

JOINT PIFS-SPC REGIONAL CSO DIALOGUE ON CONFLICT, PEACE & SECURITY

Pacific Islands Forum Secretariat, Suva,

6-10 May 2013

PACIFIC CIVIL SOCIETY STATEMENT

10 May 2013

The 2013 Regional Civil Society Organisations (CSO) Dialogue commends the Forum Regional Security Committee (FRSC) for the Pacific Islands Forum Secretariat (PIFS) Dialogue on Conflict, Peace & Security. Regional civil society partners also noted that many of the issues of concern in their respective communities did not fall within the purview of the FRSC, but include a wide range of development, human rights, social justice, monetary, financial, and trade issues in the Pacific region which are linked to conflict, peace and security.

This CSO Dialogue was attended by civil society representatives from Cook Islands, Fiji, Federated States of Micronesia, Kiribati, Nauru, Niue, Papua New Guinea, Republic of Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu. Participants were representative of national, regional and international¹ humanitarian and human rights organisations working on disability, health, education, humanitarian assistance, climate change, environment, mining and fisheries, economics, law, gender equality, sexual orientation and gender identities, youth, good governance, peace and security, and community media.

CSOs reiterated the importance of the appointment of CSO experts to the PIF Reference Groups on Sexual and Gender Based Violence (SGBV), Women, Peace and Security, CROP Gender Working Group, Disability Working Group and the Regional Human Rights Working Group, they urged the development of systematic and consistent parallel mechanisms across Forum processes, in order to strengthen engagement between the Forum and civil society on the broad range of issues faced by Pacific communities.

This week CSOs developed positions on urgent action, and medium and long term priorities as follows:

Centrality of the Human Rights Based Approach

The regional civil society forum recognised and agreed that a Human Rights Based Approach should be adopted and integrated into all national and regional processes on all development, human rights, social justice, monetary, financial, and trade policy in the Pacific region. The human rights based approach seeks to analyze inequalities that lie at the heart of development problems and redress discriminatory practices and unjust distributions of power that impede development progress. Here, human rights determine the relationship between individuals and groups with valid claims, the rights-holders and State and non-state actors with correlative obligations and as duty-bearers. In a rights-based approach, every human being is recognized both as a person and as a right-holder and there are mechanisms included to ensure that entitlements are attained and safeguarded.

Urgent Call to Action: Witch Craft and Sorcery related killings, PNG

Civil society partners expressed their deepest concern at the torture and extra-judicial killing of women and girls in Papua New Guinea under the guise of eliminating witchcraft and sorcery. This includes the torture, and burning alive of Kepari Leniata in Mount Hagen in February 2013, and the torture and decapitation of Pacific woman human rights defender Helen Rumbali in South Bougainville, in early April 2013. There have been many others tortured and murdered.

¹ National and regional based international civil society organisations

The regional CSO dialogue calls for strongest recognition of Pacific States, regional and global institutions to ensure that the seriousness and frequency of these crimes are publically acknowledged, denounced and that responses are immediate, strong and effective.

The meeting recognised the public commitments made by the Government of Papua New Guinea to address human rights violations in the country, including the recent announcement to repeal the Sorcery Act 1971, and to increase prison sentences for human rights violations, including life imprisonment for rape.

Regional civil society partners expressed their strongest solidarity with the victims, their families, and all Women Human Rights Defenders victims and activists in Papua New Guinea.

The meeting called on the Government of Papua New Guinea, with strongest support by Pacific Islands Forum Leaders, to put an immediate end to the acts of torture and extra-judicial killings.

We call for draft comprehensive policy and legislation to address, prosecute and punish crimes of sexual violence and all other criminal forms of violence against women and girls.

We call for the establishment and enforcement of performance accountability and discipline in the police and judiciary systems at all levels.

We call for the establishment of a law in the Papua New Guinea high lands to outlaw the practice of cruel, inhumane, anti-women, and criminal customs that are having a terrible impact on women and children.

