Papua New Guinea
Country Gender Assessment
2011-2012
75580
Papua New Guinea

2011-2012
Country Gender Assessment
Contents

Chapter I. Introduction ................................................................................................. 1
  A. Country context ..................................................................................................... 1
    1. Social and political characteristics ................................................................. 1
    2. Economic characteristics ................................................................................. 1
    3. Development challenges ................................................................................. 2
    4. Gender dimensions of development challenges .......................................... 4
  B. Women, men and culture ...................................................................................... 6
    1. Traditional gender roles .................................................................................. 6
    2. Modernization .................................................................................................. 10
    3. Gender-based violence .................................................................................... 12
  C. Gender in national development planning and policy ...................................... 17
    1. National policy framework ............................................................................. 17
    2. Regional policy frameworks .......................................................................... 19
    3. International commitments ........................................................................... 20

Chapter II. Access to Resources: Education and Health ......................................... 22
  A. Education ............................................................................................................. 22
    1. Access to education services .......................................................................... 22
    2. Education policies and programmes ............................................................. 28
  B. Health .................................................................................................................. 31
    1. Health services ................................................................................................ 31
    2. Health status .................................................................................................. 33
    3. Policy environment ........................................................................................ 38
    4. Major initiatives .............................................................................................. 39
    5. Stakeholder support ....................................................................................... 40
    6. Gaps and opportunities .................................................................................. 40
  C. Gender concerns in HIV and AIDS .................................................................. 43
    1. The HIV epidemic in PNG ............................................................................. 43
    2. Gender and HIV infection .............................................................................. 45
    3. Response to gender issues in HIV and AIDS .............................................. 46
    4. Gender issues, gaps and opportunities .......................................................... 49
Chapter III. Access to Resources: Employment, Livelihoods and Economic Resources ........................................... 52
   A. Work and labour force participation ......................................................... 52
      1. Employment in an economic context..................................................... 52
      2. Policy environment.............................................................................. 56
   B. Agriculture, forestry and fisheries ......................................................... 59
      1. The gendered context of productive resources ....................................... 59
      2. Agriculture ......................................................................................... 61
      3. Fisheries .............................................................................................. 63
      4. Forestry ................................................................................................. 65
      5. Government policy and programmes.................................................... 66
      6. Stakeholder support ............................................................................ 67
   C. Extractive industries .............................................................................. 68
      1. Gender issues ........................................................................................ 68
      2. Policy and strategic initiatives ............................................................... 71
      3. Representation of women’s interests ...................................................... 72

Chapter IV. Access to Rights through Legal and Social Empowerment ................... 78
   A. Factors affecting access ......................................................................... 78
      1. Distance to services ............................................................................ 78
      2. Illiteracy and lack of education.............................................................. 78
      3. Lack of judicial officials ..................................................................... 78
      4. Gender inequality................................................................................ 78
   B. Constitutional provisions for equality of access........................................ 79
   C. Commissions .......................................................................................... 79
      1. Ombudsman Commission ................................................................... 79
      2. Human Rights Commission .................................................................. 80
   D. The courts.................................................................................................. 80
      1. National and district courts .................................................................. 80
      2. Village courts .................................................................................... 81
   E. Reform of customary laws and practices.................................................. 83
   F. Legal provisions for increasing access to rights ...................................... 85
      1. Family law ............................................................................................ 85
      2. Law reform initiatives ......................................................................... 86
      3. Laws relating to family and sexual violence ......................................... 88
   G. Law enforcement ..................................................................................... 89
   H. Social and legal empowerment for survivors of family and sexual violence .... 90
   I. Policy initiatives against family and sexual violence .................................. 92
   J. Family and sexual violence public awareness initiatives ......................... 94

Chapter V. Access to Political Voice and Participation ............................................. 96
   A. Political representation ............................................................................ 96
      1. National parliament ............................................................................ 96
      2. Provincial governments ..................................................................... 97
      3. Local governments ............................................................................. 97
      4. Conflict resolution ............................................................................. 98
      5. Women on statutory boards .................................................................. 99
   B. National and international commitments to gender equity ....................... 99
1. The Platform for Action on Women ....................................................... 99
2. Human rights commitments ........................................................... 100
3. The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) ......................................................... 100
4. The Millennium Development Goals ................................................. 102
C. Gender considerations in national development plans .................... 103
   1. Gender considerations .............................................................. 103
   2. Gender responsive budgeting ..................................................... 108
D. The national machinery for gender and women ............................. 110
   1. Establishment of the national machinery .................................. 110
   2. Challenges to the national machinery for women ...................... 112

Chapter VI. Recommendations ........................................................................ 115

Appendixes .................................................................................................... 120
   Appendix 1 .......................................................................................... 120
      Rural Primary Health Services Delivery Project: Gender-Responsive Programming ....................................................... 120
   Appendix 2 .......................................................................................... 122
      Summary of Research Findings on HIV Risk Behaviour .................. 122
   Appendix 3 .......................................................................................... 123
      Summary of Mining Sector Memorandum of Agreement (MOA) Data and Clauses .......................................................... 123
   Appendix 4 .......................................................................................... 126
      Access to Justice Services in Three Provinces .............................. 126
   Appendix 5 .......................................................................................... 127
      Compendium of Laws and their Gender Dimensions .................... 127
   Appendix 6 .......................................................................................... 130
      Summary of Capacity-Building Issues for the PNG National Machinery for Women .............................................................. 130
   Appendix 7 .......................................................................................... 133
      Gender-Responsive Budgeting ......................................................... 133

References ........................................................................................................ 138
List of Tables
Table II.1: Millennium Development Goals and relevant education indicators
Table II.2: Selected indicators of maternal health, 2006
Table II.3: Family planning knowledge and use, men and women aged 15-49 years
Table II.4: Prevalence of symptoms of malnutrition in children
Table III.1: PNG land quality and population density, 2000
Table V.1: Key indicators and issues relating to women’s health and gender equality
Table A2.1: HIV sexual risk behaviour related to UNGASS indicators 15, 16 and 17
Table A2.2: Exchange of sex for cash, goods or other benefits in the last 12 months
Table A3.1: Summary of mining sector Memoranda of Agreement data and clauses
Table A4.1: Access to justice services in Milne Bay, Eastern Highlands and Simbu
Table A5.1: Compendium of laws and their gender dimensions
Table A6.1: Summary of capacity-building issues for the PNG national machinery for women

List of Figures
Figure II.1: Male and female enrolment ratios in higher education institutions, 2000-2010
Figure II.2: Health (province-only) spending performance by province, 2005-2008 (%)
Figure II.3: Percentage of women with at least one antenatal care visit during pregnancy, 1996 and 2006 (%)

List of Boxes
Box I.1: New data on PNG households
Box I.2: Wealth vs. wellbeing, the development paradox in PNG
Box I.3: Global evidence on linkages between gender equality and economic development
Box I.4: Gender-differentiated views on well-being and happiness: Findings from qualitative research in 16 PNG communities
Box I.5: Evolving gender roles in economic decision-making: Findings from qualitative research in 16 PNG communities
Box I.6: Potential actions to increase effectiveness of government strategies and international commitments on gender equality
Box II.1: Note on enrolment data sources
Box II.2: Gender differences in self-reported literacy
Box II.3: The changing gender gap in education
Box II.4: Potential actions to increase access to education
Box II.5: Potential actions to increase access to health services
Box II.6: Potential actions to increase access to HIV and AIDS treatment

Box III.1: The impact of gender norms on time allocation and economic activity: Findings from qualitative research in 16 PNG communities

Box III.2: Different views on the impact of crime on household economic activity: Findings from qualitative research in 16 PNG communities

Box III.3: Gender constraints to smallholder productivity

Box III.4: Learning from the Ok Tedi community mine continuation agreement “women’s 10 percent” experience

Box III.5: A corporate approach to women’s empowerment in the extractive sector, from PNG-LNG and Esso-Highlands

Box III.6: Potential actions to increase access to employment, livelihoods and economic resources

Box IV.1: Views on domestic violence and access to protection and justice: Findings from qualitative research in 16 PNG communities

Box IV.2: Gender differences in experiencing and handling disputes

Box IV.3: Gender differences in handling crime and violence

Box IV.4: Potential actions to increase access to rights through legal and social empowerment

Box V.1: Gender budgeting

Box V.2: Potential actions to increase voice and participation in political and institutional spheres
<table>
<thead>
<tr>
<th>Acronyms and Abbreviations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ADR</strong> Alternative dispute resolution</td>
</tr>
<tr>
<td><strong>AIDS</strong> Acquired immune deficiency syndrome</td>
</tr>
<tr>
<td><strong>ANC</strong> Antenatal clinic</td>
</tr>
<tr>
<td><strong>ARDSF</strong> Agricultural Research and Development Support Facility</td>
</tr>
<tr>
<td><strong>ASEAN</strong> Association of South East Asian Nations</td>
</tr>
<tr>
<td><strong>AusAID</strong> Australian Agency for International Development</td>
</tr>
<tr>
<td><strong>BAHA</strong> Business Coalition against HIV and AIDS</td>
</tr>
<tr>
<td><strong>BPFA</strong> Beijing Platform for Action</td>
</tr>
<tr>
<td><strong>CEDAW</strong> Convention on the Elimination of All Forms of Discrimination against Women</td>
</tr>
<tr>
<td><strong>CEDPA</strong> Centre for Development and Population Activities</td>
</tr>
<tr>
<td><strong>CGA</strong> Country Gender Assessment</td>
</tr>
<tr>
<td><strong>CHP</strong> Community Health Post</td>
</tr>
<tr>
<td><strong>CHW</strong> Community health worker</td>
</tr>
<tr>
<td><strong>CLRC</strong> Constitutional and Law Reform Commission</td>
</tr>
<tr>
<td><strong>CMCA</strong> Community mine continuation agreement</td>
</tr>
<tr>
<td><strong>DCD</strong> Department for Community Development</td>
</tr>
<tr>
<td><strong>DEC</strong> Department of Environment and Conservation</td>
</tr>
<tr>
<td><strong>DNPM</strong> Department of National Planning and Monitoring</td>
</tr>
<tr>
<td><strong>DoT</strong> Department of Transport</td>
</tr>
<tr>
<td><strong>DMPGM</strong> Department of Mineral Policy and Geohazards Management</td>
</tr>
<tr>
<td><strong>DPE</strong> Department of Petroleum and Energy</td>
</tr>
<tr>
<td><strong>DSP</strong> Development Strategic Plan</td>
</tr>
<tr>
<td><strong>FPB</strong> Family Protection Bill</td>
</tr>
<tr>
<td><strong>FSV</strong> Family and sexual violence</td>
</tr>
<tr>
<td><strong>FSVAC</strong> Family and Sexual Violence Action Committee</td>
</tr>
<tr>
<td><strong>FSVU</strong> Family and Sexual Violence Units</td>
</tr>
<tr>
<td><strong>GBV</strong> Gender-based violence</td>
</tr>
<tr>
<td><strong>GDI</strong> Gender-related Development Index</td>
</tr>
<tr>
<td><strong>GII</strong> Gender Inequality Index</td>
</tr>
<tr>
<td><strong>GDP</strong> Gross Domestic Product</td>
</tr>
<tr>
<td><strong>GER</strong> Gross enrolment ratio</td>
</tr>
<tr>
<td><strong>GF</strong> Global Fund</td>
</tr>
<tr>
<td><strong>GoPNG</strong> Government of Papua New Guinea</td>
</tr>
<tr>
<td><strong>HAART</strong> Highly active retroviral therapy</td>
</tr>
<tr>
<td><strong>HDI</strong> Human development index</td>
</tr>
<tr>
<td><strong>HIES</strong> Household income and expenditure survey</td>
</tr>
<tr>
<td><strong>HIV</strong> Human immunodeficiency virus</td>
</tr>
<tr>
<td><strong>HSIP</strong> Health Sector Improvement Programme</td>
</tr>
<tr>
<td><strong>IBBS</strong> Integrated bio-behavioural survey</td>
</tr>
<tr>
<td><strong>IFC</strong> International Finance Corporation</td>
</tr>
<tr>
<td><strong>K</strong> Kina</td>
</tr>
<tr>
<td><strong>LOA</strong> Landowner association</td>
</tr>
<tr>
<td><strong>LLP</strong> Local level government</td>
</tr>
<tr>
<td><strong>LNG</strong> Liquefied natural gas</td>
</tr>
<tr>
<td><strong>MDGs</strong> Millennium Development Goals</td>
</tr>
<tr>
<td><strong>MOA</strong> Memorandum of agreement</td>
</tr>
<tr>
<td><strong>MOAs</strong> Memoranda of agreement</td>
</tr>
<tr>
<td>Acronym</td>
</tr>
<tr>
<td>---------</td>
</tr>
<tr>
<td>MRA</td>
</tr>
<tr>
<td>MTDP</td>
</tr>
<tr>
<td>NACS</td>
</tr>
<tr>
<td>NCW</td>
</tr>
<tr>
<td>NADP</td>
</tr>
<tr>
<td>NARI</td>
</tr>
<tr>
<td>NDOE</td>
</tr>
<tr>
<td>NDOH</td>
</tr>
<tr>
<td>NEC</td>
</tr>
<tr>
<td>NEP</td>
</tr>
<tr>
<td>NER</td>
</tr>
<tr>
<td>NGO</td>
</tr>
<tr>
<td>NGDP</td>
</tr>
<tr>
<td>NHP</td>
</tr>
<tr>
<td>NHS</td>
</tr>
<tr>
<td>NHIS</td>
</tr>
<tr>
<td>OC</td>
</tr>
<tr>
<td>ODW</td>
</tr>
<tr>
<td>OPS</td>
</tr>
<tr>
<td>PDWA</td>
</tr>
<tr>
<td>PNG</td>
</tr>
<tr>
<td>PPA</td>
</tr>
<tr>
<td>PPTCT</td>
</tr>
<tr>
<td>RPNGC</td>
</tr>
<tr>
<td>SABL</td>
</tr>
<tr>
<td>SPC</td>
</tr>
<tr>
<td>STI</td>
</tr>
<tr>
<td>TVET</td>
</tr>
<tr>
<td>TSM</td>
</tr>
<tr>
<td>UBE</td>
</tr>
<tr>
<td>UN</td>
</tr>
<tr>
<td>UNAIDS</td>
</tr>
<tr>
<td>UNDP</td>
</tr>
<tr>
<td>UNICEF</td>
</tr>
<tr>
<td>UNIFEM</td>
</tr>
<tr>
<td>UN Women</td>
</tr>
<tr>
<td>USD</td>
</tr>
<tr>
<td>WHO</td>
</tr>
<tr>
<td>WIM</td>
</tr>
</tbody>
</table>
Forewords

All citizens should have equal opportunity to participate in and benefit from the nation’s development.

Papua New Guinea Development Strategic Plan 2010 - 2030

Gender equality is when the roles of women and men are valued equally. The definition has three aspects: equal opportunities, equal treatment, and equal entitlements ... Gender equality overcomes stereotypes, prejudices, and other barriers so women and men can contribute to and benefit from economic, social, cultural, and political developments in society at the same level.


I am pleased to share with you the 2011-2012 Country Gender Assessment (CGA) for Papua New Guinea. This document is based on extensive consultation and interagency participation, and its purpose is to develop a shared platform of understanding through which key stakeholders diagnose the gender-related barriers to poverty reduction and sustainable and inclusive economic growth. The CGA has been jointly created as an evidence-based document to cover the critical gender issues of concern, in a way that helps my ministry, the Department of Community Development, and other key national agencies convincingly advocate for greater attention to gender barriers and more holistic action by all stakeholders.

The CGA “sits in” the framework of government strategy documents, and it takes into account international commitments that the government has made, including the Pacific Platform for Action, and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The structure of the CGA is based on the three themes of our policy for gender and development:

- Access to resources through education, health, and entrepreneurship;
- Access to rights through legal and social empowerment, including power to address gender-based family and sexual violence; and
- Access to voice through participation in decision-making in politics and in the public and private sectors.

This CGA was undertaken under the guidance of the Government of Papua New Guinea-Development Partners Gender Forum, which I co-chair with the United Nations Resident Coordinator. The Gender Forum provided clear guidance for the collaborative manner in which the CGA was done, making maximum use of existing analyses and knowledge. It facilitated a process that brought together different stakeholders in a flexible way, taking advantage of each organization’s unique strengths and competencies without duplicating work or data that already exist. Stakeholders formed topic groups in 2011, each focussing on a subject where their institution had programmatic involvement or substantial knowledge and experience, and the draft chapters were then circulated widely and discussed consultatively in a participatory workshop in September 2011. The revised drafts were consolidated in November 2011. When the 2009-2010 Household Income and Expenditure Survey dataset became available in July 2012, the CGA team conducted a further workshop to develop recommendations for each chapter, and to do a final round of updates. The entire CGA working group came together in November 2012 at a National Validation Workshop, which I opened, to finalize the potential actions.
What are the gender-related barriers that are stopping us from making progress in our shared efforts to reduce poverty and promote sustainable, inclusive economic growth in Papua New Guinea?

What potential actions can we consider to generate better results?

This is a particularly important moment to ask these questions. We all know that exciting prospect of large increases in national revenues from oil and gas – adding to existing revenues from mining, agriculture, manufacturing, and services – is balanced by our shared concern that the nation’s wealth is not (yet) being transformed into equitable and sustained improvements in quality of life and livelihoods for all Papua New Guineans.

I encourage you to read this report – and to use it! Use it for research, for reflection, for program design, and for action. The CGA will help us proactively choose actions that can ‘level the playing field’, so that women and men, girls and boys, can all participate actively in making their lives and livelihoods better every day.

Hon. Loujaya Toni, MP
Co-Chair, Government of Papua New Guinea and Development Partners Gender Forum
Minister for Religion, Youth and Community Development
Gender equality remains a key development priority worldwide. The UN Secretary-General’s Five Year Action Agenda, launched in January 2012, has a specific focus on working with, and for women and young people in several key areas: 1) A global campaign to end violence against women; 2) Promoting women’s political participation worldwide; 3) Developing an action agenda for ensuring the full participation of women in social and economic recovery; and 4) Addressing the needs of the largest generation of young people the world has ever known with emphasis on girls who are too often denied opportunities because of their gender.

Gender equality is recognized as a key driver to poverty reduction and national development. In specific terms, gender equality is central to achieving the Millennium Development Goals and other development goals, making it important to ensure that aid resources target and monitor progress towards gender equality goals.

Country Gender Assessments (CGA) are critical in such a way that they provide snapshot evidence and summarise gender dimensions of a country’s development challenges and strategies. These assessments provide a situational analysis that takes into account the multi-sectoral nature of gender issues. This, in turn, informs strategic dialogue with the national government and other stakeholders on establishing development priorities to identify areas for gender-responsive interventions.

For Papua New Guinea, this CGA is a key entry point in deepening understanding of, and diagnosing gender-related barriers to poverty reduction, social justice and sustainable and inclusive growth. The assessment process has been through a rigorous and consultative approach which has encompassed the broadest range of stakeholders possible. Evidence and recommendations from this assessment will further underpin the importance of prioritizing and addressing critical gender issues of concern and generate further public debates and advocacy at all levels.

I strongly encourage stakeholders, development partners and our national government counterparts to make reference and use this report’s findings, as well as recommendations in policy discussions and designing initiatives addressing gender barriers across all sectors, be it economic, social, or political.

The United Nations System, and all of the member organizations of the Government of Papua New Guinea-Development Partners Gender Forum in Papua New Guinea, are committed to continue supporting the Government to improve the quality of services provided to its citizens. In this context, I re-affirm to the Government and people of Papua New Guinea the special commitment of Development Partners to encourage national initiatives aimed at advancing gender equality in the social, political and economic spheres. When policies are equitable and inclusive, everyone benefits.

David McLachlan-Karr
Co-Chair, Government of Papua New Guinea and Development Partners Gender Forum
United Nations Resident Coordinator and UNDP Resident Representative
Acknowledgements

This Country Gender Assessment (CGA) was a collaborative effort. We relied upon the participation and inputs of a large number of dedicated individuals representing a diverse cross-section of institutions, agencies, and constituencies. Most importantly, instead of “outsourcing” assessment and analysis to a consultant team, this diverse multi-stakeholder group chose a participatory and empowering path. Interested participants “self-selected” into topic groups and took on the tasks of gathering data and information, debating and distilling it, and shaping both the situational analysis and the potential actions that could make a difference to women and men, girls and boys, across Papua New Guinea (PNG). It may have taken longer than other approaches, but the two years of work done by this CGA Wantok has a wider reach and a deeper resonance, because of that patience and persistence.

On behalf of the CGA Steering Committee, and with the deep pleasure that comes from serving as the CGA Facilitator, I would like to acknowledge the contributions of the following organizations:

- A diverse range of national government institutions and agencies, and supporting programs and groups, including the Bank of Papua New Guinea, Department of the Prime Minister and National Executive Council, Department of National Planning and Monitoring, Department of Treasury, National Department of Education, National Department of Health, National AIDS Council, Institute of Medical Research, National Agriculture Research Institute, Department of Justice, Department of Agriculture and Livestock, Minerals Resource Authority, Women in Agriculture, Women in Business, Women in Maritime, Law and Justice Sector Support Program, and Economic and Public Sector Program.


- Robust participation from the private sector: PNG Chamber of Commerce and Industry, PNG Business Council, PNG Chamber of Mines and Petroleum, Bank South Pacific, WestPac Bank, ANZ Bank, PNG Sustainable Development Program Ltd., Talisman PNG, Newcrest Mining, ExxonMobil and Esso Highlands.

