exercise their rights. The implementation of new or amended legislation is hampered by the lack of:
- Sufficient, or indeed any, budget allocation for implementation;
  - Enforcement strategies including training of law enforcement officials;

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108 See for instance: UN Pacific Gender Group, *Submission 49*, p. 4; ChildFund Australia, *Submission 2*, p. 2.

109 World Bank, *World Development Report 2012: Gender Equality and Development*, p. 31, viewed 15 October 2015.

110 ISRHR Consortium, *Submission 52*, p. 4.

111 Asia Foundation, *Submission 57*, p. 4.

112 Ms Rafiq, Afghan Women Educational Centre, *Committee Hansard*, Canberra, 13 May 2014, p. 3.

- Civic education; and
- Monitoring strategies.<sup>113</sup>

2.100 Dame Carol Kidu explained that in PNG:

... there has been a lot of progress made in protecting women, in the revision of the criminal code, in strengthening the laws on rape and sexual abuse and in the Family Protection Act. But it is very hard to get the implementation ready.<sup>114</sup>

2.101 This view was echoed by the SPC which clarified that, in many parts of the Pacific, '[r]ather than insisting on effective punishment as deterrent, emphasis continues to be placed on reconciliation'. The Secretariat elaborated that the 'challenges ahead now lie in ensuring that newly enacted legislation is resourced, implemented and monitored'.<sup>115</sup>

2.102 Dr Priya Chattier, a Pacific Research Fellow at the Australian National University, explained that in Fiji:

... legislation does not translate into real life because, at the end of the day, many of the men are taking their right as the head of the household and are taking their customary right to bring about violence.<sup>116</sup>

2.103 The gap between legislative reform and cultural change was a concern to many witnesses to the inquiry. Dr Anke Hoeffler and Mr James Fearon found that:

... when legal norms run counter to social norms, legislative reform often appears to have a limited effect on changing attitudes and practices) ... The deeper underlying question is therefore how social norms can be changed.<sup>117</sup>

2.104 Amnesty International provided the example of Dalit women in India, who can be subject to violence despite laws designed to prevent it:

Despite the existence of constitutional safeguards and special laws, Dalits face multiple levels of discrimination and violence.

Amnesty International has reported that members of dominant castes are known to use sexual violence against Dalit women and

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113 UN Women, *Submission 10*, p. 7.

114 Dame Carol Kidu, *Committee Hansard*, Canberra, 3 February 2015, p. 2.

115 SPC, *Submission 24*, p. 23.

116 Dr Priya Chattier, Pacific Research Fellow (Melanesia Program), Australian National University (ANU), *Committee Hansard*, Canberra, 18 September 2014, p. 3.

117 Dr Anke Hoeffler, *Exhibit 47: J Fearon and A Hoeffler, 'Conflict and Violence Assessment Paper: Benefits and Costs of the Conflict and Violence Targets for the Post-2015 Development Agenda'*, Copenhagen Consensus Center, *Post-2015 Consensus Working Paper*, 2014, p. 35.

girls as a political tool for punishment, humiliation and assertion of power.<sup>118</sup>

- 2.105 Complicating the legal landscape in many countries in the region are customary laws, which 'are often used to reduce women's access to legal redress in a number of situations'.<sup>119</sup> UN Women reported that:

Many countries in the region function under a dual legal system: the formal justice system based on written law and the informal justice system based on customary practice. Although in some countries the constitution outlines that the formal legal system prevails over customary law, the enforcement of these clauses are weak.<sup>120</sup>

- 2.106 Reliance on customary law often reinforces traditional approaches to the status and roles of women. UN Women further advised:

Application of customary law tends to be interpreted by traditional leaders and is often linked to attitudes rooted in traditional notions of equality that enforce gender stereotypes. In most PICTs the informal justice system is easier to access (and in many cases is the only option) for women compared to the formal legal system.<sup>121</sup>

- 2.107 Customary regimes often heavily advantage the husband in domestic cases, such as in the Solomon Islands, where:

Women that did seek support for child custody cases ... were fighting against the traditional practice where the husband's family has sole custody of the children, which may be linked [to] the culture of bride price of customary land ownership.<sup>122</sup>

- 2.108 Customary or community courts can, however, in some circumstances, provide a useful alternative for women seeking justice or redress in domestic disputes. Mr Stephen Howell from Slavery Links Australia, provided the example of the Nari Adalats in India, who are:

... women sitting on customary courts in India, the so-called adalats. They are not necessarily running what we would call human rights, but they are drawing attention to the issue of what happens in families where a divorce or a separation happens. Where is a woman going to get the resources to continue to

118 Amnesty International Australia, *Submission 74*, p. 7.

119 Ms Joanna Hayter, CEO, International Women's Development Agency (IWDA), *Committee Hansard*, Melbourne, 3 November 2014, p. 27.

120 UN Women, *Submission 10*, p. 1.

121 UN Women, *Submission 10*, p. 6.

122 UN Pacific Gender Group, *Submission 49*, p. 5.

support herself and her children after a divorce in countries where often the divorce laws leave her destitute?<sup>123</sup>

2.109 DFAT pointed to Indonesia as an example of where customary courts work alongside a formal court system:

It is estimated that only ten per cent of domestic violence cases end up in court. Most cases are solved through informal means under village officials who can disregard legislation.<sup>124</sup>

2.110 The legal system in Indonesia is also split, with religious and secular courts. Ms Lister described that the 'majority of civil cases in Indonesia ... more than 80 per cent, are dealt with in the religious courts', thus Australia works predominantly with these courts. Ms Lister also explained that 76 per cent of civil cases in these courts relate to family law, with 95 per cent of those cases brought by women.<sup>125</sup>

### Access to justice

2.111 Witnesses argued that access to courts and legal representation are key barriers for women and girls in accessing justice.

2.112 The Hon. Diana Bryant, Chief Justice of the Family Court of Australia, provided details about some of the work Australian courts were doing to assist courts in Indonesia. This work involved helping Indonesian courts and NGOs to survey court users to see how to make courts more accessible. The survey revealed that people could not afford to come to court or to pay court fees, particularly women. After court fees were dropped there was a 'huge uptake' in the number of people able to access justice through the court system.<sup>126</sup> Chief Justice Bryant argued that this kind of program could be repeated in Pacific countries, and could have a big impact on the ability of women to access justice.<sup>127</sup>

2.113 When a proportion of society condones violence and discrimination against women, it can be very difficult for women who are victims of crime to access justice.<sup>128</sup> The SPC expressed deep concern about the inability of women to gain redress in parts of the Pacific:

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123 Mr Stephen Roscoe Howell, Founding Director, Slavery Links Australia, *Committee Hansard*, Canberra, 7 May 2015, p. 3.

124 DFAT, *Submission 27*, p. 24.

125 Ms Lister, Family Court of Australia, *Committee Hansard*, Canberra, 6 May 2015, p. 31.

126 The Hon. Diana Bryant, Chief Justice, Family Court of Australia, *Committee Hansard*, Canberra, 6 May 2015, p. 23.

127 Chief Justice Bryant, Family Court of Australia, *Committee Hansard*, Canberra, 6 May 2015, p. 23.

128 See: Asia Foundation, *Submission 57*, p. 3.

Women's access to justice remains very limited, particularly to formal justice systems. Women who experience violence need impartial and fair treatment by all protection and justice actors, who take violence very seriously and act immediately to protect the woman and her family.<sup>129</sup>

2.114 Even when women do file complaints related to violence perpetrated against them, they often face a traumatic process to be heard, or face pressure from their family or community to drop the case.<sup>130</sup>

2.115 Assistant Commissioner Mandy Newton, the National Manager of the International Deployment Group of the Australian Federal Police (AFP), provided this example from Timor-Leste:

We have seen in Timor-Leste, where there has been an increasing number of charges against people for sexual assault, women have not been able to go back into their local communities because they are almost disowned by the community.<sup>131</sup>

2.116 The Secretary of State for the Promotion of Equality also echoed the view that women in Timor-Leste may not be able to access justice, despite the introduction of new laws:

Enactments of the *Penal Code* (2009) and the *Law Against Domestic Violence* (2010) have been significant milestones, but this legislation has only been in effect a short time and more efforts are needed to effectively implement the law through the National Action Plan on Gender Based Violence. Barriers to accessing justice, especially for women, include the limited outreach of police, the low number and long distances to courts, coexistence of customary and formal justice systems, language and literacy (both legal and general literacy) and insufficient resources translating into long delays in the legal process.<sup>132</sup>

2.117 Witnesses reported specific pressure in Afghanistan to remain silent about abuse, highlighting the role of the international community in ensuring laws translate into real action on women's rights. Ms Rafiq said:

There are a lot of good, rational laws in place, but the implementation part is what we are pushing to make sure of, and

129 SPC, *Submission 24*, p. 24.

130 See for example: UN Pacific Gender Group, *Submission 49*, p. 5, and Asia Foundation, *Submission 57*, p. 3.

131 Assistant Commissioner Mandy Newton, National Manager, International Deployment Group, Australian Federal Police (AFP), *Committee Hansard*, Canberra, 18 September 2014, p. 278.

132 Secretary of State for the Promotion of Equality, Democratic Republic of Timor-Leste *Submission 45*, p. 3.

that is why I stress the necessity for the international community to remain engaged. If the armed forces move out, I can understand, but if there is no stake in Afghanistan from Australia or from any other important countries which Afghanistan needs as allies then these things will just remain on paper; they will never translate into actions.<sup>133</sup>

2.118 Where women do progress a case, lack of access to legal representation is an additional barrier. The UN Pacific Gender Group explained that recent research indicated that only 17 per cent of women in the Solomon Islands live in areas where legal aid is accessible.<sup>134</sup>

2.119 The same study also found that women did not feel they had any support after orders were issued in domestic cases:

In addition, women that have received support from the [Public Solicitors Office] PSO and were able to attain court orders for child custody, restraining orders or maintenance [reported that] the enforcement of these court orders are not monitored. Women clients that were interviewed indicated that while they were grateful for the PSO services they felt left alone with no support after the issuing of the orders.<sup>135</sup>

2.120 The AFP, which works across the Pacific, was acutely aware of the need for policing responses to be coordinated with the provision of other legal services, including adequately resourced representation for victims. Assistant Commissioner Newtown stated:

There is no point in just having policing, if you do not have a good court system and do not invest in that, and do not invest in lawyers and solicitors and the ability for them to move around a country. Then there is the accessibility to the community to be able to get those basic services.<sup>136</sup>

## Sentencing

2.121 The Asia Foundation cited a United Nations study on men and violence in the Asia Pacific region, which showed that the vast majority of men who perpetrated rape did not experience any legal consequences.<sup>137</sup> The problem is similar for other forms of violence against women. Also, for the

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133 Ms Rafiq, Afghan Women Educational Centre, *Committee Hansard*, Canberra, 13 May 2014, p. 3.

134 UN Pacific Gender Group, *Submission 49*, p. 5.

135 UN Pacific Gender Group, *Submission 49*, p. 5.

136 Assistant Commissioner Newton, AFP, *Committee Hansard*, Canberra, 18 September 2014, p. 28.

137 Asia Foundation, *Submission 57*, p. 3.

small number of cases that do get to court, sentences are generally low compared with other types of crime.

- 2.122 In the Solomon Islands, for instance, the UN Pacific Gender Group explained that once offenders are convicted of crimes of violence against women, 'the sentencing is often inadequately low'.<sup>138</sup>
- 2.123 The maximum penalty for rape in the Solomon Islands is twenty years, however, the Solomon Islands Law Reform Commission found in 2010 that the highest sentence actually imposed for rape was eight years and the lowest was one year and eight months.<sup>139</sup>
- 2.124 The study also found that sentences for child sexual abuse were even lower. For instance, the highest sentence imposed for 'defilement' of a girl aged less than 13 years was five years and the lowest sentence imposed was nine months.<sup>140</sup>
- 2.125 In addition, while the maximum penalty for rape is life imprisonment, without proof of penile penetration of the vagina (for instance in the case of penetration with an object), crimes can only be prosecuted as 'indecent assault', with a maximum penalty of five years. The Solomon Islands Law Reform Commission argued that the five-year maximum penalty 'does not give sentencing courts adequate discretion to impose sentences that reflect the seriousness of the offending'.<sup>141</sup>
- 2.126 Many Pacific countries also have inadequate sentences for severe family violence. The UN Pacific Gender group cited 'discussions with the Public Prosecutors in Vanuatu', which they say suggested that lawyers in that country are reluctant to prosecute under the Family Protection Act, 'since the sentencing provided in the law is too low, which leads to 'outside of the court' negotiation or utilisation of the national criminal code'.<sup>142</sup>
- 2.127 In addition to the issue of inadequate sentencing is the problem of sentencing that is inappropriate for the context. In some countries, the threat of severe criminal punishment can deter women from making claims against their husbands for fear that the husband might be put in jail and no longer able to support the household.
- 2.128 Chief Justice Bryant and Ms Lister raised this issue in relation to PNG. Ms Lister explained that authorities 'have to give women another pathway to

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138 UN Pacific Gender Group, *Submission 49*, p. 6.

139 UN Pacific Gender Group, *Submission 49*, p. 6.

140 UN Pacific Gender Group, *Submission 49*, p. 6.

141 Solomon Islands Law Reform Commission, *Review of the Penal Code and Criminal Procedure Code, Second Interim Report: Sexual Offences*, June 2013, p. 54.

142 UN Pacific Gender Group, *Submission 49*, p. 5.



deal with those issues without the criminal law aspect'.<sup>143</sup> She noted that alternative punishments through family courts can sometimes provide a more effective way of ensuring offenders are punished, and without further exposing women and children to vulnerability and poverty.<sup>144</sup>

## Police and security services

- 2.129 Police and other authorities are charged with ensuring laws are enforced, court orders are upheld, and all people, including women and children, are safe. Police forces must thus be competent, trustworthy and 'female-friendly' or women and girls will not be able to access justice and protection from harms.
- 2.130 Mrs Joanna Lindner Pradela, Head of Policy, Aid and Development Effectiveness, Australian Council for International Development (ACFID) emphasised that: '[h]aving gender-sensitive policing, including women policing units and places where women can go to access female police forces, is critical'.<sup>145</sup>
- 2.131 The numbers of women experiencing physical or sexual violence at the hands of an intimate partner are high in many countries, but only a small proportion of victims report this violence to the authorities. The UN Pacific Gender Group reported that recent studies (2009) in the Solomon Islands had found that 64 per cent of women aged 15–49 had experienced such violence, but only 17.9 per cent sought help from any formal service (law enforcement, health services, legal services or women's organisations). Only 5.1 per cent of these victims sought help from the police.<sup>146</sup>
- 2.132 Witnesses identified numerous reasons why women may not seek assistance from authorities, including a distrust of the police due to corruption, suspected incompetence or complicity in abuse of women. Dr Hoefler and Mr Fearon revealed that:

... in many low-income countries, police corruption, abuse, and simple poor performance appear to be a large part of the problem of societal violence. For example, using data from the latest Afrobarometer round, we find that in the 20 [African] countries surveyed, the average percentage who responded that they trusted the police 'not at all' was 21 per cent, with another 23 per cent

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143 Ms Lister, Family Court of Australia, *Committee Hansard*, Canberra, 6 May 2015, p. 29.

144 Ms Lister, Family Court of Australia, *Committee Hansard*, Canberra, 6 May 2015, p. 29.

145 Mrs Joanna Lindner Pradela, Head of Policy, Aid and Development Effectiveness, Australian Council for International Development (ACFID), *Committee Hansard*, 18 September 2014, p. 18.

146 UN Pacific Gender Group, *Submission 49*, p. 5.

saying they trusted the police only 'a little.' On average 15 per cent in each country said that 'all' police were corrupt; 27 per cent on average said that 'most of them' were corrupt.<sup>147</sup>

2.133 The authors also provided data for the United States and Canada, which presents a stark contrast:

For the U.S. and Canada, the percentages saying that they trusted the police 'not at all' were 6.9 and 5.2 per cent respectively, while the question about police involvement in crime was not even asked.<sup>148</sup>

2.134 A dysfunctional police force is a major stumbling block for gender equality, social harmony and successful development in many parts of the Indo-Pacific region. The AFP expressed concerns that:

Without the ability to report crime to police in good faith, women and girls will continue to be reluctant to come forward for fear of retribution and rejection, offenders will not be held to account and the underpinning cultural and social attitudes will not change.

Even where prosecutions are possible, poor investigative processes coupled with a lack of community support services allows abuse to continue unchecked.<sup>149</sup>

2.135 The AFP further submitted that many countries in the region lack sufficient representation of women in their policing and justice sectors, adding:

Until women are equally represented within the law and justice sector and have equal access to justice through representative police services and fair and transparent legal systems, they will face continued discrimination.<sup>150</sup>

2.136 The AFP told the Committee that they are supporting programs in-country, especially in PNG and the Solomon Islands, to increase the numbers of female police, and improve the capacity of the police force in relation to gender issues. With help and advice from the AFP, PNG has increased female participation in its police force from 5.4 per cent in 2003 to approximately 10 per cent in 2012. Tonga has also shown improvement with the 2013 intake comprising nine females and 11 males.<sup>151</sup>

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147 Dr A Hoeffler, *Exhibit 47*: 2014, pp. 35–36.

148 Dr A Hoeffler, *Exhibit 47*: 2014, pp. 35–36.

149 AFP, *Submission 31*, p. 2.

150 AFP, *Submission 31*, p. 3.

151 AFP, *Submission 31*, pp. 5–6.

- 2.137 To help build capacity among police in these countries, the AFP also provides pre-deployment training on ‘women, peace and security issues’ to staff being deployed to these regions.<sup>152</sup>
- 2.138 Despite the widespread concerns about police corruption and violence in a number of countries in the Indo-Pacific region, and notwithstanding work such as that being done by the AFP, Dr Hoeffler and Mr Fearon argued that donor countries are not investing significantly in this area:
- Virtually zero aid flows to programs intended to improve police competence and integrity...<sup>153</sup>

### Case study: Police women in Afghanistan

- 2.139 In Afghanistan, evidence suggests there are high levels of police crime and corruption. Oxfam Australia pointed to research from within the country, saying:
- ... the Afghanistan Independent Human Rights Commission found that many honour killings and sexual assaults against women have been committed by the police themselves.<sup>154</sup>
- 2.140 Women who suffer violence in Afghanistan have multiple barriers to accessing justice and assistance. One of these is that ‘social norms prevent most Afghan women from approaching male police officers’.<sup>155</sup> Oxfam submitted that:
- ... while there is strong evidence that Afghan women feel more comfortable reporting crimes to policewomen, women currently make up less than one percent of the Afghan National Police.
- ...
- Although female police are vital for Afghan women to be able to report crimes and access desperately needed justice, few Afghan women will ever encounter one.<sup>156</sup>
- 2.141 Many countries struggle to recruit female police officers. However, Afghanistan’s percentage of female police officers (less than one per cent) is particularly low by world standards, with many other countries having around 20 per cent of their police force made up of women. Even most other developing nations have higher levels, for instance Nigeria has around 12.4 per cent (2011) and India has around 5.17 per cent (2010).<sup>157</sup>

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152 AFP, *Submission 31*, p. 5.

153 Dr A Hoeffler, *Exhibit 47: 2014*, p. 2.

154 Oxfam Australia, *Exhibit 6: Women and the Afghan Police*, [2013], p. 3.

155 Oxfam Australia, *Exhibit 6*: [2013], p. 3.

156 Oxfam Australia, *Submission 13*, p. 10.

157 Oxfam Australia, *Exhibit 6*: [2013], p. 20.

2.142 One contributing factor to the low numbers is a perception that being a police officer in Afghanistan is unsafe. In 2008 the country's highest ranking policewoman Lieutenant Colonel Malalai Kakar was shot dead by the Taliban in Kandahar, and other police women have also been targeted.<sup>158</sup> Such events are a further disincentive for women to join the police force.

2.143 Oxfam acknowledged that there has been significant improvement in the numbers of women in the Afghan Police Force over the last decade. Oxfam has also applauded the introduction of quotas for women officials, while acknowledging that these quotas are not being successfully filled.<sup>159</sup> Even with these efforts, the number of female officials is still worryingly low:

The Government has launched several initiatives to recruit women into the ANP [Afghanistan National Police], resulting in a gradual rise in their numbers. In 2005, the ANP employed just 180 women out of 53 400 personnel. In July 2013, 1551 policewomen were serving out of 157 000.<sup>160</sup>

2.144 Oxfam submitted that Afghan policewomen face challenges including 'a lack of promotion prospects, sexual harassment, a lack of support from senior male police, and opposition from community members'.<sup>161</sup> It proposed:

Reforms should include developing clear recruitment policies and specific job descriptions, reserving more positions (including senior roles) for women, and identifying more departments and units where they can work – including in FRUs [Family Response Units], recruitment, intelligence, the Passport Department, Criminal Investigation Division and Counter Narcotics.<sup>162</sup>

2.145 Colonel Samsour, who works to support female police, reported on attempts to improve the situation:

Recently, many women police have been sent out of the country for professional courses. Some of the good high-ranked women officers got promoted. Just recently, one of them was appointed as

158 Oxfam Australia, *Exhibit 6*: [2013], p. 44.

159 Oxfam Australia reports that 3 249 positions have been reserved exclusively for women, including 821 police officers, 787 Non-Commissioned Officers (NCOs), 1 370 patrol officers, 101 administrative personnel, and 170 contractors. As of mid-2013, women occupied less than half of the reserved roles. Oxfam Australia, *Exhibit 6*: [2013], p. 16.

160 Oxfam Australia, *Exhibit 6*: [2013], p. 3.

161 Oxfam Australia, *Submission 13*, p. 10.

162 Oxfam Australia, *Exhibit 6*: [2013], p. 9.

the chief of police of one of the districts in Kabul city, which has not been done in the past.

...

There is also a plan within the next two months for a provincial women commander to be appointed for one of the provinces – maybe Bamiyan or some other places – which is also something good.<sup>163</sup>

- 2.146 The Colonel also identified an ongoing role for Australia in providing assistance to Afghanistan to help strengthen these efforts:

If the support of Australian troops is not there right now, we are of course still looking for the long-term support of Australia. That can really help us in terms of training police and community policing and in other sectors. They can really help us to promote those areas.<sup>164</sup>

## What is working for change?

- 2.147 Witnesses to the inquiry provided a number of examples of programs and initiatives that had worked – or are working – to increase legislative protections, strengthen access to justice, and promote the human rights of women and girls.

- 2.148 Marie Stopes International stated that:

Recent decades have seen strong progress towards improving sexual and reproductive health and rights. In the last 20 years for example, 17 countries have reduced restrictive legislation on reproductive health services ...<sup>165</sup>

- 2.149 Referring to the recent adoption in the Philippines of the *Responsible Parenthood and Reproductive Health Act*, Marie Stopes International suggested that it 'represents a growing recognition in the region for both the right to and benefits of expanded access to reproductive health services'.<sup>166</sup>

- 2.150 Also in the field of reproductive rights, the ISRHR Consortium discussed the introduction of liberalised abortion legislation in Nepal, Cambodia

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163 Colonel Samsour, Afghan National Police, *Committee Hansard*, Canberra, 13 May 2014, p. 6.

164 Colonel Samsour, Afghan National Police, *Committee Hansard*, Canberra, 13 May 2014, p. 6.

165 Marie Stopes International, *Submission 40*, p. 7.

166 Marie Stopes International, *Submission 40*, p. 6.

and South Africa; a move that has led to increased access to safe abortion services and a large fall in abortion related deaths.<sup>167</sup>

2.151 Sexual assault law is another area that has seen significant change. In some PICTs, changes to laws regarding sexual offences have recently been achieved. In 2013 the Samoan Parliament passed legislation that increased the maximum sentence for most sexual offences, and overtly criminalised marital rape. Samoa's *Family Safety Act 2013* also introduced protection orders and legislated for specific responsibilities for police officers who receive a report on domestic violence.<sup>168</sup> Samoa also established a Family Violence Court.<sup>169</sup>

2.152 Further work is being done to promote additional reforms to outdated laws in the PICTs, for instance the UN Women's 'Advancing Gender Justice in the Pacific Programme' is analysing domestic laws in several PICTs to assess how well they comply with international CEDAW standards. The program is being conducted in conjunction with government and civil bodies, and:

... has been designed based on 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.<sup>170</sup>

2.153 Evidence to this inquiry demonstrates that changing legislation alone has not resolved social problems, such as the abuse and exploitation of women and children. However, legislative reform can have a positive impact if it is backed up by services, training and awareness raising activities. For instance, the Asia Foundation highlighted the 2008 Cambodian *Law on Suppression of Human Trafficking and Sexual Exploitation*, describing it as:

... a watershed for the sector, as was the creation of an Interministerial body, the National Committee to Lead the Suppression of Human Trafficking, Smuggling, Labor and Sexual Exploitation of Women and Children. The Foundation's approach to combating human trafficking in Cambodia is guided by an integrated strategy of strengthening prevention, protection, and prosecution efforts.<sup>171</sup>

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167 For instance, a 91 per cent fall in abortion related deaths in South Africa. ISRHR Consortium, *Submission 52*, p. 5.

168 DFAT, *Submission 27*, p. 36.

169 UN Pacific Gender Group, *Submission 49*, p. 6.

170 UN Pacific Gender Group, *Submission 49*, p. 11.

171 Asia Foundation, *Submission 57*, pp. 4-5.

- 2.154 Oxfam Australia's submission reported on their work around preventing violence in India:

The Program Promoting Violence-Free Lives for Women from Poor and Marginalized Communities in India holds regular community meetings and awareness raising initiatives with women and men on the legal rights of women and causes and consequences of violence against women and girls.<sup>172</sup>

- 2.155 This program has a specific focus on working with the state to ensure the enforcement of laws, and lobby for 'better support services'.<sup>173</sup> As part of the Oxfam program:

18 support centres have been set up across 4 states in collaboration with the police department as models for providing all-encompassing support services to women survivors of violence, reaching 39 053 women during the program.<sup>174</sup>

- 2.156 Legislative reforms that are accompanied by increased resourcing and capacity building strategies have led to positive change in some areas. The World Bank pointed to the Indonesian program, PEKKA Women's Legal Empowerment, as an example. PEKKA 'trains village paralegals, with a focus on domestic violence and family law'.<sup>175</sup>

- 2.157 Ms Lister suggested PEKKA is an example of best practice engagement in the legal arena, revealing that the Family Court of Australia has worked with PEKKA 'for the past nine or 10 years'. Ms Lister explained that, with the support of Australian aid:

... we have been able to establish paralegals. These women actually go out into the communities, the poorest of the poor in the most rural and regional areas, to support women to bring these cases to court. So they provide them with education and information and then assist them with writing the applications and filling in the forms. They then take that away and file them in court for them.<sup>176</sup>

- 2.158 Ms Lister added that the partnership has created free legal aid support services in the courts to assist those without representation at the time of their appearance. She reported:

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172 Oxfam Australia, *Supplementary Submission 13.1*, p. 8.

173 Oxfam Australia, *Supplementary Submission 13.1*, p. 9.

174 Oxfam Australia, *Supplementary Submission 13.1*, p. 8.

175 World Bank, *World Development Report 2012: Gender Equality and Development*, p. 32, viewed 26 October 2015.

176 Ms Lister, Family Court of Australia, *Committee Hansard*, Canberra, 6 May 2015, p. 27.

In Indonesia now there are 189 legal aid posts in the general courts. They are dealing with non-Muslim marriage and also different types of civil law cases ... In the most recent years it has provided support to over 100 000 Indonesians, the majority of whom are women.<sup>177</sup>

- 2.159 Chief Justice Bryant also commended the work being done in Indonesia that has increased access to the courts for the poor, advising:

... the Supreme Court funded the religious courts to quite a considerable degree to actually overcome these problems ... So they provided for fee waivers and they provided funds for circuit courts ... They now have a one-stop shop for these things, and I have actually visited outside Jakarta and seen this working. It is amazingly impressive.<sup>178</sup>

- 2.160 Ms Lister highlighted that the success of the approach in Indonesia is that the programs focus on what the people need and want; an approach that she felt would work well in the Pacific:

It is not just about focusing on the criminal law responses to family violence; it is also about looking at family law support ... What we do know is that women often want to use the family courts to protect themselves, their children and their assets. But there are great barriers to bringing those cases to court – cost; access to legal information and support; and sometimes actual physical access to the court. We know that there is a lot of support of policing efforts, community based organisations and NGOs, but there has not been much work with the family courts in these countries and looking at the barriers that women and children face in accessing family law responses. We think that is key in the Pacific, as it was in Indonesia.<sup>179</sup>

- 2.161 Another area where Australian Government and NGO programs are having an impact is the area of children's rights. In its submission, ChildFund mentioned a number of programs it operates in the Indo-Pacific region to promote children's rights within domestic legal systems. This example is from PNG:

ChildFund's ANCP [Australian NGO Co-operation Program] funded projects have also contributed to the realisation of children's rights by promoting the Lukautim Pikinini Act with

177 Ms Lister, Family Court of Australia, *Committee Hansard*, Canberra, 6 May 2015, p. 27.

178 Chief Justice Bryant, Family Court of Australia, *Committee Hansard*, Canberra, 6 May 2015, p. 23.

179 Ms Lister, Family Court of Australia, *Committee Hansard*, Canberra, 6 May 2015, p. 24.



local officials, and duty bearers in Papua New Guinea. This enshrines the Convention on the Rights of the Child into domestic law and localises its implementation. These ANCP funded projects actively promote the Act and use it as a strategic framework to work within.<sup>180</sup>

- 2.162 Former Chief Justice of the Family Court of Australia, and the Chair of Children's Rights International (CRI), Alistair Nicholson AO, RFD, QC, presented evidence to the inquiry regarding the work of CRI in relation to children in Cambodia and Vietnam. CRI works closely with the Cambodian Ministry of Justice and judiciary, and with relevant departments in Vietnam, including the Supreme People's Court 'to help them improve systems of child protection and child justice'.<sup>181</sup>
- 2.163 Through engaging closely with countries, and exposing legislators and judiciary to Australian approaches in the field of child justice, CRI seeks 'to train judges, prosecutors, police and prison officials in child friendly practices'. The ultimate goal is to support the establishment of a dedicated Children's Court in both countries.<sup>182</sup>
- 2.164 While explaining that the work continues, the former Chief Justice revealed progress has been made in both countries, for example:
- the Cambodian Ministry of Justice has introduced a Juvenile Case Management Book to all Courts;
  - high-ranking delegates from the Cambodian legal system participated in the 2013 World Congress on Family Law and Human Rights held in Sydney, and others participated in working groups around case tracking; and
  - the National Assembly of Vietnam has now passed legislation setting up Family and Children's Courts.<sup>183</sup>
- 2.165 A number of commentators captured what is required to secure meaningful social change alongside legal reform. The UN Gender Group surmised that:

Effective legislative remedies require a deep understanding of the root cause of violence against women and girls and a collaborative approach among law enforcement, judicial, social service, health care systems, as well as non-governmental organizations and civil

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180 ChildFund Australia, *Submission 2*, p. 7.

181 Statement of the Honourable Alastair Nicholson AO RFD QC, Chair Children's Rights International, *Submission 87*, p. 1.

182 Children's Rights International, *Submission 87*, pp. 1-2.

183 Children's Rights International, *Submission 87*, pp. 3-4.

society organizations focused on women's rights and victim services.<sup>184</sup>

- 2.166 The SPC asserted that legislative change must be accompanied by deep and meaningful stakeholder engagement. It provided the example of the Tonga Family Protection Bill, noting that:
- Lobbying for the bill's passage involved perseverance and understanding the working relationships between the different ministries and the different CSOs; creating champions in the cabinet and the legislative assembly; achieving government buy-in through a cabinet decision, establishing strong relationships with the attorney-general's office and the head of police, engaging key NGOs, and nurturing relationships with development partners.<sup>185</sup>
- 2.167 Professor Margaret Jolly of the ANU's School of Culture, History and Language at the College of Asia and the Pacific, contended that men must be engaged in reforms that promote women's emancipation, to promote ownership and avert backlashes against any laws passed.<sup>186</sup> Ms Jacky Sutton, Australian National Committee for UN Women, advised of UN Women's activities in the Pacific to 'educate both law enforcement officials and parliamentarians of international rights and obligations and also of the legislation that is in place – that is, domestic legislation – to protect women and girls against violence'.<sup>187</sup>
- 2.168 DFAT reported that it had provided technical assistance to China to support the drafting of China's national domestic violence legislation and establish domestic violence protection orders in courts in six provinces. The Department explained that this work was supplemented by training and professional development opportunities to improve 'the capacity of over 700 female mediators and jurors within the Chinese justice system'.<sup>188</sup>

## Committee comment

- 2.169 While the Committee acknowledges the progress made in relation to laws affecting women and girls in the Indo-Pacific in the last five decades, the

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184 UN Pacific Gender Group, *Submission 49*, p. 6.

185 SPC, *Submission 24*, p. 27.

186 Professor Margaret Jolly, Professor/ARC Laureate Fellow, School of Culture, History and Language, College of Asia and the Pacific, ANU, *Committee Hansard*, Canberra, 18 September 2014, p. 5.

187 Ms Jacky Sutton, Australian National Committee for UN Women, *Committee Hansard*, Canberra, 18 September 2014, p. 31.

188 DFAT, *Submission 27*, p. 49.

Committee also notes that there remain laws in place, or an absence of laws, in a number of countries, that limit the ability of women and girls to fully enjoy their human rights.

- 2.170 The Committee is encouraged to see local agencies and organisations, such as the Solomon Islands Law Reform Commission, leading discussions on these issues within countries in the region. These bodies are best placed to lead the discussion and spearhead the push for legislative reform in-country.
- 2.171 The Committee recognises that inadequate enforcement of laws is a problem in many areas of the Indo-Pacific, especially in relation to violence against women and girls, and sexual assault.
- 2.172 Programs that aim to build capacity among law enforcement, the judiciary and the legal profession to ensure the effective enforcement of laws against violence and discrimination to meet the specific needs of women and girls are to be commended. Supporting these programs must be a priority for the Australian Government alongside efforts to encourage and support law reform.
- 2.173 The Committee in particular acknowledges progress made in Afghanistan in relation to promoting the rights of women and girls. However, there is further to go, and the Committee encourages the Australian Government to continue to direct funding and resources towards assisting Afghanistan to make further improvements to laws and social practices impacting women and girls.
- 2.174 The Committee acknowledges the work of Australian authorities, including the Department of Foreign Affairs and Trade, Australian Federal Police and Attorney-General's Department, and Australian courts, in building the capacity and capabilities of police, law enforcement, and the courts and judiciary, to respond to the needs of women and girls in the Indo-Pacific.
- 2.175 The Committee supports the continued work of Australia's diplomats, and the Australian aid program, in encouraging processes of legal reform in countries where discriminatory laws remain, or protective laws are absent.

## Recommendations

### Recommendation 1

The Committee recommends that Australia's diplomatic efforts continue to encourage legislative change to enhance the situation for women and girls, and to build the capacity of legal entities to enforce laws and ensure access to justice for women and girls. Specific areas that should be addressed include building a well-developed understanding of the needs of women and girls in:

- policing and law enforcement;
- courts and legal aid; and
- legal advice and advocacy services for women and girls.

### Recommendation 2

The Committee recommends that the Australian Government prioritise aid investment in relevant local women's legal aid organisations, advocacy bodies and law reform commissions in the Indo-Pacific region where laws that disadvantage women and girls are in place.

### Recommendation 3

The Committee recommends that the Australian Government encourage the Australian Courts to expand their investment in the work of making the registration of marriages and births more accessible in Indonesia; and expand its efforts to pursue similar work where it can facilitate reform in other countries in the Indo-Pacific region.

**Recommendation 4**

The Committee recommends that the Australian Government:

- encourage the Afghan Parliament to enact and enforce the Law on Elimination of Violence against Women; and
- provide diplomatic, technical and administrative support for the implementation of the law.

**Recommendation 5**

The Committee recommends that the Australian Government:

- expand its support efforts for increasing the number of women recruits into police forces in the Pacific Island countries, including Papua New Guinea and Solomon Islands;
- help increase and retain the number of female recruits to the Afghan police force, law enforcement roles and public services, while supporting efforts to provide sufficient protection for these recruits; and
- increase support for improved professional standards for law enforcement professionals, prosecutors and judicial officers, including gender sensitivity training throughout the region.



## Violence against women and girls

- 3.1 The inquiry's terms of reference required the Committee to examine the impact of family and sexual violence on the human rights of women and girls across the Indo-Pacific region.
- 3.2 A significant amount of evidence presented to the inquiry highlighted violence against women and girls, both as a direct assault on human rights and as one of the most significant barriers that must be overcome if women and girls are to achieve their full potential.
- 3.3 During the course of the inquiry a range of issues surrounding women and violence were identified including:
  - the clear message that violence against women and girls is widespread, persistent and unacceptably high throughout the Indian Ocean–Asia Pacific region;
  - the available data suggests that levels of violence against women and girls are notably higher in some regions, including South Asia and the South Pacific;
  - the data on violence against women and girls is insufficient to capture the full extent of gender based violence in the region and the effectiveness of many of the programs aimed at combating violence;
  - violence against women and girls comes in many forms and has many causes, but basically arises from the unequal power relationship that exists between the genders; and
  - violence not only affects women and girls and their families physically, mentally and emotionally but also has a large financial impact on communities, national economies and the broader region.
- 3.4 This chapter presents an overview of the evidence to highlight the types of violence women and girls face across this very diverse region. More detailed information was received in relation to countries close to Australia and countries that are recipients of Australian official

development assistance (ODA). For example, PNG was the subject of considerable attention in a range of submissions. Inclusion or non-inclusion of any particular country should not be interpreted as an effort to single out any country or omit scrutiny of others, and is instead a reflection of the evidence received by the inquiry. Likewise, the coverage of some forms of violence in this chapter does not reflect less concern about others forms of violence that are not examined.

- 3.5 The types of violence and their causes are extensive and complex. Domestic and intimate partner violence, sexual violence, so-called ‘honour killings’ and acid attacks against women, murder of women accused of sorcery, human trafficking, child marriage, female genital mutilation, and virginity testing were among the issues brought to the attention of the Committee.<sup>1</sup>
- 3.6 Not all types of violence that women and girls experience could be examined in detail in this chapter. For example some evidence highlighted that lesbian, bisexual and transgender women and girls face high levels of violence in the region, as do women and girls forced into the sex trade<sup>2</sup> and female human rights defenders. However, the balance of evidence received was insufficient to support detailed examination of violence in relation to these issues. Some evidence referred to violence against women and girls in Australian detention centres.
- 3.7 Evidence indicated that the Australian Government, in co-operation with various aid partners, is undertaking a range of programs aimed at reducing violence against women and girls and supporting survivors.

## An epidemic of violence

- 3.8 Oxfam’s supplementary submission to the inquiry described violence against women and girls as ‘a global pandemic that knows no boundaries.’<sup>3</sup> Dr Nicole George from the Women, Peace and Security Academic Collective (WPSAC) at the University of Queensland described gender related violence as ‘an epidemic that is resistant to treatment’.<sup>4</sup>

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1 In 2013, the Committee inquired into and reported on the issues of human trafficking and slavery. For further information on these issues see <[www.aph.gov.au/jscfadt](http://www.aph.gov.au/jscfadt)>.

2 GLASS Research Unit, Monash University, *Submission 7*, p. 4. The Coalition Against Trafficking in Woman Asia Pacific estimates every year about 10 000 Nepali girls (between the ages of 9 and 16) are sold to brothels in Indian cities and that over 200 000 Nepalese girls are involved in sex trade in India.

3 Oxfam, *Supplementary Submission, 13.1*, p. 1.

4 Dr Nicole George in Women Peace and Security Academic Collective (WPSAC), *Submission 15*, pp. 4-5.



- 3.9 A World Bank Group report entitled *Voice and Agency: Empowering Women and Girls for Shared Prosperity*, observed that:
- One of the most alarming facts is that more than 800 million women alive today have experienced either physical or sexual partner violence or non-partner sexual violence during their lifetimes ... Freedom from these kinds of deprivations is a fundamental aspect of well-being that is too often denied.<sup>5</sup>
- 3.10 Quoting figures from the World Health Organisation (WHO), Oxfam noted that in 2013 some 35 per cent of women worldwide are estimated to 'have experienced either physical and/or sexual intimate partner violence or non-partner sexual violence.'<sup>6</sup>
- 3.11 The Young Women's Christian Association (YWCA) observed that:
- Physical and sexual violence has serious and ongoing impacts on women's physical, mental and sexual and reproductive health. Women and girls in the Indian Ocean-Asia Pacific region experience horrific rates of violence.<sup>7</sup>
- 3.12 ChildFund International advised the Committee that although violence against children 'is often hidden or unreported, it has been estimated that as many as 150 million girls are subject to sexual violence each year'.<sup>8</sup>
- 3.13 Evidence suggests that, increasingly, the high cost of this violence is being recognised. With regards to the Pacific region for example, the Secretariat of the Pacific Community (SPC) observed that '[v]iolence places huge direct and indirect costs on society and the economy as a whole'.<sup>9</sup>
- 3.14 The 1993 *United Nations Declaration on the Elimination of Violence against Women* defined violence against women as:
- ... any act of gender based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.<sup>10</sup>
- 3.15 The Department of Foreign Affairs and Trade (DFAT) stated that:

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5 Dr Susan Harris Rimmer, *Exhibit 28: Dr J Klugman et al, Voice and Agency: Empowering Women and Girls for Shared Prosperity*, World Bank Group, 2014, p. 11.

6 Oxfam, *Supplementary Submission 13.1*, p. 1.

7 YWCA Australia, *Submission 65*, p. 3.

8 ChildFund Australia, *Submission 2*, p. 5.

9 Secretariat of the Pacific Community (SPC), *Submission 24*, p. 3.

10 United Nations (UN) General Assembly, 'Declaration on the Elimination of Violence against Women' (Article I A/RES/48/104), 85th Plenary Meeting, 20 December 1993, <[www.un.org/documents/ga/res/48/a48r104.htm](http://www.un.org/documents/ga/res/48/a48r104.htm)> viewed 27 August 2015.

Subjecting women and girls to violence, limiting their choices, restricting their movement and not hearing their voices in decision-making is not only unacceptable from a human rights perspective, but it leads to poor social and economic outcomes for everyone.<sup>11</sup>

### Violence at every stage of life

- 3.16 Evidence received by the Committee covered a wide range of gender based violence across the Indo-Pacific region. A recent study undertaken for the World Bank Group entitled *Violence against Women and Girls: Lessons from South Asia* (2014) makes the point that the risks and types of violence experienced by girls and women change as they move through life stages from birth to old age. For example:
- in infancy and early childhood (excess female child mortality and physical and sexual abuse),
  - in adolescence before marriage (sexual harassment by non-marital intimate partners), and
  - in adolescence and adulthood once married (dowry-related violence and intimate and partner and domestic violence).<sup>12</sup>
- 3.17 Other forms of violence that ‘cut across life stages’ include ‘sexual harassment of adolescent and adult women, trafficking of women and girls, honour killings, and custodial violence’ (violence carried out in institutional contexts).<sup>13</sup>
- 3.18 Female infanticide is the first manifestation of violence against girls. Violence against women and girls also includes cultural or traditional practices such as female genital mutilation of young girls and forced marriage of underage girls.<sup>14</sup>
- 3.19 A paper by the Copenhagen Consensus Centre presented statistics that showed in the East Asia and Pacific regions:
- During the first month of their life 18 girls per 100 000 are killed. This corresponds to a rate of 14 boys per 100 000. This is mainly due to higher homicide rates for newborn girls in the East Asia and Pacific region, which has the highest homicide rate for

11 Department of Foreign Affairs and Trade (DFAT), *Submission 27*, p. 2.

12 J Solotaroff and R Pande, *Violence against Women and Girls: Lessons from South Asia*, South Asia Development Forum, World Bank Group, 2014, pp. 6–9, <documents.worldbank.org/curated/en/2014/09/20206575/violence-against-women-girls-lessons-south-asia-vol-1-2-main-report> viewed 19 October 2015.

13 J Solotaroff and R Pande, *Violence against Women and Girls: Lessons from South Asia*, South Asia Development Forum, World Bank Group, 2014, pp. 6–9, viewed 19 October 2015.

14 For example, see Catholic Women’s League Australia (CWLA), *Submission 81*, p. 2.

newborn girls, 46 per 100 000, the corresponding rate for newborn boys is 18 per 100 000.<sup>15</sup>

- 3.20 A submission from Catholic Women's League Australia (CWLA) highlighted long-term consequences from 'emerging sex-ratio anomalies':

In 2007, the Chinese Government estimated that there were 37 million more males than females. By 2020, it is estimated there will be 55 million more males – more than twice the population of Australia – who have little prospect of marrying. Instead of increasing the worth of girls, this situation has led to increased trafficking, bride abduction, rape and pornography. Mao Tse Tung might have said that women hold up half the sky, but there are a lot fewer of them to do it!<sup>16</sup>

- 3.21 Noting the discriminatory treatment of women in Asia, DFAT stated:

The World Bank estimates that there are 100 million women in Asia estimated to be 'missing,' because of discriminatory treatment in health, nutrition, neglect, or pre-birth sex selection. In China alone over 42 million women are estimated to be 'missing', due to son preference depriving girls of access to health and nutrition, and sex selective abortion. This has implications for the next generation of women and men and is already resulting in young women being trafficked for marriage.<sup>17</sup>

- 3.22 ChildFund Australia noted reports 'that violence occurs in more than two-thirds of families in PNG, with some experts stating that this figure may actually be much higher.' ChildFund's own field research tended to support these estimates. The organisation also emphasised that domestic violence in PNG has a major impact on children:

Violence against children is committed by a range of adults in private and public settings – parents, teachers and other figures of

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15 Dr Anke Hoeffler, *Exhibit 47: A Hoeffler and J Fearon, 'Conflict and Violence Assessment Paper: Benefits and Costs of the Conflict and Violence Targets for the Post-2015 Development Agenda'*, Copenhagen Consensus Centre, *Post-2015 Consensus Working Paper*, 2014, p. 11.

16 CWLA, *Submission 81* p. 4.

17 DFAT, *Submission 27*, p. 44. Reference to the '100 million "missing" Asian women' is derived from research of Indian economist and Nobel laureate Amartya Sen who, in 1990, estimated that the total number of women and girls in Asia was at least 100 million below expected demographic trends, suggesting that such a figure 'tell[s] us, quietly, a terrible story of inequality and neglect leading to the excess mortality of women.' Although Sen's assessment was initially challenged, there is now widespread acceptance that the deficit in the number of women is the result of factors that include sex selective abortion (aided by easy access to ultrasonography), infanticide and childhood neglect. See UNDP, *Asia Pacific Human Development Report: Power, Voice and Rights: A Turning Point for Gender Equality in Asia and the Pacific*, 2010, p. 34, cited by DFAT in footnote 125.

authority. However, violence within the family appears to be the most endemic, with ChildFund's report finding that children are often witnesses to assaults against their mothers, and around 60 per cent suffer physical abuse from the same assailant.<sup>18</sup>

- 3.23 ChildFund also observed that in PNG violence against women and girls 'often begins before birth,' noting that one study found '86 per cent of women in PNG experience physical violence during their pregnancy'.<sup>19</sup>
- 3.24 DFAT pointed out that violence against women and girls takes many forms: from harassment in the street, assault at school or in homes and workplaces, to sexual abuse and rape, or maiming through acid attacks by a rejected suitor.<sup>20</sup> Dr George in the submission from WPSAC observed that '[a]vailable figures suggest that between 40 and 70 per cent of women ... are subjected to violence from intimate partners and family across their lifetimes.'<sup>21</sup>
- 3.25 Violence in early life was also noted by WPSAC's Dr Swati Parashar who described combatting violence against women and girls in India as 'a mammoth task' that must address many forms of violence, including: 'female foeticide and infanticide, dowry deaths, domestic violence, sexual violence and rape.' Dr Parashar argued that traditional patriarchal stereotypes 'have prevented a meaningful engagement with barriers and impediments to enhancing the human rights of women and girls in India.'<sup>22</sup>

## Reliability of data on sexual violence

- 3.26 While the Committee received a great deal of information demonstrating that violence against women and girls is a pervasive and deeply persistent problem across the Indo-Pacific region, the evidence and other information also highlighted challenges in obtaining detailed and reliable data.
- 3.27 An independent consultant on gender and development pointed out in a think piece for the Office of Development Effectiveness that assessing violence against women can be difficult, as data provided for example by case reports can often be unrepresentative. The consultant advised:
- [Case reports] are affected by the level of service provision, going up or down according to expansion or contraction or quality

18 ChildFund Australia, *Submission 2*, p. 2.

19 ChildFund Australia, *Submission 2*, p. 2.

20 DFAT, *Submission 27*, p. 23.

21 Dr George in WPSAC, *Submission 15*, p. 5.

22 Dr Swati Parashar in WSPAC, *Submission 15*, p. 10.

changes in the service, usually funding related. They are also affected by the 'paradox of violence against women', that success in addressing the issue results in a rise in the statistics, not a decline, at least for some time. What is really needed is national prevalence data – the proportion of women who have ever experienced the particular form of violence being measured – and incidence data – the proportion of women who have experienced that particular form of violence during the 12 months.<sup>23</sup>

- 3.28 The dangers of relying on limited data, and data taken from small sample sizes, were brought to the Committee's attention by Dame Carol Kidu, former Papua New Guinea Member of Parliament and Minister for Community Development, who observed:

I was when I was a minister when there was this figure ... going around the globe that 60 per cent of the men interviewed said they had been involved in a pack rape. I found that completely unacceptable. I thought what on earth is going on here, because I thought of my own clan in the village, I thought of my own family and I thought of my staff. So I called the male staff and I said, 'This is the figure being sent around internationally,' and they were horrified. So I started to find out where that data came from. It was a very small sample of HIV-infected young men, and 50 per cent had said that they had been involved in pack rape. Yet that was extrapolated out as a figure for Papua New Guinea. I would really appeal to people who do these little studies to be very careful because dramatic data like that attracts money, too... Maybe just foreign journalists grabbed this without understanding where it came from. I really do not know.<sup>24</sup>

- 3.29 Dr George suggested that organisations and individuals need to be cautious not to create a backlash against positive change in their use of narrowly based statistics to support calls for social or political change:

For instance, there was a UN study done last year across the Asia-Pacific region. There were figures gathered on gender violence in Bougainville. These were very, very high. They showed an incidence of nearly 60 per cent of men committing rape. The pushback against those figures in the region was immense. There were some questions around the methodology deployed in the

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23 Australian Government, Dr C Bradley, *Ending Violence against Women and Achieving MDG*, AusAID Office of Development Effectiveness (ODE), 2011, p. 2, < [dfat.gov.au/aid/how-we-measure-performance/ode/Documents/ending-violence-against-women-christine-bradley.pdf](http://dfat.gov.au/aid/how-we-measure-performance/ode/Documents/ending-violence-against-women-christine-bradley.pdf) > viewed August 2015.

24 Dame Carol Kidu, Private capacity, *Committee Hansard*, Canberra, 3 February 2015, p. 5.

study, and I think perhaps it inflated the figures a little bit ... But the political problems created by that study were such that sympathetic political leaders who would probably have been on side were very, very upset with the findings and felt that they completely overestimated the problem and reflected badly on Bougainvillean men. The whole study was seen as potentially inflaming what is already a very fragile political situation.<sup>25</sup>

- 3.30 The SPC emphasised the importance of soundly based research:  
It is proven that solid research informs actions. The Kiribati and Solomon Islands Family Health and Safety Surveys, which led to legislative and other reforms to address violence against women, are clear examples of the power of good research and statistics.<sup>26</sup>
- 3.31 The Secretariat further advised that studies of gender-based violence had been conducted in ‘Samoa, Solomon Islands, Vanuatu, Tonga, Fiji and Kiribati.’ Further studies in five other countries – the ‘Cook Islands, Federated States of Micronesia, Republic of the Marshall Islands, Nauru and Palau’ would be completed by the end of 2014.<sup>27</sup>
- 3.32 These studies have been conducted by United Nations (UN) Population Fund and the SPC with support from Australia. The methodology used has been ‘World Health Organisation methodology, which allows global comparisons’ to be made on the prevalence of violence.<sup>28</sup>
- 3.33 The DFAT submission stated that ‘Australia [is] one of the world’s leaders in supporting evidence-based responses to violence against women.’<sup>29</sup> For example, in addition to the above studies in the Pacific, the Department has:  
... also supported violence prevalence questions being included in Demographic and Health Surveys in countries including Cambodia and Timor-Leste. As well as looking at women’s reporting of violence, DFAT supported the United Nations Multi-Country study on Men and Violence in Asia and the Pacific.<sup>30</sup>

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25 Dr Nicole George, Private capacity, *Committee Hansard*, Canberra 18 September 2014, p. 5. Dr George was referring to the UN Multi-Country study, entitled *Why Do Some Men Use Violence Against Women and How Can We Prevent It?*, 2013.

26 SPC, *Submission 24*, p. 9.

27 SPC, *Submission 24*, p. 21.

28 SPC, *Submission 24*, p. 21.

29 DFAT, *Submission 27*, p. 24.

30 DFAT, *Submission 27*, p. 34.

3.34 DFAT's submission argued that '[t]hese studies have been critical' to building understanding of how to identify the means to address violence against women and girls in this diverse region:

For example, one study found that in Sri Lanka and both sites surveyed in Bangladesh, almost all reported partner violence occurred within marriage, and physical violence perpetration was more common than sexual violence perpetration. Whereas, in Cambodia and all sites in Indonesia, a larger proportion of men reported perpetrating sexual violence against an intimate partner than reported perpetrating physical violence.<sup>31</sup>

3.35 Further, DFAT suggested that, without evidence of the prevalence of violence that occurs across the region, responses and services for the women who are subject to violence may not be as effective or appropriate as they should be, noting:

Prevention and community education strategies need to understand what behaviours they are targeting and the attitudes that underlie the violence against women in any community.<sup>32</sup>

### Types of violence in the region

3.36 No country is free from gender-based violence. In Australia violence against women remains too high. The Australian Human Rights Commission, citing figures from the Australian Bureau of Statistics, has observed that: '[o]ne in three women in Australia will experience violence in her lifetime and one in five will experience sexual violence'.<sup>33</sup>

3.37 Australia's Ambassador for Women and Girls Ms Natasha Stott Despoja also noted that:

Violence against women, gender based violence is universal. We know that one in three women in the world has experienced some form of violence ... More than 90 per cent of Fijian women experience some form of violence, yet they are quite surprised that a women a dies every week in Australia ...<sup>34</sup>

3.38 The World Bank's *Voice and Agency* report points out:

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31 DFAT, *Submission 27*, pp. 34–35.

32 DFAT, *Submission 27*, p. 35.

33 The Australian Human Rights Commission, *Violence against Women* <[www.humanrights.gov.au/our-work/sex-discrimination/projects/violence-against-women](http://www.humanrights.gov.au/our-work/sex-discrimination/projects/violence-against-women)> viewed 27 August 2015.

34 Ms Natasha Stott Despoja, Ambassador for Women and Girls, *Committee Hansard*, Canberra, 3 December 2014, p. 4.

Hundreds of millions of women experience some form of intimate partner violence in their lifetimes, and many experience multiple forms over the course of their lives. Violence is not limited to specific regions of the world or to socioeconomic, religious, or ethnic groups.<sup>35</sup>

- 3.39 While there is great diversity and complexity in the circumstances in which violence takes place, the most prolific or common form of violence against women appears to be domestic violence. As Dr Jeni Klugman observed:

... around the world no place is less safe for a woman than her own home. More than one in three women globally have been subjected to physical and/or sexual violence; in the vast majority of cases this is at the hands of their husbands or boyfriends.<sup>36</sup>

- 3.40 DFAT highlighted inequality of power as a key factor underlying violence against women and girls. In its submission to the inquiry, the Department observed:

Violence against women, and the fear of violence, is a result of unequal power distribution, exacerbated by a lack of functional laws, policies, and institutions in place to deal with perpetrators of violence and provide protection and services to survivors.<sup>37</sup>

- 3.41 This is not in itself a new judgment. The 1993 *UN Declaration on the Elimination of Violence against Women* included the statement that:

... violence against women is a manifestation of 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 the full advancement of women ... [it] is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men.<sup>38</sup>

- 3.42 However, within an overall context of gender inequality, the determinants of violence are unquestionably complex. A submission from the International Sexual and Reproductive Health and Rights (ISRHR) Consortium summarised important risk factors for both perpetrators and victims including:

35 Dr Harris Rimmer, *Exhibit 28*: 2014, p. 77.

36 Dr Jeni Klugman, Private capacity, *Committee Hansard*, Canberra, 6 May 2015, p. 2.

37 DFAT, *Submission 27*, p. 23.

38 UN General Assembly, Resouction48/104: *Declaration on the Elimination of Violence Against Women*, A/ RES/ 48 /104 , 20 December 1993 <[www.un.org/documents/ga/res/48/a48r104.htm](http://www.un.org/documents/ga/res/48/a48r104.htm)> viewed 14 July 2015.



... low levels of education; exposure to family violence as a child; harmful alcohol and drug use; and permissive attitudes towards violence and gender inequality. Additionally, a lack of political will, inadequate legislation and weak law enforcement hinder efforts to eliminate violence.<sup>39</sup>

3.43 A further risk factor brought to the Committee's attention was disability, with evidence indicating that 'globally women and girls with a disability are more exposed to discrimination, practices that amount to cruel and inhumane treatment, violence and poverty.'<sup>40</sup>

3.44 DFAT also noted that women and girls with disabilities:

... are two to three times more likely to be victims of physical and sexual abuse than women without disabilities. For women with an intellectual disability, the risk of abuse is tenfold.<sup>41</sup>

3.45 Some submissions argued that violence against women and girls is increasing across the Indo-Pacific region. One witness to the Committee put this in stark terms, saying: '[v]iolence is rising, and there are more extreme levels of violence. Acid throwing for example, has now become a really critical issue ... violence against women is becoming more extreme'.<sup>42</sup>

3.46 Monash University's Gender, Leadership and Social Sustainability (GLASS) Research Unit observed:

Women and girls in the area under study are exposed to increased violence and trafficking within and across borders ... We also note the rise of extreme violence across the region including the hideous practice of witch burning in PNG, the significant rise in acid attacks, the abuse of girls reporting sexual crimes at police stations by police officers and officials, the extreme punishments given to women for adultery, the failure to prosecute rape crimes and the increase in trafficking across the region. These issues represent major human rights abuses for women and girls across the region.<sup>43</sup>

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39 International Sexual and Reproductive Health and Rights (ISRHR) Consortium, *Submission 52*, p. 4.

40 CBM Australia and Australian Disability and Development Consortium (ADDC), *Submission 14*, p. 2.

41 DFAT, *Submission 27*, p. 27.

42 Professor Margaret Alston, Head of Gender, Leadership and Social Sustainability (GLASS) Research Unit, Monash University, *Committee Hansard*, Melbourne, 3 November 2014, p. 27.

43 GLASS Research Unit, *Submission 7*, p. 4. Further information on forced marriage and slavery can be found in the Slavery Links Australia, *Submission 88*.

- 3.47 The GLASS Research Unit went as far as to submit that: '[a]cross the world and particularly in the region in question there is a growing war on women'.<sup>44</sup>
- 3.48 It was noted by the Australian National University (ANU) Gender Institute that a UN Development Programme (UNDP) study:  
 ... confirmed what most women's rights advocates already knew – that violence against women and girls in the Asia Pacific region is occurring at staggering rates with no solution in sight.<sup>45</sup>
- 3.49 A major finding of the UNDP report was that: '[p]reventing violence requires the sustained involvement of socialising institutions at the community and state levels, including schools, faith-based organizations, media and popular culture.'<sup>46</sup> The ANU Gender Institute asserted that: '[t]he question for governments and donors is how to invest in this process'.<sup>47</sup>

### East Asia

- 3.50 DFAT described the prevalence of violence against women in East Asia as a 'serious issue', particularly with regard to 'domestic violence and marital rape, child marriages, and trafficking in women and girls'.<sup>48</sup>
- 3.51 DFAT's submission observed that attitudes in many East Asian countries are tolerant of violence against women. For example, the submission noted that a study in Cambodia found that '83 per cent of men and 81 per cent of women reported doing nothing when they knew about domestic abuse' and few people reported abuse to authorities.<sup>49</sup> In relation to Timor-Leste, the Department further noted:  
 Similarly in Timor-Leste, 38 per cent of Timorese women reported having experienced domestic violence in their lifetime, most commonly at the hand of their husband or partner.<sup>50</sup>

44 GLASS Research Unit, *Submission 7*, p. 5.

45 ANU Gender Institute, *Submission 63*, p. 4, citing *Why Do Some Men Use Violence Against Women and How Can We Prevent It? Quantitative Findings from the UN Multi-country Study on Men and Violence in Asia and the Pacific*, 2013, at <[www.partners4prevention.org/node/515](http://www.partners4prevention.org/node/515)> viewed 18 September 2015.

46 ANU Gender Institute, *Submission 63*, p. 4.

47 ANU Gender Institute, *Submission 63*, p. 4.

48 DFAT, *Submission 27*, p. 24.

49 DFAT, *Submission 27*, p. 24. DFAT noted that this data was gathered in 2009, prior to the passing of the *Law Against Domestic Violence* – and subsequent awareness-raising efforts – in 2010.

50 DFAT, *Submission 27*, p. 24.

- 3.52 DFAT stated that despite considerable efforts to combat violence against women:
- ... progress on eliminating VAW [violence against women] has been slow – largely the result of deeply entrenched cultural values, attitude and practices that are rooted in gender stereotype and ultimately justify exploitative behaviour and violence against women.<sup>51</sup>
- 3.53 The inquiry received little evidence relating to China, the most populous nation in the region and the world. The OECD *Social Institutions and Gender Index* notes that the Chinese Government does not make official statistics publically available on rape or sexual assault.<sup>52</sup>
- 3.54 However, there is evidence that violence against women remains a significant underreported problem in China. A 2013 UN Survey reported:
- That 22.2 per cent of men surveyed admitted to committing rape in their lifetimes; with 8.1 per cent admitting to have committed rape of a non-partner, and 2.2 per cent to gang rape of a non-partner. The most common motivation given by respondents for having committed rape was sexual entitlement.<sup>53</sup>
- 3.55 The United States (US) Department of State's 2014 country report on human rights in China noted that at least one-quarter of Chinese families suffer from domestic violence. There are also reports that kidnapping, and selling and buying of children, have increased in recent years and sexual harassment of women in the workplace is a significant problem.<sup>54</sup>
- 3.56 In 2014, China introduced the country's first ever national law against domestic violence.<sup>55</sup> The Committee notes work being done by the Australian Human Rights Commission in co-operation with the All China Women's Federation (ACWF) on a pilot program to establish crisis intervention centres for women and children affected by domestic violence.<sup>56</sup>
- 3.57 DFAT also advised the Committee that discussions on human rights issues confronting women and girls in China have taken place through the

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51 DFAT, *Submission 27*, p. 24.

52 OECD Development Centre, *Social Institutions and Gender Index* <[genderindex.org/country/china](http://genderindex.org/country/china)> viewed 27 August 2015.

53 OECD Development Centre, *Social Institutions and Gender Index*, China, viewed August 2015.

54 United States (US) Department of State, *Country Reports on Human Rights Practices for 2014: China (includes Tibet, Hong Kong and Macau)*, <[www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dclid=236432#wrapper](http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dclid=236432#wrapper)> viewed 17 September 2015.

55 Dr Klugman, *Committee Hansard*, Canberra, 6 May 2015, p. 2.

56 Australian Human Rights Commission, *Submission 21*, p. 2.

Australia China Human Rights Dialogue mechanism, and that technical support has been provided to China to assist with some of these issues as part of the Australia China Human Rights Technical Cooperation Program. This has included Australia:

... supporting the drafting of China's national domestic violence legislation and establishing domestic violence protection orders in courts in six provinces; and improving the capacity of over 700 female mediators and jurors within the Chinese justice system by providing training and professional development opportunities.<sup>57</sup>

- 3.58 Union Aid Abroad – APHEDA (Australian People for Health, Education and Development Abroad) highlighted sexual harassment perpetrated against women in the work place in Japan, Malaysia, the Philippines and South Korea. The submission noted that studies have showed:

... 30 to 40 per cent of women suffer workplace sexual harassment compared to what is estimated at 25 per cent of women by the Australian Human Rights Commission here in Australia. So those rates are higher than our rate ... Some occupations are more at-risk than others. Certainly, women-dominated industries are. But, in particular, for migrant workers and domestic workers, being at the intersection with bonded labour has compounding effects for women in terms of sexual harassment.<sup>58</sup>

- 3.59 On the issue of the trafficking of women and girls, DFAT submitted that:

To date, the most trafficked people identified by Australian authorities have been women from Asia (particularly Thailand, the Republic of Korea and Malaysia) who have been exploited within the sex industry.<sup>59</sup>

- 3.60 Amnesty International Australia's publication *Indonesia: Setting the Agenda* (2014) noted that the Indonesia government has made progress towards fulfilling 'its pledge to combat violence against women and eliminate discrimination against women'. However, the organisation points out that women and girls in Indonesia:

... continue to face barriers in law, policy and practice which inhibit the full exercise of their human rights and are inconsistent with Indonesia's human rights obligations under international

57 DFAT, *Submission 27*, p. 49.

58 Ms Kate Lee, Executive Officer, Union Aid Abroad-APHEDA (Australian People for Health, Education and Development Abroad), *Committee Hansard*, Canberra, 7 May 2015, p. 22.

59 DFAT, *Submission 27*, p. 37. Further to this the Department noted that Australia continues to invest significant resources to combat human trafficking, slavery and slavery-like offences and improve the capacity of Indo-Pacific countries' criminal justice sectors to tackle these crimes.

human rights law, including the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) which it ratified in 1984 and made into law the same year.<sup>60</sup>

- 3.61 DFAT advised the Committee that: '[o]ver the past 13 years, Indonesia's National Commission on Violence Against Women has recorded 400 939 cases of violence against women (including forced marriage)'.<sup>61</sup> Amnesty International was also critical of the Indonesian Government's failure to eliminate the practice of early marriage and female genital mutilation noting that 'the Indonesian government has yet to enact specific legislation prohibiting female genital mutilation with appropriate penalties'.<sup>62</sup>
- 3.62 Human Rights Watch provided evidence that: '[t]he Indonesian government subjects female applicants for Indonesia's National Police and ... National Armed Forces to discriminatory and degrading "virginity tests".' These tests were described by the women who underwent them as 'painful and traumatic.'<sup>63</sup>
- 3.63 According to Human Rights Watch's Ms Elaine Pearson, following the organisation's work to publicise the issue: '[t]he home affairs minister of Indonesia recently made a statement saying that he did not support virginity testing, and for all civil servants recruitment centres that they would not allow any virginity testing to take place.' Ms Pearson described this as a positive step, however she also noted that, 'not all police go through the civil servant recruitment centres' and that a similar statement from the police was awaited.<sup>64</sup>
- 3.64 Amnesty International highlighted the circumstances of domestic workers in Indonesia and in Hong Kong, many of whom are women and girls who live in poor conditions and suffer abuse.<sup>65</sup> The US State Department has described child labour and sexual abuse as serious problems in Indonesia,

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60 Amnesty International, *Indonesia: Setting the Agenda: Human Rights Priorities for the New Government*, 2014, p. 13, accessible at < [www.amnesty.org/en/documents/ASA21/011/2014/en/](http://www.amnesty.org/en/documents/ASA21/011/2014/en/) > viewed 8 October 2015.

61 DFAT, *Submission 27*, p. 24. The submission suggests that the real figure is higher due to widespread under reporting.

62 Amnesty International, *Indonesia: Setting the Agenda: Human Rights Priorities for the new Government*, 2014, p. 13, viewed 8 October 2015.

63 Human Rights Watch, *Submission 19.1*, p. 5.

64 Ms Elaine Pearson, Australian Director, Human Rights Watch, *Committee Hansard*, Canberra, 15 May 2015, p. 16.

65 Amnesty International, *Submission 74*, p. 6. Under Indonesian Law, domestic workers do not have the same legal protections as other workers.

further noting that, while child abuse is prohibited by law, government efforts to combat it appear ineffective.<sup>66</sup>

- 3.65 Amnesty International urged the Indonesian Parliament to pass a draft Domestic Workers Law that would include limiting working hours, guaranteeing adequate pay and living conditions as well as providing clearly defined leave periods and legal provisions that take into account the particular needs of women. The organisation argued: '[t]here must be a clear route to holding employers accountable when they abuse their workers.'<sup>67</sup>
- 3.66 Sexual and gender based violence was also identified as a critical issue affecting the women of Timor-Leste. A study of domestic violence conducted in Timor-Leste over 2009–10 found 'that 48.1 per cent of women at the current age of 25–29 years old had experienced physical violence since the age of 15'.<sup>68</sup>
- 3.67 The Secretary of State for the Promotion of Equality from the Democratic Republic of Timor-Leste acknowledged the scale of the problem, observing that:
- Domestic violence is the most common form of GBV (Gender Based Violence) in Timor-Leste: across all districts between 2000 and 2009, domestic violence was the most frequently reported crime.<sup>69</sup>
- 3.68 The DFAT submission noted that violence in Timor-Leste schools is widespread and that '[o]f women aged 15–49 who [n]ever married, 13 per cent experienced violence from their teachers.'<sup>70</sup>
- 3.69 The Timorese Secretary of State also pointed out that more effort is needed to effectively implement legislation through Timor-Leste's National Action Plan on Gender Based Violence. The submission listed barriers to accessing justice, including:
- ... the limited outreach of police, the low number and long distance of courts, coexistence of customary and formal justice systems, language and literacy (both legal and general literacy)

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66 US Department of State, *Country Reports on Human Rights Practices for 2014: Indonesia*, <[www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236432#wrapper](http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236432#wrapper)> viewed 27 August 2015.

67 Amnesty International, *Submission 74*, p. 6.

68 Rebecca Lim, Mercy Community Services Romero Centre, Migrant Practitioner; Louise Woolley Independent Researcher and law student; Felicity Mashuro, Independent Researcher (Rebecca Lim *et al*), *Submission 70*, p. 2.

69 Secretary of State for the Promotion of Equality, Democratic Republic of Timor-Leste, *Submission 45*, p. 3.

70 DFAT, *Submission 27*, p. 24.

and insufficient resources translating into long delays in the legal process.<sup>71</sup>

## South and South West Asia

3.70 DFAT highlighted the intractable nature of violence against women and girls in South Asia, and observed that:

Limited investment in, and commitment to, change community attitudes toward violence and to advocate for the protection of women's rights, law reform and access to services is a significant barrier to combatting violence against women in South and West Asia. The lack of functioning laws, policies and institutions to deal with perpetrators of violence against women and provide protection and services to survivors presents a major impediment to addressing violence against women in the region. In many countries in the region there is also a lack of reliable data on violence against women to inform advocacy and policy decisions and enable acknowledgement of the severity of women's rights violations.<sup>72</sup>

3.71 The World Bank study *Violence against Women and Girls: Lessons from South Asia* (2014) observed that violence against women and girls in South Asia is characterised by 'unrelenting pervasiveness throughout a woman's life – from childhood through adolescence, adulthood, and eventually to old age. It is a persistent part of [women's] lives, throughout their lives'.<sup>73</sup>

3.72 The Afghanistan Government submission stated that family or domestic violence 'is one of the main hurdles for the role of women in society.' It further noted that '[o]ne of the main and critical factors of family violence is limited awareness of human and women's rights'.<sup>74</sup>

3.73 The UN Pacific Gender Group Asia Pacific Region drew the Committee's attention to demographic and health survey data for India from 2005–2006 that showed around '50% of both men and women surveyed believed that a wife deserved to be beaten if she were to neglect their children, go out without informing her husband, argue with him, burn his food or refuse sex.'<sup>75</sup> 37 per cent of women surveyed indicated they had experienced

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71 Secretary of State for the Promotion of Equality, Democratic Republic of Timor-Leste, *Submission 45*, p. 3.

72 DFAT, *Submission 27*, p. 24.

73 J L Soltaroff and R Prabha Pande, *Violence against Women and Girls: Lessons from South Asia*, South Asia Development Forum, World Bank Group, 2014, p. 27.

74 Islamic Republic of Afghanistan, *Submission 75*, p. 1.

75 Amnesty International Group University of Western Australia (UWA), *Submission 58*, p. 10.

physical or sexual violence from a partner, with 24 per cent stating that this violence had taken place in the last 12 months.<sup>76</sup>

- 3.74 Dr Parashar from WPSAC drew attention to reforms and progress by the Indian Government in addressing violence against women and girls:

The achievements have also been significant. Firstly, the Verma Commission report after Dec 16th [2012] gang rape [in New Delhi] put back gender issues on the social and political map of India ... the new government seems committed to addressing female foeticide and promoting women's participation in different skill sectors of the economy to guarantee jobs. And finally, the economic independence of women is increasingly being recognised as the way to tackle this menace.<sup>77</sup>

- 3.75 DFAT cited figures indicating that, '[i]n Pakistan in 2013, 869 women were victims of "honour killings" and more than 800 committed suicide, largely as the result of domestic issues'.<sup>78</sup> Further to this, the Department stated:

UN Women reports that violence against women is pervasive in Pakistan with some analysts claiming that 70 to 90 per cent of women are subjected to violence, including in the form of acid burning, rape, honour killing and forced marriages.<sup>79</sup>

- 3.76 DFAT noted that, although rates of forced and early marriage are hard to estimate accurately, 'nearly half of young women in South Asia are married by 18 years of age'. In Bangladesh rates are as high as 66 per cent while in India the rate is 48 per cent. The Department added:

In Afghanistan 59 per cent of women are in forced marriages, with 53 per cent of women aged 25-49 married by the age of 18 and 21 per cent of these married before they turned 15.<sup>80</sup>

- 3.77 Human Rights Watch highlighted Bangladesh's particularly high child marriage rate noting the significant consequences child marriage can have for girls, 'including health dangers associated with early pregnancy, lower educational achievement for girls who marry earlier, a higher incidence of spousal violence, and an increased likelihood of poverty'.<sup>81</sup>

- 3.78 According to Human Rights Watch, poverty is one of the main drivers of child marriage. The organisation stated:

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76 Amnesty International Group UWA, *Submission 58*, p. 10.

77 WPSAC, *Submission 15*, p. 11.

78 DFAT, *Submission 27*, p. 24.

79 DFAT, *Submission 27*, p. 23.

80 DFAT, *Submission 27*, p. 15.

81 Human Rights Watch, *Submission 19.1*, pp. 2-3.



All of the work we have done across the Middle East, Africa and now in Asia shows the correlation that child marriage is much more prevalent in poorer societies ... In that context, child marriage is a survival strategy. It is something that allows parents to reduce the number of mouths to feed. In many respects, it is important to recognise that they think they are doing the best for their girls. They are letting them marry a family which has more resources. There is testimony in the Bangladesh report where girls say, "It was awful getting marriage, but at least I have food. At least I'm going to bed having eaten today". So the connection is that stark.<sup>82</sup>

- 3.79 The World Bank sponsored study *Violence against Women and Girls* reported data that indicated rates of child marriage are declining across South Asia, and suggested that qualitative data provides 'cautious optimism that attitudes toward child marriage may also be changing.' However, the report warned that:

... [s]till, a divide persists between individual desires on the one hand and perceived cultural norms and compulsions for early marriage on the other, thus contributing to the persistence of child marriage in the region.<sup>83</sup>

- 3.80 The study considered that changing attitudes against child marriage may be related to education and/or socio-economic status changes and generational change.<sup>84</sup>

## The Pacific

- 3.81 Regarding the human rights of women and girls in the Pacific region, DFAT highlighted the high levels of violence against women and girls across the Pacific:

Intimate partner violence and violence against children is pervasive and deeply embedded. Violence in the home is learned early, and is handed down from one generation to the next. Of ever-partnered women between the ages of 16-49, 64 per cent have experienced physical or sexual violence by a partner; 42 per cent reported experiencing violence in the past 12 months.<sup>85</sup>

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82 Ms Liesl Gerntholtz, Executive Director, Women's Rights Division, Human Rights Watch, *Committee Hansard*, Canberra, 15 May 2015, p. 17.

83 J L Soltaroff and R Prabha Pande, *Violence against Women and Girls: Lessons from South Asia*, South Asia Development Forum, World Bank Group, 2014, pp. 32, 34, viewed 19 October 2015.

84 J L Soltaroff and R Prabha Pande, *Violence against Women and Girls: Lessons from South Asia*, South Asia Development Forum, World Bank Group, 2014, p. xxvii, viewed 19 October 2015.

85 DFAT, *Submission 27*, p. 25.

- 3.82 The SPC told the Committee that: '[m]any Pacific cultures condone violence against women and girls and physical, sexual and emotional violence is common'.<sup>86</sup>
- 3.83 The Australian Federal Police (AFP) undertakes work across the Pacific and Timor-Leste through its International Deployment Group (IDG). In its submission to the inquiry, the AFP described the challenges associated with working in countries that are 'characterised by patriarchal societies, [and] home to practices such as bride-price, which entrench notions of women as male property'.<sup>87</sup>
- 3.84 The AFP also reported on the difficulties for women who wish to seek redress for violence or abuse, noting that 'poor investigative processes coupled with a lack of community support services allow abuse to continue unchecked'.<sup>88</sup> More broadly, DFAT also noted that Pacific countries suffer from weak institutional frameworks, corruption and have poor records regarding the ratification of international human rights instruments. Oversight and regulatory bodies are often not well resourced.<sup>89</sup>
- 3.85 Dr George from WPSAC further highlighted the persistence of high levels of violence in the Pacific Islands region:
- Disturbingly, these levels have remained constant despite 30 years of aid programming in this area, and the very best efforts of local and international gender advocates to see them reduced. Indeed, there is strong evidence to suggest that in many parts of the region, gender violence may be increasing.<sup>90</sup>
- 3.86 The UN Gender Group observed that incidents of violence against women and girls in Pacific Island countries 'are among the highest in the world. Evidence shows that two out of three Pacific women have experienced violence'.<sup>91</sup>
- 3.87 DFAT advised that a World Bank study ranked the Solomon Islands as having the worst rates of sexual violence in the world with 'the Pacific as the worst region in the world for physical violence against women', and

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86 SPC, *Submission 24*, p. 3.

