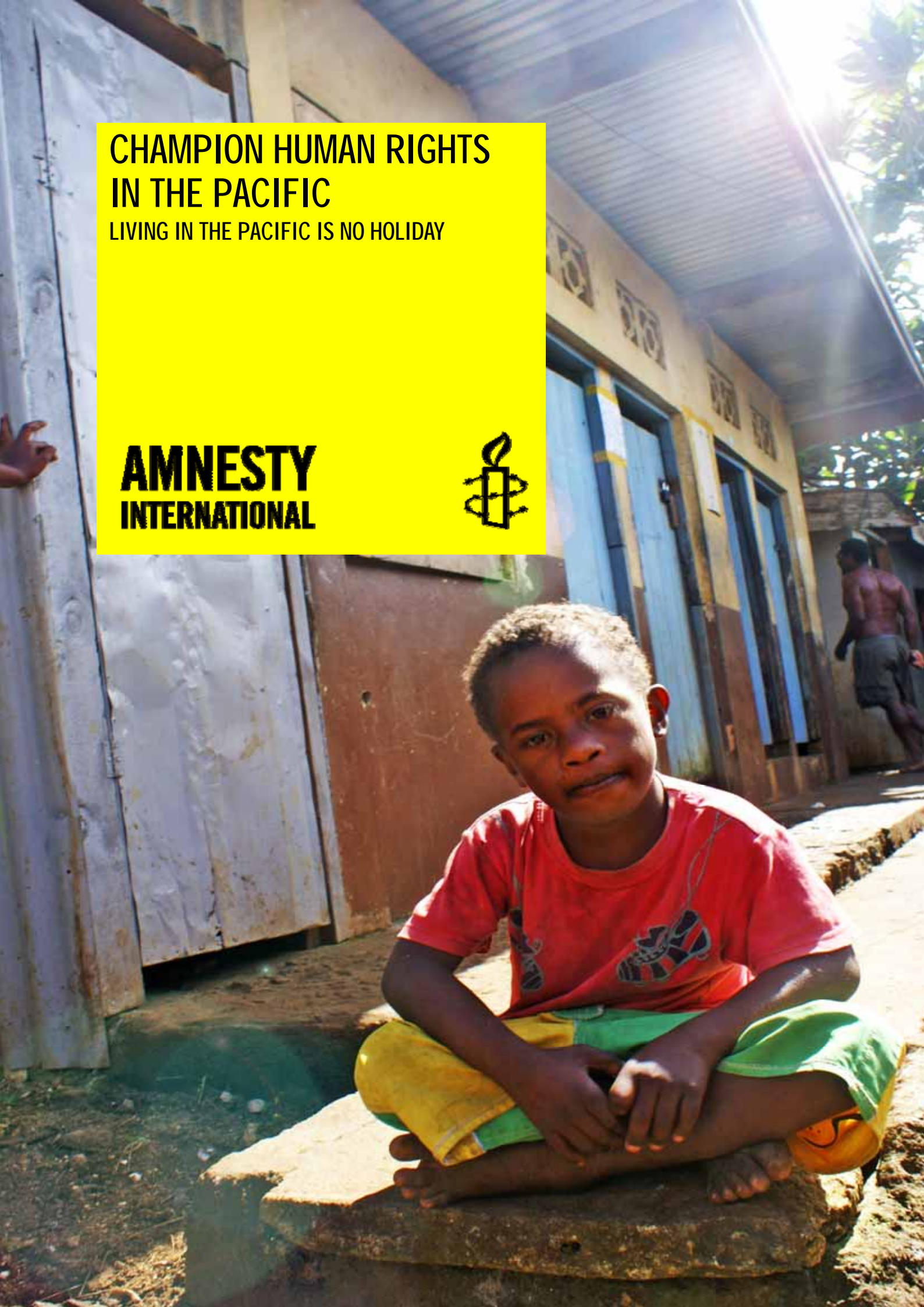


CHAMPION HUMAN RIGHTS IN THE PACIFIC

LIVING IN THE PACIFIC IS NO HOLIDAY

**AMNESTY
INTERNATIONAL**



CHAMPION HUMAN RIGHTS IN THE PACIFIC

Amnesty International, like New Zealand, is committed to realising the human rights of all Pacific people. In line with this commitment, Amnesty International has, and will continue, to watch and analyse all Pacific Governments, including New Zealand, to ensure they live up to their international obligations to protect and promote human rights. Based on our extensive knowledge of human rights worldwide and in the Pacific, for it to meet its international commitments and help Pacific Islanders realise their human rights, New Zealand must through its aid, trade and foreign policies carry out the following recommendations.