- A range of bilateral and multilateral development institutions led by the four core CGA funding partners: the Asian Development Bank, the Australian Agency for International Development (AusAID), the United Nations Country Team (coordinated by UN WOMEN and comprising leadership from all UN agencies operating in PNG with special mention of the UNDP, UNICEF, UNAIDS, UNFPA, and WHO), and the World Bank Group (World Bank and International Finance Corporation). Participants also included New Zealand Aid Programme, the Embassy of Japan, the Japanese International Cooperation Agency (JICA), the European Union, and the United States Agency for International Development (USAID).
A final note of thanks goes to Dr. Penelope Schoeffel and Ms. Ellie Meleisea for their valuable assistance as co-editors of this CGA, with support from the Asian Development Bank.

With heartfelt appreciation,

Laura E. Bailey
CGA Facilitator
Port Moresby, December 2012
Executive Summary

Gender equality is when the roles of women and men are valued equally. The definition has three aspects: equal opportunities, equal treatment, and equal entitlements … Gender equality overcomes stereotypes, prejudices, and other barriers so women and men can contribute to and benefit from economic, social, cultural, and political developments in society at the same level.


This 2011-2012 Papua New Guinea Country Gender Assessment (CGA) describes the gender dimensions of Papua New Guinea’s development challenges and strategies. It is based on research, official reports and the limited recent statistical data available, particularly the 2009-2010 Household Income and Expenditure Survey (HIES). It is also written in the context of the current prospect of large increases in national revenues from oil and gas – adding to existing revenues from mining, agriculture, manufacturing and services – and concerns that the nation’s wealth is not yet being transformed into equitable and sustained improvements in quality of life and livelihoods for all Papua New Guineans.

This CGA seeks to answer a question:

What are the gender-related barriers to shared efforts to reduce poverty and to stimulate sustainable development and inclusive economic growth in Papua New Guinea?

The purpose of the CGA is to develop a shared platform of understanding through which stakeholders in both the public and private sectors diagnose the gender-related barriers to poverty reduction and sustainable and inclusive economic growth. The goal is to provide an evidence-based document that covers the critical gender issues of concern in a way that helps the Department of Community Development (DCD) and other national agencies advocate for greater attention to gender barriers, and for the provision of more resources to support action by core economic agencies and line ministries.

The CGA is based on extensive consultation and interagency participation, undertaken under the guidance of the Government–Development Partners Gender Forum, a multi-stakeholder coordination mechanism. Stakeholders formed topic groups in early 2011; each focused on a subject where their institution had programmatic involvement or substantial knowledge and experience, and the draft chapters were then circulated widely and discussed consultatively in a participatory workshop in September 2011. The revised drafts were consolidated in November 2011. When the 2009-2010 HIES dataset became available in July 2012, the CGA team conducted a further workshop to develop recommendations for each chapter, and in November 2012 conducted a final workshop for all the stakeholders to consider the findings and recommendations.

The CGA is situated in the context of the overarching framework of strategy documents from the Government of Papua New Guinea: the Vision 2050, the Development Strategic Plan 2010-2030 and the new Medium Term Development Plan 2011-2015. The CGA also takes into account international commitments that the government has made, including the Pacific Platform for Action and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).
The structure of the CGA is based on the three themes of the government’s policy for gender and development:

- Access to resources through education, health and entrepreneurship;
- Access to rights through legal and social empowerment (including power to address gender-based family and sexual violence); and
- Access to voice through participation in decision-making.

**Major findings in Chapter II in relation to the development challenge of providing access to education, health and protecting against HIV**

**For education**

- There is a persistent gap in the percentage of girls and boys of eligible age enrolled in secondary school, tertiary education and training institutions. At primary school level, the gender gap has narrowed in the last 15 years.
- Concerns for girls’ safety are a significant barrier to their school attendance.
- A nation-wide survey found that only 57 percent of women reported they could read and write, compared to 69 percent of men. This suggests a substantially lower rate of literacy among women than men.
- There are consistent rural-urban gaps, with urban respondents 30 percent more likely to report being literate than rural respondents.
- Significant regional variations also exist; for example, women are quite close to parity in literacy in the Islands region but very far behind in the Highlands region.
- There are differences in literacy by age: 79 percent of youth (aged 14-25) report being literate, compared to 66 percent of adults aged 25-50 and only 44 percent of adults over age 50.
- Violence (and the threat or fear of it) significantly reduces the range of actions a woman can take to support her family and enhance her health and education, as well as that of her children.

**For health**

- There has been little improvement in key health indicators (e.g., maternal mortality, access to reproductive health care, malnutrition among women and children) especially for the majority rural population.
- Health services have declined in rural areas, and the impact of this is larger for women who face greater obstacles to accessing such care than men. For example, when women need to travel to health care centres they face greater security risks and bear greater opportunity costs than men.
- Gender inequality at home (decision making and control over resources) hinders women’s health seeking behaviour, for instance, causing delays in seeking medical help during delivery and decisions on the use of family planning methods.
- Women’s education has evident benefits for their health status and access to health services, particularly in rural areas: therefore, improving secondary education for women is critical for improving the health status of women and children.
- Recent initiatives of the National Department of Health include formulation of a health sector gender policy, a national maternal health response; rural primary health services delivery, training of health professionals (including community health workers); investment in health infrastructure and strengthened health promotion; and removal of service fees.
For HIV and AIDS

- Gender relations and gender inequality are significant drivers of the HIV and AIDS epidemic in Papua New Guinea.
- Women and girls are more vulnerable to HIV infection and other STIs. Women’s lack of power and rights in sexual relations and the high risk of gender-based violence increase the likelihood of HIV transmission.
- Fear of violence, abandonment, stigma and discrimination hinder women’s willingness to negotiate for safer sex and to seek HIV testing or treatment.
- The risk factor of transactional sex is linked to income inequality and uneven development, and is associated with male migration for employment in enclaves and women’s financial hardship.
- Lower literacy and education among women reduces their opportunity to learn about prevention of HIV and AIDS.
- More gender sensitive data are needed (e.g., integrated biological and behavioural surveillance) on the HIV prevalence rate for effective targeting of prevention and treatment programs.
- Although the epidemic is spreading faster in rural areas than in urban areas, there are more testing centres in urban areas.

Major findings in Chapter III in relation to the development challenge of providing access to employment and economic resources

- There are inequalities in men’s and women’s economic opportunities in the agriculture sector that lead to inefficient use of the country’s labour resources.
- Women farmers do not receive the level and type of training and extension support that they need to contribute their full potential to the agricultural economy.
- Women traders are more disadvantaged than men by unsafe and insanitary markets, and poor transport infrastructure.
- There are continuing differences and inequality between women and men in formal labour force participation, occupations and wages.
- In general, women and girls work longer hours than men and boys.
- Women are more negatively affected by the social impacts of, and receive fewer benefits from, resource extraction industries.
- Some good models exist for giving women a share of the benefits from extractive industries, but these are not applied across all sites and industries.

Major findings in Chapter IV in relation to the development challenge of providing access to rights through legal and social empowerment

- The constitution provides for gender equity and equality, but customary law, recognised by the constitution, discriminates against women in relation to rights and property.
- The Law Reform Commission has examined and made recommendations on gender issues in laws relating to adultery, prostitution, polygamy, succession and inheritance, marriage and divorce, and maintenance. Some laws, based on gender considerations, have been amended or passed. But law reform has had limited beneficial impacts for women so far.
- The police and prosecution authorities continue to have difficulties in applying and enforcing the law. The justice and law enforcement systems are weak, and there is insufficient policing and inadequate application of the law.
- Village courts apply customary principles, which may discriminate against women. The formal justice system is insufficiently accessible, particularly for rural people and especially rural women.
Studies of gender-based violence indicate that such violence appears to be widely accepted and “culturally” condoned.

Violence against women appears to be common throughout the country with negative impacts on the health of women and children. More systematic, comprehensive and internationally comparative prevalence data are needed to improve strategies and actions.

Institutional responses for prevention of gender-based violence and support for victims are insufficient and inadequate.

Major findings in Chapter V in relation to the development challenge of providing access to political voice and participation in decision-making

- Papua New Guinea remains close to the bottom of the world’s scale for women’s parliamentary representation and participation.
- Of the 111 members of parliament, only three are women as of November 2012. In the previous parliament there was only one woman.
- Only two private corporate entities in Papua New Guinea have women on their boards.
- Although laws allow women’s representatives to be nominated to provincial and local governments, their representation is often tokenistic and their participation appears to be very limited.
- Mainstreaming of gender across government has resulted in some sound policies and strategies, but few of these are budgeted and implemented.
- The national machinery for women working towards women’s equity, equality and advancement has long been inadequately resourced or politically supported, and has failed to progress.

Overall recommendations for Government to move forward on the implementation of its gender policies

Specific sector recommendations based on these findings—and validated by the Government-Development Partners Gender Forum as the result of three consultative workshops—are summarised at the ends of the chapters and in more detail in the concluding Chapter VI.

Many, if not all, of these recommendations are currently articulated in national and sector policies and proposed initiatives to increase gender equity, but have not been translated into funded programmes of action. Similarly, legislation exists that both upholds women’s rights as citizens and protects women from illegal acts, but the justice system does not adequately apply and enforce the law. The consensus recommendation is that more robust attention to funding existing policies and enforcing existing laws would have a significant positive effect on gender equality in Papua New Guinea.

The priority actions recommended are

- Allocate specific budget resources from the Department for Community Development (DCD) 2013 Budget so that the government’s obligations to report back to CEDAW are met. The report was due in June 2012. The report should address the Committee concerns on (i) violence against women, including sorcery; and (ii) low political participation.
- As the Department of National Planning and Monitoring (DNPM) updates the Medium Term Development Plan, advocate the specific deliverables are added to address all seven of the sector strategies listed under gender in Section 5.3 of the Plan. Currently, items 1, 2, and 5 do not have concrete actions and resources.
Disseminate the National Policy on Women and Gender Equality and support the development and resourcing of a DCD work plan for 2013 to engage with other government line agencies on prioritizing gender actions listed in the Policy in each sectoral agency’s work plan and budget submission for financial year 2014.

Convene a joint task force of the Department of Treasury, DNPM and DCD to map gender budget items annually.

✓ In the first year, the task force would review the 2013 Budget approved by parliament to identify all of the budget allocations that support specific activities identified in the Policy.

✓ In subsequent years, the mapping could be done in August-September during the budget formulation process, which would allow line agencies to adjust their own budget submissions to better address gender concerns through actions specified in the Policy.
Chapter I
Introduction

A. Country context

1. Social and political characteristics

Papua New Guinea (PNG) became independent in 1975 as a constitutional parliamentary democracy. The country has four regions (Highlands, Islands, Momase and Southern) and 21 provinces (see Map) including the Autonomous Region of Bougainville and two new provinces recently created in the southern and western parts of the Highlands Region. Another province-level division is the National Capital District, which comprises the capital city, Port Moresby. Each province is divided into electorates that vote for members of parliament as well as for a provincial member of parliament, who serves as the governor of the province.

The country has a population of just over seven million, with an estimated population growth rate of 2.8 percent.² It is culturally diverse, with an estimated 715 distinct indigenous languages spoken. About 85 percent of the population lives in rural areas and are organized in small, fragmented social groups. English is the official language; lingua franca are Melanesian pidgin (Tok Pisin) and, to a much lesser extent, Hiri Motu. Most of the population are at least nominally Christian and there are many Christian denominations and sects, adding to the social diversity.

Nearly half of PNG’s population is under the age of 20 and the number of young people is expected to double in the next 20 years. Youth unemployment is high and rising, with only one in ten school graduates finding jobs in the private sector. With many young people leaving their villages in search of jobs in the towns and cities, there is a shortage of employment opportunities, which has contributed to the expansion of (mainly male) urban youth gangs, exacerbating problems of law and order.

2. Economic characteristics

The country is rich in mineral, forest and fisheries resources and the economy is highly dualistic. The formal sector tends to be urban or enclave-based and focused mainly on large-scale export of natural resources (minerals, oil and gas, timber and fish). The informal sector is dominated by the subsistence and semi-subistence activities of the majority rural population, although formal and informal small and medium business enterprises are increasing in rural areas.

PNG’s economy has weathered global economic volatility quite well, and prudent macroeconomic management over the past 10 years has helped PNG avoid the “boom and bust” commodity price cycles that characterized the 1980s and 1990s. The turn-around from the economic crises of the late 1990s has been broadly based. The most notable and recent investment is a 15 billion United States dollars (USD) joint venture liquid natural gas project, but other investments in communications, construction and real estate have created jobs and have had flow-on effects into other sectors. These investments have supported growth in formal employment, but further such growth is restricted by a shortage of skilled labor.

---

labour. The economy is hampered by bottlenecks, as investments in new supply of goods and services have not matched demand, leading suppliers to charge high prices. In 2011 the official consumer price index measured inflation in high-single digits, with the actual rate being likely higher.

3. Development challenges

Before the revenues from new resource projects start flowing later in this decade, government revenues are expected to stagnate. Costs will rise, however, in relation to increased demand for skilled employees and materials, and in the face of demands of a population growing by 2.8 percent each year. Despite booming mineral income there has been continuing stagnation in outcomes for health, education and infrastructure, all of which have an impact on gender inequality, as this CGA shows. The continuing challenge is to improve the effectiveness of spending and make it more equitable and inclusive. Investments are needed that provide substantial improvements in education, health and other services delivered to both women and men with fewer leakages. Investments in infrastructure are urgently needed that benefit women, men, girls and boys, with adequate provision for infrastructure maintenance.

The welfare of rural and urban households remains a serious concern; the most recent estimates suggest that around 40 percent of Papuan New Guineans live on less than 1 USD per day. In rural areas, households suffer from lack of access to basic services, they are dependent on subsistence agriculture, and their wellbeing is often affected by difficult terrain and vulnerability to natural disasters. In urban areas, poverty of opportunity means that livelihoods often do not provide adequate income for consumption, much less basic education and health costs.

Box I.1: New data on PNG households

In 2009-2010, the National Statistical Office carried out the PNG Household Income and Expenditure Survey (HIES) with a nationally representative sample of 4,081 households and gathered information on topics such as family demography, education, health, employment and consumption.

The annual per capita consumption for men and women (measured in PNG Kina [K]) is very close (K 2,585 for men vs. K 2,506 for women). There are much bigger variations between urban (K 4,647) and rural (K 2,299) and between provinces (e.g. K 1,239 for West Sepik vs. K 3,268 for Gulf). There are no significant or notable differences between male- and female-headed households regarding the main characteristics of their dwelling (including construction materials, type of dwelling, source of water, type of sanitation, source of light and type of fuel for cooking). Ownership of durable goods varies more across urban-rural divides than between men and women.

Rural-urban disparity in standards of living is demonstrated by data from the 2009-2010 HIES on housing and access to water, sanitation and energy. The houses of most of the rural population are fully or partly constructed of bush materials, compared to less than 10 percent of houses occupied by the urban population. More than half of rural households rely on water carried from natural water sources such as rivers, ponds, and springs, but only 5 percent of urban households do. Among rural households, 79 percent have minimal sanitation, compared to 28 percent of urban households; and 62 percent of rural households use lamps, batteries, candles and torches for lighting compared to 11 percent of urban households. Almost all (95 percent) of rural households collect firewood for cooking

---

compared to half (52 percent) of urban households. Only 7 percent of the population has access to electricity, although there are wide variations across regions. Nearly two-fifths of health and sub-health centres, and an even greater proportion of rural health posts, have no access to electricity or essential medical equipment. In the small number of schools with access to electricity, energy costs account for up to 70 percent of their budget.

Other indicators demonstrate low achievements for human development in PNG. Life expectancy at birth remains low (62.8) despite its recent improvement, and infant and maternal mortality rates are extremely high. Immunization rates are inadequate. There is an HIV/AIDS epidemic, and infections could reach over 10 percent of adults by 2025 unless effective interventions are put in place.

Transport networks are in poor condition, with about 85 percent of main roads and nearly all feeder roads impassable or abandoned at some time of the year. It is estimated that 17 percent of the population has no access to any road and 35 percent of the population lives more than 10 kilometres from a national road. Shipping and air transport services to isolated communities are in decline and wharves and airstrips are falling into disrepair.

The data that are used to build the United Nation Development Programme (UNDP) Human Development Index (HDI) demonstrate that PNG’s growing mineral wealth has not yet translated into significant improvements in the quality of life and livelihoods for its people. In 2002 (when the current economic boom began) PNG showed an HDI of 0.542 (ranking 133); yet, in 2007 the HDI was stagnant at 0.541 and the nation’s relative ranking had dropped to 148. The 2011 HDI ranking was even lower (153 out of 187). While some of that drop between 2007 and 2011 can be attributed to the change in underlying data methodologies, which make direct cross-year comparisons inaccurate, the lack of improvement in the underlying indicators confirms the assessment that human development is stuck in PNG.

### Box I.2: Wealth vs. wellbeing, the development paradox in PNG

Translating strong macroeconomic performance and extractive industry revenues into a broad improvement in living standards remains the key challenge for PNG. The country’s substantial mineral wealth is not yet being transformed into sustainable and equitable improvements in wellbeing for women, men, girls and boys. Ensuring the integrity of public financial management for service delivery, improving efficiency of sectoral spending, raising the performance of the civil service and improving transparency and accountability in budget management will be crucial in converting the windfall revenue into tangible improvements. To diversify the economy and increase employment, attention is needed to challenges such as maintaining law and order, improving the business climate and equitably accessing resources (including land) for development. Developing infrastructure – electricity, telecommunications and transport – continues to be a critical precondition for accelerated growth and improved livelihoods.

As the following chapters will show, gender inequality is a significant development challenge; indeed, the nation’s Medium Term Development Plan recognizes gender inequality as a “threat to future development”. As a result of the gender inequality in PNG, women have substantially poorer access to health care services and lower levels of educational attainment and literacy than men; women generally lack access to credit, banking and markets; and gender-based violence is very high. All of these factors pose additional barriers to women’s equal participation in economic activity and political life.

---

4. Gender dimensions of development challenges

In order to fully understand the nature and extent of development challenges in any country, it is important to examine the gender aspects of the country’s politics, economy and socio-cultural choices. As shown in Section C of this chapter, the Independent State of Papua New Guinea was founded on principles of gender equality that are consistent with the two primary themes of development thinking: gender equality matters intrinsically, since development should be a process of expanding freedoms equally for all people; and gender equality makes economic sense, because it can contribute to higher productivity and income growth. Furthermore gender equality is a goal that is made explicit in the national development strategies of the Government of Papua New Guinea.

A growing body of empirical literature from around the world demonstrates that promoting gender equality is good economic development policy.\(^8\) Indeed, the literature shows that greater gender equality in endowments, access to economic opportunities and agency can (a) contribute to higher productivity, income growth and poverty reduction; (b) improve the opportunities and outcomes of the next generation; and (c) enhance development decision making.

**Box I.3: Global evidence on linkages between gender equality and economic development**

In 2011, the World Bank launched a comprehensive worldwide programme of research and analysis, culminating in the World Development Report 2012 on Gender Equality and Development.\(^9\) In addition to qualitative research into gender roles in economic decision-making conducted on the ground in Papua New Guinea, a series of quantitative studies generated important evidence and data.

The economic costs of gender inequalities—whether due to the persistence of traditional norms or to overt discrimination—can be considerable. A recent study commissioned for the World Development Report 2012 found that in the East Asia and Pacific region, output per worker could be 7 to 18 percent higher across a range of countries if female entrepreneurs and workers were to work in the same sectors, types of jobs and activities as men, and have the same access to productive resources.

A number of cross-country studies have found a robust inverse relationship between the size of the gender gap in education and growth in Gross Domestic Product (GDP), controlling for average education levels and other factors associated with economic growth. Moreover, to the extent that young women (or men) choose fields of study on the basis of their gender as opposed to abilities, their actions can reduce not only individuals’ employment and earnings but also affect the country’s economic productivity more broadly.

Gender inequalities in access to productive assets also have costs in terms of productivity and income. Microeconomic studies from a number of countries show that female farmers and entrepreneurs are no less productive inherently than male farmers and entrepreneurs, but they tend to have less access to productive inputs.

A number of studies show that gender-based violence imposes significant costs on economies, through lower worker productivity and incomes, lower human capital investments and weaker accumulation of social capital, in addition to the large direct economic costs on society.


---


PNG’s score on the UNDP Gender-related Development Index (GDI), which aggregates eight key indicators that reflect the gender equity of development outcomes, is poor. In 2002 PNG had a GDI of 0.536 (ranking 106) and PNG’s GDI fell to 0.529 (ranking 124) in 2006. The 2011 Gender Inequality Index (GII), although not directly comparable to the previous years’ GDI, also reflects inequality in achievements between women and men in reproductive health, empowerment and the labour market. PNG’s value in 2011 was 0.674, which ranked PNG 140 out of 146 countries with data adequate to calculate the GII.

To better understand the severity of the gender dimensions of PNG’s development challenges, it is useful to look at the government’s recent self-assessments regarding progress towards the third of the Millennium Development Goals (MDGs), “Promote gender equality and empower women”, and towards compliance with the CEDAW. In the Second National Progress Report for PNG on the MDGs, the summary on the third MDG (MDG 3) notes that:

**PNG’s gender culture places women in a disadvantaged position. Gender-based violence in particular is widespread and this is one of the factors that fuels the HIV/AIDS epidemic. This poses an enormous threat for future development and must be considered as a crosscutting challenge for the achievement of all MDGs. Moreover, PNG’s very high level of maternal mortality is another clear indication of lack of empowerment of women.**

There are several important dimensions of the situation in PNG that must be understood. As noted in the MDG Progress Report, maternal mortality rates are shockingly high, with the overall economic progress in the country having no discernible positive impact. Literacy and educational attainment for women and girls remain low.

Although labour force participation for males and females is high (close to 61 percent for both men and women), the preliminary findings from the 2009-2010 HIES indicate that this is because most rural men and women are engaged in informal economic activities, including farming, fishing and trading, all of which “count” as participation. In the formal sector men are almost twice as likely as women to work for wages (40 percent of men vs. 24 percent of women nationally). That gap is consistent across both urban (43 percent vs. 23 percent) and rural (36 percent vs. 18 percent) areas. Only one in eight persons with access to cash income is female.