87 Australian Federal Police (AFP), *Submission 31*, p. 2.

88 AFP, *Submission 31*, p. 2.

89 DFAT, *Submission 27*, p. 17.

90 WPSAC, *Submission 15*, p. 5.

91 UN Gender Group, *Submission 49*, p. 1.

further noted that: '[i]ntimate partner violence and violence against children is pervasive and deeply embedded.'<sup>92</sup>

Since the publication of the 2009 Solomon Islands Family Health and Safety Study, significant progress has been made in raising awareness about the prevalence of the problem about violence against women in government agencies and in the media. Legal reforms are under way and there is an Elimination of Violence Against Women Task Force in place, bringing government, civil society and donor interest groups together to co-ordinate efforts. Furthermore, the Pacific Conference of Churches' high-level discussion held in Honiara in March 2013 featured debates the churches' response to family violence.<sup>93</sup>

3.88 Reflecting on AFP involvement in operations in the Pacific region and PNG, the AFP noted:

... many local language groups often lack concepts such as 'rape', with rape being conceptualised as an abuse of male property rights rather than an abuse of victim rights. Cultural beliefs and kinship ties unite local people in these settings, with police officers' notions of right and wrong often coinciding with the views of society rather than the inherited Western laws that they are employed to enforce.<sup>94</sup>

3.89 The WPSAC submission noted research indicating that high levels of violence directed against women and girls in Fiji created a general feeling of insecurity in which 'vulnerability to theft, physical and sexual abuse were serious everyday concerns and required women to be constantly vigilant about their safety'.<sup>95</sup>

3.90 DFAT observed that it was not only the attitudes of men that need to be addressed; changing Pacific women's views about domestic violence is a major challenge. The Department cited survey figures that indicated:

... 73 per cent of women believed that a man is justified in beating his wife under certain circumstances. Of women who had

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92 DFAT, *Submission 27*, p. 25, citing World Bank, *Toward Gender Equality in East Asia and the Pacific: a Companion to the World Development Report*, 2012.

93 DFAT, *Submission 27*, p. 25.

94 AFP, *Submission 31*, p. 2.

95 WPSAC, *Submission 15*, p. 5. Dr George's work contributed to a multi-sited project supported by the Australian Research Council in 2013–2015 which studies the links between gender security and women's political and economic participation in four Pacific Islands contexts – Fiji, Bougainville, Vanuatu and New Caledonia.

experienced physical and/or sexual violence, 70 per cent reported that they had not told anyone about the violence.<sup>96</sup>

- 3.91 Dr George told the Committee that women in Fiji are often unable to speak out against violence:

It was unacceptable for them to stand up and speak in a village meeting. The men sit at the front, the meeting is conducted by a man, and the women sit at the back. It is quite hard for them to actually speak. Some women said that if they did want to speak and raise these issues they could be subjected to violence as well. So there is a kind of norm that circulates in some Pacific contexts where it is very hard for women to make these issues known.<sup>97</sup>

- 3.92 The SPC observed that research has found the custom of 'the bride price' increases the risk of intimate partner violence:

Women whose bride price had not been fully paid were particularly at risk; they were more than two and a half times more likely to experience partner violence than women whose marriage did not involve bride price.<sup>98</sup>

- 3.93 The UN Pacific Gender Group noted that extreme violence against women in Pacific Island countries is sometimes associated with claims of sorcery. According to a report by the United Nations Special Rapporteur on Violence Against Women belief in sorcery is widespread in PNG. A sudden or unexplained illness or death can result in a person being accused of practicing black magic or sorcery which may result in them being tortured or even killed.<sup>99</sup>

- 3.94 Amnesty International advised the Committee that '[t]here is ongoing sorcery-related violence in a number of Melanesian countries, such as PNG, Solomon Islands and Vanuatu.'<sup>100</sup> Research conducted by Oxfam in 2010 found that those accused of sorcery were usually 40 to 60 year old women who were often 'among the most vulnerable in society'.<sup>101</sup>

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96 DFAT, *Submission 27*, p. 25.

97 Dr George, *Committee Hansard*, Canberra, 18 September 2014, p. 4.

98 SPC, *Submission 24*, pp. 10-11.

99 UN Gender Group, *Submission 49*, p. 2.

100 Amnesty International, *Submission 74*, p. 11; for further information see the human rights briefing prepared by Amnesty International ahead of the September 2013 Pacific Island Forum, accessible at <[www.amnesty.org/en/library/asset/ASA05/001/2013/en/5e80f0f6-0fde-4478-915d-2d77758a03d7/asa050012013en.pdf](http://www.amnesty.org/en/library/asset/ASA05/001/2013/en/5e80f0f6-0fde-4478-915d-2d77758a03d7/asa050012013en.pdf)> viewed 27 August 2015.

101 Oxfam Australia, *Submission 13*, p. 9.

3.95 Some witnesses<sup>102</sup> suggested that rapid economic and social change that challenges or erodes traditional social practices and family networks may contribute to high levels of violence against women and girls in Pacific Island countries. For instance, Dame Carol Kidu made the following observation about conditions in PNG:

I think most people would regard that women were safer and more secure before than they are now. It does not mean there were not problems before; we are not trying to give a picture of that. We are going through enormous change in Papua New Guinea, and we have this interface between tradition and modernity.<sup>103</sup>

3.96 Evidence suggests that empowerment of women can have unexpected consequences and in some cases form the context for what was described as a 'backlash' resulting in increased violence directed towards women and girls.<sup>104</sup>

3.97 DFAT highlighted the complexity of the relationship between violence and women's empowerment, noting that:

[A] study in Vanuatu revealed that conflict may arise if a woman's work upsets the gendered equilibrium of the household. The 2011 *Vanuatu National Survey on Women's Lives and Family Relationships* found that earning an income was associated with women's experience of violence – with women who earn their own income being 1.5 times more likely to experience physical and/or sexual violence than those who do not earn an income. This conflict was attributed to women having to travel for work, sometimes earning more money than their spouse, and because they are perceived as neglecting their household duties.<sup>105</sup>

3.98 Based on observations from her field work in the South Pacific, Dr George reported that:

Women also mentioned to me the fact that, if they were more economically active than their husbands, that might be a trigger for violence as well. There can be a backlash because men believe in that breadwinner expectation that is established more generally in society and that can be a trigger for a backlash of violence as well in some instances.<sup>106</sup>

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102 For example, Dame Carol Kidu and Professor Betty Lovai, *Committee Hansard*, Canberra, 3 February 2015; see also GLASS Research Unit, *Submission 7*.

103 Dame Carol Kidu, *Committee Hansard*, Canberra, 3 February 2015, p. 1.

104 See for instance: Dr Nicole George, Private capacity, *Committee Hansard*, Canberra 18 September 2014, p. 5

105 DFAT, *Submission 27*, p. 13.

106 Dr George, *Committee Hansard*, Canberra, 18 September 2014, p. 4.

- 3.99 Professor Margaret Jolly argued that it was ‘really important not to make the situation worse’. Giving an example of how backlash can occur, she stated:

I will take an example from Vanuatu, on the island of Espiritu Santo. There was a men’s group formed called Violence Against Men. It was really formed in the context of major work being done by not just Australian aid but also broader aid efforts. It was protesting against family protection legislation which finally passed the Vanuatu parliament 11 years after it was drafted. One gets backlash right around the world in relationship to movements for women’s emancipation, but I think that in this context what you have to think about is how that can provoke this idea of ‘the foreign’. It can be too readily dismissed as just a foreign idea. That is why I [am] putting emphasis on Indigenous advocates and on making sure the economic and political situation is consonant with seeing this as something they can own and not something that is being imposed from outside.<sup>107</sup>

- 3.100 Efforts and policies aimed at confronting violence can have unintended and negative consequences. Dr George noted that, in the wake of the 2006 coup, ‘Fiji’s military government promoted a new “zero tolerance” policing response to the phenomenon of gender violence at the community level.’ As part of this policy, Dr George informed the Committee:

Villages have been encouraged to declare themselves “violence free” as part of this strategy which is combined with a Duavata or community policing program which aims to incorporate community members as both stakeholders and participants in law and order provision ... But deeper scrutiny of this community policing effort on gender violence reveals it to have had unintended negative consequences. Representatives from non-government organisations such as the highly regarded Fiji Women’s Crisis Centre, argue that that the focus on community-based interventions tend to privilege reconciliation between aggrieved family members and see pressure placed on women to endure violence in the home rather than seek external forms of justice. A gross under-reporting of incidents of gender violence to authorities is said to have ensued because villages who declare themselves “violence free” are eager to maintain their

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107 Professor Margaret Jolly, Professor/ARC Laureate Fellow, School of Culture, History and Language, College of Asia and the Pacific, Australian National University, *Committee Hansard*, Canberra, 18 September 2014, p. 5.

positive profile with potentially punitive state authorities and have become fearful of unwanted police scrutiny.<sup>108</sup>

## The costs of violence against women and girls

3.101 Evidence emphasised the costs of high levels of violence against women and girls for individuals and communities. The physical and emotional costs can range from physical and psychological trauma and injury to long term injury and death.

3.102 In recent times, efforts have been made to estimate the economic cost of violence against women and girls. Dr Klugman, in her former capacity as Director of Gender and Development of the World Bank Group, stated:

Domestic violence isn't just an egregious human rights abuse. It's also an economic drain. This research should help to mobilize far greater investment in addressing and tackling domestic violence.<sup>109</sup>

3.103 Dr Anke Hoeffler, an economist who co-authored a paper on *Benefits and Costs of the Conflict and Violence Targets for the Post-2015 Development Agenda* on behalf of the Copenhagen Consensus Centre, undertook research into the 'cost of collective and interpersonal violence to low and middle income countries.' This analysis included 'civil war, homicides and (non)-fatal violence against children and women.'<sup>110</sup> Dr Hoeffler noted that:

Costing it ... helps to compare the different burdens of different types of violence and helps some governments maybe come up with some will to intervene.<sup>111</sup>

3.104 The ANU Gender Institute further added to the debate about costing violence against women and girls. The Institute's submission noted that:

At present, demographic and social analysis is often chronically underfunded and ignored by elite decision-makers. Women's rights advocates have tried a variety of tactics to push the issue into the realm of high politics of economic growth and global

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108 Dr Nicole George, Lecturer in Peace and Conflict Studies, School of Political Science and International Studies, University of Queensland, *Submission 39*, p. 2.

109 Dr J Klugman, Director of Gender and Development of the World Bank Group, *Press Release*, 25 November 2013 <[www.worldbank.org/en/news/press-release/2013/11/25/violence-against-women-exacts-high-economic-price-world-bank-says](http://www.worldbank.org/en/news/press-release/2013/11/25/violence-against-women-exacts-high-economic-price-world-bank-says)> viewed 27 August 2015.

110 Dr A Hoeffler, *Exhibit 47: 2014*, p. v.

111 Dr Hoeffler, Oxford, *Committee Hansard*, Canberra, 6 May 2015, p. 62.

peace and security, including calculating the loss of economic productivity from sexual violence.<sup>112</sup>

3.105 For communities, the costs in monetary terms can include increased medical, legal and policing costs, and the cost of time being taken off work. The SPC notes that '[a]n economist at the University of the South Pacific estimated that domestic violence cost Fiji's economy \$498 million in 2011'.<sup>113</sup>

3.106 DFAT noted that a study conducted by UN Women in Vietnam found that both men who commit violence, and women who experience violence, suffer loss of earnings:

For women the loss of earnings per incident was estimated to be 13 per cent of the woman's average monthly income. Women reported that on an average 33 hours of household work was missed, the value of which came to 501525 VND [Vietnam Dong] or 18 per cent of the average monthly income for women.<sup>114</sup>

3.107 World Vision Australia noted that:

While the devastatingly high rates of violence against women prevalent in the Indian Ocean–Asia Pacific region are of themselves enough to motivate donors and non-government organisations to take action, productivity losses arising from domestic violence, ranging from 1.78 per cent of GDP in Vietnam to 6.6 per cent in Fiji, are additionally compelling. This national-level economic impact provides further impetus for the Australian Government to view the elimination of family and sexual violence as central to enhancing and securing prosperity within our region.<sup>115</sup>

3.108 The Institute also referred the Committee to a recent CARE study that, in 2010, estimated the total cost of domestic violence in Bangladesh amounted to over US \$1.8 billion:

This was the equivalent of 12.7 per cent of government spending that year and close to the total government expenditure for health and nutrition. The majority of this cost is borne by survivors and their families.<sup>116</sup>

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112 ANU Gender Institute, *Submission 63*, p. 4.

113 SPC, *Submission 24*, p. 12, citing Fiji Broadcasting Corporation.

114 DFAT, *Submission 27*, p. 22. Note: the sum of 501525 VND as quoted above was equivalent to AUD \$32.00 in September 2015.

115 World Vision Australia, *Submission 37*, p. 4.

116 ANU Gender Institute, *Submission 63*, p. 4.



- 3.109 Conversely the potential benefits from ending high levels of violence against women and children have been estimated to be very considerable. The study co-authored by Dr Hoeffler for the Copenhagen Consensus Centre estimated that the global costs of all forms of violence at US\$9.5 trillion per year, mainly in lost economic output and equivalent to 11.2 per cent of world gross domestic product. The majority of this loss, an estimated US\$ 8 trillion, was attributed to domestic violence, mostly against women and children. Efforts to reduce violent assaults were estimated to be likely to yield \$17 for each dollar spent while ending severe physical violence in child discipline would yield \$11 dollars for each dollar spent. The benefits from improved policing and ending all forms of violence against women and girls were similarly estimated as 'likely to be high'.<sup>117</sup>

### Australian efforts to combat gender violence

- 3.110 Submissions to the inquiry gave examples of some of the ways countries across the region were taking positive steps towards addressing the issue of violence against women. The inquiry however was not able to examine all these strategies, instead focussing on the efforts Australia is making to eliminate violence against women and girls in the region.
- 3.111 DFAT argued that, 'Australia [is] one of the world's leaders in supporting evidence-based responses to violence against women'<sup>118</sup> The Department's report *Performance of Australian Aid 2013-14* stated:
- 2013-14 saw an increase in investments specifically targeting gender equality. This included a significant scaling up of the Pacific Women Shaping Pacific Development program, and new programming to address violence against women in Cambodia, Afghanistan and Pakistan. Results included helping over 66 000 women survivors of violence access critical services such as emergency shelters, counselling and legal advice in countries such as Bangladesh, Sri Lanka, Cambodia, Timor-Leste, Papua New Guinea, Fiji, Solomon Islands and Vanuatu.<sup>119</sup>
- 3.112 DFAT listed a number of Australian Government supported programs that directly or indirectly contribute to combating violence against women

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117 Dr A Hoeffler, Exhibit 47: 2014, pp. i, iv, and see summary and estimates of the costs of interpersonal violence including female and child homicides, child abuse, child sexual violence, intimate partner violence and sexual violence against women at Copenhagen Consensus Centre, Publications <[www.copenhagenconsensus.com/publication/post-2015-consensus-conflict-and-violence-assessment-hoeffler-fearon](http://www.copenhagenconsensus.com/publication/post-2015-consensus-conflict-and-violence-assessment-hoeffler-fearon)> 27 November 2015.

118 DFAT, *Submission 27*, p. 34.

119 DFAT, *Performance of Australian Aid 2013-14*, February 2015, p. 59.

and girls. These include the Australian Government's flagship program Pacific Women Shaping Pacific Development (Pacific Women) which aims to provide support to women for political, economic and social opportunities across 14 Pacific Island countries. One of the aims of the program is to: 'reduce violence against women and increase access to support services and to justice for survivors of violence.'<sup>120</sup>

3.113 Initiatives which are funded through Pacific Women and are aimed at reducing violence against women and girls directly include:

- Targeted programs to support the survivors of domestic violence are underway in PNG, Solomon Islands, Tonga and Vanuatu. For example, in Tonga in 2014, 500 women and children received support services (counselling, health, legal) provided by the Women's and Children's Crisis Centre.
- In the Republic of Marshall Islands and Nauru, advisers are assisting to design domestic violence crisis services and improve the health sector responses to domestic violence.
- Work with church leaders from four of the five main churches across 30 communities in Solomon Islands (targeting 10 000 women and men) aims to change attitudes and behaviours about violence against women.<sup>121</sup>

3.114 DFAT noted that:

Pacific governments' ownership of the gender equality agenda is evidenced by the recent introduction in a number of countries of legislation to criminalise domestic violence and provide greater protection for women (e.g. Tonga, Kiribati, Samoa and Solomon Islands)<sup>122</sup>

3.115 Programs being undertaken by the Australian Government in partnership with organisations or governments to assist in combating violence include:

- Pacific Regional Ending Violence against Women Facility Fund
- PNG Gender Equality/Gender Based Violence Program
- Femili PNG: the Lae Case Management Centre
- PNG Oxfam Repatriation and Reintegration Program
- PNG–Australia Law and Justice Partnership
- Solomon Islands Gender Equality Program
- Fiji Women's Crisis Centre
- Pacific Women (Vanuatu)

120 DFAT, *Supplementary Submission 27.2*, p. 25. Further information on this program can be found in chapter 10.

121 DFAT, *Supplementary Submission 27.2*, p. 27.

122 DFAT, *Submission 27.2*, p. 26.

- Empowering Indonesian Women for Poverty Reduction (Maju Perempuan Indonesia untuk Penanggulangan Kemiskinan or MAMPU)
  - Timor-Leste Ending Violence Against Women (EVAW)
  - Cambodia Ending Violence against Women (EVAW) Program
  - Afghanistan Elimination of Violence Against Women (EVAW) Program
  - Challenging Gender Based Violence Program in Khyber Pakhtunkhwa (KP) and Sindh Provinces (Pakistan)
  - Combating Acid and Burn Violence in Bangladesh.<sup>123</sup>
- 3.116 DFAT provided information on the program Partners for Prevention which brings together:
- ... the UNDP, UNFPA [UN Population Fund], UN Women and UN Volunteers along with governments and civil society to promote and implement more effective programs and policies to end violence against women. This program combines research, capacity development and networking, and communication for social change.<sup>124</sup>
- 3.117 DFAT further noted that this program, which supported the South Asian Network to Address Masculinities (SANAM) and the Regional Learning Community (RLC) for Transforming Masculinities to Promote Gender-Justice for East and Southeast Asia, achieved outcomes including:
- [organising] prevention programming and policy on violence against women and girls in the region;
  - producing learning curriculum on masculinities and gender justice; and fostering a sustainable pool of regional expertise.<sup>125</sup>
- 3.118 The inquiry was informed that the first phase of the Partners for Prevention program featured targeted social media campaigns to engage young people on the issue of violence prevention against women and girls. The program designed an initiative to engage young men through social media which included 'three pilot social media campaigns in China, India and Vietnam with a view to extracting good practices and evidence for effective communication interventions using social media'.<sup>126</sup>
- 3.119 One example of an initiative to raise awareness and change attitudes amongst young men was 'Must Bol' in India which targeted youth in

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123 DFAT, *Submission 27.2*, pp. 24-56.

124 DFAT, *Supplementary Submission 27.3*, p. 9.

125 DFAT, *Supplementary Submission 27.3*, p. 9.

126 DFAT, *Supplementary Submission 27.3*, p. 10.

Delhi, using social and creative media to generate discussion on gender violence as well as other issues relevant to young people.<sup>127</sup>

3.120 The evidence from these programs indicated that:

... social media can be a mobilizing force and a tool for creating dialogue and fostering an enabling environment, but on its own will most likely not change gender norms. The fundamental changes that are needed for long-term violence prevention are rooted in a complex series of actions ranging from community mobilization, legislation and institutional capacity change through to attitudinal and behaviour change in relationships, discourse and social norms. Thus it is only when social media work is connected to other on-the-ground, interpersonal interventions that it can become a powerful tool to foster change for the prevention of violence against women.<sup>128</sup>

3.121 DFAT noted that a 'key lesson' from these programs was that:

... it is difficult to understand and measure the kind of impact social media interactions have on the target audience, though possible with the right monitoring plan - capturing both indications of 'performance', for example, website metrics such as number of visitors to the campaign website, actual changes in understanding of concepts of violence against women and girls, and tools to prevent and address it, attitudinal change and commitment change.<sup>129</sup>

3.122 The Australian Government is funding Partners for Prevention Phase Two which is:

... focusing on prevention interventions, capacity development and advocacy and will apply the recommendations from its external evaluation and learning from Phase One into a new approach for sustained regional results, and increased global knowledge of what works in preventing violence against women and transforming harmful masculinities. The consolidated learning, advocacy and capacity development will help improve future programs and policies, especially efforts to transform harmful forms of masculinity and social norms and to promote gender equality and women's rights.<sup>130</sup>

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127 DFAT, *Supplementary Submission 27.3*, p. 9.

128 DFAT, *Supplementary Submission 27.3*, p. 11.

129 DFAT, *Supplementary Submission 27.3*, p. 11.

130 DFAT, *Supplementary Submission 27.3*, p. 11.

3.123 The Fiji Women's Crisis Centre (FWCC), to which Australia has contributed over \$8 million,<sup>131</sup> was singled out by several witnesses as a program that has made a difference to the broad problem of violence against women and girls. Dr Priya Chattier from the ANU noted:

In the case of Fiji, the one classic example would be the Fiji Women's Crisis Centre, which has been working not just in Fiji but also in other parts of the region. They are the service providers for women who have been victims of domestic violence. They have not just been providing counselling services but have also been mentoring women. In the next few years they will be trying to get shelters organised. We do not want women going back to their houses and being beaten up again. Safer houses is another concept that we need to look at in the region, not just in the case of Fiji. The other programming as part of the Women's Crisis Centre has been working with men, especially community leaders, at the village level. They have been trying to work closely with our church and men's groups in village settings to change attitudes towards violence.<sup>132</sup>

3.124 DFAT advised that a joint independent evaluation commissioned by the Department and the New Zealand Ministry of Foreign Affairs and Trade found that the FWCC:

... has made a significant contribution toward building human resource capacity for eliminating violence against women and has been instrumental in the development of rights-based, gender transformative services that are accessed by increasing numbers of people.<sup>133</sup>

3.125 DFAT also highlighted work with faith-based organisations, in particular Channels of Hope for Gender which is a program implemented by World Vision in the Solomon Islands that seeks to change social norms and attitudes about violence against women and girls. An evaluation found that over the three-year project attitudes of community members and church leaders changed in three main areas. These related to:

- percentage of men who believe a woman can accuse her husband of rape rose from 70 per cent to 83 per cent;
- percentage of women who believe that women should not make decisions fell from 34 per cent to four per cent; and

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131 DFAT, *Supplementary Submission 27.2*, p. 39.

132 Dr Priya Chattier, Pacific Research Fellow, Governance in Melanesia Program, ANU, *Committee Hansard*, Canberra, 18 September 2014, p. 7.

133 DFAT, *Supplementary Submission 27.3*, p. 12.



- supporting partner country policing organisations to develop policies and practices that enable men and women to participate equally as employees; and
- supporting partner country policing organisations and civil society to promote equality and deliver services equitably, including through appropriate responses to gender-based violence.<sup>140</sup>

3.131 The approach taken by IDG deployments is to:

... foster understanding and gradual, sustainable change that strengthens the ability of police services to fairly uphold the rule of law. Within this context however, improvements in attitudes toward women are difficult to measure objectively and require a long-term focus.<sup>141</sup>

3.132 The SPC noted that despite high levels of violence against women and girls in the Pacific, 'action against gender-based violence has enjoyed renewed momentum and action in recent years' and that this was 'due in part to encouragement and support of development partners such as Australia, the United Nations, and women's human rights groups'.<sup>142</sup>

3.133 Chair of the Management Committee of Femili PNG and Director of the Development Policy Centre, Dr Stephen Howes, reported significant progress in improving Lae's two safe houses, with the assistance of funding from the Australian Government. Dr Howes said he and his team worked to improve the existing safe houses run by local organisations and reportedly learned that building 'something new' is not always the best approach, saying 'work with what there is, and see if it can be improved'. Dr Howes also highlighted the importance of sustainable ongoing funding to keep such services running.<sup>143</sup>

3.134 Dr Howes reported that, with the addition of case management services and improvements to infrastructure, the safe houses were able to help more women and children escaping from violent situations:

In February 2014, the Australian Government announced that it would support the project. We began operations in July 2014. A little over one year on, and we have provided assistance to over 400 clients and their families. There is still a long way to go, but the safe house situation has definitely been turned around. Both safe houses are functioning much better. Both are often full, and

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140 AFP, *Submission 31*, p. 3.

141 AFP, *Submission 31*, p. 3.

142 SPC, *Submission 24*, p. 20.

143 S Howes, 'Putting Lae's Safe Houses to Work', *Devpolicy Blog*, 7 September 2015 <[devpolicy.org/putting-laes-safe-houses-to-work-20150907/](http://devpolicy.org/putting-laes-safe-houses-to-work-20150907/)> viewed 22 September 2015.

host between 10 and 16 clients and their children, staying there for anywhere between a couple of days to several weeks.<sup>144</sup>

- 3.135 Although violence towards women and girls in Africa has not been addressed in this report (as little evidence was provided in this area), the Committee is well aware that violence against women and girls is an issue of considerable concern in this region. The Committee noted the following views expressed by Human Rights Watch with regards to possible budget cuts to a program in southern Africa:

We are deeply concerned ... AusAID set up a gender-based violence fund that initially focused on South Africa. But in about 1996-97 that expanded to southern Africa. That was an incredibly important pot of money that has built up very significant programming and has had a long-term impact on gender-based violence in the region. We know that the 40 per cent cut overall is not going to affect all programs equally. We know that in some geographic regions, specifically Africa, as we understand, the cut is going to fall more heavily. But I think we do not know. We are deeply concerned, because Australia is often a key advocacy target for us. We are often an ally in many of the issues that we are trying to push with governments. So we await with some trepidation to see what the impact of these cuts is going to be on the work and also, frankly, on Australia's moral standing and ability to be an important and respected voice on these issues.<sup>145</sup>

## What needs to be done

- 3.136 The Committee received evidence that highlighted progress made in combatting violence against women and girls, especially in awareness raising in the region and strengthening legal frameworks.<sup>146</sup>
- 3.137 Ms Gillian Brown, previously the Principal Gender Equality Adviser at AusAID between 2010 and 2012, told the Committee:

If you go back 15 years, when almost no countries in the region even had a law on violence against women, this has been incredibly significant ... In the Pacific there is still a lot of progress that needs to be made, but, if you look at other cases like Cambodia, Indonesia or any of these countries in the South-East Asia region, those laws are in place a lot because people were supported by bilateral donors like Australia. It is not only

144 S Howes, 'Putting Lae's Safe Houses to Work', *Devpolicy Blog*, viewed 7 September 2015.

145 Ms Gerntholz, Human Rights Watch, *Committee Hansard*, Canberra, 15 May 2015, pp. 17-18.

146 SPC, *Submission 24*, pp. 22-23.



Australia, but Australia contributed to get these laws in place. The challenge now is getting these laws implemented. That is an ongoing job and it is something that does bring people together to really focus on an issue and overcome that issue.<sup>147</sup>

- 3.138 The ANU Gender Institute pointed out that the 2013 UNDP survey produced some insight into the attitudes and motivations of male perpetrators of violence against women and girls. For example, it revealed that:

A common motivation of men who have admitted to rape is the belief that they are entitled to sex even without the female partner's consent. The report also found that perpetrators were more likely to have experienced physical, sexual or emotional abuse as a child. A large proportion of men also suffered from work-related stress, depression and suicidal tendencies.<sup>148</sup>

- 3.139 The ANU Gender Institute argued that these findings are particularly important, and that more insight is needed:

... given that current responses from international donors focus on providing services to victims (though not at levels that are remotely enough to meet demand) rather than on preventing structural violence by working with men and boys to change their behaviour. Refuges, counselling and health services are crucial, but it is even more vital to ensure that violence does not occur in the first place and that laws both exist and are enforced by the security and judicial sectors. Legal norms are important but they are moulded by social and cultural practice.<sup>149</sup>

- 3.140 The SPC stated that: '[t]he most notable achievements have been in developing awareness of, information about and legislation towards elimination of violence against women.' However, the Secretariat also considered that there is still much more to do.<sup>150</sup>

- 3.141 DFAT contended that there has been progress in the Pacific over the last decade or so.<sup>151</sup> However, the Department acknowledged that a number of current programs that aim to address violence against women are still quite new and it is consequently difficult to evaluate progress. Ms Moyle stated that:

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147 Ms Gillian Brown, Private capacity, *Committee Hansard*, Canberra, 6 May 2015, p. 53.

148 ANU Gender Institute, *Submission 63*, p. 5.

149 ANU Gender Institute, *Submission 63*, p. 5.

150 SPC, *Submission 24*, p. 20.

151 Ms Sally Moyle, DFAT, *Committee Hansard*, Canberra, 15 May 2015, p. 2.

... more broadly across the program, we have violence against women prevention programs in Timor-Leste, in Cambodia, in Afghanistan and in Pakistan. Most of those are still quite new. We have some early indications of progress, but we do have not a lot of real progress because they are within their first couple of years.<sup>152</sup>

3.142 The Committee sought to identify programs that were working and having a measurable impact on combating violence against women and girls. Although many programs were presented to the Committee in evidence, it was by no means clear what programs would deliver the best results for women and girls in the region who are subject to unacceptable levels of violence.

3.143 Dr George advocated for a long-term and broad perspective:

We ... need to think about how this effort cannot be prosecuted in isolation from broader questions around women's political and economic empowerment. If we look at the 30 years of really good work that has been done in the region on this question, we still see these increasing incidence of gender violence. We really have to ask ourselves serious questions about what we have achieved and what we have not achieved too.<sup>153</sup>

3.144 This point was reinforced by Ms Joanne Crawford, from the International Women's Development Agency, who emphasised the marginalisation of women in the PNG decision-making processes:

There is something about the fact that it is experienced by women, that women are a tiny fraction of decision makers in [Papua] New Guinea – I think there are three women there now – the voice is not heard in civil and political spaces and it is not influencing budgetary allocation. What we are trying to do in that example is saying that if you flip it – if we saw two-thirds to 90 per cent of men experiencing a particular form of violence – we might call it a war and we might be going in and trying to address it. We are not because we are still working with a civil and political space where women are 'other' and are at the margins. And they are not; they are 50 per cent of the population.<sup>154</sup>

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152 Ms Sally Moyle, DFAT, *Committee Hansard*, Canberra, 15 May 2015, p. 6.

153 Dr George, *Committee Hansard*, Canberra, 18 September 2014, p. 3.

154 Ms Joanne Crawford, Research and Policy Adviser, International Women's Development Agency, *Committee Hansard*, 3 November 2014, p 14.

## Committee comment

- 3.145 The Committee acknowledges the efforts being made by the Australian Government and NGOs with which it partners in seeking to combat violence against women and girls, including through: the advocacy of the Minister for Foreign Affairs and the Ambassador for Women and Girls; diplomatic activity in multilateral and regional fora and bilateral dialogues; and, programs that advocate for political and legislative change, such as the Pacific Regional Ending Violence against Women Facility Fund.<sup>155</sup>
- 3.146 Evidence presented to the Committee left little doubt that very significant challenges remain. The Committee is concerned that progress in combatting violence against women and girls has been slow, limited, and fragile. At the very least, as the Secretariat of the Pacific Community put it, ‘much, much more’ needs to be done to eliminate violence against women and girls.<sup>156</sup>
- 3.147 Evidence presented to the Committee suggests that there is no magic bullet to solve the issue of violence against women and girls. Violence perpetrated against women and girls because of its nature, its embeddedness in cultures and social attitudes, as well as its different triggers, represents an ongoing and deep-seated challenge.
- 3.148 The diversity of the Indo-Pacific region also presents a major challenge for the design and implementation of development assistance programs to address this problem. The Committee agrees with comments by Ms Sally Moyle, who emphasised the importance of socio-economic and cultural context:
- Development is such a complex area. It relies on really closely aligning to the context of the region or country that you are working in – having the right people in place to do the work, measuring properly ... What might work in Tonga will not work in Papua New Guinea or Cambodia. It has to work with the cultural and the gender norms in place.<sup>157</sup>
- 3.149 The Committee recognises that Australia has a limited aid budget and that it is necessary to target Australia’s efforts where they will have most impact. However, it also agrees with Oxfam Australia that ‘the scale and

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155 DFAT, *Supplementary Submission 27.3*, p. 29. More information about the fund can be found at <[www.pacificwomen.org/wp-content/uploads/UNwomen-Pac-Fund-Brief.pdf](http://www.pacificwomen.org/wp-content/uploads/UNwomen-Pac-Fund-Brief.pdf)> viewed 18 September 2015.

156 SPC, *Submission 24*, p. 24.

157 Ms Moyle, DFAT, *Committee Hansard*, Canberra, 15 May 2015, p. 3.

complexity of the challenge should not overwhelm or dissuade us. Violence is not inevitable, and it is preventable.<sup>158</sup>

- 3.150 If significant and lasting reductions in violence are to be achieved, further research needs to be done, including program evaluation. Future policy implementation needs to be focussed on programs and action that will deliver both immediate results and long-term attitudinal changes.
- 3.151 A common theme in the evidence was the need to work within communities, to engage local people in policy making, and to include men and boys in this process. The Committee notes the work DFAT and other aid providers are already doing in this area, including incorporating the use of social media.
- 3.152 While legal reform and effective enforcement are critical, and need further investment and support from donor countries such as Australia, greater emphasis needs to be placed on preventing violence.
- 3.153 Violence against women and girls must be made unacceptable, for example through community mobilisation programmes, media, and engagement with people who influence culture, social norms and behaviour, such as through programs that promote indigenous male role models.
- 3.154 Particular emphasis needs to be placed on efforts to change the attitudes and behaviours of the primary perpetrators of violence against women and girls including, for example, through sustained school-based or sports-based education programmes. Education focussed on young people, that has a gender sensitive curriculum and uses gender sensitive texts that promote an understanding of consent, healthy sexuality, and respectful relationships should be a key focus, especially in the light of evidence that suggests violence is often learnt in the home at an early age.<sup>159</sup> The Committee notes the work being undertaken by the Australian Government and its aid partners to support behavioural change, including Partners for Prevention, 'Must Bol', and the '17 man' social media campaign.
- 3.155 Without attitudinal change, efforts to increase the education of girls or strengthen laws against violence are unlikely to be effective, or may be only marginally so, in combating pervasive violence against women and girls in the region.
- 3.156 These areas need greater priority in national and international responses. For example, the Male Champions of Change program was highlighted as a program changing male attitudes in Australia. This program may

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158 Oxfam, *Submission 13.1*, p. 2.

159 DFAT, *Submission 27*, p. 25.

represent a concept that could be used more widely to bring about attitudinal change amongst populations.<sup>160</sup>

- 3.157 Given the influence of strong community networks associated with faith-based organisations in the Pacific, particular effort needs to be made in working specifically with appropriate leaders of faith based organisations to change community behaviours and attitudes towards violence against women and girls.
- 3.158 At the same time, support and services for survivors of family and sexual violence need to be given high priority. Investments by Australia and other donors, in partnership with recipient governments and non-government organisations, in the development and strengthening of services for survivors of family and sexual violence have the potential to provide direct, immediate and concrete outcomes. The chapter in this report on health examines the physical health care needs of survivors of gender based violence in greater depth.
- 3.159 Recognising that inequality in power is a key factor underlying violence against women and girls, Australia's development assistance programs need to have a clear and unambiguous focus on the empowerment of women and girls and the elimination of gender violence. In this regard, the Committee is concerned about evidence suggesting the possibility of a 'backlash' against women and girls when gender norms are challenged. Strategies for effective programming that can avoid this backlash are discussed in chapter 10.
- 3.160 The Committee recommends that efforts to reduce violence against women and girls should be an integral part of all Australian development assistance efforts. There are a range of international donors working in the area of gender based violence in the region. Australia's aid program should prioritise countries in the Pacific region where the levels of violence are endemic.<sup>161</sup> By taking a focussed approach, Australia's efforts may be more likely to deliver tangible results, and could then inform models for broader engagement across the region.
- 3.161 Submissions to this inquiry have contained many compelling examples of barriers to women and girls caused by violence in the region and have offered the Committee a large number of general and specific recommendations on how to combat this problem. The Committee urges the Australian Government to examine these submissions with a particular focus on those with expertise in providing services for specific

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160 See Ms Janet Menzies, *Committee Hansard*, Canberra, 7 May 2015, p. 12, regarding the Male Champions of Change initiative.

161 Ms Harinder Sidhu, First Assistant Secretary, Multilateral Policy Division, Department of Foreign Affairs and Trade, *Committee Hansard*, Canberra, 17 June 2014, p. 2.

types of violence or geographical expertise, for instance the recommendations made by the UN Gender Group on the Asia Pacific region.<sup>162</sup>

- 3.162 Finally, recognising the deeply entrenched and persistent nature of violence against women and girls in many societies, policy makers must commit to the long haul. Programs that seek to bring about attitudinal change are unlikely to produce results quickly. Only long term commitments are likely to make sustained progress and achieve intergenerational change in attitudes and behaviour.

## Recommendations

### Recommendation 6

**The Committee recommends that the Australian Government take every opportunity:**

- **to engage with governments in the Indo-Pacific region, including at regional fora, to highlight the extent of violence against women and girls, the persistence of the problem, and its consequences; and**
- **to press other governments to enact and enforce laws that protect the human rights of women and girls, in particular in relation to sexual and gender-based violence, especially under-age and forced marriage and marital rape.**

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<sup>162</sup> UN Gender Group Asia Pacific Region, *Submission 49*, p. 6-9.

### **Recommendation 7**

The Committee recommends that, in light of the evidence showing continuing and pervasive violence against women and girls across the Indo-Pacific region, the Australian Government:

- facilitate targeted and co-ordinated research (including gathering national prevalence and incidence data, as well as quantitative and qualitative surveys of community attitudes), legal reform, and programs directly aimed at community attitudes that are tolerant of violence against women and girls; and
- consider increasing funding for activities to combat violence as a proportion of Australia's development assistance budget, as well as commit to the provision of resources for the long term.

### **Recommendation 8**

The Committee recommends that the Australian Government:

- continue to support existing programs that partner with governments, non-government and community organisations, and faith-based organisations which:
  - ⇒ deliver education with a particular focus on boys and adolescents, to promote understanding of consent, healthy sexuality, and respectful relationships; and
  - ⇒ make use of technology to expand the reach and engage young people.
- explore ways to extend programs addressing violence, such as those being run by the Fiji Women's Crisis Centre, and linking to similar initiatives operating in Australia and other countries across the region; and
- review work being undertaken in Australia and overseas to address gender-based violence to identify programs of best practice that are culturally appropriate for countries in the Indo-Pacific region.





## Women and girls in war, conflict and disaster zones

- 4.1 This chapter discusses evidence presented on the violence and disadvantage women and girls experience during war, conflict and disasters. A number of submissions made reference to the particular circumstances of women and girls caught up in war and disaster zones: how they experienced these events; the dangers that they face, and what happens when they become displaced from their homes, regions or countries.
- 4.2 The chapter is divided into two sections – the first examines gender violence in war and conflict, and the second looks at disaster zones. The issues raised include:
- the particular vulnerability of women and girls in wars or disaster zones;
  - the lack of effectiveness of international conventions in war time;
  - the types of violence women and girls might experience;
  - women's lack of participation in peace processes;
  - the violence that refugee or displaced women and girls can face;
  - the particular forms of violence that arise out of disaster zones; and
  - the need for emergency responses to cater for women and girls.

### War and conflict

- 4.3 Women and girls are particularly vulnerable in conflict zones. The Women's International League for Peace and Freedom (WILPF) told the Committee:

It is well recognised that women have a particular experience of conflict, sometimes deliberately targeted, by virtue of their gender. This has a devastating impact on their lives both during and after the conflict.<sup>1</sup>

- 4.4 The Australian Government recognises the disproportionate impact of war and conflict on women and girls. Australia's National Action Plan on Women, Peace and Security states that the impact of conflict is 'highly gendered' and notes that targeted gender-based violence is a deliberate tactic in war:

Although often not engaged in combat, women and girls can be disproportionately affected by conflict. It has been estimated that up to 90 per cent of casualties in contemporary conflicts are civilians, the majority of whom are women and children ... There are many acts that constitute gender-based violence, including rape, sexual slavery, genital mutilation, forced pregnancy, abortion and sterilisation. These acts have particular significance in times of conflict and instability, as they are often used to achieve military or political objectives. The use of this type of violence is a violation of international human rights law and, in situations of armed conflict, international humanitarian law. It has a devastating effect on women, their families and their communities. This devastation can be long-lasting, extending far beyond the duration of the conflict.<sup>2</sup>

## International prohibitions

- 4.5 Violence against women and girls in conflict has been the subject of recent international attention. In 2015 the United Nations General Assembly declared 19 June as the 'International Day for the Elimination of Sexual Violence in Conflict'. General Assembly President Sam Kutesa observed that:

Rape and other forms of sexual violence in conflict and post-conflict constitute grave violations of human rights and international humanitarian law.

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1 Women's International League for Peace and Freedom (Australia) (WILPF), *Submission 53*, p. 1.

2 Department of Foreign Affairs and Trade (DFAT), *Exhibit 53: Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA), Australian National Action Plan on Women, Peace and Security 2012–2018*, 2012, p. 6.

We should ensure that the perpetrators of these crimes and their superiors who condone their actions are held accountable and that victims get justice.<sup>3</sup>

- 4.6 The United States Department of State observed that efforts to highlight the issue of sexual violence and conflict ‘couldn’t come at a more critical time’. The Department wrote:

Sexual violence in conflict – against women, girls, men and boys – is a global scourge. Women and children are disproportionately affected by such violence and its use as a tactic of war often tears apart the social fabric that holds communities together.<sup>4</sup>

- 4.7 The United Nations (UN) has previously recognised the particular vulnerability of women and girls in conflict, notably in the adoption by the *UN Security Council of Resolution 1325* (UNSCR 1325) on women and peace and security on 31 October 2000.<sup>5</sup> As the Department of Foreign Affairs and Trade has noted, UNSCR 1325 was ‘the first [Security Council] resolution to link women explicitly to the peace and security agenda.’<sup>6</sup>

- 4.8 The YWCA submission explained that:

Resolution 1325 reaffirms the important role of women in the prevention and resolution of conflicts, peace negotiations, peace-building, peacekeeping, humanitarian response and in post-conflict reconstruction and stresses the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security.<sup>7</sup>

- 4.9 The Asia Pacific Centre for Responsibility to Protect (the Asia Pacific Centre) further noted that the UN Security Council has now passed six further resolutions on women peace and security.<sup>8</sup> These resolutions in summary are:

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3 United Nations News Centre, *Adopting resolution, UN creates International Day against Sexual Violence in Conflict*, <[www.un.org/apps/news/story.asp?NewsID=51202#.Vbfg\\_mqqko](http://www.un.org/apps/news/story.asp?NewsID=51202#.Vbfg_mqqko)> viewed 26 August 2015.

4 US Department of State, Official Blog, *A Day to Galvanize Action on Conflict-Related Sexual Violence*, <[blogs.state.gov/comment/reply/22811?b8ee\\_name=ec730183c685d3423e3cadb736\\_form](http://blogs.state.gov/comment/reply/22811?b8ee_name=ec730183c685d3423e3cadb736_form)> viewed 27 August 2015.

5 United Nations Security Council, Resolution 1325 (2000), 31 October 2000 < [www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/1325\(2000\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1325(2000))> viewed 26 August 2015.

6 DFAT, *Annual Report, 2014–2015*, p. 118.

7 YWCA, *Submission 65*, p. 4.

8 Asia Pacific Centre for Responsibility to Protect, *Submission 18*, p. 4.

- UNSCR 1820 (2008), which identifies ‘sexual violence as a tactic of war’ that requires appropriate specialised military and police responses;<sup>9</sup>
- UNSCR 1888 (2009), which ‘mandates that peacekeeping missions protect women and children from sexual violence during armed conflict’ and established a Special Representative of the Secretary-General on sexual violence in conflict;<sup>10</sup>
- UNSCR 1889 (2009), which called for action to accelerate implementation of Resolution 1325, including a strategy to increase female participation in peace talks and ‘recognizing the particular needs of women and girls in post-conflict situations’;<sup>11</sup>
- UNSCR 1960 (2010), which called for an end to sexual violence in armed conflict and parties in conflict to take action to end impunity for perpetrators of sexual violence;<sup>12</sup>
- UNSCR 2106 (2013), which reiterated that all actors, including the UN Security Council, parties to armed conflict, and all Member States and United Nations entities, must do more to combat impunity for conflict-related sexual violence;<sup>13</sup> and
- UNSCR 2122 (2013), which affirms that ‘the enlistment of men and boys in the effort to combat all forms of violence against women are central to long-term efforts to prevent sexual violence in armed conflict and post-conflict situations’ and required the UN Security Council, UN Member States, and regional organisations work to dismantle barriers to enable women to participate in conflict resolution and recovery.<sup>14</sup>

4.10 DFAT explained that UNSCR resolution 2122 ‘puts in place a roadmap for a more systematic approach to the implementation of commitments on women, peace and security’.<sup>15</sup>

4.11 Measures associated with UNSCR 2122 include:

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9 United Nations Security Council, Resolution 1820 (2008), 19 June 2008, <[www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/1820\(2008\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1820(2008))> viewed 11 November 2015.

10 United Nations Security Council, Resolution 1888 (2009), 30 September 2009, <[www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/1888\(2009\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1888(2009))> viewed 11 November 2015.

11 United Nations Security Council, Resolution 1889 (2009), 5 October 2009, <[www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/1889\(2009\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1889(2009))> viewed 11 November 2015.

12 United Nations Security Council, Resolution 1960 (2010), 16 December 2010, <[www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/1960\(2010\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1960(2010))> viewed 11 November 2015.

13 United Nations Security Council, Resolution 2106 (2013), 24 June 2013, <[www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/2106\(2013\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2106(2013))> viewed 11 November 2015.

14 United Nations Security Council, Resolution 2122 (2013), 18 October 2013, <[www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/2122\(2013\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2122(2013))> viewed 11 November 2015.

15 DFAT, *Submission 27*, p. 38.

- the development and deployment of technical expertise for peacekeeping missions and United Nations mediation teams supporting peace talks;
  - improved access to timely information and analysis on the impact of conflict on women and women's participation in conflict resolution reports and briefings to the [United Nations Security] Council; and
  - strengthened commitments to consult as well as include women directly in peace talks.<sup>16</sup>
- 4.12 The Asia Pacific Centre further noted that the United Nations 'Secretary General has issued yearly reports on implementation by the UN and Member States' of the major elements of UNSCR 1325 – 'prevention, protection, participation, relief and recovery, and National Action Plans'.<sup>17</sup>
- 4.13 In June 2014 the British Foreign Secretary William Hague and Special Envoy for the UN High Commissioner for Refugees Angelina Jolie co-chaired the 'Global Summit to End Sexual Violence in Conflict'. The highly publicised Summit was attended by 1700 delegates and 123 country delegations including 79 Ministers. Australia's representatives included the former Chief of the Army Lieutenant General David Morrison and led by Australia's Global Ambassador for Women and Girls, Natasha Stott Despoja.<sup>18</sup> A 'statement of action' adopted by the Summit declared that 'rape and sexual violence is not an inevitable consequence of war or a lesser crime' and that 'prevention of sexual violence in conflict is critical to peace, security and sustainable development'.<sup>19</sup> Further to this, the Foreign Minister, the Hon Julie Bishop MP, held a dialogue at Parliament House in Canberra with 'experts across government, non-government organisations and academia to discuss ways to address and respond to sexual violence' in conflict.<sup>20</sup>
- 4.14 Reflecting this increased international focus on violence against women and girls in war and conflict, a number of submissions highlighted the need for further action to address the problem.

16 DFAT, *Submission 27*, pp. 38-39.

17 Asia Pacific Centre for Responsibility to Protect, *Submission 18*, p. 4.

18 Minister for Foreign Affairs, the Hon Julie Bishop MP, 'Global Action to Stop Sexual Violence in Conflict', *Media Release*, 6 June 2014 <[foreignminister.gov.au/releases/Pages/2014/jb\\_mr\\_140606.aspx](http://foreignminister.gov.au/releases/Pages/2014/jb_mr_140606.aspx)> viewed 26 August 2015.

19 United Kingdom (UK) Government, 'End Sexual Violence in Conflict Global Summit London 2014', *Statement of Action*, <[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/319958/Global\\_Summit\\_to\\_End\\_Sexual\\_Violence\\_Statement\\_of\\_Action\\_1\\_.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/319958/Global_Summit_to_End_Sexual_Violence_Statement_of_Action_1_.pdf)> viewed 26 August 2015.

20 Minister for Foreign Affairs, the Hon Julie Bishop MP, 'Australia and United Kingdom Partner to Prevent Sexual Violence in Conflict' *Media Release*, 2 June 2014 <[foreignminister.gov.au/releases/Pages/2014/jb\\_mr\\_140602.aspx](http://foreignminister.gov.au/releases/Pages/2014/jb_mr_140602.aspx)>, viewed 4 June 2015.

- 4.15 ActionAid expressed particular concern about ‘the gap between international conventions and the reality on the ground’, arguing that international responses to violence against women and girls ‘as a war tactic’ remain insufficiently prioritised:
- While the United Nations has recognised VAWG [violence against women and girls] as a war crime with various resolutions including UNSCR 1325 recognising the state’s role in protecting the rights of civilian women and girls during armed conflict, the uptake of this resolution has been slow by member states and inadequately resourced. From ActionAid’s experience in humanitarian settings, the first weeks and months of an emergency are essential for establishing adequate mechanisms for the protection of women’s rights and safety ... Too frequently, governments and the international community overlook the direct experiences of women survivors of sexual violence in conflict.<sup>21</sup>
- 4.16 The Asia Pacific Centre noted ‘to date, 41 countries have adopted [Resolution] 1325 National Action Plans (NAPs)’. However, this includes only four countries from ‘the Asia-Pacific region – Australia, Kyrgyzstan, Nepal and Philippines’.<sup>22</sup>
- 4.17 Seven international and regional organisations, including the Pacific Island Forum, have integrated UNSCR 1325 plans into their activities. However, the countries of South East Asia and South Asia appear ‘underrepresented’ in the development of both national action plans and regional institutional engagement on implementation of UNSCR 1325.<sup>23</sup>
- 4.18 The Women’s International League for Peace and Freedom (WILPF) argued that violence against women and girls in conflict is often purposeful and effective in the pursuit of political aims. Further to this, violence ‘can become a habit carried into the post-conflict context’. Citing information from the *UN Analytical Inventory of Peacekeeping Practice: Addressing Conflict Related Sexual Violence*, the WILPF submission notes that ‘mass rape is more likely to lead warlords to the negotiating table or the corridors of power than to a prison cell’.<sup>24</sup>

## Women and conflict in the region

- 4.19 While much of the recent international focus on the issue of sexual violence in conflict has been triggered by events in the Middle East and

21 ActionAid, *Submission 29*, pp. 4–5.

22 Asia Pacific Centre for Responsibility to Protect, *Submission 18*, p. 4.

23 Asia Pacific Centre for Responsibility to Protect, *Submission 18*, p. 4.

24 WILPF, *Submission 53*, pp. 1–2.

Africa, the Committee received submissions that discussed the circumstances of women and girls in a number of current and past conflicts within the Indo-Pacific region. The following examples taken from the evidence are illustrative of violence women and girls experience in the context of war and conflict in the region.

- 4.20 As noted in chapter two, Colonel Najibullah Samsour of the Afghan National Police told the Committee about the situation faced by 87 per cent of Afghan women who have experienced some form of violence in conflict ridden Afghanistan.<sup>25</sup>
- 4.21 DFAT highlighted the specific targeting by militants of high-profile women, including Members of Parliament and police women.<sup>26</sup> The International Crisis Group (ICG) similarly observed that women in positions of authority in Afghanistan often face threats of violence with a number having been killed by insurgents. The organisation further noted that violence targeting women and girls has extended to girls schools, students and staff.<sup>27</sup>
- 4.22 The ICG also reported that threats to, and attacks on, women and girls are not confined to the Taliban insurgency:
- Women's rights are also under attack from yesterday's warlords, now powerbrokers both within and outside government. Many former mujahidin who regained power after the Taliban's downfall may not challenge the political order so long as they have lucrative government positions, but they have retained their militias to protect their political and economic interests. Because these private militias are not accountable to the state, they operate with virtual impunity. The more powerful the warlord and his militia, the more likely that rights violations and restrictions on women's mobility could undo fragile gains.<sup>28</sup>
- 4.23 Several submissions to the inquiry focussed on violence against women and girls in the course of civil conflict in Sri Lanka.<sup>29</sup> Human Rights Watch (HRW) submitted that it had:

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25 Colonel Najibullah Samsour, Afghan National Police, translated through Mr Mohammad Sharif Policy and Advocacy Office, Oxfam in Afghanistan, *Committee Hansard*, Canberra, 13 May 2014, p. 2.

26 DFAT, *Submission 27*, p. 15.

27 International Crisis Group (ICG), *Supplementary Submission 33.1*, p. 2.

28 ICG, *Supplementary Submission 33.1*, p. 2.

29 See for example submissions from Australian Tamil Congress, *Submission 8*, the High Commission of the Democratic Socialist Republic of Sri Lanka, *Submission 79* and *Supplementary Submission 79.1*; and see Name Withheld, *Submission 64*.

... documented sexual violence committed by members of the Sri Lankan security forces between 2006- 2012 against men and women in state custody ... the Sri Lankan government has blocked reporting and investigation of sexual violence committed by its forces as well as access to medical and psycho-social care.<sup>30</sup>

4.24 Another submission quoted a HRW report noting that ‘rape appears to have been a key element of broader torture and ill treatment’ of women by Sri Lankan military forces. The submission further asserted that although this kind of violence occurred towards the end of military conflict and its immediate aftermath, it also ‘appears to be continuing to the present day’.<sup>31</sup>

4.25 The High Commissioner of Sri Lanka His Excellency Admiral Thisara Samarasinghe told the Committee that:

Sri Lanka accords highest priority to the protection and promotion of human rights of women. Successive governments have taken proactive steps to ensure equal opportunities for women in society. Necessary laws, regulations and policies have been formulated accordingly. Over the years, Sri Lanka has been in the forefront of advancing women’s issues. Sri Lanka became an early party to the Convention on the Elimination of All Forms of Discrimination against Women in 1981 and to its protocol in 2002. Sri Lanka’s experience with policies that encourage gender equality and women’s empowerment has placed the country in a special category in the developing world. Sri Lanka’s political leadership and policy framers recognised early the mutually reinforcing links between gender equality, rapid economic growth, poverty eradication and sustainable development.<sup>32</sup>

4.26 Human Rights Watch drew the Committee’s attention to its September 2014 report, *Silenced and Forgotten: Survivors of Nepal’s Conflict-Era Sexual Violence*, on sexual violence in Nepal’s decade-long civil war between government forces and the Communist Party of Nepal, observing that:

While Nepal’s government has acknowledged the rape of women and girls, it has failed to end impunity for abuses or to seek justice and reparations for the victims of these abuses. It has also failed to introduce a comprehensive medical and psycho-social programme

30 Human Rights Watch (HRW), *Supplementary Submission 19.1*, p. 5.

31 Name Withheld, *Submission 64*, p. 4.

32 Sri Lankan High Commissioner, His Excellency Admiral Thisara Sugeeshwara Gunasekara Samarasinghe, Democratic Socialist Republic of Sri Lanka, *Committee Hansard*, Canberra, 25 November 2014, p. 1.



to benefit survivors and help them deal with the long-term consequences of sexual violence.<sup>33</sup>

4.27 The Department of Defence highlighted a report on *Conflict-related Sexual and Gender Based Violence*, which gave examples of sexual and gender-based violence perpetrated against girls in fighting forces' in the region, from 1990 to 2003 including in Burma, Cambodia, India, Indonesia and Timor-Leste.<sup>34</sup>

4.28 The Secretariat of the Pacific Community (SPC) observed that rape has been used as a weapon of warfare in conflicts in the Solomon Islands and Bougainville. With regard to the Solomon Islands it was reported that:

Rape of women was 'used as a measure of sanction.' Women and girls were raped by militants in front of their families where family members or the women were suspected of being spies, where compensation could not be afforded, and where militants and their commanders exploited their power to rape women.<sup>35</sup>

4.29 The SPC stated that perpetrators of sexual violence included:

... militant groups, the state, state-authorised groups and criminal elements who had possession of weapons even after a key peace agreement has been agreed between the warring groups.<sup>36</sup>

4.30 More broadly, submissions highlighted both the vulnerability and diversity of experience of women and girls in conflict zones. Submissions also emphasised the absence of female leadership or consultation with women's groups in peace processes and in periods of transition from conflict to peace. The Australian Council for International Development (ACFID) noted that:

Women's roles in situations of conflict are multiple and varied. Alongside men they are combatants and spoilers, victims and innocent bystanders. Despite this women are overwhelmingly under-represented in conflict prevention and peace processes.<sup>37</sup>

4.31 Australia's *National Action Plan on Women, Peace and Security 2012–2018* also emphasises the diversity and complexity of the impacts of war and conflict on women and girls:

Women and girls are not a homogenous group. Just as women and men have differential experiences of conflict, conflict affects

33 Human Rights Watch, *Supplementary Submission 19.1*, p. 4.

34 Department of Defence, *Submission 73*, p. 9.

35 SPC, *Supplementary Submission 24.1*, p. 1.

36 SPC, *Supplementary Submission 24.1*, p. 2.

37 Australian Council for International Development (ACFID), *Submission 25*, p. 17.

diverse groups of women and girls in very different ways. Women of various ages, women with disability, indigenous women and women from certain religious or cultural backgrounds may be more profoundly affected or more vulnerable than other groups of women. They may find it difficult to access support or infrastructure to meet their specific needs, or be more likely to experience gender-based violence.<sup>38</sup>

- 4.32 The following evidence highlights some of the risks and vulnerabilities that women and girls might face in or while fleeing conflict situations. For example, the Centre for Refugee Research (CRR) highlighted the particular vulnerability of displaced women and girls who may have no documentation or legal protection:

Refugee women of any and all ages report being raped. However, several groups are at heightened risk of sexual violence. Women report to us that experiences of rape, especially for young women, makes the woman survivor even more vulnerable to further rapes and to being targeted for trafficking or survival sex.

Unaccompanied minor girls are at great risk. They frequently live in exploitative or abusive 'foster' arrangements, and in camp settings in which we have worked are often forced to work as domestic servants for more powerful families, where they are subject to sexual exploitation.<sup>39</sup>

- 4.33 Save the Children noted that evidence suggests conflict is a major cause or catalyst for trafficking, '[as] wars, armed conflicts and occupation of territories often lead to increased trafficking and sexual assault'.<sup>40</sup> Save the Children also reported that:

Trafficking of women, girls and boys for sexual exploitation is prevalent in conflict affected or post-conflict nations in our region, especially Afghanistan, Myanmar, Cambodia, Nepal, Philippines and Sri Lanka.<sup>41</sup>

- 4.34 Slavery Links Australia further noted that:

... UNICEF [United Nations Children's Fund] presents evidence that where people and their society are stressed by conflict (arising from war, disaster or epidemic such as HIV AIDS) the incidence of

38 DFAT, *Exhibit 53*: 2012, p. 6.

39 Centre for Refugee Research, *Submission 35*, p. 4.

40 Save the Children Australia, *Submission 23*, p. 9. UN CEDAW comment attributed to the Centre for the Democratic Control of Armed Forces, *Sexual Violence in Armed Conflict: Global Overview and Implications for the Security Sector*, Geneva, 2011, p. 87.

41 Save the Children Australia, *Submission 23*, p. 8.

forced marriage may actually increase, apparently as a hopeful or last-ditch attempt to protect girls within a marriage.<sup>42</sup>

- 4.35 Amnesty International also pointed out that experiences of women and girls in conflict situations often reflect patterns of discrimination and injustice that existed prior to conflict:

All barriers faced by women in accessing justice before the national courts prior to conflict, such as legal, procedural, institutional, social and practical, and entrenched gender discrimination are exacerbated during conflict, persist during the post-conflict period and operate alongside the breakdown of the police and judicial structures to deny or hinder their access to justice.<sup>43</sup>

## Australian efforts

- 4.36 DFAT reported that Australia has been actively engaged in contributing to the implementation of UNSCR 1325 on women, peace and security. Australia's work in this area has involved providing practical support to address issues affecting women and men during and after conflict. DFAT explained that assistance has been provided to:

... women's organisations, partner governments and international organisations to ensure that women participate in peace processes, that their needs for protection are met and that gender perspectives are included in peacekeeping operations.<sup>44</sup>

- 4.37 DFAT's annual report for 2014–15 notes that in November 2014, during Australia's second presidency of the United Nations Security Council, Australia's representatives 'drew on our experience in gender-responsive policing in Solomon Islands, Timor-Leste and Vanuatu to ensure women, peace and security was a key issue in a landmark resolution on policing – Resolution 2185.'<sup>45</sup>
- 4.38 Australia launched its National Action Plan on Women, Peace and Security on International Women's Day in 2012. DFAT described the National Action Plan (NAP) as 'a practical step forward in Australia's efforts to implement UNSCR1325'. The NAP 'sets out what the Government will do, at home and overseas, to promote the women, peace and security agenda'.<sup>46</sup>

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42 Slavery Links Australia, *Submission 88*, p. 11.

43 Amnesty International, *Submission 74*, p. 9.

44 DFAT, *Submission 27*, p. 48.

45 DFAT, *Annual Report 2014–15*, p. 118.

46 DFAT, *Submission 27*, p. 45.

- 4.39 The submission from the Department of Defence explained that the NAP is intended to provide:
- ... a framework for a coordinated whole-of-Government approach to implementing the objectives of UNSCR 1325, and related resolutions. Government agencies reporting under the NAP include Defence, the Australian Civil Military Centre (ACMC), Australian Federal Police (AFP), Attorney-General's Department, DFAT, and the Department of Prime Minister and Cabinet (PM&C). The Office for Women in PM&C is the lead for the coordination of reporting against the NAP.<sup>47</sup>
- 4.40 The NAP has focussed on five key thematic areas identified by the United Nations and described as 'pillars'.<sup>48</sup> The five thematic areas, as described in Australia's plan, are: Prevention; Participation; Protection, Relief and Recovery; and Normative. The last thematic area, 'normative' refers to raising awareness about and developing policy frameworks to progress the women, peace and security agenda; and integrating a gender perspective across government policies on peace and security.<sup>49</sup>
- 4.41 Australian aid supports 'the N-Peace Network, which promotes women's leadership for conflict prevention, resolution and peace building in the region.' This network has:
- ... over 1600 members representing government, civil society, grassroots organisations, NGOs, academic institutions, media and religious groups across Afghanistan, Nepal, Indonesia, Philippines, Sri Lanka and Timor-Leste.<sup>50</sup>
- 4.42 DFAT explained that the N-Peace Network:
- ... provides a safe platform for sharing ideas, increasing dialogue between government and civil society on issues related to WPS [Women, peace and security] and documenting best practices critical for peace building. Through the N-Peace Awards, Australia's support also provides recognition of women peace advocates for their leadership in conflict prevention, women's empowerment and peace building in the region.<sup>51</sup>
- 4.43 The Australian Federal Police (AFP) informed the Committee on measures that support Australia's National Action Plan:

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47 Department of Defence, *Submission 73*, p. 2.

48 United Nations, *Women Peace and Security: Report of the UN Secretary-General*, 6 April 2010.

49 DFAT, *Exhibit 53: 2012*, p. 17.

50 DFAT, *Submission 27*, p. 39.

51 DFAT, *Submission 27*, p. 39.

The AFP International Deployment Group predominantly undertakes police capacity development in the Indo-Pacific region. Police development is a support provided to police in post-conflict and developing nations, to build their capacity to provide sustainable and quality policing to their citizens. This support is delivered by enhancing the operational capacity, leadership and enabling services of partner agencies. Those partner agencies are supported through human rights, gender equality and diversity delivery. This is integral to all AFP missions and incorporates into mission design and evaluation processes all aspects of human rights. In keeping with the National Action Plan the AFP has developed a gender strategy ... for the International Deployment Group. The strategy outlines the ways in which gender will be normalised in all IDG work, including daily operations, police development programs and stability operations.<sup>52</sup>

4.44 DFAT provided the Committee with the *2014 Progress Report: Australia's National Action Plan on Women, Peace and Security*. The report reviewed Australia's progress on implementing the plan since 2012 and found that 'the Government is tracking well against its responsibilities under the National Action Plan'.<sup>53</sup>

4.45 Specific achievements recognised in the report include:

- Policy: Integration of a gender perspective into 29 official Government policy and guidance documents related to peace and security.<sup>54</sup>
- Staff training: 54.3 per cent of the 1 141 Australian military, police and Australian Public Service personnel deployed in operations received training on Women, Peace and Security in the period.<sup>55</sup>
- Audits: The Australian-Civil Military Centre undertook an audit of its policies and activities 'to ensure best practice standards and effective integration of gender perspectives across program activities, and to develop the *ACMC National Action Plan Implementation Plan*'.<sup>56</sup>
- Representation: Work to remove restrictions that limit the number of women deployed in conflict and post conflict zones, such as removing the restriction on women serving in combat roles.<sup>57</sup>

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52 Ms Mandy Newton, Assistant Commissioner, National Manager, International Deployment Group, Australian Federal Police, *Committee Hansard*, Canberra, 18 September 2014, p. 24.

53 DFAT, *Exhibit 52: Australian Government, Progress Report Australian National Action Plan on Women, Peace and Security 2012–2014*, Department of Prime Minister and Cabinet, 2014, p. 8.

54 DFAT *Exhibit 52: 2014*, p. 8.

55 DFAT *Exhibit 52: 2014*, p. 8.

56 DFAT, *Exhibit 52: 2014*, pp. 15–16.

57 DFAT, *Exhibit 52: 2014*, p. 8-23.

- Engagement: Support for international dialogues and engagements to engage civil society with the women, peace and security agenda, such as the 2013 Annual Civil Society Organisation Dialogue in Canberra.<sup>58</sup>
  - Advocacy: International activities, such as training UN military observers in Kenya and Rwanda on Women, Peace and Security, and the roles and vulnerabilities of women and children in conflict zones.<sup>59</sup>
- 4.46 The Progress Report also provided an update on the N-Peace network, saying it has ‘successfully brought increased visibility of Women, Peace and Security issues and is gradually expanding to countries in the Pacific including Papua New Guinea’.<sup>60</sup> Through the network:
- ... spaces have been provided to women’s groups for dialogues, which have resulted in increased knowledge and visibility of Women, Peace and Security issues in the countries and the Asia region. Women participants have also acknowledged stronger network and partnerships for advocacy resulting in effective implementation of UNSCR 1325.<sup>61</sup>
- 4.47 In the wake of the 2013 Annual Civil Society Organisation Dialogue, the Australian Council for International Development, UN Women and the ANU Gender Institute collaborated to produce the *2014 Second Annual Civil Society Report Card: Australia’s National Action Plan on Women, Peace and Security*.<sup>62</sup>
- 4.48 The report was broadly positive about Australia’s efforts in promoting the women, peace and security agenda, including through its term on the United Nations Security Council, finding that there had been ‘significant advancements’ made.<sup>63</sup> However, the report also offered suggestions for improvement, and identified opportunities. These overall recommendations were:
- Create consistency within and across departments of WPS implementation. This requires ensuring each department appoint an operational senior level WPS focal point and develop an adequately resourced and publicly available WPS implementation plan.

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58 DFAT, *Exhibit 52: 2014*, pp. 27–28.

59 DFAT, *Exhibit 52: 2014*, p. 43.

60 DFAT, *Exhibit 52: 2014*, p. 74.

61 DFAT, *Exhibit 52: 2014*, p. 75.

62 Australian Council for International Development (ACFID), United Nations Women (UN Women), Australian National University (ANU) Gender Institute, *2014 Second Annual Civil Society Report Card: Australia’s National Action Plan on Women, Peace and Security*, <[genderinstitute.anu.edu.au/news/2014-civil-society-report-card](http://genderinstitute.anu.edu.au/news/2014-civil-society-report-card)> viewed 13 August 2015.

63 ACFID, UN Women, ANU Gender Institute, *2014 Second Annual Civil Society Report Card: Australia’s National Action Plan on Women, Peace and Security*, p. 2, viewed 13 August 2015.

- Ensure the intentionality of NAP activities in meeting WPS goals. This acknowledges the specific focus of WPS work (as opposed to broader gender or peace and security work) and targets activities towards NAP obligations and WPS values.
- Ensure that reviews offer a qualitative analysis of outcomes of NAP activities rather than only listing quantitative outputs. This will ensure activities can be continually refined and outcomes are measured against goals.
- Continue the development of an open, productive and directed partnership with civil society that takes advantage of its skills, experience and community engagement.<sup>64</sup>

4.49 The report concluded that Australia had the opportunity to continue its 'momentum' by further 'promoting [women, peace and security] implementation through its regional engagements in the Indo-Pacific'. To achieve this, the report suggested:

- [P]roviding advocacy and support to increase women's participation in conflict resolution and formal and informal peace processes in conflict affected regions such as Burma.
- [Supporting] the development and implementation of NAPs throughout the region including the Pacific Regional Action Plan and plans in the Solomon Islands and Japan.
- Strategies ensuring the protection of women must be integrated into all of Australia's overseas operations.<sup>65</sup>

4.50 DFAT also highlighted Australian support for the inclusion of women in peace efforts in Afghanistan, providing an example of the Australian Government's recent efforts to protect women and girls in conflict during a United Nations Assistance mission to Afghanistan.<sup>66</sup> During the mission, Australia advocated for 'new and strengthened provisions to support political participation by Afghan women', enhanced protection for women and girls from sexual violence, the need to 'hold perpetrators of gender-based violence to account', and the need to 'maintain legislative protections for Afghan women'.<sup>67</sup>

4.51 DFAT noted that through the Afghanistan Peace and Reconciliation Program (APRP), women are:

... actively encouraged to engage in peace and reconciliation activities, including through conferences, civil society

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64 ACFID, UN Women, ANU Gender Institute, *2014 Second Annual Civil Society Report Card: Australia's National Action Plan on Women, Peace and Security*, p. 2, viewed 13 August 2015.

65 ACFID, UN Women, ANU Gender Institute, *2014 Second Annual Civil Society Report Card: Australia's National Action Plan on Women, Peace and Security*, pp. 16–17, viewed 13 August 2015.

66 DFAT refers to this as the 'United Nations Assistance Mission to Afghanistan (UNAMA) Mandate Renewal (Resolution 2145)'. DFAT, *Submission 27*, p. 39.

67 DFAT, *Submission 27*, p. 39.

organizations, membership of the High Peace Council and of the Provincial Peace Councils (PPCs).<sup>68</sup>

4.52 Further to this, DFAT explained that:

... APRP has established close partnerships with government institutions, including the Ministry of Women Affairs, to deliver its programs. At the provincial level, PPCs comprise key local stakeholders, including women, who are responsible for initiating and supporting peace initiatives in their communities.<sup>69</sup>

4.53 Australia's Ambassador for Women and Girls, Natasha Stott Despoja, has made the protection of women and girls in conflict zones a priority in her advocacy.<sup>70</sup> The Ambassador noted that:

My work to promote Australia's women, peace and security agenda has been certainly a priority for government, especially during the term that Australia has had on the UN Security Council. I am confident that that priority on women, peace and security will continue, even though we are no longer represented on the council.<sup>71</sup>

4.54 DFAT advised that the number of vulnerable women and girls provided with lifesaving assistance through Australian Aid in conflict and crisis situations in 2012-13 was 1 675 834, and 3 726 581 were supported in 2013-14.<sup>72</sup>

4.55 The Defence Department's submission emphasised Australia's responsibility under United Nations Security Council resolutions to protect women and girls from violence arising from conflict. More broadly the Department affirmed, '[i]t is in Australia's interest to encourage the participation of women in peace processes and to create structures that promote gender equality in support of lasting peace'.<sup>73</sup>

4.56 The submission from Defence noted that Australian Defence Force (ADF) members deployed in NATO and United Nations missions are required to 'understand the unique role that women can play in the host country'. The submission further noted:

68 DFAT, *Submission 27*, p. 39.

69 DFAT, *Submission 27*, p. 39.

70 DFAT, *Submission 27*, pp. 39-40.

71 Ms Natasha Stott Despoja, Ambassador for Women and Girls, DFAT, *Committee Hansard*, Canberra, 3 December 2014, p. 2.

72 DFAT, *Submission 27.2*, p.13, cited from 'DFAT Results Bank 2014'. DFAT notes that further detail would be required to ensure these figures are fully comparable.

73 Department of Defence, *Submission 73*, p. 1.



The ADF has previously deployed female engagement teams as part of the provincial reconstruction capability in Afghanistan, and since 2013, deployed senior ADF women as NATO GA (Gender Advisor).<sup>74</sup>

4.57 To improve awareness of the issues and challenges facing women and girls in conflict and post-conflict situations, the ADF stated it has undertaken a number of ‘communication events’ such as contributing to international forums, including:

... the NATO Committee on Gender Perspectives conference, and the 2013 UN Development Program Gender Perspectives Conference Asia ... national government and civil society events on WPS and related issues, civil-military workshops, International Women’s Day events, and the 2013 inaugural national CDF Gender Conference ... In addition, Defence has contributed articles for internal and external media consumption, and in NATO and UN publications.<sup>75</sup>

4.58 The Annual Chief of the Defence Force Gender Conference has also focused on women in peace and security operations.<sup>76</sup>

4.59 Australia’s then Chief of Army, Lieutenant General David Morrison, emphasised to the Committee the critical role of leadership in changing the behaviour of military forces towards women and girls in conflict zones:

At the most elemental point the soldier has the choice to either be a protector or a perpetrator. There is without doubt a high level of sexual violence perpetrated by men, almost exclusively, in armies around the world and there is a requirement, in my view, for all leaders of any armies to address matters around culture that go to the heart of the choice that individual soldiers will make, either to be a perpetrator or a protector.<sup>77</sup>

## Justice, reparation and women’s involvement in conflict resolution and peace processes

4.60 A number of submissions to the Committee argued that notwithstanding increased attention by the United Nations there is still much that urgently

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74 Department of Defence, *Submission 73*, p. 6.

75 Department of Defence, *Submission 73*, p. 7.

76 Department of Defence, *Submission 73*, p. 7.

77 Lieutenant General David Morrison, Chief of the Army, Department of Defence, *Committee Hansard*, 2 September 2014, p. 1.

needs to be done to address sexual and gender-based violence in conflict. In particular, to ensure access to justice or reconciliation for victims and the engagement of women in conflict resolution and peace making.

- 4.61 Lieutenant General Morrison particularly emphasised the need to bring perpetrators of violence against women and girls to account:

From my attendance at the global summit and from my participation in military operations or my study of them, without a doubt holding men – primarily men of course – to account following the perpetration of a violent sexual act is probably the most important thing at the moment. ... Education is very important. The United Nations Security Council resolution 1325 goes to the heart of this and Australia is a signatory to it. We train all of our personnel who are deploying what is right and what has to be done if they come across instances of sexual violence. But there is, when you look around the world at the moment, such a long way to go. The very first thing that could be done is to hold people to account.<sup>78</sup>

- 4.62 The submission from ActionAid suggested that '[t]oo frequently, governments and the international community overlook the direct experiences of women survivors of sexual violence in conflict'.<sup>79</sup>

- 4.63 ActionAid, in partnership with Sydney University and with funding from the Australian Government, stated that the partners are seeking to:

... [provide] opportunities to understand women's interpretation of justice and to gain first hand information about access to justice for survivors. For example, women who were forcibly abducted and recruited as child soldiers during the civil war in Uganda have shared that they are seeking reparations from the government in the form of education for their children, as this was a right that they were denied as children.<sup>80</sup>

- 4.64 Ms Irene Santiago, the Lead Convener of 'Women Seriously', noted in her submission that women are often excluded from peace processes. She stated that while peace negotiations are about ending war, women will not be invited to sit at the peace negotiation table as war is traditionally seen as a male dominated sphere of activity. However, if peace negotiations were

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78 Lieutenant General Morrison, Defence, *Committee Hansard*, 2 September 2014, pp. 5–6.

79 ActionAid Australia, *Submission 29*, p. 5.

80 ActionAid Australia, *Submission 29*, p. 5.

seen to be about building peace then women would be more likely to be included in negotiations.<sup>81</sup>

- 4.65 The WILPF cited research in Burma, Sri Lanka, the Philippines, Bougainville and Fiji that suggested women have found peace processes to be as gendered as conflict itself, with women either not being included in the process or 'offered an advisory role only.' The organisation reported:

Experience has shown that this leads to women's perspectives being ignored or sidelined, which, in turn, is a barrier to their human rights being safeguarded or promoted. The inclusion of a gender perspective in peace processes means finding ways in which women's perspectives can be included at an early stage, rather than as an afterthought.<sup>82</sup>

- 4.66 Quoting an article by Hunt Swanee and Cristina Posa, *Women Waging Peace*, the WILPF also commented that '[a]llowing men who plan wars to plan peace is a bad habit'.<sup>83</sup>

- 4.67 ACFID was also highly critical of the lack of female representation in peace negotiations:

... women are overwhelmingly under-represented in conflict prevention and peace processes. Of the 31 peace processes through the period 1992-2011, only 9 [per cent] had female negotiators present. UNSC Resolution 1325 affirms the importance of the equal participation and full involvement of women in all areas of work to maintain and promote peace and security. A discussion of the role of women in conflict and peace should move beyond a sole focus on protection and violence, which sees women only as passive victims of conflict, and recognise women's agency and participation in situations of transition from conflict to peace.<sup>84</sup>

- 4.68 However, the risk to women who obtain public roles was noted in evidence by Amnesty International who observed that in Afghanistan:

Two leaders of the women's department in the Laghman province were murdered in succession in a period of about six months. I think something like 70 women in public life in Afghanistan were murdered last year. So we think Australia focusing on the whole

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81 Ms Irene M Santiago, Lead Convener, 'Women Seriously', Global Campaign on Women, Peace and Security, *Submission 85*, p. 1.

82 WILPF, *Submission 53*, p. 1.

83 WILPF, *Submission 53*, p. 4. See also, Hunt, Swanee and Posa, 'Women Waging Peace' *Foreign Policy*, 2001, 124, pp. 38-47.

84 ACFID, *Submission 25*, p. 17.

women, peace and security agenda, which will allow women to be more involved in peace building and political participation, will have genuine benefits.<sup>85</sup>

4.69 Amnesty International recommended that Australia encourage and support the efforts of civil society organisations:

... including women groups and human rights defenders, to improve the monitoring and documentation of human rights violations, including cases of sexual and gender-based violence in conflict and empower survivors to access justice.<sup>86</sup>

4.70 Amnesty further argued that it is equally essential to ensure women's full and equal participation in peace negotiations and post-conflict reconstruction efforts, in order to ensure that issues that affect women including their 'economic and political empowerment and sexual and gender-based violence adequately are addressed.'<sup>87</sup>

4.71 However, WILPF made that point that 'just because a woman is present at peace talks ... does not mean that she will represent the views of other women, which are themselves not monolithic'.<sup>88</sup>

4.72 The WILPF further argued that '[s]pecific expertise is required to translate gender issues into gender sensitive language', in peace talks, adding:

Although the possession by women of natural peacemaking skills is controversial, it is accepted that they bring different perspectives and motivations to the peace table and, in general, they are still the main proponents of gender-sensitive issues. Further, their very presence may contribute symbolic, as well as practical, value to the process. In any event, as UN Women recognises 'A case in which peace negotiations were derailed due to women's demands has yet to be discovered'.<sup>89</sup>

## Refugee women and girls

4.73 A number of submissions to the inquiry raised the plight of women and girls who live in refugee camps or urban areas, having fled their homes as a result of war, conflict or natural disasters.

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85 Ms Sophie Nicolle, Government Relations Adviser, Amnesty International, *Committee Hansard*, Sydney, 21 August 2014, p. 6.