It is time for New Zealand to fulfil its commitment to human rights in the Pacific.

RECOMMENDATIONS

- Ensure New Zealand's aid, trade and foreign policies toward the Pacific advance human rights and the elimination of poverty.
- Commit to funding human rights education throughout the Pacific to empower people to realise their basic economic, social, and cultural rights and put an end to poverty. Effective human rights education should include:
 - Primary and secondary school education on human rights, including the duties and obligations which accompany these rights; and
 - Education of government officials on their responsibilities to promote and protect human rights.
- Ensure development projects are well received and have long lasting effects by consulting Pacific people and encouraging them to become active partners in the development process.
- Encourage aid effectiveness by providing transparent accounts of New Zealand's official development assistance in the Pacific, including details of which programmes receive funding, what the objectives of those programmes are and whether they are being delivered by New Zealand or Pacific based organisations, consultants and consultancy firms, or individuals.
- Realise the economic potential of Pacific women and achieve truly sustainable development by addressing sexual and gender-based violence through systematic support for constitutional and legislative changes in the Pacific, including:
 - The enforcement of existing laws that guarantee access to justice and services for women subjected to violence;
 - The repeal of laws that discriminate against women; and
 - The enactment of new laws to adequately protect women against sexual and gender based violence.

Children living in a slum in Port Vila, Vanuatu. Pictured during a August 2010 visit by Amnesty International to investigate the human rights impact of informal settlements in the Pacific region. © Josephine Latu.



NEW ZEALAND'S COMMITMENT TO THE PACIFIC

New Zealand has committed to protecting and promoting human rights in the Pacific.

New Zealand has made a commitment to support Pacific Island countries to achieve their regional obligations under the Pacific Plan and their obligations under international human rights law, including the Millennium Development Goals (MDGs), generally to promote and protect human rights,¹ and specifically to eradicate poverty and end gender-based violence.² Through the New Zealand Aid Programme's delivery of New Zealand's official development assistance, and other avenues, New Zealand has worked hard to meet this commitment.³ In fact, over 50% of all Government aid is allocated to supporting development in the region.⁴ Furthermore, New Zealand is supporting the Pacific's increasing economic and political engagement with the international community, by acting as a Pacific expert for countries without traditional links to the region.⁵

Amnesty is calling on New Zealand's Members of Parliament to ensure New Zealand's support for development in the region secures lasting benefits for Pacific people by championing human rights in the region. While the New Zealand Aid Programme does integrate human rights generally into its development programmes, truly sustainable development can only be achieved by empowering Pacific people to realise their fundamental economic, social and cultural rights.



Amnesty International visited Port Vila, Vanuatu, in August 2010 to investigate the human rights impact of informal settlements in the Pacific region. It was found that people are being denied their economic, social and cultural rights on a daily basis. People, such as the man above, endure poor sanitation, inadequate housing and substandard living conditions as a result of life in the Port Vila slums. © Josephine Latu.

POVERTY

Many Pacific Islanders live in poverty, without access to everyday necessities like clean water and sanitation, nourishing food, clothing, weatherproof housing, quality education and health care.⁶ This poverty deprives many Pacific people of the economic opportunities they are, by right, entitled to. Worst of all, by denying people these opportunities, poverty not only denies someone his or her basic economic, social and cultural rights, it also denies those rights to their children and grandchildren.