In presenting the government’s country report to the CEDAW Committee in 2009, the Minister for Community Development summarized the situation, saying:

**Although men and women have equal rights under the constitution and PNG is a signatory to CEDAW, gender inequality remains a severe impediment to development and one of the most visible violations of human rights. PNG can be characterized as a patriarchal society in which women continue to face, at times, severe inequalities in all spheres of life: social, cultural, economic and political. Women in many parts of the country used to have more power in their society than they have today. Both colonization and development have been major contributors to the decline in the status of women. In terms of women’s political participation, PNG is ranked 132 in an international ranking of 138 countries; only one women representative sits in the National Parliament for the past decade, despite the fact**

---

that during this time the percentage of women contesting at the national level increased and the recent introduction of the limited preferential voting system was purported to favour women candidates. Life expectancy for women in PNG is lower than that of men, whereas the reverse is true for most societies around the globe. These and other factors such as women’s excessive workloads, poor nutrition, and lack of access to safe water, poor access to health centres, high number of pregnancies and high rates of family violence undoubtedly contribute to the significant gender disparities between female and male life expectancy at birth.

The parallel Shadow Report submitted to the CEDAW Committee on Papua New Guinea by the PNG National Council of Women, echoed and affirmed many of the government’s messages but also emphasized five additional issues: climate change and its impact on food security, the social impacts of rapid natural resource development, sorcery-related violence, law and order problems, and challenges faced by “minority groups, especially refugees and women with disabilities”.

B. Women, men and culture

What is “gender”?

This Country Gender Analysis uses the terms “gender” and “sex” as follows:

"Gender" refers to the socially and culturally constructed roles, behaviours, activities, and attributes that a given society considers appropriate for men and women.

"Sex" refers to the biological and physiological characteristics that define men and women.

In other words, “male” and “female” are sex categories, whereas "masculine" and "feminine" are gender categories. Aspects of sex do not vary substantially between different human societies, while aspects of gender may vary a great deal.

1. Traditional gender roles

a. Kinship and descent

In PNG, social, economic and gender relations are deeply influenced by kinship. Sex, birth order and generation are the usual basis of kinship structure, but the principles vary greatly between cultures. Kinship principles determine membership of a kinship group, and what rights male and female persons have to the property of that group. When membership of a kin group comes through a person’s father, the system of descent and inheritance is called patrilineal. When membership comes from the mother, it is called matrilineal. Matrilineal kinship systems are sometimes confused with matriarchal systems in which women inherit leadership positions through their mothers. Matrilineal systems in PNG are not matriarchal. They are based on kinship systems in which the founding ancestor of a kin group was female, and in which men and women inherit membership of the group and its property through their mother and her brothers, who usually exercise authority for the group. Other kinship systems allow membership in a group to be inherited through either parent, depending on whether the person lives with his mother’s people or those of his father. In many PNG societies, certain possessions and rights are transmitted through the mother and others through the father.

---

Kinship rules determine whom a person can marry and whether a person may marry a relative on the mother’s side or that of the father. In many cultures within PNG, the decision about a person’s partner is made in childhood by their kin groups, in others the decision involves an agreement between two kin groups to give each other a bride; in effect men exchanged their sisters in marriage. In the past, when one group received a bride but did not give one in return, a marriage payment would be made in the form of food and valuable ceremonial goods. This payment is known as “bride price” and is practiced in many, but not all, PNG societies. Bride price was traditionally an exchange of food and valuables produced or traded in a subsistence economy that signified the transfer of a woman’s productive capacity from one kin group to another. The reason for this practice is that women can have great economic value to a kin group and when they give a woman in marriage, they expect compensation for losing her.

b. Gender roles

Many scholars have described PNG society as “egalitarian” in reference to the fact that few PNG cultures have hereditary chiefs and it is common for men to compete with one another to be leaders. This egalitarian ethic does not extend to gender relations – in most cultures in PNG males have higher status than females.

Traditional societies in PNG typically have different and unequally valued spheres of gendered activity. A woman is usually responsible for most of the subsistence needs of her household, cultivating crops, gathering food and fishing, caring for domestic animals, and bearing, raising and feeding young children. A man clears the land for cultivation, plants some crops (especially those with ritual significance), hunts and fishes (producing the most scarce and highly valued foods), builds houses and fences, and defends his family and village or makes war (in some parts of the country). Men are responsible for the religious and political spheres, including the ceremonial and political economy associated with kin-group property, bride prices, competitive inter-group gift-giving, funerary contributions and compensation payments for the resolution of disputes. In the past (less commonly today), boys were ritually initiated into the world of men, a kind of rebirth. A number of scholars have pointed out that initiation and other rituals were spiritual re-creations of women’s natural functions of conception, childbirth and infant feeding. Rituals of manhood enabled men to give boys their cultural life as against the natural life given to them by women.17 Both women and men give life and nurture, moving between the spheres of nature and culture.

Traditional gender relations in many cultures in PNG are characterized by inequality and the subordination of women; men benefit from the women’s production to support their political ambitions. In the past, in cultures in which polygyny (marriage to more than one wife) was practiced, polygyny was linked to leadership and prestige building. A man with several wives had to first successfully negotiate these marriages, which required both wealth and political skills. Having more than one wife gave men additional high status because, as well as fathering more children, his wives would produce food and pigs for ceremonies. Polygyny also fostered inequality in society because not all men could have wives; older men had power over younger men who depended on them to help provide a bride price. Polygyny is still practiced today in all four regions of PNG, with the percentage of women in polygynous marriages ranging from 10 percent in the Southern region to 28.6 percent in the Highlands region; the percentages in the Islands region and the Momase region are 11.4 percent and 11.7 percent, respectively.18

A more positive aspect of gender relations in traditional societies in PNG is its reciprocal characteristics, with men and women as partners in a system of production and

---

reproduction. Although some societies, including many in the Highlands provinces, are based on ideologies through which men demean women, studies show that women develop their own political strategies on the margins of men’s politics. Women may build influence amongst other women and engage in activities that influence the male political arena. Where prestige is the result of wealth distribution, women produce the wealth although men control it, and women can become well-known for their success in productive activities.¹⁹

Other studies have shown that while scholarly attention has focused on famous exchange systems such as the Kula of the Trobriand Islands and other areas of Milne Bay province, it has ignored women’s roles in ceremonial exchange. Women create and monitor exchanges for funerary rituals, parallel to the men’s Kula cycle, with the two forms of exchange completing and complementing each other.²⁰ Another study of gender and ritual points out that women play a major role in men’s religious and political achievements and win respect and recognition for their “backstage” role.²¹

Some observations on the dynamics of socio-cultural roles in terms of women’s and men’s sense of well-being are discussed in Box I.4.²²

Traditional norms often place heavier burdens on women than on men. In interviews conducted in 2010, many village women spoke of the heavy work of planting and gathering food, meal preparation, care of children, working to sell extra produce in markets to eke out some extra money to pay school fees, the fear of domestic violence, the unfairness and resultant hunger from food sharing practices in communities that favour men and older boys, and the problems with land inheritance. They spoke of the heavy obligation that bride price creates, and the worry caused by the practice of polygamy because of the risk that a husband might tire of a wife, replacing her with a younger wife and leaving her and her children vulnerable without income and family support.²³

c. Inheritance and property

“Rights” in the context of land is a difficult concept, because traditional notions of property rights were, and still are, very different from modern ones. Customary land comprises a territory, usually containing many resource zones, under the control of allied kin groups. In the past, land could be won or lost in wars, and use rights could be bestowed in different ways according to traditional understandings, but land was not a commodity to be bought or sold.

Land is only one aspect of inheritance rights and there are many heritable assets traditionally considered as important as land such as names (secret or public), political or religious status, and transmission of sacred artefacts, ritual secrets, and knowledge of genealogies.

---

Box I.4: Gender-differentiated views on well-being and happiness:
Findings from qualitative research in 16 PNG communities

In 2010-11, the Institute of National Affairs, in collaboration with the World Development Report 2012 team from the World Bank, conducted qualitative research in 16 communities on evolving gender roles.

Women and men, young and old, reported that the three factors that most contribute to “happiness” are access to livelihood resources and the ability to make money; access to services; and family support and relationships. The three factors that most prevent happiness are lack of community safety due to increasing crime; youth involvement in alcohol and drugs; and lack of services. Women’s and men’s happiness changes over time: young females report themselves as happy more often than young males, but adult men report more happiness than adult women.

The happiness reported by older men relates to the high priority they give to social networks: men consider their friends, acquaintances and neighbours more important in their lives than women do. The system of mutual obligation and reciprocal exchange remains a key feature in PNG societies today and reciprocal relations and connections maintained in village life are central to reported happiness—and these are more associated with men. Women report having less time to create, accumulate and maintain friendships, and because women generally do not keep platonic relationships with men without risking sexual suspicion and jealousy, their more limited networking can impede their ability to build participation in economic activities.

Perceptions of social status and mobility are influenced by power, wealth, community contributions and education for men, and by community contribution, leadership responsibilities and wealth for women. Women see that actively giving, participating, leading and working together, and earning money from businesses or by marriage, gives them more social mobility. Marriage also enables women to move up the ladder, and “ordinary women” either at the bottom or middle of the social ladder can also move up by “moving their hands” to make a living through market activity and selling.


Box I.5: Evolving gender roles in economic decision-making:
Findings from qualitative research in 16 PNG communities

Gender roles in decision-making are changing, but slowly and with complex consequences. Gender roles have changed since the last generation, with less strict adherence to traditional norms and practices. While women are taking on more leadership and public representational roles, perceptions of domestic roles and powers, gender equality and gender norms remain entrenched in most communities. In general, women exercise limited control over household decisions, such as those regarding work and income. There is broad, albeit not universal, agreement that women/mothers may be breadwinners in some individual family situations but, in general, respondents maintain that decisions over income must be made together by a husband and a wife, or by the husband.

Perceptions of gender equality vary, with most agreeing that it involves women and men working together, and is therefore a good thing. However, some, particularly adult males, disagree and emphasize that women should respect men, and that equality makes women insolent. In general, women speak more positively about gender equality than men.

Women seem better able to take on leadership roles outside of their homes at the local level, especially in church groups and law and order committees, where popular sentiment supports the role of women as peace makers.

As producers of food, women traditionally had access to land in all PNG societies and in this sense could be considered to have usage rights to land. Women rarely had decision-making powers with regard to land, however. Their brothers were, and are today, usually the custodians of the kin group’s property, responsible for any political decision concerning it. Marriage modifies women’s rights to land, even under matrilineal systems. When women marry they usually move from their own kin group to that of their husband, and they cultivate land belonging to his kin group, not their own kin group. If it is a matrilineal system, their sons inherit rights to their mother’s land, controlled by their mother’s brothers. Matrilineal inheritance is practiced in Milne Bay Province, New Ireland Province, East New Britain Province and the Autonomous Region of Bougainville.

Options regarding land use may be debated amongst men, by men and women together, or by women alone, depending on the practical purpose under consideration. Even in the most male-dominated societies, when a plot of land is allocated to a woman to plant food crops, she may manage it without interference by men.

Marriage in PNG can be made legal in three ways: payment of a bride price, which acknowledges the marriage as legitimate in custom; a religious ceremony officiated by minister empowered to perform marriages; or a civil contract entered into at the Registrar’s Office. Marriages not accommodated under any of these arrangements may not be considered legal. This was realized during the Bougainville Crisis, when estates of the deceased from the police and armed forces were distributed. In many instances the parents of the deceased were the next of kin, not the wives and children, because marriages were not recognized as legal.

2. Modernization

Modernization of PNG has deeply modified the relationship between men and women. The status and roles of males and females have evolved in response to the money economy, modern forms of education, urbanization and the impact of the global market economy. While the people remain attached to many aspects of traditional and ancestral rules, the expansion of a state-based political system has created new aspirations for women that have generally challenged the traditional relationships between men and women.

The Constitution of the Independent State of Papua New Guinea guarantees equal access to politics and economy to all citizens. Thus, in theory, the modern social context is undifferentiated by sex, so that both men and women may participate. Women and men do not participate equally in political decision-making or in many other areas of modern life, however. In fact, modernization has increased women’s vulnerability and has led to new forms of inequality.

The development of a shared sphere of activities for men and women has had unwanted and detrimental side effects for women. Instead of facilitating equal access for both sexes to economic, education and political opportunities, modern social practices have increased certain forms of gender inequality and marginalization of women.

The monetization of bride price is an example of a problem emerging from modernization. Today, in many parts of the country bride price has become a commercial transaction involving large sums of money and expensive modern goods. Many people today believe the payment of bride price entitles the husband to a woman’s labour, sexual services and full obedience. Bride price payments encourage the notion that a man “owns” his wife and facilitates the belief that he therefore has the right to discipline her. In this way, the bride price tradition perpetuates male dominance and undermines the independence


of women, justifying a male’s authority over his wife, and thus facilitating and legitimizing violence against women. In some cases the lure of and the social status conferred by large bride prices encourage parents to allow their daughters to enter polygamous marriages. Furthermore, families who have received a bride price are less likely to assist abused women or take them back, as they will be reluctant to pay compensation or return the bride price.

Giving money and modern goods as bride price has led to its inflation as well as its adoption by many societies in which it was not formerly the custom. This has led to many new social pressures. As bride prices escalate, young men are expected to wait many years for a wife. In the past, those years were spent engaging in culturally approved activities, such as long initiations, learning skills from their fathers and other men, participating in clan fighting, or in more recent times, working on contracts. Nowadays many unmarried young men are marginalized. This factor has encouraged more informal unions without bride price payment, which are more likely to be fragile and unstable. Another issue resulting from the monetization of bride price is that when an agreed amount is not paid on time, marital conflicts, domestic violence and inter-family or inter-group conflict may result. In some cases men can inherit bride price debts from their fathers or be expected to make payments for their mothers’ bride price long after her death. Marriage has become more of a commercial than a social transaction in many parts of the country. Another consequence has been an increasing perception by young women that they are valued only for the money they might bring in, with negative consequences for their self-respect. Changed perceptions of the function of bride price have also increased men’s belief that they “own” their wives and therefore have absolute authority over them.26

In the past, men in many PNG societies lived mainly in separate men’s houses, which were centres for male political and ritual activity. Women lived in their own houses with their daughters and uninitiated sons. Some scholars 27 and community development advocates have argued that the diminution of this traditional practice has undermined men’s status in rural communities leading to the more negative expressions of masculinity referred to in this CGA.28 Other analyses of changing modes of masculinity suggest that money has eroded traditional measures of social respect. Whereas once men had to work their way up within their local framework of traditional values to achieve status and respect, now men can earn money outside their community and use it to buy status that has not been traditionally earned.29 This has led to a confusion of values, which can have negative consequences for both men and women as social cohesion is undermined.30 Another challenge is that men socialized to traditional values resent women who aspire to equality with men in education, employment and public life, and who adopt modern fashions and values.31

Traditional male roles and responsibilities have been more affected than traditional female roles and responsibilities by modernization, including Christian influences on customary practices. Men are more likely than women to leave their villages to look for work or for new experiences, especially married men.

3. Gender-based violence

a. Prevalence

The term “gender-based violence” is broadly defined as violence directed against a person on account of their socially prescribed “gender”. It is an action that is enacted, attempted or threatened, and is undertaken using force, manipulation or coercive means. The nature of this violence may be physical, psychological, emotional, economic or sexual in nature. In PNG, the term “family and sexual violence” (FSV) is commonly used, rather than “gender-based violence” (GBV). Family and sexual violence takes many forms and occurs in many contexts and includes intimate partner violence, violence against children, broader family violence, violence within the community and violence perpetrated by the state.

FSV has long been recognized as an extremely serious problem in PNG. Almost twenty years ago a government-commissioned study revealed shocking levels of such violence throughout the country. Further studies since then have reached the same conclusion: FSV is widespread and pervasive, and has a devastating impact on the lives of individuals, families and communities. The high prevalence of such violence in PNG is a cross cutting issue, with very serious implications for public health and social policy, economic development, and justice and law enforcement.

The key issue underlying such violence is the low status of women in most contexts and in most communities in PNG. Documentation of the situation and issues includes recent reports by the PNG Family and Sexual Violence Action Committee, Médecins Sans Frontières, Amnesty International, and CEDAW submissions by Amnesty International.

b. Types of family and sexual violence

Intimate partner violence

Intimate partner violence is the most common form of family and sexual violence found in PNG. Such violence generally occurs within the home environment with the type and severity varying significantly. Broken arms, facial bruises and lacerations caused by knives, iron bars and timber have been reported as common presentations at health centres. Women often tolerate the violence against them and stay with their abusers. This occurs for many complex reasons, including lack of alternative options.
Forced marriage

Forced marriage is another very common form of family and sexual violence. A customary practice in many communities is sister exchange: two men give one another their sisters in marriage, thus avoiding the need for bride price. This arrangement may or may not be accepted by the girls or women concerned, but their consent is not usually considered necessary. There is growing evidence of the abuse of traditional customs such as these. Marriages may be arranged as part of a dispute settlement or peace treaty, as a compensation payment, or to provide a woman to care for a man’s aged parents.

Polygamy

Polygamy can be a cause of family violence. In the traditional economy women could provide food for themselves and their children by working on the land, and men mainly provided them with shelter and protection. In the cash economy, women cannot provide for themselves and their children if they don’t have land. Today, many men take additional wives or temporary wives without meeting the traditional obligations of provision and protection. And when a woman is dependent on her husband’s financial support, she and her children may be very disadvantaged if a man takes several wives but does not distribute the financial resources equally, which is often the case. Research has found that children of polygamous marriages suffer when their fathers do not pay school fees, especially at secondary and college levels. Daughters of abandoned wives are often not taken care of by the relatives and left to fend for themselves.

Because of the practice of polygamy in many communities, a common form of family violence is between co-wives, or between a woman and her husband’s girlfriend. A survey in 2006 found many women attending health facilities had sustained injuries, including stab wounds, from the women with whom they shared a partner. The motivation for such violence is usually competition for scarce resources; a woman fearing for her security or her survival will often initiate violence against a rival. Many women are in prison for crimes associated with conflicts resulting from polygamy. Furthermore, women are frequently beaten by their husbands for complaining about their husband’s other wives. Mistreatment of widows is also highlighted as a FSV issue but there has been limited research on this issue.

Honour violence

“Honour violence” has also been identified as a common form of family and sexual violence. When a young woman forms a relationship with a man disapproved of by her male relatives, they may lock her up, cut her hair, burn her clothes and beat her, to punish her. Although many young women have died from such punishment, the cases are never reported to police. This is because of the cultural belief in many communities that a young woman must be a virgin when given in marriage and should be punished for having any relationship that is not arranged and approved by her family.

Violence and the girl child

which covered data from seven provinces. Amnesty International reported in 2006 that young girls are particularly vulnerable to sexual violence within the home environment, as perpetrated by male caregivers who take advantage of a reliance on basic necessities such as food, shelter and school fees. The 2012 United States Department of State Trafficking in Person’s Report for Papua New Guinea notes that “young girls from tribal areas are most vulnerable to commercial sexual exploitation” but such exploitation also occurs in urban areas where children from poorer families “are prostituted by their parents or sold to brothels”.

Betrothal and marriage of children is a custom still practiced in some communities in PNG. In some instances, girls may be as young as five or six years old. In one well-documented case, the custom is to promise a girl child at birth and to give her for marriage when she is still a child. Her husband’s mother raises her, but her husband does not have sexual access to her until she has reached puberty. Social change and social breakdown have led to widespread corruption of traditional practices, however, and such girls are often no longer protected from sexual abuse before puberty. Today, families use the “tradition” as a justification to sell girls into forced marriages to settle the family debts. The 2004 Situational Analysis provided examples of parents accepting payments of up to K 20,000 from men wanting to acquire a child bride.

When a child is taken from its family as a commercial transaction, this constitutes sexual trafficking. Trafficking of girls and women is particularly common in fishing, logging, mining and petroleum areas. Little has been done to stop this trafficking. In fact, some government officials actually facilitate trafficking because they accept bribes “to ignore victims forced into prostitution or labor”. Worse still, these officials actively participate in trafficking: they receive female trafficking victims in return for political favours and they provide female victims in return for votes.

Community violence

A recent scoping study on women’s issues in market places, which serve as the major community hubs for trade and social activity, highlights the prevalence of violence in markets. It was found that over half of all women interviewed in the six Port Moresby markets studied had experienced some form of violence. This violence was mainly perpetrated by adolescent boys or young men. As well as market premises, the study identified the surrounding areas, bus stops and parking lots as community spaces with high levels of violence. The insecure conditions in these locations have rendered many people more vulnerable to all types of violence and women are particularly vulnerable to various forms of sexual violence.

Violence against those accused of “sorcery” is another common type of community violence, particularly in rural areas. The cases that are reported reveal alarming levels of

45 Help Resources. 2005.
49 United States Department of State. 2012a.
53 United States Department of State. 2012a, p. 280.
54 United States Department of State. 2012a, p. 280.
Introduction

brutality. Sorcery-related violence is directed against both males and females, but the disproportionate number of women affected (women are six times more likely to be accused of sorcery than are men56), makes this a FSV issue.