Urgent Call to Action: Climate Change

Currently a state of emergency has been called for the Northern Atolls of the Republic of Marshall Islands, in response to a long drought bringing about a critical shortage of water. This is a direct impact of climate change in the Pacific that is happening now.

Small Islands States (SIS) are at the fore front of the detrimental effects of climate change and accelerated sea level rise. The people of the Small Islands States, namely Cook Islands, Kiribati, Marshall Islands, Nauru, Niue, Palau, and Tuvalu, are experiencing real threats of increased droughts, fresh water shortages, sanitation problems, food security, coastal erosion, increased salinity of fresh water lenses, and above all, our sinking islands. It is a clear and present danger.

We recognize the urgent need to implement fundamental changes to the current development model and call for collaborative efforts from all parts and levels of society to safeguard the most vulnerable from the life threatening effects of climate change, and accelerated sea level rise.

We recognize the need for all Pacific Island Forum Countries, and not just SIS, to take on this challenge as their own as well and provide a unified regional voice on these issues.

We call on our development partners for support in international forums in reduction of green house gas emissions, as well as their support in national efforts in mitigation and adaptation strategies.

We urgently call for the development and implementation of national legislation and policies to alleviate stresses of climate induced migration, to ensure that any such migration is based on the recognition of the dignity of the person and commensurate with the inherent human rights of the person.

Thematic areas of concern:

Human rights mechanisms

CSOs recalled the 2004 Leaders' Vision to seek a Pacific region that is "... respected for the quality of its governance, the sustainable management of its resources, the full observance of democratic values and for its defence and promotion of human rights" and further reaffirmed their support and commitment to the better promotion and protection of human rights in the region.

CSOs discussed and considered the importance for Forum Island Countries (FICs) to protect and promote human rights through domestic laws and policies as well as calling on their respective governments to fulfil their international obligations arising from the ratification of core human rights treaties. They further called for accountability for the protection, promotion and realisation of human rights and in line with commitments made by most FICS under the Universal Periodic Review (UPR) process. Participants call on FICS that have yet to extend standing invitations to the UN Special Procedures mechanism to do so, and encourage Forum governments to host and support country visits of Special Procedures.

In line with the decision taken by the Forum Regional Security Committee at their meeting in June 2010, participants support, congratulate and welcome the timely establishment of a dedicated Working Group to explore the potential for a regional human rights mechanism and appreciates the participation of CSO representatives in the Working Group.

Full and effective participation and inclusion of Persons with Disabilities

People with disabilities in Pacific island countries are amongst the poorest and most marginalized members of their communities. Disability limits access to education, and employment and other basic social services. It leads to economic and social exclusion, while disabled people and their families face prejudice, discrimination and rejection.

We call on Pacific Governments to continuously implement and progressively realise the provisions of the Convention on the Rights of Persons with Disabilities (CRPD), recognizing that this should occur regardless of whether countries have signed/ratified the Convention. We further urge governments to domesticate the CRPD through the development of legislation and policies with allocation of appropriate resources, and to recognize and implement the recommendations of the most recent Pacific Disability Forum (PDF) that took place in Noumea, New Caledonia in April, 2013.

We call for the implementation of the seventeen urgent recommendations in the PDF outcomes document in line with the Pacific Regional Strategy on Disability (PRSD), and the 2012 Pacific Disability Ministers' Communique in Port Moresby, which identified that persons with disabilities should be highlighted in the Post 2015 Development agenda.

Gender equality, sexual orientation and gender identity, human rights and social justice

We call on States, development partners, UN Agencies and wider social movements to recognise the critical role and contributions of Pacific women, girls and trans people, in every sphere of life.

We therefore commend Pacific states on their political commitments to gender equality and women's human rights; including the recent Pacific Leaders Declaration on Gender Equality (2012); Regional Action Plan on Women, Peace and Security (2012); and the Final Communiqué of the 40th Pacific Islands Forum, including the Pacific Leaders Declaration on Sexual and Gender Based Violence (2010).