New Zealand currently provides wide-reaching development assistance in the Pacific with programmes in Papua New Guinea, Solomon Islands, Vanuatu, Kiribati, Tonga, Samoa, Niue, Cook Islands, Tokelau and Tuvalu. Development assistance throughout the Pacific aims to improve the human development indicators of living a long and healthy life (measured by life expectancy), being educated (measured by adult literacy and enrolment at the primary, secondary and tertiary level) and having a decent standard of living (measured by purchasing power parity (PPP)). The New Zealand Aid Programme's projects are specifically targeted at encouraging sustainable economic growth, addressing vulnerability to natural disasters and climate change, and supporting the rule of law and access to justice. However, the region is now facing strong economic

Many Pacific Islanders live in poverty, without access to everyday necessities like clean water and sanitation, nourishing food, clothing, weatherproof housing, quality education and health care.

pressures; challenges from the global recession have resulted in rising food and fuel prices as well as a decrease in exports and tourism. These new pressures, combined with the Pacific's abysmal progress towards meeting the MDGs, are driving Pacific people further into poverty.

HOW HUMAN RIGHTS CAN MAKE A DIFFERENCE

For poverty alleviation programmes to be sustainable, they must address the root causes of poverty: human rights violations.

The root causes of poverty are the denial of people's basic economic, social and cultural rights, which include at a minimum essential housing, food, water, sanitation, education, health care and social security for all. The poverty that results from these denials is entrenched and perpetuated by the denial of basic civil and political rights, including participation in government and freedom from discrimination. Thus, if the Pacific is to achieve truly sustainable development, it is now more necessary than ever before for New Zealand's aid, trade and foreign policies towards the region to be focused on addressing these root causes.⁷

The international human rights framework provides people living in poverty with the tools they need to ensure their governments remedy their deprivation of economic, social, cultural, civil and political rights, empowering them to secure housing, food, water, sanitation, education, health care and social security and end their cycle of poverty. Through their commitment to the Universal Declaration of Human Rights, the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights and the MDGs, Pacific governments have

NEW ZEALAND AND OUR PACIFIC NEIGHBOURS COMPARED

Country	Gross national income per Capita (\$US)	Under 5 mortality per 1,000 live births	Average life expectancy (years)
New Zealand	\$30,446.8	6	80.6
Cook Islands	\$15,813.3	15.3	71
FSM	\$2307.8	39	69
Fiji	\$4018.0	18	69.2
Kiribati	\$1442.5	48	61
Marshall Islands	\$3377.5	36	65.5
Nauru	\$3432.5	45	56
Niue	-	7.8	71.5
Palau	\$9055.8	20.1	69.2
PNG	\$988.7	69	61.6
Samoa	\$2911.5	26	72.2
Solomon Islands	\$1288.7	36	67
Tonga	\$2930.9	19	72.1
Tuvalu	\$3213.3	36	63.4
Vanuatu	\$2257.8	33	70.8

Data from United Nations Development Programme, *Country Profiles and International Human Development Indicators*, United Nations Development Programme, accessed 2011, from <http://hdr.undp.org/en/data/profiles/> and United Nations Data, *Country Profiles*, accessed 2011 from data.un.org.

An education in human rights will empower Pacific people to realise their basic economic, social and cultural rights.

committed themselves to eradicating the root causes of poverty. They have also promised to provide meaningful remedies to those people whose rights they have failed to protect.⁸ Despite this promise, the Pacific is falling behind the rest of the world in fulfilling its commitment to protect its people from poverty.

Without the knowledge that they have a right not to live in the dehumanising conditions of extreme poverty, Pacific people cannot hold their governments to account for failing to protect their basic rights. With an education in what their human rights are, however, Pacific people can be empowered to demand greater sustained economic, social and political development from their governments.

PACIFIC WOMEN AND POVERTY

The greatest opportunity to combat poverty that the international human rights framework provides Pacific people with is the ability to tackle discrimination. Women make up 70% of those suffering from poverty globally. Due to discriminatory constitutions and legislation, they are often unable to obtain access to land, credit, and in many countries do not have inheritance rights which provides little ability for them to improve their economic opportunities and end the cycle of poverty.⁹ Empowering Pacific people through human rights education will enable them to end this entrenched gender-discrimination, both in law and in

A resident of Wuangima with the charred remains of her house, Porgera, Papua New Guinea, August 2009. Her house was burnt down by police on 27 April 2009 during forced evictions in villages within the Porgera gold mine Special Mining Lease area. © Amnesty International .



practice. Doing so will empower women – 50% of the Pacific’s population – to significantly boost their involvement in their countries’ economies. Their greater engagement in the workforce will increase their standard of living – their access to housing, health care, food and drinking water. Removing the largest barrier to Pacific women’s access to the workforce – discrimination – will also enable their children, grandchildren, friends, family and neighbours to have access to the necessities for a healthy and meaningful life. Indeed, by contributing towards their country’s economic performance and thus their government’s tax revenue, Pacific women will also provide their governments with greater resources with which to fulfil their obligation to eradicate poverty.