Violence within and between communities and individuals is prevalent in many parts of the country and includes murder, serious sexual offences, inflicting of severe injuries and armed robbery.57 The problem has been exacerbated by the proliferation of firearms. Tribal fighting often involves gang rape and payback rape. The prevalence of sexual violence -- rape, gang rape and sexual assault -- has been identified as a national issue, affecting women in both rural and urban areas.58

A great deal of violence, including violence against women, is alcohol-related. There has been little government progress on reducing the social damage caused by alcohol abuse, or making changes to the practices that are in favour of men and are harmful towards women.59

Violence by state agents

Several reports show that state agents have been implicated in violence against women. These reports have documented the pervasiveness of violence, including sexual violence, perpetrated by police against women, men, boys and girls.60 A review of police conduct in 2004 stated that “…discipline is in a state of almost total collapse. There is widespread misuse and abuse of Police powers throughout the country … with consequent rape or sexual assault, in some cases in Police stations or cells.” 61

c. Consequences of gender-based violence

Gender-based violence can have devastating consequences. Physical violence can result in disorders and chronic pain syndromes. The psychological effects of family and sexual violence can include depression, anxiety, phobias, post-traumatic stress disorder and suicidal thoughts and attempts. Sexual violence can result in serious injuries, unwanted and early pregnancy, unsafe abortion, sexually transmitted infections, sexual dysfunction, infertility, increased vulnerability to disease, and death. Children who witness or suffer violence often experience significant psychosocial trauma and resultant behavioural and emotional issues, with long-term implications for their education and future employment prospects.

Research clearly establishes links in PNG between FSV and HIV/AIDS, particularly in relation to physical and sexual violence by intimate partners and child sexual abuse. Women who fear or know their husbands are infected and refuse sex, or try to insist on the use of a condom, may be violently assaulted.62

Research shows higher health care costs and more frequent visits to hospital emergency departments throughout the lives of those with a history of abuse compared to those without a history of abuse. The same is also true for victims of child abuse and neglect. Furthermore, the insecurity fostered by violence within the community prevents freedom of movement and prevents unfettered access to community spaces, education and employment

56 Amnesty International. 2010.
opportunities. In economic terms, there are direct and long-term costs for both the individual and the state associated with mental and physical health care provision, and increased household poverty levels as a result of absenteeism, lower worker productivity and reduced income generation.  

PNG has yet to measure the extent of the economic consequences of FSV for both the individual victim and wider society as the following analysis points out:

**While considerations of justice and fairness provide a sufficient basis for public intervention into domestic violence, a better understanding of the full cost of domestic violence will provide the basis for action within an additional policy framework, that of finance. Adding a financial dimension may increase the range of ways in which policy interventions can be articulated, measured and evaluated. In particular, it may assist in addressing spending priorities. This is complementary to policy frameworks based on needs and justice.**

**d. Obstacles to change**

**The excuse of culture**

“Culture” tends to be invoked to justify family and sexual violence, and used as an excuse for not challenging customary practices or acting on behalf of women’s rights. Customary norms and practices are “often afforded a mythical, elevated status in public and political discourse in PNG”. The idea that family and sexual violence has cultural roots, and is therefore too difficult to deal with may explain why, despite government commitments to gender equality and the empowerment of women, the government has failed to allocate resources towards attaining these goals. For example, the recommendations of the Law Reform Commission, made on the basis of extensive studies on domestic violence carried out in the 1980s have never been implemented.

**Acceptance of violence**

Violence is behaviour learned in abusive families, from peers, from the media and from other observed instances of violent social behaviour. The community sanctions it, so it becomes a norm. In many parts of PNG, violence in intimate partner relationships is normalized; such behaviour is socially and culturally accepted, particularly in cases where a woman “fails” in her socially expected duties or obligations. The Law Reform Commission studies in the 1980s indicated that 67 percent of rural husbands believed it was acceptable to use violence against their wives in some circumstances, and 57 percent of rural wives concurred, although in urban areas there was less acceptance. People who believe that violence is acceptable behaviour can also learn that it is not acceptable. Therefore, awareness-raising and counselling have begun bringing about changes in attitudes and mind set.  

Amnesty International research suggests that recourse to violence is common in PNG in the absence of a functioning formal justice system and the weakening traditional mechanisms for conflict resolution. A tolerance or normalization of violence as a dispute mechanism within the community can carry over to legitimize violence within the home.

---

**Lack of official data**

There is insufficient data collected and collated on FSV in PNG. Health system statistics and in-patient records separate out the various types of accidents and injuries but do not indicate the cause of the violence. Similarly, police statistics do not indicate the true extent of violence against women, as only a small proportion of victims report these crimes and many survivors are turned away before a formal report is filed. The lack of consistent and standard data collection and record keeping processes is compounded by the lack of resources, undermining the reliability of the data. The Family and Sexual Violence Action Committee (FSVAC) has chosen to narrow its focus to Family Support Centres and institutionalize the data collection process before rolling it out to other partners.

Most data come from special studies into the issues. Studies commissioned by the government in the 1980s found that 66 percent of husbands interviewed said they beat their wives and 67 percent of wives interviewed said they had been hit. More recent studies reveal that 55 percent of women interviewed had been forced into sex against their will, usually by men known to them, with half of married women saying their husbands used beatings or threats to force them into sex. Another study, which interviewed 415 women from the National Capital District, Western Highlands, Morobe and Western Provinces, found that 58 percent of those interviewed had suffered physical or emotional abuse in relationships.

**C. Gender in national development planning and policy**

1. **National policy framework**

The Constitution of the Independent State of Papua New Guinea and its Bill of Rights provides the foundation for gender equality. The preamble of the constitution calls for “every citizen to have equal access to legal processes and all services, governmental and otherwise that are required for the fulfilment of his or her real needs and aspirations”. The National Goals and Directive Principles (NGDP) of the constitution provide detail as to the nation’s vision for social and economic rights. Goal 1 (NGDP1), on Integral Human Development, declares that “every person [is] to be dynamically involved in the process of freeing himself or herself from every form of domination or oppression so that each man or woman will have the opportunity to develop as a whole person in relationship with others”. Goal 2 (NGDP2), on Equality and Participation, “provides for the equality of all citizens and directs that opportunities must be created for all citizens to participate actively in the political, social, educational advancement, and economic activities in the country”.

In 2009 and 2010, the Government of Papua New Guinea undertook a wide-ranging effort to examine and update their strategic framework for national development. The result was a cascading system of three key documents that will guide development interventions going forward: the long-term Vision 2050, the 20-year Development Strategic Plan 2010-2030 (DSP) and the five-year Medium Term Development Plan 2011-2015 (MTDP). The key aspects of these documents are outlined below; greater detail on the treatment of gender equality in these three national frameworks is provided in Chapter V.

---

• The Vision 2050 document lays out the nation’s long-term aspirations, and commits that PNG “will be a smart, wise, fair, healthy, and happy society by 2050” by creating “opportunities for personal and national advancement through economic growth, smart innovative ideas, quality service, and ensuring a fair and equitable distribution of benefits in a safe and secure environment for all citizens”. It specifically draws attention to gender disparities to be overcome.

• The DSP 2010-2030 articulates the broad objectives for equality and anticipation to be achieved over a twenty-year period, “All citizens should have equal opportunity to participate in and benefit from the nation’s development”. In its discussion of key strategic areas and indicators, two specific sections focus on issues related to women and gender equality.

• The MTDS 2011-2015 takes each DSP Sector Goal and breaks it down, with targets for 2015 and for each of the year milestones.

These three overarching documents provide the strategic context. Within that, the National Policy for Women and Gender Equality 2011-2015 highlights three main aspects of concern: equal opportunities, equal treatment and equal entitlements. The Policy defines gender equality as when the roles of women and men are valued equally. It describes the mission “to promote improved equality, participation, and empowerment of women in Papua New Guinea”, and lists two specific objectives:

• To create an enabling policy environment for translating government commitment to gender equality into a reality, and to establish the policies, programmes, structures and mechanisms required to do so; and
• To empower women and to transform gender relations in all aspects of work and in all levels of government, including the wider society.

Dozens of specific strategic actions are prioritized under ten Priority Action Areas drawn from the Beijing Platform for Action and National Platform for Action, and from extensive stakeholder consultations held during 2010 and 2011. In presenting the ten Priority Action Areas, the government identified the key challenge as trying to transform gender relations into a process of broader institutional change. The ten Priority Action Areas are: (i) gender-based violence, (ii) health, (iii) HIV/AIDS, (iv) education and training, (v) cultural norms and traditions, (vi) women’s economic empowerment, (vii) employment opportunities and conditions, (viii) decision-making and political participation, (ix) agriculture and market opportunities and (x) environment.

The Policy document includes an Implementation Plan with details under each of the ten Action Areas with regards to issues, objectives, implementation strategies, performance indicators and sources of verification, and key actors, along with an illustrative budget for the five-year time frame. The Department for Community Development (DCD) is identified as the nodal department, but a strong emphasis is placed on the shared responsibility across government for mainstreaming and implementation of the actions in the Implementation Plan.

The higher-order strategy and planning documents include broad aspirational statements about gender equality and opportunity that create the “policy space” for more specific programming and more ambitious and concrete targets, but few such programmes and strategies are offered in the DSP or MTDP, and neither document has fully grasped the

---

75 Department of National Planning and Monitoring. 2010b.
76 Department for Community Development. 2011. p.20.
77 Department for Community Development. 2011. pp. 48-57.
opportunity to mainstream gender issues and to address them across all sectors and programmes.

2. Regional policy frameworks

At the regional level, the efforts of Pacific island governments and civil society organizations have resulted in regional commitments to gender equality and women’s empowerment, which PNG has adopted. The Pacific Platform for Action (PPA), the product of wide consultations at the regional and sub-regional levels, was approved at the 6th Regional Conference of Pacific Women and the Ministerial Conference on Women and Sustainable Development (both held in Noumea in 1994), and formed the basis for the Pacific’s contribution to the Fourth United Nations World Conference on Women, held in Beijing in 1995.

The PPA, administered by the Secretariat of the Pacific Community (SPC), was later further developed to build upon the Beijing Platform for Action (BPFA), adopted in Beijing in 1995 as the internationally agreed plan for achieving equality for women across 12 critical areas (poverty, education and training, health, the economy, power and decision-making, human rights, armed conflict, institutional mechanisms, the environment, and violence against women and the girl child). The PPA incorporates both the Beijing outcomes and the commitments under CEDAW. It describes five strategic areas with recommended actions that all nations and territories that are SPC members (including PNG) are required to implement to advance the rights of women. These strategic areas are: physical quality of life, empowerment of women, enhancement and protection of women’s and indigenous people’s rights, women’s contribution to the realisation of just and peaceful societies in the Pacific, and institutional arrangements and mechanisms (including CEDAW). Progress on the PPA is reviewed periodically (every three years) through the Pacific Triennial Meeting of Pacific Women.

PNG participates in the triennial review meetings of the PPA. In the 2010 PPA Review it was noted that PNG had yet to fully integrate PPA commitments into the national agendas and needed to accelerate implementation. Among key issues with regard to progressing the implementation of the PPA include the need for more involvement of men in the work towards gender equality; greater emphasis on gender statistics and the development of process indicators to enable better tracking of steps and measurement of progress towards achieving gender equality outcomes; an increase in the technical and institutional capacity of national women’s machineries; and a stronger emphasis on mainstreaming gender issues and human rights in national plans across all sectors.

The Pacific Women’s Network Against Violence Against Women, a network of non-governmental organizations (NGOs), convenes the Pacific Regional Meeting on Violence Against Women every four years (since 1992), which brings together practitioners from the Pacific islands, including PNG, to update and prioritize prevention strategies to reduce the high levels of violence against women in the Pacific.

At the highest political level of dialogue on the region – the Pacific Islands Forum Leaders’ Meeting – the Leaders’ Communiqué of 2009 recognized sexual and gender-based violence as a risk to human security and a potential destabilizing factor for communities and societies alike, and noted the urgent need to acknowledge the prevalence of such violence in the Pacific at all levels of the community, whether occurring in the domestic context or during conflict and post-conflict situations. Efforts to mainstream concerns on women, peace and security in the regional process of the Pacific Forum Security Committee are

progressing. PNG is an active member of these processes with both government and civil society participation.

The Government of Papua New Guinea is also a member of other international intergovernmental bodies beyond the Pacific, including the United Nations (UN), the Commonwealth, and the Association of South East Asian Nations (ASEAN), which also have global frameworks for promoting gender equality, for example, the Commonwealth Plan of Action for Gender Equality 2001-2015.

3. International commitments

To accelerate progress on gender equality and women’s empowerment at the global level, key international instruments have included the BPFA; CEDAW; the Millennium Declaration and MDGs; and UN Security Council Resolutions 1325, 1820, 1888 and 1889. PNG has ratified these instruments and is obliged to implement them.

The MDGs are a set of time-bound targets that express key elements of human development and were created to guide the progress of sustainable solutions. They include reducing income-poverty and hunger, achieving universal education and gender equality, reducing under-5 mortality and maternal mortality, reversing the spread of HIV and AIDS, improving the living conditions of the poor and disadvantaged living in under-served settlements and reducing the proportion of people without access to safe water. These goals are to be achieved by 2015, from their baseline in 1990. The government’s most recent progress report on the MDGs reported very little cause for optimism that it would be able to meet the 2015 deadline.  

As indicated in MDG 8, “Develop a global partnership for development”, good governance contributes to the enabling environment needed to achieve the other MDGs and human development. With respect to MDG 2, “Achieve universal primary education”, gender parity indices of both primary and secondary school, gender enrolment ratios and cohort retention ratios remain low, dropping below the 1990 base year values in several instances. The progress report yields more disheartening news on the progress on other dimensions of gender equality and female empowerment in the non-agricultural sector; female representation in the national parliament is at less than 1 percent and the incidence of gender-based violence shows an increasing trend.

The government submitted its first report to the CEDAW Committee in 2010 in a “combined initial, second, and third report” in which they provided responses to the questions listed by the CEDAW Committee. Concurrently, the PNG National Council of Women presented the Shadow Report, which echoed and affirmed many of the government messages but also emphasized that:

- The government report did not cover the “real threats posed by new and emerging issues such as climate change and its impact on food security, social impacts of rapid natural resource development, sorcery-related violence, and law and order problems”, and it neglected to address the challenges faced by “minority groups, especially refugees and women with disabilities”.
- The current government organizational structure “is not supportive of gender mainstreaming … where [it] is happening it is being driven by individuals and donors with little ownership by government departments and agencies”.

Among the concluding observations made by the CEDAW Committee in response to the State and Shadow reports were two serious concerns: the persistence of violence against women, including where sorcery is alleged; and the low representation of women in

---

80 Department of National Planning and Monitoring. 2009a.
parliament and in other areas of public and political life. PNG was obligated to report back to the CEDAW Committee in June 2012 on actions taken by the country to address these two specific issues, but this report was not submitted on time. Other recommendations from the Committee emphasize the importance of incorporating the definition of discrimination against women as stipulated in Article 1 of CEDAW, and fully embracing the principle of equality in national legislation.

---

**Box I.6: Potential actions to increase effectiveness of government strategies and international commitments on gender equality**

The following actions are recommended for increasing the effectiveness of government strategies and international commitments on gender equality:

- Review and update the MTDP with the goal of adding specific deliverables to address all seven of the sector strategies listed under gender in MTDP section 5.3 (currently items 1, 2, and 5 do not have concrete actions and resources).

- Disseminate the National Policy on Women and Gender Equality and support the development and resourcing of a DCD work plan to engage with other Government of Papua New Guinea (GoPNG) line agencies on prioritizing gender actions listed in the National Policy in each sectoral agency’s work plan and budget submission.

- Support the GoPNG in convening a joint task force of the Department of Transport (DoT), DNPM, and DCD to map gender budget items annually.
  - In the first year, the task force would review the 2013 Budget once it has been approved by parliament to identify all of the budget allocations that support specific activities identified in the National Policy on Women and Gender Equality.
  - In subsequent years, the mapping could be done in August-September during the budget formulation process, which would allow line agencies to adjust their own budget submissions to better address gender concerns through actions specified in the Policy.

- Allocate specific budget resources to the DCD in the 2013 Budget in order to meet the government’s obligations to report back to CEDAW on the two Committee concerns (violence against women, including sorcery, and low political participation) noting that this report is already late, as it was due in June 2012.

---

Chapter II
Access to Resources: Education and Health

A. Education

1. Access to education services

a. Gender gap

Gender disparity in education is a significant issue in PNG. Despite overall increases in enrolments for both girls and boys at all levels, the government has acknowledged that there is a significant gender gap in education and literacy.\(^{83}\) Chronic disparities in access and completion also persist and widen as the education cycle progresses. While there is limited research on gender, enrolment and retention trends, it is clear that both policy and implementation challenges contribute to persistent gender disparities in access and completion rates.

b. Issues affecting access

**Geography**

The distance from school is a key factor affecting enrolment. In remote and rural areas, students must often travel long distances to attend school. This particularly affects female enrolment and attendance because parents are particularly concerned about the safety of girls.

**Gender-based violence**

Where schools are more accessible, the high level of sexual violence in PNG\(^ {84}\) is a key factor affecting enrolment because girls are at risk of such violence while travelling and at school.

> The unequal status and power relations of women’s conditions in PNG is perhaps most graphically illustrated in the personal insecurity faced by women and girls due to extreme forms of gender-based violence, including rape, with half of all reported victims of sexual abuse are under 15 years of age and one in five assault victims are between ages 16 and 20.\(^{85}\)

These risks for girls become more critical at secondary level. But with fewer secondary school facilities serving wider catchment areas, this requires girls to travel even further distances without full protection. Provincial secondary schools are usually about four hours travel time from the average primary school, about five hours away in poor areas and six

---


hours away in remote areas. The only option for secondary students in remote areas is boarding school, and girls are likely to be disadvantaged because boarding school fees are expensive, well above average annual incomes, despite government subsidies.  

At school, teenage girls are vulnerable to sexual harassment by other students or by male teachers. Discussions with parents, students, teachers and community members in three provinces revealed that, in addition to the fear of gender-based violence, the fear of teenage daughters getting pregnant as a result of attending school was paramount, so many parents forbid their daughters from attending school for this reason. Teenage girls are also less likely to attend school if there is no drinking water or no toilets reserved for girls.

**School fees**

Inability to pay school fees has been identified as a major cause of low enrolment and completion rates and the most common cause of lower attendance or enrolments among girls. Many parents in PNG cannot afford school fees for all their children and some cannot afford to send any of them to school. Research has found that educational opportunity decreased with birth order because of affordability. Forty percent of parents with more than one child attending school invested more in their older children (in higher grades) and less in the children at elementary and primary levels.

**Cultural norms**

Cultural factors also play a role. Inherent gender discrimination has been identified as a key impediment to increased female access and completion at all levels of the education system. Girls are more likely than boys to be needed at home to do household chores, look after younger children, and help to plant and harvest food crops. Girls are also kept at home to marry, in line with parental decisions, and become homemakers. Furthermore, educating boys is seen as more of an investment for a family's future than educating girls. Among the respondents to the 2009-2010 HIES, “family did not allow” was given as a reason for not enrolling or dropping out of school more often by girls than by boys. In the Highlands region, this was the reason for 20 percent of girls who never attended school, while only 12 percent of boys gave the same reason.

**c. Basic education**

Basic Education comprises two levels. Elementary education is the first stage of formal education and consists of Elementary Preparatory Grade, Grade 1 and Grade 2, with instruction in the language of the child’s community. These three years of education prepare a child for entry into primary school at Grade 3. Primary education caters for the 9 to 14 year age group. Lower primary education comprises Grades 3 to 5, and upper primary comprises Grades 6 to 8.

In 1973, the PNG education system had approximately 1,050 institutions, 9,060 teachers, and 254,000 students. By 2010, the system had grown to around 45,000 teachers.

---

87 Department of Education. 2010. Parental School Fee Affordability Study. Case Study. Western Highlands Province. Policy, Planning and Research Division, Port Moresby. pp xii-xiii.
89 Department of Education. 2010; Department of Education. 2009a.
91 Department of Education. 2010, p. xii.
and almost 1.5 million students in around 10,000 schools.\textsuperscript{93} Over the last decade there has been considerable progress in increasing enrolments, with enrolments in elementary education increasing fourfold since 2001. Reforms to the elementary education sector since 2007, including the expansion of places and gradual elimination of fees, have contributed to increased enrolment rates at elementary level across the country. The 2007 reforms included a gender audit and review of learning and instructional materials. The piloting of School Learning Improvement Plans has strengthened community engagement and women’s participation.

These achievements have been made despite immense implementation challenges. The geography of the country is rugged, making access and communication difficult, slow and expensive. Many communities in PNG remain isolated and hard to reach. In addition, local conflicts and natural disasters disrupt school attendance and affect learning outcomes.

Gross enrolment rates of 140 percent for males and 137 percent for females in 2010 (in contrast to 79 percent and 77 percent in 2006) attest to the considerable number of over-age enrolments at elementary level. In 2007, only 15 percent of girls and boys enrolled in elementary school at the correct age (6 years old), while over 80 percent enrolled at age 7 or older. One in three (34 percent) enrolled at age 9 or later. This is cause for concern because international evidence indicates that the older the child is at enrolment, the greater the chances of not completing the basic cycle of primary school.\textsuperscript{94} In a context such as PNG, where a range of socio-cultural, geographic and economic factors intersect to impede female access to education, over-age enrolments are even more likely to have a negative impact on girls’ transition and completion rates. It is important for girls to commence elementary education at age 6, because they are less likely to be able to complete primary education after reaching puberty.

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{box2.png}
\caption{Box II.1: Note on enrolment data sources}
\end{figure}

The most commonly used school enrolment statistics are derived from school records of enrolments. Enrolment ratios are calculated by dividing the number of children enrolled by the school age population, derived from census data. The gross enrolment ratio (GER) includes all children enrolled in school; the net enrolment ratio (NER) includes only those of the correct age for that cycle of schooling.

Enrolment (or attendance) ratios can also be derived from survey data such as Demographic Health Surveys and the Household Income and Expenditure Surveys. Enrolment and attendance ratios (both gross and net) are based on children’s attendance in school as reported by the survey respondents. Enrolment ratios derived from survey data are often much lower than enrolment ratios derived from school records because children included in school enrolment records may not actually be attending school. However, these large-scale surveys are only administered on an occasional basis and data are very sensitive to question wording and how the survey is administered. Determining which children are of school age can be particularly problematic. Because of this, statistics based on school records can be more useful for showing changes over time.