However, we remind States of their obligations and accountability to translate gender equality and human rights commitments into legislation, policy and budget allocations, and to make these norms and

standards the guiding principles of contemporary Pacific societies, to be fully reflected in National Development Strategies, Pacific Plan Review, and all SDG and Post 2015 Development Agenda process and decisions. We also strongly call for the ratification of CEDAW by Tonga and Palau. Failure to maintain progress in the implementation of State obligations would erode gains over the past 40 years.

Any Pacific development, regional cooperation and security agendas must therefore be based on principles of non-regression and recognition of universal human rights, as firmly rooted in human rights obligations and commitments as agreed by Pacific states from the UN conferences of the 1990s, and gains made through their follow up processes at national, regional and global levels². It must proactively address inequalities within and between countries, and also the double and triple burden on women and girls, trans*people, MSM³, intersex people and others, people with disabilities, people living in rural and remote communities, sex workers, or on the grounds of any other status. Such discrimination increases societal inequality, poverty and violence.

CSOs call on States as duty-bearers, to prohibit and take action to eliminate harmful practices, including customary practices based on the idea of the inferiority or superiority of any sex or gender identity; and change attitudes, beliefs and behaviors that perpetuate and foster discrimination and sexual and gender based violence (SGBV).⁴

We further stress that bodily integrity and autonomy is at the core of all work on security, gender equality, human rights and social justice. We therefore call for:

- The international adoption of sexual rights as human rights and reaffirmation of the protection and promotion of reproductive rights as human rights;
- A repeal of all laws and policies in Pacific island states that criminalise same-sex relationships, and recognition of all people with non-heteronormative sexual orientation and gender identity as full and equal rights-holders;
- Decriminalization of sex work and elimination of the unjust application of non-criminal laws and regulations against sex workers;
- Any State policies on trafficking and sex work should develop appropriate rights based approaches that focus on redress and justice for the trafficked victim rather than a criminalized approach that further violates rights of trafficked women and sex workers.

Elimination of Violence Against Women (EVAW) and Girls: Comprehensive Legislation and Fully Resourced Crisis Centres.

We acknowledge the existing mechanisms initiated by the Forum to address SGBV including the establishment of the SGBV reference group and the recognition of EVAW under the Gender Equality Declaration. To this end we call on Forum leaders to strengthen and expand the mandate of the Reference Group to enable active follow ups of country and regional recommendations.

²This includes the Convention on the Elimination of all Forms of Discrimination against Women and Optional Protocol, Convention on Rights of Persons with Disabilities, Convention on the Elimination of all forms of Racial Discrimination, Declaration on the Rights of Indigenous Peoples, International Covenant on Economic Cultural and Social Rights, Convention on the Rights of the Child, Convention on the Rights of Migrant Workers, Convention against Torture, Convention on Biodiversity; Convention on the Law of the Sea; Programme of Action of the International Conference on Population and Development; Security Council Resolutions 1325, 1820, 1888 and 1960, and the relevant conventions of the International Labour Organization; Platform for Action of the Fourth World Conference on Women; Monterrey Consensus on Financing for Development; UN Conference on the World Financial and Economic Crisis and Its Impact on Development; Pacific Leaders Declaration on Gender Equality (2012); Cairns Communique on SGBV; etc. We also reaffirm the Yogyakarta Principles on the application of human rights law in relation to sexual orientation and gender identity.

³ Men who have sex with Men

⁴ Harmful social practices include: violence against women and girls; bullying in the home, school, workplace and community; sexual coercion; witch and sorcery related killings; polygamy; bride price; early and forced marriage, emotional, physical, sexual and gender based violence against people with non-heteronormative sexual orientation and gender identity.

While there are many gaps in the area of ERAW in the Pacific, we call for urgent action in two major gaps which we had collectively identified:

- (1) the need for comprehensive integrated enacted legislation and,
- (2) for fully resourced victim and survivor crisis and support centres using a rights based approach.