86 Amnesty International, *Submission 74*, p. 12.

87 Amnesty International, *Submission 74*, p. 9.

88 WILPF, *Submission 53*, p. 5.

89 WILPF, *Submission 53*, p. 5.

4.74 The submission from the Refugee Council of Australia observed that '[s]exual and gender based violence (SGBV) is endemic in refugee situations, not only in Asia but across the world'.<sup>90</sup> The Council submitted that:

Women and girls constitute around half of the global refugee population, a proportion that has remained consistent over the past decade. While women and girls face the same challenges as other refugees and asylum seekers in the region, they also face additional risks and barriers due to their gender.<sup>91</sup>

4.75 The Centre for Refugee Research similarly commented:

While all forcibly displaced people experience human rights violations and abuses, entrenched social disadvantage and gender discrimination result in women and girls facing heightened risks and increased violations in the displacement context. This is exacerbated by severe disruption to family/community support and protection, by the absence of gender-sensitive responses to their situation, and by their lack of legal status and protection in the country of asylum.<sup>92</sup>

4.76 Evidence to the inquiry suggested that the types of violence that can affect women and girls in refugee camps include sexual and gender-based violence, family violence, sexual exploitation and harassment.<sup>93</sup>

4.77 Family separation can also put women and girls at greater risk of violence. The Refugee Council of Australia pointed out:

... individual family members – particularly women – can face greater risks apart than they do when the family remains together. For example, single women and female-headed households are often at greater risk of violence and exploitation than families which include adult male relatives. Women may also find it more difficult to financially support their families without the assistance of other family members due to the often limited livelihood opportunities available to women.<sup>94</sup>

4.78 With particular reference to the plight of women in Asia, the Centre for Refugee Research explored the places and risk factors that contribute to violence against women and girls in refugee communities:

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90 Refugee Council of Australia, *Submission 34*, p. 5.

91 Refugee Council of Australia, *Submission 34*, p. 5.

92 Centre for Refugee Research, *Submission 35*, p. 2.

93 Refugee Council of Australia, *Submission 34*, p. 6.

94 Refugee Council of Australia, *Submission 34*, p. 6.

Women report sexual violence occurring in the workplace, on public transport, at the markets at night, from landlords, in parks and public places and in the home. The women with whom we have worked have identified many factors that intersect to increase the risks ... These include lack of access to livelihoods ... lack of secure shelter, and complete lack of access to formal justice systems.<sup>95</sup>

- 4.79 The Refugee Council of Australia pointed out that Australia ‘makes a significant contribution to addressing the needs of refugee women and girls through its Refugee and Humanitarian Program’ further stating that:

Over the past five years, around 40 [per cent] of the humanitarian visas issued under the Program have been granted to women and girls. Australia also offers targeted resettlement opportunities for refugee women through the Woman at Risk program, designed for women and their dependents who are without the protection of a male relative and are in danger of victimisation, harassment or serious abuse because of their gender. RCOA welcomes the commitment of the Australian Government to offering these targeted resettlement places on an ongoing basis.<sup>96</sup>

## Disasters and gender-based violence

- 4.80 Evidence to the Committee strongly suggested that women and girls are also disproportionately vulnerable in times of disaster. One of the flow-on effects of disasters for women and girls appears to be an increased risk of gender-based violence.

- 4.81 The Asia Pacific region is particularly prone to natural disasters. Save the Children noted that in 2013 there were some 334 country level disasters across 109 countries worldwide, ‘resulting in 22 616 people killed, 96 million people affected, and economic damages in the vicinity of USD 118 billion’. In that year:

... Asia experienced 88 [per cent] of all disaster-related mortality, as compared to the decadal average of 62 [per cent] (2003 to 2012). Typhoon Haiyan devastated the Philippines (7 986 killed) and imposed damages equalling 5 [per cent] of national Gross Domestic Product (GDP).<sup>97</sup>

95 Centre for Refugee Research, *Submission 35*, p. 4.

96 Refugee Council of Australia, *Submission 34*, p. 7.

97 Save the Children Australia, *Submission 23*, p. 7.

4.82 The submission further noted that, in the same year, a single flood event in India claimed 6 054 lives. Floods in the Solomon Islands, disasters in the Philippines, and the landslides in Afghanistan highlighted 'the endemic disaster risk right across the Indian Ocean and Asia Pacific region'.<sup>98</sup>

4.83 In its supplementary submission to the inquiry, CARE Australia observed that natural disasters are not just physical events but can cause massive social dislocation:

Disasters affect power dynamics at all layers of society, whether at the political level, within communities or within households. And indeed, gender roles change, across age and over time, and a humanitarian crisis can lead to radical changes, both for people who stay in the affected region and for people who flee.<sup>99</sup>

4.84 The Director of ActionAid Mr Archie Law argued that natural disasters increase women's vulnerability to violence and can reverse hard won social progress:

In terms of barriers to women's rights in the region, emergencies and natural disasters in particular are increasing women's vulnerability to violence, exploitation and abuse. These also create setbacks of years in terms of the broader developmental gains that had been made before disasters strike.<sup>100</sup>

4.85 ActionAid observed that 'addressing VAWG [violence against women and girls] in humanitarian settings is crucial to ending the cycle of vulnerability, marginalisation, exclusion and poverty faced by women'. However, only 'limited data is available in the region on links between VAWG and disasters'. Despite this, the organisation observed, 'reports from other areas are instructive'. The organisation noted the following example:

... eighteen months after the earthquake in Haiti, women and girls reported having experienced widespread sexual abuse and exploitation as they struggled to obtain the basic goods and services needed to survive.<sup>101</sup>

4.86 The GLASS Research Unit submitted that natural disasters exacerbate existing gender inequalities and further 'increase men's violence against women'. GLASS also suggested, 'it is highly likely that the recent flood in

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98 Save the Children Australia, *Submission 23*, p. 7.

99 CARE Australia, *Supplementary Submission 54.1*, p.1

100 Mr Archie Law, Director, ActionAid, *Committee Hansard*, Canberra, 21 August 2014, p. 11.

101 ActionAid Australia, *Submission 29*, p. 5.

Honiara resulted in further incidences of MVAWG [male violence against women and girls]'.<sup>102</sup>

- 4.87 GLASS also pointed out that finding a safe place to seek shelter from disasters can be problematic for women:

Violence against women is common in shelters during and after environmental disasters and there are moves across the world to make shelters more gender sensitive as a result. In situations where they are not gender sensitive, women and girls are choosing not to seek shelter.<sup>103</sup>

- 4.88 Similarly, Professor Hilary Bambrick argued that disasters caused by climate change in turn cause social disruption which can increase the exposure of women and girls to the risk of violence:

Whether they are in emergency shelters because of an extreme event or because of forced migration and conflict over the increasingly scarce resources of land, water and food, climate change threatens the safety of women and girls.<sup>104</sup>

- 4.89 Dr Priya Chattier advised that the impacts of environmental change are often a threat to food security and to the livelihoods of women, with Pacific women most likely to be affected by the impacts on crop rotation, reef fish stocks, damage to houses from more intense tropical cyclones, and from rising sea levels, changing rainfall patterns and ensuing water shortages.<sup>105</sup> She recommended:

It is essential that Australia's aid programme for the Pacific examine the situation of rural women in the Pacific region and identifies and pursues opportunities to analyse and integrate gender dimensions and strategies to empower rural women in all aspects of agricultural and rural development. Women's concerns and knowledge on food security could be better signposted in other programmes concerned with climate change mitigation, adaptation, awareness raising and sustainable resource management, all of which impact on women's lives.<sup>106</sup>

- 4.90 Professor Hilary Bambrick referred to successful work conducted by the Kiribati Climate Action Network (KiriCAN) through the Live and Learn environment centre in Kiribati:

102 GLASS Research Unit, Monash University, *Submission 7*, pp. 11–12.

103 GLASS Research Unit, *Submission 7*, p. 4.

104 Professor Hilary Bambrick, Private capacity, *Committee Hansard*, Canberra, 7 May 2015, p. 17.

105 Dr Priya Chattier, *Submission 55*, p. 3.

106 Dr Priya Chattier, *Submission 55*, p. 4.



Live and Learn have been working at the community level to develop much more sustainable farming in the area – one of the problems in Kiribati is that you get tidal inundation and you lose everything that you have just planted, so it is a matter of trying to find crops that can withstand that and diversifying and things like that – teaching women, in particular, not only how to grow things but how to sell them as well. It is about community enterprise.<sup>107</sup>

## Gender sensitive disaster relief and reconstruction

4.91 Evidence suggested that governments and humanitarian agencies need to make greater efforts to provide humanitarian assistance that takes into account the needs of women and girls during and after disasters.

4.92 ActionAid observed that:

... many humanitarian agencies often lack the capacity to address women's human rights in these settings. Beyond immediate relief and support for women, they are not equipped or mandated to respond to VAWG in disaster and conflict settings.<sup>108</sup>

4.93 The GLASS submission observed that failures by governments and humanitarian agencies to consult with women and girls in post disaster relief and reconstruction could result in 'unintended consequences' and adverse outcomes:

In two sites in different countries of the region we are aware of rebuilding that included the siting of toilets at the end of a road of newly constructed houses. In both cases women and girls have been victims of sexual violence when going to the toilets. It is therefore important that the Australian government's aid efforts do not add to the human rights abuses of women and girls, that women and girls are consulted about reconstruction efforts and that funds are fairly distributed.<sup>109</sup>

4.94 To combat gender-based violence, CARE Australia argued that a gender-sensitive approach to humanitarian assistance is essential:

Dedicated GBV expertise and stand-alone GBV initiatives are essential to enable survivors to have a place to turn to for the multi-sectoral support they require, including medical services, psycho-social support as well as potentially legal, security and longer-term livelihoods assistance. However, too often agencies

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107 Professor Hilary Bambrick, *Committee Hansard*, Canberra 7 May 2015, p. 20; for other Live and Learn activities see Live and Learn International, *Submission 9*, p. 1.

108 ActionAid, *Submission 29*, p. 5.

109 GLASS Research Unit, Monash University, *Submission 7*, p. 5.

delivering programs in other sectors, such as WASH, food security, shelter, refugee camp management and so on, fail to factor gender into their efforts. The consequence is that opportunities are missed to mitigate GBV risks in their project design. Without that mainstreaming, we notice that even in cases where stand-alone GBV services are available, the numbers of survivors accessing these services are low in comparison to the levels of GBV reported through wider needs assessments. Effective referral systems are crucial.<sup>110</sup>

- 4.95 CARE Australia told the Committee that the ‘humanitarian world’ have recognised the importance of addressing gender in emergencies, including through:

... the publication of the Inter Agency Standing Committee (IASC) Gender Handbook in Humanitarian Action, Guidelines on Gender-based Violence and the Minimum Initial Service Package for Reproductive Health in Emergencies, the deployment of international gender advisers, the promotion of an IASC gender marker, and the collection of sex and age disaggregated data and more.<sup>111</sup>

- 4.96 CARE Australia further noted, however, that: ‘On the international political and donor agenda however, the topic has received far less attention, with the exception of sexual violence’.<sup>112</sup>

- 4.97 Ms Julianne Scenna, Director, Government and Multilaterals, at World Vision Australia told the Committee:

I would also highlight gender based responses in emergencies. The Australian government has had significant involvement in humanitarian responses. There is a large bank of evidence on the impact of violence against women and girls and sexual based violence in emergencies but also on the success of gender-responsive approaches and disaster-preparedness training, in safe spaces, for women and children in the case of emergency responses. Having intentional gender focus in our humanitarian program would be another area that I would call out.<sup>113</sup>

- 4.98 DFAT advised that its Humanitarian Action Policy includes a commitment to gender equality in humanitarian action:

110 CARE Australia, *Supplementary Submission 54.1*, p. 6.

111 CARE Australia, *Supplementary Submission 54.1*, p. 3.

112 CARE Australia, *Supplementary Submission 54.1*, p. 3.

113 Ms Julianne Scenna, Director, Government and Multilaterals, World Vision Australia, *Committee Hansard*, Sydney, 21 August 2014, p. 14.

The policy supports the active participation of women, girls, boys and men, and the increased disaggregation of data by sex. Protection is a core component of Australia's humanitarian action. Australia has a long-standing commitment to protecting people affected by natural disasters and human-induced crises, reflecting our desire to prevent and reduce the violence, exploitation and deprivation that people in such situations face.<sup>114</sup>

- 4.99 The Department further advised that the Australian Government released its first 'Protection in Humanitarian Action Framework' in 2013, with a commitment to fund dedicated protection programs, and for protection to be mainstreamed in humanitarian action:

For all humanitarian investments over \$3 million it is compulsory to complete a Humanitarian Response Aid Quality Check (HAQC). HAQCs are similar to AQCs but contain modified criteria suited to assess how well humanitarian response investments are performing. This means that each humanitarian investment must be rated on its ability to make a difference to gender equality and empowering women and girls. HAQCs also include a criterion on protection. This includes an assessment of the extent to which the investment includes measures to prevent and respond to gender-based violence and the extent to which the monitoring and evaluation system for the investment collects sex, disability and age disaggregated data.<sup>115</sup>

- 4.100 CARE Australia observed, however, that while 'there is rhetorical support for gender programming in emergencies, in practice many actors are still working "gender-blind"', and were consequently less effective, risking negative outcomes:

If we neglect or ignore gender issues in emergencies, we fail to recognise the different needs, capacities and contributions of women, girls, boys and men, and operations that do not respond to gendered needs risk being discriminatory in their delivery. At best this means the work is less effective and at worst, it risks harming the communities we are supposed to serve.<sup>116</sup>

- 4.101 The need for a greater emphasis on gender responsiveness during disasters was further highlighted by World Vision:

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114 DFAT, Submission to the Senate Inquiry into International Aid (Promoting Gender Equality) Bill 2015, p. 6.

115 DFAT, Submission to the Senate Inquiry into International Aid (Promoting Gender Equality) Bill 2015, p. 7.

116 CARE Australia, *Supplementary Submission 54.1*, p. 2.

The Australian government has had significant involvement in humanitarian responses. There is a large bank of evidence on the impact of violence against women and girls and sexual based violence in emergencies but also on the success of gender-responsive approaches and disaster-preparedness training, in safe spaces, for women and children in the case of emergency responses. Having intentional gender focus in our humanitarian program would be another area that I would call out.<sup>117</sup>

4.102 CARE Australia argued that the programs that directly ‘address the needs of women and girls in emergencies, such as preventing and responding to gender-based violence, must be resourced’.<sup>118</sup>

4.103 Amnesty International submitted to the inquiry the need to pursue a ‘practical and cohesive programme of action’ to address sexual and gender-based violence in conflict situations, taking into account factors, including:

... gender inequality; the continuing lack of women’s participation in conflict resolution and peace processes; and lack of access to justice, truth and reparation for victims of crimes of sexual and gender-based violence under international law, whether they are male or female, adult or child.<sup>119</sup>

4.104 DFAT also noted that sometimes post conflict situations can provide opportunities to make change for the better:

Sometimes we see post conflict as an opportunity, where there has been a disruption. The United Nations, for example, in both Afghanistan and in Timor ensured that the constitutions were drafted in such a way that gender equality was embedded within the constitutions. We saw that as well in Sierra Leone, and of course Sierra Leone is one of the two countries in the world now where women outnumber men in parliament. That emerged post conflict because there was the drafting by an international consortium, along with the country concerned, of the constitution. And we see the same in both Timor-Leste and Afghanistan – that there is probably greater representation by women then there would have otherwise been. So there are entry points and sometimes opportunities emerge from post-conflict environments

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117 Ms Scenna, World Vision Australia, *Committee Hansard*, Sydney, 21 August 2014, p. 14.

118 CARE Australia, *Submission 54.1*, p. 2.

119 Amnesty International, *Submission 74*, p. 8.

as well, which is clearly unfortunate. But thinking originally about where the entry points might be is usually the way we do it.<sup>120</sup>

## Committee comment

- 4.105 The Committee is aware of the considerable international attention that has been focussed recently on the issue of gendered violence in conflict. This has built on some 15 years of diplomacy with the UNSCR 1325 and subsequent Security Council resolutions which have established a clear international framework providing guidance for measures to address this persistent problem.
- 4.106 The Australian Government has been active in this policy area and is to be commended for adopting and working to implement a National Action Plan on women, peace and security. The Government is also to be commended for its work in Afghanistan advocating for the inclusion of women in peace efforts.<sup>121</sup>
- 4.107 Against this background, Australia's diplomatic efforts may be most usefully focussed on regional dialogue and engagement. Some proposals made to the Committee for the Australian Government to adopt included:
- Leading an annual ASEAN–Australia Dialogue held for parliamentarians, judicial, public service and security sectors on Women, Peace and Security.
  - Facilitating an Australia–ASEAN Annual Dialogue on Defending Women's Rights that could promote and defend women's human rights and could, for example, engage in areas such as training and awareness of international legal instruments.<sup>122</sup>
  - Supporting the implementation of the Pacific Regional Action Plan on Women, Peace and Security, and increase resources committed to ensuring effective monitoring and evaluation of the Action Plan.<sup>123</sup>
- 4.108 The Committee was pleased to hear from DFAT officials, the Ambassador for Women and Girls, the ADF and AFP, and UN Women, as well as a number of other organisations who work in this critical area.
- 4.109 Evidence received by the Committee indicates a key aspect of combating violence relates back to the broader issue of the need to educate men,

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120 Ms Sally Moyle, Principle Gender Specialist, DFAT, *Committee Hansard*, Canberra, 17 June 2014, p. 6.

121 DFAT, *Submission 27*, p. 39.

122 Asia Pacific Centre for Responsibility to Protect, *Submission 18*, pp. 5–7.

123 WILPF, *Submission 53*, p. 10.

governments and legal sectors on the need to include women and girls in peace negotiations, relief efforts and post conflict reconstruction.

- 4.110 The Committee supports proposals for greater focus on the role that women and girls can and should play in responses to humanitarian crises.
- 4.111 The Committee also notes DFAT's reliance on international agencies to deliver gender equality outcomes in the context of humanitarian assistance and disaster relief. It would seem timely – with the increased gender focus of the Australian Aid Program – that a review be conducted to ensure that agencies have, or are developing and implementing, gender sensitive programming in an agreed and co-ordinated fashion during humanitarian crises.

## Recommendations

### Recommendation 9

The Committee recommends that the Australian Government:

- adopt the proposals made in the 2014 Second Annual Civil Society Report Card: Australia's National Action Plan on Women, Peace and Security; and
- encourage governments in the region, which have not already done so, to prioritise the approval of national action plans for UN Security Council resolution 1325 on women, peace and security.

### Recommendation 10

The Committee recommends that the Australian Government work to ensure that Australian responses to disasters and humanitarian crises factor in the unique and additional needs of women and children, by ensuring:

- that all plans, toolkits and guidance documentation for humanitarian and disaster relief include a requirement to take into account the unique needs and vulnerabilities of women and children, and guidance on how this can be achieved; and
- humanitarian responses funded by the Australian Government model gender-sensitive processes, and avoid additional harms to women and children.





## Health, reproduction and amenities

- 5.1 The Department of Foreign Affairs Defence and Trade's (DFAT) submission stated that: 'Health and education are the foundation blocks for gender equality and women's empowerment'.<sup>1</sup>
- 5.2 The Burnet Institute asserted that 'health is one of the fundamental rights of every human being', and also noted the 'consequent impact of poor health status on economic and social development'.<sup>2</sup>
- 5.3 This chapter outlines the major health issues for women and girls, as presented in evidence to the inquiry. By necessity, it does not discuss all health issues relevant to women and girls but focusses on those that witnesses highlighted as major barriers to women's human rights.
- 5.4 The chapter examines:
- the importance of good health for women and girls;
  - reproductive health, including birth care, family planning, safe abortion and sex education for young people;
  - care and medical support for survivors of violence;
  - health issues for refugees and those in conflict zones;
  - child health, stunting and nutrition;
  - disease and disability; and
  - sanitation and infrastructure.
- 5.5 The chapter then considers achievements in promoting the health of women and girls, as well as examples of programs that appear to be making a difference.

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1 Department of Foreign Affairs Defence and Trade (DFAT), *Submission 27*, p. 25.

2 Burnet Institute, *Submission 47*, p. 2.

## The importance of good health

- 5.6 Access to reliable health care is critical for all people, including women and girls. The Gavi Vaccine Alliance (Gavi) affirmed:
- Poor health is a key barrier to the enjoyment of human rights and social and economic advancement for women and girls in developing nations within the Indian Ocean - Asia Pacific region.<sup>3</sup>
- Gavi also asserted that poor health can have:
- ... a devastating impact not only on the physical wellbeing of women and girls but also, as they are often the care providers, on their capacity to generate income and participate in community life including education.<sup>4</sup>
- 5.7 DFAT explained that good health is critical to ‘improving livelihoods, enabling poor people to participate in the economy, and lifting living standards’.<sup>5</sup>
- 5.8 The Department explained that it invests in health through the aid program ‘so that women, men and children can achieve better health and live healthy and productive lives’.<sup>6</sup>
- 5.9 The Burnet Institute emphasised that, as a founding member of the World Health Assembly, ‘Australia recognises health as a universal human right’. It further pointed out that:
- Every country in the world is now party to at least one human rights Treaty that addresses health-related rights. This includes the right to health as well as other rights that relate to conditions necessary for health.<sup>7</sup>

## Health challenges for women and girls

- 5.10 Witnesses to the inquiry emphasised that women and girls’ health care needs differ to those men and boys. This is especially true in regards to reproductive and sexual health.<sup>8</sup>

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3 Gavi Vaccine Alliance (Gavi), *Submission 80*, p. 1.

4 Gavi, *Submission 80*, p. 2.

5 DFAT, *Supplementary Submission 27.2*, pp. 18–19.

6 DFAT, *Supplementary Submission 27.2*, p. 18.

7 Burnet Institute, *Submission 47*, p. 5.

8 See, for instance, International Sexual and Reproductive Health and Rights (ISRHR) Consortium, *Submission 52*, p. 3.

- 5.11 The Secretariat of the Pacific Community (SPC) expressed frustration that healthcare planning in the Pacific tends to fail to account for the specific health needs of women. They said:

Despite the tremendous health issues faced by women in the Pacific, regional health dialogues and frameworks for action on various aspects of health in the Pacific are largely gender-blind – that is, they do not consider gender – and there is limited technical expertise in gender and health at regional and national levels. Existing and new health initiatives designed at both national and regional level do not integrate a gender perspective nor do they deliver gender-specific outputs.<sup>9</sup>

- 5.12 Some of the most significant health issues faced by women and girls in the Indo-Pacific, including the various facets of reproductive and sexual health, are discussed below.

## Reproductive health

- 5.13 A number of witnesses to the inquiry highlighted the critical role of reproductive health in promoting development around the world, as well as advancing women and girls' human rights. Marie Stopes International stated:

It is widely agreed that advancing reproductive rights is a pre-requisite for poverty reduction, equitable economic development, and the success of other development initiatives.<sup>10</sup>

- 5.14 Marie Stopes pointed out:

The United Nations has explicitly defined the right to sexual and reproductive health as a fundamental part of the right to health, and denial of reproductive rights as a form of torture.<sup>11</sup>

## Birth care

- 5.15 Sadly, many women in the Indo-Pacific region die from complications associated with having children. DFAT stated that:

Each year more than 280 000 women around the world die as a result of complications during pregnancy and childbirth. Satisfying the global unmet need for contraception could reduce maternal deaths by an estimated 30 per cent.<sup>12</sup>

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9 Secretariat of the Pacific Community (SPC), *Submission 24*, p. 13.

10 Marie Stopes International, *Submission 40*, p. 2.

11 Marie Stopes International, *Submission 40*, p. 2.

12 DFAT, *Submission 27*, p. 39.

- 5.16 The Burnet Institute noted that: 'Maternal causes are the second leading cause of death in women globally between the ages of 15 and 49.'<sup>13</sup> The Australian Council for International Development (ACFID) indicated that one third of these deaths occur in the Asia Pacific region.<sup>14</sup>
- 5.17 In many locations, maternal and infant mortality are high due to isolation and lack of medical facilities. Dr Sarah Dunn from Youth With a Mission (YWAM) Medical Ships explained to the Committee how this sometimes happens in Papua New Guinea (PNG):
- I would particularly like to paint a picture of the Gulf and Western provinces. There we might be seeing a woman who is giving birth to her baby in a bush and in a fabricated small hut there. She would be on a couple of planks of wood, sitting on top of some quite deep mud, often with a few banana palms over the top to shelter her from the rain. She has birthed her child and she has the baby in hand, but unfortunately the baby is inside the bag from inside the uterus and the placenta has not come out yet. Her placenta has been unable to contract and slowly but surely she is bleeding out her life onto that bush floor. This happens all around the world.<sup>15</sup>
- 5.18 The SPC listed the leading causes of maternal mortality in the Pacific, which are:
- post-partum haemorrhage;
  - pre-eclampsia;
  - obstructed labour;
  - puerperal sepsis; and
  - complications from unsafe abortions.<sup>16</sup>
- 5.19 The Churches Agency Network asserted that, in PNG 'the risk of death during childbirth is exceptionally high'. This is because the maternal mortality rate is 733 deaths per 100 000 women (the highest in the Pacific), with the second highest rate being in Kiribati, with 250 deaths per 100 000 women.<sup>17</sup> The SPC added that the Solomon Islands, Vanuatu, and Federated States of Micronesia also 'have high maternal mortality'.<sup>18</sup>

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13 Burnet Institute, *Submission 47*, p. 5.

14 Australian Council for International Development (ACFID), *Submission 25*, p. 12.

15 Dr Sarah Dunn, Partner Relations and Field Strategy, Youth With a Mission (YWAM) Medical Ships, *Committee Hansard*, Canberra, 18 June 2015, p. 2.

16 SPC, *Submission 24*, p. 12

17 Churches Agencies Network, *Submission 12*, p. 3.

18 SPC, *Submission 24*, p. 12.

- 5.20 The Churches Agency Network pointed out that only 53 per cent of births in PNG are attended by skilled birth attendants, noting there is a 'direct correlation between poor maternal mortality rates and a lower percentage of births attended by skilled health personnel'.<sup>19</sup>
- 5.21 Banteay Srei reported that maternal mortality rates 'remain unacceptably high at 206 deaths per 100 000 live births', in Cambodia. The submission attributed this figure to the 'lack of skilled, well-trained birth attendants and midwives, not enough functioning health facilities and financial barriers'.<sup>20</sup>
- 5.22 Maternal mortality is also a significant problem in the Democratic Republic of Timor-Leste. The Secretary of State for the Promotion of Equality from the Democratic Republic of Timor-Leste indicated that there were still 'significant challenges' in Timor-Leste for women in accessing quality healthcare services, as well as a high adolescent fertility rate. The Secretary of State for the Promotion of Equality was concerned that '[t]here are few doctors that specialize in reproductive health at the district level and services for women's health are weak throughout Timor-Leste'.<sup>21</sup>
- 5.23 The Secretary of State further advised that the maternal mortality rate in Timor-Leste is around '300 maternal deaths per 100 000 births', this rate is a '100 per cent higher than the regional average in Southeast Asia'. The Secretary also noted that, 'Timor-Leste also has the highest population growth in the region, with over 46 per cent of the population aged under 14 years'.<sup>22</sup>
- 5.24 The SPC reported that access to trained birth care specialists has increased in most countries in the Pacific region 'compared to the 1990s', with nine countries reporting rates over 90 per cent, and the Cook Islands, Nauru, Niue and Palau reporting 100 per cent 'skilled birth-attendant rates'. However, SPC also reported that access to skilled birth attendants has actually regressed in the Federated States of Micronesia, PNG and Vanuatu. SPC revealed that:

According to the 2012 MDG Tracking Report, Kiribati, Solomon Islands and Vanuatu reported rates below 90 [per cent] and PNG less than 50 [per cent]; the latter three countries are regressing.<sup>23</sup>

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19 Churches Agencies Network, *Submission 12*, p. 3.

20 Banteay Srei, *Submission 51*, p. 7.

21 Secretary of State for the Promotion of Equality (SEPI), Democratic Republic of Timor-Leste, *Submission 45*, p. 2.

22 SEPI, Democratic Republic of Timor-Leste, *Submission 45*, p. 3.

23 SPC, *Submission 24*, p. 28.

- 5.25 The SPC reported on the development of the *Pacific Sexual Health and Wellbeing Shared Agenda 2014-2018*, which aims to ‘address sexual and reproductive health needs in the region’. The Secretariat reported that:
- The Shared Agenda sets out the vision for addressing sexual health in the region, as identified by 22 Pacific Island governments, regional partners, civil society organisations and at-risk groups.<sup>24</sup>
- 5.26 DFAT reported that Australia runs a ‘Maternal and Neonatal Health Program’ in Indonesia, which ‘aims to make pregnancy and childbirth safer for poor women by increasing the number of women giving birth with the help of skilled birth attendants and in health facilities’.<sup>25</sup> DFAT reported that, from 2009 to 2012, approximately 130 000 pregnant women and 99 000 babies have ‘benefited from the program’. Also that, during 2012–13, ‘an additional 27 530 births were attended by skilled birth attendants’.<sup>26</sup>

### Contraception and family planning

- 5.27 Evidence suggested that access to safe, reliable contraception, and the freedom to plan the number and spacing of children a woman has, is critical for women’s human rights. DFAT stated:
- Access to family planning services ... has important flow-on effects for women’s empowerment, enhancing their ability to participate in public life and the economy.<sup>27</sup>
- 5.28 The International Sexual and Reproductive Health and Rights (ISRHR) Consortium agreed, stating that: ‘Sexual and reproductive health and rights saves lives, empowers women, and lifts women and their families out of poverty’.<sup>28</sup>
- 5.29 ACFID emphasised that: ‘Family planning is recognised as one of the most cost-effective approaches to improving maternal health’.<sup>29</sup> ACFID suggested that: ‘Each dollar invested in family planning can save up to four dollars in health expenditure’, which is money that would otherwise have been spent on ‘pregnancy services, delivery care and treating complications from unsafe abortion’.<sup>30</sup>

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24 SPC, *Submission 24*, p. 28.

25 DFAT, *Submission 27*, p. 42.

26 DFAT, *Submission 27*, p. 42.

27 DFAT, *Submission 27*, p. 27.

28 ISRHR Consortium, *Submission 52*, p. 1.

29 ACFID, *Submission 25*, p. 11.

30 ACFID, *Submission 25*, p. 11.

- 5.30 Further, ACFID argued that meeting the contraceptive needs of all women and men globally could save approximately AUD \$12 billion ‘in maternal and newborn health services alone’. The submission further suggested that ‘family planning is widely regarded as a key driver of equitable economic development and poverty reduction’.<sup>31</sup>
- 5.31 The ISRHR Consortium advised that the return on investments in sexual and reproductive health is very significant, saying:
- Emerging evidence indicates an economic return of US \$20 for every US \$1 invested in sexual and reproductive health, in large part due to increased productivity, making it one of the most cost-effective investments in global health and development.<sup>32</sup>
- 5.32 Marie Stopes International argued that:
- ... there is huge opportunity for Australia to play a greater role in expanding access to sexual and reproductive health services in the Indian Ocean–Asia Pacific region.<sup>33</sup>
- 5.33 World Vision explained that Pacific island states such as Kiribati and Tuvalu have an ‘unmet need for family planning’ that is ‘on par with such volatile regions of the world as the Democratic Republic of Congo, Chad and Sudan’. It also highlighted the situation in Samoa, where ‘48 per cent of sexually active women – the highest percentage in the world – report an inability to access family planning’.<sup>34</sup>
- 5.34 World Vision also reported that adolescent pregnancies are increasing in the Pacific, ‘as recent studies find that 50 births occur per 1 000 women aged 15–19 years in Nauru, Papua New Guinea, Solomon Islands and Vanuatu’.<sup>35</sup>
- 5.35 Family Planning NSW presented research from Tuvalu and Samoa Family Planning which found the following barriers to women and girls achieving their sexual and reproductive health rights:
- Men are the decision makers in all aspects of life and at all levels of society, and therefore women may not be given the option to use contraception to manage family size and birth spacing. They may not be able to attend medical appointments for serious reproductive health issues or negotiate or even consent to safe sex.
  - Cultural and religious norms do not always support sexual and reproductive health and rights. For example, unmarried

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31 ACFID, *Submission 25*, p. 11.

32 ISRHR Consortium, *Submission 52*, p. 8.

33 Marie Stopes International, *Submission 40*, p. 5.

34 World Vision, *Submission 37*, p. 10.

35 World Vision, *Submission 37*, p. 10.

adolescents may not be provided with contraception by health workers who bring their own prejudices and practices to their decision making. Condoms may not be promoted as a way of preventing STIs [Sexually Transmissible Infections] including HIV [Human Immunodeficiency Virus].<sup>36</sup>

- 5.36 The SPC explained that contraceptive use in the Pacific region is below 50 per cent, 'and rates of sexually transmitted disease STI rates continue to be high – up to 30 per cent in some cases'.<sup>37</sup> Fertility rates in many Pacific Island countries also remain relatively high 'with nine countries, including Papua New Guinea, having rates of four or more births per woman'.<sup>38</sup>
- 5.37 Citing a study published by the journal *Reproductive Health*, the Secretariat suggested that 'preventing unintended pregnancies in Vanuatu and the Solomon Islands could save up to US \$112 million in health and education expenditures between 2010 and 2025'.<sup>39</sup>
- 5.38 Banteay Srei highlighted the problem of limited access to sexual and reproductive health products and services in Cambodia, 'particularly for women in rural areas'. It reported that only 35 per cent of married women have access to modern contraception, with at least 17 per cent of married women unable to obtain these products.<sup>40</sup>
- 5.39 ACFID suggested:
- Financial constraints, social norms, restrictive legislation and policy, weak health systems and geographical and physical obstacles are all barriers to accessing sexual and reproductive health information, counselling and services. In crisis and disaster situations, these barriers are multiplied while vulnerability to sexual violence and other gender-based and reproductive health risks are increased.<sup>41</sup>
- 5.40 DFAT reported that:
- In our region there are still more than 132 million women with an unmet need for family planning. The impact of fully meeting the need for sexual and reproductive health services in South and South East Asia alone could reduce maternal deaths from 130 000 to 30 000; cut unintended pregnancies by almost 75 per cent; and halve newborn deaths.<sup>42</sup>

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36 Family Planning NSW, *Submission 56*, p. 4.

37 SPC, *Submission 24*, p. 13.

38 SPC, *Submission 24*, p. 12.

39 SPC, *Submission 24*, p. 11.

40 Banteay Srei, *Submission 51*, p. 6.

41 ACFID, *Submission 25*, p. 11.

42 DFAT, *Submission 27*, p. 39.



- 5.41 DFAT advised that Australia had 'provided over AUD \$370 million to support maternal and child health in developing countries in 2012-13.'<sup>43</sup>

## Abortion

- 5.42 Without the ability to prevent unwanted pregnancies, many women look to abortion. The Burnet Institute reported that:

... there are more than 80 million unintended pregnancies every year (41 [per cent] of all pregnancies), half of which end in induced abortion. Almost half of these abortions are clandestine and performed under unsafe conditions and associated with high rates of injury and death.<sup>44</sup>

- 5.43 In fact, the Burnet Institute estimates that 'every year, an estimated 47,000 women die as the result of unsafe abortions'.<sup>45</sup> These deaths are generally due to 'severe infections, bleeding and organ damage caused by the procedure'.<sup>46</sup>

- 5.44 ISRHR Consortium stated that: '[r]estrictive abortion laws are in place in 85 per cent of countries in the Indian Ocean-Asia Pacific region'.<sup>47</sup>

- 5.45 According to Marie Stopes, 'political and social opposition' to reproductive health can hinder the 'delivery of life saving services'. The submission observed:

In developing countries with restrictive family planning and abortion policy, women are more likely to suffer negative health consequences associated with multiple, unplanned pregnancies, including as a result of unsafe abortion. In these environments, abortion rates are higher and, as they are unregulated, are generally unsafe. In contrast, countries with more liberalised family planning and abortion policy, such as Western Europe and Australia, have much higher contraceptive use and lower abortion rates.<sup>48</sup>

- 5.46 Professor Michael Toole, Deputy Director of the Burnet Institute, asserted that Australia should play a significant role in enhancing access to family planning and safe abortion in the region. Professor Toole also raised a concern about the possibility that Australia's diplomats may be risk averse

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43 DFAT, *Submission 27*, p. 40.

44 Burnet Institute, *Submission 47*, p. 7.

45 Burnet Institute, *Submission 47*, p. 7.

46 Burnet Institute, *Submission 47*, p. 9.

47 ISRHR Consortium, *Submission 52*, p. 3.

48 Marie Stopes International, *Submission 40*, p. 6.

when it comes to promoting family planning, such as through safe abortions.<sup>49</sup>

## Sex education

- 5.47 Witnesses highlighted the lack of appropriate sex education in many regions. The ISRHR Consortium pointed out that while over a quarter of the population in the Indian Ocean–Asia Pacific region are aged 10–24 years, ‘many lack access to high quality, youth-friendly sexual and reproductive health information and services’.<sup>50</sup>
- 5.48 The Burnet Institute emphasised the need for reliable, quality information, observing that:
- The most basic needs of adolescents, regardless of culture, age and marital status, are for accurate and complete information about their body functions, sex, safer sex, reproduction and sexual negotiation and communication skills.<sup>51</sup>
- 5.49 The Institute argued that gender-aware ‘comprehensive’ sex education programs:
- ... have been demonstrated to have a positive impact not only on knowledge and attitudes, but also contribute to safer sexual practices (such as delaying sexual debut, reducing the number of partners, and increasing condom and contraceptive use) and can also reduce the negative consequences of unsafe sex.<sup>52</sup>
- 5.50 The ISRHR Consortium emphasised the need for ‘school-based comprehensive sexuality education’, particularly for adolescent girls who ‘experience high rates of forced and coerced sex and poor access to family planning and safe abortion services’.<sup>53</sup>
- 5.51 A lack of sex education or ill-informed sex education can lead to misconceptions and superstition regarding contraceptive use. Family Planning NSW reported that, in some parts of the Pacific, women avoid ‘modern methods of contraception because they believe contraception can cause birth deformities’.<sup>54</sup>
- 5.52 The Burnet Institute cited evidence from Vanuatu, where:

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49 Professor Michael James Toole, Deputy Director, Burnet Institute, *Committee Hansard*, Melbourne, 3 November 2014, p. 44.

50 ISRHR Consortium, *Submission 52*, p. 4.

51 Burnet Institute, *Submission 47*, p. 12.

52 Burnet Institute, *Submission 47*, p. 4.

53 ISRHR Consortium, *Submission 52*, p. 4.

54 Family Planning NSW, *Submission 56*, p. 5.

... adolescent boys and girls are less likely [than adults] to have heard family planning messages in the media, and less than 25 per cent of girls have discussed family planning with a health worker.<sup>55</sup>

- 5.53 The Institute also revealed that adolescents are less likely than adults to access condoms ‘through lack of knowledge, shyness or social prohibitions’.<sup>56</sup>
- 5.54 Other research cited by the Burnet Institute highlighted the necessity of reaching out to boys as well as girls ‘to promote shared responsibility for prevention of early and unintended pregnancy’.<sup>57</sup>
- 5.55 The SPC reported that there is a paucity of ‘youth-friendly information, services and contraception’ for young people in the Pacific region. It further cited research indicating that many young people ‘lack control over their sexual and reproductive health’. For instance, studies conducted by UNICEF in the Solomon Islands, Vanuatu and Kiribati found:
- ... between 38 [per cent] and 45 [per cent] of sexually active youth had experienced forced sex, with approximately 20 [per cent] reporting their first sexual encounter as forced.<sup>58</sup>

## Violence and health

- 5.56 As discussed in chapter three, women and girls experience violence at unacceptably high rates in the Indo-Pacific region. A number of witnesses to the inquiry submitted that women who have experienced violence have specific health needs.
- 5.57 The ISRHR Consortium claimed that sexual and gender-based violence has ‘significant, negative physical consequences’ resulting in:
- ... unintended pregnancy, infertility, poor health outcomes for children, sexually transmitted infections (including HIV) and implications for mental health.<sup>59</sup>
- 5.58 Médecins Sans Frontières (MSF) noted that survivors of sexual and gender-based violence ‘can suffer both acute and long-lasting medical and psychological consequences’, highlighting the need for ‘adequate and

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55 Burnet Institute, *Submission 47*, p. 10.

56 Burnet Institute, *Submission 47*, p. 11. For example, see information on survey concerning adolescent use of condoms in the Philippines.

57 Burnet Institute, *Submission 47*, p. 10.

58 SPC, *Submission 24*, p. 13.

59 ISRHR Consortium, *Submission 52*, p. 4.

timely care' to avoid lasting impacts on the individual and people around them.<sup>60</sup>

5.59 MSF explained:

Rape, due to its violent nature, is likely to involve a higher risk of HIV than consensual sex due to possible genital injuries. The risk of infection with other sexually transmitted diseases also exists. The risk is further increased in the case of gang rape.<sup>61</sup>

5.60 The ISRHR Consortium revealed that sexual and gender-based violence also 'acts as a barrier to accessing sexual and reproductive health services'.<sup>62</sup>

5.61 The UN Pacific Gender Group was particularly concerned about the lack of appropriate services for survivors of sexual and gender-based violence in the Pacific, especially PNG, noting:

Despite the severity and extent of the violence, services for survivors are limited and virtually non-existent in remote areas. This is of particular concern as 80 [per cent] of Pacific Islanders live in rural areas or on outer islands.<sup>63</sup>

5.62 MSF cited data confirming that there is a 'high level of need' for medical care for sexual and gender-based violence in PNG:

Close to 19 000 FSV [family and sexual violence] consultations have been provided in MSF-supported clinics since 2007. Between the three current projects in Tari, Maprik and Port Moresby, MSF treats an average of 130 cases of family and sexual violence per month, 57 of which are for rape.<sup>64</sup>

5.63 MSF added that 'an alarmingly large number of [sexual violence] survivors are children', advising that:

The rate of children below 18 years seen by MSF in the Regional Treatment and Training (RTT) supported facilities in the National District Capital was 53 [per cent] of all rape survivors in February 2014 and 65 [per cent] of all rape survivors in March.<sup>65</sup>

5.64 According to the UN Pacific Gender Group, most health service agencies in the Pacific 'do not have units responsible for addressing special needs of [gender-based violence] victims'. This means that victims are often

60 Médecins Sans Frontières (MSF), *Submission 38*, p. 1.

61 MSF, *Submission 38*, p. 5.

62 ISRHR Consortium, *Submission 52*, p. 4.

63 UN Pacific Gender Group, *Submission 49*, p. 2.

64 MSF, *Submission 38*, p. 3.

65 MSF, *Submission 38*, p. 3.

treated in hospital emergency departments without ‘counselling or follow-up’.<sup>66</sup>

5.65 The Group also expressed concerns about:

[The] physical and social proximity of healthcare staff to the local communities means that healthcare professionals in small and medium size healthcare facilities often harbour some of the same views and stigmatize survivors as do local communities and family members.<sup>67</sup>

5.66 Witnesses asserted that prompt medical attention after an assault (within 120 hours) reduces the chances of contracting a disease, in particular HIV,<sup>68</sup> and can prevent unwanted pregnancy through the use of emergency contraception.<sup>69</sup>

5.67 MSF emphasised the need for a multi-pronged approach to caring for survivors of sexual and gender-based violence. MSF recommends that survivors should receive five essential services ‘in one session as a minimum level of care’. These services should include, ‘medical first aid; psychological first aid; prevention of HIV and other STIs; vaccination against hepatitis B8 and tetanus, and emergency contraception to prevent unwanted pregnancies that are the result of rape.’<sup>70</sup> MSF stated:

While the national and provincial governments [of PNG] have made improvements in the medical care of FSV [family and sexual violence] survivors, there is still a very long way to go. Currently, due to the scarcity of Family Support Centres (FSCs) across the country, access of FSV survivors to all of the essential services in a timely manner is not assured. This can lead to unnecessary further suffering, illness and even death. All of which is preventable.<sup>71</sup>

5.68 The UN Pacific Gender Group explained that while there is capacity development taking place in some Pacific Island countries, ‘very few have the full package of essential services associated with a robust health response’.<sup>72</sup>

5.69 The Group also voiced concerns that healthcare facilities ‘do not conduct evidence collection in the cases of sexual/physical GVB [gender-based violence]’. According to the Group, most healthcare facilities ‘lack policies,

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66 UN Pacific Gender Group, *Submission 49*, p. 8.

67 UN Pacific Gender Group, *Submission 49*, p. 9.

68 MSF, *Submission 38*, p. 3.

69 MSF, *Submission 38*, p. 5.

70 MSF, *Submission 38*, p. 4.

71 MSF, *Submission 38*, p. 1.

72 UN Pacific Gender Group, *Submission 49*, p. 8.

equipment and trained professionals (including legal literacy) necessary for conducting forensic medical examination'. This can impede any investigations of the crime.<sup>73</sup>

- 5.70 The poor services for survivors of sexual and gender-based violence in PNG must be seen in context. The MSF pointed out:

For a population nearing 7 million, PNG has less than 400 doctors of which only 51 work outside Port Moresby, despite 87 percent of people living in rural areas. That's one doctor per 17 068 people, compared to one per 302 in Australia ... Within this overall context, there is a specific shortage of healthcare workers trained in working with FSV survivors.<sup>74</sup>

- 5.71 According to MSF, PNG faces a massive challenge in hiring and retaining health workers with knowledge in the family and sexual violence field:

Despite the widespread nature of sexual violence across PNG, medical and counselling staff do not currently receive specific training on working with survivors of FSV.<sup>75</sup>

- 5.72 The Secretary of State for the Promotion of Equality in Timor-Leste also expressed concern about sexual and gender-based violence in Timor-Leste and reported a strong need for '[s]ervices to address the needs of victims that are easily accessible and confidential and supported by trained professionals'.<sup>76</sup>

## Conflict zones and refugees

- 5.73 The inquiry heard evidence that women and girls who are displaced, and those in conflict or disaster zones, can be particularly vulnerable to violence and health issues. Marie Stopes International explained:

In times of crisis, women are more vulnerable to sexual violence and face an increased spread of sexually transmissible infections, whilst struggling to access family planning and safe childbirth services.<sup>77</sup>

- 5.74 According to Marie Stopes, women in crisis situations often lack access to contraceptives, while the need for them increases, because:

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73 UN Pacific Gender Group, *Submission 49*, p. 9.

74 MSF, *Submission 38*, p. 6.

75 MSF, *Submission 38*, p. 6.

76 SEPI, Democratic Republic of Timor-Leste, *Submission 45*, p. 1.

77 Marie Stopes International, *Submission 40*, p. 7.

... many women would prefer not to have children under conditions of crisis, since their newborn would be exposed to stressful – and even harrowing – circumstances.<sup>78</sup>

- 5.75 Consequently, the number of unsafe abortions increases. According to Marie Stopes, unsafe abortions are ‘responsible for up to 50 per cent of maternal deaths in refugee settings’.<sup>79</sup>
- 5.76 ACFID confirmed that, in crisis and disaster situations, barriers to reproductive services and contraception ‘are multiplied while vulnerability to sexual violence and other gender-based and reproductive health risks are increased’.<sup>80</sup>
- 5.77 Marie Stopes noted that an estimated 80 million people needed humanitarian assistance in 2014, and three quarters of these were women and children. Among those of childbearing age in crisis or refugee settings ‘one in five is likely to be pregnant’. Marie Stopes contended:
- The well-being and lives of these women and their babies are seriously jeopardised by loss of medical services, often within a context of suffering, ill-health and exposure to violence.<sup>81</sup>
- 5.78 DFAT informed the inquiry:
- Providing health services to women and children in fragile states and conflict-affected countries, or following disasters, can be especially challenging and needs carefully designed responses.<sup>82</sup>
- 5.79 Marie Stopes urged the Australian Government to:
- ... leverage its long history of humanitarian work to ensure targeted support that aims to improve access to sexual and reproductive health services in humanitarian and crisis situations.<sup>83</sup>
- 5.80 A number of NGOs reported that they are working to limit the exposure of women and children to violence in crisis situations. For example, Australian Volunteers International (AVI) explained:
- Along the Thai-Burma border, Australian volunteers are working with local organisations on child protection measures for the large

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78 Marie Stopes International, *Submission 40*, p. 7.

79 Marie Stopes International, *Submission 40*, p. 7.

80 ACFID, *Submission 25*, p. 11.

81 Marie Stopes International, *Submission 40*, p. 7.

82 DFAT, *Submission 27*, p. 26.

83 Marie Stopes International, *Submission 40*, p. 7.

groups of Burmese children who've fled their families or been sent away from their families for an education or to receive care.<sup>84</sup>

5.81 Amnesty International drew the Committee's attention to the treatment of asylum seekers in Malaysia, where, Amnesty argues, the Government detains:

... vulnerable groups of non-citizens in immigration detention depots, such as children (including unaccompanied minors), pregnant and lactating women, the elderly, and individuals with mental illness and with disabilities.<sup>85</sup>

5.82 The submission maintained that conditions in immigration detention depots 'are poor, with overcrowding, insufficient access to water, poor sanitation, and inadequate medical care, as well as cases of deaths in detention'.<sup>86</sup>

5.83 Amnesty also reported that women asylum seekers often 'choose to give birth outside of the healthcare system' for fear of being reported by hospital authorities, so their children are at risk of becoming stateless. NGOs and health groups within Malaysia are lobbying to have the practice of reporting non-citizen mothers ended. Amnesty explained that asylum seeking women admitted to General Hospital Kuala Lumpur 'continue to be told that they will be detained after delivery, even those who have undergone a Caesarean section delivery'.<sup>87</sup>

## Nutrition and child health

5.84 For women in many countries disadvantage starts at, or even before, birth with abortion of female foetuses common in some Asian countries.<sup>88</sup> Girl children who are born in poor countries often have to contend with poverty and poor healthcare. The UN's *Millennium Development Goals Report 2015* found that children from 'the poorest 20 per cent of households are more than twice as likely to be stunted as those from the wealthiest 20 per cent'.<sup>89</sup>

5.85 DFAT emphasised that 40 per cent of the world's child deaths occur in the Indo-Pacific region and over 40 per cent of children under five are stunted in countries such as Timor-Leste, Papua New Guinea and Laos.<sup>90</sup> DFAT

84 Australian Volunteers International (AVI), *Submission 43*, p. 5.

85 Amnesty International, *Submission 74*, p. 14.

86 Amnesty International, *Submission 74*, p. 14.

87 Amnesty International, *Submission 74*, p. 14; for a case study on women's rights to reproductive health in Nepal see p. 15.

88 DFAT, *Submission 27*, p. 44.

89 UN, *Millennium Development Goals Report 2015*, p. 8.

90 DFAT, *Supplementary Submission 27.2*, p. 19.

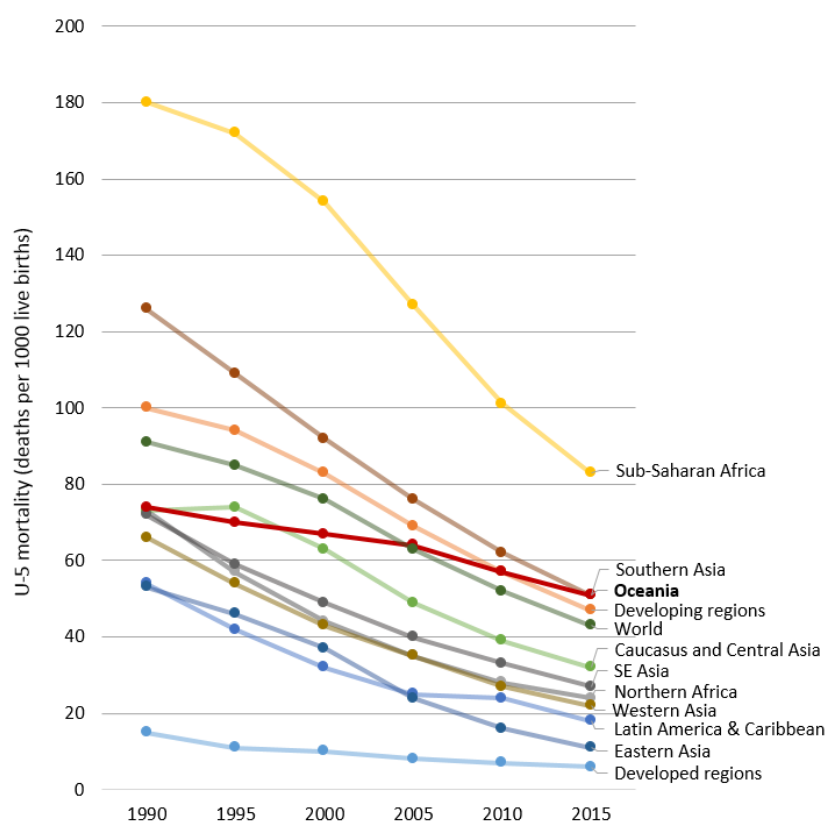


also stated that more than 1.5 million children die every year due to ‘diarrhoeal disease’, which is ‘the second leading cause of deaths for children under five’.<sup>91</sup>

5.86 Recent work by UNICEF has found that the rates of death among children under five (measured in relation to Millennium Development Goal 4) have fallen more slowly in the countries of Oceania than in any other region. While the child mortality rate (deaths per 1 000 live births) is still higher in Sub-Saharan Africa, that region’s rate fell much more sharply since 1990.<sup>92</sup>

5.87 The following table, with data from UNICEF’s *Levels and Trends in Child Mortality Report 2015*, illustrates the comparison.

Figure 5.1 Under 5 Mortality by Region (deaths per 1000 live births)



Source: *Devpolicy Blog*, reporting figures from UNICEF’s *Levels and Trends in Child Mortality Report 2015*.<sup>93</sup>

91 DFAT, *Supplementary Submission 27.2*, p. 19.

92 Camilla Burkot ‘Child Mortality in the Pacific Region: Latest UNICEF Findings’, *Devpolicy Blog*, 15 September 2015 <[devpolicy.org/in-brief/child-mortality-in-the-pacific-region-latest-unicef-findings-20150915/](http://devpolicy.org/in-brief/child-mortality-in-the-pacific-region-latest-unicef-findings-20150915/)> viewed 29 September 2015.

93 C Burkot, ‘Child Mortality in the Pacific Region: Latest UNICEF Findings’, *Devpolicy Blog*, 29 September 2015.

- 5.88 Banteay Srei pointed out that malnutrition is a problem before women give birth, with high rates of malnutrition, especially anaemia, affecting women's reproductive health and productivity.<sup>94</sup>
- 5.89 The ISRHR Consortium pointed out that children whose mothers have died are 'up to ten times more likely to die prematurely' than children who are cared for by their mother.<sup>95</sup>
- 5.90 World Vision asserted that the 'economic and social empowerment of women' is linked to good child nutrition and decreases in infant mortality. They argued:
- The impact of women's empowerment on the prospects and wellbeing of a generation is undeniable, and confirms the need for the promotion of the rights of mothers, and all women, to provide a foundation for sustainable economic and social development.<sup>96</sup>
- 5.91 World Vision further explained that giving women more say over the 'distribution of household resources' has results in improved wellbeing and health outcomes for girls, as 'women more typically favour children'. World Vision reported that:
- ... this manifests as increased educational attainment for the children of more highly educated or working mothers, which in turn improves children's long-term prospects for economic participation.<sup>97</sup>
- 5.92 Witnesses argued that women health care workers are needed to assist in the prevention of child death and maternal mortality. ACFID reported that:
- Bangladesh has reduced its under-five mortality rate by 64 per cent since 1990 with the help of tens of thousands of female health workers who have promoted family planning, safe motherhood and essential care for newborn babies.<sup>98</sup>
- 5.93 The Australian Government is working on child health in a number of countries in the region. For instance, DFAT reported on the 'PNPM Generasi' pilot community grant program Indonesia, which is designed to improve health and education outcomes. The Department explained that the program was projected to have 'helped 5.4 million women and children attend health clinics and access school' by the end of 2014.<sup>99</sup>

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94 Banteay Srei, *Submission 51*, p. 7.

95 ISRHR Consortium, *Submission 52*, p. 8.

96 World Vision, *Submission 37*, p. 14.

97 World Vision, *Submission 37*, p. 14.

98 ACFID, *Submission 25*, p. 12.

99 DFAT, *Submission 27*, p. 42.

- 5.94 DFAT also explained that robust evaluation had shown that the Generasi program ‘reduced rates of childhood malnutrition by ten per cent compared with other communities that did not receive the program’. In light of this success, DFAT reported ‘the Government of Indonesia has scaled up the program, matching donor funds dollar for dollar’.<sup>100</sup>
- 5.95 While malnutrition is a significant concern in many parts of the Indo-Pacific region ‘lifestyle diseases’ are also a problem in some areas. The SPC reported that:
- Non-communicable diseases, such as diabetes, cancer and heart disease, are a significant concern for the Pacific region, causing eight in every 10 deaths. When not fatal, they can cause disability and poor health. Unhealthy diets, smoking, drinking alcohol and physical inactivity are key causes of non-communicable diseases.<sup>101</sup>
- 5.96 DFAT shared this concern, pointing out that in the Pacific ‘it is estimated that 75 per cent of premature deaths are caused by non-communicable diseases’.<sup>102</sup>

## Immunisation

- 5.97 The Gavi Vaccine Alliance submitted that immunisation is ‘one of the most successful and cost-effective public health interventions known, saving 2–3 million lives globally each year’. Gavi argued that the benefits of vaccinating children flow through to society as whole, as women are able to remain more productive if their children are not sick.<sup>103</sup>
- 5.98 Women whose children are vaccinated are able to be more economically productive, and more productive women are also more likely to vaccinate their children. Gavi explained that:
- ... when women are empowered, immunisation coverage overall increases ... and the children of mothers who are educated are more likely to be vaccinated and enjoy better overall health.<sup>104</sup>
- 5.99 Gavi praised ‘Australia’s commitment to immunisation’, saying it has ‘helped save millions of lives and contributed to substantial improvements in the human rights, health and development for women and girls within

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100 DFAT, *Submission 27*, p. 42.

101 SPC, *Submission 24*, pp. 13–14

102 DFAT, *Supplementary Submission 27.2*, p. 18.

103 Gavi, *Submission 80*, p. 1.

104 Gavi, *Submission 80*, p. 2.

the Indian Ocean–Asia Pacific region’.<sup>105</sup> The Alliance proposed that more investment would see an even greater benefit, saying:

Harvard University scientists have calculated that investment in Gavi’s programmes to expand vaccine coverage in eligible countries will deliver a rate of return of 18 per cent by 2020 – higher than most other health interventions.<sup>106</sup>

- 5.100 Gavi explained that the Alliance also delivers vaccines that ‘directly benefit and empower women and girls’, such as the human papillomavirus (HPV) vaccines, which help to prevent cervical cancer. They also support the rubella vaccine to protect pregnant women.<sup>107</sup>
- 5.101 According to Gavi, an estimated 266 000 women died from cervical cancer in 2012, with more than 85 per cent of those deaths occurring in poor countries ‘where women often lack access to cancer screening and treatment services’. The Alliance estimates that, without the HPV vaccines, the death toll could rise to over 400 000 deaths by 2035.<sup>108</sup>
- 5.102 The SPC explained that rates of cervical cancer among Pacific women caused by HPV are ‘among the highest in the world’.<sup>109</sup>
- 5.103 In addition, 90 000 children are born with birth defects in countries Gavi supports each year because their mothers contracted rubella during pregnancy. Gavi expressed frustration that the vaccine to prevent these disabilities ‘has been available since the 1970s but it remains underused in some regions, particularly South Asia’.<sup>110</sup>
- 5.104 Gavi supports HPV and rubella vaccines in a number of priority countries in the Indo–Pacific. The Alliance reported that:
- Over 20 countries including Laos have already been approved for support. By 2020 it is estimated that over 30 million girls in more than 40 countries will be vaccinated against HPV with Gavi support.<sup>111</sup>
- 5.105 Gavi also launched new measles/rubella vaccination campaigns in a number of countries in the Indo–Pacific region, including in Bangladesh, Cambodia and Vietnam.<sup>112</sup>

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105 Gavi, *Submission 80*, p. 1.

106 Gavi, *Submission 80*, p. 2.

107 Gavi, *Submission 80*, p. 1.

108 Gavi, *Submission 80*, p. 3.

109 SPC, *Submission 24*, p. 14.

110 Gavi, *Submission 80*, p. 5.

111 Gavi, *Submission 80*, p. 5.

112 Gavi, *Submission 80*, p. 6.

- 5.106 According to Gavi, its investment priorities align well with the Australian Government's, with countries in the region accounting for 'close to 50 per cent of the total projected demand'.<sup>113</sup>

## Disease

- 5.107 Women and girls experience different risks in relation to some diseases than men. For instance, women are especially vulnerable to certain diseases during pregnancy, such as malaria,<sup>114</sup> and are vulnerable to contracting HIV due to sexual assault and unsafe sexual practices.<sup>115</sup>

## HIV/AIDS

- 5.108 The ISRHR Consortium told the inquiry that HIV/AIDS [Acquired Immune Deficiency Syndrome] is one of the two 'leading causes of death for girls and women of reproductive age' in developing countries – the other being complications that arise from pregnancy and childbirth.<sup>116</sup>
- 5.109 Uncontrolled levels of HIV transmission have a devastating impact on societies. MSF explained that a high prevalence of HIV within a community, 'can, and does, destroy the social and productive fabric of a country and its workforce'.<sup>117</sup> DFAT asserted that 'the HIV/AIDS epidemic is contributing to excess female mortality in Africa, particularly in young women'.<sup>118</sup>
- 5.110 Violence perpetrated against women and girls, harmful gender norms promoting unsafe sex, and a lack of access to reproductive health services can all increase the exposure of women and girls to HIV. According to UN AIDS 'HIV-related stigma and punitive legal environments are holding back progress in the regional HIV response.'<sup>119</sup>
- 5.111 UNAIDS explained that women living with HIV are often denied their 'basic rights':

In healthcare settings, violations of their sexual and reproductive health rights can include denial of obstetric and gynecologic care or the delivery of substandard care. Healthcare providers may also knowingly or unknowingly misinform them [of] standards of care and pressure patients to undergo unwanted procedures, such as

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113 Gavi, *Submission 80*, p. 6.

114 Medicines for Malaria Venture (MFMV), *Submission 5*, p. 1.

115 UNAIDS, *Submission 1*, p. 1.

116 ISRHR Consortium, *Submission 52*, p. 3.

117 MSF, *Submission 38*, p. 3.

118 DFAT, *Submission 27*, p. 276

119 UNAIDS, *Submission 1*, p. 1.

medically unnecessary abortions or sterilizations, without their full consent.<sup>120</sup>

- 5.112 Family Planning NSW reported that in the Pacific healthcare workers may discriminate against women living with HIV, refusing to treat them 'because of a perceived risk of infection, or preconceived view about how they acquired the virus'.<sup>121</sup>
- 5.113 GLASS Research Unit reported 'troubling patterns' of HIV infection in PNG, influenced by a range of 'intersecting factors', including:
- ... poor knowledge/education of safe sex practices (whilst the literacy rate for young people is higher than that for older adults, it still remains at around 70 [per cent]; girls are still less likely to even start school); early sexual activity and marriage; polygamy and men having numerous partners; and 'development' - the 'hotspots' for HIV transmission are along the main transportation routes through the country associated with the mining and logging industry and the subsequently high levels of transactional sex.<sup>122</sup>
- 5.114 RESULTS International Australia Inc indicated that people with HIV are particularly vulnerable to tuberculosis (TB), which is 'currently the leading cause of HIV-related deaths'. RESULTS advised that TB is 'preventable and treatable', and yet it caused 320 000 deaths among HIV-positive people in 2012. RESULTS also reported that the World Health Organisation (WHO) has recently put forward guidelines outlining 'collaborative activities to fight TB and HIV together'.<sup>123</sup>
- 5.115 Dame Carol Kidu lamented that incidents of tuberculosis, including drug resistant tuberculosis, has increased in the Western Province capital of Daru and in the National Capital District of Port Moresby. She further advised:
- There has been a health department awareness campaign led by the Prime Minister and the governor of the city, about "TB can be cured", "Help to cure TB" [but] I do not know how effective it is.<sup>124</sup>
- 5.116 MSF reminded the Committee that Hepatitis B is also a health concern for women, and is 'more contagious than HIV'. MSF explained that the

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120 UNAIDS, *Submission 1*, p. 2.

121 Family Planning NSW, *Submission 56*, p. 4.

122 GLASS Research Unit, *Submission 7*, p. 10.

123 Results International Australia Inc, *Supplementary Submission 72.3*, p. 3.

124 Dame Carol Kidu, Private capacity, *Committee Hansard*, Canberra, 3 February 2015, p. 12.

vaccination is 'very effective in preventing transmission' if given to victims within 24 hours of an assault.<sup>125</sup>

## Malaria

5.117 The Medicines for Malaria Venture (MFMV) submitted that malaria is a significant health problem for women in the Indo-Pacific region. MFMV explained that:

Malaria takes a child's life every minute. It is estimated that between 610 000–971 000 people die from malaria each year, mostly young children.<sup>126</sup>

5.118 MFMV stated that 'a pregnant woman's risk of infection increases due to changes in her hormone levels and immune system', with first-time mothers particularly vulnerable. MFMV added that there is a higher risk of 'anaemia and miscarriage' in pregnant women with malaria, and that 'their babies are at risk of stillbirth, prematurity, intrauterine growth retardation, and low birth weight'.<sup>127</sup>

5.119 MFMV advised that 67 per cent of the world's 'at risk' population resides in 22 countries in the Asia-Pacific (2.3 billion people). According to MFMV, Southeast Asia is 'the global epicentre for drug-resistant forms' of malaria. MFMV also cited WHO research that demonstrated that, in countries where the incidence of malaria is especially high:

... the disease accounts for up to 40 [per cent] of public health expenditures, 30–50 [per cent] of inpatient hospital admissions, and up to 60 [per cent] of outpatient health clinic visits.<sup>128</sup>

5.120 MFMV emphasised that malaria limits 'regional economic growth', thus having 'implications for Australian economic diplomacy in the region'.<sup>129</sup>

5.121 In further evidence, Professor Bambrick explained that climate change also affects women disproportionately through the increased spread of mosquito-borne diseases, such as malaria. She said:

Warmer temperatures intensify transmission of malaria and dengue, for example, and enable disease to spread to new, highly susceptible regions. Women's daily work, collecting water, wood and food, for example, means that they are more often exposed to infection.<sup>130</sup>

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125 MSF, *Submission 38*, p. 5.

126 MFMV, *Submission 5*, p. 1.

127 MFMV, *Submission 5*, p. 1.

128 MFMV, *Submission 5*, p. 1.

129 MFMV, *Submission 5*, p. 1.

130 Professor Bambrick, *Committee Hansard*, Canberra, 7 May 2015, p. 17.

- 5.122 Witnesses highlighted the need for Australia to continue to support efforts to develop effective low cost treatments for use in the Indo-Pacific region and beyond. For instance, MMV recommended the Australian Government:

Continue to support the Asia-Pacific Leaders Malaria Alliance and investment in the Asia Development Bank's Regional Malaria and Other Communicable Diseases Trust Fund, with a view to expanding support for the development of new malaria medicines as part of an integrated strategy towards malaria elimination.<sup>131</sup>

## Disability

- 5.123 Witnesses submitted that women and girls with disabilities are doubly marginalised. Vision 2020 Australia, for instance, submitted that minority women, including 'ethnic minorities, particular castes, and with a disability, such as blindness or low vision', often have less legal rights, less opportunities for education, and can often be denied access to 'productive resources', like land. Further, that:

A woman or a girl living with a disability is less likely to be employed than a man with disability, and less likely to be employed than a woman without a disability.<sup>132</sup>

- 5.124 Witnesses also highlighted the vulnerability of women with disabilities to violence. Banteay Srei cited research conducted in 2013 which 'found that women with disabilities in Cambodia are equally vulnerable to partner violence but much more vulnerable to family violence'.<sup>133</sup>
- 5.125 CBM Australia and Australian Disability Development Consortium (ADDC) told the Committee that the majority of people living with a disability live in developing countries – '70 per cent of all people and 85 per cent of children'. The joint submission stated:

While the human rights of women and girls with disability are protected under the [UN Convention on the Rights of Persons with Disabilities] UNCRPD there are significant gaps in implementation. Developing countries in particular need support to assist meeting their treaty obligations. For example, legislation and policy may need to be reviewed as well as finding assistance to implement services and programs.<sup>134</sup>

131 MFMV, *Submission 5*, p. [3].

132 Vision 2020, *Submission 66*, p. 4.

133 Banteay Srei, *Submission 51*, p. 2.

134 CBM Australia and the Australian Disability Development Consortium (ADDC), *Submission 14*, p. 2.



- 5.126 The SPC highlighted ‘consistent reports across the Pacific’ that indicated women with disabilities are not receiving the ‘same quality of health care as other women’. The Secretariat also referred to the UN Population Fund study *A Deeper Silence* which considered the health status of women with disabilities in Kiribati, Solomon Islands and Tonga. The study identified:
- ... a lack of awareness about the needs of women with disabilities and their sexual and reproductive health needs. It was also found that women and girls with disabilities are two to three times more likely to be victims of physical and sexual abuse than those without a disability.<sup>135</sup>
- 5.127 Witnesses also submitted that girls with disabilities are often less able to access education and training ‘than their non-disabled peers’. The SPC cited a survey by the Fiji National Committee on Disabled Persons which found:
- ... 57 [per cent] of people with disabilities had received primary education (29 [per cent] of women with disabilities) and 17 [per cent] secondary education (7 [per cent] of women with disabilities). Overall, 13 [per cent] received special education (4 [per cent] women and girls).<sup>136</sup>
- 5.128 The UN Population Fund study also found that women with disabilities experienced ‘additional forms of violence’, such as:
- ... withholding of medication, medical assistance and reproductive health options, denial of food or water, forced sterilisation and medical treatment, and are vulnerable to sexual assault in institutions.<sup>137</sup>
- 5.129 CBM Australia and ADDC emphasised the importance of reproductive rights for women with disabilities, stating that ‘Article 23 of the UNCRPD reinforces the right of people with disabilities to establish and maintain a family and to retain their fertility on an equal basis with others’. They argued that, despite this protection, forced sterilisation, and other forms of reproductive discrimination, regularly occur, affecting ‘the access, level and availability of sexual and reproductive health services’.<sup>138</sup>
- 5.130 Vision 2020 Australia submitted evidence about the effect of blindness and vision loss on women, stating that around 90 per cent of the world’s blind

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135 SPC, *Submission 24*, p. 14.

136 SPC, *Submission 24*, pp. 14–15.

137 SPC, *Submission 24*, p. 11.

138 CBM Australia and ADDC, *Submission 14*, p. 4.

and vision impaired people live in developing countries, and two thirds of these people are women.<sup>139</sup>

- 5.131 Vision 2020 also explained the correlation between blindness and poverty, lack of education, poor access to housing, and limited access to clean water and sanitation, arguing that addressing eye health ‘has a significant impact on addressing inequity of opportunities and the potential to act as a catalyst in driving systemic change’.<sup>140</sup>
- 5.132 Vision 2020 Australia advised that it is working to ‘reduce the gender gap’ in eye health through the Vision 2020 Australia Global Consortium East Asia Vision Program. This program operates in Vietnam, Cambodia and Timor-Leste.<sup>141</sup>
- 5.133 CBM Australia and ADD referred to the *WHO Global Disability Action Plan 2014–2021: Better Health for all People with Disability*.<sup>142</sup> According to CBM and ADDC, the plan aims ‘to contribute to achieving optimal health, functioning well-being and human rights for persons with disabilities’ by working to:
- remove barriers of access to health for persons with disabilities;
  - strengthen rehabilitation services; and
  - improve collection of data on disability.
- The plan also contains ‘measures that will focus specifically on women and girls with disability’.<sup>143</sup>
- 5.134 The SPC explained that several countries in the Pacific are currently undertaking initiatives designed to assist women with disabilities. Some of these initiatives resulted from the 2013 UN Population Fund study.<sup>144</sup> The Secretariat also highlighted Kiribati’s *National Development Plan 2012–2015* ‘which aims to strengthen support services for women and inclusion for people with a disability in decision-making’, and referred to a Draft Kiribati National Disability Policy 2011–2014, developed to ‘meet the needs of people with a disability and dismantle barriers to equality’.<sup>145</sup>
- 5.135 DFAT provided a number of examples of Australian initiatives to address the needs of women with disabilities, including an Australian Development Research Award that supported a comparative study on ‘the

139 Vision 2020 Australia, *Submission 66*, p. 3.

140 Vision 2020 Australia, *Submission 66*, p. 2.

141 Vision 2020 Australia, *Submission 66*, p. 4.

142 This Plan, which was not yet finalised when the submission was received, is now available. See <[www.who.int/disabilities/actionplan/en/](http://www.who.int/disabilities/actionplan/en/)> viewed 25 August 2015.

143 CBM Australia and ADDC, *Submission 14*, p. 4.

144 SPC, *Submission 24*, p. 5, footnote 6.

145 SPC, *Submission 24*, p. 29.

lives of women with disability and those without' in Cambodia. DFAT explained that:

The study found that women with disability experienced poorer physical and mental health outcomes as a consequence of the violence, and are at increased risk of experiencing high levels of stigma, discrimination and other rights violations. In addition women with disability were found to be 4.2 times more likely to have their activities and whereabouts restricted by partners.

DFAT further explained that the findings of this research were being used to inform new programs in the area of violence against women.<sup>146</sup>

## Sanitation and infrastructure

5.136 Another key issue for the health of women and girls is access to safe water and sanitation facilities. Clean water and satisfactory sanitation are essential to prevent disease. DFAT estimated that 'poor sanitation leads to around 700 000 premature deaths globally each year'.<sup>147</sup>

5.137 As an example, Banteay Srei observed that in Cambodia:

Poor sanitation and hygiene practices, limited access to safe and clean water sources as well as household latrines, further contributes to women's and families' poor health. According [to] the CDHS [Cambodia Demographic and Health Survey] 2010, in rural areas, more than 66 [per cent] of households have no toilet facilities while only 53 [per cent] of households have 'improved sources' of water during the dry season, rising to 76 [per cent] during the rainy season.<sup>148</sup>

5.138 Amnesty International highlighted the inadequate sanitation facilities across much of India, where around '600 million people – over half of India's population – defecate in the open'. Amnesty argued that this practice puts women and girls in harm's way, making them more vulnerable to violence.<sup>149</sup>

5.139 ACFID explained that, around the world, close to '748 million people live without safe water and 2.5 billion live without improved sanitation' and 695 million of these people are in East Asia and Pacific region, 'more than in Sub-Saharan Africa'.<sup>150</sup>

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146 DFAT, *Submission 27*, p. 43.

147 DFAT, *Supplementary Submission 27.2*, p. 19.

148 Banteay Srei, *Submission 51*, p. 6.

149 Amnesty International, *Submission 74*, p. 7.

150 ACFID, *Submission 25*, p. 12.

- 5.140 According to ACFID, this ‘is catastrophic, especially for women’, because women and girls are twice as likely as boys to be collecting water for their families, an activity that ‘consumes a significant amount of their time’.<sup>151</sup> Collecting water and going to the toilet in the open ‘puts women at greater risk of disease, shame, harassment and sexual assault’. ACFID argued that ‘[l]ack of progress in the provision of water, sanitation and hygiene is to the detriment of all other development goals and targets’.<sup>152</sup>
- 5.141 Professor Bambrick suggested that:
- If you can provide adequate and appropriate sanitation for a community, then you have already cut disease dramatically and you have freed up women’s time – you have freed up their caring time; you have freed up the time that they are not spending sick – so they can actually spend more time being economically productive for that community as well.<sup>153</sup>
- 5.142 A number of witnesses also talked about the need for safe and accessible toileting facilities, particularly for girls attending school. Professor Bambrick explained that girls who want to attend school can be ‘put off by the lack of toilets’ in many schools, which are ill equipped for the needs of girls, especially once they have started menstruating. The Professor also stressed that ‘[y]ou need functioning toilets. There is no point going into a place and putting a toilet in there if there is no system to then maintain the toilet’.<sup>154</sup>
- 5.143 ACFID also asserted that when ‘safe sanitation facilities are available in schools, girl’s attendance has been shown to increase by up to 11 per cent’.<sup>155</sup>
- 5.144 World Vision praised recent work by Australia and by international aid providers in establishing separate female toilet facilities in humanitarian and aid programs, which has:
- ... reduced [the] threat of sexual assault for women and girls, and has driven declines in cases of girls either missing school during their menstrual cycles or leaving formal education altogether at the onset of puberty.<sup>156</sup>
- 5.145 GLASS Research Unit examined the impact of climate change on water security, where environmental disasters, erosion and salination limit

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151 ACFID, *Submission 25*, p. 12.

152 ACFID, *Submission 25*, p. 13.

153 Professor Bambrick, *Committee Hansard*, Canberra, 7 May 2015, p. 18.

154 Professor Bambrick, *Committee Hansard*, Canberra, 7 May 2015, p. 19.

155 ACFID, *Submission 25*, p. 13.

156 World Vision, *Submission 37*, p. 11.

access for women and their families to fresh water. GLASS provided as an example the Satkhira region of Bangladesh where ‘salt water inundation has had a significant impact on fresh water availability and resulted in women having to walk much further to source fresh water’. Examples are also said to be found in the coastal regions of the Pacific ‘where storm surges, cyclone activity and salt water intrusion are causing major damage to fresh water stocks’. GLASS argued that these impacts are mostly felt by women and girls who are tasked with retrieving water.<sup>157</sup>

- 5.146 Professor Bambrick pointed out that ‘key drivers of climate change’ also directly affect the health of women and girls, saying:

Burning wood and other biomass fuels for cooking creates dangerous indoor air pollution and kills nearly four million people annually, mostly women and girls. It contributes to poor lung function, tuberculosis and pneumonia.<sup>158</sup>

- 5.147 ACFID insisted that access to clean water, adequate sanitation and hygiene facilities for women and girls ‘is critical to enabling women’s full participation in families and communities, and should be a focus of Australian aid initiatives’.<sup>159</sup>

## Achievements to date

- 5.148 Significant achievements have been made in areas relevant to women’s health around the world in the last two and half decades, including in the Indo-Pacific region. DFAT submitted:

In health, dramatic improvements have been made in life expectancy and decreases in child mortality for women and men, girls and boys, in most regions of the world in the last few decades. In most countries girls and boys have the same access to vaccinations and health care in infancy and childhood.<sup>160</sup>

- 5.149 The UN *Millennium Development Goals Report 2015* recorded significant progress, in that:

- Rates of children dying before their fifth birthday have declined by more than half since 1990 – ‘dropping from 90 to 43 deaths per 1 000 live births’.

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157 GLASS Research Unit, *Submission 7*, p. 3.