GENDER BASED VIOLENCE

The most obvious physical manifestation of gender discrimination is gender based violence. The New Zealand Aid Programme, through its partnership with the New Zealand Police, is working to provide Pacific police with the knowledge and skills to respond to incidents of gender based violence. This contribution has been very successful and has been warmly received by Pacific communities themselves.

However, women often have little knowledge of their human rights or the role the justice system can play in upholding those rights. Unaware of the legal rights abused women have to receive a remedy from the courts, they often choose traditional reconciliation avenues, such as through community leaders.¹⁰ Traditional community-based reconciliation can result in unjust outcomes which, instead of providing redress for abused women, often perpetuates harmful societal norms, practices and traditions which place the unity of the family above women’s right to physical and mental integrity. Even when women are aware of their rights, they are often hesitant to lay charges as they are often economically dependent on the perpetrator. This economic dependence also leaves women with few opportunities to escape violence.¹¹ Those who do can face reprisals from the perpetrator and the wider community. When women do report violence, entrenched discriminatory attitudes within the police force and the justice system result in charges regularly being dropped or not pursued at all.

THE CAUSES

Gender based violence is symptomatic of wide-spread discrimination against women in the Pacific, much of which is perpetuated by inadequate and outdated legislation. Some Pacific constitutions fail to prohibit discrimination based on “sex” or

THE FACTS

In the Solomon Islands two in three women between the ages of 15-49 have been abused, while 55% of women have been forced into sex against their will.

In Papua New Guinea 67% of wives have been beaten by their husbands and 60% of men interviewed in a survey reported having participated in “lainap” (gang rape) at least once.

A Kiribati survey found 68% of respondents had been subject to sexual and/or physical abuse.

In Samoa a recent survey found 85% of abuse victims never asked any formal agency for help. Of these, 86% had not sought help because they thought such abuse “normal,” or not serious enough.

From Amnesty International, *Pacific leaders must address high levels of violence against women*, Amnesty International, Aug 6 2009, and Venezia Kingi and Michael Roguski, *Pacific Prevention of Domestic Violence Programme Update of Baseline In-Country Review: Kiribati Report*, Crime and Justice Research Centre Victoria University of Wellington, January 2011, p 32.



© Amnesty International.

“gender” and in those countries whose constitutions do prohibit discrimination, it is not enforced.¹³ Additionally, few Pacific countries have comprehensive laws to address gender based violence. This absence of domestic legal protection for women is compounded by the absence of female representation within Pacific parliaments.¹⁴ While we continue to hear positive rhetoric about constitutional, legislative and societal change from male-dominated Pacific governments, it has so far only been followed by empty promises.

THE IMPORTANCE OF RIGHTS

If Pacific women knew they had economic, social, and cultural rights, the region would be well placed to tackle gender based violence. Women would be empowered to ensure their rights to meaningful paid work and adequate housing were met. The fulfilment of such rights would give women the knowledge and financial independence to speak out about gender based violence and ensure their legal rights to physical and mental integrity were upheld.¹⁵ Additionally, knowledge of their civil and political rights would give Pacific women the confidence to demand greater political representation and constitutional and legislative amendments to prohibit gender discrimination and address gender-based violence.

Women can be empowered through knowledge of their rights to demand an end to gender based violence.

THE REALITY

Josephine left her violent partner when she fell pregnant, returning to her family. She was HIV positive. She had been beaten and forced by her husband to have unprotected sex so she would have his child. After her baby was born, Josephine’s family discovered her HIV status. Since then, she has received regular beatings from her brothers. Josephine cannot leave as she has no finances and no safe housing to go to.¹² If her government does not protect, promote and implement human rights, Josephine and those like her will continue to suffer.