We strongly support the communiqué on addressing SGBV legislative reform and to enact and implement comprehensive and integrated legislation and policies that empower women and girls, prevent sexual and gender based violence, ensure provision and access to services including sexual and reproductive health and rights (SRHR), and provide protection and remedies for victims, survivors, their children and close relations and impose appropriate penalties for perpetrators of violence.

We recognise the need for the establishment of crisis and support centres for victims and survivors which use a human rights based approach and that has core funding and resourcing support. Such crisis and supportive centres must include comprehensive services where there is advocacy for the victim or survivor to have access to essential services (protection, health, counselling, legal services and more).

We also call for ongoing support to gender statistics and analysis, gender mainstreaming and development of gender equality laws and policies in the Pacific region to address gender inequality and support the efforts to eliminate all forms of violence against women and girls. We support the promotion of gender equality and young women's empowerment and urge the adoption of necessary mechanisms to address the underlying root (structural) causes of gender inequality.

The State must therefore recognise, protect and promote the universal, inherent, indivisible, inalienable rights of all people including women, girls, trans people, intersex people and men, to control their own bodies and sexualities, as agreed in various regional and international human rights obligations. Our human rights should never be bargained away by governments, civil society and others when negotiating all social, financial, trade, environmental and climate change agreements.

We recognise that care and social reproduction are core to the productive economy and therefore must be fully reflected in micro and macro-economic policy. Therefore, we reiterate the Women's economic empowerment as a critical area in the Revised Pacific Platform for Action on Advancement of Women and Gender Equality 2005-2015, and towards the ongoing Pacific Plan review.

Meaningful Youth engagement and participation

Young people must be recognized and included as equal and prominent partners contributing to the development of the Pacific Region. CSOs acknowledged the importance of a multi-stakeholder approach to youth development, as well as the need for enabling frameworks and cross-sectoral youth policies, creating mechanisms for genuine and meaningful engagement in policy and decision-making, and a clear recognition on the part of Governments of the value and role of young people in all development.

Integrating innovation in youth development requires deliberate planning, on-going management, resource allocation and robust monitoring and evaluation. More importantly, policies and programmes promoting the use of alternative approaches to youth engagement and empowerment are most effectively delivered through and with young people themselves

CSOs recognize the valuable contribution that young people bring to national, regional, and global and peace-building processes. There is a need to create opportunities for young people to be part of and share ownership of the various processes in strengthening and enhancing peace in our communities. This can be done by ensuring youth led strategies, in the implementation of the conflict prevention and human security framework.

We also urge greater recognition and inclusion of diverse youth identities and youth led networks, which provide platforms for young people to voice their views as development partners on all sustainable development, human rights and social justice issues that directly impact their lives. Young people demand spaces to:

- Strengthen and reorient the structures and system for Pacific Youth development: (including National Youth Policies, Pacific Youth Development Framework and Pacific Youth Festival)
- Create mechanisms or platforms for Youth Dialogue with leaders;
- We also call for new modalities for effective and adequate resource allocation, towards youth led initiatives and activities that explore and strengthen relationships with development partnerships.

Available, accessible, affordable and quality Education for all Pacific People

⁵We commend the Pacific state commitments to education, including the Pacific Education Development Framework 2009 – 2015 and the outcome of the 18th CEMM to create the Commonwealth Students Association (CSA).

We call for the inclusion and recognition of student associations across the multi-layered education sector in the Pacific. The student association aims to promote equitable access to tertiary education, promote quality education, and strengthen student participation in all levels of relevant decision making process.

CSOs call to address urgent issues concerning Pacific education systems, particularly for the provision of equitable, quality, relevant and adequate access to education for Pacific people. This must include accessibility in facilities, educational materials, sign language and other assistant devices. An enabling environment for effective delivery of education including support for qualified teachers, with adequate funding is also required.

CSOs recognized formal and popular education throughout the life cycle that includes integration of disability inclusive measures into all aspects of the education sector, including comprehensive sexuality education, gender equality, human rights and environmental sustainability.