158 Professor Bambrick, *Committee Hansard*, Canberra, 7 May 2015, p. 17.

159 ACFID, *Submission 25*, p. 12.

160 DFAT, *Submission 27*, p. 26.

- Maternal mortality has declined by 45 per cent worldwide— most of this reduction has occurred since the year 2000.
- ‘Over 6.2 million malaria deaths were averted between 2000 and 2015’.
- Tuberculosis prevention, diagnosis and treatment interventions saved ‘an estimated 37 million lives between 2000 and 2013’.
- 2.1 billion more people around the world now have access to ‘improved sanitation’, and the proportion of people defecating in the open ‘has fallen almost by half since 1990’.
- Official development assistance (ODA) from developed countries increased by ‘66 per cent in real terms from 2000 and 2014’ to reach \$135.2 billion.<sup>161</sup>

5.150 Marie Stopes surmised that the last few decades mark a period of ‘strong progress towards improving sexual and reproductive health and rights’:

In the last 20 years for example, 17 countries have reduced restrictive legislation on reproductive health services, and global maternal mortality has declined by 47 [per cent].<sup>162</sup>

5.151 The ISRHR Consortium agreed that there had been improvements in women’s health and reproductive rights, while asserting that there was much more to be done:

Nonetheless, violation against women and girls’ sexual and reproductive rights remains a significant issue, and health indicators reveal widespread inequities at both the inter- and intra-national level.<sup>163</sup>

5.152 The Consortium identified that increased political and financial commitments around the world have led to increased access to family planning services, citing countries like Nepal, Cambodia and South Africa, which have improved access to safe abortion services. The Consortium also highlighted South Africa, where the annual number of abortion-related deaths fell by 91 per cent after the abortion law was ‘liberalised’.<sup>164</sup>

5.153 The Burnet Institute agreed that maternal deaths have reduced substantially in the last two decades, with the global maternal mortality ratio declining by 47 per cent between 1990 and 2010. The Institute noted, however, that ‘this falls short of the reduction needed by 2015 to achieve

161 UN, *Millennium Development Goals Report 2015: Summary*, 2015, *passim* <[www.un.org/millenniumgoals/2015\\_MDG\\_Report/pdf/MDG%202015%20Summary%20web\\_english.pdf](http://www.un.org/millenniumgoals/2015_MDG_Report/pdf/MDG%202015%20Summary%20web_english.pdf)> viewed 30 October 2015.

162 Marie Stopes International, *Submission 40*, p. 7.

163 ISRHR Consortium, *Submission 52*, p. 5. For more detail see case studies, pp. 5–7.

164 ISRHR Consortium, *Submission 52*, p. 5.

the Millennium Development Goal to reduce maternal mortality by three quarters'. Further, according to the Institute, South Asia still accounts for one third of global maternal mortality.<sup>165</sup>

5.154 According to the Burnet Institute, rates of contraceptive use in Asia increased overall from 50 per cent in 1998 to 60 per cent in 2011, although rates varied by country – from 22 per cent in Afghanistan and Timor-Leste, and 38 per cent in Laos, to more than 80 per cent in Thailand and China. As a contrast, the rate of contraceptive use in Sub-Saharan Africa 'increased modestly from 15 to 25 per cent', with higher rates in some countries – 45 per cent in Kenya and 34 per cent in Tanzania.<sup>166</sup>

5.155 The Burnet Institute also noted that contraceptive use fell in the Oceania region, from 60 per cent in 1990 to 57 per cent in 2011, 'with significant variation between countries, being only 32 per cent in PNG, 34 per cent in Solomon Islands, and 38 per cent in Vanuatu'.<sup>167</sup> The SPC shared these concerns, citing research that shows 'maternal health remains a serious concern across the Pacific Islands region, despite gains made over the past few decades'.<sup>168</sup>

5.156 The SPC reported that '[s]killed birth-attendant rates are improving'. However, as previously noted:

According to the 2012 MDG Tracking Report, Kiribati, Solomon Islands and Vanuatu reported rates below 90 [per cent] and PNG less than 50 [per cent]; the latter three countries are regressing.<sup>169</sup>

5.157 The Secretariat also asserted that:

- Teenage pregnancy rates are falling in most Pacific countries.
- Positive progress on HIV/AIDS and STIs continues.
- National health-service mechanisms are being improved.<sup>170</sup>

## Programs that work

5.158 A number of witnesses to the inquiry provided evidence on the positive impacts of health programs for women and girls. Dame Carol Kidu praised recent work by Australia and New Zealand on:

165 Burnet Institute, *Submission 47*, p. 5.

166 Burnet Institute, *Submission 47*, p. 7.

167 Burnet Institute, *Submission 47*, p. 7.

168 SPC, *Submission 24*, p. 12.

169 SPC, *Submission 24*, p. 27.

170 SPC, *Submission 24*, pp. 27–28.

... addressing the ministerial report on maternal mortality, with a very systematic midwifery training program which, from every report I have heard and known about, is having an impact.<sup>171</sup>

- 5.159 The UN Pacific Gender Group described the Health Systems Strengthening Programme, which is run with the support of the UN Population Fund, UN Children's Fund, and the WHO. This program provides:

Technical support ... to strengthen policy and budget frameworks, commodity security, information systems, workplace training and to implement survivor centered health services. UNFPA has also integrated GBV response into programming for maternal health and adolescent sexual reproductive health programming.<sup>172</sup>

- 5.160 The UN Pacific Gender Group also described a joint Comprehensive Sexuality Education programme, as part of which the UN Population Fund has been providing support to Pacific Island countries to 'improve the quality and expand access to Comprehensive Sexuality Education' for youth. The program is aimed at:

... enhancing knowledge, behaviours and attitudes towards sexuality and sexual reproductive health, including sexually transmitted infections and HIV, and include supplementary issues faced by young people such as drug and alcohol use, mental health, gender inequality, violence with emphasis on girls and women, respectful relationships, and personal and community health and safety.<sup>173</sup>

- 5.161 The Group revealed that the UN Educational, Scientific and Cultural Organisation (UNESCO), the UN Population Fund and UN Children's Fund presented a proposal for a program of work in sex education in the Pacific to Pacific Ministers of Health in April 2014. They reported that the 'Joint Programme was endorsed by the Ministers and efforts are underway to begin implementing it'.<sup>174</sup>

- 5.162 DFAT emphasised the funding it provides to Marie Stopes International to support sexual and reproductive health in Timor-Leste, where Marie Stopes works in eight out of 13 districts, serving 50 000 clients in 2013. DFAT stated that:

171 Dame Carol Kidu, *Committee Hansard*, Canberra, 3 February 2015, p. 9.

172 UN Pacific Gender Group, *Submission 49*, p. 12.

173 UN Pacific Gender Group, *Submission 49*, p. 12. More information about the program in PNG is at <[www.unfpa.org/news/youth-take-lead-papua-new-guinea](http://www.unfpa.org/news/youth-take-lead-papua-new-guinea)> viewed 18 September 2015.

174 UN Pacific Gender Group, *Submission 49*, p. 12.



Marie Stopes International is responsible for providing around one third of the total contraceptive protection to Timorese couples. This has allowed Timorese families to plan and space their families to avoid an estimated 12 000 unwanted pregnancies, and so prevent around 2000 unsafe abortions.<sup>175</sup>

5.163 Amnesty International University of Western Australia Group (UWA) pointed to promising results from programs in maternal health in the Philippines, including the National Safe Motherhood Programme, where it is estimated that 'seven women die every 24 hours from pregnancy-related causes'.<sup>176</sup>

5.164 The Committee heard from YWAM who reported success working closely with the Government in PNG:

We are very pleased to report that the national health plan in Papua New Guinea has a strong emphasis on the health of women in particular. There is a key result area within the planning in Papua New Guinea which particularly focuses on women's health and supports not only the local health system but NGOs such as ourselves.<sup>177</sup>

5.165 YWAM explained that its medical ships are reaching into remote parts of PNG providing support, including to new mothers. Dr Dunn advised:

The maternal child health outreach patrol is getting out into remote spots with contraceptive assistance, assistance with antenatal care and education around safe birthing alongside immunisations.<sup>178</sup>

5.166 AVI described a number of initiatives that are having an effect across Asia and in the Pacific region:

- Bougainville – AVI supports the Sisters of Nazareth to run the Nazareth Centre for Rehabilitation 'providing services to women and children who are the victims of violence', including 'counselling and life skills training and support for repatriation into their communities'. AVI provides Australian volunteers with skills in 'education, horticulture and food security' and 'leadership and human rights for women'.
- Thai-Burma border – AVI provides volunteer psychologists to work with local community-based organisations and international NGOs in five Burmese refugee camps along the Thai-Burma border, 'providing

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175 DFAT, *Supplementary Submission 27.1*, p. 1.

176 Amnesty International University of Western Australia Group (UWA), *Submission 58*, p. 2. (data from 2010)

177 Dr Dunn, YWAM Medical Ships, *Committee Hansard*, Canberra, 18 June 2015, p. 2.

178 Dr Dunn, YWAM Medical Ships, *Committee Hansard*, Canberra, 18 June 2015, p. 2.

services to women experiencing violence, and on education programs to prevent violence against women'.<sup>179</sup>

- 5.167 World Vision described its work in 'Timed and Targeted Counselling (ttC)', which trains community health workers to provide 'comprehensive health and nutrition messages to every pregnant woman and her family in each village supported by World Vision'. This program ensures community health workers provide ten visits to relevant households over a 1 000 day period from pregnancy until the child is two. World Vision advised:

During visits, CHWs [community health workers] deliver appropriate messages at the right time, which include specific messages about healthy timing and spacing of pregnancy and modern family planning at least once during the pregnancy and two more times in the postnatal period ... This approach aims to increase access to post-partum family planning, which protects the mother and child as well as future pregnancies and children from the negative effects of multiple close pregnancies and births.<sup>180</sup>

- 5.168 Marie Stopes highlighted the recent passing of the *Philippines Responsible Parenthood and Reproductive Health Act*, which it argued represents a 'growing recognition in the region for both the right to and benefits of expanded access to reproductive health services'. Marie Stopes explained that this success followed after many years of 'advocacy and support from NGOs ... and at the grassroots level'.<sup>181</sup>

- 5.169 The ISRHR Consortium offered the example of a program from Laos, which they argued is having some success. The Legal Awareness and Life Skills (LALS) project, run by CARE International, 'has been supporting the empowerment of marginalised urban women in Laos'. The project initially focussed on women in the 'entertainment industry' and later expanded to include garment factory workers. The project worked by 'establishing peer networks and self-help groups' where women could share knowledge and skills on 'laws, women's rights, preventing violence and self-defence, and sexual and reproductive health issues'.<sup>182</sup>

- 5.170 The Consortium praised this program saying:

Evaluations revealed that since the start of the project five years ago, entertainment workers, who were typically considered 'bad and dirty' women with no position in society, now have better

179 AVI, *Submission 43*, p. 5.

180 World Vision, *Submission 37*, pp. 10-11.

181 Marie Stopes International, *Submission 40*, p. 6.

182 ISRHR Consortium, *Submission 52*, p. 9.

self-esteem, no longer feel they deserve to be treated violently and feel they have more influence over what happens to them, such as preventing or escaping violence and negotiating safe sex. They have learnt new skills and knowledge and are using this to help their peers.<sup>183</sup>

- 5.171 Further, the Consortium argued that as a result of the program, social attitudes towards these women have improved, with the Lao Women's Union now accepting these women as part of their community to be protected.<sup>184</sup>
- 5.172 DFAT stated that the Australian Government is working hard to promote good health for women and girls in the region. DFAT submitted that the Australian Government had launched the *Health for Development Strategy 2015–2020* on 15 June 2015, which:
- ... provides guidance for DFAT policy engagement and investment decisions in health for development to promote prosperity and economic growth. The focus is on strengthening country-level health systems tailored to people's needs, and regional health security to ensure effective regional solutions to trans-boundary health threats.<sup>185</sup>
- 5.173 According to DFAT, the strategy puts forward a range of ways to strengthen the impact of aid on the health of women and girls, including:
- influencing behaviour change around gender, nutrition, and hygiene and supporting women's leadership in health governance and accountability measures as a priority;
  - strengthening civil society organisations that can be active partners and provide women's voice in holding authorities to account for quality, accessible services;
  - ensuring that nutrition investments embed gender equality measures in order to respond to the disproportionate effects of poor nutrition on women and girls in many countries; and
  - supporting access to sustainable clean water and sanitation, including through addressing affordability issues for women and girls, in order to support economic growth and gender equality in rural and urban areas, especially in small and medium-sized towns.<sup>186</sup>
- 5.174 Witnesses offered suggestions to the inquiry for how Australia's work can be strengthened and better focussed. Marie Stopes pointed to initiatives

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183 ISRHR Consortium, *Submission 52*, p. 9.

184 ISRHR Consortium, *Submission 52*, p. 9.

185 DFAT, *Supplementary Submission 27.2*, p. 19.

186 DFAT, *Supplementary Submission 27.2*, p. 19.

run by United States Aid (USAID) and Norwegian and Danish policy programs, which it argued:

... offer substantial opportunity to leverage best practice approaches to improving sexual and reproductive health and rights, particularly in terms of combining service delivery, organisational strengthening and policy support in a single program of work. Australia could build on the lessons and successes of existing programs that have proven impact and are cost-effective.<sup>187</sup>

5.175 Marie Stopes suggested the Australia Government should consider supporting:

... a large scale, multi-country program of work dedicated to advancing the sexual and reproductive health and rights of women and girls in the Indian Ocean–Asia Pacific region.<sup>188</sup>

### Working with faith based organisations

5.176 Faith based organisations have significant influence in some of the countries in the Indo–Pacific, and are involved in social welfare and health services provision in some areas. The Committee was interested to hear how faith based organisations are working to improve the health of women and girls in PNG. Representatives from YWAM told the Committee that:

Church-based health services are a significant rural health provider. We are engaging a lot across that area. Also, the churches do have a significant leadership role in communities, particularly the women’s fellowships. There is a strong network there.<sup>189</sup>

5.177 DFAT explained that sexual and reproductive health programs it funds also engage with faith based organisations, including the Marie Stopes program of work in Timor-Leste, which ‘involves cooperation with the Catholic Church’.<sup>190</sup>

5.178 The Committee asked YWAM how they go about delivering messages around gender-based violence through faith based organisations. YWAM’s representatives stated:

We do regularly take up opportunities ... to raise the dialogue around the value of women and girls and to encourage the men as

187 Marie Stopes International, *Submission 40*, p. 10.

188 Marie Stopes International, *Submission 40*, p. 10.

189 Dr Dunn, YWAM Medical Ships, *Committee Hansard*, Canberra, 18 June 2015, p. 6.

190 DFAT, *Supplementary Submission 27.1*, p. 1.

champions of championing women and girls. Often we bring up challenges where it is necessary as well. We have seen things in the clinic that can be quite challenging at times – the realities of gender-based violence and other issues. Where appropriate, we do bring that conversation within whichever sector we are talking about, whether it is the church leadership or the local government we are speaking to or the school context. We engage in some significant dialogues across all of those groupings, including churches.<sup>191</sup>

- 5.179 The Churches Agencies Network described the advantages of working through faith-based agencies, maintaining that:

CAN agencies recognise the importance of bottom-up approaches that respect social context, and work through community strengths to address barriers to women and girls' realising their human rights. CAN agencies seek to mainstream gender into all program areas and have the active participation of men and women in program planning and implementation.<sup>192</sup>

- 5.180 Caritas Australia also emphasised the potential for governments to leverage the networks and influence of faith based organisations, suggesting that:

Church leaders and their capillary networks can facilitate sustainable and low cost avenues for development that are culturally appropriate and engaged with local governments, businesses and communities.<sup>193</sup>

- 5.181 The Church Agencies Network reported that faith based organisations are already working to increase the leadership capabilities of women in the Pacific, through programs such as the Uniting World's Women's Fellowship networks, noting:

The Women's Fellowship networks tend to be well structured and organised, spanning the sphere of church leadership to the community level. These networks tend to be the main arena in which women have a voice within the church and community.<sup>194</sup>

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191 Dr Dunn, YWAM Medical Ships, *Committee Hansard*, Canberra, 18 June 2015, p. 6.

192 Churches Agencies Network, *Submission 12*, p. 4. For further information including a case study on a mother and child health program in Kenya, see *Submission 12*, p. 9.

193 Caritas Australia, *Submission 42*, p. 6.

194 Church Agencies Network, *Submission 12*, p. 7.

## Committee comment

- 5.182 The Committee acknowledges the Australian Government's support for programs in the fields of maternal and child health, reproductive health, disease reduction and immunisation, and child nutrition in the Indo-Pacific region.
- 5.183 While evidence to the inquiry regarding the experience of women and girls with disabilities was limited, the Committee accepts that women and girls with disabilities are often 'doubly disadvantaged' – a fact that must be considered in planning and delivering aid in the region.
- 5.184 The Committee is concerned about the levels of violence perpetrated against women and girls with disabilities, the impact of disability on women's reproductive rights, and the unmet need for appropriate health care for these women and girls in many Indo-Pacific countries.
- 5.185 The Committee proposes that the Government review gender-based violence support services currently available in the Pacific region, particularly with regard to the resourcing and co-ordination of health services and whether there is a case to provide further services. Services need to be integrated, including case management, healthcare, counselling, emergency accommodation and long term sustainable housing. These services should operate as a partnership between with the Australian Government, governments in the region and non-government organisations.<sup>195</sup>
- 5.186 The Committee recognises that malaria, HIV/AIDS and tuberculosis are serious health concerns impacting many women and girls in the Indo-Pacific region. As such, the Committee urges the Australian government to prioritise supporting work being conducted by scientists, governments and NGOs working in the field, such as the Gavi Alliance, Medicines for Malaria Venture, James Cook University and others, in the development of effective, low cost, accessible medicines and distribution channels to treat malaria, and other diseases, especially for poor women and children.
- 5.187 The Committee notes that access to clean water, sanitation and hygiene are critical components of development and is encouraged to note that DFAT has a focus on measuring the involvement of women in water, sanitation and hygiene initiatives.<sup>196</sup>
- 5.188 The Committee further notes the importance of appropriate, hygienic and safe sanitation facilities for women and girls, including in school and work environments, and as part of humanitarian responses to crisis situations.

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<sup>195</sup> See for further discussion: UN Pacific Gender Group, *Submission 49*, p. 8.

<sup>196</sup> DFAT, *Supplementary Submission 27.3*, p. 13.

- 5.189 In addition to providing adequate facilities, local communities need to be engaged and women and girls educated on how feminine hygiene products can help support school and work attendance. By working with local communities, and particularly women's groups, as well as NGOs and the private sector, the Australian Government could facilitate access to affordable and accessible products.
- 5.190 The Committee applauds the Australian Government's aim to 'embed gender equality measures' into DFAT's child nutrition programs, as stated in the *Health for Development Strategy 2015–2020*.<sup>197</sup>

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<sup>197</sup> DFAT, *Health for Development Strategy 2015–2020*, p. 12.

## Recommendations

### Recommendation 11

In light of the continuing high levels of maternal mortality, unsafe abortions, and infant and child ill health in many parts of the Pacific and Timor-Leste, the Committee recommends that the Australian Government maintain funding and support for reproductive health programs, including obstetric and gynaecological services, across the Indo-Pacific region with an increased focus on the Pacific and Timor-Leste. In particular, the Australian Government should:

- work in partnership with non-government organisations and Pacific Island authorities to increase funding to maternal and reproductive health programs in the Pacific region;
- support improved provision of timely and high quality sex education in the Pacific region by providing support to Pacific leaders and health ministers in implementing the program of work in sex education these leaders endorsed in 2014; and
- maintain a strong strategic focus on maternal mortality in the design and delivery of aid programs in Timor-Leste and the Pacific.

### Recommendation 12

The Committee recommends that the Australian Government prioritise funding for services that address the immediate needs of survivors of sexual and physical violence in the Indo-Pacific region. These services should be holistic, incorporating:

- accessible, timely and affordable treatment for physical injury;
- accessible, timely, affordable and culturally sensitive counselling and trauma relief;
- legal and justice services, including timely collection of evidence for prosecution;
- counselling and appropriate assistance for pregnancies and diseases arising from sexual assaults; and
- support to prevent further exposure to violence, such as through the provision of safe emergency accommodation.



**Recommendation 13**

The Committee recommends that the Australian Government prioritise work with governments in the Indo-Pacific region, non-government organisations, and the scientific research community for the development of effective, low cost, accessible medicines to treat HIV/AIDS, tuberculosis and malaria, with a focus on disadvantaged women and children in the region.

**Recommendation 14**

To support women and girls with disabilities, who are 'doubly disadvantaged', the Committee recommends that:

- all programs funded or supported by the Australian Government that seek to address violence against women and girls are designed with the specific needs of women and girls with disabilities taken into account in the design phase;
- all women's health and reproductive rights programs supported by the Australian Government take into consideration the needs of women and girls with disabilities and seek to ensure these women and girls are included – and not adversely affected – by the programs; and
- work to support women and girls with disabilities in the Indo-Pacific region remains a priority for the Australian Government, and is included in the Department of Foreign Affairs and Trade's Country Plans.

**Recommendation 15**

The Committee recommends that the Australian aid program retain a focus on ensuring that clean water, and access to satisfactory sanitation and hygiene, especially in schools, underpins development initiatives.

**Recommendation 16**

The Committee recommends that the Australian Government prioritise providing culturally appropriate, hygienic and safe sanitation facilities for women and girls, and that:

- all Australian Government funded humanitarian relief responses, including refugee settlements and disaster relief shelters, provide culturally appropriate, hygienic and safe sanitation facilities; and
- all education programs designed to keep girls in school address the issue of sanitation facilities; providing facilities that can be adequately maintained and serviced locally.

**Recommendation 17**

The Committee recommends that the Australian Government support culturally appropriate, community-driven programs that provide sanitary products for girls and women to allow them to remain engaged in work and education during menstruation.

**Recommendation 18**

The Committee recommends that Australian Government agencies working in the Indo-Pacific region take advantage of opportunities to partner with faith based networks where they play a major role in delivery of health care services and care support.

## Education and the rights of girls

6.1 Submissions to the inquiry highlighted the key role of education in empowering women and girls and helping them to realise their human rights. Witnesses proposed that access to education facilitates the full participation of women and girls in their communities and societies. Caritas Australia stated:

The realisation of human rights requires that women and girls be able to access education. There is strong evidence that women who are literate and educated are more able to contribute to society, to advance economic development, and to access their other human rights.<sup>1</sup>

6.2 The Committee heard evidence from a number of witnesses concerned with the issue of girls' education in the Indo-Pacific region. This chapter examines:

- the right of girls to an education;
- the value of education to individual girls and their societies;
- progress towards gender parity in primary and secondary education;
- progress in the Indo-Pacific region;
- obstacles and barriers impacting girls' access to education;
- current work to promote girls' education; and
- recommendations from witnesses for Australia's role in the region.<sup>2</sup>

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1 Caritas Australia, *Submission 42*, p. 3.

2 Data and figures reported in the chapter are generally quoted from submissions to the inquiry, most of which were received in 2014. Thus some figures may have since been superseded.

## Education as a right

- 6.3 The Australian Council for International Development (ACFID) referred to the powerful contribution of education to poverty reduction and empowerment. ACFID wrote:

Education is a crucial way of tackling poverty, and enabling broader access to employment options for women, as educated women are more likely to find decent work than those with low/basic education levels ... Ensuring that all girls, including those with a disability and those from ethnic and indigenous communities, are able to access a quality education is crucial to ensuring the basic human right to education for all.<sup>3</sup>

- 6.4 ACFID also explained that educating women and girls provides strong economic benefits and boosts development: 'If all students in low income countries left school with basic reading skills, estimates indicate that 171 million people could be lifted out of poverty'.<sup>4</sup>

- 6.5 The Department of Foreign Affairs and Trade (DFAT) emphasised that there is significant variation across the Indo-Pacific in relation to many aspects of life, including women and girls education:

They come from some of the wealthiest countries in the world such as Japan and New Zealand as well as some of the poorest such as Cambodia and Bangladesh. Some can access the highest standards of education globally and others miss out on the most basic schooling, some are encouraged to independently plan and save for their retirements, while others are not permitted to open a bank account.<sup>5</sup>

- 6.6 Plan International (Plan) submitted that education is a human right, enshrined in Article 26 of the *Universal Declaration of Human Rights*, Article 28 of the *Convention on the Rights of the Child*, and Article 13 of the *International Covenant on Economic, Social and Cultural Rights*.<sup>6</sup>
- 6.7 Article 10 of the United Nations (UN) *Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)* further articulates the core requirements to ensure women and girls enjoy equal opportunity to receive and benefit from educational and training services. Article 10 calls on member states to provide:

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3 Australian Council for International Development (ACFID), *Submission 25*, p. 10.

4 ACFID, *Submission 25*, p. 10.

5 Department of Foreign Affairs and Trade (DFAT), *Submission 27*, p. 9.

6 Plan International Australia (Plan), *Submission 46*, p. 4, and footnote 2.

- The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training.
- Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of same quality.
- The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging co-education and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods.
- The same opportunities to benefit from scholarships and other study grants.
- The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women.
- The reduction of female student drop out rates and the organization of programmes for girls and women who have left school prematurely.
- The same opportunities to participate actively in sports and physical education.
- Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.<sup>7</sup>

6.8 The 1995 Beijing Declaration and Platform for Action elaborated on these requirements in a section dedicated to the rights of the girl child,<sup>8</sup> as part of its broader agenda 'to promote and protect the full enjoyment of all human rights and the fundamental freedoms of all women throughout their life cycle'.<sup>9</sup>

6.9 'The Girl Child: Strategic Objective L.4' calls on governments and international and non-government organisations to:

7 *Convention on the Elimination of All Forms of Discrimination Against Women*, 'Part III, Article 10', <[www.hrcr.org/docs/CEDAW/cedaw5.html](http://www.hrcr.org/docs/CEDAW/cedaw5.html)> viewed 15 October 2015.

8 United Nations (UN), Platform for Action, Fourth World Conference on Women, Beijing, China, September 1995, 'The Girl Child: Strategic Objective L.4' <[www.un.org/womenwatch/daw/beijing/platform/girl.htm#diagnosis](http://www.un.org/womenwatch/daw/beijing/platform/girl.htm#diagnosis)> viewed 22 September 2015.

9 UN, Platform for Action, Fourth World Conference on Women, Beijing, China, September 1995, 'Mission Statement 2' <[www.un.org/womenwatch/daw/beijing/platform/plat1.htm#statement](http://www.un.org/womenwatch/daw/beijing/platform/plat1.htm#statement)> viewed 23 September 2015.

- provide education and skills training to increase girls' opportunities for employment and access to decision-making processes;
- provide education to increase girls' knowledge and skills related to the functioning of economic, financial and political systems;
- ensure access to appropriate education and skills-training for girl children with disabilities for their full participation in life; and
- promote the full and equal participation of girls in extracurricular activities, such as sports, drama and cultural activities.<sup>10</sup>

6.10 RESULTS International Australia Inc (RESULTS Australia) submitted that the right to education 'is inextricably linked to other fundamental human rights', such as:

- The human right to equality between men and women and to equal partnership in the family and society.
- The human right to work and receive wages that contribute to an adequate standard of living.
- The human right to freedom of thought, conscience, religion and belief.
- The human right to an adequate standard of living.
- The human right to participate in shaping decisions and policies affecting one's community, at the local, national and international levels.<sup>11</sup>

6.11 Some witnesses argued that adopting a child-focused approach in the Indo-Pacific region 'makes sense', because developing nations in the region are experiencing a 'youth bulge'.<sup>12</sup> UNICEF explained that children between the age of five and 14 make up about 20 per cent of the global population,<sup>13</sup> while Plan submitted that, in Indo-Pacific countries such as Timor-Leste, Cambodia, Papua New Guinea (PNG), Fiji and Samoa, almost half the population is aged under 18.<sup>14</sup>

6.12 DFAT's Principal Gender Specialist, Ms Sally Moyle, advised the Committee that Australia's aid program 'focuses on gender equality and the empowerment of women and girls' but does not 'necessarily have a specific focus on the girl child'. However, Ms Moyle also explained that

10 UN, Platform for Action, Fourth World Conference on Women, Beijing, China, September 1995, 'The Girl Child: Strategic Objective L.4', Article 280, viewed 22 September 2015.

11 RESULTS International Australia (RESULTS Australia), *Submission 72*, p. 7.

12 Plan, *Submission 46*, p. 14.

13 UNICEF, *State of the World's Children in Numbers: Every Child Counts*, 2014, Cited in Plan, *Submission 46*, p. 14.

14 Plan, *Submission 46*, p. 14.

much of DFAT's programming, 'particularly in health and education, really focuses on girls' empowerment'.<sup>15</sup>

6.13 Research by UNESCO drew the connection between literacy and education of women and the empowerment of women. UNESCO stated that:

- Today, nearly 17 [per cent] of the world's adult population is still not literate; two thirds of them women, making gender equality even harder to achieve.
- The scale of illiteracy among youth also represents an enormous challenge; an estimated 122 million youth globally are illiterate, of which young women represent 60.7 [per cent].
- With some 775 million adults lacking minimum literacy skills, literacy for all thus remains elusive.<sup>16</sup>

## The value of education

6.14 RESULTS Australia maintained that the education of girls can bring about 'unprecedented social and economic changes' that are beneficial to families and communities, in that:

- Educating girls and women reduces the incidence of specific diseases, maternal and child mortality – with a child born to an educated mother being more than twice as likely to survive to the age of five.
- It lowers fertility rates through channels such as preventing early childbirth, improving birth spacing, improving women's access to the workforce and giving women more power over the number of children they have.
- Female education will also benefit nutrition through for instance ensuring appropriate intra-household allocation of resources.
- Women's education plays a central role in boosting earnings, with each additional year of education beyond third grade will increase her income by 10 [per cent]- 20 [per cent], and increasing both family and national income.
- Reducing political extremism and violence against women.
- Educating girls accelerates overall literacy: mothers with a primary school education are five times more likely to send their children to school.<sup>17</sup>

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15 Ms Sally Moyle, Acting Assistant Secretary and Principal Gender Specialist, Human Rights and Gender Equality Branch, DFAT, *Committee Hansard*, Canberra, 15 May 2015, p. 9.

16 UNESCO, *Education, Statistics on Literacy*, UNESCO Institute of Statistics, <[www.unesco.org/new/en/education/themes/education-building-blocks/literacy/resources/statistics/](http://www.unesco.org/new/en/education/themes/education-building-blocks/literacy/resources/statistics/)> viewed 14 July 2015.

- 6.15 The Australian National University (ANU) Gender Institute pointed out that the UN Secretary-General has estimated that ‘investment in girls’ education translates into an average GDP growth of 0.3 percentage points for each per cent increase’.<sup>18</sup>
- 6.16 ChildFund Australia argued that investment in girls’ education has:  
 ... proven to increase the number of female wage earners in society, increase productivity for employers, and reduce the incidence of child marriage and HIV rates ... The impact of this has been shown to be intergenerational, with educated women more likely to send their children to school, and for longer periods of time with each successive generation.<sup>19</sup>
- 6.17 ChildFund reported that in Sri Lanka, and many other countries in the region, well educated women have more opportunities to participate in the economy through business than women with low levels of education.<sup>20</sup> Further, ChildFund referred to UN Foundation research that indicated that ‘women and girls who earn an income reinvest 90 per cent of it into their families’.<sup>21</sup>
- 6.18 Plan argued that education also contributes to ‘empowering girls and women to make free choices and decisions about marriage’, saying that education enables girls to:  
 ... acquire the skills, knowledge and confidence necessary to protect their sexual and reproductive health and rights, to protect themselves against unintended pregnancy and sexually transmitted infections (including HIV), to delay childbearing and to decide on whether, when and how many children they have.<sup>22</sup>
- 6.19 Based on work in Cambodia, PNG and Timor-Leste, Oaktree identified a correlation between human rights violations confronting women and girls and the need for access to education. The submission states:  
 Education can help girls combat family and sexual violence and improve their economic and leadership opportunities. At the same time family and sexual violence and the perceived lack of economic and leadership opportunities for women can impact on the rights of a woman or girl to receive an education. Therefore,

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17 RESULTS Australia, *Submission 72*, pp. 7–8.

18 Australian National University (ANU) Gender Institute, *Submission 63*, p. 7.

19 ChildFund Australia (ChildFund), *Submission 2*, p. 6.

20 ChildFund, *Submission 2*, p. 4.

21 ChildFund, *Submission 2*, p. 6.

22 Plan, *Submission 46*, p. 12.



education exists as both an opportunity to combat human rights violation and a right within itself.<sup>23</sup>

- 6.20 The Australian Bahá'í Community described women as 'the first educators of the next generation', stating:

... their education has a tremendous impact on the family's physical, social and economic well-being; their economic participation increases productivity and drives economic progress; their presence in public life has been associated with better governance and lower levels of corruption.<sup>24</sup>

## Global progress

- 6.21 In 2015, the UN reported that: 'About two thirds of countries in the developing regions have achieved gender parity in primary education'.<sup>25</sup>

- 6.22 The 2015 UNESCO *Education for All (EFA) Global Monitoring Report* recorded significant progress on education, with the number of children and adolescents that do not attend school globally having almost halved since 2000. However, the report also noted that:

... in low and middle income countries in 2015, one in six children will not have completed primary school. In addition, one in three adolescents will not have completed lower secondary school.<sup>26</sup>

- 6.23 UNESCO looked at the issue of gender parity in primary and secondary education and reported:

Although it [was] projected that by 2015 gender parity will be achieved, on average at the global level, in primary and secondary education, 3 in 10 countries at the primary level and 5 in 10 at the secondary level are projected not to achieve this target.<sup>27</sup>

- 6.24 Further, amongst the children who are out of school around the world, 'girls are more likely than boys never to enrol in school' – 48 per cent

23 Oaktree, *Submission 11*, p. 2.

24 Australian Bahá'í Community, *Submission 61*, p. 1.

25 UN, *2015 Millennium Development Goals Progress Report*, 2015, p. 28, < [www.un.org/millenniumgoals/2015\\_MDG\\_Report/pdf/MDG%202015%20rev%20\(July%201\).pdf](http://www.un.org/millenniumgoals/2015_MDG_Report/pdf/MDG%202015%20rev%20(July%201).pdf)> viewed 23 September 2015.

26 The report provides the result of annual evaluations conducted against six goals set out in the *Dakar Framework for Action: Education for All* agreement, signed in 2000 by 164 nations, including many in the Indian Ocean and Asian region. See UNESCO, *EFA Global Monitoring Report 2015, Education for All 2000–2015: Achievements and Challenges*, pp. 2–5, < [unesdoc.unesco.org/images/0023/002322/232205e.pdf](http://unesdoc.unesco.org/images/0023/002322/232205e.pdf)> viewed 23 September 2015.

27 UNESCO, *EFA Monitoring Report 2015*, p. 3, viewed 23 September 2015.

compared to 37 per cent. However, in some countries, once they are enrolled, 'girls are more likely to reach the upper grades'.<sup>28</sup>

- 6.25 The report stated that the goal of universal enrolment in and completion of primary education – which was considered the 'most important EFA indicator'<sup>29</sup> – remained unmet:

Despite an increase in the global primary adjusted net enrolment ratio from 84 [per cent] in 1999 to 91 [per cent] in 2007, the indicator has since stagnated. At best, if earlier rates of progress resume, it will reach 93 [per cent] by 2015.<sup>30</sup>

- 6.26 The study revealed that, in 2012, 121 million children and adolescents remained out of school, with poorer children less likely to attend than children from wealthier families. In Niger and Guinea, for example, over 70 per cent of the poorest girls had never attended primary school.<sup>31</sup>

- 6.27 Finally, the report also argued that countries are not prioritising education spending, saying:

As a share of government spending, expenditure on education has changed little since 1999 and at 13.7 [per cent] in 2012, falls short of the recommended 15 [per cent] to 20 [per cent] target.<sup>32</sup>

## The Indo–Pacific region

- 6.28 Commenting to the Committee on progress in levels of education for girls in the region, DFAT reported that it was 'looking pretty good, at least in primary school'.<sup>33</sup>

- 6.29 Plan recognised that 'significant advances have been made towards gender parity in primary education enrolment and participation rates in the Indo–Pacific'. However, Plan also expressed concern that progress was slower for adolescent girls, saying:

... the Millennium Development Goals (MDGs) remain silent on the specific educational needs of adolescent girls, as does current Australian development policy.<sup>34</sup>

28 UNESCO, *EFA Monitoring Report 2015*, p. xiv, viewed September 2015.

29 EFA Goal 2 – Universal Primary Education, in UNESCO, *EFA Monitoring Report 2015*, viewed 23 September 2015.

30 UNESCO, *EFA Monitoring Report 2015*, p. 3, viewed September 2015.

31 EFA Goal 5 – Gender Equality, in UNESCO, *EFA Monitoring Report 2015*, p. xiv, viewed 23 September 2015.

32 EFA Goal 6 – Quality of Education, in UNESCO, *EFA Monitoring Report 2015*, p. xiv, viewed 23 September 2015.

33 Ms Moyle, DFAT, *Committee Hansard*, Canberra, 15 May 2015, p. 9.

- 6.30 DFAT agreed that low rates of secondary school enrolment and retention for girls, and low literacy rates for women, in countries in the Indo-Pacific region are an ongoing concern, stating: 'This presents a significant barrier to women's opportunity to take-up leadership positions'.<sup>35</sup>
- 6.31 Australian Volunteers International (AVI) quoted Australian government estimates on the economic cost of poor education for women across the Asia-Pacific region, which put this cost at US \$30 billion annually, and US \$50 billion annually when factoring in the costs of women's low levels of participation in the work force.<sup>36</sup>
- 6.32 The table below provides an estimate of the economic cost of the disparity between male and female enrolments in upper secondary education:

Table 6.1 Cost of disparity between girls and boys education in the Indo-Pacific

Country	% Girls enrolled in upper secondary education	Education gender gap (percentage points)	Total Gross National Income (\$million)	Estimated lost growth (\$million)
Cambodia	20	11	6906	227
Indonesia	48	3	315 759	2841
Laos	31	12	2879	103
Papua New Guinea	5	2	4637	27
Solomon Islands	13	5	331	4
Timor-Leste	33	1	865	2
Vanuatu	24	17	369	18
Nepal	22	4	8051	96
Pakistan	12	10	122 295	3668
Sri Lanka	69	3	25 731	231
Afghanistan	4	11	8092	267
Bangladesh	32	3	69 921	629
India	40	12	906 537	32 635

Source Plan International, Submission 46, p. 20.<sup>37</sup>

34 Plan, Submission 46, p. 10.

35 DFAT, Submission 27, p. 15.

36 Minister for Foreign Affairs, the Hon Julie Bishop MP, *A New Paradigm in Development Assistance – Harnessing the Private Sector*, Speech, Queen's Hall, Parliament of Victoria, 29 April 2014, p. 4, cited in Australian Volunteers International (AVI), Submission 43, p. 1.

37 Footnote 102 states that the calculations were based on the latest UNESCO comparisons showing the gap between boys' and girls' secondary schooling in the region, in UNESCO, *EFA Global Monitoring Report*, 2008.

## The Pacific region

- 6.33 Dr Priya Chattier, ANU Pacific Research Fellow at the State, Society and Governance in Melanesia (SSGM) program, submitted that progress is 'slow and uneven' in the Pacific, with some countries doing well and others stagnating. For instance, Polynesia is 'on track' to achieve universal primary education, reduce child mortality, and improve maternal health. However, '[t]he Pacific's overall MDG rating is said to be negatively affected by Papua New Guinea's 'off-track' performance on all goals'.<sup>38</sup>
- 6.34 Dr Chattier provided a breakdown of the status of access to education across the Pacific, submitting that:
- Gender equality in access to education has been achieved or is close to being achieved in primary and secondary schooling in most Polynesian and Micronesian countries of the Pacific;
  - ... some disparities still exist in the Melanesian sub-region as well as in Cook Islands (primary), Niue (secondary) and Tuvalu (primary);
  - More girls than boys are in secondary schooling in the Cook Islands, Fiji Islands, Kiribati, Nauru, Palau, Samoa, Tokelau and Tuvalu.<sup>39</sup>
- 6.35 Dr Chattier added that:
- Tertiary enrolment varies by country and territory: in some cases women are under-represented; among the notable exceptions are [the University of the South Pacific] USP, where recent statistics show female students are enrolling in equal if not higher numbers than males and particularly in study by extension mode, and the University of Guam which has 60 [per cent] female enrolment.<sup>40</sup>
- 6.36 Witnesses submitted that women and girls in the Pacific face challenges in completing their education due to lack of infrastructure and resources. The YWCA reported:
- Many young people across the Pacific do not enjoy universal access to formal education. In most parts of the region, a booming population of young people combined with a lack of infrastructure, resources and qualified teachers have resulted in limited school places. Consequently, young people in the Pacific

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38 Dr Priya Chattier, Pacific Research Fellow, State, Society and Governance in Melanesia (SSGM) program, ANU, *Submission 55*, p. 1.

39 Dr Chattier, *Submission 55*, p. 4.

40 Dr Chattier, *Submission 55*, p. 4.

are gradually 'pushed out' of school with only a minority completing their secondary schooling.<sup>41</sup>

- 6.37 Plan cited research in PNG that found 'while a relatively even number of boys and girls commence secondary school, significantly less girls than boys complete secondary education'.<sup>42</sup>
- 6.38 Dr Chattier asserted that girls in the Pacific region 'are still disproportionately losing out on positive advances in universal primary education and completion of secondary school'.<sup>43</sup>
- 6.39 UN Development Programme (UNDP) data indicates that in PNG only 6.8 per cent of adult women in 2013 had reached at least a secondary level of education, where 14.1 per cent of men achieved this level.<sup>44</sup>
- 6.40 Dr Chattier explained that in Vanuatu 'the gender parity index at primary school is almost equal but at post-secondary level, young women have far less access to educational opportunities'.<sup>45</sup> She also noted that, even where gender parity is close to being achieved in primary and secondary education in the Pacific, it 'does not translate into women's participation in paid employment', adding:

To achieve full and productive employment and decent work for all, including women and young people, education and training need to be better tailored towards Pacific realities.<sup>46</sup>

- 6.41 Father Jan Czuba, Vice Chancellor and President of the Divine Word University, presented evidence to the Committee about the University's work in PNG to open up study and employment for women:

When I established Divine Word University, and I am currently working on establishing another university, my main focus was to educate women, especially women from remote areas. We have 54 per cent of female students and 68 per cent of females in administration. This was done on merit, but honest merit: in PNG culture, quite often when a man and a woman with equal

41 Cited in YWCA, *Safe. Respected. Included. Connected. Skilled. A Pacific Young Women's Leadership Strategy*, p. 20, <[www.unicef.org/pacificislands/YWCA\\_PYWLS\\_-\\_final\(1\).pdf](http://www.unicef.org/pacificislands/YWCA_PYWLS_-_final(1).pdf)> viewed 14 July 2015, referenced YWCA, *Submission 65*, p.8.

42 Plan, *Submission 46*, pp. 9–10.

43 Dr Chattier, *Submission 55*, p. 4.

44 Data cited by Committee Chair, *Committee Hansard*, Canberra, 6 May 2015, p. 7, and sourced from Explanatory Note, UN Development Programme (UNDP), *Human Development Report 2014-Papua New Guinea*, p. 4, <[hdr.undp.org/sites/all/themes/hdr\\_theme/country-notes/PNG.pdf](http://hdr.undp.org/sites/all/themes/hdr_theme/country-notes/PNG.pdf)> viewed 24 September 2015.

45 Dr Chattier, *Submission 55*, p. 4.

46 Dr Chattier, *Submission 55*, p. 5.

experience are applying for jobs the man gets the job because he is a man.<sup>47</sup>

## East Asia

6.42 Witnesses submitted that progress has been made towards gender parity in education in most areas of East Asia, with some countries even exceeding gender parity.<sup>48</sup> For instance, DFAT explained that in Burma and the Philippines, girls are 'doing better' in secondary education than boys. However, improvements in education enrolment are not consistent across the region and have not generally translated into equality in employment or empowerment for women. DFAT's response has been to shift focus in program delivery from primary school enrolment to looking beyond enrolment to retention, completion and 'quality' of education.<sup>49</sup>

6.43 Witnesses pointed out that not all countries in the region have reached parity. Referring to outcomes in Laos, Save the Children reported that:

There has been great progress in primary school enrolment over the past five years with national figures showing an increase from 91.6 [per cent] in 2009 to 97 [per cent] in 2011. However, drop-out rates at primary level remains high, particularly in more remote and rural areas. The number of children completing grade 5 is significantly off track to achieving the United Nations Millennium Development Goal 2, likely to only achieve 75 [per cent] against a target of 95 [per cent] by 2015.<sup>50</sup>

6.44 The Director of Alola Foundation, Ms Nicole Bluett-Boyd, pointed out that in Timor-Leste:

Gender gaps are evident in secondary education, and more so in higher education, with only four per cent of Timorese women having completed some level of tertiary studies.

Ms Bluett-Boyd added that the 'importance of investment in programs that increase and assist in the maintenance of enrolments is paramount'.<sup>51</sup>

47 Father Jan Czuba, Vice Chancellor and President, Divine Word University PNG, *Committee Hansard*, Canberra, 6 May 2015, p. 7.

48 The UN reported in 2015 that gender parity in both primary and secondary education had been achieved in the Eastern Asia region, but not all countries have reached parity. UN, *2015 Millennium Development Goals Progress Report*, p. 29, viewed 23 September 2015.

49 Ms Moyle, DFAT, *Committee Hansard*, Canberra, 15 May 2015, p. 9.

50 Save the Children, 'Laos: Education', < [laos.savethechildren.net/what-we-do/education](http://laos.savethechildren.net/what-we-do/education) > viewed 24 September 2015.

51 Ms Nicole Bluett-Boyd, Director, Alola Foundation, *Committee Hansard*, Canberra, 6 May 2015, p. 43.

- 6.45 The Democratic Republic of Timor-Leste's Secretary of State for the Promotion of Equality, submitted that Timor-Leste's levels of enrolment in secondary education are generally 'very low'. Further gaps are emerging between men and women in secondary education and are becoming particularly evident at the tertiary level, where around eight per cent of men and around four per cent of women have a tertiary qualification.<sup>52</sup>
- 6.46 Plan reported on Cambodian government research showing that, in Cambodia around 18.8 per cent of young rural women have never attended school, compared with 13.8 per cent of men, and only 17.7 per cent of such women ever complete lower secondary education, compared with 23.5 per cent of men.<sup>53</sup>

## South and West Asia

- 6.47 Progress towards the aims of increased primary and secondary school enrolments in South and West Asia has also been mixed. DFAT acknowledged that Sri Lanka and India had made 'considerable progress in secondary school enrolments', but submitted that in Pakistan 'only 18 per cent of women have undertaken a secondary school education compared to 43 per cent of men', and 'the literacy rate for women is 47 per cent compared to 70 per cent for men'.<sup>54</sup>
- 6.48 The ANU Gender Institute reported that in South Asia: 'the gap between female-male enrolments grows sharply as girls and boys move upward through the education system'.<sup>55</sup>
- 6.49 Plan submitted that their research in Pakistan demonstrates that:
- overall completion rates at primary level are 61 per cent;
  - completion rates for boys are 71 per cent;
  - completion rates for girls are 51 per cent;
  - only 41 per cent of girls enrol in secondary schools, compared to 58 per cent of boys; and
  - the 'situation is worse in rural areas'.<sup>56</sup>
- 6.50 Reporting on positive outcomes in Sri Lanka, his Excellency Admiral Thisara Samarasinghe, the High Commissioner of Sri Lanka, advised that Sri Lanka provides free education to both boys and girls from primary to

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52 Secretary of State for the Promotion of Equality, Democratic Republic of Timor-Leste, *Submission 45*, p. 2.

53 Plan, *Submission 46*, p. 10.

54 DFAT, *Submission 27*, p. 15.

55 ANU Gender Institute, *Submission 63*, p. 3.

56 Plan, *Submission 46*, p. 9.

university levels, complemented by private educational institutions. He noted that a highlight of Sri Lanka's performance in the Gender Gap Index of 2014 was the nation's achievement in ranking 59<sup>th</sup> among 142 countries for closing the gender gap in enrolment in primary to tertiary education.<sup>57</sup>

- 6.51 The Sri Lankan High Commissioner also advised of the provision of vocational training facilities, and accelerated learning programs, for women who were affected by the war.<sup>58</sup>
- 6.52 Ms Rebecca Lim, Ms Felicity Mashuro and Ms Louise Woodley submitted that UNICEF statistics reveal primary school attendance for girls in India is 'fairly high' at 81.4 per cent (2008–2012). However, this drops significantly to 48.7 per cent for senior school attendance for girls.<sup>59</sup> Amnesty International Group, University of Western Australia (UWA) Group further reported:
- India has had difficulty achieving educational outcomes for much of its population, with many not completing an adequate education. This problem is significantly more pronounced in females than males. For example, the effective literacy rate for males above age 7 was found to be 82.14 [per cent], while for females it was only 65.46 [per cent]. The school dropout rate for adolescent females may be as high as 64 [per cent], with girls from ethnic minorities being particularly disadvantaged.<sup>60</sup>
- 6.53 The UN reported that in many countries, including India, disability remains a barrier to education, saying:
- Disability is another major impediment to accessing education. In India, for instance, more than one third of children and adolescents aged 6 to 13 who live with disabilities are out of school.<sup>61</sup>
- 6.54 Mr Stephen Roscoe Howell, Founding Director of Slavery Links Australia, emphasised the importance of governments and agencies making a long term commitment to empower socially and economically marginalised sectors of the community, including girls, to enable them to achieve tertiary level education. He referred to successful Australia projects in

57 High Commission of the Democratic Socialist Republic of Sri Lanka, *Submission 79.1*, pp. 1–2.

58 High Commission of the Democratic Socialist Republic of Sri Lanka, *Submission 79.1*, p. 5.

59 Ms Rebecca Lim, Ms Felicity Mashuro, and Ms Louise Woodley (Rebecca Lim *et al*), *Submission 70*, p. 5.

60 A Djajadikerta in Amnesty International Group, University of Western Australia (UWA), *Submission 58*, p. 5.

61 UN, *2015 Millennium Development Goals Progress Report*, 2015, p. 26, viewed 23 September 2015.



Ghana and, in particular, noted the success of the Asha Slum Program in Delhi, which works with women to improve their lives.<sup>62</sup> Mr Howell highlighted the necessity of a ‘two generation’ timeframe to get debt-bonded slum children to university:

Asha has taken 20 years to build solidarity in these slum communities in Delhi, to get kids sufficient stability in their families, to get kids into university.<sup>63</sup>

- 6.55 In its submission, Caritas Australia pointed to Afghanistan, where approximately five million school aged children are not in school, and 70 per cent of these are girls.<sup>64</sup> Oxfam suggested that, in addition to ongoing conflict, a contributing factor to this is the shortage of trained teachers in specialist subjects, such as maths and sciences, which is a key obstacle to students’ higher education opportunities in Afghanistan, particularly for girls and for students in remote areas.<sup>65</sup>
- 6.56 Oxfam also advised that it is working to improve the quality of education through distance education programs that use live television broadcasts from teachers in Kabul to classrooms across Parwan province. Oxfam also explained that it supports the development of an educational radio serial, *Maktab-e-Sokhta* (Burnt School), which is broadcast in 19 provinces across Afghanistan to raise awareness of the importance of education, especially for girls.<sup>66</sup>

## Educating girls—the obstacles

- 6.57 Women and girls face significantly higher barriers than boys in accessing education. According to Plan International, girls are more likely than boys to drop out of school because of:
- poor quality and gender biased curricula and teaching that excludes and alienates girls;
  - poverty;
  - violence at school and on the way to school;
  - child marriage;

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62 Asha (meaning ‘hope’ in Hindi) is a Delhi-based NGO that works in partnership with women in slum communities to improve living conditions and access healthcare, education and financial services. See ‘Asha – India’ <[asha-india.org/](http://asha-india.org/)> viewed 15 July 2015.

63 Mr Stephen Roscoe Howell, Founding Director, Slavery Links Australia, *Committee Hansard*, Canberra, 7 May 2015, p. 2. Note: The need for long-term funding for projects is discussed in the final chapter of this report.

64 Caritas, *Submission 42*, p. 3.

65 Oxfam Australia, *Exhibit 7: Oxfam in Afghanistan*, May 2014, p. 2.

66 Oxfam Australia, *Exhibit 7: 2014*, p. 2.

- a lack of gender inclusive facilities (including toilets);
- the difficult transition from primary to post-primary education;
- limited access to gender transformative Early Childhood Care and development; and
- deficiencies in measuring and monitoring the progressive fulfilment of girls' right to education.<sup>67</sup>

## Socio-cultural expectations

6.58 Evidence presented to the inquiry indicated that there are a number of socio-cultural barriers that can limit girls' access to education. Plan explained that, in some countries, including Pakistan:

... the combination of a lack of female teachers coupled with a fear of male teachers or the belief that it is inappropriate for male teachers to teach female students, also deters girls from going to school.<sup>68</sup>

6.59 Dr Chattier argued that in many Pacific Island countries parents do not prioritise 'investing in their daughter's education' to the same extent as their sons. This is further exacerbated by

... heavy domestic workloads, early marriage and teenage pregnancy, the prevalence of gender-based violence and mistreatment of non-conforming girls by families, and poor infrastructure and transport ...<sup>69</sup>

6.60 Plan agreed that many Indo-Pacific families and communities value boys' education much more highly than girls. Plan argued that:

This prejudice usually originates from the widely held and discriminatory belief that the primary role of women is to produce children and care for the household rather than become a skilled worker or leader in the community.<sup>70</sup>

6.61 Referring to the Highlands region of PNG, Plan explained that girls are often kept at home 'since it is assumed that they will become homemakers following marriage at an early age'. Plan also suggested that families in Vanuatu, for instance, were reluctant to invest in girls' education, assuming that the girl would be 'lost' to family once she married.<sup>71</sup>

6.62 The Secretary of State for the Promotion of Equality reported that, in Timor-Leste, girls often share the view that their education is less

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67 Plan, *Submission 46*, p. 5.

68 Plan, *Submission 46*, p. 6.

69 Dr Chattier, *Submission 55*, p. 4.

70 Plan, *Submission 46*, p. 5.

71 Plan, *Submission 46*, p. 5.

important, with around one quarter of girls surveyed believing ‘that teachers treat boys better than girls’. The Secretary of State added:

Prevailing gender attitudes are also evident among girls, with 30 [per cent] thinking that boys should stay longer in school and a similar proportion thinking that boys are smarter than girls. Little evidence exists on the extent of gender bias in textbooks and teaching materials.<sup>72</sup>

6.63 A Gender, Leadership and Social Sustainability (GLASS) Research Unit study cited research indicating that women and girls’ transgression beyond accepted gender roles can be strongly resisted, even met by violence.<sup>73</sup>

6.64 The Abt JTA submission provided a case study from PNG indicating the way in which strong socio-cultural expectations can impact on women, even after they have received higher level education:

Ms X is a young PNG woman who has an Australian university degree and a job with an international resource company. She is also the daughter of a conservative highlands family, who place her under constant pressure to marry and have children – the last suitor already having 3 wives. Most of her income goes to support family obligations. She faces huge social pressure to conform, marry and bear children – career development for women is not culturally condoned. The strongest pressure comes from her mother. Ms X’s education and employment successes can contribute to her empowerment, but without cultural shifts in perceptions of women’s roles and abilities in her own family and community, her broader sense of empowerment will be restricted.<sup>74</sup>

## Early marriage age and school retention

6.65 As discussed in chapter two, while legislation protecting girls from child marriage has been advanced across many countries in the region, the official marriage age in some nations remains low for girls compared with boys.

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72 Secretary of State for the Promotion of Equality, Democratic Republic of Timor-Leste, *Submission 45*, p. 2.

73 Gender, Leadership and Social Sustainability (GLASS) Research Unit, Monash University, *Submission 7*. Refers to: N Godden, ‘Case Study: Men’s Violence against Women and Girls in Solomon Islands’, p. 11.

74 ‘Case Study: Challenges of Empowering Women in Repressive Cultural Contexts’, Abt JTA, *Submission 59*, p. 5.

- 6.66 Amnesty International Group UWA cited evidence that, even in developed nations like Indonesia, the marriage age is 16 years for women and 19 years for men, with early marriages particularly prevalent in poor and rural areas.<sup>75</sup> Ms Rebecca Lim and colleagues also reported that, although the rate of education for girls is relatively high in Indonesia, 'there are barriers reinforcing gender stereotypes including inadequate programs to address inequalities in school and early marriage of girls'. The submission added that Timor-Leste faces similar issues, where 18.9 per cent of girls are married by the age of 18.<sup>76</sup>
- 6.67 DFAT confirmed that early and forced marriage is closely related to women's low educational achievement. The Department cited estimates that nearly 50 per cent of women in South Asia are married by 18 years of age, with rates as high as 66 per cent in Bangladesh (ranked fourth in the world for child marriage) and 48 per cent in India (ranked 12<sup>th</sup> in the world for child marriage).<sup>77</sup> The Shakti Community Council also advised the Committee that approximately a third of all under age marriages occur in India.<sup>78</sup>
- 6.68 Early marriage is also a barrier to education for many women in East Asia. DFAT submitted that, in Madagascar 'the legal age for marriage is 14 years and it is estimated that almost 35 per cent of girls between 15 and 19 years of age were married, divorced or widowed'. The Department added that in Mozambique 'the figure is as high as 47 per cent'.<sup>79</sup>
- 6.69 Plan reported a clear correlation between low education levels and higher rates of early marriage. Plan also submitted that education can offer a 'protection' against early marriage:
- Schooling can protect against marriage in several important ways. First, just being at school helps support the perception that a girl is a child and therefore not ready for marriage. Secondly, when girls stay in schools longer, this helps challenge ideas about the normality of child marriage as well as harmful gender beliefs about girls inferiority to boys. Thirdly, when schools have a gender transformative curriculum, when combined with broader community engagement strategies, this may help girls improve their social networks and improve their ability to negotiate what they want including when and to whom they will marry.<sup>80</sup>

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75 J Ruscoe in Amnesty International Group UWA, *Submission 58*, p. 7.

76 Rebecca Lim *et al*, *Submission 70*, p. 5.

77 DFAT, *Submission 27*, p. 15.

78 Shakti Community Council (Shakti), *Submission 84*, p. 1.

79 DFAT, *Submission 27*, p. 16.

80 Plan, *Submission 46*, p. 12.

- 6.70 According to Plan, girls are often forced to end their education in preparation for marriage ‘as soon as they get their first period’, and a lot of schools around the world ‘refuse enrolment of girls and women who are married, pregnant or have children’. Further, once girls are married, caring responsibilities, ‘restricted mobility and pregnancy hamper their ability to return to school’. Plan added that children of women who marry young and drop out of school often repeat the cycle.<sup>81</sup>
- 6.71 ChildFund submitted that a similar process occurs in Laos, where girls taken out of school to marry between ages 14 and 16, never complete their education.<sup>82</sup>
- 6.72 Union Aid Abroad – APHEDA (Australian People for Health, Education and Development Abroad) emphasised the importance of programs that provide a ‘second chance’, through vocational training, to women and girls who have left school. Union Aid Abroad referred to a range of program it operates, along with regional partners, in Cambodia, Laos, Vietnam, Timor-Leste, Burma and the Philippines which address low levels of literacy and improve employment prospects for women.<sup>83</sup>
- 6.73 Mr Howell from Slavery Links Australia, told the Committee about programs that work to assist girls to stay at school:
- The second example is of postponing marriage with incentives – a very practical suggestion of providing scholarships, in effect, or bursaries so that girls will be kept at school. The next example ... is of empowering young people’s direct action in Bangladesh, Pakistan and Nepal – programs training young people themselves, if someone disappears from school: what do you do; who do you go and ask; who are the trusted adults in your village or community that you can go to enlist support to ensure that this girl will finish school?<sup>84</sup>

## Economic factors

- 6.74 In many parts of the Indo-Pacific region, women’s economic and social value remains focussed on their role as mothers, wives and carers. Ms Jacqueline Zwambila, former Ambassador to Australia from Zimbabwe, explained that in many parts of Africa ‘[t]here is an expectation that girls will carry out domestic and household work’, and ‘a tendency of the poor

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81 Plan, *Submission 46*, pp. 11–12.

82 ChildFund, *Submission 2*, p. 3.

83 Union Aid Abroad – APHEDA (Australian People for Health, Education and Development Abroad), *Submission 68*, p. 5 and Appendix from p. 9 for programs.

84 Mr Howell, Slavery Links Australia, *Committee Hansard*, Canberra, 7 May 2015, p. 3.

families to spend available money on the education of boys, because they are viewed as the future breadwinners'. Ms Zwambila also stated that:

There is pressure in some cultures for girls to marry young, particularly where they are seen as an economic burden on families.<sup>85</sup>

6.75 Ms Rebecca Lim *et al* agreed that in many countries there are widely held views that a woman's duty is to look after the children and household, and a man's job is to work and provide income.<sup>86</sup> Oaktree agreed that the perception that boys have more economic opportunities than girls contributes to families prioritising the education of boys over girls.<sup>87</sup>

6.76 Women's Plans Foundation described how cultural practices such as the bride price in PNG are underpinned by the economic value placed on the future fertility of girls:

The assumption is that the bride price paid ensures that the bride must bear babies at her husband's requirement. Ownership of girls and women is thus an issue, with men assuming ownership of women's bodies, resulting in early pregnancy, resulting high mortality rates, low education and limited identity for half of the population. Social education reduces economic dependency on child bride practices.<sup>88</sup>

6.77 Plan asserted that:

Girls in the poorest households are at greatest risk of being denied the right to go to school ... When poor parents make a decision about which of their children is more likely to gain from education, they will weigh up factors such as a girl's worth as a bride, or the potential contribution to domestic or other labour that would be lost if she were to go to school. These immediate factors often outweigh the chance of the more uncertain and delayed benefits of an education.<sup>89</sup>

6.78 Even in countries on track to meet global targets for gender parity in enrolment, girls from the poorest communities often remain underrepresented. Plan reported:

- In Cambodia, sons are more likely to be educated than daughters, as daughters are often taken out of school to earn a living.

85 Ms Jacqueline Zwambila, Private capacity, *Committee Hansard*, Canberra, 7 May 2015, p. 35.

86 Ms Rebecca Lim *et al*, *Submission 70*, p. 4.

87 Oaktree, *Submission 11*, p. 3.

88 Women's Plans Foundation, *Submission 4*, p. 1.

89 Plan, *Submission 46*, p. 7.

- In Pakistan, girls living in poor rural areas are ‘16 times less likely to be in school than boys from the wealthiest households in urban locations’.<sup>90</sup>
- 6.79 Plan argued that school fees represent a further barrier to girls’ education, with poor families struggling to afford the cost of educating their children, and prioritising boys under the assumption that girls will marry.<sup>91</sup> Plan pointed to Thailand, as an example, where ‘the poorest families spend almost 50 [per cent] of their income on their children’ education every year’.<sup>92</sup>

### Child labour and exploitation

- 6.80 Evidence to the inquiry advised that child labour is an issue across the Indo-Pacific region and represents both a barrier to girls’ education, and, in many cases, an abuse of their rights. International Labour Organisation (ILO) research cited by Amnesty International Group UWA indicates that:
- in 2014, around 250 million children aged between five and 17 were engaged in child labour globally; and
  - 122.3 million children aged between five to 14 are ‘economically active in Asia and the Pacific region, making it the region with the highest number of working children worldwide’.<sup>93</sup>
- 6.81 The ILO submission commented on the particular vulnerability of girls and young women in many parts of the Pacific region:
- The problem of child labour and exploitation, particularly affecting girls and young women, remains persistent in many parts of the Pacific, in occupations ranging from domestic service, market trading and hotel work and agriculture. Commercial sexual exploitation is also evident in several Pacific Island countries. In Fiji and PNG, available data shows significant numbers of working children, many in the worst forms of child labour such as child prostitution, drug trafficking, begging, carrying heavy loads, and collecting and/or handling scrap metals and chemicals.<sup>94</sup>
- 6.82 Amnesty International Group UWA’s Ms Theodosia Kirniawan quoted ILO findings that:

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90 Plan, *Submission 46*, p. 7.

91 Plan, *Submission 46*, p. 11.

92 Plan, *Submission 46*, p. 7.

93 International Labour Organisation (ILO), cited in T Kirniawan, Amnesty International Group UWA, *Submission 58*, p. 13.

94 ILO, *Submission 50*, p. 3.

In many countries child domestic work is not only accepted socially and culturally, but is also regarded in a positive light as a protected and non-stigmatised type of work and preferred to others forms of employment especially for girls. The perpetuation of traditional female roles and responsibilities, within and outside the household, as well as the perception of domestic service as part of a woman's apprenticeship for adulthood and marriage, also contribute to the persistence of child domestic work as a form of child labour.<sup>95</sup>

- 6.83 Ms Kirniawan noted that a major problem in the region is that labour laws protecting children from such work are often not applied or are poorly developed. She advised that while Cambodia's minimum work age is 15 years, with 12-14 year olds allowed to perform light non-hazardous work outside school hours, in 2006 there were 760 000 underage workers in paid work, including in hazardous work.<sup>96</sup>
- 6.84 The GLASS Research Unit advised that in Nepal there is no prohibiting child labour, and 2.1 million children aged 5-14 are in work with the impact disproportionately falling on girl children. A study in 2009 revealed that 65 per cent of domestic workers below 14 years in Kathmandu were girls.<sup>97</sup>
- 6.85 Witnesses also highlighted the issue of child prostitution across the Asian region, with sex tourism driving a market that sees young Asian women and girls join the industry to escape poverty in countries such as Thailand.<sup>98</sup> The Committee was also advised of the market for young prostitutes in parts of the region.<sup>99</sup>
- 6.86 Ms Kirniawan advised that the International Programme for the Elimination of Child Labour (IPEC)'s identification of female child labour as a priority target in 1992 has underpinned broader progress for girls.<sup>100</sup> Data on the IPEC website suggests that child labour among girls has dropped 40 per cent since 2 000, compared with 25 per cent for boys. Overall the global number of children in child labour had also declined by

95 ILO, *Child Labour and Domestic Work* 2014, May 2014, cited in T Kirniawan in Amnesty International Group UWA, *Submission 58*, p. 14, footnote 4.

96 For detail see Amnesty International Group UWA, *Submission 58*, p. 15.

97 GLASS Research Unit, *Submission 7*, S Khadka, 'Case Study: Child Protection in Nepal', p. 9.

98 C Graville in Amnesty International Group UWA, *Submission 58*, pp. 20, 21.

99 The Coalition Against Trafficking in Woman Asia Pacific in GLASS Research Unit, *Submission 7*, S Khadka, 'Case Study: Child Protection in Nepal', p. 9.

100 Initiated in 1992 the IPEC is substantially financed by the German Government. See T Kirniawan in Amnesty International Group UWA, *Submission 58*, p. 13.



one third since 2000, with more than half of the reduction involving children in hazardous work.<sup>101</sup>

- 6.87 Union Aid Abroad–APHEDA, however, noted that progress has slowed in recent years and that a third of all children affected live in countries which have not ratified ILO child labour standards.<sup>102</sup>
- 6.88 Witnesses identified an opportunity in some countries for the development or enhancement of systems to protect children from forced labour and abuse. For instance, the GLASS Research Unit submitted that Nepal lacks a formal child protection system, with most efforts being ad hoc and NGO-led, making systematic case management impossible.<sup>103</sup>

## Safety and security

- 6.89 Another barrier for girls in accessing education, particularly at the secondary level, is the desire to protect girls from perceived or actual threats to their safety. DFAT's Ms Moyle told the Committee:

Parents do not feel that they can safely put their girls in school, so they do not. They are concerned about their honour, which is a gender norm issue. They do not get an education, so they need to be married off. There is no economic opportunity for the young women. So one simple answer is not going to address the problem. We need to recognise that gender inequality is kind of spread across the whole society.<sup>104</sup>

- 6.90 The Secretariat of the Pacific Community (SPC) explained that while girls and boys 'participate fairly evenly' in primary school, 'worries about personal safety pose barriers' in senior schooling. The Secretariat also highlighted the risks of travelling to school, 'insecure toilet facilities', and a risk of harassment and sexual assault.<sup>105</sup>
- 6.91 Oaktree also asserted that violence in schools plays a role in preventing girls from attending: 'This can include violent methods of discipline and non-girl friendly schools'.<sup>106</sup>
- 6.92 However, Oaktree also revealed that, in some circumstances, school can provide an escape from violence in the home, and expose girls to new 'social networks that they can seek help from'. Oaktree added:

101 'Facts and Figures', The International Programme for the Elimination of Child Labour (IPEC) < [www.ilo.org/ipecc/lang--en/index.htm](http://www.ilo.org/ipecc/lang--en/index.htm) > viewed 23 September 2015.

102 Union Aid Abroad – APHEDA, *Submission 68*, p. 33.

103 GLASS Research Unit, *Submission 7*, S Khadka, 'Case Study: Child Protection in Nepal' p. 9.

104 Ms Moyle, DFAT, *Committee Hansard*, Canberra, 17 June 2014, p. 3.

105 Secretariat of the Pacific Community (SPC), *Submission 24*, pp. 1–2.

106 Oaktree, *Submission 11*, p. 2.

We have found that training teachers on the particular issues facing their female students can help them support these students to stay in school. It can further increase their ability to support students who are facing issues of family or sexual violence.<sup>107</sup>

- 6.93 Oaktree explained that its programs in Cambodia have ‘trained teachers on non-violent methods of discipline’, to develop ‘a much safer schooling environment’ for both girls and boys :

The training aims to ensure that students feel safe and secure in their learning environment and students know how to get assistance if they are dealing with violence or abuse at home or at school.<sup>108</sup>

- 6.94 Referring to an ActionAid program in Bangladesh, Plan explained:

... almost half of all girls surveyed and three quarters of their parents considered ceasing their education due to concerns about sexual harassment on the way to school.<sup>109</sup>

- 6.95 In addition, Plan’s research in Pakistan indicated that girls were concerned about ‘teasing and receiving “bad eyes”’ while travelling to and from school. In fact, Plan cited UN research suggesting that ‘the further a girl has to travel to get to school, the higher her risk of assault’, especially in conflict zones.<sup>110</sup>

- 6.96 In many Pacific nations, such as Vanuatu, girls often need to live away from home to attend secondary school. In these contexts, Plan asserted that sexual assault is common and ‘legitimate parental concerns’ for the safety of their children make parents reluctant to support continued education for female children. Plan provided an example from Fiji where, among children living away from home to attend school, 26 per cent of girls who dropped out of school reported having been sexually abused by male relatives while living away from home.<sup>111</sup>

- 6.97 Referring to experience in Cambodia, PNG and Timor-Leste, Oaktree similarly noted:

Girls and their families can fear community violence and this can prevent them physically getting to school. Some parents we have worked with worry about letting their daughter go to school because they fear she will be attacked on her way there.<sup>112</sup>

107 Oaktree, *Submission 11*, p. 3.

108 Oaktree, *Submission 11*, pp. 3–4.

109 Plan, *Submission 46*, p. 8.

110 Plan, *Submission 46*, p. 8.

111 Plan, *Submission 46*, p. 8.

112 Oaktree, *Submission 11*, p. 3.

- 6.98 Caritas Australia provided the example of a program in Afghanistan that addresses concerns about girls travelling to and from school. The program involves Catholic Relief Services conducting community-based education classes, 'often in a local mosque or within a family compound'. Caritas reported that since 2006 the program has educated 18 000 children, with more than 60 per cent of them girls.<sup>113</sup>
- 6.99 Oaktree also listed relevant projects, including the Girls' Education Initiative and Beacon Schools' Initiative, both in Cambodia, which it submitted 'have provided students bikes to help them get to school. This has helped make the road to school less dangerous for girls'.<sup>114</sup>

### Infrastructure and access

- 6.100 Witnesses proposed that school facilities can play a significant role in impeding or promoting women and girls' participation in education.
- 6.101 Father Czuba reported that in PNG lack of educational facilities is an ongoing problem, requiring more planning:
- In terms of primary and secondary education, we have a free education policy, and government put the money there. Money is reaching the schools even in remote areas. However, those schools receive the money directly but there is no capacity in planning how the money will be used – to enhance, for example, the physical infrastructure of the school, with more classrooms, more staff houses; or maybe they should buy books and start to think about building libraries, because there are no libraries in the schools in remote areas. The money is not used for that. The money is sent to primary schools and secondary schools, but those in charge do not have the capacity to plan how the money could be used and spent. That is one of the big issues right now which we are facing.<sup>115</sup>
- 6.102 Plan noted that UNICEF and the World Bank have stressed the importance of providing girls-only toilets at school, which reduces the 'number of days missed due to menstruation'. As well as 'making the lives of children in schools more comfortable', access to safe, accessible and appropriate toilet facilities enables girls to attend school 'without some measure of shame, or risk to their health'.<sup>116</sup>

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113 Caritas, *Submission 42*, p. 3.

114 Oaktree, *Submission 11*, p. 4.

115 Father Czuba, Divine Word University, *Committee Hansard*, Canberra, 6 May 2015, p. 11.

116 UNICEF cited in Plan, *Submission 46*, p. 9.

- 6.103 Professor Hilary Bambrick also highlighted the role of adequate toilet facilities for keeping girls in school, saying ‘it does come down a lot to infrastructure holding back women’s education’.<sup>117</sup>
- 6.104 Amnesty International Group UWA presented evidence from a study on education in India, which found that a failure to provide ‘appropriate infrastructure’ negatively affected girls’ attendance at school. The study observed:

The [Indian] *Right of Children to Free and Compulsory Education Act* was introduced in 2010 as an attempt to provide equitable education to all. Though a three year deadline was set to meet standards of improvement, most schools were not even able to meet requirements for basic facilities such as adequate drinking water and separate toilets for males and females.<sup>118</sup>

The study concluded that the provision of adequate school infrastructure needs to be prioritised.<sup>119</sup>

- 6.105 ChildFund submitted that it is working in this area through the ‘Rehabilitation of Schools project’ in PNG, which ‘has facilitated renovation of classrooms in 13 schools in the Oman and Koko program areas’.<sup>120</sup>

## Curricula and gender

- 6.106 Witnesses to the inquiry, including Plan, Oaktree, ChildFund and Caritas, emphasised the part education plays in shaping the gendered roles of girls and boys. Plan highlighted the role ‘curricula and school books’ play in ‘entrenching discriminatory gendered stereotypes such as the need for girls to focus on domestic chores, to be mothers, or to not excel in certain academic subjects’.<sup>121</sup>
- 6.107 Plan also referred to the role that male and female teachers can play in ‘reinforcing negative gender stereotypes in their teaching practices and interactions with students’. Plan cited research in Pakistan that found both female and male teachers ‘accepted and reinforced gender stereotypes and that most were unaware of the concept of gender, or its impact on learning and the school environment’.<sup>122</sup>

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117 Professor Bambrick, *Committee Hansard*, 7 May 2015, p. 19.

118 A Djajadikerta in Amnesty International Group UWA, *Submission 58*, p. 6.

119 A Djajadikerta in Amnesty International Group UWA, *Submission 58*, p. 6.

120 ChildFund, *Submission 2*, p. 6.

121 Plan, *Submission 46*, p. 6.

122 Plan, *Submission 46*, p. 6.

- 6.108 The Australian Bahá'í Community highlighted the importance of 'a quality education for all', which it considered should include 'education on gender equality for boys as well as girls'. The Bahá'í submission argued that education and training of all children and youth is thus:
- ... a crucial tool for transformation of attitudes and behaviours ...  
in a manner that cultivates in them a sense of dignity as well as  
responsibility for the well-being of their family members and for  
the wider community.<sup>123</sup>
- 6.109 In particular, the submission considered a focus on ages 12 to 15 is critical, noting: 'At this pivotal age, young people are beginning to develop a sense of personal moral responsibility and decision making, are refining their critical thinking skills'.<sup>124</sup>
- 6.110 ChildFund acknowledged the role of education in addressing the high incidence of gender-based violence in PNG, but identified a need for more public programs that target men, noting:
- While education and awareness-raising activities have proven to be effective in stopping violence before it starts, more public messaging is essential in PNG.<sup>125</sup>
- 6.111 ChildFund also told the Committee about a school-based education program it is implementing in PNG primary and secondary schools 'to teach students about respectful relationships, gender equality and conflict resolution'.<sup>126</sup>
- 6.112 Father Czuba of PNG's Divine Word University highlighted the importance of educating boys and girls about women's human rights, as well as a man's 'rights and responsibilities'. He advised that the transitioning of PNG's primary and secondary education from an 'outcome based to standards based' system provided an opportunity for the Australian Government to assist by providing experts to write appropriate text books for students from grade 1 to grade 12, noting there was a lack of expertise in PNG for this. He further suggested that the project would need to be long term, and must be relevant to the many PNG cultures and values so as to 'educate the future generation of Papua New Guineans'.<sup>127</sup>
- 6.113 DFAT explained that the Department sees the quality and character of education as a key area for further focus. Ms Moyle said:

123 Australian Bahá'í Community, *Submission 61*, p. 3.

124 Australian Bahá'í Community, *Submission 61*, p. 3.

125 ChildFund, *Submission 2*, pp. 2-3.

126 ChildFund, *Submission 2*, p. 7.

127 Father Czuba, Divine Word University, *Committee Hansard*, Canberra, 6 May 2015, pp. 8-9.

It is what girls are learning and what boys are learning in school and what gender norms are imparted that we are really focusing on, so it is about the quality of education and what is being taught – and by whom, I think, is the next step for us. So that is a real site for the empowerment of girls – or conversely, if it is done poorly, the disempowerment of girls.<sup>128</sup>

## Improving girls' access to education

6.114 Education has historically been a priority area for Australian Official Development Assistance (ODA) that targets gender equality. DFAT submitted that:

Globally, the total amount of bilateral aid targeting gender equality and women's empowerment tripled from USD 8 billion in 2002 to USD 24 billion in 2012. Most of this went to education and health.<sup>129</sup>

6.115 DFAT further explained that 82 per cent of Australian ODA investments in the education sector have been 'principally or significantly focused on promoting gender equality'. This percentage is much higher than in other sectors, such as environment and governance, where 'the percentage drops below 30 per cent'.<sup>130</sup>

6.116 DFAT's *Performance of Australian Aid 2013–2014* states that Australia invested \$1 billion or 21 per cent of ODA in education in 2013–14, including \$362 million for Australia Awards, which is addressed in chapter nine.<sup>131</sup>

6.117 The Department's ODA commitments within the region for education over 2013–14 are listed in the following table:

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128 Ms Moyle, DFAT, *Committee Hansard*, Canberra, 15 May 2015, p. 9.

129 DFAT, *Submission 27*, p. 29.

130 DFAT, *Submission 27*, p. 7.

131 DFAT, *Exhibit 82: DFAT, Performance of Australian Aid 2013–2014*, February 2015, p. 54; most current evaluation at time of writing.

Table 6.2 Australia's ODA on education across the region 2013–14

Region	Total regional budget (\$m)	Percentage spent on education programs
East Asia	1355.3	30
PNG and Pacific	1070	22
South and West Asia	435.3	33
Africa and Middle East	422.5	20

Source Data drawn from DFAT, Performance of Australian Aid 2013–2014, February 2015.