Data from the 2010 HIES indicate that the primary NER was only 35.9 percent compared to an NER of 74.9 percent measured using school records. At secondary level, the HIES estimates the NER to be 28.1 percent compared to an estimate of 63.6 percent (2009 figure) derived from school enrolment records.

The HIES data indicate that gender inequality in secondary education is worse than indicated from the statistics given in Table II.1. The secondary gender parity ratios for the GER measured by HIES is 0.78, indicating fewer than 4 girls to every 5 boys in secondary school.


\textsuperscript{94} Cameron, L. 2005. \textit{Primary Completion Rates}. EPDC Technical Paper WP-09-01. Education Policy and Data Center, Washington DC.
Net enrolment rates at the basic education level have increased by almost one third (from 53 percent in 2007 to 75 percent in 2010). Yet female net enrolments in basic education continue to lag behind males (73 percent compared to 77 percent in 2010).\textsuperscript{95} In 2009/10 there were only 92 girls for every 100 boys in primary school.\textsuperscript{96} National data mask larger gender disparities at the provincial level. In the Highlands region there were only 85 girls in primary school to every 100 boys.\textsuperscript{97}

While completion rates to grade 8 are low for both boys and girls at the primary level, a considerably lower number of girls complete a full primary cycle (59 percent of girls compared to 64 percent of boys in 2007).\textsuperscript{98} For girls, the completion rate is less than 50 percent in six of the 21 provinces of PNG, while for boys the completion rate is less than 50 percent in only three of the provinces.\textsuperscript{99}

Table II.1 shows the available data for the indicators for MDG 2 and MDG 3.

<table>
<thead>
<tr>
<th>Millennium Development Goals</th>
<th>Indicators</th>
<th>Females (%)</th>
<th>Males (%)</th>
<th>Total (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>MDG2: Achieve universal primary education.</td>
<td>Net enrolment rate in basic education (2007)*</td>
<td>51.4</td>
<td>54.3</td>
<td>52.9</td>
</tr>
<tr>
<td></td>
<td>Net enrolment rate in basic education (2010)</td>
<td>72.5</td>
<td>77.1</td>
<td>74.9</td>
</tr>
<tr>
<td></td>
<td>Completion rate – Grade 8 (2007)</td>
<td>42.0</td>
<td>45.8</td>
<td>44.1</td>
</tr>
<tr>
<td></td>
<td>Completion rate – Grade 8 (2010)</td>
<td>51.9</td>
<td>62.7</td>
<td>57.5</td>
</tr>
<tr>
<td></td>
<td>Literacy rate of 15-24 year-olds, women and men (2009)**</td>
<td>64.7</td>
<td>70.3</td>
<td>70.3</td>
</tr>
<tr>
<td>MDG3: Promote gender equality and empower women.</td>
<td>Ratio of girls to boys in elementary education (GER for males of 83.4 and females 83.2)***</td>
<td>–</td>
<td>–</td>
<td>1.00</td>
</tr>
<tr>
<td></td>
<td>Ratio of girls to boys in primary education (Grade 3 to Grade 8) (GER for males of 77.3 and females 71.1)***</td>
<td>–</td>
<td>–</td>
<td>0.92</td>
</tr>
<tr>
<td></td>
<td>Ratio of boys to girls in secondary education (Grade 9 to Grade 12) (GER for males of 49.7 and 38.9 for females)***</td>
<td>–</td>
<td>–</td>
<td>0.78</td>
</tr>
<tr>
<td></td>
<td>Ratio of boys to girls in tertiary education (2010)*</td>
<td>–</td>
<td>–</td>
<td>0.70</td>
</tr>
</tbody>
</table>

Sources:
*Figures provided by Department of Education (DoE) from the 2010 Census. Please note that Census data are not complete and have not yet been fully cleaned or publicly endorsed by DoE. GERs are from DoE PAF indicators, 2010. **UNESCO Institute for Statistics. 2009. ***National Statistical Office. 2012.

Around one third (37 percent) of females, compared to 26 percent of males, have never attended school. The gender difference is particularly marked among teenage girls, with one in six girls aged 15 to 17 never having attended school, compared to one in 14 boys of the same age.\textsuperscript{100} In the Momase region over a quarter of girls in this age bracket had never attended school, compared to only 5.6 percent of boys. These findings highlight the need, especially among girls and young women, for “second chance” non-formal education. But

\textsuperscript{95} Department of Education. 2004.
\textsuperscript{97} National Statistical Office. 2012. Table 2.8.
\textsuperscript{98} Department of Education. 2009a. p. 16.
\textsuperscript{99} Department of Education. 2009a. p. 13. Table 11.
\textsuperscript{100} National Statistical Office. 2012.
non-formal education programmes in PNG are limited and fragmented at best, with no linkages to the formal system for students who may wish to make the transition.\textsuperscript{101}

According to the 2011 Education for All Global Monitoring Report, in the 15-24 year age group only 70 percent of males and 65 percent of females in PNG are literate. Pacific region averages for males and females in this age group are 92 percent and 91 percent, respectively.\textsuperscript{102} This relatively low literacy rate in PNG is a concern because high youth and adult illiteracy are critical challenges for development and stability.

<table>
<thead>
<tr>
<th>Box II.2: Gender differences in self-reported literacy</th>
</tr>
</thead>
<tbody>
<tr>
<td>In PNG, women are 25 percent less likely than men to consider themselves literate, with 69 percent of men reporting that they can read and write compared to 57 percent of women. We see consistent rural-urban gaps for both men and women, with urban respondents 30 percent more likely to report being literate than rural respondents. Significant regional variations are also found, with women quite close to literacy parity in the Island region and far behind in the Highlands region.</td>
</tr>
<tr>
<td>There are stark differences when we examine literacy by age: nationally, 79 percent of young men and women (aged 14-25) report being literate, compared with 66 percent of adults aged 25 to 50, and only 44 percent of those aged over 50.\textsuperscript{103} The gender literacy gap is closing between young men and young women: 83 percent of young men self-report as literate compared with 75 percent of young women, with an 8 percent gender gap, whereas the gap for those aged 25 to 50 is 18 percent and that for those over 50 is 25 percent.</td>
</tr>
</tbody>
</table>

\textbf{d. Secondary education}

PNG’s secondary education system consists of four grades: lower secondary (Grades 9 and 10) and upper secondary (Grades 11 and 12). Gender disparities become more pronounced at secondary levels. Most girls who enter basic education leave without basic literacy skills. Few will have the opportunity for “second-chance” learning, seeking poorly paid work in the informal sector and continuing the cycle of intergenerational poverty. Broader internationally recognised benefits of higher female secondary school enrolment – lower infant mortality rates, lower fertility, lower rates of HIV/AIDS, and better child nutrition – will have also been lost.

The secondary gross enrolment rate for females was 39 percent in 2010, compared to 50 percent for males, indicating a ratio of only 78 girls to every 100 boys attending secondary school.\textsuperscript{53} While rates for the transition from grade 8 to 9 continue to exceed the National Education Plan 2 (NEP2) target of 50 percent, transition rates to upper secondary were low overall (55 percent) in 2007.

Secondary education is expensive in relation to the financial resources of most of the population. Secondary fees are almost four times higher than primary fees for day students (K 750 for grades 9-10 and K 800 for grades 11-12) and five to six times higher for boarders (K 1,100 for grade 9-10 boarders and K 1,300 for grade 11-12 boarders).\textsuperscript{104}

\textsuperscript{101} Department of Education. 2009a. pp. 10-11.
\textsuperscript{103} The HIES reports on 14-25 year olds whereas UNESCO’s standard reporting is on 15-24 year olds.
\textsuperscript{104} Department of Education. 2011. Gender Initiatives of the Department of Education. Port Moresby.
Box II.3: The changing gender gap in education

To examine how the gender balance in education has changed over time, we can compare the enrolment ratios for girls and boys estimated in the 2009-2010 HIES with the findings of the 1996 Demographic Health Survey (DHS). The 1996 survey showed that the net female enrolment rate in primary schools was about 6.7 percentage points below that for males (48 percent versus 54 percent). HIES data indicate that this gender gap has decreased to 1.2 percentage points (50.2 percent versus 51.4 percent), a moderate rate of progress over the past 14 years.

At the secondary level, the gender gap has actually increased slightly from 1.9 percentage points in 1996 to 2.3 percentage points in 2009/10. The biggest and most persistent gender gaps are in literacy rates and the share of people who never attended school at all.105

e. Tertiary education

Gender inequalities persist through tertiary levels including technical and vocational education and training (TVET) and contribute to gendered employment patterns and inequities in the formal sector. Men significantly outnumber women undertaking tertiary study although there has been a modest change in the ratio of men and women. Men were 63 percent of all higher education graduates in 2009 but today university enrolments comprise 61 percent men and 39 percent women. There has been an increase of 6 percent in female enrolments since 2000.106

Course selection at higher educational institutions has changed little over the last decade and remains strongly gendered, reflecting a highly segregated labour market, where few females work in the formal sector or in non-traditional occupations in the formal sector, and even fewer occupy senior management positions. Males dominate enrolments in accounting, economics, engineering and law, while most females enrol in areas such as education, nursing and business and management.107 But in the decade between 2000 and 2010 there was a decrease in the percentage of women opting for courses in teaching and nursing (18 percent and 4.7 percent, respectively, in 2010, compared to 22 percent and 11 percent in 2000).

Areas of study that are highly gendered in favour of males may be due to lack of provision of appropriate facilities for women at these institutions. Further research could clarify whether women’s choices are influenced by opportunities to enrol, labour market segregation or attitudes on “appropriate” female professions, or all three factors. An encouraging trend is the significant number of females now enrolling in natural resources and agriculture courses, with more females than males enrolled in the Forestry and Timber graduate programmes at the University of Technology, and with females having a growing interest in the fisheries programme at Kavieng.

The TVET sub-sector in PNG remains largely a male domain. Limited available data suggest that only 25 to 30 percent of enrolments are female and this proportion has not increased over time.108 Gender segregation in courses is marked with male enrolments concentrated in technical and trades training and female enrolment concentrated in hospitality and home economics related training.

105 National Statistical Office. 2012. Table 2.6 and Table 2.9.
107 Department of Education. 2011.
Women have limited access to vocational training. There are limited places for both males and females, with only 9,000 places in TVET programmes for 50,000 annual school leavers. Most training institutions focus on traditionally “male” programmes, and do not offer adequate facilities (sanitary and secure boarding) for girls and women. Approximately 85 percent of PNG’s population live in rural areas, but training facilities are mainly located in urban centres, so rural women are at considerable disadvantage. Fees for TVET courses ranged from K400 to K4,000 per annum in 2009. So far there have been very limited initiatives to increase the participation of women in technical and trades training, despite the huge market demand for skilled workers. This lack of training for women is one of the factors to account for the fact that female participation in the formal (non-agricultural) economy is only 5.7 percent in PNG, the lowest rate of participation in the Pacific.

2. Education policies and programmes

a. Policy framework

Two government departments manage the formal education system, under separate Ministries: the Department of Education and the Office for Higher Education. The Higher Education Act 1983 governs the higher education sector. Although the government has oversight of all schools registered within the national education system, approximately half of all schools are run by non-government agencies. Much of the planning, delivery and management of education services has gradually been decentralized. Of the 21 provinces, 14 currently have provincial education plans.

The legal framework guarantees men and women equal access to education and the overarching development policies recognize universal basic education and gender equality as the cornerstones of future development. Vision 2050 notes that “significant gender inequalities remain a concern” and reaffirms PNG’s commitment to achieve Universal Access to Basic Education.

---

109 Figures provided by Department of Education. August 2011.
111 Department of Education website. (Accessed 20 September 2011).
Primary Education.\textsuperscript{112} Similarly, the DSP 2010-2030 notes that gender disparities in favour of males exist at all levels of the formal education system and that “PNG cannot reach its potential if inequality continues to exist”.\textsuperscript{113} The central focus of the MTDS 2005–2010 is the achievement of universal basic education and ensuring that all children, boys and girls, will be able to complete nine years of basic education by 2015.

The Universal Basic Education Plan 2010-2019 (UBE) commits to addressing issues of access, equity, quality, and sector capacity that have an impact on sector performance. It notes that targeted actions are required to address persistent gender gaps at the primary level. The NEP2 provides a “road-map” to achieve global education goals. It outlines a vision and strategies for implementation and financing of elementary, primary, secondary, vocational/technical and flexible, open and distance education. Organized around crosscutting themes of access, quality and management, it identifies gender inequity as one of several major social issues to be addressed as a priority.\textsuperscript{114} In comparison to the basic education sector, there is little policy and programme detail for the secondary and post-secondary education sectors in PNG. Secondary education policy and programmes outlined in the NEP2 identify the major policy outcome as relevant, affordable and quality secondary education provided to selected Grade 8 and 10 graduates.\textsuperscript{115} The minor outcomes include improving affordability and cost-effectiveness. Gender issues are not specifically addressed in the discussion of the secondary education sub-sector. Both the NEP2 and the MTDS briefly address vocational/technical education. The Aligned Sector Plan for Higher Education 2012-2015 provides the strategy but does not include specific gender-related objectives or targets.

The Department of Education’s Gender Equity in Education Policy (2009)\textsuperscript{116} provides a framework of values and principles for achieving gender equity and outlines key responsibilities for mainstreaming gender at national and school level. It includes operational detail, divisional strategies, indicators and equity targets for each of department’s divisions and provinces. The (Draft) Gender Equity Strategic Plan (2009-2014) notes that major challenges to implementing the Plan include perceptions that gender issues are a low priority, as well as limited institutional commitment, leadership, capacity and resources to address gender issues.\textsuperscript{117} Guidelines for implementation support these documents. In addition, an Equal Employment Opportunity, Anti-Discrimination and Harassment Policy was put in place in 2009. The National Special Education Policy (2003) provides guidelines for ensuring inclusive education practices in schools but does not specifically address gender.

\textbf{b. Policy gaps and implementation challenges}

Although gender equality in education is an overarching policy priority, specific sub-sector strategies to achieve gender parity commitments have not yet been fully developed, and remain under-resourced at the national and provincial levels.

Neither the DSP 2010-2030 nor Vision 2050 identify strategies, programmes or budgets for achieving gender parity goals. NEP2’s Implementation Plan and Financing Schedule are gender-neutral. Similarly, the UBE does not specify clear strategies for achieving its gender equity goals. It notes instead that the generic strategies identified for reaching 100 percent enrolments will help to close any gender gap in education opportunities.\textsuperscript{118}

\begin{itemize}
  \item Government of Papua New Guinea. 2010; Department of National Planning and Monitoring. 2010a.
  \item Department of National Planning and Monitoring. 2010a.
  \item Department of Education. 2004. p. 8.
  \item Department of Education. 2004. pp 63-69.
  \item The 2009-2014 Gender Equity Strategic Plan follows the 2002 Gender Equity Plan.
  \item Department of Education. 2009b. Gender Equity in Education Policy. Guidelines for Implementation. Port Moresby. p. 11.
  \item Department of Education. 2009a. p. 58.
\end{itemize}
Decentralization of various responsibilities to the provincial level is hampered by weak capacity. Moreover, there is little technical or financial support at these decentralized levels for implementing gender equality policy and monitoring and evaluation of gender outcomes. None of the finalized 14 Provincial Plans include clearly identified gender targets or the strategies and finances for achieving them. Training at the provincial and district levels is mandated through the Gender Equity in Education Policy (2009) and the (Draft) Gender Equity Strategic Plan (2009 – 2014), but implementation continues to be constrained by limited human and financial resources.

The Gender Equity Strategic Plan is sound but has not been implemented to any meaningful extent. It notes the fact that although the country has progressive national laws and policies, the lack of capacity for their coordination implementation and monitoring is currently a major limitation. As noted previously, although mandated, no Gender Focal Points have yet been appointed and no Divisional Gender Action Plans have yet been finalized. Established in 1999, the Department’s Gender Equity Desk was vacant until late 2010 and does not have a budget to implement gender-related policy initiatives. One person, who is also the Executive Officer for the Accelerating Gender Equity in Education Committee, currently staffs it. Gender disaggregated data are regularly collected by both the Department and the Office for Higher Education. Without mechanisms for regular review of gender policy commitments and programme implementation, however, it is unclear how appropriate policy and programme adjustments can be made if required.

There are very few women in senior management roles in the public and private sectors in PNG and the education administration sector is no exception. In 2011, there was only one woman at Assistant Secretary level in the department. There have only been modest increases in female teachers over the last 10 years – from 44 percent of primary teachers in 2000 to 46 percent in 2010, and from 34 percent at lower secondary in 2000 to 38 percent in 2010.

As teacher’s seniority level increases, the percentage of females decreases significantly. There are no women holding positions at the highest teaching levels (TS10 and TS11). In 2010 in the teacher-training subsector, women were only 32 percent of lecturers in teacher training colleges and there were no women at the principal level. In 2009 only 26 percent of head teachers were women.

Box II.4: Potential actions to increase girls’ access to education

The following actions are recommended to increase girls’ access to education:

- Support a joint effort by the NDOE and the DNPM to reconcile and align the various strategy documents, programmes and interventions related to gender parity in education, with specific focus on bringing the MTDP sections 3.4 and 5.3 and the UBE and NEP2 up-to-date, with concrete and costed actions on gender parity.
- Provide budget to the NDOE Gender Equity Desk, appoint Gender Focal Points, and develop Division Gender Action Plans (per the NDOE Gender Equity Strategy Plan).
- Prioritise collection and analysis of sex-disaggregated data on enrolment and completion outcomes as fee-free education and UBE continues, and report publicly.
- Carry out research to identify the gender specific barriers to transition from primary to secondary and from secondary to tertiary.

---

119 The 2009-2014 Gender Equity Strategic Plan follows the 2002 Gender Equity Plan.
120 Department of Education. 2009b. p. 11.
121 Department of Education. 2011; Discussions with the Department of Education on 26 July 2007.
122 Figure provided by the Department of Education. September 2011.
123 Department of Education. 2009b. p. 17.
• Provide targeted financial support to girls at secondary and tertiary levels through scholarships, bursaries and/or fee waivers.
• Investigate girls’ academic performance relative to boys’, and causes for poor performance (e.g. gendered learning expectations of teachers) as this can be a major barrier to transition.
• Include gender awareness in pre-service and in-service teacher training.
• Implement a zero tolerance policy on gender-based violence perpetrated by students and teachers.
• Ensure that girls who become pregnant are not discriminated against and are able to continue their education.
• Provide more non-formal learning opportunities at the basic/primary school level for women and girls who have missed out on formal schooling altogether.

B. Health

1. Health services

According to the government’s National Health Plan 2011-2020, in PNG the “health of the people and health services are in crisis” with deteriorating health indicators, particularly for the majority population who live in rural areas. The impacts are most serious for women, who suffer from many forms of disadvantage relative to men, as documented in this volume. In particular, poor health services place women’s lives at risk in childbirth and reduce the chances of their children surviving infancy and early childhood. Poor health also limits productive capacities such as school attendance and economic activities.

PNG has the lowest spending on health per capita in the Pacific region. Furthermore, government spending has declined. Between 2000 and 2006, national government expenditure on health fell from 4 percent of GDP to 3.2 percent. Provincial and local governments are largely responsible for delivering health services, but in 2008 most provinces were spending on average only one quarter of the amount needed to provide a minimum level of services, suggesting low political priority accorded to the sector (Figure II.2). In contrast, donor funding through the Health Sector Improvement Programme (HSIP) increased from K 4.8 million in 2005 to K 14.8 million in 2008. The impact of donor funding on improved health services is yet to be seen, however.

While the population has nearly tripled since independence in 1975, health service provision has declined. In 2010, only 71 percent of aid posts remained open, with some areas suffering very severe losses. The ability of health centres and hospitals to provide both outpatient and inpatient services has shown a steady decline: only 80 percent of facilities are reachable by telephone or radio, and supplies of essential drugs are available only 75 percent of the time. An aging and demoralized workforce with insufficient staff, including a lack of trained midwives and community health workers, further constrains...
provision of adequate care. PNG has a ratio of only 0.58 health workers (doctors, nurses and midwives) per 1,000 population, compared with 2.23 in Fiji and 2.74 in Samoa. Over half of all health care is provided through church-run services, and non-state actors play an ever-increasing role in health care delivery. This is not necessarily a negative situation if the state provides adequate subsidies to non-state service providers along with sectoral governance, such as setting, monitoring and enforcing standards.

Poorly maintained roads, unreliable land and water transport, low provision of water and electricity supplies, and law and order problems exacerbate the accessibility and quality of health services, especially for the largely rural population. The 2009-2010 HIES findings show that the constraints to accessing health care differ between rural and urban areas. Of those reporting health problems, rural respondents were more likely than urban respondents to cite distance to health facilities, cost of health care, cost of transportation and absence of health workers as reasons for not seeking treatment. Of those who used a health facility in the previous month, three quarters of rural respondents walked to the health facility, compared to 43 percent of urban respondents. Rural respondents were also more likely to use church health centres (17 percent) than their urban counterparts (6 percent).

The poor performance and decay of health services impacts most heavily on women. Women are frequent users of these services, and are the only users of maternal and child health care facilities, but women have the greatest difficulty in gaining access to them. The closure of many aid posts means that women (usually with their children) have to travel further, incurring greater costs for transport, risks to their security, and opportunity costs of

---

133 Department of National Planning and Monitoring. 2010b.
134 National Statistical Office. 2012. Tables 5.3 and 5.5.
time away from home where women bear the heavy daily burden of childcare, food production and other household chores. Access to services for rural women has been further restricted by the “unacceptably low” number of outreach clinics (from rural health centres) to remote villages for immunization, antenatal care, nutrition monitoring and family planning. These factors result in poor health outcomes for rural women, as shown by large rural-urban disparities in key reproductive health indicators (Table II.2), which are examined in further detail below.