We also call for more progressive development of post-secondary education in the whole of the Pacific through a holistic review of the current fee schedules, recognising the current economic, geographical, socio-economic constraints faced by students across the Pacific.

States must also support Pacific educational institutions to deliver multi-disciplinary research to develop good quality teaching and learning resources, and in prioritised areas of regional and national need

⁵ In October 2005 the Forum Leaders endorsed the Pacific Plan with the goal of enhancing and stimulating economic growth, sustainable development, good governance and security for Pacific countries through regionalism. Improved education and training is one of the strategic objectives of the Plan in support of this goal. Following extensive discussion, and consideration by Ministers at the Forum Education Ministers Meeting (FEEdMM) in Tonga, March 2009, it was agreed that the revised document be referred to as the Pacific Education Development Framework 2009 – 2015. The 17th Commonwealth Education Ministerial Meeting (CEMM) in Malaysia, recognized the need for a strengthened voice of students in decisionmaking for Education systems in Commonwealth countries. The 18th CEMM in Mauritius called for the formation of the Commonwealth Students Association (CSA) of which 15 Pacific countries were members. The Pacific Students Association (PSA) was created on the 15th September 2012 in Honiara, Solomon Islands to be part of CSA. The purpose of the CSA is to assist students within the Commonwealth to be visible, credible partners in the improvement of education systems.

Existing students and graduates have raised their concerns over the lack of employment opportunities available upon their completion of studies and we urge Pacific States to provide more opportunities for Pacific graduates to secure and access to appropriate employment opportunities. We also call for measures to ensure Pacific qualifications are internationally recognized.

Civil society are also concerned that a large proportion of Pacific people drop out of formal education at the secondary level due to many socio-economic reasons, and we strongly urge Pacific States to provide and adequately resource alternative opportunities for informal and formal learning.

Economic empowerment – Structural Transformation toward Economic, Social and Environmental Sustainability

CSOs we call for fuller and meaningful participation in the design, delivery, monitoring and evaluation of development policies and programs. We also call for more innovative, democratic, financing mechanisms, including long term flexible support for diverse CSOs to participate in development processes.

We call for full and meaningful engagement into the FEMM and FTMM tracks, to adequately input on EPA, PICTA-Plus, Pacer-Plus, Parties to the Nauru Agreement and other important monetary, financial, trade, and economic, social and environmental development issues.

We remind Pacific governments of the environmental and social impacts caused by water, sanitation, and food insecurity; soil degradation; land grabbing; climate change, ocean acidification, and extractive fishing and mining. We therefore urgently call for targeted inclusive development policy including for fisher people, forest people, indigenous and migrant people, people living in rural and remote locations, and all other marginalized and at risk communities.

As Pacific people, we seek more than simply another set of reductive development, security and others goals, targets and indicators, and that any development goals are formulated from a preventative action orientation. We also reiterate that development must never be driven by donor or corporate sector influence, but by the people of the Pacific.

Pacific CSOs call for transformational changes to address the failure of the current global development model that is rooted in unsustainable production and consumption patterns adding to gender, race, class and other inequalities. We call for deep and structural changes to existing global systems of power, decision making, and resource sharing.

Accordingly, Pacific civil society urgently call for reforms that are in line with human rights and social justice obligations to ensure that Pacific states have effective policy space and regulations to implement internal and macroeconomic policies, trade, and investment agreements.

Development must be targeted to local needs through national policies, regional initiatives and global development frameworks that recognize and redistribute unequal and unfair burdens in sustaining societal wellbeing and economies, intensified in times of climate change, environmental, economic, political and social crises.

Global development agendas must also respect the principles of common but differentiated responsibilities (i.e. polluter pays), and consider historic, and economic and social debt responsibilities. The devastating consequences of climate change, ocean acidification and ecosystem degradation are impacting on communities that have had little role in destroying them.

We know as Pacific people that there are ecological limits to the growth paradigms and that sustainable development must be safeguarded from corporations and other entities that prioritize profits, over people.