- 6.118 RESULTS Australia argued that ‘international funding for basic education has declined’ in recent years. However, the Australian aid program provides ‘an exception to this trend’. RESULTS asserted that it ‘is imperative that education remains a high priority for Australian aid’, suggesting Australia should maintain an education investment of ‘approximately 20 per cent of total aid in 2014–15 and subsequent years’.<sup>132</sup>
- 6.119 Witnesses to the inquiry made a number of recommendations intended to sustain and build upon the progress in girls’ access to quality education across the Indo–Pacific region. Plan advocated that Australian support programs take an ‘inter-disciplinary’ approach, including the following four components, which form the basis for Plan’s own work:
- parenting education;
  - community managed [early childhood care and development] early learning;
  - support for smooth transition to primary school; and
  - advocacy, partnerships and collective action to help improve [early childhood care and development] policy and practice.<sup>133</sup>
- 6.120 Plan advised that monitoring and evaluation of their own programs demonstrates that this approach is ‘leading to an improvement’ in:
- girls’ attendance at school;
  - awareness among adult women of a range of issues including harmful cultural practices; and
  - men’s awareness of the importance of their involvement in caring for their children.<sup>134</sup>
- 6.121 AVI highlighted the role of the Global Partnership for Education (GPE), which AVI said ‘is the only global partnership supporting the education sector in developing countries through its global pooled funding

<sup>132</sup> RESULTS Australia, *Submission 72*, p. 9.

<sup>133</sup> Plan, *Submission 46*, p. 11.

<sup>134</sup> Plan, *Submission 46*, p. 11.

mechanism'.<sup>135</sup> The GPE seeks to raise primary completion rates for girls globally from 74 per cent in 2014 to 84 per cent in 2018, and the lower secondary completion rate for girls from 44 per cent in 2014 to 54 per cent in 2018.<sup>136</sup> Australia's last pledge to GPE was made in 2014 and included '\$140 million ... [bringing] our total commitment to GPE to date, to \$410 million'.<sup>137</sup>

- 6.122 AVI recommended that DFAT continue to provide funding for the GPE, and that DFAT:

... specifically ask the Partnership to target such Australian aid dollars to those countries in the Indian Ocean-Asia Pacific region, and to seek the agreement of the Partnership to report back on the success of the program in the region.<sup>138</sup>

RESULTS also recommended the Australian Government pledge AUD \$500 million to the GPE for 2015–2018.<sup>139</sup>

- 6.123 Plan noted Australia's funding of early childhood care and development programs in East Timor and Uganda, and advocated for an expansion and extension of this approach more broadly across the region.<sup>140</sup>
- 6.124 Some witnesses praised Australia's work in PNG. Father Czuba commended Australia's support in standards based auditing of universities in PNG, emphasising that Australia's technical assistance was more valuable than funding of local organisations. Father Czuba argued that strategic investments in the accountability of PNG institutions had yielded great benefits:

In a short period of time, you have made a huge impact. For example, all the universities in PNG went through an independent external academic audit and now they are addressing issues in leadership, transparency, accountability, management, quality of education. So in a short period of time, you have made a huge impact. The European Union is still talking about it and you are

135 Australian Volunteers International (AVI), *Submission 43*, p. 9.

136 *ABC News*, 'Former PM Julia Gillard announced as Chair of Global Partnership for Education', 11 February 2014 < [www.abc.net.au/news/2014-02-11/julia-gillard-global-partnership-education/5251230](http://www.abc.net.au/news/2014-02-11/julia-gillard-global-partnership-education/5251230) > viewed 24 September 2015.

137 Senator the Hon Brett Mason, Former Parliamentary Secretary for Foreign Affairs, 'Australia's Global Partnership for Education Pledge: Statement from the Government of Australia', < [www.globalpartnership.org/docs/replenishment/2014/Pledge-Australia-EN.pdf](http://www.globalpartnership.org/docs/replenishment/2014/Pledge-Australia-EN.pdf) > viewed 24 September 2015.

138 AVI, *Submission 43*, p. 9.

139 RESULTS Australia, *Submission 72*, p. 10.

140 Plan, *Submission 46*, p. 10.



already making a huge impact. I congratulate you. You did well and you are doing well.<sup>141</sup>

- 6.125 Witnesses highlighted the need to target adolescent girls. For instance, Plan argued that Australian aid ‘strategies have not considered how to respond to the gender-based barriers to education commonly encountered by adolescent girls’. Plan also noted that the MDG framework offers ‘limited capacity’ to measure progress for, or evaluate the educational needs of, adolescent girls.<sup>142</sup>
- 6.126 RESULTS Australia’s 2012 report *Education for All: or Just Those Easier to Reach?* proposed that the following accountability measures, among others, need to be adopted by countries in relation to education:
- *Setting clear equity targets:* gender policies developed at agency head office must be incorporated into all educational programs at the country level. This involves setting realistic gender equity targets and capturing the outcomes through sex-disaggregated data.
  - *Monitor gender policy :* ... This includes incorporating equity measurements into relevant results frameworks, developing and accessing gender disaggregated data and determining best practice equity interventions.
  - *Country level accountability:* gender policy needs to be implemented more uniformly at the country level.
  - *... [M]ultilateral institutions:* [As a major donor] DFAT should take on the role of supervising entity in GPE countries to ensure robust equity approaches are used in education development strategies and financing.<sup>143</sup>
- 6.127 Plan identified problems with Australian ODA targets and measures, where the current focus is on quantitative measures, such as school enrolment and retention rates and male to female ratios. Plan proposed DFAT could measure the following factors to glean a better understanding of girl’s access to, and experience of, education in the region, including:
- economic security of families with school age children;
  - access to contraception or sexual health information or services;
  - personal safety and security of girls and boys both on the way to school and at school;
  - working conditions of teachers;
  - gender sensitivity of teachers in the classroom;
  - incidence of child marriage;

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141 Father Czuba, Divine Word University, *Committee Hansard*, Canberra, 6 May 2015, p. 10.

142 Plan, *Submission 46*, p. 10.

143 RESULTS Australia, *Submission 72*, pp. 8–9.

- gender sensitivity and relevance of teaching and learning methods; and
- sex-disaggregated learning achievements and participation of children and parents in education governance and management.<sup>144</sup>

## Committee comment

- 6.128 The right to education is a basic human right, and an essential foundation for efforts to empower women and girls and enable them to achieve their potential.
- 6.129 There is no doubt promoting equitable access to education for girls has the potential to bring very beneficial economic and social effects, including increased economic participation and incomes and better health outcomes. Increased education for girls can contribute to a virtuous cycle in improving literacy, with mothers with primary school education being more likely to send their children to school.
- 6.130 Conversely, poor levels of education for girls are a significant economic and social burden in terms of lower levels of women's economic participation, productivity and social engagement.
- 6.131 The Committee acknowledges the progress made by many countries in the Indo-Pacific region in increasing overall primary and secondary school enrolments, and working towards gender parity.
- 6.132 The Committee also recognises Australia's role in supporting equitable access to education for girls in the region, including through pledges made to the Global Partnership for Education.
- 6.133 However, the Committee notes that there is still a long way to go, especially in relation to secondary school enrolments and the tertiary education of women in the region.
- 6.134 The Committee also notes with concern that increasing enrolments in education have often failed to translate into better employment opportunities, and greater economic independence, for women in the region. Evidence presented to the Committee highlighted a range of factors that contribute to lower levels of education and poorer outcomes for girls and women.
- 6.135 The Committee recommends that the Australian Government support further research in this area, and utilise that evidence in the design of future education programs to achieve greater effectiveness.

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<sup>144</sup> Plan, *Submission 46*, p. 13.

## Recommendations

### Recommendation 19

The Committee recommends that the Australian Government maintain its support for increasing primary school enrolments generally, and gender parity in enrolments specifically, across the Indo-Pacific region where the levels of female enrolment remain low.

The Committee also recommends that Australian funding and programs in education should include a particular focus on the most disadvantaged communities; notably, children with disabilities, and disadvantaged ethnic minorities.

### Recommendation 20

The Committee recommends that the Australian Government increasingly target aid funding towards girls at the secondary and tertiary levels, by:

- providing additional funding that focuses on secondary school enrolment and completion initiatives for adolescent girls in key countries in the region;
- increasing support to programs designed to encourage more young women to complete tertiary qualifications throughout the region; and
- supporting research and programs designed to address the gap between educational attainment and employment/economic opportunities for women in the Indo-Pacific region.

**Recommendation 21**

The Committee recommends that the Australian Government seeks to address the quality and character of education in the region, including through:

- supporting government bodies and local education advocates who are working to change the curricula and methodology in teaching to promote gender equality; and
- offering to provide expertise in drafting gender-sensitive, culturally appropriate resources for schools, particularly in the Pacific, and/ or funding the development of such expertise in-country.

## Women and leadership

- 7.1 The inquiry's terms of reference required the Committee to examine women's leadership across the Indo-Pacific region.
- 7.2 Women's empowerment as leaders is a priority goal or 'pillar' of Australia's aid policy, together with supporting women's economic empowerment and combating violence against women.<sup>1</sup>
- 7.3 This chapter provides an overview of the progress that women have made in obtaining leadership roles in the Indo-Pacific region. Based on evidence, this chapter examines:
- the opportunities and barriers affecting women's participation in leadership roles at local level, in their homes and villages, and in the business and corporate sector;
  - the representation of women in national and local governments and in decision-making bodies, in the public sector and the courts system, and the implications for the human rights of women and girls in the region;
  - building leadership skills, including the importance of having female role models for girls, and the role of women's organisations, parliamentary programs and candidacy training in promoting women's political participation; and
  - recommendations for enhancing women's equality, considering the extent to which 'special measures' such as quota systems enhance opportunities for women in leadership, and discussion of the role of male leadership in supporting of attitudinal change.

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1 Ms Harinder Sidhu, First Assistant Secretary, Multilateral Policy Division, Department of Foreign Affairs, *Committee Hansard*, Canberra, 17 June 2014, p. 1.

## Women as leaders and agents of change

- 7.4 Harvard University Professor Amartya Sen, a leading development economist, identified a connection between women's leadership and their social and economic empowerment. He argued that:

Nothing ... is as important today in the political economy of development as an adequate recognition of political, economic, and social participation and leadership of women.<sup>2</sup>

- 7.5 The Asia Foundation observed that:

Across the Indian Ocean-Asia Pacific region, women continue to struggle to be elected and appointed to positions of leadership. Discriminatory attitudes – held by both women and men – that give preference to men consistently disadvantage women and undermine women's leadership in the public and private domains. As a result, women encounter fewer opportunities to develop their campaign and leadership skills, and cultivate the relationships and networks that are often critical to any individual's ability to run for office and lead effectively.<sup>3</sup>

- 7.6 The World Bank Group's report *Voice and Agency: Empowering Women and Girls for Shared Prosperity* (2014) advocates for 'voice and agency' in all spheres of society as key foundations for women's empowerment:

Agency is the ability to make decisions about one's own life and act on them to achieve a desired outcome, free of violence, retribution, or fear. The ability to make those choices is often called empowerment.<sup>4</sup>

To have a voice is to be a citizen. Having a voice means having the capacity to speak up and be heard and being present to shape and share in discussions, discourse, and decisions. Full and equal participation requires that everyone have a voice.<sup>5</sup>

- 7.7 According to this study, these two factors combine to underpin women's potential as decision makers and agents of social change:

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2 Dr Jeni Klugman, *Exhibit 76: Answers to Questions on Notice – J Klugman et al, Voice and Agency, Empowering Women and Girls for Shared Prosperity*, World Bank Group, 2014, p. 156 (copy)

3 The Asia Foundation, *Submission 57*, p. 4.

4 Dr J Klugman, *Exhibit 76: 2014, Box 1.1 'What is Agency'*, p. 13.

5 Dr J Klugman, *Exhibit 76: 2014*, p. 155.

Participation in decision making enables women to voice their needs and challenge gender norms in their community – individually and collectively.<sup>6</sup>

7.8 The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the 1995 Beijing Platform of Action and United Nations Security Council resolutions provide universally accepted benchmarks and a clear global framework for women’s ‘voice and agency’.<sup>7</sup> In particular, Part II article 7 of the CEDAW supports women’s rights to:

- To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
- To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;
- To participate in non-governmental organizations and associations concerned with the public and political life of the country.<sup>8</sup>

7.9 Dr Jeni Klugman referred to the CEDAW as an important catalyst to women’s global activism, noting:

If we look at particular reform episodes, it is often the case that local collective action plays an important role – women’s NGOs [non-government organisations] mobilising sometimes around a particular incident, sometimes around calls for the government to follow up on their international treaty obligations.<sup>9</sup>

7.10 Women’s political engagement was also highlighted under 2015 Millennium Development Goal 3, which promotes gender equality and women’s empowerment. Women’s representation in national parliaments is a key performance indicator.<sup>10</sup>

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6 Dr J Klugman, *Exhibit 76*: 2014, p. 155.

7 Dr J Klugman, *Exhibit 76*: 2014, p. 1.

8 Article 7 (a), (b) and (c) in UN (United Nations) Women, *UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)*, in Six parts <[www.un.org/womenwatch/daw/cedaw/text/econvention.htm#article16](http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm#article16)> viewed 5 August 2015.

9 Dr Jeni Klugman, Private capacity, *Committee Hansard*, Canberra, 6 May 2015, p. 2.

10 UN Fact Sheet: *Millennium Development Goals Beyond 2015*, Goal 3, *Promote Gender Equality and Empower Women* <[www.un.org/millenniumgoals/pdf/Goal\\_3\\_fs.pdf](http://www.un.org/millenniumgoals/pdf/Goal_3_fs.pdf)> viewed 15 October 2015.

7.11 Statistics from the Inter-Parliamentary Union (IPU) show that, at 1 February 2014, 21.7 per cent of all parliamentarians were women.<sup>11</sup> While female representation in parliaments globally has doubled over the last two decades, women's participation in the Indo-Pacific region, especially at the political level, is for the most part below the global average.<sup>12</sup> The Department of Foreign Affairs and Trade (DFAT) advised:

Men are overrepresented in formal politics in almost every country in the region, especially in its upper reaches. Less than one-fifth of all cabinet positions are held by women and women are also missing from the judiciary and labour unions. This inequality does not change as countries develop and become wealthier: between 1995 and 2009, globally the number of female parliamentarians only increased from 10 per cent to 17 per cent.<sup>13</sup>

## Women and girls leading at local level

7.12 The YWCA Australia argued that there is a demographic imperative for young women, in particular, to take on greater leadership roles on gender equity and human rights in the region:

The Asia Pacific region is home to over 700 million young people, which is 45 per cent of the world's youth. These young people will soon become leaders and decision makers with the potential to shape the future and contribute to sustainable development and the realisation of human rights. In our view, it is therefore critical for young women to be supported to build and exercise leadership in their lives and communities and advocate for their rights.<sup>14</sup>

7.13 However, Dr Susan Harris Rimmer of the Australian National University's (ANU) Gender Institute advised that the barriers to gender equality remain significant:

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11 Dr Lesley Clark, Director, PacificPlus Consulting, *Submission 30*, p. 2; and see UN Development Programme (UNDP), *MDG3: Promote Gender Equality and Empower Women, Progress Report*, viewed September 2015.

12 The Pacific region, for example, had only 4.6 per cent of parliamentary seats held by women at June 2015. Ms Kerry Baker, Research Fellow, Pacific Politics, ANU, *Submission 93*, p. 2.

13 DFAT, *Submission 27*, p. 14.

14 YWCA (Young Women's Christian Association), Australia, *Submission 65*, p. 1.



They basically relate to a whole lot of intersecting deprivations that mean that women have no time, or agency or material wellbeing to claim certain public spaces.<sup>15</sup>

7.14 A number of submissions discussed the gender divide in many cultures which continues to marginalise women's voices in their communities.

7.15 Austraining International cited the Asia Pacific Forum on Women, Law and Development submission to the Beijing+20 Asia Pacific Regional Review, which maintained:

In the Asia Pacific region, women remain consistently and systematically excluded from participation and decision-making at all levels, starting at home and extending to the highest level of government. The region is still far from achieving gender parity, exacerbated by the fact that many women are still constrained by the patriarchal dichotomy of a "public" and "private" sphere.<sup>16</sup>

7.16 Referring to research in Fiji, Dr Nicole George of the Women, Peace and Security Academic Collective (WPSAC) described how this male/female dichotomy restrains women's ability to voice views about matters such as violence at village level:

... the vast majority of women stated that it was also unusual, and potentially unsafe, for them to speak publically at local settlement or village meetings. This made it difficult for them to draw attention to these problems and initiate any positive action at the community level that might increase their safety. One woman summed up this feeling of marginalization and political powerlessness stating "our experiences are just our own".<sup>17</sup>

7.17 In contrast, DFAT suggested that when women are empowered to exercise leadership they can dramatically improve the welfare of their families and their communities.<sup>18</sup>

7.18 The Asia Foundation cited research in India which found that the gender of leaders at the village level impacts on the types of policies that are given priority: having a woman in leadership was more likely to result in higher

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15 Dr Susan Harris Rimmer, Director of Studies, Asia-Pacific College of Diplomacy, Australian National University (ANU) Gender Institute, *Committee Hansard*, Canberra, 23 September 2014, p. 7.

16 Austraining International, *Submission 67*, p. 4.

17 Dr George, University of Queensland, in Women, Peace and Security Academic Collective (WPSAC), Monash University, *Submission 15*, p. 5.

18 DFAT, *Submission 27*, pp. 13-14.

investments in clean drinking water, childhood immunisation and a reduced gender gap in education.<sup>19</sup>

- 7.19 The Australian Centre for International Agricultural Research (ACIAR) advised of a new global development focus on ‘women as agents for change’ in agriculture.<sup>20</sup> ACIAR drew the Committee’s attention to an ACIAR-sponsored series of community workshops with smallholders in the Baiyer Valley and Kerevat area of PNG. The project highlighted the value of ‘two-way learning’ and providing opportunities for local community leaders to ‘reconsider and re-evaluate existing social relations that had mostly been taken for granted.’<sup>21</sup> Women project leaders stated at the program’s conclusion:

[In the past] Men were the bosses and leaders in the community. Things have changed and ladies are now leading [us] to almost everything in the community and men in [this community] have realised their leadership roles.<sup>22</sup>

- 7.20 CARE Australia recommended its Women’s Empowerment Framework to support women and girls’ rights and leadership. Within this whole of community model, CARE argued that targeting the private/familial sphere is crucial to ensure girls’ domestic burdens are reduced and that they can more actively participate in public life.<sup>23</sup>

- 7.21 Oaktree and ChildFund Australia described successes under their girls’ leadership and empowerment programs.<sup>24</sup> Oaktree advised that:

Giving students small opportunities such as participating in school councils and talking to their local commune leaders – empowers them and increase[s] their sense of self worth.<sup>25</sup>

19 The Asia Foundation, *Submission 57*, pp. 6–7.

20 Ms Vikki Wilde, Director, African Women in Agricultural Research and Development (AWARD) at the Forum for Agricultural Research in Africa (FARA) in Accra, Ghana, July 2013, speech cited in Australian Centre for International Agricultural Research (ACIAR), *Submission 44*, p. 4.

21 ACIAR, *Supplementary Submission 44.1*, B Pamphilon, K Mikhailovich, L Simeon and B Chambers, ‘Two-Way Learning: Key Gender Lessons from Participatory Community Workshops with Smallholders in the Baiyer Valley and Kerevat Areas of Papua New Guinea’, in G Hickey, ‘Socioeconomic Agricultural Research in Papua New Guinea,’ *ACIAR Proceedings 141*, 2013, PNG, p. 102.

22 ACIAR, *Supplementary Submission 44.1*, Link to ‘Two-Way Learning...’ in G Hickey, ‘Socioeconomic Agricultural Research in Papua New Guinea,’ *ACIAR Proceedings 141*, 2013, PNG, p. 112.

23 CARE Australia, *Submission 54*, p. 11, and see p. 7 for leadership integration under the Women’s Empowerment Framework in PNG.

24 Oaktree, *Submission 11*, p. 5; ChildFund, *Submission 2*, pp. 5–6.

## 7.22 ChildFund reported on its Child and Youth Participation Project:

... in Laos, girls have been able to participate in sport for the first time which has increased their confidence, leadership skills, and ability to voice their opinions with parents and duty bearers. Girls' participation in these activities has had positive impacts on the social development of the community, as the community has shifted its attitudes towards girls and women and now sees the importance of valuing their participation in society. Girl leaders are also acting as positive role models for other girls in their communities.<sup>26</sup>

## 7.23 Submissions also discussed the utility of internet and community radio to communicate messages to girls and young women on leadership:

- The *ChildFund Connect* education project uses multimedia tools to promote girls' confidence, improve leadership skills, and promote school participation in Sri Lanka, Vietnam, and Timor-Leste.<sup>27</sup>
- The YWCA's *Safe. Respected. Included. Connected and Skilled* community radio strategy builds leadership skills among young women across PNG and the Pacific Islands.<sup>28</sup> The YWCA also runs the Rise Up! Young Women's Leadership Program on the Solomon Islands.<sup>29</sup>
- The Australian National Committee for UN Women's Pacific Young Women's Leadership Alliance (PYWLA) Secretariat supports online dialogue, among other services, to inform and support young women to participate in government and leadership roles.<sup>30</sup>

## Women leading in the corporate sector

### 7.24 International consulting and project management firm Coffey International identified women's absence from leadership roles as one of

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25 Oaktree, *Submission 11*, p. 5.

26 ChildFund Australia, *Submission 2*, p. 5.

27 ChildFund Australia, *Submission 2*, p. 6.

28 YWCA Australia *Submission 65*, p. 8, and see YWCA, *Safe. Respected. Included. Connected. Skilled: 2011–2014, Pacific Young Women's Leadership Strategy*, and, pp. 8, 19, <[www.unicef.org/pacificislands/YWCA\\_PYWLS\\_-\\_final\(1\).pdf](http://www.unicef.org/pacificislands/YWCA_PYWLS_-_final(1).pdf)> viewed August 2015.

29 YWCA Australia, *Submission 65*, p. 7. For detail see YWCA *Supplementary Submission 65.1, Part 2: YWCA, Rise UP! Young Women's Leadership Program Executive Summary Evaluation Report 2013*, p. 3.

30 Australian National Committee for UN Women, *Submission 10*, p. 3.

the key impediments, along with resources, accountability, and technical expertise, to advancing 'women's rights in the region.'<sup>31</sup>

- 7.25 Evidence referred to the low global average for women on corporate boards,<sup>32</sup> with women in senior management positions at just 24 per cent.<sup>33</sup> By comparison, women in some parts of the Indo-Pacific region are better represented at corporate level. DFAT advised that East Asia, for example, has a higher number of women in management relative to other developing regions and the world average.<sup>34</sup>
- 7.26 There was discussion in the evidence about the ways in which women's participation in leadership at corporate level could be increased. Microfinance was cited by DFAT as an important support for women's movement into decision-making roles as owners or operators of micro, small and medium enterprises.<sup>35</sup>
- 7.27 Micro-financier Grameen Bank advised how the bank's female empowerment model had achieved a majority of women among its 8.5 million borrowers, 5.5 million of whom are shareholders. Under proportional measures, eight of the 11 board members are women.<sup>36</sup>
- 7.28 The ANU's Dr Harris Rimmer advocated for targets, quota systems and male 'champion for change' models to create a positive culture for women's promotion in the business sector.<sup>37</sup> Ms Maiava Visekota Peteru spoke of advances in Samoa, which has a tradition of female leadership, with many women as business owners or joint owners of businesses.<sup>38</sup>
- 7.29 DFAT considered that one method to encourage women's participation as female entrepreneurs, business leaders and employees would be:

Strengthening formal and informal country or regional women in business networks and forums [as this] can provide the space and

31 Coffey International, *Submission 90*, p. 2.

32 Dr J Klugman, *Exhibit 78: Answers to Questions on Notice—L Beaman, E Duflo Rohini Pande and P Topalova, 'Female Leadership Raises Aspirations and Educational Attainment for Girls: A Policy Experiment in India', Science Magazine, Vol. 335, no. 6068, 2012 p. 1.*

33 The ANU Gender Institute also notes that for G7 nations the average is only 21 per cent, *Submission 63*, p. 7.

34 DFAT, *Submission 27*, p. 16.

35 DFAT, *Women's Leadership: Evidence Review*, ODE, March 2014, pp. 23–24, viewed September 2015.

36 Mr Prometheus Siddiqui, Project Officer, Grameen Bank Australia, *Committee Hansard*, Canberra, 6 May 2015, p. 20.

37 Dr Harris Rimmer, ANU Gender Institute, *Committee Hansard*, Canberra, 23 September 2015, p. 6.

38 Ms Maiava Visekota Peteru, Private capacity, *Committee Hansard*, Canberra, 7 May 2015, p. 28.

opportunity for women to participate and influence economic policy, legislation and regulations.<sup>39</sup>

- 7.30 Ms Dimity Fifer of Australian Volunteers International (AVI) noted that in relation to women's support networks:

We take for granted the sort of professional and personal network – formal and informal – mechanisms that we have here in Australia. I think it is absolutely imperative that we enable women to take part in such mechanisms overseas to ensure that they are able to contribute and to increase their numbers.<sup>40</sup>

- 7.31 Ms Fifer suggested that Australia invest in regional networking opportunities for women professionals and trial sectoral pilots with women in academia and finance sectors through the Pacific Women's Leaders Network.<sup>41</sup>

- 7.32 Abt JTA, a private development partner in aid delivery, also advocated for professional networking to open up opportunities and build capacity among local women leaders:

While investing in individual women leaders (including through scholarships) is critical, Australia can help them establish coalitions and networks to support and sustain them throughout their careers and lives.<sup>42</sup>

- 7.33 The Pacific Island Forum Secretariat (PIFS) also emphasised the value of funding scholarships and training, with a focus on women and girls to enhance their leadership skills in commerce and management.<sup>43</sup>

- 7.34 Coffey International advised that it manages eight Australian Awards programs. Its submission identified a need for gender targeting in the award program design, with extra support for the professional advancement of women awardees on return from study.<sup>44</sup> The firm considered that skilling up senior decision makers would support accountability on gender equality outcomes. Donors and implementing partner organisations could also be encouraged to adopt this approach,

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39 DFAT, *Submission 27*, p. 21.

40 Ms Dimity Fifer, Executive Officer, Australian Volunteers International (AVI), *Committee Hansard*, Canberra, 3 November 2014, p. 4.

41 Ms Fifer, AVI, *Committee Hansard*, Canberra, 3 November 2014, pp. 4–5.

42 Abt JTA, *Submission 59*, p. 7.

43 Pacific Island Forum Secretariat (PIFS), *Submission 17*, p. 7.

44 Coffey International, *Submission 90*, p. 7.

and accountability encouraged through Memoranda of Understanding and in contracts.<sup>45</sup>

- 7.35 The Australian Council for International Development (ACFID) focused on evaluation, recommending that stakeholders funded under Australian leadership programs should:

... [r]eport on outcomes by utilising longitudinal tracking mechanisms to capture the extent to which the projects and programs are contributing to positive changes in the short, medium and long term.<sup>46</sup>

## Women in government and decision-making bodies

- 7.36 According to the World Bank, greater representation of women in national and local government can influence both policy considerations and budget allocations.<sup>47</sup> The Bank further argues that:

Women's political participation can positively affect the range of policy issues considered and prioritized, can influence the types of solutions proposed, and can enhance perceptions of government legitimacy.<sup>48</sup>

- 7.37 This section considers evidence on the current levels of women's representation in parliaments across the region and at local government level. Also discussed are responses to women's increased representation in the public service, and the role of women in the courts in protecting the human rights of women and girls.

## Women in national legislatures

- 7.38 DFAT referred to the combined cultural and systemic obstacles to women's participation in political life across the Indo-Pacific region, including:

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45 Recommendation 5, Coffey International, *Submission 90*, p. 2.

46 ACFID, *Supplementary Submission 25. 1*, p. 7.

47 'In a poll of members of parliament from 110 countries conducted between 2006 and 2008, female parliamentarians were more likely to prioritize social issues such as child care, equal pay, parental leave, and pensions; physical concerns such as reproductive rights, physical safety, and gender-based violence; and development matters such as poverty reduction and service delivery', in Dr J Klugman, *Exhibit 76: 2014*, p. 162.

48 Dr J Klugman, *Exhibit 76: 2014*, p. 154, and see discussion at p. 155.

... the pervasiveness of masculine political cultures, the view that politics is men's work, electoral systems that are not gender-neutral and women's lack of access to election campaign financing.<sup>49</sup>

7.39 Submissions to the inquiry discussed the low levels of representation of women at national government level, while also noting the global context. In the Asian region, for example, 18.7 per cent of members of parliament are women,<sup>50</sup> which is not far behind the global average. Conversely, as the International Women's Development Agency (IWDA) pointed out, while this is better than the Pacific and the Arab States, it is still lower than every other region of the world including Sub-Saharan Africa.<sup>51</sup>

7.40 A number of governments advised the Committee of advances for women's representation at national level following introduction of gender equality strategies.<sup>52</sup> For example:

- The High Commissioner of Sri Lanka reported 'a catalytic impact on advancing gender equality in the country'.<sup>53</sup> A supplementary submission cited a suite of programs aimed at improving women's political participation, and noting Sri Lanka's leadership by a female head of government for 21 of the last 50 years.<sup>54</sup>
- The Deputy Prime Minister of Viet Nam, HE Pham Binh Minh, advised of progress under the National Strategy on Gender Equality and Advancement of Women, with 24.4 per cent of deputies in Viet Nam's 18th National Assembly (2011–2016) being women; the second highest representation among ASEAN countries. Women also hold senior leadership positions in the National Assembly as Vice Presidents, Ministers and Deputy Ministers.<sup>55</sup>

7.41 The submission from Ms Rebecca Lim and colleagues noted the range in female representation in national parliaments across the Asia Pacific

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49 DFAT, *Submission 27*, p. 14.

50 International Women's Development Agency (IWDA), *Submission 32*, p. 15.

51 IWDA, *Submission 32*, p. 15.

52 See Democratic Republic of Timor-Leste, *Submission 45*; Islamic Republic of Afghanistan, Ministry of Foreign Affairs Minister's Office, *Submission 75*; High Commission of the Republic of Mauritius, *Submission 46*; Socialist Republic of Viet Nam, *Submission 78*; and the High Commission of the Democratic Socialist Republic of Sri Lanka, *Submission 79*.

53 His Excellency Admiral Thisara Samarasinghe, the High Commissioner of Sri Lanka, *Committee Hansard*, Canberra, 25 November 2014, p. 1.

54 The High Commission of the Democratic Socialist Republic of Sri Lanka, *Supplementary Submission 79.1*, pp. 1–2.

55 Also see the National Strategy on Gender Equality for 2011–2020 and the National Program on Gender Equality for 2011–2015, in the Socialist Republic of Viet Nam, *Submission 78*, pp. 4, 5.

region, with Sri Lanka at 5.8 per cent in a single chamber parliament; India at 11.4 per cent in the Lower House and 11.9 per cent in the Upper House; Indonesia at 18.9 per cent in the Lower House and Timor-Leste at 38.5 per cent in a single chamber parliament.<sup>56</sup>

7.42 ANU Research Fellow in Pacific Politics Ms Kerry Baker advised that the Pacific has one of the lowest levels of women's participation in political processes in the world, noting:

... the region is home to four of the six countries in the world with no women in their lower or only house of parliament. Women make up just 4.6 per cent of parliamentarians in independent Pacific countries.<sup>57</sup>

7.43 The ANU Gender Institute pointed out that PNG's very low representation of women, with only 2.7 per cent of seats in the National Parliament, contributes to this low regional level.<sup>58</sup>

7.44 SPC referred the Committee to studies of the impact of South Pacific electoral systems in reducing women's chances of election in the region, with the conclusion that majority electoral systems are generally more favourable to men than women.<sup>59</sup>

7.45 Ms Baker also referred to the stagnation in female representation in the Pacific region relative to the rest of the world, with recent elections showing no improvement.<sup>60</sup> She considered that proportional representation would probably improve this result for women.<sup>61</sup>

7.46 Dr Lesley Clark, Director of PacificPlus Consulting observed:

56 Ms Rebecca Lim, Ms Felicity Mashuro, and Ms Louise Woodley (Rebecca Lim *et al*), *Submission 70*, p. 4-5, citing Inter-Parliamentary Union, *Women in National Parliaments* (1 April 2014) at <[www.ipu.org/wmn-e/classif.htm](http://www.ipu.org/wmn-e/classif.htm)>.

57 For detail, see Table 1, Assessment at 22 June 2015, in Ms Kerry Baker, Research Fellow, Pacific Politics, ANU, *Submission 93*, p. 2.

58 Australian National University (ANU) Gender Institute, *Submission 63*, p. 3.

59 Research by J Fraenkel, *The Impact of Electoral Systems on Women's Representation in Pacific Parliaments: A Report Conducted for the Pacific Islands Forum Secretariat by the Pacific Institute of Advanced Studies in Development & Governance*, 2007, cited in Secretariat of the Pacific Community (SPC), *Submission 24*, p. 24.

60 The Pacific Island nations still make up half of the number of countries without women in parliament even though the world rate has halved over 10 years. In recent elections in the Solomon Islands (November 2014), Tonga (November 2014), and Bougainville (May-June 2015) women's representation respectively stagnated, decreased to zero, and increased slightly. See Ms Kerry Baker, Research Fellow, Pacific Politics, ANU, *Submission 93*, p. 1.

61 Ms Kerry Baker, Research Fellow, Pacific Politics, ANU, *Submission 93*, p. 3.



The majoritarian electoral systems most commonly used in the Pacific region also intensify the competition between men and women and are recognized as making it more difficult for women to be elected, as compared to Proportional Representation systems.<sup>62</sup>

- 7.47 WPSAC's Dr George highlighted the importance of increasing women's representation to ensure issues such as the high incidence of violence in the region are addressed.<sup>63</sup>
- 7.48 There was also discussion of factors that have or can promote women's political participation in the region. Professor Jacquie True of Monash University referred to politics in parts of the Asia-Pacific region as 'family-run enterprises that enable elite women's participation but serve as major barriers to that of non-elite women'.<sup>64</sup>
- 7.49 The ANU's Ms Baker observed that in Pacific island countries, women parliamentarians:
- ... tend to be relatively highly educated, often with degrees from overseas institutions, including Australian universities. They tend to come from public service backgrounds, usually teaching, and have a history of community involvement, including leadership positions with church or women's groups. In some cases, high public profiles have led to political careers ... In others, however, campaigns were fought (and won) on the basis of more grassroots community involvement ... They are also likely to come from politically connected families. The importance of family connections is evident in the numerous women candidates who have been successful in by-elections triggered by the death or resignation of a male relative.<sup>65</sup>
- 7.50 Ms Baker further noted that although 'many cultural traditions in the Pacific Islands region encourage and perpetuate respect towards women,'<sup>66</sup> some values and customary practices may contribute to

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62 Dr Lesley Clark, Director, PacificPlus Consulting, *Submission 30*, p. 2.

63 Dr George in WPSAC, *Submission 15*, p. 5.

64 Professor Jacquie True, Monash University, in WPSAC, *Submission 15*, p. 4.

65 Ms Kerry Baker, Research Fellow, Pacific Politics, ANU, *Submission 93*, p. 4.

66 Practices such as the matrilineal land ownership systems found throughout the region, and traditional practices wherein women's endorsement is necessary for a man to become a community leader. Ms Kerry Baker, Research Fellow, Pacific Politics, ANU, *Submission 93*, p. 3.

women's absence from public decision-making and debate.<sup>67</sup> In Samoa, for example, a person can only stand for parliament if they have a matai title, and 'women make up only one in ten matai', while in Tonga, 'there are nine parliamentary seats reserved for nobles which can only be occupied by men'.<sup>68</sup>

- 7.51 Ms Peteru, a former member of the Samoan Parliament, noted the importance of matai status and being involved in government for the empowerment of women:

Once you hold a matai title, and if you are involved in the government, the attitude is more like you are a chief. Of course they see that you are a woman, but it is not so much to do with that. People consider your position and the title itself and your involvement and the potential to contribute.<sup>69</sup>

- 7.52 Ms Peteru also noted that Samoa had ratified CEDAW in 1994 and since then 'there have been many good developments in Samoa in regard to the advancement of the status of women', including the formation of a Ministry for Women's Affairs which:

... worked closely with non-governmental organisation towards the advancement of women on many fronts – not only in the development of rural activities, such as the weaving of fine nets, which are a highly prized commodity in our country, but also on the elimination of violence against women and the increase of members of parliament in parliament.<sup>70</sup>

- 7.53 Ms Peteru further advised that:

In 2013, our Parliament passed the Constitution Amendment Act in which there was a quota for 10 per cent of parliamentary seats should be allocated for women members of parliament. We have a legislative assembly of 49 members. At the moment there are only two members of parliament. We have not at any time had more than five women members of parliament in one parliamentary session.<sup>71</sup>

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67 Limiting values include 'gender stereotypes and a perception that politics is "men's work"', Ms Kerryn Baker, Research Fellow, Pacific Politics, ANU, *Submission 93*, p. 3.

68 Ms Kerryn Baker, Research Fellow, Pacific Politics, ANU, *Submission 93*, p. 3.

69 Ms Peteru, *Committee Hansard*, Canberra, 7 May 2015, p. 31.

70 Ms Peteru, *Committee Hansard*, Canberra, 7 May 2015, p. 28.

71 Ms Peteru, *Committee Hansard*, Canberra, 7 May 2015, p. 28.

7.54 SPC argued that while the Australian Government's Pacific Women Shaping Pacific Development initiative program has made progress for women's leadership across the region:

... in other programs ... we would argue that there has not been sufficient dedication and acknowledgement of human rights issues, specifically around the role of women and girls in decision-making processes and implementation.<sup>72</sup>

## Women in local government

7.55 A number of submissions drew attention to the disparity between support for gender equality at national level, and the impacts of the low representation of women in local government and provincial bodies.<sup>73</sup> It was argued that higher levels of representation at local level could provide opportunities to support positive change.<sup>74</sup>

7.56 The SPC advised that Pacific women are better represented in local politics than at the national level:

If elected and appointed positions in local government are combined across the region (excluding the territories), there are over 7000 positions, an estimated 7.5% of which are held by women. If Papua New Guinea is excluded, there are over 900, of which an estimated 5.9% are held by women.<sup>75</sup>

7.57 The SPC further observed that while this representation may remain tokenistic, local level election provides an important opportunity for women's leadership 'to raise awareness of gender issues, to involve women in making decisions concerning their basic living conditions, and to make use of their knowledge and capabilities'.<sup>76</sup>

7.58 In contrast, the ANU's Ayu Wahyuningroem noted that while 'more women take important roles in politics and decision-making' in Indonesia, female empowerment in that country, is undermined at local level by culturally traditional regional authorities.<sup>77</sup>

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72 Referring to climate change by example, Mr Mark Atterton, Deputy Director, Regional Rights Resource Team, Human Rights program, SPC, *Committee Hansard*, Canberra, 6 May 2015, p. 35.

73 See below, for example, Appendix A, ANU Gender Institute, *Submission 63*, p. 11.

74 SPC, *Submission 24*, p. 25.

75 SPC, *Submission 24*, p. 25.

76 SPC, *Submission 24*, p. 25.

77 Appendix A: Ayu Wahyuningroem, 'Briefing on Women's Rights in Indonesia', ANU Gender Institute, *Submission 63*, pp. 11-12.

In regional autonomy context, where local governments have more authority to rule their own territories and local citizens, there are no less than 342 discriminatory policies against women's rights. In these places, local authorities justify their control, restriction and criminalization of women by using religion and morality arguments.<sup>78</sup>

- 7.59 Ms Alzira Reis, Chief Executive Officer of the Alola Foundation, advised of a similar situation in Timor-Leste where women's national parliamentary representation has increased from 27 per cent to 38 per cent (at 2012), but only two per cent of local leaders from over 422 villages are women.<sup>79</sup> Alola's Australian Director Ms Nicole Bluett-Boyd advised that male domination at local level has resulted in poor responsiveness to female victims of domestic violence.<sup>80</sup>
- 7.60 There were, however, reports of advances for women. Banteay Srei advised that in Cambodia a gender mainstreaming policy has contributed to a rise in women's representation in local level governance structures. Women held 30 per cent of appointed positions in village leadership and positions in Commune Councils, and the numbers of women in provincial and district councils had increased. There were also 214 women 'appointed as vice-governors for provincial and district administrations'.<sup>81</sup>

## Women in the public sector

- 7.61 While the public sector is an important employer of women in Pacific island countries, most women are reported to occupy 'lower level positions.'<sup>82</sup>
- 7.62 Coffey International advised of work done with the Australian Government under the Economic and Public Sector Program (EPSP) to improve gender targeted outcomes under government programs in PNG. As part of the EPSP, a Senior Women in the Public Sector Research Group

78 Appendix A: ANU Gender Institute, *Submission 63*, p. 11.

79 Ms Alzira Reis, Chief Executive Officer, Alola Foundation, *Committee Hansard*, Canberra, 6 May 2015, p. 43.

80 Ms Nicole Bluett-Boyd, Director, Alola Foundation, *Committee Hansard*, Canberra, 6 May 2015, p. 43.

81 Banteay Srei, *Submission 51*, p. 5.

82 Dr Priya Chattier, *Submission 55*, p. 5; SPC, Pacific Women Shaping Pacific Development, 'PNG Men Champion Gender Equality' <[www.pacificwomen.org/news/png-men-champion-gender-equality/](http://www.pacificwomen.org/news/png-men-champion-gender-equality/)> viewed 23 September 2015. Dr Chattier further notes that 'men outnumber women in paid employment outside the agricultural sector, approximately twice as many men than women.'

was established under the directorship of Dame Carol Kidu, and programs developed to coach, mentor and train women, and to encourage younger women to consider leadership roles in the public sector.<sup>83</sup>

- 7.63 There were other reports of advances for women across the Pacific. Ms Peteru estimated that about 15 per cent of CEOs in the public service and in ministries of government in Samoa are women.<sup>84</sup>
- 7.64 The SPC recorded anecdotal evidence of progress for women in senior roles in Pacific public administration, and a good representation of women in the sector in the Cook Islands, Fiji, Palau, Samoa, Solomon Islands, Tokelau and Tuvalu. However, the submission also advised that this has coincided with reports of ‘high levels of harassment’ of women, attributed to the ‘renewed attention to women in decision-making and violence against women’.<sup>85</sup>
- 7.65 The slow progress of women in public sector leadership and employment in some countries of the region was raised in several submissions. For example, the Secretary of State for the Promotion of Equality in Timor-Leste noted that while the Timorese civil service has more than tripled in size since 2001, the participation of women in the civil service declined from 25 per cent in 2001 to 21 per cent in 2013.<sup>86</sup>
- 7.66 Banteay Srei commented on the comparatively low representation of women, at 34 per cent, in the public service in Cambodia, noting a need to support structural and attitudinal reforms as ‘existing women leaders still have limited capacity to effectively influence decisions and policies for a more gender equitable society’.<sup>87</sup>
- 7.67 Banteay Srei recommended the Australian Government prioritise bilateral engagement with the Cambodian Government to address structural barriers to women’s representation in all appointed and elected roles. This could include approaches to address unequal responsibilities for unpaid care and gendered perceptions of leadership.<sup>88</sup>
- 7.68 The SPC suggested more research and discussion to promote women’s participation in the public service, potentially involving public service commissions and regional training institutions, such as through the

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83 Coffey International, *Submission 90*, pp. 10–11.

84 Ms Peteru, *Committee Hansard*, Canberra, 7 May 2015, p. 28.

85 SPC, *Submission 24*, p. 25.

86 Secretary of State for Promotion of Equality, Democratic Republic of Timor-Leste, *Submission 45*, p. 3.

87 Banteay Srei, *Submission 51*, p. 5.

88 Banteay Srei, *Submission 51*, p. 5.

University of the South Pacific which runs public-service training program supported by Australia.<sup>89</sup>

- 7.69 The Pacific Islands Forum Secretariat (PIFS) called on the Australian Parliament to annually review the Pacific Leaders Gender Equality Declaration Reports produced by the Forum Leaders to promote compliance.<sup>90</sup>
- 7.70 The Institute of Human Security and Social Change took the view that all Australian government assisted measures should respond to the different needs of men and women, and demonstrate effective outcomes for both.<sup>91</sup>
- 7.71 Austraining International raised the possibility of requiring quotas to open opportunities for women across government departments specifically in leadership positions, suggesting in-country legislation could mandate a percentage of positions.<sup>92</sup>

## Women in the court system

- 7.72 The promotion of women in the judiciary and as local court officials was raised in evidence to the Committee as an important support to women's empowerment and the realisation of their human rights in the region. Dame Carol Kidu spoke of advances for women in PNG under a program which had increased the number of women on the bench:

The female magistracy has increased enormously. With our focus program even the number of female judges has increased and, hopefully, will continue to increase. I found that this whole focus area with the magistrates and also with female prosecutors and people that with that type of support, dare I say, they have done things that perhaps our male colleagues might not have done. The female public prosecutors, after the passage of the amendments to the rape act and things like that, they took it on themselves to produce a book ... There is a taking up of ownership once they see leadership, yes. Women at the local level in the magistrates courts, hopefully, will make a big difference because before they were very male dominated.<sup>93</sup>

89 SPC, *Submission 24*, p. 25.

90 PIFS, *Submission 17*, p. 7.

91 The Institute for Human Security and Social Change, *Submission 41*, p. 3.

92 Recommendation in Austraining International, *Submission 67*, p. 5.

93 Dame Carol Kidu DBE, *Committee Hansard*, Canberra, 3 February 2014, p. 3.

7.73 Chief Justice the Hon. Diana Bryant and Executive Officer Ms Liesha Lister of the Family Court of Australia (FCA) advised of FCA training and mentoring programs for regional judicial and community leaders, being conducted under the Australian Leadership Fund to assist participants to 'understand the way courts can reduce barriers to women accessing the courts to deal with family violence issues'.<sup>94</sup> The Chief Justice reported, however, that decreases in the foreign aid budget meant that: 'We now have to do more with less'.<sup>95</sup> Funding is currently being sought to ensure family court judges from the Pacific and PNG can attend the forthcoming international Family Justice conference in Sydney.<sup>96</sup>

7.74 The AVI referred to the Diploma in Leadership, Governance and Human Rights at the University of the South Pacific which aims to inspire and empower the region's future leaders:

The diploma meets a recognised need for knowledgeable people in the areas of leadership, governance and human rights. The curriculum acknowledges the tensions between custom and modern outlooks on human rights, including the rights of women and young people. Financial support and scholarships for the diploma specifically target women and other under-represented groups in Pacific Island communities.<sup>97</sup>

7.75 The Divine Word University's Chancellor Father Jan Czuba saw considerable benefits in programs to support women victims of domestic violence at district level courts:

What could immediately be done is to provide special training at district level in the provinces for maybe a district court or something like that so a female could go there, testify and get support. Because quite often they will not go to the provincial town because it is too far. The husband will find out before she gets to the provincial town, she will be stopped and may be beaten more. I think in these two areas there are issues which could be immediately addressed by providing expertise and training at the

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94 The Hon Diana Bryant, Chief Justice, and Ms Liesha Lister, Executive Officer, Family Court of Australia, *Committee Hansard*, Canberra, 6 May 2015, p. 23.

95 Chief Justice Bryant, Family Court of Australia, *Committee Hansard*, Canberra, 6 May 2015, p. 27.

96 Commonwealth and Common Law International Family Justice Conference Chief Justice Bryant, Family Court of Australia, *Committee Hansard*, Canberra, 6 May 2015, p. 29.

97 AVI, *Submission 43*, p. 6.

district level and by having a district court, which is more objective, to look at human rights and female rights.<sup>98</sup>

## Women's leadership through women's organisations and networks

7.76 Role modelling was highlighted in evidence as an important way to build women and girls' confidence to lead and to more actively engage in household and community decision-making. As the Centre for Social Change explained, 'girls need positive female role models in positions of leadership, so that they too can envision themselves in similar positions'.<sup>99</sup>

7.77 Oaktree highlighted the benefits of its local partnership model to create opportunities for mentoring and role modelling for girls:

... we have also found that local leadership is particularly useful for the young girls' we work with as they can easily seek mentoring and advice from local project staff and trained local leaders who understand their language and needs.<sup>100</sup>

7.78 Youth With A Mission (YWAM) sails an Australian funded medical and training ship to remote parts of PNG.<sup>101</sup> Dr Sarah Dunn reported on the positive impacts of these visits on local women:

We have had some really stunning feedback about the role modelling ... The community come and the LLG [Local Level Government] president will speak, and then our representative will speak, and that will be a woman ... we have had a lot of strong feedback saying: "That's incredible. You've had a woman speak in front of all those men ... Sailing into a place with a woman captain is a huge statement. Without having to have a placard, it is a huge practical statement."<sup>102</sup>

7.79 Dr Jeni Klugman referred to the results of her research showing positive impacts for girls' status and aspirations following the introduction of reserved positions for women on village councils in India:

A 1993 law reserved leadership positions for women in randomly selected village councils. Using 8453 surveys of adolescents aged

98 Father Jan Czuba, Vice Chancellor and President, Divine Word University, *Committee Hansard*, Canberra, 6 May 2015, p. 8.

99 Centre for Social Change, *Submission 48*, p. 2.

100 Oaktree, *Submission 11*, p. 6.

101 The Hon Mike Reynolds, Australian Patron, YWAM Medical Ships Australia, *Committee Hansard*, Canberra, 18 June 2015, p. 1.

102 Dr Sarah Dunn, Partner Relations and Field Strategy, YWAM Medical Ships Australia, *Committee Hansard*, Canberra, 18 June 2015 p. 5.



11 to 15 and their parents in 495 villages, we found that, relative to villages in which such positions were never reserved, the gender gap in aspirations closed by 20% in parents and 32% in adolescents in villages assigned a female leader for two election cycles. The gender gap in adolescent educational attainment was erased, and girls spent less time on household chores.<sup>103</sup>

7.80 Dame Carol Kidu referred to a young Fijian woman, an aspiring politician, as a model for the future, noting the woman's view: 'That time is nearly over' for the 'three stools' of male power – the councillor, the government official and pastor – in community decision-making.<sup>104</sup>

7.81 In evidence to the inquiry, women's organisations and networks were also cited as key vehicles for women to develop and exercise leadership skills. The IWDA observed:

Women's organisations play a vital role in enabling those without power, status and rights to have a voice and advocate for basic rights. Women's rights organisations are instrumental in strengthening women's ability to realise their rights in practice, and informing policy making, and holding governments accountable over the long term.<sup>105</sup>

7.82 Rebecca Lim and colleagues referred to bodies such as the International Women's Rights Action Watch Asia Pacific (IWRAP-AP) which work at country level to close the gap between member states' compliance and their obligations under the CEDAW, and at global level, for example, to enhance the effectiveness of treaty bodies such as the Gender Equality Architecture Reforms and Human Right Council.<sup>106</sup>

7.83 Professor True referred to the potential of women's activism through local organisations as an alternative to formal representation within the region, observing:

There are significant obstacles to women's equal political participation in the Indo-Pacific but some encouraging signs [are] coming from the region. For example, women's mobilization about electoral systems and politics through political parties, civil society, and church and other religious organizations can build alternative pathways for their political representation.<sup>107</sup>

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103 Dr J Klugman, *Exhibit 78*: 2012, p. 1.

104 Dame Carol Kidu, Private capacity, *Committee Hansard*, Canberra, 3 February 2015, p. 14.

105 IWDA, *Submission 32*, p. 15.

106 Rebecca Lim *et al*, *Submission 70*, p. 6.

107 Professor True in WPSAC, *Submission 15*, p. 4.

- 7.84 The GLASS Research Institute referred to the work of Rede Feto in Timor-Leste. This organisation provides training, information, support and opportunities for high level advocacy through an annual National Women's Congress to a national network of 24 affiliated women's rights groups.<sup>108</sup>
- 7.85 Union Aid Abroad – APHEDA reported that, in Melanesia, women's only groups are vital preparation for mixed gender political activity:
- Findings indicate that women-only community groups (including church, NGO supported and locally organised groups) were an important form of economic and political empowerment for women, and as an intermediate step toward greater participation in mixed sex collective action groups ...<sup>109</sup>
- 7.86 Union Aid Abroad – APHEDA also suggested that collective action by women has the potential to bring about changes in women's leadership and influence within communities, while minimising conflict in the process.<sup>110</sup>
- 7.87 DFAT's Ms Sally Moyle, Acting Assistant Secretary and Principal Gender Specialist, Human Rights and Gender Equality Branch, commented further on the utility of women's groups to nurture change in culturally sensitive areas such as gender empowerment. She advised:
- For example, in the Pacific, for many years now we have funded a select group of women's organisations that were, for a long time, voices in the wilderness. But they were working with the communities to build the constituents for change and so that they could bring the pressure to government themselves. We knew that, from the community, women were expressing the needs for the things that we were proposing.<sup>111</sup>
- 7.88 DFAT's submission also cited evidence supporting the view that women in many Pacific countries prefer holding leaders to account and having a voice in decision-making fora, to taking on formal leadership roles.<sup>112</sup> In this regard, the IWDA also noted research indicating the importance of

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108 'Women's Leadership, Case Study: Women's Movement in Timor-Leste', in GLASS Research Unit, *Submission 7*, p. 15.

109 Union Aid Abroad – APHEDA, *Submission 68*, p. 17.

110 Union Aid Abroad – APHEDA, *Submission 68*, p. 17.

111 Ms Sally Moyle, Acting Assistant Secretary and Principal Gender Specialist, Human Rights and Gender Equality Branch, *Committee Hansard*, Canberra, 17 June 2014, p. 6.

112 DFAT, *Submission 27*, p. 17, and see Footnote 47, referring to the recent review of the Pacific Leadership Program.

young women's organisations like the YWCA and church-based youth groups to promote women's leadership in Fiji, Solomon Islands, Bougainville, Tonga and Samoa.<sup>113</sup>

7.89 However, the Institute for Human Security and Social Change suggested that the lack of a cohesive feminist movement or network across the Pacific region remained a problem:

While there are many relatively small disparate women's groups in the Pacific, the lack of a cohesive movement constrains their policy engagement and political influence.<sup>114</sup>

7.90 The Institute recommended the Australian Government focus on providing opportunities for women and men to participate in regional fora, and mobilise existing funding to support women and girls gain a collective voice through active coalitions and networks across the region.<sup>115</sup>

7.91 Ms Elaine Pearson of Human Rights Watch emphasised the importance of empowering local civil society groups and women's rights activists to advocate for public discussion of human rights issues in Burma, Indonesia, Brunei,<sup>116</sup> and in Afghanistan.<sup>117</sup> Amnesty International's Ms Sophie Nicolle supported this view.<sup>118</sup> She recommended the Australian Government should: 'directly invest in the empowerment of women's organisations to allow their voices to be heard.'<sup>119</sup>

7.92 The IWDA noted that in 2012 only 0.67 per cent of Australia's 'total sector allocable aid' was invested in women's equality organisations. The Agency recommended that 'the Australian Government should significantly increase its funding of women's organisations in the Indian Ocean-Asia-Pacific regions'.<sup>120</sup>

7.93 The Australian Human Rights Commission (AHRC) referred to the 58<sup>th</sup> session of the UN Commission on the Status of Women which

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113 IWDA, *Submission 32*, p. 15.

114 The Institute for Human Security and Social Change, *Submission 41*, pp. 1-2.

115 Recommendations 2 and 6, in the Institute for Human Security and Social Change, *Submission 41*, pp. 3, 4.

116 Ms Elaine Pearson, Australian Director, Human Rights Watch (HRW) *Committee Hansard*, Canberra, 21 August 2014, p. 4, and see HRW, *Submission 19*, *passim*.

117 Ms Pearson, HRW, *Committee Hansard*, Canberra, 21 August 2014, p. 8.

118 Ms Nicolle, Amnesty International, *Committee Hansard*, Canberra, 21 August 2014, p. 8.

119 Ms Nicolle, Amnesty International, *Committee Hansard*, Canberra, 21 August 2014, p. 4; and see Amnesty International, *Submission 74*, pp. 16 and 17 for recommendations in support of women's groups and human rights defenders.

120 Recommendation 16, in IWDA, *Submission 32*, pp. 16, 17.

encouraged governments to increase resources and support for local, national, regional and global women's and civil society organisations. The AHRC suggested the Australian Government could 'further support and focus needs ... on the empowerment of women and the human rights of women and girls, including the protection of the rights of women human rights defenders'.<sup>121</sup>

## Parliamentary leadership programs

- 7.94 DFAT advised that Australia provides mentorship and training for women aspiring to leadership roles within the Pacific region, most prominently under the Pacific Women Shaping Pacific Development (Pacific Women) initiative.<sup>122</sup>
- 7.95 The Pacific Women's initiative is an integrated program promoting women's political, economic, social empowerment and quality of life across 14 Pacific Island countries.<sup>123</sup>
- 7.96 DFAT advised that two key initiatives for women's leadership advanced under the program are:
- the Pacific Women's Parliamentary Partnerships Project (PWPP), which works to 'facilitates dialogue, mentoring and training between Australian and Pacific Islands women MPs and parliamentary staff to improve the capacities of parliaments to address gender equality issues'; and
  - the Pacific Leadership Program (PLP) which works 'to strengthen women's leadership and women's groups and coalitions to work politically to influence change and demand better policies and programs.'<sup>124</sup>
- 7.97 The Department of the House of Representatives reported on the activities conducted under the PWPP, which began in 2013 and will run until 2017. The Department advised:
- In broad terms its purpose is to build the capacity of women Members of Parliament in the Pacific, their institutions, and their staff, so that gender equality issues are better addressed by parliaments.<sup>125</sup>

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121 The Australian Human Rights Commission (AHRC), *Submission 21*, p. 2.

122 DFAT, *Supplementary Submission 27.2*, p. 25.

123 DFAT, *Supplementary Submission 27.2*, p. 25.

124 DFAT, *Supplementary Submission 27.2*, pp. 26–27.

125 Clerk of the House of Representatives, Australian Parliament, *Submission 92*, p. 1.

- 7.98 The Department's submission described dialogue activities conducted over 2013-14, including parliamentary exchanges, conferences and regional fora involving a broad spectrum of Members and staff from parliaments across the Pacific region.<sup>126</sup>
- 7.99 DFAT's documentation of PWPP events recorded agreement on a ten point strategic plan to advance gender equality in Pacific parliaments as a key outcome of the Clerks' retreat held in August 2014.<sup>127</sup>
- 7.100 The Department of the House of Representatives further advised that, at the time of writing, the major activity conducted in 2015 had been the annual Forum held in Suva over April and May, and hosted by the Parliament of Fiji. The Forum focused on family violence and was attended by 63 participants from the Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Vanuatu, Australia and New Zealand.<sup>128</sup>
- 7.101 The Department also noted that:
- ... challenges and lessons continue to be learnt. Despite the great goodwill and generous approach to the project by all participants in its activities, there are undeniable challenges, some of general application, and some more particular to the Pacific context.<sup>129</sup>
- 7.102 A particular success highlighted by the Department was the PWPP Project Learning Program on gender equality in Pacific parliaments:
- The program is designed to help members of parliament, both men and women and particularly first-time members, to understand the systems and procedures of their parliaments, so that they are well-placed to make full use of them. The program comprises five modules exploring gender equality in parliament (on culture and leadership, politics and parliament, parliamentary procedure, making equality work, and the practicalities of political life in the Pacific).<sup>130</sup>

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126 Clerk of the House of Representatives, Australian Parliament, *Submission 92*, pp. 2-4. Fora held in Sydney (9-10 February 2013), Nuku'alofa, (Tonga 19-21 July 2014), and a Clerk's retreat in Katoomba (29-31 August 2014); for detail see DFAT *Supplementary Submission 27.3: Pacific Women's Parliamentary Partnerships Outcomes Statements*.

127 DFAT, *Supplementary Submission 27.3: Pacific Women's Parliamentary Partnerships Clerk's Retreat Katoomba, NSW, Australia 29-31 August 2014 Outcome Statement*, pp. 1-2.

128 Clerk of the House of Representatives, *Submission 92*, pp. 3-4.

129 Clerk of the House of Representatives, *Submission 92*, p. 6.

130 Clerk of the House of Representatives, *Submission 92*, pp. 6-7.

7.103 Dr Clark of PacificPlus Consulting saw merit in continuing support for the PWPP, while also advocating for a greater focus on support for women's political leadership. He noted:

I recently provided a report to the UNDP Pacific Centre to assist them to develop their 2014-2017 strategy to increase women's political leadership. The mapping of activities in the Pacific region revealed that there is very little work being undertaken with political parties, yet they play a vital role in many Pacific countries both inside and outside parliament in supporting the increased political leadership of women.<sup>131</sup>

7.104 Dr Clark recommended funding the work of the Centre for Democratic Institutions and reinstating funding to the Australian Political Parties for Democracy Program to support engagement between political parties, women candidates and MPs, and to increase political representation of women in the Asia Pacific region.<sup>132</sup>

7.105 DFAT noted a range of small to larger scale leadership investments around the Pacific region, including a leadership evaluation in PNG with the World Bank, and a partnership with the University of Queensland to promote electoral education and candidate training.<sup>133</sup> Further afield, the Department highlighted work in Indonesia under the flagship development program MAMPU (Empowering Indonesian Women for Poverty Reduction) which has provided leadership upskilling opportunities for over 15 000 women to gain confidence to speak in public and be leaders in their communities.<sup>134</sup>

7.106 The Committee was also advised of a wide range of political leadership development programs being delivered regionally by other agencies.<sup>135</sup> The Asia Foundation, in particular, reported extensive work over two decades through its Women's Empowerment Program.<sup>136</sup> The submission advised of leadership and candidate training for women conducted at national and local level with a focus on training, networking, legislation

131 Dr Leslie Clark, PacificPlus Consulting, *Submission 30*, p. 6.

132 Recommendations 3 and 4. Dr Leslie Clark, PacificPlus Consulting, *Submission 30*, pp. 6-7.

133 Funded over 2013-16 and 2015-16 respectively, DFAT *Supplementary Submission 27. 3: Table: 'Pacific Women Shaping Pacific Development – Regional and Bilateral Activities: Contracted Activities'*.

134 DFAT, *Supplementary Submission 27.2*, pp. 43-44.

135 For example, the Saviya Development Foundation (SDF) in Sri Lanka, in Rebecca Lim *et al*, *Submission 70*, p. 7 and Oxfam in Zimbabwe, Oxfam Australia, *Submission 13*, p. 11; IWDA in Myanmar, *Submission 32*, p. 16.

136 Headquartered in San Francisco, the Foundation has offices in 18 countries in the Asia Pacific region and Washington, DC. The Asia Foundation, *Submission 57*, p. 1.

drafting and budget analysis in a sequence of activities and events held in Cambodia, Afghanistan, Thailand, Mongolia and Indonesia.<sup>137</sup>

- 7.107 The Australian National Committee for UN Women's submission reported on its investment in training of women candidates in Pacific Island countries under a suite of initiatives, including successful leadership pilots in Vanuatu and the Solomon Islands. It advised:

UN Women's programs have shown that relatively small investments, when effectively targeted and designed with substantial input from communities, and particularly women in the communities, provide robust and sustainable returns ...<sup>138</sup>

- 7.108 The Committee for UN Women requested additional funding to expand program delivery, including for new services under the Advancing Gender Justice in the Pacific project to provide ongoing professional support to strong candidates and women elected to Pacific governments at national, provincial and/or municipal levels.<sup>139</sup>

## Affirmative action measures

- 7.109 The ANU Gender Institute noted that the CEDAW provides for affirmative action to support women's political participation, which may include:

... temporary special measures designed to accelerate de facto equality such as quotas in employment, education, financial services and politics to overcome historical barriers.<sup>140</sup>

- 7.110 Part 1, Article 4 of the CEDAW states:

Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures

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137 The Asia Foundation, *Submission 57*, pp. 4–5.

138 Australian National Committee for UN Women, *Submission 10*, p. 3 and *Supplementary Submission 10.1*, p. 2.

139 Australian National Committee for UN Women, *Supplementary Submission 10.1*, pp. 1–3.

140 ANU Gender Institute, *Submission 63*, p. 8.

shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.<sup>141</sup>

- 7.111 Dr Klugman observed that quotas are increasingly deployed to promote women into higher level positions more broadly – in the corporate world and in science as well as politics, noting:

Policy-makers hope that quotas will have long-term effects on women's labor market outcomes over and above the immediate impact on leaders' gender balance, because the first women who become leaders may shape both parents' and children's beliefs about what women can achieve, through their policies and/or through a direct role model effect.<sup>142</sup>

- 7.112 The ANU's Ms Baker suggested CEDAWs 'special measures' can 'significantly alter the face of power in male-dominated political systems'.<sup>143</sup>

## Quotas and reserved seats

- 7.113 As noted in the section on national parliaments above, a number of countries have introduced participation targets as an incentive to promote female representation in political parties and the public sector. The potential to leverage women's representation in government using quota and reserved seat systems was a subject of much commentary in the evidence.<sup>144</sup>
- 7.114 The Asia Foundation advised that gender quotas for candidates and reserved seats had secured women's representation in 33 per cent of seats in local government in India, and in the National Parliament of Timor-Leste and in Nepal's Constituent Assembly, with 38.5 per cent and 33.2 per cent of seats respectively held by women.<sup>145</sup> Professor True reported success using 'gender quotas and reservations' at national and local levels in Afghanistan, Mongolia, New Caledonia, and the non-independent

141 CEDAW Part 1, <[www.un.org/womenwatch/daw/cedaw/text/econvention.htm#part2](http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm#part2)> viewed 23 September 2015.

142 Dr J Klugman, *Exhibit 78*: 2012, pp. 1–2.

143 Ms Kerry Baker, Research Fellow, Pacific Politics, ANU, *Submission 93*, p. 6.

144 See for detail, Ms Kerry Baker, Research Fellow, Pacific Politics, ANU, *Submission 93*, p. 5 and below.

145 Asia Foundation, *Submission 57*, p. 4.



territories of French Polynesia.<sup>146</sup> GLASS research in Bangladesh also supported the effectiveness of quotas.<sup>147</sup>

7.115 DFAT advised that it is currently working with individual governments in the Pacific region to support legislation for reserved seats.<sup>148</sup> The Department also recorded the implementation of quotas and related measures in the region to date:

- in June 2013, the Samoan Parliament amended the Constitution to reserve five out of the 49 parliamentary seats for women electoral candidates;
- in May 2013 the Parliament of Vanuatu amended the Municipalities Act to reserve one seat in every ward for women; and
- [q]uotas have also been used in an attempt to increase women's representation at the sub-national level in Papua New Guinea, Tuvalu and Samoa.<sup>149</sup>

7.116 The ANU's Ms Baker analysed the relative effectiveness of the various mechanisms used in the Pacific region: party list quotas, reserved seats, and the 'safety net' system. She concluded that the party list quota deployed in the French Pacific has had the most dramatic impact, noting that reserved seats can be seen as a constraint rather than an incentive. She cited the Samoan 'safety net system' as a possible alternative, as the measures only activate if women's representation does not meet the set threshold.<sup>150</sup>

7.117 In evidence to the Committee Ms Peteru described the Samoan reserve system method, noting it has wide support within government and across the community:

We are not aiming for just five women, because we have 45 members in the parliament. Ten per cent means that five women will be chosen. The process as to how they will be chosen is first. They will run with all the other candidates in the election. When the results are out, if no women are elected on the first past the post count, then, the electoral officer will choose the five women

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146 Professor True in WPSAC, *Submission 15*, p. 4.

147 GLASS Research Unit, *Submission 7*, p. 16.

148 Ms Tracey Newbury, Director, Gender Equality and Disability Inclusiveness Section, Pacific Regional Branch, *Committee Hansard*, Canberra, 17 June 2014, p. 5; see also DFAT *Supplementary Submission 27*. 3: Table: 'Pacific Women Shaping Pacific Development – Regional and Bilateral Activities: Contracted Activities'.

149 DFAT, *Submission 27*, pp. 16–17.

150 Ms Kerryn Baker, Research Fellow, Pacific Politics, ANU, *Submission 93*, pp. 4–5.

who ran in the election who have the highest percentage vote within their own constituencies.<sup>151</sup>

- 7.118 Ms Baker suggested '[w]here special measures are not politically viable, candidate training and voter awareness can also result in greater women's representation.'<sup>152</sup>

### The importance of male leadership on change

- 7.119 Measures to harness the influence of supportive men in leadership roles were explored during the inquiry, with 'male champions of change' initiatives being cited as useful to promote acceptance of women's empowerment across the region.<sup>153</sup>
- 7.120 Program Director for Male Champions of Change, Ms Janet Menzies, provided evidence to the Committee on Australia's Male Champions of Change (MCC) model. She explained that the MCC recruits male leaders – Australian and international corporate leaders, senior public servants along with 'CEOs of all the sports clubs [such as] AFL, swimming, tennis and others' – to drive change for female empowerment with women peers, gender experts and employers.<sup>154</sup> Ms Menzies advised that the MCC had attracted strong international interest when launched at the UN women's empowerment conference in March 2015.<sup>155</sup>
- 7.121 The SPC's Mr Romulo Nayacalevu considered that the concept could work well in the Pacific nations, where hierarchy and position is important. He reported on a successful workshop using a Samoan rugby side as 'champions for change' on domestic violence which was attended by the chiefs, the matai and church leaders.<sup>156</sup>
- 7.122 Dame Carol Kidu, reflecting on changing attitudes in PNG, recalled a conservative parliamentary colleague whose modern ambitions for his daughters were suggestive of the shift:

... there was one very outspoken highlands man, and highlands is regarded as being very male chauvinistic and male dominated. He

151 Ms Peteru, *Committee Hansard*, Canberra, 7 May 2015, p. 30.

152 Ms Kerry Baker, Research Fellow, Pacific Politics, ANU, *Submission 93*, p. 6.

153 Dr Harris Rimmer, ANU Gender Institute, *Committee Hansard*, Canberra, 23 September 2015, p. 6, Centre for Social Change, *Submission 48*, p. 2.

154 Ms Janet Menzies, Program Director, Male Champions of Change, *Committee Hansard*, Canberra, 7 May 2015, pp. 12–14.

155 Ms Menzies, Male Champions of Change, *Committee Hansard*, Canberra, 7 May 2015, p. 14.

156 Mr Romulo Nayacalevu, Senior Human Rights Adviser, Regional Rights Resource Team, Human Rights Program, SPC, *Committee Hansard*, Canberra, 6 May 2015, p. 40.

stood up and made a brilliant speech. He said: "I have only daughters. I want my daughter to have equal opportunity, to stand in this parliament like I do."<sup>157</sup>

- 7.123 The SPC's Ms Neomai Maravuakula agreed that having supportive males at parliamentary level is crucial, given very low female representation:

We need these male champions because, if legislation is being tabled through parliament, we need these champions in those positions. I think it is important to be raising awareness with them so that they are clear about the issues and so that they themselves are able to lobby within those spaces.<sup>158</sup>

- 7.124 However as Dr Clark observed:

... until male leaders at all levels commit to introducing and implementing policies and legislation that will lead to real changes in the current cultural and institutional environment the progress will continue to be very slow.<sup>159</sup>

- 7.125 The SPC submission noted that, despite high level support for women's empowerment among male political leaders, this is not being implemented as practical policy commitments.<sup>160</sup> For example in relation to leadership in the Council of Regional Organisations (CROP):

CROP agencies do not, in general, prioritise human rights and gender equality. None are led by women, only three have women in executive roles, and women fill less than half of all management positions. Just two have full-time gender positions, with relatively small and restrictive annual budgets. None of the other CROP agencies have gender and human rights experts among their staff, nor is this expertise involved in high-level planning and policy discussions and gender and human rights perspectives are not systematically mainstreamed into sectoral policies and programmes. Despite long-standing gender commitments through mechanisms like the CROP Gender Strategy (1998, revised 2005), implementation has been extremely weak and there are no monitoring or accountability systems in place.<sup>161</sup>

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157 Dame Carol Kidu, *Committee Hansard*, Canberra, 3 February 2015, p. 8.

158 Ms Neomai Maravuakula, Human Rights Officer, Regional Rights Resource Team, Secretariat of the Pacific Community, *Committee Hansard*, Canberra, 6 May 2015, p. 40.

159 Dr Lesley Clark, Director, PacificPlus Consulting, *Submission 30*, p. 3.

160 See discussion SPC, *Submission 24*, pp. 16–17.

161 SPC, *Submission 24*, p. 18.

- 7.126 The SPC suggested that a high level collective commitment from members of the CROP and from all development partners would be critical to ensure gender equality is enshrined as a core. The Secretariat also recommended that all regional mechanisms, including the Pacific Framework for Regionalism, must have specific measurable gender equality goals and should involve the participation of relevant experts to drive necessary reforms.<sup>162</sup>

## **Committee comment**

- 7.127 While there are positive developments discussed in evidence indicating that women's participation as decision makers is improving, in many countries women and girls still face significant resistance to their participation as decision makers, both at home and in the broader community.
- 7.128 The Committee was impressed by work being done by government agencies such as ACIAR, church agencies and non-government organisations that have focussed on promoting women and girls' empowerment and agency for leadership, including at the local level. The Committee supports investment in these models, and in innovation which encourages acceptance of community transformation at home and in the village.
- 7.129 During the inquiry, the Australian Government's cross regional work under the Pacific Women Shaping Pacific Development (Pacific Women) initiative, and the Empowering Indonesian Women for Poverty Reduction (MAMPU) program in Indonesia, was widely commended for providing culturally attuned opportunities for women to build skills for leadership. Despite this range of work, however, it was suggested to the Committee that a more distinct focus on, and investment in, leadership measures is required.
- 7.130 The important role that women's organisations, such as the Fiji Women's Crisis Centre, play in defending women's rights and training local women as agents of change across the region was a reiterated theme. DFAT, for example, referred to its reliance on these organisations to drive change in sensitive areas such as gender policy.

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<sup>162</sup> SPC, *Submission 24*, p. 18.

- 7.131 Support for women's advocacy groups to assist women taking first steps into public life is clearly important. The need for investment in these organisations and networks is further highlighted by the suggestion that in some countries across the Indo-Pacific region, women's organisations are the focus of violence and attacks.
- 7.132 The persistently low level of representation of Pacific women in national and local government, and in Pacific regional bodies, is of concern to the Committee. The problem carries across the Indo-Pacific region, where chronically low levels of female representation at local and provincial levels in some nations appear to undermine women's human rights, access to justice, and political and social participation.
- 7.133 The Committee notes that DFAT is supporting work to enable more women to run for parliaments in the Pacific region, and that work being done at national government levels under the Pacific Women's Parliamentary Partnerships Program and the Pacific Leadership Program (PLP) appears to be well received. Noting the Pacific region is a development priority, the Committee considers that programs could be trialled to provide opportunities for women candidates to train and gain leadership skills at all levels of government, which may include partnership arrangements with parliaments, political studies departments, or parliamentary research centres across the region.
- 7.134 Measures to promote women in leadership in the public sector and business are also a priority. The Committee sees merit in proposals to build cross-regional professional development programs and networking opportunities, particularly for young professionals. There is potential to develop these programs as part of the broader strategy developed under the PLP and, in other parts of the region, to model specific schemes on approaches adopted through MAMPU, which uses regional expertise and networking to advance programs.
- 7.135 There is also potential to develop a broader inter-regional parliamentary engagement which promotes the advantages of women's social and economic empowerment in the course of parliamentary exchanges, visits and fora under the international programs run by the Australian Parliament.
- 7.136 Finally, an important point made during the inquiry was the need to ensure that male leaders in the region are sympathetic to and supportive of women and girls' advancement; that they will validate and not deprecate the effectiveness of women who achieve decision-making roles in their parliaments and communities.

## Recommendations

### Recommendation 22

The Committee recommends that the Australian Government prioritise girls' and women's leadership and political participation, and integrate these as a priority across the aid program.

### Recommendation 23

The Committee recommends that the Australian Government should:

- increase support to organisations such as the Fiji Women's Crisis Centre, which are able to focus on co-ordinating the priorities of countries in the region to address the needs of women and girls;
- take a stronger stance in the protection of high profile women and organisations advocating for the human rights and empowerment of women and girls;
- fund women's advocacy organisations working in the Indo-Pacific region where women leaders are most at risk;
- continue to support capacity building in parliaments, the judiciary, and accountability bodies in the region to support women's promotion into leadership roles; and
- advocate at an international level to promote women's empowerment for leadership as a priority goal within the global development agenda.

### Recommendation 24

The Committee recommends that the Australian Government increasingly promote women's leadership at all levels of government, in business and the public sector, through flagship gender programs such as the Pacific Women Shaping Pacific Development initiative, and trial pilot models in other countries of the region, which:

- provide opportunities for women candidates to train and gain leadership skills at all levels of government, including by

- investing in partnerships with parliamentary and political studies and research centres;
- foster research, networking and mentoring opportunities across the professions, public sector and business in partnership with governments, peak bodies, the private sector and civil society, with some targeted to engage young women;
  - promote women's leadership under country plans, through relevant Memoranda of Understanding, and in contracts with private sector partners and non-government organisations; and
  - conduct gender analysis and develop individual and longitudinal assessment criteria to better assess outcomes of scholarships and leadership mentoring programs to increase aid effectiveness.

### **Recommendation 25**

The Committee recommends that the Australian Government continue to develop and invest in gender awareness components in programs targeting male leaders, including:

- through international parliamentary visits, delegations and exchanges, and as an adjunct to the Pacific Women's Parliamentary Partnerships and other regional leadership initiatives; and
- by supporting 'champions for change' initiatives as community outreach through local leadership bodies, organisations and faith-based groups as part of the women's leadership empowerment agenda.





## The economic empowerment of women

- 8.1 The Indo-Pacific region is highly diverse, containing some of the world's wealthiest and most dynamic economies along with some of the poorest.<sup>1</sup>
- 8.2 The terms of reference for the inquiry invited consideration of the implications for economic and social development in the Indo-Pacific region of promoting women and girls' human rights. They also asked the Committee to consider barriers preventing women and girls from enjoying their human rights.
- 8.3 This chapter discusses women at work in the region and those factors that enable or inhibit their participation and capacity to benefit from economic growth in their communities. It considers:
- the economic case for women's empowerment and the realisation of human rights for women and girls;
  - women's current contribution in paid and unpaid work, and the range of constraints obstructing their greater economic participation; and
  - global economic development and outmigration trends, and measures to protect and benefit women and girls in the region.