THE ECONOMIC CONSEQUENCES

By empowering people to realise their human rights, New Zealand can ensure truly sustainable development in the Pacific.

Not only does gender based violence have devastating social consequences, it has enormous economic costs too. Those costs are borne by the victim as well as by the government through health, justice and preventive measures. These costs are also borne by the wider community as gender based violence limits women's opportunities to participate in, and contribute to, Pacific economies. Women who suffer abuse are less likely to secure and retain employment¹⁶ and, if they do, they are less likely to secure employment in skilled occupations because of a lack of access to higher education and training.¹⁷ Addressing these issues will result in real economic benefits for the region.

New Zealand is already assisting the Pacific to address gender discrimination, gender based violence and poverty. But by making human rights education and empowerment the focus of its aid, trade and foreign policies in the region it can improve the impact of its contribution. By empowering people to realise their human rights to be free from want and fear, New Zealand can help end discrimination, violence and poverty, ensuring truly sustainable development in the Pacific.

Women pictured by Amnesty International during a visit to Port Vila, Vanuatu, in August 2010. © Josephine Latu.



END NOTES

Front image: A boy in a slum, Port Vila, Vanuatu August 2010 © Josephine Latu.

1. Pacific Islands Forum Secretariat, *The Pacific Plan: For Strengthening Regional Cooperation and Integration*, Pacific Islands Forum Secretariat, 2007, p 2.
2. Article 20, United Nations Millennium Declaration 2000 and Fortieth Pacific Islands Forum, *Forum Communiqué*, Pacific Islands Forum, 2009. Work on sustainable development in the Pacific has also taken the forefront of negotiations surrounding the Pacific Agreement on closer economic relations (PACER). The Current New Zealand Government has committed to making a free trade agreement within the Pacific which is aimed to complement development assistance and bring about sustainable economic growth. Mr McCully stated "[PACER] won't be your typical free trade agreement. Indeed PACER and the Free Trade Agreement (FTA) flowing from it will complement our Official Development Assistance efforts to bring about sustainable economic growth in the Pacific." Murray McCully, *Time for greater focus on the Pacific- Speech to the Pacific Pioneer Traders Evening*, 20 February 2009.
3. The New Zealand Aid Programme has initiatives in Tonga, the Cook Islands, Samoa, Fiji, Tuvalu, Solomon Islands, Vanuatu, Papua New Guinea, Kiribati, Nauru and the French Pacific Territories. It also has special relationships with Niue and Tokelau due to constitutional responsibilities. The New Zealand Aid Programme's Pacific regional programme focuses on five thematic regional programmes: education, health, governance, economic growth and livelihoods, and environment. The New Zealand Aid Programme also funds a number of regional agencies and organisations.
4. NZAID, *Budget by Appropriation, 2009*, accessed from <http://www.aid.govt.nz/library/publications/corporate/key-measures.html> over \$200,000,000 annually (Correspondence with the Minister of Foreign Affairs, Murray McCully, Official Development Assistance in the Pacific figures).
5. Murray McCully, *Speech to New Zealand Institute of International Affairs*, 5 April 2011.
6. Shiladitya Chatterjee, Amitava Mukherjee, Raghbendra Jha, *Approaches to Combat Hunger in Asia and the Pacific*, United Nations Economic and Social Commission for Asia and the Pacific, October 2010, p 7.
7. "The increasing poverty and vulnerability experienced by Pacific Island Countries is in part a reflection of a wide range of factors placing increasing stress on these societies: economies are weak, vulnerable to economic shocks and do not provide sufficient jobs; increasing urbanisation is loosening the ties within extended families and leading to the creation of squatter settlements with greater dependency in rural areas; a high susceptibility to natural disasters stretches the resilience of families, communities and states; and inter-ethnic conflicts are weakening the state." Australian Agency for International Development (AusAID), *Social Protection in the Pacific – A Review of its Adequacy and Role in Addressing Poverty Report*, AusAID, 2010, p10.
8. *Declaration on the Right and Responsibility of Individuals, Groups, and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms*, Adopted by General Assembly resolution 53/144 of 9 December 1998.
9. Discrimination is a key driver of poverty. In some countries discrimination against women is built into the law, in others it persists despite equality laws. Women do not have equal access to resources and productive means such as land, credit and inheritance rights. Women are not paid the same wages as men and most of their labour is unpaid. Women often work in informal employment with no job security or social protection. At the same time, they are still held responsible for providing care for their families and homes. Amnesty International, *The Gender Trap: Women Violence, and Poverty*, Amnesty International, October 2009, p 3.
10. After carrying out focus group studies AusAID reported: "Women overwhelmingly seek the support of informal networks first. Formal services, such as women's centres or the police, are used only as a last resort, for various reasons." AusAID, *Violence Against Women in Melanesia and East Timor: Building on global Partnerships*, AusAID 2008, p 14.
11. Ibid p7 and Innocenti Research Centre, 'Domestic violence against women and Girls,' *Innocenti Digest*, United Nations Children's Fund, 2000, pp 7-8.
12. Amnesty International Aotearoa New Zealand, *Nowhere Safe to Go: Papua New Guinea Women's Shelters Needed*, Amnesty International Aotearoa New Zealand, 2009, see <http://www.amnesty.org.nz/files/PNG-SVAW-factsheet2010.pdf>.
13. For a specific example see: Committee on the Elimination of Discrimination against Women, *Consideration of reports submitted by States parties under Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women: Vanuatu*, United Nations, 2005.
14. "The Pacific island region ranks lowest in the world in terms of gender balanced Parliaments with 95.8 per cent of seats held by men and only 4.2 per cent held by women." (excluding Australia and New Zealand) Honourable Fiame Naomi Mata'afa, *Statement by Honourable Fiame Naomi Mata'afa Minister of Women, Community and Social Development on Behalf of the Pacific Island Forum Group at the 54th session of the United Nations Commission on the Status of Women*, 2010.
15. United Nations Department of Economic and Social Affairs Division for the Advancement of Women, *2009 World Survey on the Role of Women in Development: Women's Control over Economic Resources and Access to Financial Resources, Including Microfinance*, United Nations, 2009, p7 and Innocenti Research Centre, 'Domestic violence against women and girls,' *Innocenti Digest*, United Nations Children's Fund, 2000, pp 7-8.
16. Shelly Rao, "Violence against Women (VAW) is a barrier to Empowerment" presented by at the *Unifem Regional Workshop on Strengthening Partnerships to Eliminate VAW*, 17-19 Feb 2003.
17. UNIFEM (now UNWomen) - Pacific Regional Office, *Ending Violence against Women and Girls: Pacific Regional Scan*, UNIFEM, 2002, p 7.