Instead, we must share our ecosystems with our Pacific people now, and those that will come in the future. We need intergenerational justice.

Sustainable, equitable and inclusive development also requires that we guarantee Pacific women, trans people's, persons with disabilities, young people and others equitable access to resources. This requires fair and equal asset distribution and development proceeds to all groups regarding use of land, ocean, credits, technology and intellectual and cultural property.

Overall, Pacific Civil society calls for a Post 2015 Development Agenda that incorporates social equity, human rights and community wellness, including full gender equality; a new fairer system of production, consumption and distribution; and a ecological sustainability and reparative plan recognising planetary boundaries and ecological sustainability.

Media and Information communication strategies

Media, information and Communication strategies provide an opportunity for Pacific people to claim the right to freedom of opinion and expression including the freedom for minority and excluded groups to give, receive and transmit information.

There is a need to recognize and use a diverse range of media and communication platforms.

This requires Governments to ensure equitable access through national policies and a legal regulatory framework which is based on democratic principles and which seeks to provide access to all sectors of society. The CSO forum calls on urgent compliance on freedom of expression and in particular media freedom

Community-based media including access and use of social media as well as community radio broadcasting provide a tool for local communities to represent their diverse interests and provides critical evidence- based research for policy formulation.

Strategies should therefore:

- Focus on enhancing a Multi-stakeholder understanding of the opportunities to accessible and appropriate media and communication technology and platforms including new and traditional media platforms. These offer opportunities to inform and broaden CSO dialogue and engagement including advocating for a just, inclusive and peaceful Pacific
- Support a Pacific constituency of communication rights campaigners and advocates who will be supported to undertake the development, production and distribution of appropriate and accessible content, including in local languages
- Use a communication rights approach to address the existing poverty of information and communication so that national and regional ICT policies are inclusive and accountable to community media strategies
- Support the development of guidelines for newsrooms to cover and report on human rights issues
- Ensure the completion of the Pacific Islands Forum Communications Strategy by World Press Freedom Day 2014, ensuring that it is inclusive of community media and new media practitioners

Inclusive and Effective Engagement with CSOs

Civil Society play a vital role in enabling people to claim their rights, in promoting rights based approaches, in shaping development policies and partnerships, and in overseeing their implementation. Civil Society Organisations are national, regional and international leaders and experts in their respective fields with a strong anchoring in Pacific communities. We therefore call for the recognition of diverse national and regional civil society as independent development actors. Civil society reaffirms human

rights to development, and including expressed through the Busan partnership for effective development outcome document.

National and Regional CSOs urge the recognition of their contributions to national development policy and budget formulation, and call for increased access to consistent, multi-modal, accountable, participative, systematic, and meaningful engagement with policy formulation and decision making mechanisms, including the Pacific Islands Forum.

Strategies should therefore include:

At Regional level:

- The inclusion of diverse national and regional CSO representatives and other relevant regional networks representing national CSOs, into the Working Group on CSO/NSA accreditation PIFS to ensure direct access of views of high need, at-risk and marginalised groups into all regional development processes;
- The draft accreditation guideline to be circulated to CSO networks by latest June 2013;
- While the accreditation guidelines are being finalized, that the PIF invites CSO networks to provide policy briefs to the PPAC and FOC meetings ahead of the Pacific Forum Leaders Meeting 2013;
- In addition to the accreditation guideline, Forum Leaders utilise the Arria Formula, Major Group and other available mechanisms to engage more directly and meaningfully with human rights defenders and diverse CSOs at the annual Pacific Forum Leaders meeting;

At national level, States and development partners must:

- Support CSO dialogue and collaboration particularly in the formulation of cross-sectoral and rights-based recommendations to enhance civil society oversight and ensure gender responsive inclusive (national) budget making processes; Support diverse national and local human rights and humanitarian coalitions and networks, and their meaningful and resourced inclusion in regional and global multilateral processes.