### International instruments

- 8.4 The United Nations (UN) *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW) sets out a framework of guarantees and protections for women's workforce participation to

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1 Department of Foreign Affairs and Trade (DFAT), *Submission 27*, p. 9.

support their economic empowerment, on the basis that '[t]he right to work is an inalienable right of all human beings'.<sup>2</sup>

8.5 Part III of the CEDAW calls on member states to support women and girls' access to:

- non-discriminatory career and vocational guidance, education and training systems, including continuing education, co-education, sports, physical and health education, including advice on family planning;<sup>3</sup>
- work and equal treatment in work, with the right to free choice of profession and employment, protections for equal pay, conditions of service and benefits;<sup>4</sup>
- non-discriminatory employment with respect to marriage or maternity, and access to maternity leave with pay or social benefits, supports for women to work, including access to child care and special protection to women during pregnancy in types of work that may be harmful;<sup>5</sup>
- non-discriminatory benefits of economic and social life, including the right to family benefits, financial credit and loans, with opportunities for investment and business in equality with men.<sup>6</sup>

## An economic case for women's human rights

8.6 The importance of women's empowerment to sustainable economic growth is well established in development discourse.

8.7 The Australian National University (ANU) Gender Institute, for example, referred to a body of research providing an 'economic case for promoting equitable economic opportunities to both men and women',<sup>7</sup> and contended:

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2 Part III, Article 11, Section 1 (a) in UN Women, United Nations *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW), in Six parts <[www.un.org/womenwatch/daw/cedaw/text/econvention.htm#article16](http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm#article16)> viewed 16 September 2015.

3 Article 10 (a) to (f).

4 Article 11, Section 1(b) to (f).

5 Article 11, Section 2 (a) to (d).

6 Article 13 (a) and (b); 13 (c) to also provides access to sport and recreational facilities.

7 Highlighting deliberations at the World Economic Forum in 2013–14 and citing World Bank, OECD, International Labour Organisation (ILO) and International Monetary Fund (IMF) reports in Australian National University (ANU) Gender Institute, *Submission 63*, p. 7.

Of the types of inequality to have national economic impact, gender inequality is one of the most pervasive types of inequality leading to gaps in opportunity across the globe (often intersecting with other kinds of discrimination, such as disability, age or ethnic minority status).<sup>8</sup>

- 8.8 In its submission, the Department of Foreign Affairs and Trade (DFAT) referred to the 'increasing evidence of the significant costs of gender inequality'.<sup>9</sup> DFAT also cited United Nations' projections which indicated that eliminating barriers to women's participation in the workforce could generate up to US \$89 billion a year for the East Asian regional economy alone.<sup>10</sup>
- 8.9 Similarly, the International Women's Development Agency Inc (IWDA) cited International Labour Organisation (ILO) findings that women's exclusion from the labour force had cost the whole Asia Pacific region up to US \$47 billion annually.<sup>11</sup> The Agency further noted that the 2012 World Development Report estimated women's equal participation would increase average output per worker in the Asia Pacific region by 7–18 per cent. Increased productivity would have significant implications for economic growth and poverty reduction.<sup>12</sup>
- 8.10 The ANU Gender Institute submitted:
- ... investing in women and girls has a multiplier effect on productivity, efficiency and sustained economic growth.<sup>13</sup>
- 8.11 The Australian Government's aid program has a focus on ensuring 'women and men are able to benefit equally from aid program investments'.<sup>14</sup>
- 8.12 Oaktree proposed that investment in women's participation, including in education, is vital to inclusive economic growth:

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8 ANU Gender Institute, *Submission 63*, p. 7.

9 Department of Foreign Affairs and Trade (DFAT), *Submission 27*, p. 44.

10 DFAT, *Submission 27*, p. 18.

11 ILO and Asia Development Bank, *Women and Labour Markets in Asia: Rebalancing for Gender Equality*, 2011, p. 1, cited in International Women's Development Agency Inc. (IWDA), *Submission 32*, p. 18.

12 World Bank, *Toward Gender Equality in East Asia and the Pacific: A Companion to the World Development Report 2012, World Bank East Asia and Pacific Regional Report*, Overview p. 3, cited in IWDA, *Submission 32*, p. 19.

13 ANU Gender Institute, *Submission 63*, p. 8.

14 DFAT, *Submission 27*, p. 32.

Economic growth is one of the most powerful driving forces for the eradication of extreme poverty. Empowering women through education enables them to take advantage of economic opportunities that would not otherwise be available to them. Utilising the whole available workforce (ie, not just males) can contribute to economic growth, as has been a factor in the rapid development of China and India.<sup>15</sup>

- 8.13 Various estimates quoted in submissions further indicated significant benefits of women's increased participation. The ANU Gender Institute cited research indicating that increasing levels of female employment in Japan could raise GDP by nine per cent, in the United Arab Emirates by 12 per cent and in India by 27 per cent.<sup>16</sup> DFAT observed that GDP could rise by eight per cent in India if the female/male ratio of workers went up by ten per cent, and total agricultural productivity in Africa could increase by up to 20 per cent if women's access to agricultural inputs was equal to men's.<sup>17</sup>
- 8.14 The Australian Volunteers International (AVI) submission cited International Centre for Research on Women (ICRW) research itemising the broader benefits of women's empowerment:
- Where women's participation in the labour force grew fastest, the economy experienced the largest reduction in poverty rates.
  - When women farmers can access the resources they need, their production increases, making it less likely that their families are hungry and malnourished.
  - When women own property and earn money from it, they may have more bargaining power at home. This in turn can help reduce their vulnerability to domestic violence and HIV infection.<sup>18</sup>
- 8.15 However, the Australian Council for International Development (ACFID) warned that a co-ordinated approach is needed to address any unintended consequences for women's human rights under economic empowerment models:

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15 Oaktree, *Submission 11*, p. 5.

16 Referring to PwC *Women in Work Index* findings in *Economia*, 'Gender Inequality holds back Economic Growth', 3 March 2014, in ANU Gender Institute, *Submission 63*, p. 8, link in submission footnote 16.

17 Citing United Kingdom (UK) Department for International Development (DIFD) Agenda 2010: 'The Turning Point on Poverty Background Paper on Gender', 2010, in DFAT, *Submission 27*, p. 18, submission footnote 51.

18 Australian Volunteers International (AVI), *Submission 43*, p. 2.

Research has suggested that whilst economic opportunities bring a number of positive effects for families and communities, economic agency also has the potential to expose women and girls to increased vulnerability to sexual and family violence. Further, given the high levels of unpaid care and domestic work that is typically the domain of women, moves to integrate women and girls into the formal economy to maximise economic benefits, but which don't address the issue of unpaid labour, merely shift additional burdens onto women.<sup>19</sup>

8.16 The ANU Gender Institute contended that:

The full recognition of women's human rights require the full integration of women into the formal economy, in particular, into economic decision-making, which means changing the current gender-based division of labour into new economic structures where women and men enjoy equal treatment.<sup>20</sup>

## Women at work in the region

8.17 Women are underrepresented in the work force in many parts of the Indo-Pacific region, and when they do participate it is often in low paid jobs or in informal sectors of the economy.<sup>21</sup> For example, evidence indicated that:

- in Indonesia '37 per cent of young women are not in employment, education or training, almost double the rate of males';<sup>22</sup>
- in South Asia, men are more than three times as likely as women to have full time jobs;<sup>23</sup>
- in the Solomon Islands, Fiji, Papua New Guinea, Republic of the Marshall Islands and Samoa the male participation rate is almost double that of women;<sup>24</sup> and

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19 Australian Council for International Development (ACFID), *Submission 25*, pp. 13–14.

20 ANU Gender Institute, *Submission 63*, p. 8.

21 DFAT advised that women are: 'largely confined to small-scale agriculture, petty trade, domestic work and microenterprises, where earnings are low, work is uncertain and social protection is rare'. DFAT, *Submission 27*, p. 19.

22 DFAT, *Submission 27*, p. 22.

23 World Bank, *Gender at Work: A Companion to the World Development Report on Jobs*, 2013, p. 2, <[www.worldbank.org/content/dam/Worldbank/Event/Gender/GenderAtWork\\_web2.pdf](http://www.worldbank.org/content/dam/Worldbank/Event/Gender/GenderAtWork_web2.pdf)> viewed 16 September 2015.

- in Timor-Leste, as at 2010, there was a 30 per cent difference in the participation rate of women compared to men, and women were disproportionately represented among the unemployed.<sup>25</sup>

8.18 In many parts of the region, women's economic participation is concentrated in the informal sector – subsistence agricultural production and related marketing – or in low-skilled, low-waged, and low-prestige cash employment sectors.<sup>26</sup> Much of this work falls into the category defined in a 2014 study for the G20 as 'vulnerable employment':

Vulnerable employment is often characterized by inadequate earnings, low productivity and difficult conditions of work that undermine workers' fundamental rights.<sup>27</sup>

8.19 UN Women advised that, at an aggregate level, Pacific Island nations are estimated to have the second highest rates of vulnerable workers of all developing country groupings, with women more likely than men to be in vulnerable work (84 per cent versus 71 per cent).<sup>28</sup>

8.20 In an overview of women's work in the Pacific region, the Women Peace and Security Academic Collective (WPSAC) advised:

Gender disaggregated economic data for the region shows that the majority of women continue to work in subsistence food cultivation, agriculture or fisheries; with levels averaging between 54 [per cent] and 66 [per cent] of women in most countries, but rising to 95 [per cent] of women in Papua New Guinea. Where women are employed in the cash economy, their work is concentrated across the region in poorly remunerated sectors such as manufacturing, service and care. The gendered economic consequences of this trend are made clear in data from Fiji which shows that ... 44 [per cent] of female workers earn incomes below the poverty line of FJD 60 per week as compared to 34 [per cent] of

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24 The Secretariat of the Pacific Community (SPC), *Submission 24*, p. 16.

25 Secretary of State for the Promotion of Equality, Democratic Republic of Timor-Leste, *Submission 45*, p. 2.

26 Dr Nicole George in Women Peace and Security Academic Collective (WPSAC), *Submission 15*, pp. 6–7.

27 OECD, International Labour Organisation (ILO), International Monetary Fund (IMF), World Bank Group, *Achieving Stronger Growth by Promoting a More Gender-balanced Economy*, 15 August 2015, definition at Footnote 2, p. 3, report prepared for the G20 Employment Ministers, September 2014, cited in ANU Gender Studies *Supplementary Submission 63.1*, p. 3.

28 UN Women, *Submission 10*, p. 7.

male workers. This level increases to 67 [per cent] of women within the informal, cash-based economy.<sup>29</sup>

- 8.21 Witnesses identified gender wage inequality in many other contexts. World Education Australia cited a 2012 World Bank study that identified a discrepancy between the wages of women and men in East Asia and the Pacific, where women 'earn less than men for similar work, around 70-80 per cent on average' and are more likely to work as unpaid family workers or in the informal sector.<sup>30</sup>
- 8.22 In South Asia women earn 20 to 40 per cent of what men earn, 'even after controlling for factors such as education and employment type',<sup>31</sup> and 60 per cent of South Asian women are 'unpaid family workers' (compared to 20 per cent for men).<sup>32</sup>
- 8.23 Outside domestic care, agriculture is the dominant sector for women's labour in the region, with much of this work unpaid. In Timor-Leste, according to Ms Alzira Reis, Chief Executive Officer of Alola Foundation, '[s]even out of every 10 women working in the agriculture sector and 46 per cent of non-agricultural women working do not receive any payment for their labour'.<sup>33</sup>
- 8.24 The ANU Gender Institute advised that unpaid work on family agricultural enterprises constitutes 34 per cent of informal employment for women in India.<sup>34</sup>
- 8.25 At the same time, DFAT noted that women also strongly feature as business owner/operators in the region, for example, in the East Asia and Pacific regions 'women are represented among the owners of over 50 per cent of small, medium and large firms'.<sup>35</sup> In the Pacific region, women also often work as operators of informal small businesses such as selling market garden produce or handicrafts.<sup>36</sup>

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29 Dr George in WPSAC, *Submission 15*, pp. 6-7.

30 World Bank, *Toward Gender Equality in East Asia and the Pacific: Key Findings of the Regional Study on Gender Equality and Development*, 2012, p. 2, cited in World Education Australia, *Submission 26*, p. 3.

31 DFAT, *Submission 27*, p. 20.

32 DFAT, *Submission 27*, p. 20.

33 Ms Alzira Reis, Chief Executive Officer, Alola Foundation, and Ms Nicole Bluett-Boyd, Director, Alola Foundation, *Committee Hansard*, Canberra, 6 May 2015, p. 43.

34 ANU Gender Institute, *Submission 63*, p. 3.

35 DFAT, *Submission 27*, p. 16.

36 DFAT, *Submission 27*, p. 19.

## Women as primary producers

- 8.26 Witnesses argued that women play a critical role in advancing agricultural and rural development, and in ensuring food security in the region.<sup>37</sup> CEDAW recognises this role in promotion of rights and protections of rural women, both in terms of their economic importance and representation in informal sectors of developing economies globally.<sup>38</sup>
- 8.27 Commenting on the need to focus on women's empowerment in the sector, submissions cited Food and Agriculture Organisation (FAO) estimates that, if women had equal power over agricultural resources, output in developing countries would increase by between 2.5 to 4 per cent, reducing the number of undernourished people in the world by between 12–17 per cent.<sup>39</sup>
- 8.28 The Australian Centre for International Agricultural Research (ACIAR) advised that, in Asia, women's contribution to subsistence agriculture is higher in poorer areas. ACIAR also stated that:
- ... women farmers are greatly disadvantaged in this role as they tend to have smaller plots with poorer soils, insecure rights to land, and significantly less access to agricultural inputs. Key constraints to a more productive role by women in agriculture are low literacy, poor access to productive resources such as land, water, seeds and fertiliser or machinery, lack of access to credit, low level skills and low pay, and lack of access to formal training programs and extension services.<sup>40</sup>
- 8.29 Statistics show that women's work is heavily concentrated in subsistence agriculture in South Asia, where 70 per cent of agricultural workers are women and in Timor-Leste where up to 75 per cent of women work in the sector.<sup>41</sup>
- 8.30 Dr Priya Chattier advised that subsistence agriculture supports 75 per cent of the overall population in the Pacific region, with this work primarily

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37 See for instance: Dr Priya Chattier, *Submission 55*, p. 3, Australian Bahá'í Community, *Submission 61*, p. 5.

38 Article 14, Part III, CEDAW, <[www.un.org/womenwatch/daw/cedaw/text/econvention.htm#article14](http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm#article14)> viewed 14 August 2015.

39 Food and Agriculture Organisation (FAO), *State of Food and Agriculture, Women in Agriculture: Closing the Gap for Development*, 2011, cited in the Australian Centre for International Agricultural Research (ACIAR), *Submission 44*, p. 4, and see DFAT, *Submission 27*, p. 5 and footnote 70; ActionAid, *Submission 29*, p. 9.

40 ACIAR, *Submission 44*, p. 5.

41 Respectively, ACIAR, *Submission 44*, p. 4 and DFAT, *Submission 27*, p. 18.



undertaken by women.<sup>42</sup> The ANU Gender Institute also noted that agriculture is the main employer of women in the Pacific Islands, suggesting that 60 per cent of their activity is concentrated in the sector.<sup>43</sup>

8.31 Dr Chatter explained how gendered production roles support this outcome:

The majority of households and communities in the Pacific region manage their rural production systems based on socially accepted gender divisions of labour that affect food security achievements. Given the semi-subsistence and communal nature of local PIC economies, women and girls have always played an integral role in family production and resource management systems.<sup>44</sup>

8.32 ACIAR advised of interventions it is implementing to reduce women's non-productive labour and improve economic outcomes. The objectives of this gender-centred approach are to:

- develop technologies and innovations that are appropriate and responsive to the needs of both men and women, youth and marginalised groups;
- analyse the role of gender dynamics in the core areas of our research;
- involve men, women and youth in ACIAR's research processes including priority setting, technology development and dissemination; and
- track the impacts of [ACIAR's] interventions on men, women, and youth and on household and community gender relations.<sup>45</sup>

8.33 ACIAR Chief Executive Officer Dr Nick Austin recommended that Australia promote this model through the Consultative Group on International Agricultural Research (CGIAR), noting:

Australia is one of the larger donors to the CGIAR, and the CGIAR has a significant investment in gender mainstreaming through what is now a \$1 billion global research program. I think looking to get donors aligned in their own approaches with the approach taken through the CGIAR makes some sense.<sup>46</sup>

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42 Dr Priya Chatter, *Submission 55*, p. 2.

43 ANU Gender Institute, *Submission 63*, p. 3.

44 Dr Priya Chatter, *Submission 55*, p. 3.

45 ACIAR, *Submission 44*, p. 4.

46 Dr Nick Austin, CEO, ACIAR, *Committee Hansard*, Canberra, 18 September 2014, p. 39.

- 8.34 A critical issue raised in a number of submissions was the need for sex-disaggregated data that better measures the gender dimensions of poverty, and reflects urban-rural and gender-differentiated experience.<sup>47</sup>
- 8.35 In the Pacific, lack of such data was considered to be a major constraint on development in the region. In addition to agriculture, women's 'invisibility' in the fishery sector, both fish processing and subsistence, were the key concerns.<sup>48</sup> The Secretariat of the Pacific Community (SPC) advised:

Women's contribution to the economy through subsistence production remains invisible in systems of national accounts. Lacking is the appropriate technical expertise as well as capacity to conduct cost-benefit analyses or gender audits of policies, budgets and economic partnership agreements so that they support the greater participation of women in the economy. This situation persists at great cost to women and their families, as well as to national economies.<sup>49</sup>

- 8.36 Dr Chattier referred to the Australian Government's ten year commitment of \$320m to gender equality in the Pacific, and recommended this be sustained, noting:

Aid flows are generally considered to be among the most volatile of macroeconomic variables. In PICs that are heavily dependent on ODA, this threatens the continuity of development interventions, particularly for long-term goals such as gender equality. Therefore, it is paramount that ODA flows to the region are sustained. Work under the Forum Compact on Strengthening Development Coordination in the Pacific is important to ensure aid and development effectiveness. Leaders seem to be committed to ensuring that gender analysis is factored into sustainable development discussions, country programming, and policy decisions ...<sup>50</sup>

- 8.37 Dr Chattier also highlighted the need for these initiatives to be guided by:

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47 SPC, *Submission 24*, p. 34; ACFID, *Supplementary Submission 25. 1*, p. 7; IWDA, *Submission 32*, pp. 4, 6; Dr Priya Chattier, *Submission 55*, p. 4.

48 DFAT, *Submission 27*, p. 19; IWDA, *Submission 32*, p. 5.

49 SPC, *Submission 24*, p. 16.

50 Dr Priya Chattier, *Submission 55*, p. 10.

... gender analysis, strategies, gender disaggregated data and also gender-responsive budgets as a key part of economic governance approaches designed to foster accountability.<sup>51</sup>

8.38 The SPC provided the following check list of priority areas it argued need to be addressed in national laws and policies in the Pacific Islands region:

- Family-friendly policies to increase the labour force participation of women;
- Development assistance that targets increasing the role of women in the economy;
- Upgrading the status of and wages for traditional areas of women's work, including through systems of national accounts;
- Incentives for women to enter science and technology careers;
- Increased access to finance and support services for women entrepreneurs;
- Gender-specific approaches in health care planning and treatment;
- Better integration of women immigrants in labour markets and society,
- Setting targets and goals for increasing the number of women managers and parliamentarians;
- Giving greater weight to female perspectives in climate change, disaster risk reduction and food security policies.<sup>52</sup>

## Women in business and market activities

8.39 Women in the Indo-Pacific region are represented in business, with around half of commercial enterprises in East Asia and the Pacific owned and run at least partly by women. However, DFAT submitted that:

While this illustrates a reasonable acceptance of women as leaders in the economic sphere, more women in Asia are dropping out in the transition from middle to top management roles, creating a 'leaking pipeline' of leadership.<sup>53</sup>

8.40 Many women run businesses are in informal sectors. Evidence documented various challenges for women engaged in these sectors. For example, one challenge for women making handcrafts in Timor-Leste was the low returns for their product. The AVI referred to work with the Lautem Women Co-operative to help women diversify their handicraft

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51 Dr Priya Chattier, *Submission 55*, pp. 10-11.

52 SPC, *Submission 24*, pp. 37-38.

53 DFAT, *Submission 27*, p. 16.

work in Tais (traditional woven cloth) to agriculture and crop production to increase their profits.<sup>54</sup>

8.41 Sale of produce is another key business focus. ACIAR advised that in South Asia 60 to 70 per cent of 'rural marketing' is done by women.<sup>55</sup> Dr Chatter noted that in the Pacific region this business is conducted in markets or by roadside selling, which can yield low returns, is unprotected by labour laws, and is often unsafe.<sup>56</sup>

8.42 DFAT advised that in Papua New Guinea (PNG) 97 per cent of market vendors in Port Moresby are women.<sup>57</sup> The Department reported work done by the Australian Government to make market places more secure for women in the region:

Women's livelihoods usually involve selling vegetables that they have grown in their local plots and going to the market. But, if they feel under threat of physical violence, they might not go, they might not engage in economic activity; or, if they do go, they suffer enormous losses as their earnings are stolen and they are hurt. Australia has worked with the World Bank and other organisations to provide security for small market places in Papua New Guinea to enable women to access their right to participate in the economy and the economic life of that country.<sup>58</sup>

8.43 Dr Chatter referred to the role of microfinance and enterprise development collectives in assisting women entrepreneurs in Pacific island countries:

- VANWODS Microfinance in Vanuatu, which has delivered microfinance services to poor and disadvantaged women to assist with income-earning activities and to encourage savings.
- In Fiji, the Foundation for Rural and Integrated Enterprises & Development (FRIEND), works with the rural and marginalized communities to alleviate poverty through social and economic empowerment.
- In Samoa, the Women in Business Development Incorporated (WIBDI), committed to poverty alleviation and sustainable development, assists individual families use local products,

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54 AVI, *Submission 43*, p. 8.

55 ACIAR, *Submission 44*, p. 4.

56 Dr Priya Chatter, *Submission 55*, p. 6.

57 DFAT, *Submission 27*, p. 35.

58 Ms Harinder Sidhu, First Assistant Secretary, Multilateral Policy Division, DFAT, *Committee Hansard*, Canberra, 17 June 2014, p. 2.

traditional knowledge, technology and trade to generate income.<sup>59</sup>

- 8.44 Submissions asserted that the private sector plays an important role in improving employment opportunities for women. The SPC referred to work under the International Finance Corporation's (IFC) WINvest programme, which links private-sector partners and clients to improve working conditions and employment opportunities for women.<sup>60</sup>
- 8.45 Coffey International noted work in Nigeria under the Growth and Emerging Markets program for the United Kingdom's Department for International Development (DFID) and the World Bank to strengthen women's engagement in market development programs, identifying a range of possible entry points for private sector partnerships.<sup>61</sup>
- 8.46 DFAT identified a role for regional women's business networks and forums, with support for women's leadership, claiming that:
- Improving the position of women in high-value sectors of the economy, particularly those operating SMEs and engaged in value-chain improvement, can help remove the barriers to women transitioning from the small-scale, informal end of the enterprise spectrum.<sup>62</sup>
- 8.47 The Asia Foundation cited success in cultivating networks of female entrepreneurs across South Asia to promote dialogue with other entrepreneurs through visits to successful women-run businesses, participation in trade fairs, and discussion of key issues related to women's entrepreneurship.<sup>63</sup>

## Barriers to participation

- 8.48 As discussed throughout this report, constraints on women's empowerment are multidimensional and interrelated. The IWDA noted that, in some contexts, these extend 'beyond the market to the home, beyond formal institutions to norms and practices' and include lack of

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59 Dr Priya Chattier, *Submission 55*, p. 7.

60 SPC, *Submission 24*, p. 33.

61 By identifying industries women's participation is higher, or where technical assistance can close gaps in women's skills, or by targeting grant funding to companies to develop financial services for women, see Coffey International, *Submission 90*, pp. 5–6.

62 DFAT, *Submission 27*, p. 21.

63 The Asia Foundation, *Submission 57*, p. 6.

‘mobility, time, and skills, exposure to violence, and the absence of basic legal rights’.<sup>64</sup>

- 8.49 According to the IWDA, women’s disempowerment has direct costs for individuals and families, and broader economic and social costs. Estimates noted in this chapter indicate a consequential loss of up to US \$47 billion annually in the Asia Pacific region alone.<sup>65</sup>
- 8.50 The ACFID submitted that having ‘equitable access to assets, services and infrastructure’ is essential not only to increase productivity and promote economic growth but to strengthen women’s rights.<sup>66</sup>
- 8.51 This section addresses some of the key barriers to women’s economic empowerment raised in the evidence. These include attitudes to women and work, lack of access to credit, infrastructure and technology, the need for training upskilling, and the recognition and need for support for women’s as they balance their dual roles as carers and workers.

## Attitudes to women and work

- 8.52 A number of witnesses submitted that women’s economic opportunities in the Indo-Pacific region are limited by unequal gender relations at the household level, in decision making, and by family expectations which prioritise boys’ education and vocational training over girls’.<sup>67</sup>
- 8.53 Dr Susan Harris Rimmer of the ANU’s Gender Institute drew attention to this disparity to show how social and cultural constraints work against both the economic empowerment and realisation of women’s human rights so that ‘women have no time, or agency or material wellbeing to claim certain public spaces’.<sup>68</sup>
- 8.54 Plan International Australia referred to the denial of the right to education as a limitation on women’s opportunities in the labour market:

Giving girls equal access to school is also crucial to reaching gender equality in the workforce as well as within families and communities. Although there is no simple causal relationship between the level of schooling and labour market outcomes,

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64 IWDA, *Submission 32*, p. 18.

65 IWDA, *Submission 32*, p. 18.

66 ACFID, *Submission 25*, p. 14.

67 For instance, see ChildFund Australia, *Submission 2*, p. 4.

68 Dr Susan Harris Rimmer, Director of Studies, Asia-Pacific College of Diplomacy, ANU Gender Institute, *Committee Hansard*, Canberra, 23 September 2014, p. 7.

evidence from many countries suggests that schooling increases an individual's prospects of finding meaningful employment.<sup>69</sup>

- 8.55 Union Aid Abroad–APHEDA cited research in Melanesia to demonstrate how gendered economic arrangements at home deprive women and girls of the skills for and opportunities to gain work:

Attendance at events and activities, and starting up a business required a husband's support in terms of providing permission, and husbands were also the primary source of finance for women who started new businesses in target communities. Women also needed their husbands to undertake women's work to free up her time to enable them to attend and participate in events outside the household. There were very few examples of shared management of household cash and savings reserves to meet the needs of the entire household.<sup>70</sup>

- 8.56 In some circumstances where women have been assisted to gain work, associated domestic violence has been an unexpected side effect. Dr Anke Hoeffler, University of Oxford, referred to World Bank research on the subject, commenting:

... maybe this is a short-term problem where men feel particularly threatened by their wives being economically empowered and maybe hit them even more, but maybe in the longer run they have more exit options and will suffer less domestic violence. At the moment, unfortunately, it is not clear what the longer run consequences will be.<sup>71</sup>

- 8.57 World Education Australia cited a UN Development Programme (UNDP) study confirming that 53.2 per cent of men in Asia and the Pacific over 2013 reported having 'prohibited [a] partner from working' or having 'withheld earnings from partner'.<sup>72</sup>
- 8.58 Dr Klugman reported analysis in Vietnam which documented how women exposed to violence had high absenteeism, lower productivity and lower earnings than women who had not been beaten, with similar results documented in Tanzania and Peru. This supported World Bank estimates

69 Plan International Australia, *Submission 46*, p. 4.

70 Union Aid Abroad – APHEDA (Australian People for Health, Education and Development Abroad), *Submission 68*, p. 15

71 Dr Anke Hoeffler, Research Officer, University of Oxford, UK, *Committee Hansard*, Canberra, 6 May 2015, p. 61.

72 World Education Australia, *Submission 26*, p. 4, citing UNDP, *Why Do Some Men Use Violence against Women and How Can We Prevent It? Quantitative findings from the United Nations Multi-country Study on Men and Violence in Asia and the Pacific*, 2013, p. 32.

that violence against women has reduced gross domestic product by between three and five per cent.<sup>73</sup>

- 8.59 A 2011 survey in Vanuatu found that women who earned their own income were 1.5 times more likely to experience physical and/or sexual violence than those who do not earn an income.<sup>74</sup> The SPC advised of research being conducted to evaluate the economic impacts, including through loss of productivity, the costs of services to victims and their families, and policing and judicial costs.<sup>75</sup>
- 8.60 Oxfam Australia considered that economic empowerment initiatives for women can be protective against violence, but only when 'coupled with approaches to transform discriminatory and restrictive gender norms'.<sup>76</sup> The Abt JTA argued that careful analysis of the specific cultural context and variances within specific environments is required.<sup>77</sup>
- 8.61 The IWDA and Dr Klugman shared this view. The IWDA recommended specific investment in analysis of the 'risks for women associated with economic empowerment', alongside work to reduce violence within economic development programs for women.<sup>78</sup> Dr Klugman alerted the Committee to gaps in research, available data and appropriate indicators to track, over time, what works to support female entrepreneurs, to enable better conditions for women as employees, and to achieve a reduction of violence.<sup>79</sup>

## Access to banking services

- 8.62 Lack of access to basic banking services is a significant obstacle to women's economic empowerment. World Education Australia referred to World Bank data indicating that three quarters of people living in poverty do not have access to a bank account.<sup>80</sup>

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73 Dr Jeni Klugman, Private capacity, *Committee Hansard*, Canberra, 6 May 2015, p. 2.

74 Vanuatu National Survey on Women's Lives and Family Relationships, cited in DFAT, *Submission 27*, p. 13.

75 Through the Pacific Island Forum Secretariat (PIFS) and the Forum Reference Group to Address Sexual and Gender Based Violence, SPC, *Submission 24*, p. 34.

76 Oxfam Australia, *Supplementary Submission 13.1*, p. 4.

77 Abt TJA, *Submission 59*, p. 1.

78 Recommendation 22, IWDA, *Submission 32*, pp. 23, 26.

79 Dr Klugman, *Committee Hansard*, Canberra, 6 May 2015, p. 5.

80 A Demirguc-Kunt, A L Klapper, 'Measuring Financial Inclusion: the Global Findex Database', *World Bank Policy Research Working paper 6025*, 2012, cited in World Education Australia, *Submission 26*, p. 4.



- 8.63 Regional research indicates that few women in the Pacific or Melanesia have formal saving schemes. The ANU Gender Institute reported, for example, that 85 per cent of women in the Solomon Islands do not have access to a bank account.<sup>81</sup> Union Aid Abroad–APHEDA advised that in Melanesia women often keep their cash reserves in a small box or hidden site for use for day-to-day items when other cash sources are minimal.<sup>82</sup>
- 8.64 DFAT’s Ms Harinder Sidhu, First Assistant Secretary, Multilateral Policy Division, reported that advances in mobile technologies have been particularly advantageous for women in the region:
- In many societies, women do not have access to their own financial management. So, in the Papua New Guinea case again, putting in mobile banking services or putting banking services near the market places, means that a woman who has earned her money can deposit her money somewhere. She then controls it; she does not have to hand it over to her husband. Also her money is secure, so she is less likely to be a victim of theft or robbery.<sup>83</sup>
- 8.65 The SPC submitted that, in the Pacific region, ‘[w]omen’s access to financial services, business ownerships and markets is slowly improving’.<sup>84</sup> The SPC advised:
- the Government of PNG had been ‘removing barriers’ to financial services, including through banks and microfinance institutions, with support from the Asia Development Bank’s Private Sector Development Initiative, International Finance Corporation (IFC) and Australian authorities;
  - the IFC is working to increase mobile banking and financial literacy programs beyond PNG ‘to Fiji, Tonga, Samoa, Vanuatu, and Solomon Islands’;
  - the IFC is also developing a ‘gender-neutral business start-up guide and gender microfinance strategies’ for clients in the Pacific Islands; and
  - a number of countries, including PNG, Fiji, Samoa, Vanuatu, Tonga and Solomon Islands are ‘introducing a more robust, secure and cheaper mode of payment and transfers, improving the ability of women

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81 Australian National University (ANU) Gender Institute, *Submission 63*, p. 3.

82 Union Aid Abroad – APHEDA, *Submission 68*, p. 16.

83 Ms Harinder Sidhu, DFAT, *Committee Hansard*, Canberra, 17 June 2014, p. 2.

84 SPC, *Submission 24*, p. 5.

entrepreneurs and business owners to save and invest, supported by IFC'.<sup>85</sup>

- 8.66 The Australian Government is also working to improve women's access to financial services in the region. DFAT's *Annual Report 2014–15* explained:

On International Women's Day (2015), Ms Bishop announced a new \$15 million partnership with the World Bank to enhance women's economic empowerment in Southeast Asia over the next four years. This partnership will support women entrepreneurs to access financial services and build their business skills, and will involve working with large companies to improve employment opportunities for women.<sup>86</sup>

## Microfinance and social business development

- 8.67 According to DFAT, for women in informal and low paid work, microfinance has the potential to enable the transition from employee to business owner.<sup>87</sup> Ms Lopa Mehrotra, Co-Chief Executive Officer, Grameen Bank Australia, explained:

Microfinance is the provision of financial instruments such as savings accounts, loans, insurance, money transfers and other banking services to customers who lack traditional access to finance. Microfinance and microcredit get interchanged.

Microcredit is simply the provision of loans.<sup>88</sup>

- 8.68 Organisations offering these services advised of their achievements:

- World Education Australia referred to its Good Returns microfinance and financial training programs in Cambodia, Indonesia, Laos, Nepal, the Philippines, Tonga and Fiji,<sup>89</sup> which have enabled 88 per cent of trainees to use learned skills to start and develop a business, as well as improve their household savings and expenditure.<sup>90</sup>

85 SPC, *Submission 24*, pp. 33–34.

86 DFAT, *Annual Report 2014–15*, September 2015, p. 117, <[dfat.gov.au/about-us/publications/corporate/annual-reports/annual-report-2014-2015/dfat-annual-report-2014-15.pdf](http://dfat.gov.au/about-us/publications/corporate/annual-reports/annual-report-2014-2015/dfat-annual-report-2014-15.pdf)> viewed 13 October 2015.

87 DFAT, 'Leadership and Empowerment Links, *Women's Leadership: Evidence Review*, Office of Development Effectiveness (ODE), March 2014, p. 23.

88 Ms Lopa Mehrotra, Co-Chief Executive Officer, Grameen Bank Australia, *Committee Hansard*, Canberra, 6 May 2015, p. 13.

89 World Education Australia, *Submission 26*, pp. 1–2.

90 Of 27 400 trainees, 86 per cent were women. World Education Australia, *Submission 26*, p. 6.

- Grameen Bank Australia reported a ‘multiplier effect’ achieved through recycling investment from one participant to the next, achieving a 100 per cent repayment rate, servicing a 98 per cent female clientele, and offering low interest rates along with business training and support.<sup>91</sup>
  - Opportunity International cited its successes through agricultural co-operatives and marketing assistance, with financial services provided to over 2.5 million women, and plans to expand.<sup>92</sup>
- 8.69 Dr Chattier suggested that one of the benefits of microfinance models is greater security against the risk of failure so ‘women and their families can invest in their own futures and have greater confidence to engage in economic activity beyond ensuring basic economic survival for themselves and their families’.<sup>93</sup>
- 8.70 However, there was also some criticism of microfinance models. While emphasising that she is not an expert in the area, Dr Klugman expressed doubt that microfinance could ‘enable the larger shifts which are needed to unleash potential’ for differently disadvantaged women:
- There is a reasonable argument to be made that you might be better off just giving more grants than loans and enabling those to be used in different ways. Sometimes they will be used for consumption if there are urgent basic needs; sometimes they will be used for investment. I think that a lot of the earlier excitement around the potential of microfinance has been fairly significantly tempered.<sup>94</sup>
- 8.71 Submissions also referenced concerns following mass defaults during the early days of the microfinance model.<sup>95</sup> However, World Education Australia advised that a range of measures have been adopted to improve the accountability and effectiveness in the sector. A key initiative, the Smart Campaign’s Client Protection Principles, has ‘been adopted by the microfinance sector as the minimum standards for consumer protection’.<sup>96</sup>

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91 Ms Mehrotra, Grameen Bank Australia, *Committee Hansard*, Canberra, 6 May 2015, pp. 14, 19.

92 Opportunity also provides loans for education, housing and sanitation as well as offering pension, health and crop insurance schemes, and remittance services. Mrs Meredith Downey, Project Manager, Opportunity’s International, *Committee Hansard*, Canberra, 6 May 2015, p. 15.

93 Dr Priya Chattier, *Submission 55*, pp. 6–7.

94 As with the case of India, where Muslim women were unable to take advantage of either the training or the credit that was being offered, compared with better off Hindus. Dr Klugman, *Committee Hansard*, Canberra, 6 May 2015, p. 4.

95 World Education Australia, *Submission 26*, p. 4; Union Aid Abroad–APHEDA, *Submission 68*, p. 10.

96 World Education Australia, *Submission 26*, pp. 4–5.

- 8.72 Union Aid Abroad–APHEDA emphasised that ethical practice relies on ‘local partnerships, appropriate mentoring and loan conditions’, referring to its program in Cambodia which combined microcredit with vocational training and, it was suggested, provided ‘the best chance’ for women to establish a small business.<sup>97</sup>
- 8.73 Social business development is another innovation being employed to support women’s economic empowerment. Ms Mehrotra of Grameen Bank Australia described how it works:
- While it focuses on the development of profitable, sustainable businesses, the social objective is key and it is really our first step in designing a social business ... Grameen has partnered with, for example, Danone, the French food company, in developing very nutritious yoghurts for the malnourished. Veolia, the French water company, has provided cheap water systems to address the issues of poverty and water availability. Adidas, the American sports clothing company, has developed \$1 footwear that they are distributing in America.<sup>98</sup>
- 8.74 Mrs Rosemary Addis of Impact Investing Australia saw a potential role for microfinance to assist women through ‘enterprise support’, acting as ‘accelerators and incubators’ for woman-led businesses. She explained that impact investments ‘are intentionally designed to achieve a positive social impact on society as well as some measure of financial return’.<sup>99</sup>
- 8.75 Ms Addis also highlighted research work being conducted by United States Aid:
- There is some specific work ... underway with USAID in the development lab to start scoping a project looking specifically at the potential of these types of investments to improve outcomes for women and girls in some countries, including in the Asia-Pacific region. Groups such as the Brookings Institution have started to look at particular segments of the market in particular relating to early childhood and early learning, with a particular focus on development markets.<sup>100</sup>

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97 Union Aid Abroad–APHEDA, *Submission 68*, p. 10.

98 Ms Mehrotra, Grameen Bank Australia, *Committee Hansard*, Canberra, 6 May 2015, pp. 13–14

99 Ms Addis, Impacting Investing Australia, *Committee Hansard*, Canberra, 7 May 2015, p. 7.

100 Ms Addis, Impacting Investing Australia, *Committee Hansard*, Canberra, 7 May 2015, p. 7.

## Infrastructure development

- 8.76 Witnesses to the inquiry presented evidence in relation to:
- the potential to reduce the burden of unpaid domestic labour to free up women's time; and
  - the targeting of aid for infrastructure to directly benefit women.
- 8.77 Water Aid submitted that improved access to water, sanitation and hygiene is a priority, adding that the burden of labour associated with water collection is an impediment to women's human rights and economic empowerment.<sup>101</sup> ActionAid reported that in Kenya women spend almost 100 minutes a day collecting fuel or water.<sup>102</sup> The Abt JTA highlighted the need to improve access to water and to electricity to reduce women's household work.<sup>103</sup>
- 8.78 A number of submissions emphasised the importance of prioritising infrastructure projects with clear economic benefit to women. The AVI referred to road construction in Vanuatu which led to small business opportunities for women operating road-side 'mamas' markets. The AVI also noted that, for this project, women's views were taken into account during construction and gender awareness training was provided to the workers.<sup>104</sup>
- 8.79 The SPC referred to work funded by UN Women, UNDP, Australia and New Zealand which has improved local market infrastructure to enable women access 'to safe, fair and equal participation in local economies' in Fiji, Solomon Islands, Papua New Guinea and Vanuatu.<sup>105</sup>
- 8.80 The High Commissioner of Sri Lanka highlighted that country's policy for increased investment in 'massive infrastructure development' to facilitate enterprise development and 'to alleviate poverty' and 'to steer Sri Lanka towards becoming a middle income country'.<sup>106</sup>

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101 Water Aid, *Submission 16*, p. 2.

102 ActionAid Australia, *Submission 29*, p. 10.

103 Abt JTA, *Submission 59*, p. 7.

104 AVI, *Submission 43*, p. 7.

105 SPC, *Submission 24*, p. 34.

106 The High Commission of the Democratic Socialist Republic of Sri Lanka, *Submission 79*, pp. 1-2.

## Training and upskilling

8.81 Witnesses highlighted the role of training and skills development for increasing women's access to the workforce. Union Aid Abroad-APHEDA suggested the Australian aid program should focus on literacy and providing a 'second chance' to women who have left school without sufficient education to find work or earn a decent living. It referred to a successful program in Timor-Leste where 3 000 rural women became literate and numerate,<sup>107</sup> and to a Cambodian scheme, which:

... provided assistance to talented students too poor to attend formal training, with priority given to AIDS orphans. Many of these students might otherwise end up working in a garment factory for around \$2.50 a day.<sup>108</sup>

8.82 Oxfam Australia cited its work under the Zardozi Markets for Afghan Artisans which provided women with management skills needed to turn a craft into a livelihood:

Women come to Zardozi training centres to refine their skills as they practice their craft and take part in trainings that range from business management to literacy and accounting, equipping them with everything they need to build a successful business.<sup>109</sup>

8.83 Dr Chatter recommended that Pacific women be given access to agricultural education and information, along with technical support, as a focus for post-2015 development and women's empowerment in the region.<sup>110</sup>

8.84 Vision 2020 Australia also referred to the need to empower disabled women through training and opening opportunities for them to gain skills to better support themselves and their families.<sup>111</sup>

## Women and girls as carers and unpaid family workers

8.85 ACFID cited evidence showing that women across the world spend more time on unpaid household and care work than men.<sup>112</sup> It noted that the

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107 Union Aid Abroad-APHEDA, *Submission 68*, p. 5, and see Case Study: 'Timor Leste: Women's Literacy and Income-Generation', pp. 29-30.

108 Union Aid Abroad-APHEDA, *Submission 68*, Case Study: 'Decent Work Campaign in Cambodia', p. 9.

109 Oxfam Australia, *Exhibit 7: Oxfam in Afghanistan*, May 2014, p. 2.

110 Dr Priya Chatter, *Submission 55*, p. 5.

111 Vision 2020 Australia, *Submission 66*, p. 7.

World Bank's *World Development Report 2012: Gender Equality and Development* has assigned a monetary value to this unpaid care work, estimating it would constitute between 10 and 39 per cent of global GDP.<sup>113</sup>

- 8.86 The ACFID considered that addressing the issue of women and girls' unpaid care work is crucial, given their 'rights to education, employment, social security or leisure may be curtailed by the load of unpaid care work'.<sup>114</sup>
- 8.87 Submissions documented the extent and impact of the unpaid care work of women and girls around the region. ActionAid cited research in Nepal, which found that for every hour worked by men, women spent around 1.4 hours, and most of this in unpaid household work.<sup>115</sup>
- 8.88 Banteay Srei advised that in Cambodia the proportional burden of housework and childcare carried by women meant less time on market related activities, thus limiting economic opportunity.<sup>116</sup>
- 8.89 ChildFund research stated that, in Laos, families' reliance on children for farming, household and childcare tasks was a barrier to girls' school attendance.<sup>117</sup>
- 8.90 Submissions also referred to women's additional care role for household members with disabilities, especially following conflict.<sup>118</sup> DFAT identified an underlying problem: that this unpaid care work is not reflected in statistics, and so not addressed in economic or social policy making processes.<sup>119</sup>
- 8.91 ActionAid Australia called on the Australian Government to support initiatives across the region to make women's unpaid care work more visible and central to demands for quality public services, which, it

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112 For instance, research indicates that women spend twice as much time in this work in Sweden; 4.6 times more in Ghana and 6 times more than men in Pakistan, cited in ACFID, *Submission 25*, p. 17.

113 ACFID, *Submission 25*, p. 18.

114 ACFID, *Submission 25*, p. 18.

115 ActionAid Australia, *Submission 29*, p. 10.

116 Banteay Srei, *Submission 51*, p. 4.

117 ChildFund Australia, *Exhibit 4: ChildFund Laos/Plan International Laos, Social and Cultural Barriers to Rural Adolescent Ethnic Community Girls Accessing Lower Secondary Schools in Northern Laos*, 2011 p. 8.

118 Referring to Sri Lanka, ChildFund Australia, *Submission 2*, p. 4; and DFAT, *Submission 27*, p. 27.

119 DFAT, *Submission 27*, p. 27.

argued, could be financed through more progressive domestic resources, including tax revenues.<sup>120</sup>

- 8.92 The ANU Gender Institute referred to the World Bank's support for increased access to child care and early childhood development and investment in rural women as a priority for economic empowerment policies for women.<sup>121</sup>
- 8.93 ChildFund provided examples of possible childcare solutions. For instance, childcare co-operatives with adult-supervised care for young children that would allow older girls in rural areas to attend school.<sup>122</sup> A study in Mexico found that introduction of a large-scale childcare voucher program increased women's employment by five per cent and earnings by 20 per cent while generating over 45 000 paid childcare industry jobs mostly for women.<sup>123</sup>
- 8.94 The Abt JTA suggested working with private sector networks to establish community childcare centres or collectives.<sup>124</sup> To support women's transition to broader economic participation, the IWDA urged the Australian Government to prioritise:
- support for policies and programs that close gender gaps in economic opportunity and pay, with a focus on strategies that increase women's time for paid jobs and men's time for caring;
  - attention to care work in its social and economic policy dialogues with development partners and in its policies and programs addressing women's rights and economic opportunities.<sup>125</sup>

## Women and the global economy

- 8.95 The further development of the economically diverse Indo-Pacific region is vital to Australia's future prosperity. DFAT advised:

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120 ActionAID Australia, *Submission 29*, p. 17.

121 In the *World Development Report 2012: Gender Equality and Development*, cited in ANU Gender Institute, *Supplementary Submission 63.1*, p. 3.

122 ChildFund Australia, *Exhibit 4: 2011*, p. 14.

123 Dr Susan Harris Rimmer, *Exhibit 29: J Klugman, Investing in Gender Equality at the G20 Leader's Summit, Australia to Turkey: Female Participation in Formal Employment and the Socialisation of Unpaid Care Work: Session 4*, [nd], p. 12.

124 Abt TJA, *Submission 59*, p. 8.

125 Recommendations 20 and 21, IWDA, *Submission 32*, p. 26.



Connecting the Indian and Pacific Oceans, the Indo-Pacific region ... forms the centre of gravity of Australia's strategic and economic interests. It includes many of our major trading partners as well as the countries that are the focus of our aid program.<sup>126</sup>

- 8.96 Witnesses argued that successful development in the Indo-Pacific region relies on promoting the human rights of the region's women and girls. For instance, Dr Helen Szoke, Chief Executive of Oxfam Australia, submitted that Australia should place gender equality at the centre of its regional development agenda, observing:

Economic growth has the potential to lift many millions of people out of poverty, but the relationship between growth, economic inequality and gender equality are complex. Growth does not automatically result in gender equality, more fulfilment of rights and better living standards for women, especially in the case of poor women.<sup>127</sup>

- 8.97 In its submission DFAT reported that:

Evidence from the Australian aid program suggests a clear need for programs to address women's economic empowerment if they are to realise an effective development impact. Programs need to ensure that women and men are able to benefit equally from aid program investments. Where this is not the case, programs risk reinforcing inherent gender inequalities. Where persistent inequalities exist within a sector, targeted interventions may be necessary to overcome barriers to women's participation. This will help to harness the potential of women in the economy and support more inclusive growth.<sup>128</sup>

- 8.98 Submissions to the inquiry recognised that development and trade across the region represent both great opportunities and some potential challenges for women and girls. In particular, some submissions raised concerns that mining and agriculture development and international trade negotiations may not have a positive impact on the human rights of women and girls if their unique circumstances are not taken into account.<sup>129</sup>

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126 DFAT, *Submission 27*, p. 9.

127 Dr Helen Szoke, Chief Executive, Oxfam Australia, *Committee Hansard*, Canberra, 2 December 2014, p. 2.

128 DFAT, *Submission 27*, p. 32.

129 See for instance: Live and Learn International, *Submission 9*, pp. 1-2; ActionAid Australia, *Submission 29*, p. 9.

## Mining and agricultural development

- 8.99 Mining and large scale agricultural developments have benefits for regional economies. However, some witnesses cautioned that large scale developments can displace women from their traditional way of earning an income, or their way of life, leaving them vulnerable to violence and poverty. For example, Live and Learn International referred to social research conducted with the Church of Melanesia which identified serious human rights abuses affecting women and children in remote communities where logging and other extractive industries operated. As well as highlighting abuses, Live and Learn asserted that women were often excluded from participation in community life and decision-making.<sup>130</sup>
- 8.100 Access to land is important to women's economic empowerment, yet in many parts of the region land ownership is contested; for example, the Committee was advised that traditional inheritance systems can exclude women from owning land.<sup>131</sup> Conversely, when women own land their family's health and education attainment improves and this has long term impact on a country's human capital and economic growth.<sup>132</sup>
- 8.101 ActionAid Australia submitted that '[w]omen make up the majority of the world's smallholder farmers yet land laws frequently do not recognise their ownership'.<sup>133</sup>
- 8.102 Some witnesses submitted that, in this context, 'land grabbing' often occurs in relation to certain developments, leaving women displaced. Union Aid Abroad-APHEDA asserted that '[p]opulations displaced by land grabs, including women, often face extreme poverty and are intimidated if they want to defend their rights'.<sup>134</sup>
- 8.103 ActionAid stated:
- When large-scale agriculture businesses commence in communities due to land grabs, women are often assigned the worst jobs in cash crop production, such as spraying chemicals with inadequate protective clothing or awareness of side-effects. When women migrate to cities to take up jobs in factories, they are

130 Live and Learn International, *Submission 9*, pp. 1-2.

131 Ms Reis and Ms Bluett-Boyd, Alola Foundation, *Committee Hansard*, Canberra, 6 May 2015, p. 43.

132 ActionAid Australia, *Submission 29*, p. 9.

133 ActionAid Australia, *Submission 29*, p. 8.

134 Union Aid Abroad-APHEDA, *Submission 68*, p. 5. For examples of 'land grabs' see also *Submission 71* and *Submission 68*.

often employed under unsafe, exploitative conditions and experience increased vulnerability to violence in unsafe and unfamiliar urban environments.<sup>135</sup>

8.104 To address these concerns, ActionAid recommended Australia should take a more proactive stance on women land tenure and involvement in agreement-making at global and regional level, and in particular:

- The Australian Government should work with governments and agencies responsible for Land, Agriculture and Justice in the Indian Ocean and Pacific Region to implement policies and laws that protect and promote women's land rights. This includes commitments to support the dismantling of all discriminatory policies and legislation that impede women's rights to land and legal systems.
- The Australian Government should ensure that international frameworks are adopted and implemented to ensure that foreign companies and private funds involved in large scale land deals in lower income countries do not violate the rights of women and the vulnerable. This should include supporting governments in region to develop and implement tenure governance frameworks that recognise and protect women's legal and legitimate tenure rights to land, and ensure that communities, including women, are adequately consulted, provide free and informed prior consent and receive sufficient compensation for any land deals.<sup>136</sup>

8.105 Oxfam recommended the Australian aid program should:

... support women to meaningfully participate in decisions regarding the management of their natural resources and resultant revenues. Where resettlement is unavoidable, the Australian aid program should support them to be resettled in appropriate ways that support their livelihoods and fulfil their rights to personal security and access to education and health services.<sup>137</sup>

## Trade agreements and obligations

8.106 A suite of free trade agreements under negotiation across the Asia Pacific region were raised in the evidence as potentially significant for women's empowerment in the region.<sup>138</sup> In particular:

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135 ActionAid Australia, *Submission 29*, p. 9.

136 ActionAid, *Submission 29*, p. 16.

137 Oxfam Australia, *Submission 13*, p. 5.

138 Agreements cited in Dr Priya Chatter, *Submission 55*, p. 9.

- the Pacific Agreement on Closer Economic Relations (PACER-Plus) between PICTS, PNG, Australia and New Zealand;<sup>139</sup>
- the Trans Pacific Partnership (TPP) between Australia , US and 11 Pacific Rim countries, including the US, Canada, Japan, New Zealand;<sup>140</sup>
- the extended Pacific Island Countries Trade Agreement (PICTA) between the 14 Pacific Island Forum countries;<sup>141</sup> and
- a series of Pacific Island trade agreements under the Economic Partnership Agreement with the European Union.<sup>142</sup>

8.107 Witnesses recognised the potential benefits for women arising from these agreements, while also arguing that attention must be paid to reducing unintended negative impacts that these agreements may have on women. The IWDA observed:

Trade policy is interrelated with gender equality as trade policies are strongly redistributive and often generate complex and contradictory effects on women's access to employment, livelihood and income. Often societies where women are economically or socially discriminated against do not fully benefit from the effects of globalisation and trade integration. Because of this, reducing the gender bias is especially important for developing countries where inequalities between men and women are often larger.<sup>143</sup>

8.108 As an example, Union Aid Abroad-APHEDA raised concerns about the safety and rights of workers in the garment industry in Bangladesh and Cambodia, where foreign companies look to reduce costs of production. It submitted that the Trans Pacific Partnership could 'encourage competition among countries to attract such industries, and a race to the bottom'.<sup>144</sup>

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139 DFAT, Pacific Agreement on Closer Economic Relations (PACER-plus) <[dfat.gov.au/trade/agreements/pacer/pages/pacific-agreement-on-closer-economic-relations-pacer-plus.aspx](http://dfat.gov.au/trade/agreements/pacer/pages/pacific-agreement-on-closer-economic-relations-pacer-plus.aspx)> viewed 10 August 2015.

140 DFAT, Trans Pacific Partnership (TPP) <[dfat.gov.au/trade/agreements/tpp/pages/trans-pacific-partnership-agreement-tpp.aspx](http://dfat.gov.au/trade/agreements/tpp/pages/trans-pacific-partnership-agreement-tpp.aspx)> viewed 10 August 2015.

141 Government of Fiji, Ministry of Industry, Trade and Tourism, Pacific Island Countries Trade Agreement (PICTA) <[://www.mit.gov.fj/index.php/divisions/trade-division/regional-trade-agreement/the-pacific-island-countries-trade-agreement-picta](http://www.mit.gov.fj/index.php/divisions/trade-division/regional-trade-agreement/the-pacific-island-countries-trade-agreement-picta)> viewed 10 August 2015.

142 Dr Priya Chattier, *Submission 55*, p. 10.

143 IWDA, *Submission 32*, p. 4.

144 Union Aid Abroad-APHEDA, *Submission 68*, p. 6.

8.109 At the same time, within the context of women's economic empowerment, it was considered that these risks could be offset or reduced. ACFID maintained:

The economic empowerment of women should be a fundamental consideration as Australia increases its aid for trade agenda. The Government should not over look the *value* of trade amidst a focus on increasing volume of trade, as there is an important need to support trade facilitation that targets sectors in which women and the poor work.<sup>145</sup>

8.110 To underpin this process, the IWDA suggested that comprehensive gender analysis and genuine regional consultation with women and men is needed to determine regional development options. It considered that the Australian Government has a unique opportunity to influence outcomes in the Pacific in this regard under PACER-Plus negotiations by driving 'an innovative process that links economic development objectives to gender equality in the Pacific'.<sup>146</sup>

8.111 Dr Harris Rimmer supported this position stating:

The really exciting opportunity, I think, is in trade. There is a whole lot of evidence that says that, if you do a more studied gender analysis of trade outcomes and you have a more sophisticated gender understanding of trade agreements, you are going to get better outcomes that are more sustainable and beneficial, in terms of GDP, for both countries or for regional trade agreements.<sup>147</sup>

## The growth of outmigration

8.112 The rise in outmigration for remittance income is an important and evolving feature of the global economy. Outmigration involves both women and men who migrate from rural to urban areas or overseas to find work. Submissions advised that while men currently dominate migrant outworker flows, women are also migrating for work in very large numbers across the region.<sup>148</sup>

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145 ACFID, *Submission 25*, p. 14.

146 IWDA, *Submission 32*, pp. 4, 5.

147 Dr Harris Rimmer, *Committee Hansard*, Canberra, 23 September 2014, p. 3.

148 Dr Samantha Gunawardana noted that women dominated outmigration flows overall in the 1980s until 2011 when 51.67 per cent of all out migrants were male. Women currently

- 8.113 Commenting on the drivers of the phenomenon in Cambodia, Union Aid Abroad-APHEDA noted:
- More than 3.7 million people live in poverty in rural areas in Cambodia, around 27 per cent of Cambodia's population. Life as a farmer is difficult and unrewarding – agricultural practice in Cambodia is mostly at subsistence level, using traditional methods, and with low yields, and is made more difficult by increasingly unreliable weather patterns – but there are few other jobs available in rural areas. Many young people migrate to urban areas or overseas in search of work.<sup>149</sup>
- 8.114 Dr Supriya Singh, an expert on global financial flows and migration, noted that women in the Indo-Pacific region migrate as domestic workers from Sri Lanka, the Philippines and Indonesia and increasingly from Vietnam and Nepal.<sup>150</sup>
- 8.115 Outmigration contributes significantly to the GDP of many regional countries. Dr Samantha Gunawardana advised that in 2011 1.7 million Sri Lankans worked abroad generating remittances of US \$6.1 billion or 10 per cent of GDP, with the Middle East the major destination.<sup>151</sup>
- 8.116 Dr Gunawardana also documented concerns about abuses of Sri Lankan women domestics under the 'kafala' system, where they are tied to an individual agency or employer: 'In some cases, workers attempting to leave such situations have ended up in detention centres or welfare camps for months on end'.<sup>152</sup>
- 8.117 Amnesty International proposed that many trafficked women are forced to live under 'slavery like' conditions in Hong Kong, further '[h]igh levels of debt, no passport and fear of losing their jobs also can keep them in an abusive work situation'.<sup>153</sup>
- 8.118 The Abt JTA, referred to the similar situation of poor Indonesian women once they take jobs as migrant domestic workers in the Middle East, Singapore or Malaysia:

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dominate as domestic workers globally. See WPSAC, *Submission 15*, p. 13. The GLASS Research Unit advised that destinations for men and boys in the Pacific are Australia, NZ and the US, while in Asia they may migrate to cities for construction work or overseas to other Asian countries or the Middle East. GLASS Research Unit, *Submission 7*, p. 3.

149 Union Aid Abroad-APHEDA, *Submission 68*, p. 11.

150 Dr Supriya Singh, Professor of the Sociology of Communications, Royal Melbourne Institute of Technology, *Submission 91*, p. 2.

151 Dr Gunawardana in WPSAC, *Submission 15*, p. 13

152 Dr Gunawardana in WPSAC, *Submission 15*, p. 14.

153 Amnesty International, *Submission 74*, p. 6.

... for many poor Indonesian women, the opportunity to work overseas is a perilous one. Corrupt officials working with illegal migrant worker agents smuggle millions of women and girls in and out of countries. This leaves many women and girls highly vulnerable to sexual and physical abuse and exploitation.<sup>154</sup>

- 8.119 In parts of Asia, the garment industry is a major source of employment for rural women and girls. However, Union Aid Abroad-APHEDA suggested that in Cambodia and Bangladesh garment workers are paid below a living wage. In fact, it submitted:

In Bangladesh, the minimum wage is US \$68 per month. In Cambodia, it has just increased to US \$95 per month and the lowest estimates of a living wage are almost double that amount.<sup>155</sup>

- 8.120 Amnesty International Group University of Western Australia (Amnesty UWA) reported on advances in safety and conditions in the garment industry since the collapse of the Rana Plaza building in 2013, which killed 1 133 workers, and injured 2 500:

In response to this a tripartite partnership involving the Government of Bangladesh, workers and employees signed a Joint Statement to establish better working conditions for RMG employees. This was followed up by the ILO who launched a US\$24 million programme aimed at making the Bangladesh Garment Industry safer in October 2013. Additionally, 26 North American retailers and brands have signed on to a five year programme (the Alliance for Bangladesh Worker Safety) committed to ensure the implementation of health and safety measures for their employees in Bangladesh. This covers around 1.28 million workers out of an estimated 4 million workers.<sup>156</sup>

- 8.121 Ms Liesl Gertholtz of Human Rights Watch emphasised the importance of having independent mechanisms to monitor and evaluate standards in factories, noting withdrawal of Australian funding for the successful Better Factories Program in Cambodia.<sup>157</sup>

- 8.122 Ms Catherine Graille in the Amnesty International Group UWA submission advised that many women and girls involved in the sex industry are originally rural poor who feel pressure to provide for their

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154 Abt TJA, *Submission 59*, p. 6.

155 Union Aid Abroad-APHEDA, *Submission 68*, p. 3.

156 Amnesty International Group University of Western Australia (UWA), *Submission 58*, p. 18.

157 Ms Liesl Gertholtz, Executive officer, Human Rights Watch, *Committee Hansard*, Canberra, 15 May 2015, p. 14.

families, with the sex industry seen as one of the few economically viable options.<sup>158</sup>

## Moderating the impacts

8.123 Dr Singh noted that Australia and the Pacific region have some of the highest remittance fees in the world. For instance, sending a remittance of \$200 from Australia to Kiribati attracts a 27 per cent fee, and for PNG it is 21 per cent. The global average is 7.72 per cent.<sup>159</sup>

8.124 Dr Singh saw potential for the microfinance sector to expand into the remittance transfer sector to improve women's control over the money earned or received:

If microfinance could get involved in increasing some of the benefits, that would be very helpful. Basically what we are wanting to do in this gender empowerment is not just around the macro effect; we are wanting to link money in the market and money in women's personal lives. We are wanting to make a difference to the maleness of money in most of the countries in this region.<sup>160</sup>

8.125 Underpinning this proposal, Dr Singh suggested structural and regulatory changes including ensuring women have decent work and migration agents fees are equitable, reducing remittances costs and connecting earnings to effective banking services, including by facilitating mobile banking.<sup>161</sup>

8.126 The GLASS Research Institute referred to the children left behind by women domestic and garment workers being reared by relatives. The Institute also cited trends, identified in some Asian countries, where men migrating to the city 'establish a second family' and cease supporting their village family. Further that:

There are also reports that the incidence of HIV/AIDS is rising where outmigration is a common practice, and reports that men returning from the Middle East are bringing more conservative views on women's role and on issues such as contraception.<sup>162</sup>

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158 C Graville in Amnesty International Group UWA, *Submission 58*, p. 20.

159 Dr Supriya Singh, Professor of Sociology and Communications, Royal Melbourne Institute of Technology, *Committee Hansard*, Canberra, 6 May 2015, pp. 15-16.

160 Dr Singh, Royal Melbourne Institute of Technology, *Committee Hansard*, Canberra, 6 May 2015, p. 15.

161 Dr Supriya Singh, *Submission 91*, pp. 2-3.

162 GLASS Research Unit, *Submission 7*, p. 3.



- 8.127 Commenting on the plight of Indonesian migrant workers, the Abt JTA recommended a range of areas where the Australian Government could work with donors to respond to the outmigration trend, including:
- to help women obtain ‘high skilled migrant work opportunities’ and identify ‘legitimate migration agents’;
  - to understand that they have rights (‘including the right to retain their passports and a mobile phone’);
  - to increase financial literacy; and
  - and to ensure sufficient care and protection for ‘children left behind’.<sup>163</sup>
- 8.128 Given that domestic migrants are subject to the purview of local labour laws, Dr Gunawardana recommended that:
- Australia should encourage Sri Lanka to ratify the Domestic Worker Convention 189 (C189) on Domestic Labour as this will have a significant impact on women workers (protecting domestic workers from violence, regulate private employment agencies, and preventing child labor in domestic work) Australia could take a leading role in facilitating discussions between countries such as Sri Lanka and labour receiving countries.<sup>164</sup>
- 8.129 Ms Granville suggested a ‘regional approach is needed to find economic alternatives for women working in the sex industry’, with potential to affect market drivers in western nations by campaigns promoting responsible tourism to inform and change attitudes towards women in the sex industry across the region.<sup>165</sup>
- 8.130 Dr Marie Seagrave, Border Crossing Observatory, Monash University, argued that ‘limitations on access to and provision of short term working visas that would allow circular migration around the region’, are an ‘impediment to equal rights for women’ in the region.<sup>166</sup>
- 8.131 Dr Seagrave also questioned the narrow criminal justice focus on human trafficking ‘which limit the recognition of victims as labourers’ who are seeking remuneration, arguing that ‘[f]ew victims prioritise prosecution when they are seeking remedy to a situation of exploitation’.<sup>167</sup>

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163 Case study, ‘Indonesian Migrant Workers – Less Risk, More Reward’, in Abt JTA, *Submission 59*, p. 6.

164 Dr Gunawardana in WPSAC, *Submission 15*, p. 16.

165 C Graville in Amnesty International Group UWA, *Submission 58*, p. 21.

166 Dr Marie Seagrave in WPSAC, *Submission 15*, p. 8.

167 Dr Seagrave in WPSAC, *Submission 15*, p. 8.

## Committee comment

- 8.132 Over the last two decades many nations in the Indo-Pacific region have experienced rapid economic diversification and growth. At the same time global financial crises, conflict and natural disaster have destabilised some of the most fragile economies, with disproportionate impacts on women and girls.<sup>168</sup>
- 8.133 Submissions to the inquiry focused on women's overrepresentation in low-paid and unpaid sectors of regional economies – such as care work or subsistence agriculture – and the lack of financial, personal and social agency which can make women and girls vulnerable to shifts in global market forces.<sup>169</sup>
- 8.134 Nevertheless, the majority participation of women and girls in key sectors, such as agriculture, and their strong representation in micro, small and medium enterprises represents a great opportunity for women's economic and personal empowerment, at home and within the broader community. Realising this opportunity requires a transformation in attitude before structural change can be fully realised.
- 8.135 The Committee was encouraged by evidence of successful enterprise development stimulated by NGOs and micro-financiers in the region. The Committee was also impressed by ACIAR's work in promoting women as 'agents of change' in the agricultural sector, and notes the potential to promulgate the approach through international fora to donors.
- 8.136 Meanwhile, noting diversity within the region in terms of access to adequate education and skills, finding the time and material agency to diversify activity and to choose paid work remains a challenge for many women and girls.
- 8.137 To create opportunities, evidence highlighted a need to invest in infrastructure and technology to reduce women's household burden of work. It was also considered that the caring roles of girls and women should be better recognised within country development plans and in contracts with NGOs and private sector partners to promote women's economic participation.
- 8.138 Evidence suggested that domestic and international law protecting outmigrants' rights in some countries is clearly underdeveloped.

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168 See chapter four for impact of disasters on women and girls.

169 ACFID, *Submission 25*, pp. 13-14; Dr Harris Rimmer, Australian Gender Institute, *Committee Hansard*, Canberra, 23 September 2014, p. 7.

- 8.139 The Committee considers that the Australian Government should take a leadership role at a bilateral, regional and international level to promote ratification of existing international instruments, and give greater consideration to ways of harmonising migration and domestic laws to protect migrant workers in a region wide solution.
- 8.140 It was suggested that this could be done through regional trade negotiations and agreements. Witnesses argued that these must be closely informed by economic analysis and modelling of gender issues, with meaningful consultations on regional development options with both men and women to ensure that the different impacts of these agreements are taken into account to achieve inclusive economic benefits.
- 8.141 The Committee considered the importance of leveraging Australia's aid towards women's economic advancement. While Australia's position is supportive of this aim, the vast majority of the poorest women work – paid or unpaid – in the agriculture sector, yet the sector only attracts seven per cent of the total development assistant budget (2014–15).<sup>170</sup>
- 8.142 The Committee believes that a strong commitment to women's economic empowerment will require a more considered evaluation of its drivers and should be based on sex disaggregated data reflecting the urban–rural and gender differentiated considerations underpinning women's economic advancement in the region.
- 8.143 For a further examination of the role that the private sector could play in alleviating poverty through gender equity please refer to the Committee's recent report entitled *Partnering for the Greater Good: the Role of the Private Sector in Promoting Economic Growth and Reducing Poverty in the Indo-Pacific Region*.<sup>171</sup>

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170 DFAT, *2014-15 Development Assistance Budget: a Summary*, 2015, p. 3, <dfat.gov.au/> viewed 10 August 2015.

171 Joint Standing Committee on Foreign Affairs, Defence and Trade, *Partnering for the greater good: The role of the private sector in promoting economic growth and reducing poverty in the Indo-Pacific region*, June 2015, Canberra.

## Recommendations

### Recommendation 26

The Committee recommends that the Australian Government take a lead role in promoting women's economic development as a key part of the international human rights agenda for the empowerment of women and girls, by:

- advocating through international fora for an increased investment in women's economic empowerment;
- promoting gender centric approaches to women's economic development in key sectors, for example, the agricultural sector through the Consultative Group on International Agricultural Research and other relevant regional bodies;
- engaging in bilateral, regional and international negotiations to implement obligations and promote ratification of existing international labour instruments, harmonising migration and domestic laws, and regulating fees and charges on remittances to better protect migrant workers in a region-wide solution to outmigration.

**Recommendation 27**

The Committee recommends that the Australian Government increase:

- overall Official Development Assistance (ODA); and
- the proportion of ODA allocated to economic and productive sectors in the Indo-Pacific region in which women are predominant, as a key component of its gender mainstreaming commitments, including by investment in:
  - ⇒ research and programs supporting leadership and female empowerment in agriculture and key employment sectors for women;
  - ⇒ whole of community and local empowerment models, with a focus on changing social attitudes and values to support women's economic empowerment, and on innovative literacy and 'second chance' training programs for women; and
  - ⇒ development of infrastructure to reduce women's household burden and appropriate childcare solutions in partnership with Governments, non-government organisations and the private sector, and promote this through country development plans and development contracts.

**Recommendation 28**

The Committee recommends that, in negotiating international and regional trade, mining and other development agreements, the Australian Government:

- have recourse to available research and data on the gendered impacts of this development to ensure it maximises opportunities for both men and women;
- require this research where it does not exist; and
- deploy relevant research and data to refine and inform programs developed with the purpose of supporting women's economic empowerment across the Indo-Pacific region.



## Gender in Australia's aid and diplomacy

- 9.1 This chapter sets out the evidence received in the course of the inquiry which addressed the gender focus of Australia's aid program and diplomatic efforts in the region. It also addresses the fourth term of reference – 'the effectiveness of Australian programs to support efforts to improve the human rights of women and girls in the Indian Ocean-Asia Pacific region'. The chapter examines:
- Australia's diplomatic efforts, including Australia's Ambassador for Women and Girls;
  - the size and structure of the aid program in relation to gender and women's empowerment;
  - DFAT's processes for assessing the impact of aid programs on gender equality;
  - assessments of DFAT's flagship gender programs; and
  - evidence about other Australian programs in the region that have an impact on the human rights of girls and women.
- 9.2 Suggestions for improving the Australian aid program are provided in chapter ten, along with the Committee's recommendations.

### **Diplomatic efforts**

- 9.3 DFAT's work on gender equality and the human rights of women and girls in the Indo-Pacific region is two-fold: through the aid program, and through diplomatic efforts. In DFAT's submission to the inquiry, the Department listed a number of diplomatic activities it has undertaken in relation to gender equality, including:

- Advocating for gender equality in discussions around the post-2015 development agenda and at the 58<sup>th</sup> Session of the Commission on the Status of Women in March 2014.
- Engaging with the Association of Southeast Asian Nations (ASEAN) to promote gender equality since May 2012, when the Global Ambassador for Women and Girls met with ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) representatives to discuss opportunities for regional cooperation.
- Working within ASEAN to develop a five-year ACWC work plan (2012–2016), adopted in 2012.<sup>1</sup>

9.4 The ACWC *Work Plan* formally recognises that ‘the primary responsibility to promote and protect the fundamental freedoms and rights of women and children rests with each Member State’. Its aims include:

- To promote the implementation of international instruments, ASEAN instruments and other instruments related to the rights of women and children.
- To develop policies, programs and innovative strategies to promote and protect the rights of women and children to complement the building of the ASEAN Community.
- To promote public awareness and education of the rights of women and children in ASEAN.
- To encourage ASEAN Member States on the collection and analysis of disaggregated data by sex, age, etc., related to the promotion and protection of the rights of women and children.
- To support the participation of ASEAN women and children in dialogue and consultation processes in ASEAN related to the promotion and protection of their rights.<sup>2</sup>

9.5 DFAT also ‘advocate[s] internationally against violence against women’ through their bilateral relationships, and through multilateral forums, such as the United Nations Security Council.<sup>3</sup>

9.6 DFAT states that it engages with countries in the Pacific through the Pacific Islands Forum (PIF), and ‘on a bilateral basis ... promoting outcomes for gender equality, particularly through the Australian aid program’.<sup>4</sup>

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1 DFAT, *Submission 27*, pp. 9–10.

2 ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC), *Work Plan 2012–2016* <[humanrightsinasean.info/documents/3](http://humanrightsinasean.info/documents/3)> viewed 6 July 2015.

3 DFAT, *Submission 27*, p. 5.

4 The PIF is ‘a political grouping of 16 independent and self-governing states’ in the Pacific region, including Australia, New Zealand, Papua New Guinea, Fiji, Samoa and others. DFAT, *Submission 27*, p. 10.



- 9.7 In 2012, the PIF leaders endorsed the *Pacific Leaders Gender Equality Declaration* as part of the Regional Gender Initiative. According to DFAT:
- The Declaration called for enhanced women's political representation by: strengthening consultative mechanisms with civil society groups on key budget and policy issues; advocating for increased representation of women in the private sector and local level governance boards and committees; and considering specific legislative changes to allow temporary special measures such as reserved seats.<sup>5</sup>
- 9.8 DFAT reported that Pacific leaders agreed to 'ensure that gender analysis is factored into sustainable development discussions, country programming, and policy decisions'.<sup>6</sup>
- 9.9 DFAT submitted that it engages in diplomatic dialogue in the Indian Ocean region, through the Indian Ocean Rim Association (IORA), which includes India, Bangladesh, Sri Lanka and other countries that border the Indian Ocean. Recent work with IORA has focussed on women's economic empowerment, particularly:
- ... dialogue ... in collaboration with United Nations Development Programme (UNDP) in August 2014 on barriers to trade for women-led and women-owned small and medium enterprises (SMEs) in the Indian Ocean region ... [to] produce recommendations to IORA Ministers on actions to remove barriers to women's economic participation in the region.<sup>7</sup>
- 9.10 At hearings, Dr Susan Harris Rimmer from the Australian National University Gender Institute praised Australia's recent diplomatic work, saying:
- The government has also taken what I think is an exciting step to try to promote women's economic empowerment within the Indian Ocean Rim Association.<sup>8</sup>
- 9.11 As a member of the Asia-Pacific Economic Co-operation (APEC) forum, Australia has also promoted APEC projects designed to assist

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5 DFAT, *Submission 27*, p. 10.

6 DFAT, *Submission 27*, p. 10.

7 DFAT, *Submission 27*, p. 10.

8 Dr Harris Rimmer, Director of Studies, Asia-Pacific College of Diplomacy, Australian National University (ANU), on behalf of the ANU Gender Institute, *Committee Hansard*, Canberra, 23 September 2014, p. 2. The meeting of the Indian Ocean Rim Association (IORA) Council of Ministers held 9 October 2014, Perth, Western Australia, endorsed the proposal, see DFAT, 'IORA Economic Declaration' <[dfat.gov.au/international-relations/regional-architecture/indian-ocean/iora/Pages/iora-economic-declaration.aspx](http://dfat.gov.au/international-relations/regional-architecture/indian-ocean/iora/Pages/iora-economic-declaration.aspx)> viewed 6 November 2015.

women-owned small and medium-sized enterprises to access the global market.<sup>9</sup>

- 9.12 Australia's diplomatic work on women's rights also includes advocacy in Afghanistan. For instance, Australia advocates for 'the inclusion of women in peace efforts in Afghanistan by ensuring provisions in United Nations Security Council resolutions'. DFAT explained that:

... in the recent United Nations Assistance mission to Afghanistan (UNAMA) mandate renewal (Resolution 2145), Australia advocated new and strengthened provisions to support political participation by Afghan women, enhance protection from sexual violence, hold perpetrators of gender-based violence to account, and maintain legislative protections for Afghan women.<sup>10</sup>

### Australia's Ambassador for Women and Girls

- 9.13 The position of Australia's Ambassador for Women and Girls was created in 2011 and:

... reflects the Australian Government's active commitment in the international arena – and with a special focus on the Asia-Pacific region – to promote gender equality and to give women a stronger voice in the world.<sup>11</sup>

- 9.14 The position has been held on a part-time basis by former Senator Natasha Stott Despoja since March 2014. Since her appointment, the Ambassador has travelled extensively in the Asia-Pacific region. DFAT highlighted the Ambassador's role as a representative at multilateral, bilateral and regional meetings, saying that the Ambassador 'strengthened Australia's international credentials as an active advocate for the rights of women and girls'.<sup>12</sup>

- 9.15 DFAT also advised that the Ambassador has promoted key campaigns, such as International Women's Day, the International Day for the Elimination of Violence Against Women (White Ribbon Day) and the International Day of the Girl Child.<sup>13</sup>

- 9.16 At the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children in Indonesia, held in February 2014, the Ambassador 'promoted Australia's work internationally and domestically

9 DFAT, *Submission 27*, p. 11.

10 DFAT, *Submission 27*, p. 39.

11 DFAT, 'Gender Equality' <[dfat.gov.au/international-relations/themes/gender-equality/Pages/gender-equality.aspx](http://dfat.gov.au/international-relations/themes/gender-equality/Pages/gender-equality.aspx)> viewed 6 July 2015.

12 DFAT, *Annual Report 2013–14*, p. 94.

13 DFAT, *Submission 27*, p. 41.

- to address violence against women and end trafficking of women and girls'.<sup>14</sup>
- 9.17 As previously mentioned in Chapter 4, the Ambassador also led Australia's delegation to the UK-hosted Global Summit to End Sexual Violence in Conflict, held in London in June 2014. At that summit Australia supported the launch of the *International Protocol on the Documentation and Investigation of Sexual Violence in Conflict*.<sup>15</sup>
- 9.18 DFAT advised that the Foreign Minister, the Hon Julie Bishop MP is a champion of the UK's Preventing Sexual Violence in Conflict Initiative, and co-hosted with the British High Commissioner an Australian Dialogue on Preventing Sexual Violence in Conflict. The dialogue:
- ... brought together diplomatic, aid, military, policing, academic and civil society experts to shape Australia's work on eliminating sexual violence and delivered new commitments by Australia to end the use of sexual violence as a weapon of war, to end impunity for perpetrators and to support survivors.<sup>16</sup>
- 9.19 As the economic empowerment of women is considered 'a key pillar of the Ambassador for Women and Girls' international advocacy', the Ambassador represented Australia at the APEC Women and the Economy Forum, in Beijing in May 2014. At this forum, the Ambassador 'announced new funding to build the capacity of trade promotion agencies in APEC economies to connect women's businesses to export markets'.<sup>17</sup>
- 9.20 DFAT stated that the Ambassador also led Australia's negotiations to secure 'strong APEC commitments to integrate gender considerations across all APEC activities'.<sup>18</sup>
- 9.21 In 2014, the Ambassador met with women entrepreneurs participating in Australian-funded microfinance programs in Indonesia, and women recipients of Australian support in PNG's coffee industry. She also visited Nauru and the Solomon Islands.<sup>19</sup>
- 9.22 The Ambassador herself spoke to the Committee in December 2014. She praised the work of the Australian Government in promoting women's

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14 DFAT, *Annual Report 2013–14*, p. 95.