CHAMPION HUMAN RIGHTS IN THE PACIFIC

As a candidate in New Zealand's 2011 General Election, I support Amnesty International's campaign to *Champion Human Rights in the Pacific* and commit to:

- Ensure New Zealand's aid, trade and foreign policies toward the Pacific advance human rights and the elimination of poverty.
- Commit to funding human rights education throughout the Pacific to empower people to realise their basic economic, social, and cultural rights and put an end to poverty. Effective human rights education should include:
 - Primary and secondary school education on human rights, including the duties and obligations which accompany these rights; and
 - Education of government officials on their responsibilities to promote and protect human rights.
- Ensure development projects are well received and have long lasting effects by consulting Pacific people and encouraging them to become active partners in the development process.
- Encourage aid effectiveness by providing transparent accounts of New Zealand's official development assistance in the Pacific, including details of which programmes receive funding, what the objectives of those programmes are and whether they are being delivered by New Zealand or Pacific based organisations, consultants and consultancy firms, or individuals.
- Realise the economic potential of Pacific women and achieve truly sustainable development by addressing sexual and gender-based violence through systematic support for constitutional and legislative changes in the Pacific, including:
 - The enforcement of existing laws that guarantee access to justice and services for women subjected to violence;
 - The repeal of laws that discriminate against women; and
 - The enactment of new laws to adequately protect women against sexual and gender based violence.

If there is a particular recommendation that you do not wish to support, please indicate accordingly by crossing it out.

**TO RETURN THIS FORM AND FOR FURTHER INFORMATION
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Amnesty International is a global movement of more than 3 million people in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion—funded by our membership and public donations.

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