Table II.2: Selected indicators of maternal health, 2006

<table>
<thead>
<tr>
<th>Indicators</th>
<th>Overall</th>
<th>Rural</th>
<th>Urban</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maternal mortality ratio per 100,000 live births</td>
<td>733</td>
<td>741</td>
<td>711</td>
</tr>
<tr>
<td>Total fertility rate (number of children born per woman)</td>
<td>4.4</td>
<td>4.5</td>
<td>3.6</td>
</tr>
<tr>
<td>Mothers who delivered with professional assistance a</td>
<td>53.0%</td>
<td>47.5%</td>
<td>88.1%</td>
</tr>
<tr>
<td>Mothers who received one or more antenatal care from a health professional (doctor, nurse or midwife) b</td>
<td>78.8%</td>
<td>76.4%</td>
<td>93.4%</td>
</tr>
<tr>
<td>Births at home</td>
<td>44.2%</td>
<td>49.7%</td>
<td>9.6%</td>
</tr>
<tr>
<td>Mothers who received tetanus toxoid vaccination during pregnancy</td>
<td>69.6%</td>
<td>67.6%</td>
<td>83.1%</td>
</tr>
<tr>
<td>Neonatal mortality (within first month of life) per 1,000 live births</td>
<td>29</td>
<td>31</td>
<td>20</td>
</tr>
<tr>
<td>Infant mortality rate (within first year of life) per 1,000 live births</td>
<td>58</td>
<td>62</td>
<td>31</td>
</tr>
<tr>
<td>Births with interval of less than 24 months</td>
<td>26.6%</td>
<td>25.9%</td>
<td>31.7%</td>
</tr>
</tbody>
</table>

a National Health Information System data for 2009, cited in the 2010 Annual Health Sector Review, shows a much lower rate at 40%.
b National Statistical Office data show that 55% of births are by women who had four or more antenatal visits during pregnancy (p. 108).

2. Health status

a. Maternal health

The government recognizes that poor maternal health is the most important health issue in the nation. The maternal mortality ratio of 733 deaths per 100,000 live births is high by world standards and is the second highest in the Asia-Pacific region, following Afghanistan. The ratio appears to have nearly doubled between 1996 and 2006, up from 370 in 1996. Every year in PNG, 1,500 women die from maternity related causes; and for every woman who dies, another 30 will suffer lifelong consequences related to complications sustained during pregnancy or childbirth.

There is a marked difference between urban and rural areas, as shown in Table II.2 above. A far lower percentage of rural women than urban women receive antenatal care during pregnancy or professional assistance during childbirth. A significantly higher percentage of rural women give birth at home: nearly half of rural women deliver at home compared to only 10 percent of urban women. Given that antenatal care and professional assistance during childbirth are key factors in reducing the risk of maternal mortality, rural women are at greater risk of death during childbirth than urban women.

----

137 The estimates in the 1996 and 2006 Demographic and Health Surveys used different methods, so the difference is also likely to be due to these different methods. National Department of Health. 2009a. *Ministerial Taskforce on Maternal Health in Papua New Guinea Report*. Port Moresby. p. 1.
Figure II.3 illustrates that the percentage of women receiving antenatal care varies significantly by region and by the mother’s level of education. The likelihood of receiving antenatal care increases substantially as the mother’s education goes up. Importantly, Figure II.3 demonstrates that during the decade between 1996 and 2006, there was little improvement in access to antenatal care.

A recent study of the causes and contexts of 32 maternal deaths in Milne Bay Province found that delay in seeking medical help when complications arose was a key factor, while the husband’s dominance of resources and decision-making was an associated factor in the majority of these cases. Most of the deaths were caused by post-partum haemorrhage. The study indicated that women giving birth for the first time are more likely to deliver with assistance from a trained health worker, although most women gave birth at home for the sake of convenience and avoidance of expense. Other significant factors related to the maternal deaths included the lack of basic drugs and supplies, lack of suitably trained staff, and poor management of obstetric emergencies at health centres. The recommended interventions included: improvement of antenatal, obstetrical and family planning services and facilities; provision of medications and baby bundles to expectant mothers; and measures to encourage greater involvement of fathers in antenatal care.

b. Reproductive health

There is a direct relationship between a country’s total fertility rate and its maternal mortality ratio, and an inverse relationship between a country’s total fertility rate and its standard of living (GNP/capita). High fertility rates impose a strain on women’s physical health and limit their ability to effectively perform their domestic, community and economic roles. The total fertility rate (TFR) in PNG is high, though it dropped slightly from an average of 4.8 births per woman in 1996 to 4.4 births per woman in 2006. Women in rural

---

areas tend to have a higher TFR (4.5) than women in urban areas (3.6).\textsuperscript{142} Most women in PNG breastfeed for long periods: 80 percent of children are breastfed for 18 months,\textsuperscript{143} which is beneficial for infants but places a strain on the health of poorly nourished women.

The median age at first birth for women in PNG is 20.5 years, but almost 16 percent of women begin childbearing before age 18.\textsuperscript{144} The adolescent fertility rate is high, at 65 births per 1,000 women aged 15-19 years.\textsuperscript{145} The proportion of teenagers who have begun childbearing is twice as high among girls with no education compared to girls with grade 7 or higher education.\textsuperscript{146} Early childbearing affects the health of young women and their children, and also impacts on their long-term education and employment prospects.

Between 1996 and 2006 there was an overall decline in both the total wanted fertility rate and in the actual fertility rate, with rates falling from 3.9 to 3.0 for the wanted number of children and from 4.8 to 4.4 for children actually born.\textsuperscript{147} Thus, the actual fertility rate is 47 percent higher than it would be if unwanted births were avoided. This has significant implications for the country given its rapid population growth rate of 2.7 percent, a youthful and soon-to-be-fertile population (40 percent are aged under 15 years) and a high dependency burden.\textsuperscript{148}

The overall contraceptive prevalence rate in 2006 was 32 percent, up slightly from 26 percent in 1996.\textsuperscript{149} The methods most used by currently married women are injections (9.1 percent), female sterilization (8.6 percent), traditional methods (8.1 percent) and the pill (4.6 percent).\textsuperscript{150} Among currently married men, traditional methods are the most used, at 13 percent, suggesting a need for family planning programmes to reach married men more actively. Other methods used by married men are periodic abstinence at 8.7 percent, and male condoms at 6.1 percent. While awareness of modern methods of contraceptive is reportedly high, with over 80 percent of women and men having knowledge of any modern method (Table II.3), the main reason cited by women for not intending to use contraception in future is lack of knowledge (35 percent).\textsuperscript{151} This indicates a need for educational programmes that focus precisely on how to use modern methods of contraception.

<table>
<thead>
<tr>
<th>Table II.3: Family planning knowledge and use, men and women aged 15-49 years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Currently married</td>
</tr>
<tr>
<td><strong>Indicators</strong></td>
</tr>
<tr>
<td>Knowledge of any modern method</td>
</tr>
<tr>
<td>Knowledge of source of any modern method</td>
</tr>
<tr>
<td>Ever used any modern method</td>
</tr>
<tr>
<td>Contraceptive prevalence rate (currently using any method)</td>
</tr>
<tr>
<td>Unmet need for family planning</td>
</tr>
</tbody>
</table>


\textsuperscript{142} National Statistical Office. 2009. p. 40.
\textsuperscript{145} World Bank. 2011a.
\textsuperscript{146} National Statistical Office. 2009. p. 49.
\textsuperscript{147} National Statistical Office. 2009. p. 91.
\textsuperscript{148} Department of National Planning and Monitoring. 2010a. p. 108.
\textsuperscript{149} National Statistical Office. 2009. pp. 57.
\textsuperscript{150} National Statistical Office. 2009. pp. 55-57.
\textsuperscript{151} National Statistical Office. 2009. p. 64.
There is an urban-rural difference in contraceptive use. Urban married women make more use of modern contraceptives than do rural women (37 percent versus 22 percent) and have more access to the main sources of supply cited for these methods: hospitals (41 percent) and health centres (21 percent). Furthermore, urban men show a greater acceptance of family planning use by their partner/wife than rural men (33 percent compared to 29 percent). Men generally want more children than women do (4.0 vs. 3.6 on average). There is marked but not constant variation between provinces for most reproductive health indicators.

c. Family and sexual violence

International research has shown that physical and sexual violence by a husband or other intimate partner is linked with many negative health outcomes, not only for women but also for their children, including unwanted or mistimed pregnancies, high-risk pregnancies, high incidence of low birth weight, higher prevalence of sexually transmitted infections (STIs) and HIV, and maternal deaths. National studies in PNG have found that the majority of women experience male violence during their lives, with two out of three women experiencing physical violence from their husband or partner and one out of two women experiencing forced sex.

d. HIV and other sexually transmitted infections

PNG has a generalized HIV epidemic with a national prevalence rate of 0.9 percent. In 2009, nearly two thirds of detected HIV infections were in females, reflecting the greater number of women being tested than men (see section C below). STIs are common throughout the country, and are often chronic, since women’s fear of their husband’s reaction makes them reluctant to notify their husband of the need for simultaneous treatment to avoid continual re-infection. Overall, 69 percent of the 71,025 STI cases recorded in 2009 were among women.

e. Malnutrition

Malnutrition is widespread in PNG, particularly affecting women and children. Because of the lower status of adult women compared to men, when food is scarce women are less likely to have access to highly valued food high in protein and rich in fat. Among adults, women suffer more than men from anaemia (36 percent vs. 26 percent) and chronic energy deficiency (5.3 percent vs. 2.9 percent). Vulnerability and poverty have been assessed as

---

159 National Department of Health. 2010d. p. 46.
160 National Department of Health et. al. 2011.
being largely rural phenomena and malnutrition has been linked to periods of chronic food shortage in the regions of PNG that are disadvantaged by environmental constraints.

A high proportion of children in PNG are malnourished, with rural-urban differences being more salient than gender differences, according to the findings of the 2009-2010 HIES. Among pre-school children, chronic malnutrition causes growth stunting, anaemia and vitamin A deficiency, the levels of which in PNG are classified by the World Health Organization (WHO) as constituting a public health issue of high significance. Table II.4 shows that half of all rural children aged 5 and younger are stunted, compared with about one third of urban children of the same ages. The underweight problem is also more common for rural children (28 percent) than urban children (20 percent). Child malnutrition is also associated with short birth intervals, chronic diarrhoea and malaria, as well as poverty and poor maternal health.

Table II.4: Prevalence of symptoms of malnutrition in children

<table>
<thead>
<tr>
<th></th>
<th>Rural</th>
<th></th>
<th>Urban</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All</td>
<td>Female</td>
<td>Male</td>
<td>All</td>
</tr>
<tr>
<td>Stunted</td>
<td>50.0</td>
<td>48.8</td>
<td>51.1</td>
<td>35.3</td>
</tr>
<tr>
<td>Underweight</td>
<td>28.3</td>
<td>27.4</td>
<td>29.0</td>
<td>19.6</td>
</tr>
<tr>
<td>Wasted</td>
<td>16.3</td>
<td>16.3</td>
<td>16.3</td>
<td>16.1</td>
</tr>
</tbody>
</table>


f. Other health conditions

Epidemiological research demonstrates that women in developing countries can have higher vulnerability than men to some diseases, including tuberculosis, dengue fever and avian influenza. These differences in vulnerability are related to differences in the economic roles of men and women as well as to their access to health services. There is no sex-disaggregated data on the prevalence and incidence of other common major diseases in the overall population in PNG, however. Malaria and pneumonia are the two leading causes of outpatient visits, hospital admissions and deaths. Other prevalent communicable diseases include diarrhoeal diseases, tuberculosis, respiratory infections and skin diseases.

Binge-drinking of alcohol is a widely recognized public health problem, associated with physical injuries sustained from fighting, and linked to family and sexual violence (FSV). The 2009-2010 HIES found that fewer women reported consuming alcohol in the month prior to the survey (1.3 for rural and 7.1 for urban) compared with men (13.5 for rural and 29.1 for urban). The HIES also found that almost half of the men and women surveyed (rural and urban) reported daily consumption of betel nut. Heavy use of betel nut is associated with oral cancer.


g. Education and health status

The link between women’s education on the one hand and health status and access to health services on the other is very significant. The difference in the effects of women’s education on their health service access is more pronounced in rural areas, where access to health care is more problematic than in urban areas. In some instances, men’s education level was also linked to improved indicators of reproductive health. Virtually every indicator shows better outcomes for women who have completed Grade 7 or higher, compared to women who have had no education. For example, educated women are more likely to have antenatal care during pregnancy and to deliver with health personnel supervision rather than at home.\(^{166}\)

Educated men and women are also more likely to use modern contraceptives. Married women with Grade 7 or higher levels of education have the highest use of any method (43 percent) compared to women with lesser education. More than twice as many men without Grade 7 education (22 percent) do not want their wife or partner to use family planning compared to men with Grade 7 or higher education (10 percent). The effect of education on health, however, is not as great as it could be, since only 17 percent of women and 23 percent of men have completed Grade 7.\(^{167}\) These facts show the importance of investment in universal education to improve the health status of women and their families.

3. Policy environment

a. The National Health Plan 2011-2020

The importance of improving the health status of women and their families is recognized in PNG’s major national development planning directives. The approach of the National Health Plan (NHP) is captured in its subtitle, “Back to Basics”. It aims to rehabilitate the primary health care system, improve maternal health and child survival and reduce the burden of communicable diseases, with emphasis on the rural majority and urban disadvantaged. The NHP focuses on poor maternal health as the “main health concern”,\(^{168}\) specifying strategies for improving maternal health:

- Bringing services closer to communities, prioritizing the rehabilitation of aid posts, health centres and district hospitals, and ensuring every health facility can provide good quality maternal health services.
- Establishing Community Health Posts with core responsibilities for maternal and child health services, and health promotion activities to improve access.
- Increasing the numbers of nurses, midwives and community health workers.
- Stronger promotion for family planning through all health facilities, the Village Health Volunteer programme and community based distribution.
- Supporting the roll-out of Family Support Centres for victims/survivors of FSV.

b. Other policies relating to gender and health

The purpose of the National Sexual and Reproductive Health Policy is to remove barriers to the effective provision of and use of sexual and reproductive health services. The policy aims to use gender-responsive programming and includes strategies to limit FSV and other practices harmful to women and children, and increase the involvement of men in sexual and reproductive health issues.\(^{169}\)

The National Family Planning Policy seeks to promote family planning options to stabilize population growth, enable couples and individuals to achieve reproductive goals, and minimize illness and disability related to reproduction. It calls for gender issues to be

\(^{166}\) National Statistical Office. 2009.
\(^{168}\) National Department of Health. 2010d. p. 11.
mainstreamed and considers the special needs of single as well as married women. The involvement of men is to be promoted both through male-oriented services and targeted public education.\footnote{National Department of Health. 2009c. \textit{National Family Planning Policy}, Port Moresby.}

The National HIV and AIDS Strategy 2011-2015 contains recommendations for the integration of services for the prevention of parent to child transmission (PPTCT) of HIV and services for gender-based violence to be fully integrated with sexual and reproductive health services. This has implications for how these services will be delivered, particularly in rural areas.\footnote{National AIDS Council of Papua New Guinea. 2010. \textit{National HIV and AIDS Strategy 2011-2015}, Port Moresby.}

The National Policy for Women and Gender Equality 2011-2015 lists health as its second strategic priority after reducing FSV. Regarding health, the emphasis is on advocating for affordable and accessible rural health services, training traditional midwives, and community education in nutrition, hygiene and reproductive health.\footnote{Department of Community Development. 2011a. \textit{National Policy for Women and Gender Equality 2011-2015}, Port Moresby.}

4. Major initiatives

\textit{a. National maternal health response}

In response to the findings of increased maternal mortality from the Demographic and Health Survey of 2006 compared to that of 1996, a Ministerial Task Force on Maternal Health was convened in 2008. Its 2009 report highlighted numerous issues, particularly those around safe pregnancy and access to supervised delivery services.\footnote{National Department of Health. 2009a.}

The NDOH and its development partners recognized the need for urgency in addressing the serious state of maternal health and agreed to a National Maternal Health Response, beginning in mid-2010. A Maternal Health Command Post with four technical positions was set up within the NDOH to lead the response. The main priorities are to increase the supply and skill levels of health professionals working in maternal health; remove barriers to access such as fees; stimulate high level advocacy; strengthen adolescent services; and reduce the reproductive health burden through service improvement, outreach and demand creation for family planning. Investments in infrastructure and improved technical resources aimed to raise the number of functioning midwifery schools from three to five by 2012, with 150 graduates by 2013. Community health worker training in maternal health and family planning will be strengthened.

\textit{b. Rural Primary Health Services Delivery Project}

The Rural Primary Health Services Delivery Project 2011-2020 is an NDOH initiative in collaboration with various development partners (led by the Asian Development Bank and the Australian Agency for International Development [AusAID]), the private sector and other non-state agencies. It focuses on strengthening rural primary health care services through setting up Community Health Posts (CHPs), which the NHP recommends as the main means for improving health care among the rural majority, especially women and children. It will result in the construction of 32 CHPs and the refurbishment of 120 health centres and 160 staff houses in eight provinces. Other outcomes are the development of national policies and standards for women’s access to primary health care and reproductive health care, improved training and working conditions for health workers, and strengthened health promotion in local communities.

The project contains a Gender Action Plan specifying actions and targets for ensuring gender responsive programming in all aspects of the project, beginning with the provision of

\footnote{National Department of Health. 2009c. \textit{National Family Planning Policy}, Port Moresby.}
gender training for project staff and community members. It also provides a model for partnerships between governments and non-state agencies in delivering effective health services (Appendix 1).

5. Stakeholder support

Since 2004, most donor support in the health sector has been through a Sector Wide Approach, in which pooled and flexible funding is managed through the Health Sector Improvement Programme. Following a review in 2010, a Health Sector Partnership Committee of the government and its partners was set up to provide greater communication towards improving health sector performance. It has several Working Groups, though, so far, none on gender, and the groups have no mandate relating to gender.

AusAID is the largest bilateral partner to the health sector. Its gender support has mostly been through the funding of positions related to strategic gender objectives, including in safe motherhood, the Ministerial Task Force on Maternal Health, gender-based violence and provincial maternal health officers, and in training for emergency obstetric care, mammography, midwifery, family planning and prevention of parent-to-child transmission of HIV. It has assisted the establishment of Family Support Centres in provincial and district hospitals for survivors of FSV, and the provision of post-rape care services.

The PNG-Australia Sexual Health Improvement Programme 2007-2012 uses innovative forms of gender sensitive STI service delivery, working through non-state actors and provincial health departments in eight provinces. Gender equality is addressed through ensuring gender-specific services, where separate consulting spaces are provided for men and women, with treatment provided by a same-sex health worker. FSV and its links with sexual health risks (including HIV) are addressed in services and in community outreach, and there is a special focus on male involvement, with programmes for men and boys.

United Nations organizations have structured their new combined Four-Year Strategic Plan on Health 2012-2015 around the priorities of the NHP. In maternal, child and reproductive health, the three main programme areas of support will be safe motherhood, adolescent reproductive health, and various “men as partners” initiatives to improve male involvement in reproductive health. Strategies will include training for health personnel, increasing coverage of supervised deliveries and ante/post-natal services, improving emergency referral systems and strengthening family planning through commodities security and supporting community based volunteer advocates and distributors. The UN Strategic Plan on Gender and Women’s Empowerment 2012-2015 plans to build gender capacity in key agencies, including the NDOH.

NGOs supporting the sector include Marie Stopes International, which is offering sexual and reproductive health services and outreach in four provinces, with a new focus on reaching men. World Vision provides community clinics and outreach on gender-based violence prevention. Susu Mamas have expanded their maternal and child health programmes and outreach in five provinces, and are using male staff to promote male involvement. The PNG Family Health Association is supporting community outreach in Morobe province to men and boys on sexual health and on FSV reduction.

6. Gaps and opportunities

a. Lack of sex-disaggregated data

The collection, reporting and analysis of sex-disaggregated data should be standard practice throughout the health sector. Without these, it is not possible to identify gender disparities in health and health care or to track progress in eliminating such disparities. The national database system itself also needs updating to permit the easier retrieval of sex-disaggregated
data across all categories. In 2009, a new National Health Information System (NHIS) routine data collection form for outpatient visits was introduced requiring data collection by sex, but there has not yet been any reporting or analysis based on these data collection efforts.

b. Gender mainstreaming in the NDOH

Gender mainstreaming in the health sector has been a WHO-recommended strategy for many years, but there has been little progress since the first move in PNG over a decade ago, which was through a Commonwealth Secretariat initiative. Although PNG’s NHP focuses predominantly on maternal health, with women as the primary targets and beneficiaries, actual outcomes are shaped by the constraints of gender inequality, both in society and in service delivery.

Gender mainstreaming involves answering the question “How are gender inequalities undermining the achievement of intended outcomes?” Since gender inequalities exist at all levels of the health sector, a policy and a plan are needed to ensure that gendered needs and issues are systematically identified across all areas, such as workforce structure and conditions, training curricula, facility design and location, public education methods, cost recovery measures, standards of service provision, monitoring and evaluation, research, stakeholder partnerships, and so on. Gender mainstreaming across the sector generates greater efficiency and effectiveness and results in faster progress towards improving maternal and reproductive health as well as other health outcomes. It can also identify men’s health needs that have been overlooked, as well as ways in which involving men can contribute to improved outcomes for women.

The NDOH has prepared a Health Sector Gender Policy, which is currently in the process of final review and approval. It is the first of its kind to be formulated for the sector and is linked to other core government legislation and policies and to constitutional goals for equality and equal opportunity. Its provision will include policies to integrate a gender perspective, including a focus on gender-based violence in all NDOH programmes and services, and policies to implement gender sensitive activities and gender equitable procedures.

c. Gender and the expansion of the workforce

The improvements in service called for by the NHP require a massive increase in the numbers of health care providers. For example, 325 more physicians and 3,600 more nurses are needed by 2015 to meet the targets of MTDP 2011-2015, increasing to 4,900 physicians and 19,500 nurses by 2030. More midwives and community health workers (CHWs), including CHWs with improved training to staff the new CHPs, are also needed.