15 Available at <[www.gov.uk/government/publications/international-protocol-on-the-documentation-and-investigation-of-sexual-violence-in-conflict](http://www.gov.uk/government/publications/international-protocol-on-the-documentation-and-investigation-of-sexual-violence-in-conflict)> viewed 2 July 2015.

16 DFAT, *Annual Report 2013–14*, p. 95.

17 DFAT, *Annual Report 2013–14*, p. 96.

18 DFAT, *Annual Report 2013–14*, p. 96.

19 DFAT, *Annual Report 2013–14*, p. 96.

empowerment in the Indo-Pacific region, and pointed out that Australia's efforts are well-received abroad.<sup>20</sup>

- 9.23 The Ambassador suggested the Australian Government should prioritise:
- encouraging other countries to create a position of Ambassador for Women and Girls;
  - continuing to support, and give high priority to, programs to increase the representation of women in leadership positions, including but not limited to political leadership;
  - greater engagement of the Australian Parliament with activities associated with the promotion of women's rights, such as International Women's Day, International Day of the Girl Child, etc;<sup>21</sup> and
  - engaging in more trilateral work, so as to avoid doubling up on effort and to maximise opportunities for success.<sup>22</sup>

### Assessments of the Ambassador's work

- 9.24 Assessments by witnesses to the inquiry of the Ambassador's role and work were mostly positive. According to DFAT, the Ambassador's work has 'generated a high level of interest in Australia's efforts to promote the empowerment of women'.<sup>23</sup>
- 9.25 DFAT asserted that the Ambassador has engaged effectively in bilateral discussions and international fora to promote women's human rights, as well as engaging 'actively on international gender equality issues in the domestic context, advancing the partnership between government and civil society'.<sup>24</sup>
- 9.26 Other witnesses to the inquiry made positive remarks about the work of the Ambassador. Dr Harris Rimmer suggested that the Government's support for the Ambassador's role demonstrated strong leadership around women's empowerment in the region, concluding that: 'the Ambassador for Women and Girls ... is a very important investment'.<sup>25</sup>
- 9.27 Ms Dimity Fifer, Chief Executive Officer of Australian Volunteers International, also praised the work of the Ambassador, saying:

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20 Ambassador Natasha Stott Despoja, Australia's Ambassador for Women and Girls, DFAT, *Committee Hansard*, Canberra, 3 December 2014, p. 2.

21 Ambassador Stott Despoja, DFAT, *Committee Hansard*, Canberra, 3 December 2014, p. 3.

22 Ambassador Stott Despoja, DFAT, *Committee Hansard*, Canberra, 3 December 2014, p. 8.

23 DFAT, *Submission 27*, p. 41.

24 DFAT, *Submission 27*, p. 41.

25 Dr Harris Rimmer, ANU Gender Institute, *Committee Hansard*, Canberra, 23 September 2014, p. 2.

Australia has a stunning Ambassador for Women and Girls and she is doing a great job of meeting people and putting forward the sorts of messages you would expect her to be doing and linking people.<sup>26</sup>

- 9.28 Witnesses agreed that the role of Ambassador for Women and Girls increases Australia's standing as an advocate for gender equality. Dr Harris Rimmer said:

Australia has this legacy of caring and also modelling particular behaviour – strong ministers and strong representation for a considerable period of time. Australia has this reputation already.<sup>27</sup>

- 9.29 Ms Fifer suggested the Australian Government should consider making the role of the Ambassador for Women and Girls a full-time position.<sup>28</sup> The Ambassador herself also commented on the limitations of the role being part time.<sup>29</sup> This view was echoed by Mr Stuart Schaffer, Director of International Programs at Save the Children Australia, who proposed that the role of the Ambassador for Women and Girls should also be supplemented and supported with an additional role; that of a male gender advocate.<sup>30</sup>
- 9.30 Dr Harris Rimmer expressed a similar view regarding the need to supplement the Ambassador's role, noting that Ms Stott Despoja was accompanied by the (now former) Chief of Army, Lieutenant General David Morrison at the Global Summit to End Sexual Violence in Conflict in 2014.<sup>31</sup>
- 9.31 Dr Harris Rimmer proposed the appointment of special envoys to augment the work of the Ambassador. She explained that an envoy could be, for instance, a prominent business person promoting women's economic empowerment through small enterprise.<sup>32</sup>

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26 Ms Dimity Fifer, Chief Executive Officer, Australian Volunteers International (AVI), *Committee Hansard*, Melbourne, 3 November 2014, p. 6.

27 Dr Harris Rimmer, ANU Gender Institute, *Committee Hansard*, Canberra, 23 September 2014, p. 2.

28 Ms Fifer, AVI, *Committee Hansard*, Melbourne, 3 November 2015, p. 6.

29 Ambassador Stott Despoja, DFAT, *Committee Hansard*, Canberra, 3 December 2014, p. 1.

30 Mr Stuart Schaefer, Director, International Programs, Save the Children Australia, *Committee Hansard*, 3 November 2015, p. 12. Also recommended by YWCA Australia, *Submission 65*, p. 14.

31 Dr Harris Rimmer, ANU Gender Institute, *Committee Hansard*, Canberra, 23 September 2014, p. 2.

32 Dr Harris Rimmer, ANU Gender Institute, *Committee Hansard*, Canberra, 23 September 2014, p. 4.

- 9.32 The Committee raised some questions about the value of such special envoys, seeking to understand the possible cost and benefits of the proposal. Dr Harris Rimmer pointed to examples from Sweden, Canada and Norway, which 'appoint special envoys for particular purposes. For example, female entrepreneurship ...'<sup>33</sup>
- 9.33 While witnesses were generally positive about the Ambassador's role, some expressed concerns about a lack of co-ordination across the diplomatic program. For instance, Dr Harris Rimmer stated:
- What [Australia] probably does not have is a joined-up, strategic approach to these issues across portfolios, and I think that could be done. We can see how that works under David Cameron in the UK, where there was a very significant strategic investment in gender equality issues and foreign policy. Under Hillary Clinton there was a very large investment in gender equality outcomes across the state department, and it made an impact on the soft power of those countries. That is what I am hoping we are moving towards.<sup>34</sup>
- 9.34 The International Women's Development Agency (IWDA) also pressed the need for a comprehensive focus on women's human rights across the diplomatic program, asserting that:
- As a goal, Australia must commit to promoting human rights and the rule of law as key foreign policy priorities and a projection of core Australian and universal values. Instrumentally, protecting human rights is essential to securing peace, justice, security and sustainable development.<sup>35</sup>

## Australia's aid program

- 9.35 DFAT's submission and supplementary submissions to the inquiry highlighted the Department's recent moves to increase its focus on gender throughout the aid program, as well as recent investments in flagship women's programs, such as Pacific Women Shaping Pacific Development (Pacific Women) initiative.
- 9.36 For the 2013–14 financial year, the Australian Government budgeted to provide an estimated \$5.6 billion in total Official Development Assistance

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33 Dr Harris Rimmer, ANU Gender Institute, *Committee Hansard*, Canberra, 23 September 2014, p. 4.

34 Dr Harris Rimmer, ANU Gender Institute, *Committee Hansard*, Canberra, 23 September 2014, p. 2.

35 IWDA, *Submission 32*, p. 2.

- (ODA). \$4.9 billion of this amount was to be managed by AusAID, and \$801 million was to be administered by other Australian government departments.<sup>36</sup>
- 9.37 In 2014-15 total Australian ODA came to \$5.03 billion. Total Australian ODA for the current financial year is projected to be \$4.05 billion.<sup>37</sup>
- 9.38 On 1 November 2013, the newly elected Australian Government merged the Department that was AusAID with DFAT in a machinery of government change. All responsibilities for ODA transferred to DFAT.<sup>38</sup>
- 9.39 DFAT provided evidence to the inquiry regarding the 'gender spend' of the Australian aid program. The Department explained that the Australian Government tracks the amount of aid dedicated to 'the promotion of gender equality and women's empowerment' through the use of the OECD Development Assistance Committee (DAC) gender equality marker. Applying the marker means that every aid activity is screened and identified in the Australian aid database, as one of the following:
- not targeted to promoting gender equality and women's empowerment
  - having gender equality as a 'significant (secondary) objective'
  - having gender equality as a 'principal (primary) objective'.<sup>39</sup>
- 9.40 According to DFAT, in 2012-13, \$2.11 billion, or 52 per cent, of ODA expenditure was gender-related and marked as gender equality focused (principal or significant).<sup>40</sup>
- 9.41 The following year, at the conclusion of 2013-14, 55 per cent of DFAT's aid expenditure, or \$2.19 billion, had been spent on 'investments that targeted promoting gender equality as either a principal or significant objective'.<sup>41</sup> This figure represents an increase of three percentage points on the previous year.
- 9.42 In the most recent financial year, 2014-15, Australia provided an estimated total of \$5.03 billion in ODA.<sup>42</sup> DFAT's *2014-15 Annual Report*, released in September 2015, stated:

36 The Hon Bob Carr, Minister for Foreign Affairs, *2013-14 Budget Statement: Australia's International Development Assistance Program*, p. 11.

37 DFAT, *2015-2016 Development Assistance Budget Summary*, p.[4].

38 The Hon Julie Bishop, Minister for Foreign Affairs, 'A New Era in Diplomacy', *Media Release*, 1 November 2015 < [foreignminister.gov.au/releases/Pages/2013/jb\\_mr\\_131101a.aspx?ministerid=4](http://foreignminister.gov.au/releases/Pages/2013/jb_mr_131101a.aspx?ministerid=4) > viewed 9 August 2015.

39 DFAT, *Submission 27*, p. 7.

40 DFAT, *Submission 27*, p. 7.

41 DFAT, *Supplementary Submission 27.2*, p. 7.

42 DFAT, *The 2014-15 Development Assistance Budget: A Summary*, p. 2, < [dfat.gov.au/about-us/corporate/portfolio-budget-statements/Documents/2014-15-development-assistance-](http://dfat.gov.au/about-us/corporate/portfolio-budget-statements/Documents/2014-15-development-assistance-)

Gender equality and women's empowerment was either a principal or significant objective in 55 per cent of the department's aid investments, some \$2.4 billion.<sup>43</sup>

- 9.43 The 2013–14 figure of \$2192 million included \$202 million which was spent on programs that were focussed *primarily* on gender equality. This means that five per cent of DFAT's total investments in 2013–14 were for programs with gender equality as their primary or principal aim.<sup>44</sup>
- 9.44 DFAT reported that the total global amount of bilateral aid targeting gender equality and women's empowerment tripled between 2002 and 2012 – from USD8 billion to USD24 billion. Most of this aid was for programs in health and education.<sup>45</sup>
- 9.45 Within the OECD, Australia ranks relatively highly in terms of its focus on gender. For instance, in 2012–13 Australia ranked sixth in the OECD for the percentage of ODA expended on gender-related programs.<sup>46</sup>
- 9.46 According to DFAT, the Australian aid program 'protects women's rights and promotes gender equality through a twin-track approach'. This approach incorporates 'gender mainstreaming' in a majority of DFAT's programs, alongside investments in gender-specific programs, which 'address priority areas' for women's human rights.<sup>47</sup>
- 9.47 DFAT's priority areas in regards to gender programming mirror those defined by the OECD, which are: women's economic empowerment, family planning, women, peace and security, and women's participation and leadership.<sup>48</sup>
- 9.48 The percentage of the Australian aid program focused on gender equality varies widely depending on country. For instance, DFAT explained that:
- ... more than 80 per cent of recent economic sector aid in Laos, Latin America, Timor-Leste, Solomon Islands and Vanuatu was principally or significantly focused on gender, but this was less than 20 per cent in Afghanistan, Burma, Cambodia, Indonesia, Papua New Guinea, Philippines and Vietnam.<sup>49</sup>

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budget-a-summary.docx> viewed 3 July 2015.

43 DFAT, *Annual Report 2014–15*, September 2015, p. 117, <[dfat.gov.au/about-us/publications/corporate/annual-reports/annual-report-2014-2015/dfat-annual-report-2014-15.pdf](http://dfat.gov.au/about-us/publications/corporate/annual-reports/annual-report-2014-2015/dfat-annual-report-2014-15.pdf)> viewed 19 October 2015.

44 DFAT, *Supplementary Submission 27.2*, p. 9.

45 DFAT, *Submission 27*, p. 29.

46 DFAT, *Supplementary Submission 27.2*, pp. 9–10.

47 DFAT, *Submission 27*, p. 7.

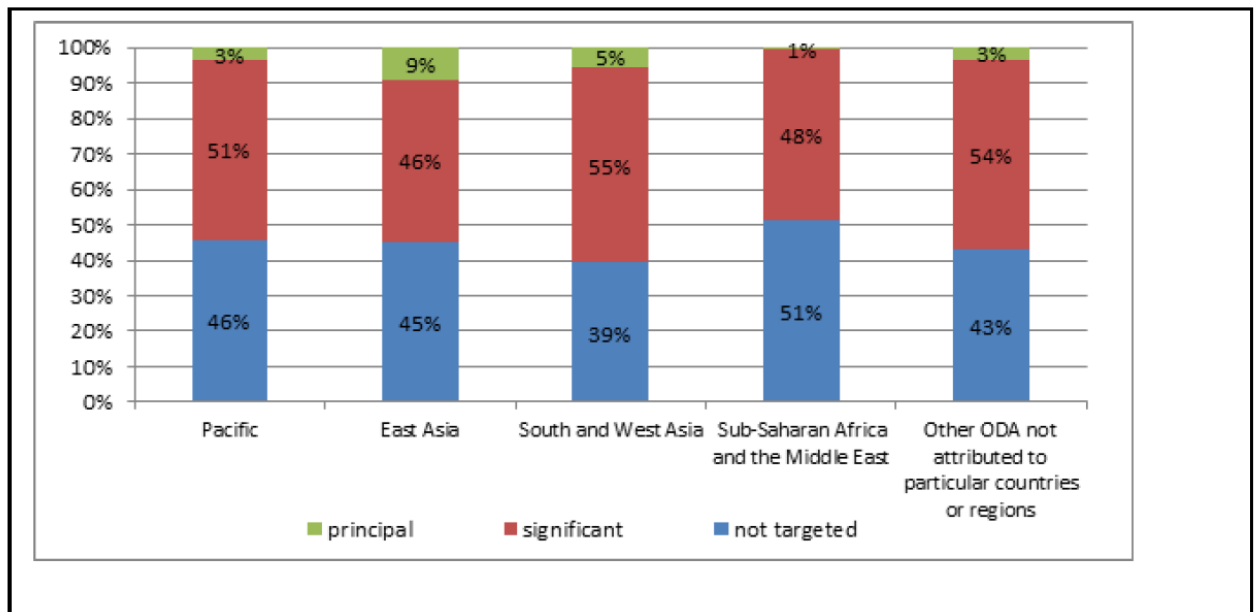
48 DFAT, *Submission 27*, p. 8.

49 DFAT, *Submission 27*, p. 8.



9.49 A table provided by DFAT that shows the breakdown of gender-related spending by region is below.

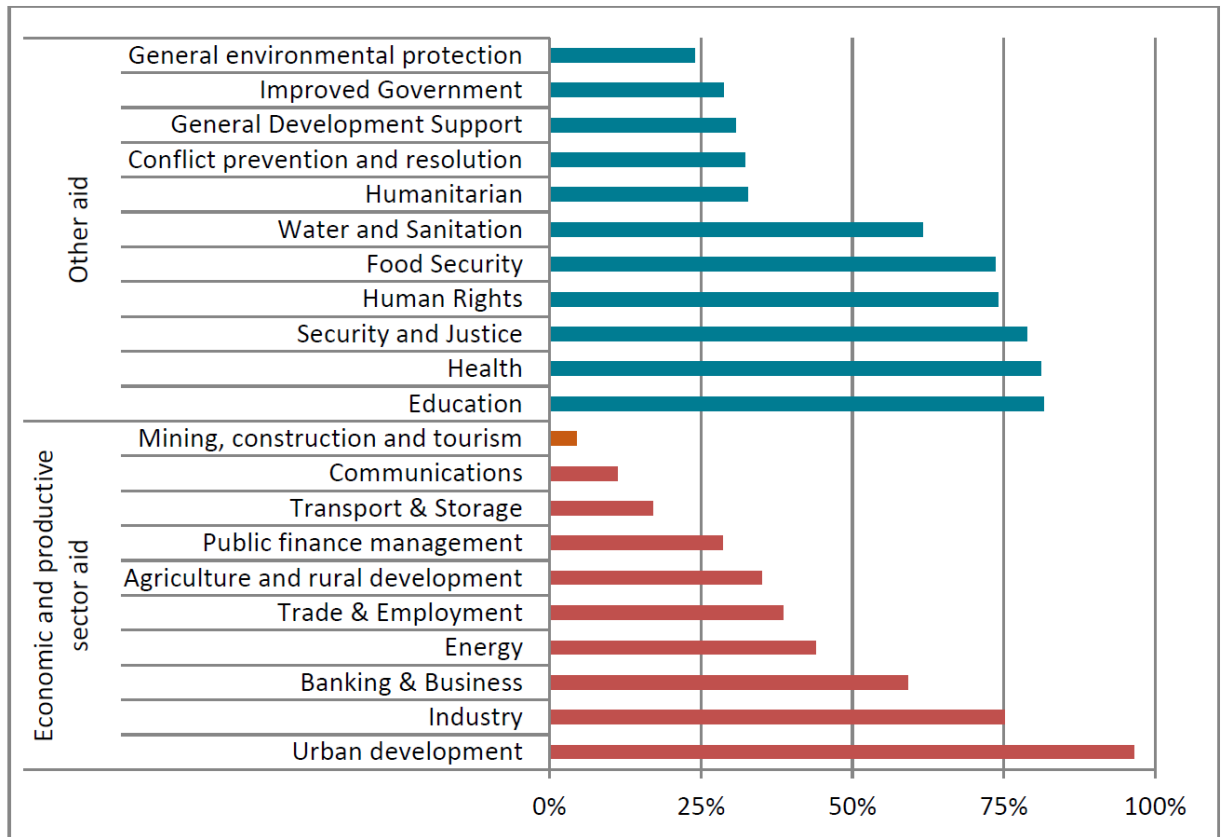
Figure 9.1 2013–14 DFAT’s ODA by Region, investments that identify gender equality as an objective (%)



Source DFAT, Supplementary Submission 27.2, p. 8.

9.50 The focus on gender also varies widely depending on sector. Data from DFAT indicates that aid in government, finance, agriculture and other areas of economic development, is far less likely to be focussed on gender equality compared with sectors such as health and education. The table below shows the breakdown of gender-related spending by aid sector.

Figure 9.2 Proportion of Australian Government aid commitment that focuses on gender equality by sector, 2010–11 to 2011–12



Source DFAT, Submission 27, p 8. 2011–2012 data.

9.51 The Committee sought a list of all Australian programs that promote the human rights of women and girls in the Indo-Pacific region. The Department was unable to provide a comprehensive list, claiming:

Given that the majority of aid programs effectively integrate gender equality considerations, providing an exhaustive summary of all programs relevant to the human rights of women and girls will not be possible.<sup>50</sup>

9.52 DFAT also stated that ‘it would be a significant diversion of DFAT’s resources to provide information on all of DFAT’s activities and achievements to-date advancing women’s rights in the region’.<sup>51</sup> Instead, DFAT provided information about a number of specific programs with impacts on women and girls. These programs, and the associated investments, are reported below by region.

50 DFAT, *Supplementary Submission 27.2*, p. 24.

51 DFAT, *Supplementary Submission 27.3*, p. 1.

## The Pacific

- Pacific Women Shaping Pacific Development (Pacific Women). Total investment: \$320 million from 2012–2022. Some components include:
  - ⇒ PNG Gender Equality/Gender Based Violence Program. Total investment: \$72.8 million from 2008–2020.
  - ⇒ Femili PNG: the Lae Case Management Centre. Total investment: \$3 million from 2014–2017.
  - ⇒ PNG Oxfam Repatriation and Reintegration Program. Total investment: \$446 000 from 2014–2015.
  - ⇒ Solomon Islands Gender Equality Program. Total investment: \$7.5 million from 2012–2016.
  - ⇒ Pacific Women (Vanuatu). Total investment: \$6.72 million from 2012–2016.
- Pacific Regional Ending Violence against Women Facility Fund. Total investment: \$6.73 million from 2010–2018.
- PNG–Australia Law and Justice Partnership. Total investment (only partly gender-focussed): \$183 million from 2009 to 2015.
- Fiji Women’s Crisis Centre. Total investment: \$8.42 million from 2009–2015.<sup>52</sup>

## East Asia

- Empowering Indonesian Women for Poverty Reduction (Maju Perempuan Indonesia untuk Penanggulangan Kemiskinan or MAMPU). Total investment: \$60 million from 2012–2016.
- Timor-Leste Ending Violence Against Women (EVAW). Total investment: \$18.7 million from 2014–2018.
- Timor-Leste National Program for Village Development (PNDS). Total investment (only partly gender focussed): \$50 million from 2012–2017.
- Cambodia Ending Violence against Women (EVAW) Program. Total investment: \$7.23 million from 2013–2018.
- Vietnam Australian Development Scholarship (ADS) – PREP. Total investment (only partly gender focussed – 62 per cent of recipients were women in 2014): \$40.87 million from 2002–2016.<sup>53</sup>

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52 DFAT, *Supplementary Submission 27.2*, pp. 25–56.

53 DFAT, *Supplementary Submission 27.2*, pp. 25–56.

## South and West Asia

- Afghanistan Elimination of Violence Against Women (EVAW) Program. Total investment: \$28.2 million from 2013–2017 (\$22.7 million from DFAT and \$5.5 million from the UK’s Department for International Development – DFID).
- Challenging Gender Based Violence Program in Khyber Pakhtunkhwa (KP) and Sindh Provinces (Pakistan – two of four provinces). Total investment: \$7.5 million from 2014–2017.
- SRSP Livelihood Strengthening Program – Pakistan, Khyber Pakhtunkhwa Province. Total investment: \$11 million from – 2015.
- Combating Acid and Burn Violence in Bangladesh. Total investment: \$2.3 million from 2012–2014 and refunded 2015–2016.<sup>54</sup>

## Gender ‘mainstreaming’ across the aid program

9.53 DFAT’s ‘twin-track approach’ to addressing the human rights of women and girls through the aid program relies on the use of ‘gender mainstreaming’. Gender mainstreaming is a concept well understood and well supported by witnesses to the inquiry. For instance, the Secretariat of Pacific Community (SPC) defined gender mainstreaming as:

... the concept of assessing the different implications for women and men of any planned policy action, including legislation and programmes, in all areas and at all levels.<sup>55</sup>

9.54 The Secretariat further observed that the failure to incorporate gender mainstreaming is endemic to Pacific policy:

Assessments by the United Nations Population Fund has found that the extent to which Pacific national development plans and strategies did this found that gender is ‘ghettoised’ – addressed in a separate section of strategies and plans, rather than being mainstreamed. Some countries’ plans and strategies made virtually no mention of gender issues.<sup>56</sup>

9.55 DFAT conceptualises gender mainstreaming as the process of analysing all aid programs for their impacts on women:

Program managers are required to consider gender equality concerns during the design of an initiative. They are expected to analyse the differential impacts of an initiative on different groups

54 DFAT, *Supplementary Submission 27.2*, pp. 25–56.

55 Secretariat of the Pacific Community (SPC), *Submission 24*, p. 4.

56 SPC, *Submission 24*, p. 4.

of women and men and consider the inclusion of measures to ensure that women and men benefit equally.<sup>57</sup>

9.56 The International Women's Development Agency (IWDA) revealed the consequences of what they called 'gender-blind decision making':

... decision making that does not consider the impact of a policy, program, project or other activity on women, men, boys and girls and on the economic and social relations between them – risks missing opportunities to progress the rights of women and girls and may result in unintended adverse consequences.<sup>58</sup>

9.57 IWDA were especially concerned about a failure to consider gender in trade policy, saying:

The differential impacts of trade on women and men must be analysed and systematically factored into decision making if governments are to make trade policy choices that are effective, sustainable and contribute to outcomes that meet the needs of both women and men.<sup>59</sup>

9.58 In its submission, DFAT contended that gender mainstreaming is a globally accepted approach, stating that:

... ASEAN has been focussed on mainstreaming gender equality outcomes throughout its work, in particular through the Social-Cultural Community (ASCC) Blueprint (2009–2015).<sup>60</sup>

In fact, DFAT revealed that Australia, through its diplomatic program, 'aims to strengthen the strategic direction of APEC's work on women in 2014 by focusing on activities that support gender mainstreaming'.<sup>61</sup>

9.59 While DFAT stated that all programs must be considered for their impact on gender equality,<sup>62</sup> not all of the programs are rated 'satisfactory' by DFAT.<sup>63</sup> In 2013, 73 per cent of programs were rated as 'satisfactory' in terms of their impacts on gender equality.<sup>64</sup>

9.60 The 2015–16 Portfolio Budget Statement for Foreign Affairs and Trade indicates that gender mainstreaming remains an ongoing focus of the

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57 DFAT, *Submission 27*, p. 7.

58 IWDA, *Submission 32*, p. 3.

59 IWDA, *Submission 32*, p. 4.

60 DFAT, *Submission 27*, p. 9.

61 DFAT, *Submission 27*, p. 11.

62 DFAT, *Supplementary Submission 27.2*, p. 4.

63 Programs are rated annually in 'Quality at Implementation' checks. See p. 23 for more detail.

64 DFAT, *Submission 27*, p. 47.

Government in 2015-16. It states that '[g]ender equality and women and girls' empowerment will be addressed across the aid program'.<sup>65</sup>

- 9.61 DFAT pointed to a 2013 OECD Development Co-operation Peer Review of Australia, which found that 'women's empowerment [was] mainstreamed' throughout Australia's aid program, observing that Australia's aid program is:

... well positioned to promote gender equality in the difficult and varying context in which it operates, from the Pacific Islands and the Philippines to Afghanistan.<sup>66</sup>

- 9.62 Other witnesses to the inquiry commented on the importance and relative efficacy of gender mainstreaming. For instance, Professor Margaret Alston from the GLASS Research Unit at Monash University highlighted the role that a well-developed understanding of the issue of gendered violence can play in aid planning:

The issue of violence against women is something that we need to be conscious of in terms of how we apply our aid. All of our aid programs should necessarily be underpinned by gender mainstreaming.<sup>67</sup>

- 9.63 Dr Harris Rimmer explained that the failure to consider gender dynamics can hamper aid efforts, using the example of Bangladesh-based non-government development organisation BRAC, headed by Sir Fazle Hasan Abed winner of the 2015 World Food prize:<sup>68</sup>

BRAC, again, is a fascinating example. Sir Fazle did not set out to improve the rights of women. He set out to improve the overall life expectancy and mortality rates of Bangladeshis ... His first program was around trying to stop children dying from diarrhoea ... He realised that, because of power dynamics and issues at the household level, it was not working. His program to introduce a basic diarrhoea hydration salts formula at the household level was

65 Foreign Affairs and Trade Portfolio, *Budget 2015-16: Portfolio Budget Statements 2015-16, Budget Related Paper No. 1.9*, p. 18.

66 DFAT, *Submission 27*, p. 5.

67 Professor Margaret Alston, GLASS Research Unit, Monash University, *Committee Hansard*, Melbourne, 3 November 2014, p. 28.

68 Sam Jones, 'Brac's [sic] Sir Fazle Hasan Abed wins 2015 World Food Prize for Reducing Poverty', *The Guardian*, 2 July 2015 < [www.theguardian.com/global-development/2015/jul/02/brac-sir-fazle-hasan-abed-wins-2015-world-food-prize-reducing-poverty](http://www.theguardian.com/global-development/2015/jul/02/brac-sir-fazle-hasan-abed-wins-2015-world-food-prize-reducing-poverty) > viewed 23 September 2015.

not succeeding because of gender issues that he had not understood.<sup>69</sup>

- 9.64 Sir Fazle overcame the failure of the program by redirecting the focus to include empowering women at the household level. Dr Harris Rimmer explained:

So he went back to the drawing board and dealt with those issues, and has improved overall Bangladesh's child mortality rate over 10 years. If you want to talk about measurable outcomes, BRAC has a lot of them. And that one is a classic. By being gender aware and gender sensitive, the overall success of the program was enhanced.<sup>70</sup>

- 9.65 An example of DFAT's work to mainstream gender across the aid program can be found in DFAT's 2015 *Health for Development Strategy*, which, as discussed in chapter five, features women's empowerment as one of four primary investment targets.<sup>71</sup>

- 9.66 While most witnesses supported gender mainstreaming, Abt JTA suggested that the resources of DFAT are at risk of being spread too thinly if the Department tries to incorporate gender into all aspects of the aid program. Abt JTA proposed instead:

Prioritising the aid program's gender resources, including budget and staff time, to 'Tier One Programs' that are most likely to have an impact rather than the uneven mainstreaming of gender into all programs.<sup>72</sup>

- 9.67 IWDA also pointed out the limitations of gender mainstreaming, saying:

Transformative change requires greater investment in targeted initiatives that address inequality and support women's rights.<sup>73</sup>

- 9.68 Ms Irene M. Santiago, Lead Convenor of 'Women. Seriously', asserted that gender mainstreaming must be accompanied by building women's movements, which lobby governments and help to create the political will for change in areas of women's empowerment.<sup>74</sup>

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69 Dr Harris Rimmer, ANU Gender Institute, *Committee Hansard*, Canberra, 23 September 2014, p. 5.

70 Dr Harris Rimmer, ANU Gender Institute, *Committee Hansard*, Canberra, 23 September 2014, p. 5.

71 DFAT, *Health for Development Strategy 2015-2020*, June 2015, p. 15, <[dfat.gov.au/about-us/publications/Documents/health-for-development-strategy-2015-2020.PDF](http://dfat.gov.au/about-us/publications/Documents/health-for-development-strategy-2015-2020.PDF)> viewed 6 July 2015. Among other indicators, the health strategy is set to be evaluated in terms of the following question: 'Are we contributing to gender-equality outcomes?'

72 Abt TJA, *Submission 59*, p. 1.

73 IWDA, *Submission 32*, p. 9.

74 Ms Irene M. Santiago, *Submission 85*, p. 2.

- 9.69 DFAT's own assessments have found that attempts to mainstream gender into economic programs have often been disappointing. A 2014 Office of Development Effectiveness (ODE) report, *Smart Economics: Evaluation of Australian Aid Support for Women's Economic Empowerment*, which looked at 28 major economic aid programs, found that:
- The majority of initiatives reviewed (70 per cent) made basic attempts to promote gender equality in their design or implementation. In each of the five sectors examined, the Australian aid program had designed or implemented initiatives that addressed issues related to gender equality and women's economic empowerment. On the whole, however, these efforts were piecemeal, and the trade sector presented particular challenges.<sup>75</sup>
- 9.70 The ODE further expressed the view that gender mainstreaming is not sufficient in areas of entrenched gender-based disadvantage:
- Gender mainstreaming has been the norm in most countries and institutions since the Fourth World Conference on Women in 1995. However, some research has recently shown that gender mainstreaming as a stand-alone approach has not performed as hoped in producing results for women.<sup>76</sup>
- 9.71 An ODE review of the aid program in 2009 expressed similar concerns:
- There is a risk that gender equality issues will get lost in any shift to sector-wide approaches to providing support, unless Australia and other development partners make a conscious effort to pursue them as part of the sectoral policy agenda.<sup>77</sup>
- 9.72 IWDA concluded that gender mainstreaming can work, as long it is done in a meaningful way. IWDA asserted that:
- Initiatives that 'mainstream' gender equality and women's empowerment should have specific, detailed implementation plans that show how gender will be integrated and resourced.<sup>78</sup>
- 9.73 In its 2015 Submission to the Senate Standing Committee on Foreign Affairs, Defence and Trade Inquiry into the International Aid (Promoting Gender Equality) Bill 2015, DFAT described in detail the strategies that are

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75 DFAT, Office of Development Effectiveness (ODE), *Smart Economics: Evaluation of Australian Aid Support for Women's Economic Empowerment*, August 2014, p. 3.

76 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women's Economic Empowerment*, August 2014, p. 21.

77 ODE, AusAID, *Annual Review of Development Effectiveness 2009*, p. 52.

78 IWDA, *Submission 32*, p. 8.



currently in place to build staff capacity to mainstream gender considerations throughout the aid program. These include:

- The *Aid Programming Guide*: this guide is used by DFAT program managers to guide their practices and includes information on incorporating gender equality into aid program management.
- The *Gender Equality Good Practice Note*: this document sets out DFAT's 'strategic objectives for gender equality', and provides guidance for aid management relating to women and girls.
- Gender specialists: DFAT employs a number of gender specialists 'who provide technical advice and support on gender equality across the aid program'.
- Procurement of outside gender specialists: to fill gaps in DFAT's knowledge, the Department maintains an Aid Advisory Services Standing Offer (AAS) for gender equality, which allows for fast 'access [to] a range of high quality companies and individual advisers with expertise on gender and development'.<sup>79</sup>

### Training and capacity building

9.74 Despite the strategies noted above, the ODE's *Smart Economics* report identified a lack of staff capacity to respond to gender in programming, saying only about one third of Australian aid staff 'felt confident about how to incorporate gender within a project cycle'.<sup>80</sup>

9.75 The ODE recommended that DFAT staff who have been posted, as well as those in Canberra, be provided with training and capacity building so that they:

... are familiar with context-specific evidence on gender to support economic diplomacy, and proactively identify investment opportunities relating to gender equality in dialogue with public, community and private-sector stakeholders.<sup>81</sup>

9.76 The ODE cited results from a recent needs assessment conducted by the University of Queensland which demonstrated a gap in the knowledge and confidence of DFAT staff in regards to gender. It found that:

... while 70 per cent of survey respondents were aware of the Australian aid program's gender policy, levels of understanding of

79 DFAT, Submission to Senate Standing Committee on Foreign Affairs, Defence and Trade Inquiry into the International Aid (Promoting Gender Equality) Bill 2015, pp. 5–6.

80 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women's Economic Empowerment*, August 2014, p. 5.

81 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women's Economic Empowerment*, August 2014, p. 4.

the overall strategy and each of its four pillars were low. Only 35 per cent of respondents felt confident in completing the gender section in Quality At Implementation(QAI) reports.<sup>82</sup>

- 9.77 The Committee asked DFAT for additional information about their staff training and capacity building in regards to gender, and the Department explained that it provides:
- An e-learning module on gender equality and women’s empowerment: this module is compulsory for ‘all staff who are preparing for their first posting and all staff preparing for a posting to work on the aid program overseas’.
  - A briefing on the women, peace and security agenda: this is compulsory for officers who are being posted to Afghanistan or the Solomon Islands. It is also recommended for ‘officers being posted to conflict or post-conflict regions’.
  - A new face to face gender equality training program, which began in 2015 and has been delivered to 78 staff across DFAT.<sup>83</sup>
- 9.78 The new training course provides participants with an introduction to gender analysis, and:
- ... an overview of the evidence base for work on gender equality, in particular the three pillars of DFAT’s work on gender equality: women’s participation in leadership, including in peacebuilding; women’s economic empowerment; and ending violence against women and girls.<sup>84</sup>
- 9.79 The course also incorporates an exercise where participants have to ‘identify entry points and strategies to promote gender equality in a transport program’.<sup>85</sup>

## Effectiveness of Australia’s aid program

- 9.80 DFAT’s initial submission to the inquiry provided a short description of the process used by the Department to ‘ensure that the Australian ODA that is administered by the Department does not disadvantage women

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82 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women’s Economic Empowerment*, August 2014, p. 72.

83 DFAT, *Submission 27.3*, p. 8.

84 DFAT, *Submission 27.3*, p. 8.

85 DFAT, *Submission 27.3*, p. 8.

- and promotes equal opportunities and outcomes for women and men', and two specific program examples.<sup>86</sup>
- 9.81 The material provided was insufficient to answer term of reference four – 'the effectiveness of Australian programs to support efforts to improve the human rights of women and girls in the Indian Ocean–Asia Pacific region'. As a result, the Committee asked the Department for more information, which it provided in July and August 2015.
- 9.82 This additional material, along with evidence provided to the Committee by DFAT (including ODE reports), the Attorney-General's Department (AGD), the Australian Federal Police (AFP) and others, provided the basis for an assessment of Australian programs in relation to gender issues.
- 9.83 DFAT's own evaluations have consistently identified promising work alongside a need for improvement. For instance, the 2014 report *Performance of Australian Aid 2013–14* found that, while Australia's gender polices were best practice, 'effectiveness in the areas of governance and gender equality could be further improved'.<sup>87</sup>
- 9.84 Concern with the effectiveness of Australian aid programs in promoting women's human rights is not new. In 2009, the ODE's *Annual Review of Development Effectiveness* found that strategies to boost gender equality had 'yet to be translated effectively into performance results'. In fact, the ODE argued that 'gender equality work in most projects is largely peripheral and rarely influences their strategic direction'.<sup>88</sup>
- 9.85 The ODE's report discussed the Women and Child Health Project in PNG, which 'did useful work to introduce a gender approach and to address gender-based violence'. However, the ODE also reported that:
- ... the independent completion report did not find evidence of impacts on the health status of women and children or their access to services. It also found that this work did not inform the subsequent sector-wide approach.<sup>89</sup>
- 9.86 A more recent example is the 2014 ODE report on the impacts of Australian aid for women's economic empowerment. DFAT provided the report to the inquiry as an example of recent reviews into the effectiveness of their programs. The report presented a detailed analysis of the trade

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86 DFAT, *Submission 27*, p. 47.

87 DFAT, *Performance of Australian Aid 2013–14*, p. 1.

88 AusAID, Office of Development Effectiveness (ODE), *Annual Review of Development Effectiveness 2009*, p. 51.

89 AusAID, ODE, *Annual Review of Development Effectiveness 2009*, pp. 51–52.

and economic aspects of the aid program, looking at 28 programs valued at \$867 million, analysing their impacts on women and gender equality.<sup>90</sup>

- 9.87 The ODE report found that less than 30 per cent of aid in areas such as trade, business and banking, agriculture, transport and energy could ‘demonstrate an explicit focus on gender equality’. The authors concluded that this represented ‘missed opportunities to help women in developing countries improve their economic status, and thereby contribute to local, national and regional economies’.<sup>91</sup>
- 9.88 The report identified that DFAT’s gender policies and strategies were ‘very good’, and represented global best practice, and it also listed a number of programs that provided ‘good practice examples’. These were:
- the Solomon Islands roads project, where women represented 40 per cent of hired labour;
  - the Laos power to the poor project, through which electrification rates for female-headed households in the pilot area increased from 63 to 90 per cent;
  - the Vanuatu technical and vocational training program, where 91 per cent of women who completed training reported increased profits after one year; and
  - the Bangladesh microfinance project, which reached more than 52 000 women and resulted in greater control over assets, increased household decision-making and reduced violence against women.<sup>92</sup>
- 9.89 However, the ODE concluded that good practice examples were ‘the exception, not the rule’. The evaluation found that Australian aid ‘can do more’ to promote gender equality and women’s empowerment in economic sectors, and that there:
- ... are real opportunities available to Australia to enhance women’s contributions to business and economic growth and support efforts to reduce barriers to women’s workforce participation.<sup>93</sup>
- 9.90 DFAT agreed to all four recommendations, which were designed to help the Department ‘invest strategically in economic pathways for women’. These were:

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90 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women’s Economic Empowerment*, August 2014, p. 2.

91 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women’s Economic Empowerment*, August 2014, p. 1.

92 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women’s Economic Empowerment*, August 2014, p. 2.

93 DFAT, *Performance of Australian Aid 2013–14*, 2015, p. 61.

- Strategic economic sector investments: DFAT should invest more strategically in all economic sectors.
- Gender equality strategies and economic diplomacy: DFAT should articulate clear commitments for gender equality and women's economic empowerment in its program strategies, program designs and economic diplomacy efforts.
- Capacity, resources and incentives: DFAT should build the capacity of the Australian aid program to implement existing policy relating to the inclusion and empowerment of women in the economic sectors.
- Performance and evaluations: DFAT should improve monitoring and evaluation in the economic sectors to capture results for women.<sup>94</sup>

9.91 Recently, DFAT has pointed to initiatives it has introduced to increase strategic investment in gender equality, including:

- a focus on three key areas where 'progress toward gender equality has been slow'. These are: 'women's voice in decision-making, leadership, and peacebuilding; women's economic empowerment; and ending violence against women and girls';
- the establishment of a new Gender Equality Fund, as part of the 2015-16 Federal Budget; and
- additional efforts to align the aid program and diplomatic efforts.<sup>95</sup>

9.92 In its submission, DFAT expressed an awareness of the need to ensure funding for gender-focussed initiatives remains strong:

It will be important to maintain adequate levels of Australian ODA that contributes substantially and effectively to these priority areas, since significant gender equality challenges remain and new challenges are emerging throughout the Indo-Pacific region.<sup>96</sup>

### DFAT's self-assessment methods

9.93 In addition to labelling aid investments with the OECD DAC gender marker, DFAT evaluates aid investments through 'Aid Quality Checks' (previously called 'Quality at Implementation' assessments).<sup>97</sup>

9.94 Up until 2015 all aid initiatives with a total value of more than \$3 million have been required to complete an annual Quality at Implementation

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94 DFAT, *Performance of Australian Aid 2013-14*, 2015, p. 61.

95 DFAT, Submission to Senate Standing Committee on Foreign Affairs, Defence and Trade Inquiry into the International Aid (Promoting Gender Equality) Bill 2015, p. 2.

96 DFAT, *Submission 27*, p. 8.

97 DFAT, *Submission 27*, p. 47.

assessment. The threshold for completing this assessment was increased to \$10 million in 2015, and the assessments renamed 'Aid Quality Checks'.<sup>98</sup>

- 9.95 Aid Quality Checks mean that all major initiatives are assessed according to six criteria, one of which is the 'effectiveness of their strategies to advance gender equality and promote women's empowerment'. A rating against this criteria is based on responses to these six 'propositions':
- Analysis of gender equality gaps and opportunities substantially informs the investment.
  - Risks to gender equality are identified and appropriately managed.
  - The investment is making progress as expected in effectively implementing strategies to promote gender equality and women's empowerment.
  - The Monitoring and Evaluation system collects sex-disaggregated data and includes indicators to measure gender equality outcomes.
  - There is sufficient expertise and budget allocation to achieve gender equality related outputs of the investment.
  - As a result of the investment, partners increasingly treat gender equality as a priority through their own policies and processes.<sup>99</sup>
- 9.96 As previously stated, 73 per cent of aid initiatives implemented by DFAT scored a rating of 'satisfactory' (or better) for the gender equality criteria in 2014. This represents a majority of aid initiatives and DFAT aims to increase this to 80 per cent by 2016.<sup>100</sup>
- 9.97 Initiatives with a satisfactory score tend to be concentrated in particular sectors, especially health and education, where most programs focus on women and girls. On the other hand, the ODE found that in economic sectors DFAT's '[m]onitoring and evaluation (M&E) of gender outcomes is weak', and in some cases non-existent, with only one quarter of programs surveyed reporting on gender outcomes at all.<sup>101</sup>
- 9.98 This weakness is not limited to the economic sphere, because:
- ... other work by the Office of Development Effectiveness (ODE) has found that gender equality performance is an ongoing area of weakness across the Australian aid program.<sup>102</sup>

98 DFAT, *Submission 27*, p. 47.

99 DFAT, *Supplementary Submission 27.2*, p. 6.

100 DFAT, *Submission 27*, p. 47.

101 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women's Economic Empowerment*, August 2014, p. 5.

102 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women's Economic Empowerment*, August 2014, p. 5.

- 9.99 In its review of the aid program Quality at Implementation reports in 2014, the ODE found that the gender equality criteria had ‘received the second-weakest rating by initiative managers (after monitoring and evaluation) for the past three years’.<sup>103</sup>
- 9.100 Other findings by the ODE have cast doubt on the efficacy of some of the Department’s past evaluations. For instance:
- The 2012 stocktake of the rural development portfolio notes that QAI reports on gender equality featured a great deal of ‘repeated text, sometimes over multiple years, and focus on process (such as appointing a gender adviser, or developing a plan) rather than outcomes’.<sup>104</sup>
- 9.101 Most of DFAT’s program assessments are conducted by the staff responsible for the program, with some use of peer-review. The ODE has expressed a concern that this may be distorting the results. For instance, in 2014 the ODE reported that some program managers were ‘over-rating’ their programs:
- Overrated self-scoring of gender equality within the QAI system accounted for about one-quarter of all ratings in 2012. Training is needed for staff to conduct good-quality gender analysis and incorporate this into design, M&E and reporting.<sup>105</sup>
- 9.102 As noted, in June 2015 DFAT provided a submission to the Senate Standing Committee on Foreign Affairs, Defence and Trade’s Inquiry into the International Aid (Promoting Gender Equality) Bill 2015. DFAT’s position was that the Bill was not required because DFAT’s ‘current systems and processes meet the intent of this legislation’.<sup>106</sup>
- 9.103 In its submission, DFAT admitted that ‘[h]istorically, gender equality ratings have not been as robust as those for other aid quality criteria.’<sup>107</sup> However, it also argued the Department’s methods for evaluating gender equality outcomes had been improved.<sup>108</sup>

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103 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women’s Economic Empowerment*, August 2014, pp. 23–24.

104 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women’s Economic Empowerment*, August 2014, p. 72.

105 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women’s Economic Empowerment*, August 2014, p. 69.

106 DFAT, Submission to Senate Standing Committee on Foreign Affairs, Defence and Trade Inquiry into the International Aid (Promoting Gender Equality) Bill 2015, p. 2.

107 DFAT, *Supplementary Submission 27.2*, p. 6.

108 DFAT, Submission to Senate Standing Committee on Foreign Affairs, Defence and Trade Inquiry into the International Aid (Promoting Gender Equality) Bill 2015, p. 2.

- 9.104 More recently, DFAT submitted that its staff had increased their focus on ensuring the gender ratings were robustly assessed when preparing reports for 2014–15.<sup>109</sup> The Department has also reported that it is working to ensure ‘rigorous, credible’ and robust reporting in relation to its programs by empowering the ODE to undertake ‘strategic evaluations of particular programs or thematic areas’, under the guidance of an Independent Evaluation Committee.<sup>110</sup>

### Critical perspectives

- 9.105 Submissions and evidence to the inquiry presented a variety of views on DFAT’s self-assessment practices in relation to their gender programming.

- 9.106 Mr Stuart Schaffer, Director of International Programs at Save the Children Australia, suggested that DFAT’s incorporation of gender needs to be more strategically focussed, particularly at the whole-of-country level:

The Australian aid program does do a fair bit of analysis on gender related issues, particularly at the activity level, but I think it can be pushed up so that gender issues are thought about in a more holistic way when people are developing programs.<sup>111</sup>

- 9.107 Mr Schaffer went on to highlight ‘the need to do a fulsome gender analysis of the issues that impact on a particular country’, as well as an analysis of cultural barriers to women’s empowerment, and plan aid and diplomacy accordingly.<sup>112</sup>

- 9.108 Abt JTA was more critical, arguing that ‘much of the funds reported as gender focussed are not serious, sustained nor maximising their potential to improve the lives of women and girls’.<sup>113</sup>

- 9.109 Abt JTA also suggested that DFAT’s criteria for measuring results, which mostly focus on quantitative data, may not provide sufficient evidence to judge the success of programs. The submission stated:

With women and girls comprising half the population in most countries, it is inevitable that they will be recipients of programs, but this does not mean that programs are optimising the impact that they can have. This is not because of a lack of good intentions

109 DFAT, Submission to Senate Standing Committee on Foreign Affairs, Defence and Trade Inquiry into the International Aid (Promoting Gender Equality) Bill 2015, p. 14.

110 DFAT, *Performance of Australian Aid 2013–14*, 2015, p. 4.

111 Mr Stuart Schaefer, Director of International Programs, Save the Children, *Committee Hansard*, Melbourne, 3 November 2014, p. 10.

112 Mr Schaefer, Save the Children, *Committee Hansard*, Melbourne, 3 November 2014, p. 12.

113 Abt TJA, *Submission 59*, p. 2.



but rather the reality that gender expertise and funding is being spread too thin and current program design and implementation models make it difficult to innovate and adapt where the greatest gender gains could be made.<sup>114</sup>

- 9.110 A further issue with DFAT's assessments methods, according to Abt JTA, was that:

Few contracts contain explicit milestones and incentives to deliver women's empowerment outcomes. Gender audits and reporting stimulate 'box ticking' but limited serious action.<sup>115</sup>

- 9.111 IWDA echoed the view that assessment of gender outcomes was at risk of being a 'tick-box' exercise, and said:

Gender equality is an important policy priority and acknowledged as essential for sustainable development. Implementation should be a formal requirement in the same way that budget management is.<sup>116</sup>

- 9.112 Ms Joanne Crawford, Research and Policy Adviser at IWDA, identified a lack of follow-through when it comes to gender strategies in the aid program:

... we have very consistent commitments, but the knitting together of that thing through programming to resourcing and accountability is much weaker. We have evaporation at every point, and so, even though there are strong commitments, we still see lack of traction and performance.<sup>117</sup>

- 9.113 Ms Joanna Hayter, Chief Executive Officer at IWDA, further suggested there may be a breakdown between the policy aims of the aid program in relation to gender and the practice on the ground:

The accountability from policy to practice is really the weakness in the aid program in terms of addressing human rights and, in this case, women's rights. It really is where everything falls down – the internal and the external.<sup>118</sup>

- 9.114 The ODE found that effective performance on gender equality too often relied upon individuals. It reported that:

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114 Abt TJA, *Submission 59*, p. 2.

115 Abt TJA, *Submission 59*, p. 2.

116 IWDA, *Submission 32*, p. 8.

117 Ms Joanne Crawford, Research and Policy Adviser, IWDA, *Committee Hansard*, Melbourne, 3 November 2014, p. 18.

118 Ms Joanna Hayter, Chief Executive Officer, IWDA, *Committee Hansard*, Melbourne, 3 November 2014, p. 18.

... in the absence of clear incentives or department-wide mechanisms to address gender equality, the personal commitment of initiative managers and partners was a key factor in how well initiatives actually pursued gender equality.<sup>119</sup>

- 9.115 In its submission, IWDA recognised recent efforts to increase the focus on gender equality noting that:

... funding commitments to programs that have a focus on gender equality and women's empowerment have been growing, and this is important and welcome ...<sup>120</sup>

However, IWDA also argued that the claims made by DFAT that over 50 per cent of Australia's aid budget is spent on initiatives that promote gender equality 'can currently not be substantiated'.<sup>121</sup>

- 9.116 According to IWDA, Australia's arrangements for tracking its gender spend 'are incomplete'. IWDA explained:

Currently, the aid program only tracks and reports actual expenditure where gender equality and women's empowerment is a specific line – where it is a 'principal objective'.

...

Where gender equality and women's empowerment is a 'significant objective' – broadly speaking, where it is mainstreamed – there is no mechanism for collecting and reporting actual expenditure. In the context of development, where a range of factors can lead to expenditure being delayed or re-focused, commitments are not the same as expenditure.<sup>122</sup>

- 9.117 Further, because most of Australia's gender-related expenditure is in programs where gender is not a primary but 'significant' objective, IWDA argued that 'there is no tracking and reporting of expenditure information in relation to most of Australia's gender equality focused aid commitments'.<sup>123</sup>

## Flagship gender programs

- 9.118 Alongside the Department's efforts to mainstream gender considerations throughout the aid program, DFAT funds a number of programs where the primary focus is gender equality and/or women's empowerment. As

119 DFAT, ODE, *Smart Economics: Smart Economics: Evaluation of Australian Aid Support for Women's Economic Empowerment*, August 2014, p. 53.

120 IWDA, *Submission 32*, p. 9.

121 IWDA, *Submission 32*, p. 9.

122 IWDA, *Submission 32*, pp. 9–10.

123 IWDA, *Submission 32*, p. 10.

previously stated, these programs in 2013–14 represented five per cent of DFAT’s total aid spend, or \$202 million.<sup>124</sup>

- 9.119 Witnesses repeatedly highlighted DFAT’s flagship gender programs as demonstrating best practice in gender programming. DFAT also pointed to these programs as examples of their most successful work in empowering women and girls. Three key programs – Pacific Women Shaping Pacific Development, the Micro-enterprise Development Program in Nepal, and the Empowering Indonesian Women for Poverty Reduction (MAMPU) project – are discussed here.

### Pacific Women

- 9.120 The Pacific Women Shaping Pacific Development program (Pacific Women) is arguably Australia’s most high profile gender program in 2015. Pacific Women is a ten-year \$320 million program designed to ‘improve the political, economic and social opportunities of Pacific women in 14 Pacific countries’. The program has been allocated long-term funding – from 2012 to 2022.<sup>125</sup> Since the launch in August 2012 of Pacific Women, over \$54 million has been spent.<sup>126</sup>
- 9.121 DFAT explained that the program works on many different fronts to promote women’s safety, empower women for leadership roles, and tackle entrenched discrimination. Some of the activities undertaken so far include:
- Australia has worked ‘with UN Women and the local government in Port Moresby to improve produce markets to increase women’s safety and their income’.
  - Australia has provided facilities for electronic banking to over 200 women stall holders in the Gerehu Market, which has seen their savings double since January 2014.
  - In Fiji, 12 000 pregnant women were provided with counselling and testing for sexually transmitted infections.<sup>127</sup>
  - Australia supported the Papua New Guinea Business Coalition in working with the private sector to increase the number of women business leaders, and develop policies for women at work.<sup>128</sup>
  - Through the Pacific Women’s Parliamentary Partnership Program, DFAT seeks to address the low representation of women in Pacific

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124 DFAT, *Supplementary Submission 27.2*, p. 9.

125 DFAT, *Submission 27*, p. 29.

126 DFAT, *Supplementary Submission 27.3*, p. 17.

127 DFAT, *Performance of Australian Aid 2013–14*, p. 28.

128 DFAT, *Annual Report 2013–14*, p. 95.

parliaments by 'facilitating dialogue, exchanges, mentoring and training between Australian and Pacific Islands women Members of Parliament and parliamentary staff'.<sup>129</sup>

- The Department funded a gender advisor in Tonga.<sup>130</sup>

9.122 Other activities include the provision of support to the Solomon Islands, Samoa, Kiribati and Tonga to identify challenges to implementing national laws aimed at reducing high rates of sexual and gender-based violence. This support has been provided through the Pacific Islands Law Officers Network.<sup>131</sup>

9.123 Many witnesses to the inquiry offered praise for the program, including Dr Harris Rimmer who described Pacific Women as 'a very innovative program'.<sup>132</sup> However, few witnesses offered evidence on the effectiveness of the program, with DFAT saying that it is still:

... too early to assess whether activities and outputs are contributing to achievement of improved economic security and rights for women, after just one year of implementation.<sup>133</sup>

9.124 This view was echoed by Dr Lesley Clark, the Director of PacificPlus Consulting, who stated:

It is too early to assess the effectiveness of the PWSPD program but it is the most significant in the region, both in terms of scope and budget that is aimed at improving gender equality and it should be supported.<sup>134</sup>

9.125 DFAT representatives indicated that evaluating effectiveness is a priority the Pacific Women program, pointing to the practice of receiving 'six monthly reports from UN Women, which is our implementing partner, across a number of indicators'.<sup>135</sup>

9.126 DFAT also specified that they are working to capture qualitative measures of effectiveness. Ms Newbury explained:

One of the ways we are trying to measure this is by talking to the women themselves. We ask what changes they are seeing in their

129 DFAT, *Annual Report 2013–14*, p. 95.

130 DFAT, *Submission 27*, p. 32.

131 DFAT, *Performance of Australian Aid 2013–14*, p. 28.

132 Dr Harris Rimmer, ANU Gender Institute, *Committee Hansard*, Canberra, 23 September 2014, p. 2.

133 DFAT, *Supplementary Submission 27.3*, p. 17.

134 Dr Lesley Clark, Director of PacificPlus Consulting, *Submission 30*, p. 6.

135 Ms Tracey Anne Newbury, Director, Gender Equality and Disability Inclusiveness Section, Pacific Regional Branch, DFAT, *Committee Hansard*, Canberra, 17 June 2014, p. 5.

lives as individuals and, as a group of women, what benefit our program has.<sup>136</sup>

- 9.127 Despite limited data on the program's effectiveness at this point, DFAT highlighted the Markets for Change program, which it says is on track to improve the safety of produce markets for women in Fiji, Vanuatu and the Solomon Islands. DFAT explained that the program does this through providing better infrastructure, empowering women leaders through Market Vendor Associations, providing agricultural training and increasing financial literacy.<sup>137</sup>
- 9.128 DFAT's *Performance of Australian Aid 2013–14* report found that there had been 'a substantial reduction in crime and violence reported at Gordons Market since the establishment of a police unit in September 2013'.<sup>138</sup>
- 9.129 The SPC also praised the Department's role in promoting women's safety in the Pacific, saying: 'Australian contributions to development have led to safer environments for Pacific women'.<sup>139</sup>
- 9.130 DFAT also pointed to the Channels of Hope for Gender program as a success story.<sup>140</sup> The program seeks to 'change negative attitudes around gender-based violence and gender inequality in order to commence a process of change in social norms'. For this program, DFAT funded World Vision to work with church and community leaders in five marginalised urban communities in Honiara to change attitudes around women's roles and women's rights.<sup>141</sup>
- 9.131 Under Pacific Women, DFAT has also provided funding for the Solomon Islands Women in Business Association. The Department reported that, since its establishment in 2005, 'the Association's membership has increased from 100 to more than 480 women'.<sup>142</sup>

### Micro-enterprise Development Program

- 9.132 The Australian Government has funded the Micro-enterprise Development Program (MEDEP) in Nepal since its inception in 1998. The program 'aims to expand employment opportunities and alleviate poverty of the ultra-poor and socially marginalized'.<sup>143</sup>

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136 Ms Newbury, DFAT, *Committee Hansard*, Canberra, 17 June 2014, p. 5.

137 DFAT, *Supplementary Submission 27.3*, p. 17.

138 DFAT, *Performance of Australian Aid 2013–14*, p. 28.

139 SPC, *Submission 24*, p. 7.

140 DFAT, *Supplementary Submission 27.3*, p. 18.

141 DFAT, *Supplementary Submission 27.3*, p. 18.

142 DFAT, *Submission 27*, p. 33.

143 DFAT, *Submission 27*, p. 32.

- 9.133 MEDEP works to contribute to poverty reduction by creating ‘micro-entrepreneurs’, helping them to grow their businesses, and working with the public and private sectors to facilitate micro-businesses.<sup>144</sup>
- 9.134 DFAT submitted that MEDEP has played a successful role in women’s empowerment in Nepal, ‘bringing them out of their traditional reproductive roles and providing them access to and control over productive resources/land and public services’.<sup>145</sup>
- 9.135 The United Nations Development Programme (UNDP) in Nepal reported in 2013 that MEDEP had ‘created 9 464 new micro-entrepreneurs, 68 per cent of whom were women’.<sup>146</sup>
- 9.136 The UNDP’s 2013 MEDEP progress report also highlighted the representation of women and ethnic minority groups within the leadership of the program, saying that this had led to more women, Dalits and Indigenous nationalities benefiting from the entrepreneurial loans.<sup>147</sup>
- 9.137 DFAT echoed this view, saying that MEDEP had ‘successfully promoted a more gender sensitive and socially inclusive structure within its implementing partners’. DFAT provided the example of the Business Development Service Providing Organisations, which have increased the proportion of female executive members to 55 per cent.<sup>148</sup>
- 9.138 The UNDP report also found that the program was helping to transform traditional gender roles ‘from the household to income generating’, and that this has led to economic empowerment for the women involved, and increased their confidence.<sup>149</sup>
- 9.139 DFAT reported that MEDEP’s next phase will work to incorporate its model of ‘micro-entrepreneurship development’ into the Government of Nepal’s own microenterprise development programs, which are led by the Ministry of Industry.<sup>150</sup>
- 9.140 DFAT asserted that:
- Since its establishment, MEDEP has helped directly create more than 70 000 micro-entrepreneurs and 75 000 jobs, with approximately 60 per cent of the micro-entrepreneurs supported, and jobs created, being for women.<sup>151</sup>

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144 DFAT, *Submission 27*, p. 32.

145 DFAT, *Submission 27*, p. 32.

146 United Nations Development Programme (UNDP) Nepal, *Annual Report 2013*, p. 2.

147 UNDP Nepal, *Micro-Enterprise Development Program Progress Report 2013*, p. 8.

148 DFAT, *Submission 27*, p. 32.

149 UNDP Nepal, *Micro-Enterprise Development Program Progress Report 2013*, p. 18.

150 DFAT, *Submission 27*, p. 32.

151 DFAT, *Submission 27*, p. 32.

## Empowering Indonesian Women for Poverty Reduction

- 9.141 Another flagship program for women's empowerment is the \$60 million Empowering Indonesian Women for Poverty Reduction (MAMPU) program. By working to improve the lives of up to 300 million poor women in Indonesia, DFAT asserts that 'MAMPU will increase poor women's access to jobs, family planning, and protection against domestic violence'.<sup>152</sup>
- 9.142 Abt JTA identified the MAMPU program as one of DFAT's most effective programs, saying:
- MAMPU demonstrates an excellent approach to tackling gender issues and DFAT would benefit from understanding what is working in MAMPU and seek to replicate these successes in other priority countries.<sup>153</sup>
- 9.143 Abt JTA asserted that MAMPU was unique because it was:
- ... designed to focus on the issues that are important to women in Indonesia—jobs, quality reproductive health services, safe migrant worker arrangements, reduction in violence and access to social protection programs.<sup>154</sup>
- 9.144 DFAT recounted that MAMPU partners have achieved the following in 2013–14:
- Developed 'relationships' with 103 newly elected members of Indonesia's regional parliaments between October and December 2014.
  - Have been invited to sit on a Presidential working group for 'women, poverty and children', where they can 'influence new priorities, including on social protection and migrant workers'.
  - Successfully lobbied over 200 national parliamentarians on a proposed amendment to the *Law on the Placement and Protection of Migrant Workers*. DFAT revealed that the draft of the amendment has been 'successfully elevated to the legislative agenda for debate in the national parliament in 2015'.<sup>155</sup>
- 9.145 DFAT reported that 'over 15 000 women have been directly involved in MAMPU activities'. According to DFAT, these women
- ... have reported positive changes in their lives, including greater confidence to speak in public, greater awareness of MAMPU

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152 DFAT, *Submission 27*, p. 30.

153 Abt TJA, *Submission 59*, p. 3.

154 Abt TJA, *Submission 59*, p. 3.

155 DFAT, *Supplementary Submission 27.2*, p. 44.

themes and in some cases opportunities to speak and be leaders in their communities.<sup>156</sup>

- 9.146 According to Abt TJA, the MAMPU program owes its success, at least in part, to the fact that it has avoided attempting to ‘import foreign solutions in a very complex and specific cultural and religious setting’, instead working with local organisations and parliamentarians ‘to innovate, gather evidence and better advocate for reforms that improve women’s lives’.<sup>157</sup>

### The Australia Awards

- 9.147 The Australia Awards are scholarships and fellowships offered by DFAT, the Department of Education, and Australian Centre for International Agricultural Research (ACIAR). These awards offer:

... the next generation of global leaders an opportunity to undertake study, research and professional development in Australia and for high-achieving Australians to do the same overseas.<sup>158</sup>

- 9.148 DFAT describes the Australia Awards as ‘a key pillar of the aid program, helping to meet the long term human development needs of Australia’s developing country partners’.<sup>159</sup> The Australia Awards website states that:

The Awards strive to develop leadership potential and stimulate lasting change by empowering a global network of talented individuals through high-quality education experiences in Australia and overseas.<sup>160</sup>

- 9.149 DFAT explained that in 2013–14, the aid program provided around 4 450 new Australia Awards to awardees in 113 countries, and that there were over 6 000 awardees in Australia at any one time. They also stated that over 80 per cent of Australia Awards recipients come from the Indo-Pacific region.<sup>161</sup>
- 9.150 In line with Australia’s focus on the Indo-Pacific region, in 2014 the largest recipient countries for Australia Awards were Indonesia, Vietnam and Papua New Guinea.<sup>162</sup>

156 DFAT, *Supplementary Submission 27.2*, p. 44.

157 Abt TJA, *Submission 59*, p. 3.

158 Australia Awards, ‘About the Australia Awards’, <[www.australiaawards.gov.au/Pages/about.aspx](http://www.australiaawards.gov.au/Pages/about.aspx)> viewed 10 August 2015.

159 DFAT, *Performance of Australian Aid 2013–14*, p. 43.

160 Australia Awards, ‘About the Australia Awards’, viewed 10 August 2015.

161 DFAT, *Performance of Australian Aid 2013–14*, p. 43.

162 Australia Awards, ‘About the Australia Awards’, viewed 10 August 2015.



- 9.151 Expenditure for the Australia Awards program was an estimated \$362.5 million in 2013–14, with over 1930 students successfully completed their studies that year (a 98 per cent success rate).<sup>163</sup>
- 9.152 In 2013–14 DFAT asserted that the Australia Awards ‘successfully promoted gender equity in the program, with 50 per cent of scholarships and 47 per cent of fellowships awarded to women’.<sup>164</sup>
- 9.153 The Committee heard that Australian scholarships are highly valued within the region.<sup>165</sup> Professor Betty Lovai of the University of PNG reported increasing competition for scholarships. She suggested that demand is outstripping supply across the university, the public and private sectors and in the community.<sup>166</sup>
- 9.154 ACIAR referred to successes under its fellowships, with fellowship holders moving into senior positions on return, and a growing number of women, more than 50 per cent recently, being among its awardees.<sup>167</sup>
- 9.155 However, there were also criticisms of the program. Coffey International which manages Australia Awards Programs on behalf of DFAT, advised:
- Our experience tells us that there is a need to change the mindset of men and women to enable opportunities to allow women into decision making positions and for women to believe that they are capable of participating meaningfully in decision making processes.<sup>168</sup>
- 9.156 As mentioned in chapter seven, Coffey called for a redesign of the Australia Awards program to open up more opportunities for women and to address the gender gap. In particular, it considered that the current approach of awarding the scholarship to an equal number of men and women applicants does not offset women’s disadvantage in many countries in the region.<sup>169</sup>
- 9.157 Another concern was the lack of attention to post-scholarship outcomes for women. Coffey reported that its scholarships effectiveness assessment processes had found that women in several countries are struggling to fully utilise their skills upon return. It noted that the Mongolian awards program is the only program which specifically factored this in upfront

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163 DFAT, *Performance of Australian Aid 2013–14*, p. 43.

164 DFAT, Annual Report 2013-14, p. 116.

165 Emeritus Professor Susan Bambrick, Member, representing Governor District 24, Zonta International, *Committee Hansard*, Canberra, 6 May 2015 p. 47.

166 Professor Betty Lovai, Private capacity, *Committee Hansard*, Canberra, 3 February 2015, p. 4.

167 Dr Nick Austin, CEO, ACIAR, *Committee Hansard*, Canberra, 18 September 2014, pp. 37–38.

168 Coffey International, *Submission 90*, p. 8.

169 Coffey International, *Submission 90*, pp. 7–8.

program design, with dedicated funding allocated to promote women's leadership.<sup>170</sup>

- 9.158 Emeritus Professor Bambrick recommended badging a group of awards 'Womens' Leadership Awards'.<sup>171</sup> Secondly, she proposed government to government commitments to employ women awardees on return.<sup>172</sup>
- 9.159 The 2014–15 Budget increased commitments to the Awards Program by \$31.7 million, bringing the overall allocation nearly \$350 million, and providing for over 4 500 scholarships and fellowships.<sup>173</sup>
- 9.160 According to the DFAT website, the ODE is currently working on an 'evaluation of the contribution of Australia Award Scholarships to women's leadership'.<sup>174</sup>

## Work of other Australian agencies

- 9.161 There are a number of other government agencies that deliver Official Development Assistance, and some of this work has components that aim to empower women and help women and girls to enjoy their human rights. These programs are discussed below.

### Australian Federal Police

- 9.162 The Australian Federal Police (AFP) is a major donor to projects in the region, with ODA expenditure in 2013–14 of \$130.7 million. AFP programs included:
- the Pacific Police Development Program, which undertook development programs in Nauru, Papua New Guinea, Samoa, Tonga and Vanuatu;
  - the Timor-Leste Police Development Program, which focused on enhancing the capability of front-line policing services of the Policia National de Timor-Leste; and
  - the Cybersafety Pasifika Program, which equipped police in various Pacific countries with the knowledge and resources to educate their communities in all aspects of cyber safety.<sup>175</sup>

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170 Coffey International, *Submission 90*, p. 8.

171 Emeritus Professor Bambrick, Zonta International, *Committee Hansard*, Canberra, 6 May 2015 p. 49.

172 Emeritus Professor Bambrick, Zonta International, *Committee Hansard*, Canberra, 6 May 2015, p. 47.

173 DFAT, *The 2014-15 Development Assistance Budget: a Summary*, 2015.p. 2, <dfat.gov.au/> viewed 10 August 2015.

174 DFAT, Office of Development Effectiveness, 'Current Work' <dfat.gov.au/aid/how-we-measure-performance/ode/current-work/Pages/current-work.aspx> viewed 10 August 2015.

9.163 The AFP also worked to build the capacity of police forces in the region, focussing on the:

... development of the community policing capability of the Royal Papua New Guinea Constabulary, supported the development of a credible policing capability in the Royal Solomon Islands Police Force and supported the refurbishment of forensics facilities in Pakistan and the training of Pakistan law enforcement authorities.<sup>176</sup>

## Australian Centre for International Agricultural Research

9.164 The Australian Centre for International Agricultural Research (ACIAR) is another significant donor with expenditure in 2013–14 of \$94.1 million.

9.165 ACIAR funds partnerships in agricultural research in a number of countries in the Indo–Pacific region, and has generated ‘new knowledge and technologies and built greater human capacity and capability’.<sup>177</sup>

9.166 In 2013–14 ACIAR managed a number of programs in the Indo–Pacific region, including PNG. Some of ACIAR’s partnerships promoted women’s empowerment through funding:

... better ways to improve the livelihoods of women smallholder vegetable producers by helping them to improve their business knowledge and skills, develop their financial literacy and open new market opportunities.<sup>178</sup>

## Attorney-General’s Department

9.167 The Attorney-General’s Department (AGD) managed ODA expenditure in 2013–14 of \$4.3 million. This was focussed on working with partner countries throughout the Indo–Pacific region, including PNG and Indonesia, to:

... develop and improve capacity and technical expertise in law and justice agencies; help combat organised crime and corruption including through assistance to ‘follow the money’; strengthen legal frameworks on people smuggling and human trafficking; improve domestic crime and policing laws; and build the capacity of police and other law and justice officials.<sup>179</sup>

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175 DFAT, *Performance of Australian Aid 2013–14*, p. 62.

176 DFAT, *Performance of Australian Aid 2013–14*, p. 62.

177 DFAT, *Performance of Australian Aid 2013–14*, p. 62.

178 DFAT, *Performance of Australian Aid 2013–14*, p. 63.

179 DFAT, *Performance of Australian Aid 2013–14*, p. 64.

9.168 In its submission to the inquiry, the AGD explained that the Department's programs:

... support the Government's investment priority of gender equality and empowering women and girls, by helping to remove the barriers and impediments to enhancing the human rights of women and girls.<sup>180</sup>

9.169 The Department aims to achieve this 'by incorporating gender equality principles in the design, delivery and evaluation' of programs.<sup>181</sup>

### Australia-Asia Program to Combat Trafficking in Persons

9.170 DFAT explained that Australia is co-chair with Indonesia of the Australia-Asia Program to Combat Trafficking in Persons (AAPTIP) program. The program works to 'enhance cooperation on human trafficking through the Bali Process' and is led by the Attorney-General's Department (AGD).<sup>182</sup>

9.171 In its submission, the AGD described recent activities it has undertaken, including working with Indonesia as part of a committee co-chaired by Indonesia and the International Organisation for Migration to 'develop a further set of policy guides on the identification and protection of victims of trafficking'. The AGD reported that the policy guides were endorsed at the Bali Process Senior Officials Meeting in May 2015.<sup>183</sup>

9.172 The AGD described the guides as:

... a valuable and practical tool in assisting countries in the region to criminalise human trafficking and understand the international legal framework around trafficking in persons, in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.<sup>184</sup>

9.173 In March 2015 Australia also co-chaired the first meeting of the Bali Process Working Group on Trafficking in Persons, with Indonesia, and co-hosted the working group's first event, a regional symposium on labour trafficking, with Thailand.<sup>185</sup>

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180 Attorney-General's Department (AGD), *Submission 94*, p. 1.

181 AGD, *Submission 94*, p. 1.

182 DFAT, *Submission 27*, p. 37.

183 ADG, *Submission 94*, p. 3.

184 AGD, *Submission 94*, p. 4.

185 AGD, *Submission 94*, p. 3.

- 9.174 DFAT advised that the ADG had worked closely with portfolio agency partners including the Australian Federal Police and the Australian Transaction Reports and Analysis Centre in progressing this work.<sup>186</sup>
- 9.175 According to DFAT, the AAPTIP will run for five years and ‘will build on the success of previous programs by further strengthening criminal justice responses to trafficking at both national and regional levels’, through:
- training judges and prosecutors, and helping investigators to increase convictions;
  - establishing a research fund to improve the collection of statistics to inform policy; and
  - focussing on ‘the needs of victims as they move through the criminal justice process, and on gender, reflecting the fact that trafficking affects men, women and children differently’.<sup>187</sup>

### Pacific Police Development Program

- 9.176 The AGD works with Pacific partners under the Pacific Police Development Program (PPDP) to ‘ensure that crime and policing legislation adequately provides for the protection of victims of violence against women and the prosecution of perpetrators of such violence’. This assistance is provided through regional forums such as the Pacific Islands Law Officers Network and the Pacific Islands Chiefs of Police.<sup>188</sup>
- 9.177 According to the AGD, the program has provided technical assistance and supported legal policy capacity building, through:
- helping to develop the Cook Islands Crimes Bill, including drafting ‘modernised sexual offences’ and provisions to address domestic violence;
  - helping to develop the Kiribati Penal Code Amendment Bill to ‘strengthen and modernise sexual offence provisions’; and
  - helping Nauruan stakeholders to develop new family violence legislation and reform the *Criminal Code*, including in regards the sexual offences provisions.<sup>189</sup>
- 9.178 Assistance provided under this program has also helped to build police capacity in dealing with gender-based issues, including violence, and to ‘enhance opportunities for women in policing’. For instance, in Kiribati the AGD provided ‘tailored training to the Pacific Islands Chiefs of Police

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186 DFAT, *Performance of Australian Aid 2013–14*, p. 64.

187 DFAT, *Submission 27*, p. 38.

188 AGD, *Submission 94*, p. 2.

189 AGD, *Submission 94*, p. 2.

Women’s Advisory Network about their powers and duties under police legislation’.<sup>190</sup> The AGD and their partners also delivered a policing policy course through the Pacific Police Policy Network to ‘legislative drafters at the Regional Drafters Forum and to law and justice officials in Cook Islands, Kiribati, Nauru, Samoa, Solomon Islands, Tonga and Tuvalu’.<sup>191</sup>

- 9.179 The AGD has also supported the Pacific Law Library Twinning Program, which has worked with Pacific libraries, including libraries in the Cook Islands, Fiji, Kiribati, Nauru, PNG, Samoa, Solomon Islands, Tonga and Tuvalu for the last ten years to provide professional development, especially to women.<sup>192</sup>
- 9.180 In 2014–15 the AGD also ran a Legal Policy Development Champions Program with ten Pacific law and justice officials, half of whom were women. The course used a ‘train the trainer’ approach, bringing participants to Canberra to learn skills they could take back to their home countries and deliver to others.<sup>193</sup>

### Strongim Gavman Program—Law and Justice

- 9.181 The Strongim Gavman Program, or ‘Strengthening Government Program’, (SGP) in PNG is also overseen by the AGD, but funded by DFAT. The Program has eleven advisers deployed in four PNG agencies supporting PNG with law and justice issues, including anti-money laundering, anti-corruption, and family and sexual violence.<sup>194</sup>
- 9.182 SGP advisory assistance supported the PNG Department of Justice and Attorney General to develop the Family Protection Act and Regulations. The Act came into effect on 11 March 2014. SGP also supported the establishment of the Family and Sexual Offences Unit.<sup>195</sup>
- 9.183 The program works to build the capacity of PNG law and justice officials, by providing five SGP advisers in the PNG Office of the Public Prosecutor. One of these is attached to the Family and Sexual Offences Unit, and one supports broader family and sexual violence prosecutions in the PNG Office of the Public’s regional offices.<sup>196</sup>

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190 AGD, *Submission 94*, p. 2.

191 AGD, *Submission 94*, p. 2.

192 AGD, *Submission 94*, p. 3.

193 AGD, *Submission 94*, p. 3.

194 AGD, *Submission 94*, p. 1.

195 AGD, *Submission 94*, p. 1.

196 AGD, *Submission 94*, p. 1.

9.184 In the following chapter the Committee presents evidence of the efficiency of Australia's aid program in relation to women's rights and canvases the various proposals for improvements made in evidence.





## Improving Australian programs

- 10.1 Throughout the inquiry, the Committee sought to establish ‘what is working’ to break down barriers that prevent women and girls from accessing their human rights in the Indo-Pacific region. This chapter presents evidence received in the course of the inquiry on:
- how organisations are measuring the effectiveness of programs;
  - factors that influence the success of gender programs, such as the availability and use of quality gender-disaggregated data, co-ordination and co-operation between agencies, and long term funding.
- 10.2 The chapter further considers DFAT’s plans for improving its gender programming, and presents some of the key recommendations given in evidence. The chapter ends with the Committee comment and recommendations.

### Proving what works

#### Data on program effectiveness

- 10.3 The importance of data and evidence for understanding the effectiveness of programs was captured by the International Women’s Development Agency (IWDA), which submitted:
- What we measure matters. It reflects what we value. It drives the visibility of issues. It influences where resources are invested.<sup>1</sup>
- 10.4 DFAT’s key measures of the impacts of Overseas Development Assistance (ODA) are the Aggregate Development Results (ADRs). Among other measures, these indicators quantify:

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1 International Women’s Development Agency (IWDA), *Submission 32*, p. 6.

- the number of women survivors of violence receiving services such as counselling;
  - additional births attended by a skilled birth attendant; and
  - the number of women and girls with increased access to safe water.<sup>2</sup>
- 10.5 DFAT contends that the ADRs ‘enhance transparency and accountability, and help to improve public understanding of the achievements of the aid program.’<sup>3</sup>
- 10.6 While ADRs provide the ability to track investment’s over time, and provide an indication of the quantitative impacts of the aid program, DFAT acknowledged that the ADRs do not *prove* the effectiveness of programs over time, suggesting:
- They are not designed to track the extent and duration of benefit to individuals. They are a useful proxy for tracking the overall achievements of the Australian aid program and are valuable for a range of reports.<sup>4</sup>
- 10.7 The Office of Development Effectiveness’s (ODE) analysis of the ADRs as a tool for tracking impacts found that they have significant limitations:
- Most initiatives only conducted M&E [monitoring and evaluation] at the simplest level: sex-disaggregated data on participation in training and workshops, and uptake of services. These data are important, but insufficient for improving performance on gender equality outcomes.<sup>5</sup>
- 10.8 The ODE also expressed a concern that even where aid initiatives ‘did well’ at incorporating gender into their planning and activities, many ‘did not succeed in carrying through a strong gender focus within M&E systems’.<sup>6</sup>
- 10.9 The same report identified that out of 28 economic programs evaluated, only one ‘used baseline and endline data to systematically measure economic outcomes for women’.<sup>7</sup>
- 10.10 DFAT acknowledged that evidence is insufficient for evaluating many of its programs, even its flagship Pacific programs:

2 DFAT, *Supplementary Submission 27.2*, p. 13.

3 DFAT, *Supplementary Submission 27.3*, p. 13.

4 DFAT, *Supplementary Submission 27.3*, p. 13.

5 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women’s Economic Empowerment*, August 2014, p. 5.

6 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women’s Economic Empowerment*, August 2014, p. 52.

7 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women’s Economic Empowerment*, August 2014, p. 52.

Evidence of what works to address gender inequality in the Pacific context is limited. An enabling strategy for Pacific Women is to build the knowledge and evidence base of what works, does not work and lessons learned in addressing gender equality in the Pacific context.<sup>8</sup>

- 10.11 Despite the challenges, DFAT contended that Australia is in the process of ‘improving the collection of evidence and the use of quality data in its aid program’. The Department is focussing on its capacity to:

... collect and use sex disaggregated data, to understand the development context and to monitor equal participation of and benefits for women and girls in the aid program.<sup>9</sup>

- 10.12 DFAT anticipates that this improved data will help the Department identify ‘critical gaps’, to determine whether girls and women are benefiting from programs in the same way as boys and men. DFAT stated:

Better understanding women’s lives helps us to understand the nature of the issues we are dealing with in the country we are working with, better target aid interventions and support the monitoring of the aid program’s performance.<sup>10</sup>

- 10.13 Ms Joanna Hayter from IWDA expressed a critical need for more sex-disaggregated data, saying:

The only way we will be able to see that difference and therefore know whether people are able to access their full human rights opportunities is if we have the right kind of sex-disaggregated data; if we know how money is being spent – who it is reaching and why – and if we are able to measure poverty at the individual level, not just at the household level.<sup>11</sup>

- 10.14 Her colleague, Ms Joanne Crawford, added that:

Sex-disaggregated data was one of the key priorities in the Beijing Platform for Action 20 years ago. We have seen some improvement in sex-disaggregated data. It remains a particular problem in a range of places – it is an issue in the Pacific.<sup>12</sup>

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8 DFAT, *Supplementary Submission 27.2*, p. 28.

9 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women’s Economic Empowerment*, August 2014, p. 52.

10 DFAT, *Submission 27*, p. 29.

11 Ms Joanna Hayter, Chief Executive Officer, International Women’s Development Agency, *Committee Hansard*, 3 November 2015, p. 14.

12 Ms Joanne Crawford, Research and Policy Adviser, IWDA, *Committee Hansard*, 3 November 2015, p. 17.

- 10.15 To address this challenge, IWDA reported that it has recently developed, with the assistance of Australian Government funding, a new indicator for measuring poverty that generates sophisticated sex-disaggregated data – the ‘individual deprivation measure’.<sup>13</sup>
- 10.16 This indicator is described in IWDA’s submission:
- For the first time, it provides a way of assessing the circumstances of individuals in 15 key areas of life, in a way that shows the extent of deprivation and gender disparity. It collects data that allows analysis of deprivation by disability and self-identified minority status, and is sensitive to age, gender, geographic differences where they exist.<sup>14</sup>
- 10.17 Ms Crawford suggested this measure offered governments a way of understanding the impacts of aid investment because it allowed them to ‘see the individual [to] know who is being left behind, who we are not reaching’. She further argued the measure needed to be broadly taken up by governments, saying:
- The Australian government is taking the lead in funding the first full study, using this measure in Fiji through Pacific Women Shaping Pacific Development, which I think is very significant.<sup>15</sup>
- 10.18 In its evaluation of economic aid, the ODE observed that collecting sex-disaggregated data is not effective unless the data is fully utilised. The ODE found that ‘three-quarters of the initiatives collect sex-disaggregated data, but these data were not used systematically to improve programs’.<sup>16</sup>
- 10.19 Abt JTA also argued that collecting quantitative data is not sufficient for evaluating the success of programs, maintaining that:
- Monitoring and evaluation procedures do not document what is occurring in practice. M&E systems are rarely robustly capturing the impact of Australian aid interventions on women – sex disaggregation of activities is not enough. An economic development program may measure how many women were trained but fails to measure whether that training increased women’s incomes or whether they had any better control over how that income was spent.<sup>17</sup>

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13 Ms Hayter, IWDA, *Committee Hansard*, 3 November 2015, p. 14.

14 IWDA, *Submission 32*, p. 6.

15 Ms Joanne Crawford, Research and Policy Adviser, IWDA, *Committee Hansard*, 3 November 2015, p. 17.

16 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women’s Economic Empowerment*, August 2014, p. 69.

17 Abt JTA, *Submission 59*, p. 2.

- 10.20 Highlighting the important role of monitoring and evaluation, Abt JTA explained that they are ‘critical to monitoring impact, measuring empowerment and reducing the chances of negative unintended outcomes’. However, Abt JTA also conceded that:
- Measuring empowerment ... represents a considerable challenge. Empowerment cannot be measured by a single indicator or defined consistently between individuals or communities.<sup>18</sup>
- 10.21 Abt JTA suggested that to improve its monitoring of gender equality strategies in the aid program, DFAT should prioritise ‘[e]ncouraging and adopting innovative approaches’. The submission suggested that:
- These systems should move beyond measures that traditionally just count women as beneficiaries and include more participatory and culturally appropriate measures of women’s empowerment at the individual and collective level.<sup>19</sup>
- 10.22 Furthermore, Abt JTA proposed the following techniques for measuring success against the complex objective of women’s empowerment:
- Measuring Most Significant Change: The Most Significant Change technique involves the systematic collection and analysis of experiences of change through the perspective of program beneficiaries and stakeholders.
  - Core Monitoring Questions: help track progress towards diverse goals in a systematic manner and are particularly useful in programs aiming to build capacity of local civil society organisation.
  - Empowerment at these levels could be further broken down into four broad categories: power over assets, knowledge, will and capacity.<sup>20</sup>
- 10.23 Abt JTA argued that it is necessary to break down “big” concepts like empowerment’ into smaller, more tangible measures, so that staff working on programs could ‘speak the same language and work towards common goals’.<sup>21</sup>

## Better co-ordination and information sharing

- 10.24 While the dearth of meaningful data on ‘what works’ in gender programming was recognised by many witnesses to the inquiry, some also asserted that there were opportunities to improve this access through partnering and sharing data.

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18 Abt JTA, *Submission 59*, p. 9.

19 Abt TJA, *Submission 59*, p. 1.

20 Abt JTA, *Submission 59*, p. 9.

21 Abt JTA, *Submission 59*, p. 9.

- 10.25 Ms Dimity Fifer, the Chief Executive Officer of Australian Volunteers International (AVI), articulated a common concern regarding the failure of organisations to share information on best practice, saying:
- I cannot believe the number of agencies out there with huge budgets, huge mandates, that are not moving information around – that are sitting in bureaucratic silos. So I do believe in some of these simple ways that you can create a network that is open and share good practice in information, empowering women then to get on with the job.<sup>22</sup>
- 10.26 Ms Fifer argued that it is ‘absolutely essential’ to provide what she called ‘enabling platforms’; where the information and resources are provided to ‘let people, particularly those young people, then go on and create the changes that they want for their countries’.<sup>23</sup>
- 10.27 Oxfam argued that it is working to create such an ‘enabling platform’ in the form of its global ‘Violence Against Women and Girls Knowledge Hub’, which:
- ... enables the sharing of information and knowledge between programs and their staff, and facilitates global research and evaluation projects drawing in violence against women and girls programs from across our global reach.<sup>24</sup>
- 10.28 UN Women’s ‘Gender Equality Evaluation Portal’ provides another example. According to UN Women, the Gender Equality Evaluation Portal ‘makes available more than 400 evaluations on what works to achieve gender equality and women’s empowerment’.<sup>25</sup>
- 10.29 Oxfam have also developed a ‘gender impact assessment manual’, which provides a ‘set of guiding principles’ for gender programming. They advised that this manual has been ‘taken up by a number of governments’ and projects, and used to avoid the possibility of programs causing unintentional harm to women and girls.<sup>26</sup>
- 10.30 Another technique identified for improving available data was strategic partnerships between organisations. DFAT explained that this is a priority of the Pacific Women program:

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22 Ms Dimity Fifer, the Chief Executive Officer, Australian Volunteers International (AVI), *Committee Hansard*, 3 November 2015, p. 5.

23 Ms Fifer, AVI, *Committee Hansard*, 3 November 2015, p. 6.

24 Oxfam, *Supplementary Submission 13.1*, p. 6.

25 UN Women, *Gender Equality Evaluation Portal* < //genderevaluation.unwomen.org/en> viewed 6 September 2015.

26 Ms Joy Kyriacou, International Development Advisor, Oxfam Australia, *Committee Hansard*, Canberra, 2 December 2014, p. 3.

Pacific Women is partnering with a range of stakeholders to strengthen the evidence base. Current research includes:

- the success factors and pathways to women's leadership and decision-making at political and community levels (State, Society and Governance in Melanesia – SSGM);
- the relationship between women's economic empowerment and violence against women (SSGM);
- gendered perspective of evaluation of the Seasonal Migration Scheme (World Bank); and
- research on women's leadership and civil society/ coalitions in the Pacific (Development Leadership Program).<sup>27</sup>

- 10.31 Oxfam Australia also work closely with partners in the Pacific, with a focus on local service providers, 'to standardise and aggregate data'.<sup>28</sup>
- 10.32 DFAT acknowledged the important role played by international bodies in collaborating and sharing data around gender programming, citing particularly the OECD DAC, which 'undertakes robust, independent evaluation of every DAC member country's development programs roughly every four years'. DFAT asserted that:
- ... these peer reviews provide information about what works, what does not and why and contributes to improving the development effectiveness of aid. They also help to hold donors and partner country governments accountable for results.<sup>29</sup>
- 10.33 DFAT expressed strong support for the coordinating role played by UN Women in working towards women's empowerment globally. The Department argued that UN Women 'has a mandate to create stronger efforts and accountability within the UN system on behalf of the world's women'.<sup>30</sup>
- 10.34 Australia was a member of the UN Women Executive Board in 2013 and Vice President of the Board in 2014. DFAT reported that UN Women is able to engage with 'high-level UN interagency bodies' promoting the 'integration of gender perspectives in system-wide policies'.<sup>31</sup>
- 10.35 DFAT's support for UN Women's 'global coordinating role' includes providing funding for innovative initiatives, such as the Evidence and Data for Gender Equality (EDGE) project. DFAT reported that the EDGE project 'facilitates the mainstreaming of gender statistics in national

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27 DFAT, *Supplementary Submission 27.2*, p. 28.

28 Oxfam Australia, *Supplementary Submission 13.1*, p. 6.

29 DFAT, *Supplementary Submission 27.3*, p. 24.

30 DFAT, *Supplementary Submission 27.3*, p. 24.

31 DFAT, *Supplementary Submission 27.3*, p. 24.

statistical systems', and facilitates the creation of comparable data on gender indicators.<sup>32</sup>

- 10.36 The EDGE project is run jointly by UN Women, the Statistics Division of the UN department of Economic and Social Affairs, the World Bank and the OECD. DFAT provided \$1.5 million from 2012 to 2015 to UN Women for progressing the project.<sup>33</sup>

## Long term programs

- 10.37 One aspect of gender programming that has made monitoring and evaluation difficult has been the short term nature of many programs. Witnesses to the inquiry consistently asserted that long term programs were needed to not only achieve change, but to successfully measure change over time.
- 10.38 While praising recent long term commitments, such as Pacific Women, the Secretariat of the Pacific Community (SPC) asserted that the majority of past support was delivered through 'short-term projects (up to five years)'. The Secretariat also emphasised that '[l]onger horizons would allow projects to respond to societal change and produce better long-term outcomes'.<sup>34</sup>
- 10.39 DFAT explained that the Department 'is aware of the limitations of short term campaigns', and sees Pacific Women and MAMPU as examples of the effectiveness of long term programs for making change in the lives of women and girls.<sup>35</sup>
- 10.40 Mr Stuart Schaefer from Save the Children identified Pacific Women as a good example of a long term approach, but argued that 'it is going to take even longer than that program to reach the results that we require'.<sup>36</sup>
- 10.41 Oxfam praised the Australian Government for recognising the 'necessity of a long-term approach to attitudinal and norm change'. It further asserted that the 'initial findings discussed by the ANCP gender evaluation team also suggest that long-term, holistic approaches are needed'.<sup>37</sup>

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32 DFAT, *Supplementary Submission 27.3*, p. 24.

33 DFAT, *Supplementary Submission 27.3*, p. 24.

34 SPC, *Submission 24*, p. 8.

35 DFAT, *Supplementary Submission 27.3*, p. 15.

36 Mr Stuart Schaefer, Director, International Programs, Save the Children, *Committee Hansard*, Melbourne, 3 November 2014, p. 9.

37 Ms Anna Trembath, Senior Gender Adviser, Oxfam Australia, *Committee Hansard*, Canberra, 2 December 2014, p. 5.



- 10.42 Caritas Australia praised the Pacific Women program and recommended that aid programs promoting gender equality be designed, implemented and evaluated 'using an 8–10 year timeframe'. It also proposed the 'replication and adaptation of the [Pacific Women] initiative in Asian and Indian Ocean regions'.<sup>38</sup>
- 10.43 Another long term project that DFAT identified was the Fiji Women's Crisis Centre (FWCC), which provides training and support to organisations all over the Pacific who are working to eliminate violence against women. DFAT explained that:
- Australia has provided financial support to FWCC since 1989 and it is a cornerstone of Australia's strategy for eradicating violence against women in Fiji and across the Pacific. This continued, long term support has enabled FWCC to develop into an organisation that is well known and respected both regionally and internationally. The training FWCC has undertaken over the years has created a pool of specialists and practitioners on ending violence against women in the Pacific, including male advocates.<sup>39</sup>
- 10.44 Ms Irene M. Santiago pointed to AusAID's sustained support of the Mindanao Commission on Women, which initially ran from 2007–2011, and was then extended for a further two years. Ms Santiago said:
- I had a long and meaningful engagement with AusAID in the Philippines. AusAID supported the work of the Mindanao Commission on Women, an NGO I co-founded and headed for more than a decade. AusAID in the Philippines to me was a model of what aid assistance should be ... I have often termed our relationship with AusAID as one of accompaniment, a shoulder-to-shoulder journey toward the same goal.<sup>40</sup>

## Future directions for Australian aid

- 10.45 In 2015–16 the Australian Government has budgeted to provide an estimated total of \$4 billion in ODA. Papua New Guinea has replaced Indonesia as the largest recipient of Australian aid, receiving \$477.4 million in 2015–16.<sup>41</sup>

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38 Caritas Australia, *Submission 42*, p. 2.

39 DFAT, *Supplementary Submission 27.3*, p. 15.

40 Ms Irene M. Santiago, *Submission 85*, p. 2.

41 DFAT, *Making Performance Count: Enhancing the Accountability and Effectiveness of Australian Aid* < [dfat.gov.au/about-us/publications/Pages/making-performance-count-enhancing-the-accountability-and-effectiveness-of-australian-aid.aspx](http://dfat.gov.au/about-us/publications/Pages/making-performance-count-enhancing-the-accountability-and-effectiveness-of-australian-aid.aspx) > viewed 10 August 2015.

- 10.46 A new performance framework for the Australian aid program, *Making Performance Count*, was released in November 2014. The framework provides a commitment to the publication of an annual 'Performance of Australian Aid' report, and affirmed the following:
- At a strategic level, there will be 10 high level targets to assess the aid program against key goals and priorities
  - At a country, regional and partner program level, performance benchmarks will be introduced to measure the effectiveness of our portfolio of investments
  - At a project level, robust quality systems will ensure that funding is directed to investments making the most difference.<sup>42</sup>
- 10.47 The ODE claims the framework 'represents a great step forward'. However, they also that implementing it 'requires the addition of a theory of change and indicators for measuring program impact'.<sup>43</sup>
- 10.48 DFAT explained that the framework also signified the Government's intention to 'increasingly focus on women's economic empowerment throughout the aid program'.<sup>44</sup>
- 10.49 The Department is in the process of developing a 'Gender Equality and Women's Empowerment Strategy' which, DFAT explained, will assist the Department in meeting this commitment. DFAT stated that the Strategy would be available 'in the second half of 2015'.<sup>45</sup>
- 10.50 DFAT's 2013-14 Annual Report specified that the gender equality strategy would 'guide diplomatic efforts and scale up attention to gender throughout the Australian aid program'. The Department further asserted that DFAT 'will be strong contributors on the 20-year review of the Beijing Platform for Action and the post-2015 framework'.<sup>46</sup>
- 10.51 DFAT explained that the new Gender Strategy 'will also provide guidance to staff as to what is expected of them in relation to integrating gender equality into their work'.<sup>47</sup>
- 10.52 As well as improving the performance of existing programs, DFAT aims to increase the focus of the aid program on gender equality. The Department emphasised that it anticipates the proportion of investments

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42 DFAT, *Performance of Australian Aid 2013-14*, 2015, p. 2.

43 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women's Economic Empowerment*, August 2014, p. 69.

44 DFAT, *Submission 27*, p. 8.

45 DFAT, *Supplementary Submission 27.2*, p. 4. Note: The strategy is not yet available as this report goes to print.

46 DFAT, *Annual Report 2013-14*, p. 100.

47 DFAT, *Supplementary Submission 27.3*, p. 8.

- with gender equality as a principal or significant objective would increase over time 'as new investments are introduced'.<sup>48</sup>
- 10.53 In light of the Government's increased focus on gender equality in the aid program, DFAT revealed that 'the criteria for future gender assessments have been strengthened'. These criteria assess whether programs are 'achieving expected gender equality outcomes'.<sup>49</sup>
- 10.54 The ODE acknowledged that DFAT is working to improve its efforts in monitoring and evaluation broadly and in relation to gender outcomes.<sup>50</sup>
- 10.55 In 2013–14, using established criteria, DFAT reported that 74 per cent of investments 'effectively integrat[ed] gender equality and women's empowerment'.<sup>51</sup> In 2014–15, this figure rose to 78 per cent.<sup>52</sup>
- 10.56 The new framework requires that:
- ... at least 80 per cent of DFAT's investments that are monitored annually through aid quality checks, regardless of their objectives, will effectively address gender issues in their implementation and receive a rating of 4 out of 6 or above. This is a whole-of-DFAT aid target.<sup>53</sup>
- 10.57 DFAT acknowledged that meeting the 80 per cent target 'may take time', and advised that changes would be required 'in partners' systems as well as in the design and implementation of many programs'.<sup>54</sup>
- 10.58 In order to meet the target, DFAT has stated that investments will need to 'consider gender equality well at the start', as these investments 'perform much better at generating strong gender equality results' as they are implemented.<sup>55</sup>
- 10.59 The Department further stated that 'sustained attention by DFAT staff and improvement in staff capacity' would be required to achieve the 80 per cent target.<sup>56</sup>
- 10.60 One example of DFAT's work to address the shortfall can be found in the Pacific country program. As DFAT reported, a large proportion of the

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48 DFAT, *Supplementary Submission 27.2*, p. 9.

49 DFAT, *Performance of Australian Aid 2013–14*, 2015, p. 8.

50 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women's Economic Empowerment*, August 2014, pp. 5–6.

51 DFAT, *Supplementary Submission 27.2*, p. 5.

52 DFAT, *Annual Report 2014–15*, September 2015, p. 163.

53 DFAT, *Supplementary Submission 27.2*, p. 4.

54 DFAT, *Supplementary Submission 27.2*, p. 4.

55 DFAT, Submission to Senate Standing Committee on Foreign Affairs, Defence and Trade Inquiry into the International Aid (Promoting Gender Equality) Bill 2015, p. 14.

56 DFAT, *Performance of Australian Aid 2013–14*, 2015, p. 9.

Department's 26 per cent of 'unsatisfactory investments' (in relation to gender equality) in 2013–14 were located in the Pacific (45 per cent). DFAT revealed that all of these Pacific investments will now be 'required to identify actions to improve their rating over the coming year [2015]'.<sup>57</sup>

- 10.61 The ODE also found that while country programs generally incorporate gender equality outcomes 'not all programs are underpinned by gender analysis'. The ODE advised that:

Very few countries have undertaken the context-specific gender analysis required to identify barriers to women's economic empowerment, or articulated explicit objectives, program pathways and policy dialogue to address these barriers.<sup>58</sup>

- 10.62 In response to the ODE's findings, DFAT agreed to a recommendation that, within all country programs, it will:

... [undertake] gender analysis with local gender consultants and local women's organisations to ensure an appropriate combination of approaches; this includes exploring approaches less commonly seen in Australia's aid program, such as child care support.<sup>59</sup>

- 10.63 Other witnesses to the inquiry were encouraged by DFAT's increased focus on gender equality in the aid program, but remained cautious. IWDA stated:

The Government's strong focus on gender equality and women's empowerment is important and welcome. But it is not new. Gender integration has been an agreed strategy globally and for the Australian aid program for decades, but the management and performance architecture required to systematically connect policy with programming and resourcing have not been prioritised.<sup>60</sup>

- 10.64 DFAT's 2014–15 Annual Report was released as this report was being finalised. This latest annual report showed similar results in terms of gender spending as the previous two years' reports (55 per cent of aid investments were either principally or significantly targeted to gender equality<sup>61</sup>), but also demonstrated a consistent focus on gender throughout the report. For instance, the report explicitly states that: 'Advancing

57 DFAT, *Supplementary Submission 27.2*, p. 6.

58 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women's Economic Empowerment*, August 2014, p. 4.

59 DFAT, ODE, *Smart Economics: Evaluation of Australian Aid Support for Women's Economic Empowerment*, August 2014, p. 4.

60 IWDA, *Submission 32*, p. 7.

61 DFAT, *Annual Report 2014–15*, September 2015, p. 117, <[dfat.gov.au/about-us/publications/corporate/annual-reports/annual-report-2014-2015/dfat-annual-report-2014-15.pdf](http://dfat.gov.au/about-us/publications/corporate/annual-reports/annual-report-2014-2015/dfat-annual-report-2014-15.pdf)> viewed 8 October 2015.

gender equality is an increasingly important priority across the full range of the department's work'.<sup>62</sup>

- 10.65 One of the practical ways this is being done is through the negotiation of new Aid Investment Plans, which take into account the increased focus on both gender outcomes, and working with the private sector:

The department will negotiate new Aid Investment Plans for development-partner countries which take account of Australia's aid policy and partner government priorities – ensuring our investments promote gender equality and greater engagement by the private sector. We will shift from a traditional donor-recipient model to investments which leverage partner countries' resources and domestic capacity to improve development outcomes.<sup>63</sup>

- 10.66 DFAT's 2014–15 Annual Report also provided information about the 'Gender Equality Fund' launched by the Hon Julie Bishop MP as part of the 2015–16 Budget 'to accelerate support for gender equality in the Australian aid program'. DFAT asserted:

The fund will support investments aimed at advancing gender equality and fostering innovative work by private sector and non-government organisations, particularly women's organisations.<sup>64</sup>

- 10.67 In an appearance before Senate Estimates on 22 October 2015, Ms Moyle explained components of the Gender Equality Fund:

There are a number of different components of the Gender Equality Fund. One is ... the internal competitive element that asks DFAT posts and divisions to bid for funding. That was intended to leverage attention to gender equality across our aid program, to seed funding and to increase attention to gender equality and funding for gender equality.

There is a second aspect which is an external element. We have earmarked \$2 million for that this financial year – recognising that is a new approach and so a small, modest amount was allocated this financial year with the intention that that be scaled up, subject to our budget next year.<sup>65</sup>

- 10.68 According to Ms Moyle, the internal competitive element incorporates \$14.5 million in the 2015–16 financial year. Further aspects of the funding were outlined by Ms Moyle:

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62 DFAT, *Annual Report 2014–15*, September 2015, p. 112.

63 DFAT, *Annual Report 2014–15*, September 2015, p. 55.

64 DFAT, *Annual Report 2014–15*, September 2015, p. 117.

65 Proof Committee Hansard, Senate Estimates, Foreign Affairs, Defence and Trade Legislation Committee, Thursday, 22 October 2015, p. 24.

As was discussed at the last estimates, I think that not all of the \$50 million was new money. Some of it was rebadged. The \$50 million comprises the following: there is \$12½ million for Pacific Women Shaping Pacific Development – the regional component; there is \$6 million that we have allocated for the Investing in Women Initiative that Mr McDonald has referred to – that is a new investment; there is \$15 million for global programs – funding for things like trust funds with the UN Women’s Global Acceleration Instrument for Women, Peace and Security and a number of other global programs; and then we have \$14½ million for the internal competitive round and \$2 million for the externally focused round.<sup>66</sup>

## Recommendations from the non-government sector

- 10.69 Some witnesses to the inquiry made specific recommendations directed towards the focus and performance of DFAT in promoting gender equality in the Indo-Pacific region.
- 10.70 Dr Szoke from Oxfam Australia, asserted:
- It is our view that DFAT must have unrelenting regard for the rights of women and girls if they are to ensure that investments both enhance women’s human rights development and protect those rights.<sup>67</sup>
- 10.71 IWDA argued that the Australian Government, through DFAT, should lift the percentage of aid programs focused on progressing gender equality (as either a principal or a significant objective) to ‘closer to 100 per cent’, rather than the 80 per cent recently announced.<sup>68</sup>
- 10.72 In its submission, Abt JTA argued that ‘Australia has the potential to make a huge difference to the lives of women and girls in our region’. However, it argued that this potential could only be realised if the Australian government ‘applies its resources in a more deliberate and dedicated way’.<sup>69</sup>
- 10.73 ActionAid proposed specific increases in the levels of funding for gender programming. It proposed increasing:

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66 Proof Committee Hansard, Senate Estimates, Foreign Affairs, Defence and Trade Legislation Committee, Thursday, 22 October 2015, p. 24.

67 Dr Helen Szoke, Chief Executive, Oxfam Australia, *Committee Hansard*, Canberra, 2 December 2014, p. 2.

68 IWDA, *Submission 32*, p. 9.

69 Abt JTA, *Submission 59*, p. 10.

- Specific thematic funding for gender equality and women's empowerment in the aid program to \$100 million per annum, in support of cross regional initiatives that advance knowledge and learning on effective strategies that support women and girls claiming their rights.
  - Specific funding for gender equality and women's economic empowerment across the aid program (measured by the OECD DAC gender policy marker for principal objective) to \$500 million.<sup>70</sup>
- 10.74 ActionAid encouraged the Australian Government to increase DFAT's 'capacity to critically examine women's rights issues', partly through providing more 'targeted' gender training programs. ActionAid also argued that DFAT's new gender strategy should focus on programs that promote the empowerment of women.<sup>71</sup>
- 10.75 In relation to monitoring and tracking of expenditure, IWDA recommended that DFAT 'further develops its systems and tools', to enable it to better report publicly about its investments, their quality and their impacts. IWDA stressed that:
- Publishing comprehensive, relevant performance information helps both government and other stakeholders to assess how policy commitments are being implemented and adjust efforts accordingly.<sup>72</sup>
- 10.76 IWDA argued that gender mainstreaming should be more robustly assessed within programs, with programs required to 'have specific, detailed implementation plans that show how gender will be integrated and resourced'. IWDA pointed to the Asian Development Bank's (ADB) Gender Action Plans as providing a 'working model of how this can be negotiated and implemented'.<sup>73</sup>
- 10.77 In contrast, Abt JTA argued that attempting to mainstream gender equality throughout the aid program could in fact be a counterproductive approach for DFAT:
- We submit that rather than blanketing the entire aid program with a wide but shallow gender lens, it would be more effective to prioritise finite program and staff resources where they can have the biggest impact.<sup>74</sup>

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70 ActionAid, *Submission 29*, p. 15.

71 ActionAid, *Submission 29*, p. 15.

72 IWDA, *Submission 32*, p. 10.

73 IWDA, *Submission 32*, p. 8.

74 Abt TJA, *Submission 59*, p. 3.

- 10.78 To achieve this, Abt TJA recommended the following:
- Focussing on a limited number of ‘Flagship Women’s Empowerment Programs’, which are ‘serious, long term and target individual, community and social change’.
  - Identifying and prioritising ‘Tier One Programs’ which, while not primarily focussed on women and girls, ‘have the potential to have the biggest impact and generate the greatest opportunities for the empowerment of women and girls’.<sup>75</sup>
- 10.79 Abt JTA further recommended that DFAT should work to have a flagship women’s empowerment program ‘in all of its most important development relationships – Indonesia, PNG, Solomon Islands, and the Pacific’.<sup>76</sup>
- 10.80 IWDA also asserted that gender mainstreaming was not always sufficient, saying:
- Transformative change requires greater investment in targeted initiatives that address inequality and support women’s rights. It also requires the aid program *as [a] whole* to contribute to change through consistent use of gender analysis and gender-responsive policies and programs.<sup>77</sup>
- 10.81 Abt JTA argued that these four criteria are the most important for program design:
- Understanding context and barriers
  - Focusing on what matters most for women
  - Working with local communities and networks to strengthen the ability of women to address what matters most to them
  - Innovation in program design and monitoring and evaluation.<sup>78</sup>
- 10.82 Abt TJA described innovation in programming as allowing ‘flexibility in program implementation to adapt activities and adjust outputs’ as required, when new information arises. It argued that ‘rigorous monitoring and evaluation frameworks’ are required to encourage innovation and dynamism, as well as the availability of ‘clear, current evidence’ on which to base decisions.<sup>79</sup>

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75 Abt TJA, *Submission 59*, p. 3.

76 Abt JTA, *Submission 59*, p. 3.

77 IWDA, *Submission 32*, p. 9.

78 Abt TJA, *Submission 59*, p. 4.

79 Abt TJA, *Submission 59*, p. 8.



- 10.83 DFAT also recognised the need for flexibility in programming:
- Given the deeply socially embedded nature of gender inequality, it is important that programs remain flexible to enable them to respond to new opportunities or try new approaches in the case of obstacles.<sup>80</sup>
- 10.84 The SPC argued that Australian aid to the Pacific needs to have improved co-ordination at the national level. It provided the example of collaborating with the ADB and the UN on ‘gender mainstreaming and gender statistics in Nauru, Solomon Islands and the Cook Islands’. The submission also pressed the need for:
- ... working through national systems and processes for aid coordination, and regular development partner dialogues on progressing gender equality at country and regional level. Joint programming, in-country consultations and monitoring of action at national level would ensure that Australia’s resources are used in a more effective and sustainable manner.<sup>81</sup>

## Working with local communities

- 10.85 Through the course of the inquiry, questions were raised about the appropriateness and efficacy of Australian authorities working within countries where cultural norms or practices may differ in relation to gender equality. Members of the Committee were keen to hear views from witnesses about how to maximise the efficacy of Australian-funded programs while avoiding tensions or ‘backlash’.
- 10.86 Witnesses argued that the key to working effectively in-country was to support and work with local organisations, respond to the needs and ideas of the community, and engage men directly, so they can be part of the solution. Abt JTA said:
- Improving the lives of women and girls cannot be achieved without the participation and cooperation of men and boys ... This type of engagement is important not only for shifting societal norms and behaviour, but also for reducing and preventing resentment and backlash that can arise to programs that focus predominantly on women.<sup>82</sup>
- 10.87 The Gender, Leadership and Social Sustainability (GLASS) Research Unit urged DFAT to fund development programming that is ‘founded on

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80 DFAT, *Supplementary Submission 27.3*, p. 7.

81 SPC, *Submission 24*, p. 41.

82 Abt TJA, *Submission 59*, p. 8.

research and an evidence base of best practice, informed by the needs identified by community members'.<sup>83</sup>

10.88 Save the Children recommended DFAT should include a 'thorough, locally contextualised gender equality analysis (including a review of national equality legislation gaps) in each "Aid Investment Strategy"'.<sup>84</sup>

10.89 Witnesses highlighted the growing role that women's organisations are playing in the Indo-Pacific region and suggested aid funding was best directed to local women's organisations.<sup>85</sup> IWDA argued:

Core funding for women's organisations is vital for sustaining the long-term movement building work that underpins progress towards gender equality.<sup>86</sup>

10.90 The Institute of Human Security and Social Change also recommended supporting 'active coalitions' on the ground, in country. Building on this assertion, it argued that:

Solutions, particularly those to the complex problems of family and structural violence, need to be feasible within existing Pacific cultural and community systems.<sup>87</sup>

10.91 Live and Learn International proposed '[d]irect and sustained assistance to local civil society groups supporting rights of women and children'.<sup>88</sup>

## The focus of the Aid Program

10.92 Dr Susan Harris Rimmer argued that the Australian aid program should focus on women's economic empowerment, stating it is 'an area where Australia can really make its mark'. She added that Australia needs to 'think as creatively as possible and to be quite specific about what it wants to achieve'.<sup>89</sup>

10.93 ActionAid and IWDA recommend that DFAT should incorporate a gender analysis and strategies to promote women's empowerment into all 'Aid for Trade' investments.<sup>90</sup>

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83 The Gender, Leadership and Social Sustainability (GLASS) Research Unit, Monash University, *Submission 7*, p. 7.

84 Save the Children Australia, *Submission 23*, p. 4.

85 See for instance: Amnesty International Australia, *Submission 74*, p. 17, and Live and Learn International, *Submission 9*, p. 3.

86 IWDA, *Submission 32*, p. 17.

87 Institute of Human Security and Social Change, *Submission 41*, pp. 3-4.

88 Live and Learn International, *Submission 9*, p. 3.

89 Dr Susan Harris Rimmer, Director of Studies, Asia-Pacific College of Diplomacy, Australian National University (ANU), ANU Gender Institute, *Committee Hansard*, Canberra, 23 September 2014, p. 1.

90 IWDA, *Submission 32*, p. 6. ActionAid, *Submission 29*, p. 15.

- 10.94 GLASS proposed aid funding should be directed towards ‘feminist organisations’, including ‘International Women’s Development Agency, Asia–Pacific Women, Law and Development Forum, ActionAid Australia and, increasingly, Oxfam Australia’.<sup>91</sup>
- 10.95 Mr Schaefer, as Director of International Programs at Save the Children Australia, emphasised the importance of focussing on cultural change:
- We encourage attitude change to be a part of the Australian government’s focus in terms of gender and believe that this will improve the effectiveness of the Australian aid program.<sup>92</sup>
- 10.96 IWDA expressed the view that considering the low rates of political representation and high rates of violence against women in the Pacific:
- Australia’s expenditure does not reflect the policy importance, the extent of the rights violations, the scale of the challenges involved in addressing them, or the potential benefits.<sup>93</sup>
- 10.97 Dr Szoke contended that there is need for DFAT to focus on ‘women’s empowerment’, despite empowerment being difficult to measure.<sup>94</sup> Dr Szoke also argued that the government needs to ‘resource intangibles’. She suggested:
- ... we must also recognise that as part of the solution to gender equality we want to resource intangibles – so, supporting partner organisations to build the capacity of women to have a voice; working in quiet ways to address cultural and political barriers; and supporting processes as well as outcomes and services that aim to achieve gender equality.<sup>95</sup>
- 10.98 CARE Australia also promoted an approach to aid that focuses on women’s empowerment. It proposed that:
- All Australian-funded activities must use a holistic approach, such as CARE’s Women’s Empowerment Framework, to support women and girls’ rights. This involves working with men, national and local leaders, civil society, service providers and women and girls’ families.<sup>96</sup>
- 10.99 Some witnesses made specific proposals for funding. For instance, AVI recommended:

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91 GLASS, *Submission 7*, p. 7.

92 Mr Schaefer, Save the Children, *Committee Hansard*, Melbourne, 3 November 2014, p. 9.

93 IWDA, *Submission 32*, p. 8. Note: The rate of spending on programs that receive a ‘satisfactory’ rating for gender in the Pacific is comparatively low.

94 Dr Szoke, Oxfam Australia, *Committee Hansard*, Canberra, 2 December 2014, p. 1.

95 Dr Szoke, Oxfam Australia, *Committee Hansard*, Canberra, 2 December 2014, p. 1.

96 CARE Australia, *Submission 54*, p. 11.

... the provision of a \$10 million Women and Girls Innovation Fund by the Department of Foreign Affairs and Trade for AVID core partners to scale up gender-human rights projects proven to be successful.<sup>97</sup>

- 10.100 In regards to the women, peace and security agenda, the Women's International League for Peace and Freedom Australia recommended:

That more resources are allocated to monitoring and evaluating the effectiveness of the individual elements of the National Action Plan on Women Peace and Security to ensure full implementation and accountability.<sup>98</sup>

## The aid budget

- 10.101 Some witnesses made comments on recent changes to the aid budget and the merger of AusAid into DFAT. Save the Children Australia recommended that the Government '[r]econsider cuts to the aid budget in light of the positive impact that Australian aid has on women's and girls' human rights in the Indian Ocean and Asia Pacific Regions'.<sup>99</sup>

- 10.102 Dr Szoke submitted that cuts to the aid budget have an impact on funding for gender programming:

I want to emphasise that those cuts that have already been made have had an impact on gender programming and that more cuts, if they do eventuate, will mean more pressure on essential programs aimed at combating poverty for women and girls.<sup>100</sup>

- 10.103 As an example, Dr Szoke revealed that Oxfam:

... had to make changes to [their] own gender program of about \$84 000, and this had a specific impact on the programming that [they] are doing in Indonesia in relation to gender justice.<sup>101</sup>

- 10.104 Oxfam suggested that when the government reduces its aid in a certain area, this can also flow through to philanthropic donations made by the public:

If [governments] diminish their financial contribution in terms of their foreign diplomacy then that is a message which makes it

97 AVI, *Submission 43*, p. 9.

98 Women's International League for Peace and Freedom Australia, *Submission 53*, p. 10.

99 Save the Children Australia, *Submission 23*, p. 5.

100 Dr Szoke, Oxfam Australia, *Committee Hansard*, Canberra, 2 December 2014, p. 1.

101 Dr Szoke, Oxfam Australia, *Committee Hansard*, Canberra, 2 December 2014, p. 4.

unhelpful for us in the fundraising environment, because it speaks to the importance of Australia's role in a general regard.<sup>102</sup>

- 10.105 Oxfam also expressed concerns about the merger of DFAT and AusAid, citing cultural differences:

Aid is a long-term investment; it is a long game. Foreign affairs is often very reactive, necessarily, and responsive to changing circumstances. So, in a sense, there is a cultural difference there as well ... We are conscious that that must have an impact as you settle a new aid policy into a combined department which has many fewer people and where there has been such a loss of expertise.<sup>103</sup>

- 10.106 However, Ms Sidhu from DFAT highlighted the opportunities the merger provides for building 'synergies' between aid and diplomacy around gender equality.<sup>104</sup>

## Committee comment

- 10.107 The Committee notes that DFAT's 'gender spend' (investment with either a primary or significant gender focus) rose from 52 per cent in 2012–13 to 55 per cent in 2013–14, but has not risen in real terms again in 2014–15, despite an increase in the Department's focus on gender.<sup>105</sup>
- 10.108 Countries that receive Australian aid, particularly some Pacific countries, exhibit some of the highest levels of gender-based violence and lowest levels of equality and empowerment of women and girls in the world.
- 10.109 In 2013-14 five per cent of Australia's total Official Development Assistance was dedicated to programs that 'primarily' focussed on women and girls. The expenditure was \$202 million.<sup>106</sup> This is distinct from the 55 per cent of ODA that DFAT defines as having a 'significant' but not 'primary' focus on women and girls.<sup>107</sup>

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102 Dr Szoke, Oxfam Australia, *Committee Hansard*, Canberra, 2 December 2014, p. 5.

103 Dr Szoke, Oxfam Australia, *Committee Hansard*, Canberra, 2 December 2014, p. 7.

104 Ms Harinder Sidhu, First Assistant Secretary, Multilateral Policy Division, DFAT, *Committee Hansard*, Canberra, 17 June 2014, p. 1.

105 DFAT, *Annual Report 2014-15*, September 2015, p. 117, <[dfat.gov.au/about-us/publications/corporate/annual-reports/annual-report-2014-2015/dfat-annual-report-2014-15.pdf](http://dfat.gov.au/about-us/publications/corporate/annual-reports/annual-report-2014-2015/dfat-annual-report-2014-15.pdf)> viewed 19 October 2015.

106 DFAT, *Supplementary Submission 27.2*, p. 9.

107 DFAT, *Annual Report 2014-15*, September 2015, p. 117, <[dfat.gov.au/about-us/publications/corporate/annual-reports/annual-report-2014-2015/dfat-annual-report-2014-15.pdf](http://dfat.gov.au/about-us/publications/corporate/annual-reports/annual-report-2014-2015/dfat-annual-report-2014-15.pdf)> viewed 19 October 2015.

- 10.110 An increase to eight per cent would total approximately \$320 million based on 2013-14 figures (an additional \$120 million over 2013-14 in either new money or refocussed activity). An increase to 10 per cent would total approximately \$400 million based on 2013-14 figures (an additional \$200 million over 2013-14 in either new money or refocussed activity).
- 10.111 DFAT did not provide written recommendations to the inquiry in their initial submission or supplementary submissions. However, the Department highlighted two areas where it saw significant opportunities:
- Better benchmarking of gender across the aid program. The Department asserted that DFAT needed ‘a much deeper and more integrated approach for gender across the aid program.’ And further stated:

We will probably be setting the bar a bit higher than we have done to date, and so it will require a much deeper and stronger focus.<sup>108</sup>
  - Better integration between aid and diplomacy. The Department explained:

We think the three pillars – economic empowerment, leadership and ending violence against women – work as well in the foreign policy space as they do in the aid space, although we have not been explicit in bringing them together...<sup>109</sup>
- 10.112 The Committee supports DFAT’s increasing efforts to ensure its assessments of the impact of programs on gender equality are robust and meaningful. However, the Committee notes that while the tools are available, DFAT’s own evidence indicates that many staff do not know how to apply them or do not feel confident in applying them.
- 10.113 DFAT should prioritise increasing the capacity and knowledge of gender equality in development among its staff, so that gender experts are not ‘spread too thin’.
- 10.114 DFAT should aim to double the number of its staff that have completed gender equality training, with a particular focus on lifting the participation of male staff, who are currently under represented.
- 10.115 Considering that all significant aid programs are assessed for their impact on gender equality, the Committee encourages DFAT to aim for more than the proposed 80 per cent satisfactory rating. At minimum, all Australian funded programs should be assessed to ensure they ‘do no harm’ to women and girls.

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108 Ms Sidhu, DFAT, *Committee Hansard*, Canberra, 17 June 2014, p. 7.

109 Ms Sidhu, DFAT, *Committee Hansard*, Canberra, 17 June 2014, p. 7.

- 10.116 Gender programs need to be initiated with baseline data that can be compared with later endline data (from surveys, etc) to see if a project has achieved cultural, attitudinal and behavioural change over time.
- 10.117 DFAT's funding should focus on building local capacity, including women's organisations. The Committee believes that long term programs for women's empowerment and against violence are necessary to achieve sustainable change. Ten or more years is the 'gold standard' for gender programming.
- 10.118 The Committee acknowledges that DFAT already supports agencies such as UN Women to provide a coordinating role for data and evidence around 'what works' in gender programming. However, the Committee also notes that there appears to be some duplication of effort or failure to communicate between agencies in relation to data and knowledge.
- 10.119 The Committee commends and supports the role of the Office of Development Effectiveness in critically assessing DFAT programs and procedures, and would be supportive of an ODE review into the effectiveness of DFAT's broader aid program in relation to gender outcomes, as well as a review of DFAT's gender assessment methods. This could consider a range of issues, including:
- Are DFAT's mechanisms for assessing the gender outcomes of its aid programs sufficient?
  - Is DFAT's collection and application of data sufficiently comprehensive to allow for analysis of the impacts of programs over time?
  - Is DFAT's aid program achieving progress for women in the region?
  - Is DFAT maximising the use of its staffing and expertise in gender?
- 10.120 While ensuring aid initiatives 'do no harm' to women and girls and maximise opportunities to empower women, the Committee recommends that DFAT should focus on 'big ticket', flagship women's programs, rather than spreading resources too thinly across the whole aid program.

### **Better co-ordination across the region**

- 10.121 Throughout the course of the inquiry, the Committee noted concerns that a number of different government agencies and NGOs are working on gender programming in the region, as well as conducting research and evaluation. This could result in unnecessary duplication.
- 10.122 The Committee recommends that the Australian Government, through DFAT, should engage with relevant bodies, networks and organisations in the region to explore options for better co-ordinating programs and research taking place in the Indo-Pacific in relation to the empowerment of women and girls.

10.123 The Committee notes the work already taking place to make these connections, and the funds provided by the Australian Government to key bodies, including UN Women.<sup>110</sup>

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110 The Australian Government provided \$25.7 million to UN Women in 2014–15. DFAT, *Annual Report 2014–15*, September 2015, p. 117.



## Recommendations

### Recommendation 29

The Committee recommends that the Australian Government:

- lift the percentage of total Official Development Assistance that is 'primarily' focussed on women and girls from the current five per cent level to between at least eight and 10 per cent over the next five years, particularly as a proportion of aid to the Pacific region;
- focus its limited investments and gender expertise on large-scale, long-term (10 years or more) programs designed directly for women's empowerment in key countries, using the Pacific Women Shaping Pacific Development program as a model; and
- focus its investments on programs that directly build local capacity through supporting local women's organisations.

### Recommendation 30

The Committee recommends that the Australian Government introduce a requirement that all Official Development Assistance programs, regardless of their OECD Development Assistance Committee gender rating, must 'do no harm' to women and girls. Programs must be screened to ensure they will not:

- further entrench women's disempowerment;
- result in unintended violence against women and girls or leave women and girls more vulnerable; or
- disadvantage specific sectors of the population of women and girls, including women and girls with disabilities or those from ethnic minorities.

### Recommendation 31

The Committee recommends that the Australian Government increase both the percentage and overall number of staff at the Department of Foreign Affairs and Trade (DFAT) who receive training in gender-sensitive programming, including staff located in Canberra, with the aim of ensuring all staff who play a role in the design and implementation of Official Development Assistance programs have the ability and confidence to apply good practice gender analysis. The Committee further recommends that DFAT:

- introduce to the Department's performance management system a formal requirement for such training to be completed by staff engaged in providing development assistance;
- increase the number of male members of staff participating in this training; and
- report on a) the numbers of staff trained, and b) the percentage of the workforce trained, in the Department's Annual Report.

### Recommendation 32

The Committee recommends that the Australian Government take steps to improve data collection and reporting on gender outcomes in aid and diplomacy, by:

- introducing enhanced collection and reporting of qualitative data to measure cultural and attitudinal change, such as changes in attitudes towards the roles and status of women and girls;
- requiring the collection of, reporting and utilisation of baseline data on the status and experiences of women before programs begin so that the efficacy of programs can be measured against that data;
- supporting nations in the region to collect and publish gender-disaggregated data, especially with regard to poverty, health, education and experiences of violence;
- supporting organisations such as UN Women and Oxfam in their provision of 'hubs' of knowledge, data and resources on women and girls around the world.

**Recommendation 33**

The Committee recommends that the Australian Government build upon the good work of Australia's Ambassador for Women and Girls by:

- providing further resourcing for the work of Australia's Ambassador for Women and Girls; and
- supplementing the role through the additional appointment of a 'Male Champion' for women and girls.

The Hon Philip Ruddock MP  
Chair  
Human Rights Sub-Committee  
2 December 2015

The Hon Teresa Gambaro MP  
Chair  
Joint Standing Committee on Foreign  
Affairs, Defence and Trade  
2 December 2015





## Appendix A—List of Submissions

- 1 UNAIDS Regional Support Team Asia and the Pacific
- 2 ChildFund Australia
- 3 Women of Asia Pacific Plus (WAP+)
- 4 Women’s Plans Foundation
- 5 Medicines for Malaria Venture (MFMV)
  - 5.1 MFMV
  - 5.2 MFMV
- 6 Ian Anderson Economics Pty Ltd
- 7 GLASS (Gender, Leadership and Social Sustainability) Research Unit, Monash University
- 8 Australian Tamil Congress (ATC)
- 9 Live and Learn International
- 10 The Australian National Committee for UN Women/UN Women Fiji Multi-Country Office
  - 10.1 The Australian National Committee for UN Women/UN Women Fiji Multi-Country Office
  - 10.2 The Australian National Committee for UN Women/UN Women Fiji Multi-Country Office
- 11 Oaktree
- 12 Church Agencies Network
- 13 Oxfam Australia
  - 13.1 Oxfam Australia
- 14 CBM Australia and Australian Disability and Development Consortium (ADDC)
- 15 WPSAC (Women, Peace and Security Academic Collective), Monash University School of Social Sciences
- 16 WaterAid

- 17 Pacific Islands Forum Secretariat (PIFS)
- 18 Asia Pacific Centre for Responsibility to Protect
- 19 Human Rights Watch (HRW)
  - 19.1 HRW
- 20 Amnesty International – Newcastle Group
- 21 Australian Human Rights Commission
- 22 The Australian National University (ANU) – Development Policy Centre and the National Centre for Epidemiology and Population Health
- 23 Save the Children Australia
  - 23.1 Save the Children Australia – Parts 1 and 2
- 24 Secretariat of the Pacific Community (SPC)
  - 24.1 Secretariat of the Pacific Community
- 25 Australian Council for International Development (ACFID)
  - 25.1 ACFID
- 26 World Education Australia
  - 26.1 World Education Australia – Good Return
- 27 Department of Foreign Affairs and Trade (DFAT)
  - 27.1 DFAT
  - 27.2 DFAT
  - 27.3 DFAT
- 28 Asia Pacific Forum
  - 28.1 Asia Pacific Forum – Parts 1, 2 and 3
- 29 ActionAid Australia
- 30 PacificPlus Consulting
- 31 Australian Federal Police
- 32 International Women’s Development Agency Inc (IWDA)
- 33 International Crisis Group (ICG)
  - 33.1 ICG
- 34 Refugee Council of Australia
- 35 Centre for Refugee Research, University of NSW
- 36 Ipas
- 37 World Vision Australia
- 38 Médecins Sans Frontières Australia
- 39 Dr Nicole George

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- 40 Marie Stopes International
  - 40.1 Marie Stopes International
  - 41 Institute of Human Security and Social Change, La Trobe University
  - 42 Caritas Australia
  - 43 Australian Volunteers International
  - 43.1 Australian Volunteers International
  - 44 Australian Centre for International Agricultural Research (ACIAR)
  - 44.1 Australian Centre for International Agricultural Research
  - 45 Secretary of State for the Promotion of Equality (SEPI), Democratic Republic of Timor-Leste
  - 46 Plan International Australia
  - 47 Burnet Institute
  - 48 Centre for Social Change
  - 49 Pacific UN Gender Group
  - 50 International Labour Organisation (ILO) (Pacific Office)
  - 51 Banteay Srei
  - 52 International Sexual and Reproductive Health and Rights (ISRHR) Consortium
  - 53 Women’s International League for Peace and Freedom (WILPF) Australia
  - 54 CARE Australia
  - 54.1 CARE Australia
  - 55 State Society and Governance in Melanesia, ANU School of International, Political and Strategic Studies
  - 56 Family Planning NSW
  - 57 The Asia Foundation
  - 58 Amnesty International – University of Western Australia Group(UWA)
  - 59 Abt JTA
  - 60 Sustainable Population Australia
  - 61 Australian Bahá’í Community
  - 62 Northern Territory Government
  - 63 ANU Gender Institute
  - 63.1 ANU Gender Institute
  - 64 NAME WITHELD
  - 65 YWCA Australia

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- 65.1 YWCA Australia – Parts 1, 2 and 3
  - 66 Vision 2020 Australia
  - 66.1 Vision 2020 Australia
  - 67 Austraining International
  - 68 Union Aid Abroad – APHEDA ( Australian People for Health, Education and Development Abroad)
  - 69 Catholic Justice and Peace Commission of the Archdiocese of Brisbane
  - 70 Ms Rebecca Lim, Felicity Mashuro and Louise Woolley
  - 71 Vietnam Women for Human Rights Network
  - 72 RESULTS International (Australia) Inc
  - 72.1 RESULTS International (Australia) Inc – Parts 1, 2 and 3
  - 73 Department of Defence
  - 73.1 Department of Defence
  - 74 Amnesty International Australia
  - 75 Islamic Republic of Afghanistan, Ministry of Foreign Affairs Minister’s Office
  - 76 High Commission of the Republic of Mauritius
  - 76.1 High Commission of the Republic of Mauritius
  - 77 Republic of Mauritius Minister of Foreign Affairs, Regional Integration and International Trade
  - 78 Socialist Republic of Viet Nam
  - 79 High Commission of the Democratic Socialist Republic of Sri Lanka
  - 79.1 High Commission of the Democratic Socialist Republic of Sri Lanka
  - 80 Gavi, the Vaccine Alliance
  - 81 Catholic Women’s League of Australia Inc
  - 82 Carlsberg Breweries – and Parts 1, 2 and 3
  - 83 Confidential Submission
  - 84 Shakti Community Council
  - 85 Ms Irene M Santiago, Lead Convener, ‘Women Seriously’, Global Campaign on Women, Peace and Security
  - 86 Opportunity International Australia
  - 87 Children’s Rights International
  - 88 Slavery Links Australia
  - 89 Grameen Australia
  - 89.1 Grameen Australia



- 90 Coffey International
- 91 Professor Supriya Singh
- 92 Department of the House of Representatives
- 93 Ms Kerry Baker
- 94 Attorney-General's Department





## Appendix B—List of Exhibits

1. ChildFund Australia  
*ChildFund Australia, ChildFund Papua New Guinea, Family and Sexual in Violence in Papua New Guinea, 2013*
2. ChildFund Australia  
*ChildFund Australia, ChildFund Papua New Guinea, Stop Violence against Women and Children in Papua New Guinea, 2013*
3. ChildFund Australia  
*ChildFund Alliance, Children Speak about being Free from Violence and Exploitation, 2013*
4. ChildFund Australia  
*ChildFund Laos/Plan International Laos, Social and Cultural Barriers to Rural Adolescent Ethnic Community Girls accessing Lower Secondary Schools in Northern Laos, 2011*
5. ChildFund Australia  
*ChildFund Laos, Youth Leadership through Sport in Namkonngoua Village, Voice and Agency, 2013*
6. Oxfam Australia  
*Oxfam International, 'Women and the Afghan Police: Why a Law Enforcement Agency that Respects and Protects Females is Crucial for Progress, [2013]*
7. Oxfam Australia  
*Oxfam Australia, Oxfam in Afghanistan, 2014*

8. Oxfam Australia  
Oxfam Australia, *On the Home Stretch: Why Australia Must Use its Final Months on the UN Security Council to Advance the Rights and Safety of Civilians*, [2014]
9. Oxfam Australia  
Oxfam Australia, 'Afghanistan at a Crossroads', *Oxfam Briefing*, May 2014
10. YWCA Australia  
*Pacific Young People's Sexual and Reproductive Rights Factsheet* [nd]
11. YWCA Australia  
Pacific Young Women's Leadership Alliance, 'The Future We Want' [nd]
12. YWCA Australia  
World YWCA, 'Her Future, the Future Young Women Want – A Global Call to Act', *Beyond 2015: the Future Young Women Want*, 2013
13. ANU Gender Institute  
UN Development Programme, *Power, Voice and Rights, A Turning Point for Gender Equality in Asia and the Pacific*, Asia Pacific Human Development Report [nd]
14. ANU Gender Institute  
'Australian Women Leaders Delegation to Myanmar Common Report 9–16 December 2012'
15. Women with Disabilities Australia  
WWDA – Letter dated 20 May 2014 to Secretariat
16. Women with Disabilities Australia  
WWDA, '*Gender Blind Gender Neutral*': *the Effectiveness of the National Disability Strategy in Improving the Lives of Women and Girls with Disabilities*, Report to the Council of Australian Governments (COAG), 2014
17. Medicines for Malaria Venture  
Medicines for Malaria Venture, *MMV at a Glance: Developing Medicines, Defeating Malaria*, 2014
18. Secretariat of the Pacific Community (attachments to *Submission 24*)  
*Appendix A: 'Status of human rights treaty ratification in the Pacific Island region'*, updated April 2014  
*Appendix B: 'Global Comparisons of the Experience of Physical and/or Sexual Violence Ever [sic] for Women aged 15–49 years'*  
*Appendix C: 'Violence Against Women Data, 1990s and 2000s'*

- Appendix D: 'Selected Examples of the Status of Specific Laws relevant to GBV in Pacific Island Countries, updated April 2014'*
- Appendix E: 'Extract from the Recommendations of the 11th Triennial Conference of Pacific Women', 2010*
19. Amnesty International  
Amnesty International, *Delivering a Just Future for All: Why Human Rights Matter to Sustainable Development, Policy Briefing Post-2015 Framework, 2014*
  20. Amnesty International  
Amnesty International, *Indonesia Setting the Agenda: Human Rights Priorities for the New Government, 2014*
  21. Victorian Immigrant and Refugee Women's Coalition  
VIRWC, *Maximising Women's Potential, Pamphlet [nd]*
  22. Victorian Immigrant and Refugee Women's Coalition  
VIRWC, *The Choice is Yours, Pamphlet [nd]*
  23. Victorian Immigrant and Refugee Women's Coalition  
Opening statement – presentation to the Committee
  24. Shakti Australia  
'SHAKTI: Briefing about Shakti Services in Australia'
  25. ChildFund Australia  
ChildFund Australia, ChildFund Papua New Guinea, *Stop Violence against Women and Children in Papua New Guinea, 2013 (copy 2)*
  26. CARE Australia  
CARE Australia, *Strong Women, Strong Communities: CARE's Holistic Approach to Empowering Women and Girls in the Fight against Poverty, 2010*
  27. Gavi Alliance  
Gavi Alliance, *The 2016–2020 Investment Opportunity, 2014*
  28. Dr Susan Harris Rimmer  
J Klugman *et al*, *Voice and Agency: Empowering Women and Girls for Shared Prosperity, World Bank Group, 2014*
  29. Dr Susan Harris Rimmer  
J Klugman, 'Investing in Gender Equality at the G20 Leaders' Summit, Australia to Turkey: Female Participation in Formal Employment and the Socialisation of unpaid care work: Session 4', Presentation [nd]
  30. International Women's Development Agency  
IWDA, *Individual Deprivation Measure, Pamphlet [nd]*

31. International Women's Development Agency  
IWDA, *Understanding Women's and Men's Roles in Economies in Melanesia*, Pamphlet [nd]
32. Plan International Australia  
*Just Married, Just a Child: Child Marriage in the Indo-Pacific Region* [nd]
33. OXFAM Australia  
Oxfam, *The Long Way Home: Relocation of Survivors of Gender-Based Violence in PNG* [nd]
34. OXFAM Australia  
United Nations Human Rights, *Guiding Principles on Business and Human Rights*, Office of the High Commissioner, 2011
35. Ms Irene M Santiago  
Australian Government, AusAID, *Another Mindanao is Possible! The Mindanao Commission on Women turns Campaign into a Movement* [nd]
36. Slavery Links Australia Inc  
'Forced Marriage Programs: What Does Slave-making in the Indian Ocean-Asia Pacific Mean for Australian Programs in Australia and Overseas', Extract, May 2015
37. Family Court of Australia  
'Family Court – Court-to-Court Partnership with Indonesia' [nd]
38. Family Court of Australia  
PEKKA and AusAID, *Access to Justice: Empowering Female Heads of Household in Indonesia*, Access and Equity Study, jointly conducted by FCA, Seknas PEKKA, the Supreme Court the Indonesia, and the Indonesia Australia Legal Development Facility (IALDF), 2010
39. Family Court of Australia  
Australian Aid (DFAT), *Australian Indonesian Partnership for Justice, AIPJ Baseline Study on Legal Identity, Indonesia's Missing Millions*, 2014
40. Family Court of Australia  
*Providing Justice to the Justice Seeker: A Report on the Access and Equity Study in the Indonesian General and Religious Courts 2007–2009*, jointly conducted by FCA, PEKKA, the Supreme Court the Indonesia, the Centre for the Study of Islam and Society, and the IALDF, 2010
41. Impact Investing Australia  
Impact Investing Australia, *Financial System Inquiry: Submission to the Treasury*, March 2015

42. Impact Investing Australia  
Impact Investing Australia, *Delivering on Impact: the Australian Advisory Board Breakthrough Strategy to Catalyse Impact Investment*, 2014
43. Impact Investing Australia  
Social Impact Investment Taskforce, *The Invisible Heart of Markets Harnessing the Power of Entrepreneurship, Innovation and Capital for Public Good*, Report of the Social Impact Investment Taskforce, established under the UK's Presidency of the G8, 2014
44. Impact Investing Australia  
M Bannick and P Goldman, *Priming the Pump: the Case for a Sector Based Approach to Impact Investing*, Omidyar Network [2012]
45. Impact Investing Australia  
JP Morgan and Global Impact Investing Network, 'Eyes on the Horizon: Impact Investor Survey', *Global Social Finance*, May 2015
46. Dr Anke Hoeffler  
Dr A Hoeffler, 'Violence against Women and Children' – Presentation [nd]
47. Dr Anke Hoeffler  
J Fearon and A Hoeffler, 'Conflict and Violence Assessment Paper: Benefits and Costs of the Conflict and Violence Targets for the Post-2015 Development Agenda', Copenhagen Consensus Center, *Post-2015 Consensus Working Paper*, 2014
48. Male Champions of Change Australia  
'Male Champions of Change – Initiative Summary' [nd]
49. Male Champions of Change Australia  
MCC, *Progress Report 2014: Male Champions of Change Listening, Learning, Leading with Action*, 2014
50. Department of Foreign Affairs and Trade  
Australian Aid, *Ending Violence against Women in Cambodia EVAW* [nd]
51. Department of Foreign Affairs and Trade  
Australian Aid, *MAMPU Maju Perempuan Indonesia Untuk Penanggulangan Kemiskinan, MAMPU Progress Update*, 2014
52. Department of Foreign Affairs and Trade  
Australian Government, *Progress Report: Australian National Action Plan on Women, Peace and Security 2012–2018*, Department of Prime Minister and Cabinet, 2014

53. Department of Foreign Affairs and Trade  
Department of Families, Housing, Community Services and Indigenous Affairs, *Australian National Action Plan on Women, Peace and Security 2012-2018*, 2012
54. Department of Foreign Affairs and Trade  
Australian Government, AusAID, *Stop Violence: Responding to Violence against Women in Melanesia and East Timor, Australia's Response to the OECD Report*, 2009
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Australian Government, AusAID, *Violence against Women in Melanesia and East Timor, Building on Global and Regional Promising Approaches*, Office of Development Effectiveness, 2008
56. Department of Foreign Affairs and Trade  
Australian Government, *Progress Report Australian National Action Plan on Women, Peace and Security 2012-2014*, Department of Prime Minister and Cabinet, 2014
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Department of Families, Housing, Community Services and Indigenous Affairs, *Australian National Action Plan on Women, Peace and Security 2012-2018*, 2012 (copy 53)
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Australian Government, AusAID, *Stop Violence: Responding to Violence against Women in Melanesia and East Timor, Australia's Response to the OECD report*, 2009 (copy 54)
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Australian Government, AusAID, *Violence against Women in Melanesia and East Timor, Building on Global and Regional promising Approaches*, Office of Development Effectiveness, 2008 (copy 56)
60. Department of Foreign Affairs and Trade  
Australian Government, DFAT, *Women, Peace and Security, DFAT's Implementation of UN Security Council Resolution 1325*, 2015
61. Department of Foreign Affairs and Trade  
Australian Government, DFAT, *Empowering Women: Australia's Support for Gender Equality and the Empowerment of Women*, 2015
62. Department of Foreign Affairs and Trade  
Australian Government, DFAT, *Improving Economic Outcomes for Women*, 2014



63. Department of Foreign Affairs and Trade  
*Australian Government, AusAID, A Safe Place: AusAID's Support to End Violence against Women, 2013*
64. Department of Foreign Affairs and Trade  
*Australian Government, AusAID, Women Leading Change: AusAID's Support for Women's Leadership and Decision Making, 2011*
65. Department of Foreign Affairs and Trade  
*Australian Government, AusAID, Women, Peace and Security, AusAID's Implementation of UN Security Council Resolution 1325, 2010*
66. Department of Foreign Affairs and Trade  
*OECD, Unfinished Business – Women and Girls Front and Centre Beyond 2015, 2013*
67. Department of Foreign Affairs and Trade  
*OECD, DAC Network on Gender Equality (GENDERNET), From Ambition to Result: Delivering on Gender Equality in Donor Institutions, 2014*
68. Department of Foreign Affairs and Trade  
*GENDERNET Development Co-operation, Directorate and DAC Working Group on Development Finance Statistics, Aid in Support of Gender Equality and Women's Empowerment: Statistical Overview, 2012*
69. Department of Foreign Affairs and Trade  
*GENDERNET, From Ambition to Result: Delivering on Gender Equality in Donor Institutions, 2014 (copy)*
70. Department of Foreign Affairs and Trade  
*GENDERNET Development Co-operation Directorate and DAC Working Group on Development Finance Statistics, Aid in Support of Gender Equality and Women's Empowerment: Statistical Overview, 2012 (copy 68)*
71. Department of Foreign Affairs and Trade  
*GENDER NET Gender Equality, Women's Empowerment and the Paris Declaration on Aid Effectiveness, Issues Brief 5: Managing Gender Equality Results in Partner Countries, 2009*
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*GENDER NET Gender Equality, Women's Empowerment and the Paris Declaration on Aid Effectiveness, Issues Brief 5: Managing Gender Equality Results in Partner Countries, 2009 (copy 71)*

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GENDER NET Gender Equality, Women's Empowerment and the Paris Declaration on Aid Effectiveness, *Issues Brief 4: Managing Gender Equality Results in Donor Agencies*, 2009
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76. Dr Jeni Klugman, Answers to Questions on Notice  
J Klugman *et al*, *Voice and Agency: Empowering Women and Girls for Shared Prosperity*, World Bank Group, 2014 (copy 28)
77. Dr Jeni Klugman, Answers to Questions on Notice  
Ellsberg *et al*, 'Prevention of Violence Against Women And Girls: What does the Evidence Say?', *The Lancet Volume 385, Issue 9977, 18–24 April 2015*.
78. Dr Jeni Klugman, Answers to Questions on Notice  
L Beaman, E Duflo Rohini Pande and P Topalova, 'Female Leadership Raises Aspirations and Educational Attainment for Girls: A Policy Experiment in India', *Science Magazine, Vol. 335, no. 6068*, 2012
79. Dr Jeni Klugman, Answers to Questions on Notice  
M Krook and P Norris, 'Beyond Quotas: Strategies to Promote Gender Equality in Elected Office', *Political Studies 62 (1)*, 2014
80. Youth With A Mission (YWAM)  
*YWAM Medical Ships Annual Report 2014*, 2014
81. Dr Miranda Forsyth  
M Forsyth and R Eves eds, *Talking it Through: Responses to Sorcery and Witchcraft Beliefs and Practices in Melanesia*, ANU Press, 2015
82. Department of Foreign Affairs and Trade  
DFAT, *Performance of Australian Aid 2013–14*, 2014
83. Department of Foreign Affairs and Trade  
DFAT, Office of Development Effectiveness, 'Smart Economics: Evaluation of Australian Aid – Support for Women's Economic Empowerment', *ODE Briefs*, 2014

84. Secretariat of the Pacific Community

*SPC, Beijing +20: Review of Progress in Implementing the Beijing Platform for Action in Pacific Island Countries and Territories, 2015*





## Appendix C—Public Hearings

Canberra, Tuesday, 13 May 2014

### Oxfam in Afghanistan

Ms Stephanie Cousins, Australia's Humanitarian Lead

Ms Zulaikha Rafiq, Director, Afghan Women Educational Centre

Colonel Najibullah Samsour, Afghan National Police

(Interpreter: Mr Mohammad Sharif, Policy and Advocacy Office)

Mr Mohammad Sharif, Policy and Advocacy Office

Canberra, Tuesday, 17 June 2014

### Department of Foreign Affairs and Trade

Ms Helen McDermott, Senior Sector Specialist

Ms Sally Moyle, Acting Assistant Secretary and Principal Gender Specialist, Human Rights and Gender Equality Branch

Ms Tracey Anne Newbury, Director, Gender Equality and Disability Inclusiveness Section, Pacific Regional Branch

Mr Kevin Playford, Director, Human Rights and Indigenous Issues Section

Ms Harinder Sidhu, First Assistant Secretary, Multilateral Policy Division

Canberra, Tuesday, 24 June 2014

### The Australian National Committee for UN Women

Ms Julie McKay, Executive Director

Ms Jacky Sutton, Communications Manager

Sydney, Thursday, 21 August 2014

**Development Roundtable 1**

**Amnesty International**

Ms Clare Hodgson, Government Relations Co-ordinator

Ms Sophie Nicolle, Government Relations Adviser

**Human Rights Watch**

Ms Elaine Pearson, Australia Director

**Development Roundtable 2**

**ActionAid Australia**

Mr Archie Law, Executive Director

**Caritas Australia**

Mr Paul O'Callaghan, Chief Executive Officer, Caritas Australia

**World Vision Australia**

Ms Erin Goddard, Policy Adviser

Ms Julianne Scenna, Director, Government and Multilaterals

**Victorian Immigrant and Refugee Women's Coalition**

Mrs Zakia Baig, Woman Champion on Human Rights

**Shakti Australia Migrant and Refugee Women's Support Group NSW Inc**

Ms Shasha Ali, International Development Co-ordinator

Ms Nassim Ahankoob, Co-ordinator

Ms Vira Venkatesh, Chairperson

Ms Vi Yeak, Community Developer Co-ordinator

**Médecins Sans Frontières**

Ms Kara Blackburn, Medical Advisor, Women's Health

**ChildFund Australia**

Mr Nigel Spence, Chief Executive Officer

## Asia Pacific Forum of National Human Rights Institutions

Ms Pip Dargan, Deputy Director

Sydney, Friday, 22 August 2014

### Development Roundtable 3

#### Women's Plans Foundation

Dr Ellie Freedman, Trustee

#### CARE Australia

Ms Elizabeth Cowan, Senior Program Officer

Mr Paul Kelly, Principal Executive

#### RESULTS International (Australia)

Mr Mark Rice Global Health Advocacy Manager

Ms Camilla Ryberg, Online Communications and Education Manager

#### Church Agencies Network

Ms Claire Cremen, Advocacy Campaign Co-ordinator, Transform Aid International/Baptists World Aid Australia

Canberra, Tuesday, 2 September 2014

### Department of Defence

Lieutenant General, Chief of Army, David Morrison, Department of Defence

Canberra, Thursday, 18 September 2014

### University panel

**Dr Priya Chatter**, Pacific Research Fellow, State, Society, Governance in Melanesia Program, Australian National University (ANU)

**Dr Nicole George**, Private capacity, Lecturer in Peace and Conflict Studies, School of Political Science and International Studies, University of Queensland

**Professor Margaret Jolly**, Professor/ARC Laureate Fellow, School of Culture, History and Language, College of Asia and the Pacific, ANU

**Dr Kamalini Lokuge**, Fellow, National Centre for Epidemiology and Population Health/Development Policy Centre, ANU

**Australian Council for International Development**

Mrs Joanna Lindner Pradela, Head of Policy, Aid and Development Effectiveness

Ms Priyanka Sunder, Government Relations Advisor

**Australian Federal Police**

Assistant Commissioner Mandy Newton, National Manager, International Deployment Group

Mr Peter Whowell, Manager, Government Relations

**The Australian National Committee for UN Women**

Ms Jacky Sutton, Policy Manager

**Australian Centre for International Agricultural Research**

Dr Nick Austin, Chief Executive Officer

Ms Mellissa Wood, General Manager, Global Programs

**YWCA Australia**

Ms Rosalyn Dundas, Co-Chair, Pacific Working Group

Ms Rebecca Vassarotti, Co-Chair, Pacific Working Group

**Australian Baha'i Community**

Dr Natalie Mobini-Kesheh, Director, Office of External Affairs

Mrs Safa Rahbar, National Discourses Officer

**Gavi, the Vaccine Alliance**

Ms Helen Evans, Special Representative of the Gavi CEO in the Indian Ocean–Asia Pacific Region

**Canberra, Tuesday, 23 September 2014**

**ANU Gender Institute**

Dr Susan Harris Rimmer, Director of Studies, Asia–Pacific College of Diplomacy, ANU

**Canberra, Tuesday, 30 September 2014**

**UNICEF Australia**

Ms Rebekah Kofoed, International Programs Co-ordinator

Ms Amy Lamoin, Head of Advocacy



Melbourne, Monday, 3 November 2014

**Australian Volunteers International**

Ms Dimity Fifer, Chief Executive Officer

**Save the Children Australia**

Mr Stuart Schaefer, Director, International Programs

**International Women's Development Agency Inc**

Ms Joanne Crawford, Research and Policy Adviser

Ms Joanna Hayter, Chief Executive Officer

**Plan International Australia**

Ms Siobhan McCann, Policy and Engagement Manager

**GLASS Research Unit, Monash University**

Professor Margaret Alston, Head of the Gender, Leadership and Social Sustainability (GLASS) Research Unit

**Women and Girls' Health Roundtable**

**Burnet Institute**

Dr Elissa Kennedy, Women's and Children's Health Specialist

Professor Michael Toole, Deputy Director

**CBM Australia**

Ms Rachel Wallbridge, Advocacy and Policy Officer

**Marie Stopes International**

Ms Maria Deveson Crabbe, Chief Executive Officer

Ms Lisa Staruszkiewicz, Senior Manager, Policy and Partnerships

**Medicines for Malaria Venture**

Ms Rebecca James, Adviser, External Relations

**Vision 2020 Australia**

Ms Courtney Saville, Global Policy and Programs Co-ordinator

Canberra, Tuesday, 25 November 2014

Democratic Socialist Republic of Sri Lanka

His Excellency Admiral Thisara Sugeeshwara Gunasekara Samarasinghe, High Commissioner

International Crisis Group

Dr Samina Ahmed, South Asia Project Director, Senior Asia Adviser

Canberra, Tuesday, 2 December 2014

Oxfam Australia

Ms Joy Kyriacou, International Development Adviser

Dr Helen Szoke, Chief Executive

Ms Anna Trembath, Senior Gender Adviser, Oxfam Australia

Canberra, Tuesday, 3 February 2015

(Joint hearing with the Foreign Affairs and Aid Sub-Committee)

**Dame Carol Kidu**, Private capacity, teacher and former Minister PNG Parliament

**Professor Betty Lovai**, Private capacity, Executive Dean of the School of Humanities and Social Sciences at the University of Papua New Guinea

Canberra, Wednesday, 6 May 2015

**Dr Jeni Klugman**, Private capacity

Divine Word University

Father Jan Czuba, Vice Chancellor and President

Microfinance and Investment Panel

Grameen Bank Australia

Ms Lopa Mehrotra, Co-Chief Executive Officer, Grameen Bank Australia

Mr Prometheus Siddiqui, Project Officer, Grameen Bank Australia

Opportunity International Australia

Mrs Meredith Downey, Project Manager

**Dr Supriya Singh**, Professor of Sociology and Communications, Graduate School of Business and Law, Royal Melbourne Institute of Technology

### Family Court of Australia

The Hon Diana Bryant, AO, Chief Justice

Ms Leisha Lister, Executive Adviser

### Secretariat of the Pacific Community

Mr Mark Atterton, Deputy Director, Regional Rights Resource Team, Human Rights Program

Ms Neomai Maravuakula, Human Rights Officer, Regional Rights Resource Team

Mr Romulo Nayacalevu, Senior Human Rights Adviser, Regional Rights Resource Team, Human Rights Program

Mr Albert Seluka, Senior Human Rights Adviser, Regional Rights Resource Team

Ms Sainimili Tawake, Human Rights Officer, Regional Rights Resource Team

### Alola Foundation

Ms Nicole Bluett-Boyd, Director

Ms Alzira Reis, Chief Executive Officer

### Zonta International

Emeritus Professor Susan Bambrick, Member, representing the Governor District 24

Mrs Penelope Lucas, Area 2 Director, District 24 (NSW and ACT)

**Ms Gillian Brown**, Private capacity, Independent Consultant, International Development – Social Development and Gender Equality

### Children's Rights International

The Hon Alastair Nicholson, AO, RFD, QC, Chair, Children's Rights International

**Dr Anke Hoeffler**, Research Officer, University of Oxford

**Canberra, Thursday, 7 May 2015**

### Slavery Links Australia

Mr Stephen Roscoe Howell, Founding Director

### Impact Investing Australia

Ms Rosemary Addis, Chair, Impact Investing Australia and Australian Advisory Board on Impact Investing

### Male Champions of Change

Ms Janet Menzies, Program Director

**Professor Hilary Bambrick**, Private capacity

### Union Aid Abroad—APHEDA

Ms Karine Laroche, Vietnam, Laos, Cambodia Project Officer

Ms Kate Lee, Executive Officer

**Ms Maiava Visekota Peteru**, Private capacity, lawyer and President of the Accredited Mediators of Samoa Association and of YWCA of Samoa, former MP Samoan Parliament

### Africa and Women Panel

**Ms Fadzi Whande**, Private capacity, Diversity Consultant

**Ms Jacqueline Zwambila**, Private capacity, Public Affairs Representative of A4UNHCR (Australian for the UN High Commission for Refugees)

### Australian Council for International Development

Dr Julia Newton-Howes, Chief Executive Officer, CARE Australia; and Vice President, Australian Council for International Development

Ms Priyanka Sunder, Government Relations Adviser

## Canberra, Friday, 15 May 2015

### Department of Foreign Affairs and Trade

Ms Helen McDermott, Assistant Director

Ms Sally Moyle, Principal Sector Specialist (Gender Equality), Human Rights and Gender Equality Branch, Multilateral Policy Division

Ms Tracey Newbury, Director, Gender Equality and Disability Inclusiveness Section, Pacific Division

Mr Kevin Playford, Acting Assistant Secretary, Human Rights and Gender Equality Branch

Dr Lachlan Strahan, First Assistant Secretary, Multilateral Policy Division

### Humans Rights Watch

Ms Liesl Gertholtz, Executive Director, Women's Rights Division

Ms Elaine Pearson, Australia Director

**Canberra, Thursday, 18 June 2015**

**YWAM Medical Ships Australia**

Dr Sarah Dunn, Partner Relations and Field Strategy

Mr Ken Mulligan, Managing Director

Mrs Jennifer Rentsch, Corporate Affairs Manager

The Hon. Mike Reynolds, Australian Patron