It is essential that gender issues are taken into account in decisions about the staffing of health care centres. Both women and men prefer to have a provider of the same sex for intimate matters of sexual and reproductive health, and FSV. Since women are the main users of these services, an equitable gender balance for health care providers would require more females than males to maximize service utilization and quality. Equitable working conditions and career paths for male and female workers should also be ensured. This may involve some affirmative action measures to counteract the obstacles often faced by female staff. The issues causing difficulties in retention of staff, especially in rural areas, should

---

176 Department of National Planning and Monitoring. 2010b. p. 37.
also be addressed – a recent study of community health workers found that nearly two-thirds were dissatisfied with their working conditions.\textsuperscript{177}

d. Services for victims of family and sexual violence

Family Support Centres, designed by the FSVAC and the NDOH are being established at provincial and some district hospitals, with the aim of establishing them in all hospitals. These provide specialist services for victims/survivors of physical and sexual violence in a private and secure setting where women can access medical treatment, counselling, referrals, emergency accommodation, expedited medical-legal reports and legal aid.

The role of the NDOH for these centres is to set national standards for service provision and to facilitate training, supervision and monitoring. These are an urgent priority, as some centres have existed for up to seven years without formal guidelines or training, and service quality has suffered.\textsuperscript{178} Provision of care through aid posts, health centres and the new CHPs also needs strengthening, through the revision of protocols and the inclusion of information about FSV in the pre-service and in-service curricula for all primary health care providers. Also urgent is the need for the NHIS to routinely collect data on service use by victims/survivors of FSV.

Policies to deter violence have included charging higher treatment fees to those injured in brawling or tribal fighting. Some health service providers have interpreted the provisions as applying to victims of FSV, leading to victims of such violence being charged higher fees. In 2009 a circular was released instructing hospital and health facilities to waive fees for women and children who suffer FSV.

A training package was developed in 2003 to guide health workers on the appropriate response to gender-based violence, and to be used in training students at health and nursing colleges in 2004. The initiative was not sustained and institutionalized, however.\textsuperscript{179} National Clinical Practice Guidelines for Medical Care and Support of Survivors of Sexual Violence in PNG, which are designed to aid health workers to accurately record information and make it easier to generate medical reports, have been developed by the NDOH in consultation with stakeholders.\textsuperscript{180}

e. Opportunities in health sector reform and decentralization

In May 2007 the \textit{Provincial Health Authorities Act} became law, enabling provinces to establish their own Provincial Health Authority (PHA) and assume responsibility for hospitals and rural health facilities. Three provinces are currently proceeding with this process, and the rest are expected to follow by 2020. The transition provides a significant opportunity, with multiple entry points for integrating a gendered approach to health and health service delivery. For example, the revision of job descriptions during the restructuring of workforces will provide opportunities for assigning gender equity responsibilities. PHA bylaws require the PHA Board to monitor gender equity and gender sensitivity in health service delivery, but the experience of Milne Bay and Western Highlands Province suggest that considerable external support and multi-agency collaboration will be needed to make this a reality.

The government can support this process by developing gender-linked standards and tools for assisting implementers in applying them, such as checklists for gender-inclusive

---


\textsuperscript{178} Médecins Sans Frontières (Doctors Without Borders). 2011.


\textsuperscript{180} Meeting with NDOH. 19 July 2011.
PHA corporate plans, templates for gender criteria in job descriptions, guidelines for gender-responsive programme planning and monitoring, procedures for quality control on gender-linked issues, and so on. Gender sensitivity training should be provided for PHA Boards, Provincial Coordinating and Monitoring Committees, and health managers at the provincial, district and local government levels in the early stages of the transition to a PHA, preferably in collaboration with the Department of Provincial and Local Level Government and the Provincial and Local Level Services Monitoring Authority.

**Box II.5: Potential actions to increase access to health services**

The following are suggested actions to increase access to health services:

- Mobilize high-profile senior government leadership in the National Executive Council to send both public messages and departmental circulars reinforcing key government policies, and institute mandatory monthly monitoring of compliance with the following:
  - Maternal and child health services are officially exempt from fees.
  - Survivors of domestic violence are officially exempt from higher fees charged on “tribal violence” injuries.

- Update the NHIS database system to permit easier retrieval of sex-disaggregated data across all categories, and introduce systematic annual reporting and analysis of the routine sex-disaggregated NHIS data collected on outpatient visits.

- Support development of a gender policy for the health sector, to include maternal and reproductive health concerns and men’s health issues that have been overlooked, and ways in which involving men can contribute to improved outcomes for women.

- Strengthen the provision of care to survivors of FSV at aid posts, health centres, and the new CHPs by revising protocols and including FSV in pre-service and in-service curricula for primary health service providers.

- Collaborate with the proposed donor-financed national survey on FSV and begin routinely collecting data through the NHIS on service use by survivors of FSV.

---

**C. Gender Concerns in HIV and AIDS**

1. **The HIV epidemic in PNG**

   **a. Status of the epidemic**

   The human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS) are major health concerns in PNG, and have become an economic burden to families, communities and the nation. HIV was first reported in PNG in 1987. By 2004, PNG was classified as having a generalized epidemic, with an estimated national prevalence of over 1 percent. With improvements in surveillance and a greater number of sites reporting data, the national prevalence was adjusted to 0.9 percent in 2009, with the number of people living with HIV estimated to be 34,100 and an assumed male/female ratio of 1:1. However, since most HIV testing centres are in urban locations, the data do not provide an accurate picture of the epidemic, especially given a recent estimate that the epidemic is spreading faster in rural areas. In 2009, 90 percent of known cases were in provinces connected by the Highlands Highway and in the National Capital District. By the

---


end of 2009, the number of people estimated to have died due to AIDS-related illnesses was 11,520, and 5,610 children had become orphans as a result of the epidemic.  

Gender relations are an extremely significant factor in PNG’s HIV and AIDS epidemic, and gender inequality is recognized as a major driver of the epidemic. As a result of the various socio-economic, cultural, legal and political factors that put women and girls at a disadvantage, women and girls are less able to protect themselves and are more vulnerable to infection with HIV and other sexually transmitted infections (STIs) than men and boys. Women and girls also suffer more from the impact of these infections than men and boys.

STIs are associated with HIV prevalence. Surveillance and research data indicate very high rates of co-infection of HIV and STIs. PNG’s rates of STIs are amongst the highest in the world and increased by 44 percent between 2000 and 2009. Over 80 percent of cases in 2009 were reported from the five Highlands provinces, contributing to the higher HIV risk in those areas. More than two-thirds of total STI cases in 2009 were diagnosed in females, a figure that reflects the greater number of women than men attending STI clinics.

b. Risk factors

The factors contributing to the sexual transmission of HIV in PNG include (i) early sexual debut, often resulting from coercion and abuse of girls and boys; (ii) multiple and concurrent sexual partnerships, including polygamy and male-to-male sex; (iii) the exchange of sex for cash, goods and services; (iv) low and inconsistent condom use; (v) high levels of sexual violence and rape; (vi) the use of penile modifications and inserts; (vi) risk-taking behaviour; and (vii) migration and mobility. The last factor contributes to sexual transmission of HIV because transactional sex (the exchange of sex for cash, goods or other benefits) is common in situations where men migrate to work and are away from their wives for long periods.

The biggest single factor affecting a person’s risk of contracting HIV, however, is gender. In PNG women have greater risk of contracting HIV largely because of the prevalence of gender inequality, which results, for example, in inequality in incomes between men and women (a result of inequality in decision-making about land and inequality in access to paid employment), which leads to men having full control over the spending of their families’ cash incomes, and which in turn often leads to the flourishing of transactional sex, with its associated risks. Other factors related to gender inequality that make women more vulnerable to HIV include women’s lack of power and rights in sexual relations and their lesser access to information and education (see Section 2b, below). A number of studies have found that women who experience financial hardship, such as widows, divorced or deserted women and young women with lower levels of education often engage in transactional sex to subsidize their income. These women do not necessarily perceive themselves as “sex workers”, however.

---

185 National AIDS Council Secretariat. 2010.
186 National AIDS Council Secretariat and Partners. 2010. p. 15
188 National Department of Health. 2010d.
Sex work and male-to-male sex are criminal offences in PNG, which increase hostility and violence against sex workers and men who have sex with men and make it hard for them to access condoms, prevention information and health care. This in turn adds to the risk of their clients and other partners, and the other sexual partners of their clients and partners. In 2011 there was some effort made to eliminate the punitive laws and practices around HIV transmission, sex work, drug use and homosexuality that block effective HIV prevention responses, treatment and care. Despite strong advocacy from stakeholders, progress has been limited as a result of high level political opposition and the resistance of some religious groups.

2. Gender and HIV infection

a. HIV prevalence and gender differences

Since 2003, numbers of women diagnosed with HIV each year have exceeded those of men. This is due both to the higher risk of infection for women in an epidemic driven predominantly by sexual transmission, and also to the disproportionate routine HIV testing among young women compared to men. In 2009, three women were diagnosed HIV positive for every two men (2,280 women and 1,383 men), but over two-thirds of testing that year was done on women. Around a third of all testing (37 percent) in 2009 was routine testing of pregnant women in antenatal clinics (ANCs). Since there is no routine testing for the male partners of pregnant women, levels of infection amongst younger men may be higher than is currently reported.

Low antenatal coverage and supervised deliveries limit the scope of testing and counselling of pregnant women in PNG, so not all are tested. Most of the women using antenatal services are young, resulting in a lower age of HIV detection (but not necessarily of infection) for women (26 years) than for men (32 years). The national Integrated Bio-Behavioural Surveillance study launched in 2011 will test equal numbers of males and females in each age group and is expected to give a much clearer picture of the HIV status of men and women at different ages.

b. Women’s risk and vulnerability factors

Physiologically, women have up to four times more likelihood than men of becoming infected through a single act of sexual intercourse. This risk can be exacerbated when force is used. A study of women in four provinces in PNG found that nearly half of the women in the study had experienced physical and/or sexual abuse in their relationships, and that women with physically or sexually abusive husbands were much more likely to have HIV. For women, marriage and relationships themselves are major risks, because many men practice high risk behaviour and the wife or partner of a man who practices high risk behaviour is just as much at risk as he is.

Fear of violence and abandonment are strong barriers to women’s willingness to negotiate for safer sex, to be tested for HIV, to disclose a diagnosis of HIV to their partner or to access services for STI and/or HIV treatment. Studies show that women known or suspected to have HIV infection suffer more stigma, discrimination and violence than do men with HIV, with twice as many women as men experiencing physical abuse as a result.

---

195 National Department of Health. 2010d. p. 34.
of their HIV status. Women risk losing their homes, children and means of support if their husbands reject them. Furthermore, the suspicion of having AIDS can also result in rejection by their entire family: the widows of men who have died from AIDS are often treated with hostility by their husband’s relatives and also may not be accepted back by their own clan.

Women’s economic dependence puts them in a particularly vulnerable position and limits their options for self-protection. The burden of caring for family members sick with HIV related illnesses falls on women and girls, and girls may be withdrawn from school to help. Furthermore, the generally low levels of education and literacy among women contribute to low levels of knowledge of HIV, including how to protect themselves. Cultural practices such as bride price and polygamy reinforce male control of women.

Many women in PNG do not have the opportunity to be informed, tested or referred for treatment of STIs and/or HIV. Women are less able than men to access STI and HIV testing and prevention services because of obstacles to access (e.g., distance and cost) and also because people who use such services are suspected of engaging in pre-marital or extramarital sex. Women are far more likely to be stigmatized than men for such practices. Thus, although condoms are often available in clinics, this does not ensure access to condoms for women and young people.

c. Men’s vulnerability and risk factors

Men are much more likely than women to migrate for employment in economic enclaves, such as mines, gas fields or logging camps, and to live away from their families for extended periods. In these circumstances men are likely to purchase sex and to have multiple sex partners. Cultural norms, which may associate masculinity with high levels of sexual activity, including multiple partners and physical and sexual aggression towards women; and risky recreational activities such as heavy drinking and drug use, also contribute to male vulnerability to HIV infection. Furthermore, effective sources of information on HIV prevention and access to services in STI clinics from a male provider are not easily accessible in most parts of the country.

The findings of recent behavioural surveys indicate that alcohol and drug use often leads to rape and violence among migrant workers, with petroleum workers and plantation workers reporting an increase in such behaviour when drunk or stoned. The survey findings indicate that drunkenness is fairly common, with around 74 percent of petroleum exploration workers and around 39 percent of plantation workers reporting that they consumed alcohol regularly. About half of these men reported drinking ten or more drinks per drinking session. Roughly 20 percent of men working in petroleum exploration and 15 percent of men working in plantations reported having used drugs in the previous year (mostly marijuana but also amphetamines, cocaine and ecstasy).

3. Response to gender issues in HIV and AIDS

a. The policy environment


The government’s HIV and AIDS policies and strategies are set out in the National HIV and AIDS Strategy 2011-2015 (NHS). The overall objective of the NHS is to reduce transmission of HIV and other STIs and minimize their impact on individuals, families and communities. Its three priority areas are (i) prevention, (ii) counselling, testing, treatment, care and support, and (iii) system strengthening. Prevention activities will move beyond raising awareness to behaviour change methods, to reduce the number of concurrent sexual partners, delay sexual debut and promote consistent use of condoms. The NHS builds on the previous national gender policy on HIV and AIDS and integrates a gendered approach across all priority areas, including monitoring and evaluation. Reduction of gender-based violence is among its “top ten interventions”. Strategic objectives for HIV prevention address the underlying socio-cultural, economic, political and legal factors that contribute to gender-related HIV vulnerability.

In MTDP 2011-2015, the government set a target for the provision of comprehensive post-rape services to prevent HIV and STIs at 30 percent of health facilities by 2015. The HIV and AIDS Management and Prevention Act, passed in 2003, is significant for upholding the human rights of those infected by HIV, outlawing mandatory testing and protecting from prosecution of women who transmit HIV to their babies.

b. The National AIDS Council

The National AIDS Council of Papua New Guinea is the government body responsible for directing the national response, implemented through the National AIDS Council Secretariat (NACS), following the five-year national strategic plans on HIV and AIDS. In the provinces, the NACS operates through district and provincial AIDS committees. After years of serious underfunding and minimal political commitment to addressing the epidemic, the government increased its funding through the NACS to K 26.9 million for 2011, up from K 16 million in 2010. The National Department of Health provides HIV testing and health services related to the prevention and treatment of HIV, AIDS and STIs, although many services are actually supplied through church-run health care facilities. Over 50 percent of the national response is driven by non-governmental organizations at the national, provincial and community levels, including faith-based organizations and the private sector.

c. Services for testing, counselling and treatment

There has been a strong effort to expand testing for pregnant women in antenatal services so that those who test positive can be enrolled in PPTCT programmes. The number of antenatal clinics providing HIV testing services increased from one in 2001 to 105 in 2008. But in 2008 only 25 clinics offered on-site antiretroviral treatment to prevent vertical transmission, and only 11 percent of eligible pregnant women received it. Approximately 270 health facilities in PNG are assumed to be able to provide HIV and AIDS related services, including PPTCT. Of these facilities, 178 conducted antenatal counselling and testing and were sites for HIV surveillance activities in 2009. Of these, 45 provided the complete PPTCT package, including provision of antiretrovirals (ARVs) for the mother and baby. The remaining 133 facilities referred HIV positive mothers to a nearby facility for further action, including ARV prophylaxis. But when testing sites are not integrated with health services, women are less likely to seek their services because of the

207 Department of National Planning and Monitoring. 2010.
social stigma associated with being seen to enter a facility known for STI and HIV testing. Thus, referral to other facilities contributes to the loss to follow up positive pregnant women.\textsuperscript{211}

Antiretroviral treatment services tripled between 2007 and 2009 and became more accessible to women, with 73 percent of eligible women and 77 percent of eligible males receiving treatment in 2009. Training in community home-based care of those suffering with AIDS-related illnesses is being provided for both men and women, and labour-saving equipment is being provided for carers, easing the burden of care on women. Organizations of men and women living with HIV are being established in various locations under the umbrella organization Igat Hope. Outreach to sex workers, men who have sex with men, and transgendered people is being provided by various non-governmental organizations, though much more is needed.\textsuperscript{212}

d. Ongoing initiatives on HIV prevention

There are many ongoing initiatives to educate men and women on reducing risk behaviour, prevent HIV infection, and provide treatment at the community level. Two government projects financed by the Asian Development Bank specifically address women’s vulnerability to AIDS in these contexts. The HIV/AIDS Prevention and Control in Rural Development Enclaves Project 2006-2011 by the NDOH and partnered with the operators of enclave enterprises to improve rural women’s access to reproductive and sexual health services, and to educate men on healthy sexual behaviour and gender relationships. Assistance to the national behavioural and sero-surveillance programme was also provided under this project. The Lae Ports Development Project: Mobilizing the Private Sector to Respond to Gender and HIV/AIDS Issues 2009-2012 addresses gender-based violence as well as STIs and HIV through workplace training programmes\textsuperscript{213} and provides income generation training for people living with HIV, prioritizing single mothers, widows and sex workers.

The PNG Business Coalition against HIV and AIDS (BAHA) assists companies to develop workplace policies on HIV and AIDS, and also address gender inequality and sexual harassment in the workplace. Peer educators are trained to educate their co-workers and families and are responsible for ensuring supplies of male and female condoms. As of mid 2011, nearly one thousand peer educators had been trained (40 percent females) and 320 companies had BAHA-approved workplace policies.\textsuperscript{214}

Although perinatal transmission accounted for only 3.6 percent of HIV infections in 2009, a massive programme to upscale PPTCT began in 2011, under the NDOH’s Operational Plan for PPTCT and Paediatric AIDS 2011-2015, with support from the United Nations Children’s Fund (UNICEF). The aim is to increase the percentage of HIV positive pregnant women receiving antiretroviral prophylaxis from 25 percent (2010) to 80 percent by the end of 2015, to prevent perinatal transmission in the HIV high-burden provinces.\textsuperscript{215} This will require a major upscaling of health services for antenatal care and a substantial increase in the number of pregnant women using them. The PPTCT plan is costed at over USD 12 million for five years,\textsuperscript{216} part of which will be funded under Round 10 of the Global Fund (GF) between 2012 and 2016. During this period, approximately 1.6 million people will be tested for HIV, including over 300,000 pregnant women.\textsuperscript{217}

\textsuperscript{212} Aggleton, P., S. Bharat, A. Coutinho, et. al. 2011.
\textsuperscript{213} Lae Chamber of Commerce Inc. 2010. Guidelines for Workplace Action to Reduce HIV and AIDS.
\textsuperscript{214} Personal communication, Caroline Bunemiga, General Manager, BAHA.
\textsuperscript{215} National Department of Health. 2010e, p. 76.
\textsuperscript{216} National Department of Health. 2010e, p. 91.
Several approaches aimed at reducing barriers to HIV testing for women and at improving PPTCT enrolment and adherence are being piloted, such as couples’ counselling and testing; education on PPTCT for community men and elders; enhanced counselling and assistance with transport and food costs for women enrolled in PPTCT; mentoring by HIV positive mothers; and links with strengthened FSV services.

Tingim Laip, PNG’s largest community-based HIV prevention strategy, which operates in 36 sites across 11 provinces in settings with high risk of HIV, is supporting behaviour change through providing access to male and female condoms, STI treatment, VCT, and care and support for people living with HIV, with increased involvement of women and youth and a focus on gender-based violence. Phase 1 began in 2007 and Phase 2 in 2011, funded by AusAID.

Community Conversations, a long-term approach to motivating communities to face the epidemic and to address gender power imbalances, is an initiative of the Department for Community Development in cooperation with UNDP.

The Department of Education, coordinated by its HIV/AIDS and Gender Desk, has produced its HIV/AIDS/STIs Implementation Plan 2007-2012, with strategies for providing gender-sensitive, life-skills based and developmentally appropriate learning materials on sexual health and HIV prevention for all students, including those in trade and vocational schools. Curriculum materials for all levels have been prepared, teacher training is in progress, and awareness-raising is being undertaken with parents and communities. A programme for out-of-school youth sponsored by UNICEF, the National HIV Prevention and Sexuality Education for Out of School Youth programme, was rolled out in 2011 through the National HIV Training Unit.

The Four-Year Strategic Plan (2012-2015) of the Joint United Nations Programme on HIV and AIDS (UNAIDS) is structured around the priority areas of the NHS. Gender initiatives will address the removal of punitive laws on sex work and male to male sex, the integration of services for HIV testing, antiretroviral therapy and PPTCT, capacity development for male and female leaders, increased support for men and women living with HIV, strengthened male and female condom programming, and will assist the mainstreaming of gender in the NACS.

An innovative approach to reducing violence against women as an HIV risk factor for women is a five-year programme by Population Services International, funded under GF Round 10. Five-day workshops on sexual health and communication will be offered to couples in economic enclave areas to improve mutual sexual enjoyment, and reduce coercive sex by men and multiple partnering. Linkages between HIV testing services, local justice agencies and services for victims of FSV will be strengthened and a national media campaign will promote condom use among regular partners.

4. Gender issues, gaps and opportunities

a. Women’s safety in HIV testing

The PPTCT Operational Plan calls for over 300,000 pregnant women to be tested for HIV in antenatal clinics and labour wards by 2016. A concern about testing is that the male partners of these women are not tested at the same time. Women are likely to fear being blamed for “bringing HIV into the family” if they disclose a positive test result, even when they know it was their husband who infected them. Such fears may encourage many HIV positive women to maintain secrecy about their status, and might contribute to low enrolment and high loss to follow-up in PPTCT programmes. The Operational Plan recommends support and advocacy, with the following ambitious strategies to mitigate such risks to women:

• Improved links between PPTCT services and FSV, ART, family planning, HIV prevention and enhanced counselling services.
• Utilize HIV positive mothers and their partners as experts in the design, delivery and review of PPTCT services.
• Implement strategies to improve male partner involvement in antenatal clinics and subsequently PPTCT services.
• Communication activities to increase awareness of services, improve utilization and strengthen acceptance of behavioural prevention of vertical transmission during pregnancy and breastfeeding.
• Provide prevention information and male and female condoms to pregnant women and their partners during pregnancy and breast-feeding, with a focus on the women who test negative.

b. Community-based risk assessment and strategies
In 2010 PNG adopted a new WHO protocol recommending that all HIV positive pregnant women receive Highly Active Retroviral Therapy (HAART) to prevent perinatal transmission, from 14 weeks of pregnancy until they cease breastfeeding. Unless there is major improvement in health service provision, few rural women will have access to such therapy. For women’s protection, implementation of the protocol should be accompanied by monitoring of HIV testing and PPTCT programmes that include a community-based assessment of potential negative outcomes for women, and the piloted strategies to safeguard against these negative outcomes should be employed as soon as possible.

c. Survivors of rape
To be effective, HIV post-exposure prophylaxis after rape must be administered within 72 hours of HIV exposure and therefore this prophylaxis should be available at all health services and be accessible at all times. This service is unlikely to be available to most women under current circumstances, however. A major investment is required to train health workers to provide sensitive and comprehensive post-rape services, along with a reliable drug supply. There is also a need to substantially strengthen the referral process between law enforcement services, including Village Courts and health services.

d. Gender-sensitive communication for awareness and prevention
Communication methods for public awareness education are detrimental to women when they present information that suggests, even inadvertently, that women or sex workers are the cause of the HIV epidemic. There is an urgent need to provide the public with simple, easily available, up-to-date and accurate leaflets about prevention methods, HIV testing, treatment, available services, FSV, the human rights of people living with HIV and other key aspects of the epidemic, targeted at men, women and young people.

e. Female condom awareness and distribution
Female condoms have many advantages over male condoms, are a UNAIDS recommended strategy, and have been popular with PNG women and men for many years. Supply has always been minimal, however. Between March and April 2011, nearly three million male condoms were distributed in PNG, compared to only 186,000 female condoms (the entire

available stock of female condoms). It is argued that condom demonstrators should be required to consistently demonstrate both female and male condoms to men as well as to women, and more training of women and adolescent girls in negotiating condom use is needed. More discreet access points for condom distribution are also needed to ensure that women and young people are not inhibited from obtaining condoms to protect themselves.

f. Gender sensitive and non-judgemental services

Health workers need ongoing training in gender-sensitive services for HIV and STI diagnosis and treatment, with full confidentiality and privacy. Given that people engaged in high risk behaviour, including sex workers and men who have sex with men, are often refused health care services, the training should place emphasis on the importance of non-judgmental approaches to HIV prevention.

g. Private sector responsibility

It has long been internationally endorsed good practice for operators of large-scale infrastructure construction, transport, mining, forestry and plantation projects to be required to mitigate the negative impacts of their operations on their workforce and the surrounding populations. Activities to prevent HIV infection and reduce gender-related vulnerabilities are factored into costs and taken into account when bids are assessed for infrastructure development projects. Oil Search PNG Ltd. provides an outstanding example of good practice and has taken on a major role in implementing PNG’s new five-year programme under a Global Fund Round 10 grant. However, there is an urgent need to require the hundreds of smaller contractors and subcontractors operating in association with economic enclaves to introduce measures to reduce the spread of HIV and AIDS.

h. Capacity for policy implementation

The implementing partners of the NACS need increased and ongoing support to implement the gender strategies of the National HIV and AIDS Strategy, especially at the provincial level. The NHS vision of gender-sensitive planning, implementation, and monitoring and evaluation across the three strategic priorities will require the creation of user-friendly tools and guidelines tailored to the specific activities of the strategy. An assessment of partner and stakeholder capacity to design, implement and report on gender-responsive programming at the national, provincial and district levels should be carried out as part of the NHS priority on systems strengthening.

Box II.6: Potential actions to increase access to HIV and AIDS treatment

The following are suggested actions to increase access to HIV and AIDS treatment:

- Use the results of the planned integrated bio-behavioural survey (IBBS) to better identify the HIV status of men and women at different ages, and form new programme guidance and policies using that information.
- Develop and make available male-focused sources of information on HIV prevention, and referrals to male providers of services for HIV and STI.
- Provide more public access to simple, up-to-date and accurate leaflets on HIV/AIDS.
- Conduct the NHS planned assessment of partner and stakeholder capacity to design, implement and report on gender-responsive HIV/AIDS programming.

---

222 Personal communication, Stewart Yareki, BAHA Logistics Support Officer.
Chapter III
Access to Resources: Employment, Livelihoods and Economic Resources

A. Work and labour force participation

1. Employment in an economic context

a. Formal sector employment

Papua New Guinea’s dual economy reinforces gender differences and disparities in employment. The formal economy is dominated by the export-oriented, capital-intensive mining, forestry and plantations industries. These drive economic growth but employ only a small proportion of the population. In addition, PNG is unable to supply sufficient numbers of technically qualified and skilled workers to meet the demand of the booming mining and energy sector, even though it is estimated that only 4,000 of the 80,000 local graduates who enter the workforce each year are likely to find employment.\footnote{Consultative Implementation and Monitoring Council. 2010. \textit{Policy Paper on National Informal Economy}. Department for Community Development, Port Moresby.}

According to the 2000 census, 2.4 million people were employed out of the total 5.2 million population.\footnote{National Statistical Office. 2003. National Census 2000.} Of those employed, 10 percent were in the formal wage economy while 67 percent were engaged in subsistence or semi-subsistence employment (compared with 18 percent and 74 percent in 1990). These figures reflect a population increase that has not been matched by a growth in formal sector jobs. The public sector employs the largest proportion of those in formal sector employment; in 2007 there were 76,000 public servants.\footnote{Japan International Cooperation Agency. 2010. \textit{Country Gender Profile: Papua New Guinea}. IMG Inc., Tokyo. p. 7.} Of these, 25 percent were women; of those in executive positions such as departmental secretary or deputy secretary, however, only 12 percent were women. The legal profession is male dominated, with 90 percent of positions held by men. Of 27 judges, only one is a woman and the first female law lecturer was appointed in 2005. There are also few women holding managerial positions in medium to large sized businesses in the private sector.

Data from the 2009-2010 HIES\footnote{National Statistical Office. 2012.} reveal that the gender structure of work and labour force participation in PNG has not changed significantly in the last 10 years, although small changes have been recorded in formal sector employment of women in extractive industries and in fish processing. In the 2000 census, slightly less than 5 percent of total employment was in the mining, manufacturing and construction sectors, with the agricultural sector contributing over 71 percent and the services industries accounting for the remaining 24 percent.
The 2009-2010 HIES data indicate that men are almost twice as likely as women to hold a “wage job” in the formal sector (40 percent of men vs. 24 percent of women nationally) and that gap is consistent across urban (43 percent vs. 23 percent) and rural (36 percent vs. 18 percent) areas. In the formal sector, women are more likely to be employed in the public sector and men are more likely employed in the private sector in both rural and urban areas. Urban women are much more likely than rural women to be employed in the private sector. Women in formal sector jobs in PNG report average net monthly pay that is less than half that reported by men (K 682.17 for women vs. K 1,404.12 for men).

One reason for women’s lower formal workforce participation is gender inequity in secondary education participation. Fewer girls graduate from high school so there are fewer women obtaining the technical, vocational and tertiary qualifications that provide entry to the skilled formal sector workforce. Another reason is the social constraints women experience in formal employment, as the report of a survey of women’s experiences in the workplace in PNG explains:

>The two problems reported by almost all women were the difficulties in gaining promotion when men would be working under their authority and the domestic problems with male partners who were jealous and suspicious of their fidelity when they had any men working with them. Seventy percent of the women mentioned domestic violence as a problem faced by working women. As 20 percent were single, divorced or widowed, this is an alarming proportion of women who are intimidated by men simply because they work in paid employment. It needs to be kept in mind when we consider the question of the ‘empowerment of women’. It also means that simple measures such as having policies of equal pay for equal work or gender-neutral advertising of positions are not strategies that immediately facilitate or encourage equality.\(^\text{228}\)

Although both men and women report low rates of participation in non-agriculture related business activities, men are more likely than women to be working in a registered business enterprise. Women face many constraints including difficulty in accessing finance to grow their business, or in access to the justice system to resolve commercial disputes. Low levels of education and literacy also impede their ability to operate profitable businesses. Despite the valuable contribution women make to the economy, their situation is precarious: they are less likely to have title to land and are often disadvantaged by prevailing family, marriage and inheritance laws and practices. Economically active women have a double workday – responsibilities for home and family plus economic activities – and they report working nearly twice as many hours as men, on average.\(^\text{229}\)

### b. Informal sector employment

Approximately 85 percent of PNG’s rural population rely primarily on subsistence farming, hunting, fishing and gathering for their livelihood. Where people have access to markets, including roadside sales, they are likely to sell fruit, vegetables, fish and game, as well as cooked food to earn cash. Cash is increasingly required to meet the costs of education, health and other goods and services and has also become indispensable in many non-market exchange transactions such as bride price, compensation payments and other social obligations. The 2009-2010 HIES found that 53 percent of men and 59 percent of women reported participation in growing food, catching fish, and selling those products, but men’s reported earnings were twice as high as those reported by women.\(^\text{230}\)


\(^{229}\) Institute of National Affairs and World Bank. Forthcoming.

\(^{230}\) National Statistical Office. 2012.
Gender norms affect how young people spend their time: girls are more likely to spend their non-school time on secondary activities, such as household chores, and boys are generally perceived to have more free time. Boys and girls both agree on these measurements. Cultural norms also continue to determine socially acceptable roles for older males and females. Males tend to do heavy work while women are more involved in caring and household-related work, such as selling in markets, looking after pigs and household-related work.

Both men and women work to make an income, and there is some agreement that women are more likely to save or spend the money on household goods and food, and that women are better managers of money. Women are taking on increasing responsibility of earning money in various ways in the community, but men often make the decisions about spending family income. There are few, if any, formal savings or loan systems available to women in communities, so social or church-based collective savings mechanisms are often relied upon.

Even in communities where land and resource rights are inherited through the mother, and “ownership” sits with women, decisions over these rights (as well as on income, spending or savings), tend to be made by males (generally brothers and sons of the female “landowners”).

Source: Institute of National Affairs and World Bank: Forthcoming.

substantially underrepresented in almost all areas of formal sector employment compared to men, their contribution to the economy should not be underestimated: PNG’s annual food production, largely the responsibility of women, has been valued at USD 55 million per year.231

Men are more than three times as likely as women to report being self-employed. The top five self-employed pursuits are common to both men and women (agriculture and hunting, retail trade, water transport, land transport and wholesale trade) but men and women each have one highly ranked item unique to their gender: small-scale artisanal mining for men, and manufacture of food products and beverages for women. Both men and women participate in agriculture-related business activities, but men are about 20 percent more likely to be so involved.232

In order to understand the centrality of the informal economy to Papua New Guinean women’s lives, it is useful to remember that households are the primary social unit and the centre of economic activity for most Papua New Guineans, and that households are viewed as “microenterprises” in the informal economy.233 Many households have multiple sources of cash income. Households sell labour in the formal economy and goods and services in the informal economy; they participate in growing food crops and cash crops, fishing and trading, and women are deeply engaged in all these activities.

c. Development challenges and the informal economy

Government policy recognizes the importance of men’s and women’s economic inclusion in the context of labour force participation, promotion of employment and small business since the 1960s. These policies have emphasized the importance of small-scale activities to provide income-earning opportunities as an “incubator” for entrepreneurship, leading to a transition into the formal sector. The preamble to Papua New Guinea’s Constitution calls for

“economic development to give special emphasis to small scale artisan, service and business activity”.

Most recently, the National Informal Economy Policy 2011–2015 declared, “the informal economy is positioned as the grassroots expression of private enterprise and acknowledged as a full and legitimate partner of the formal economy in the economic system of Papua New Guinea”. 234 The Policy explicitly sets objectives that include growth and diversification of the informal economy in PNG by focusing on two “arms”: 235

- Increased financial inclusion of the population, thereby increasing access to formal financial institutions and services, with an emphasis on micro-finance.
- Increased provision of certain public goods and complimentary services to those involved in the informal economy; markets, laws and regulations protecting rights of people in the informal economy, safe and secure transportation, etc.

The national policy emphasises that while some people “enter the informal economy because they cannot find jobs in the formal economy … others, including many women, work there because the hours are flexible, providing the opportunity to, for example, earn cash while the children are in school”. 236

In terms of economic development, a large informal sector is one of the challenges that most low-income countries face as they strive to make the transition to middle-income status. As in PNG, the informal economy, rural or urban, provides livelihoods for the majority of men and women, but the developmental challenge is that it falls outside the reach of social insurance and is vulnerable to harassment because of its lack of legal status. It contributes very little to the tax revenue of the country, and low productivity and poor working conditions often characterize it. When countries make it easier for the small and medium enterprises that make up the bulk of the informal sector to “formalize”, they get improved access to credit and profitability but also improve the terms and security of employment for their workers.

Box III.2: Different views on the impact of crime on household economic activity: Findings from qualitative research in 16 PNG communities

All respondents (men and women in both rural and urban sites and across all age groups) share the view that crime rates have increased in the last ten years.237 Women in particular cite close proximity with urban centres, main road links and large-scale development activities that facilitate an influx of “outsiders” as contributing factors to the breakdown in law and order. There are some differences between genders regarding perceptions of safety in communities, with men less likely to see significant difficulties than women, and a persistent theme that “safety is a female problem”. Access to markets and labour opportunities for women and young girls are seen as limited due to personal safety concerns and lack of reliable transport. Safe accommodation away from villages is unreliable; hence girls’ and women’s opportunities are curtailed. When safe transport alternatives to public motor vehicles are provided, however, women and girls report being able to move to and from markets and work places, and therefore have higher chances of securing jobs outside of their communities.


235 Department of Community Development. 2011b. p. 13.
236 Department of Community Development. 2011b, p. 2.
237 Responses to the 2009-2010 Household Income and Expenditure Survey report lower public perceptions of risk from crime.
2. Policy environment

a. The regulatory environment

To participate equally in the workforce and economy, women need the same legal opportunities that men have. PNG ranks poorly (at 101 out of 183 countries) on the World Bank’s “Doing Business” index. As noted earlier, women face difficulty in accessing finance and credit. While salaried women may be able to get loans through formal banks in their own right using their employment as collateral, unsalaried women (largely those in the informal sector) require a salaried husband as guarantor and several more documents endorsed by a person in authority (pastor or local Ward Councillor). Successful women entrepreneurs tend to be landowners, educated, have supportive husbands and family (or female friends) and access to resources.

PNG’s legal environment includes recognition of both formal legal and customary legal practices. Legal gender parity in the formal system has not yet been achieved, as in many other countries; there is legal differentiation between men and women that can prevent a woman from getting a job or starting a business. PNG has a few of these inequities, but reform will enable greater economic participation by women:

- Divorce/division of property: the Matrimonial Causes Act provides courts with power to determine divorce, property distribution, maintenance, and custody; there is no systematic training of judges to provide skills and awareness of the gender implications of their rulings.
- Inheritance (in the absence of a will): the Wills and Probate Act provides for application of customary law where there is no will. To the extent that customary inheritance laws are based on patrilineal lines in most PNG communities, they discriminate against women; the reverse could happen in matrilineal areas, with men being discriminated against.
- Employment: in the Employment Act, women are prohibited from working in certain positions at night, and from working underground or in jobs that involve heavy labour; these restrictions have been interpreted as excluding women from many mining and manufacturing roles.

In practice, it is the customary system that impacts on the lives of most people in PNG and is most likely to discriminate against women – for example, in relation to property rights and allocation of resources such as land. Women have historically exercised very limited rights over land that is held under customary tenure. In systems of traditional tenure, differences between the rights of men and women might best be understood in relation to authority over land and fixed assets; rights of control generally reside with men, regardless of whether the social system of descent and inheritance is matrilineal or patrilineal. Where land has been commercially exploited (for example, for logging or mining leases, and other commercial purposes) women have generally had little say in the decision-making process and have reaped few direct benefits. Women are less likely to hold land under the formal system of registration.

One gap in the enabling environment that has significant potential to impact positively on women is permitting movable assets – such as machinery, jewellery, and other household objects – to be used as collateral. Opening up this type of financing would benefit all businesses and entrepreneurs, and would be of particular benefit to women who do not have formal title to collective/customary land because this type of financing allows them to unlock access to formal credit markets. In 2012 a draft law on this issue is being discussed at cabinet level in PNG to create the legal authority for an asset registry, thus making it possible to use moveable assets as collateral.

b. Support for informal economic activities

Women dominate retail marketing, the service sector and rural semi-subsistence food production, but report a greater extent of problems than their male counterparts do, including physical insecurity and violence and poor sanitary and personal safety conditions in markets. Other disadvantages are a culture that does not taken women in business seriously, limited input by women into policy and decision-making regarding their economic interests, lower education levels, and a limited ability to control their business profits and assets from claims by kinsmen. The government has identified priority public goods and services to support the informal economy, all of which would increase economic returns to women’s labour:

- Market places with clean water, electricity and clean toilet facilities, and other “spaces” and structures in urban areas that are suitable for informal economy activities.
- A supportive law and order regime in the immediate environment of market places and other “spaces” for the informal economy, that allows for orderly informal economic activity.
- Transport services that take explicit account of needs of informal economy actors.
- Agricultural extension, research and marketing facilities, with an explicit focus on linking the rural economy with the urban informal economy.
- Urban planning regulations that permit informal economy activities on residential housing allotments, subject to reasonable health and 'public nuisance' requirements.

c. Numeracy and literacy

As noted in Chapter II, literacy rates for males are significantly higher than those for females, with youth literacy much higher than adult literacy. Gender disparities in adult literacy are extremely high in provinces with the lowest levels of educational attainment. Gender parity in literacy is much better among young men and women; between 1990 and 2000 the youth literacy rate for females increased significantly while it declined for males.

Lack of numeracy skills and financial literacy are especially critical constraints to women and men seeking to start small entrepreneurial activities or grow them into small businesses. A recent survey of banking knowledge, attitudes and practices among women micro-enterprise operators in West New Britain Province and the National Capital District, found that most women interviewed were unable to calculate profit and loss for their small enterprises, and had, at best, a limited understanding of the interest rates they would be paying when making decisions to borrow money. They were also unaware of, and thus unable to make comparisons of, service charges and interest rates offered on savings and loan products offered by different banking service providers.

The Bank of Papua New Guinea (BPNG) and the Institute of National Affairs, with financing and technical support from the World Bank, are undertaking a Financial Competency Survey in 2011-2012. Early results suggest that limited financial literacy may be the biggest impediment to the development of the financial sector, and that women are less “literate” in banking and financial matters than men. The survey will provide data for a more detailed and nuanced picture of the constraints of literacy and numeracy on the economic activities of women and men. The data will enable the government and development partners to plan programmes to improve financial literacy and general numeracy. Effective programming in this area will be especially beneficial for women.

---

d. Tax and business registration policies

Formalizing a business creates advantages, including the potential for growth, access to credit and investment. “Graduation” to the formal sector also offers significant benefits in terms of stability and protection of assets. Women face more barriers to formalization than men, including lack of capital, limited knowledge about the formalization process and logistical problems in undertaking registration. Enforcement of contracts and other essential tools for businesses can also be more difficult for women than men; traditional justice systems are accessible, but tend to marginalize women; and women tend to be minority users of the formal justice system where both the judiciary and the legal profession are male-dominated. Ongoing support in PNG to establish and enhance court-referred mediation (also known as alternative dispute resolution) as a simple, time- and cost-efficient method to resolve commercial disputes is providing enhanced access to justice for women, and also trains and accredits women as mediators.

In general, women’s comparatively lower earnings and their predominance in informal employment mean that they are unlikely to bear a heavy personal income tax burden. But women operating small businesses who must interact with public officials or tax authorities often feel at a disadvantage in engaging with them, and women report being in a weaker negotiating position than men when discretion is given to officials.244 As the government continues its efforts to simplify the PNG regulatory regime and processes, and improve the business-enabling environment, the reforms may well generate positive benefits for women business owners on a scale even larger than the positive benefits felt by men.245 However, positive impacts will require proactive promotional efforts; the barriers to women entrepreneurs “knowing what is possible and knowing the rules” are formidable, but women are very responsive once they know what to do.

e. Access to finance

The PNG Development Strategic Plan 2010–2030 recognizes that the financial sector has failed to reach the majority of the population (both men and women) and the Plan accords high priority to expansion of microfinance banking services using innovative, convenient and cost-effective new retail payment instruments. These services are targeted for all districts in PNG with a special focus on the currently “unbanked” sectors of the population among whom women are predominant.

The rapid uptake of mobile phones beyond urban areas and the ease with which women have taken up the services available through mobile phones suggest a significant opportunity for expanded financial inclusion that can benefit women. Realizing the potential to expand financial services through the use of mobile phones and other electronic payment modes, BPNG is preparing regulations to license mobile phone banking and mobile payment services, and Western Union in July 2011 received permission to launch its new phone-based money transfer service. Six major projects are focusing on the expansion of access to financial services in PNG, and all have outreach to women:

- Government support for the Women’s MicroBank, managed by the PNG Women in Business entity.246
- The Pacific Financial Inclusion Programme, funded by United Nations Capital Development Fund, AusAID, European Union and UNDP.
- The International Finance Corporation (IFC) investment in the PNG Microbank.

246 PNG Women in Business (WIB) is an advocacy group with operational interests in expanding opportunities for women in business; they sponsor a WIB Expo annually, and in 2010 the Department of Commerce and Industry contributed resources to help capitalize their plans for a micro-bank lending exclusively to women.
IFC’s investment in Bank South Pacific (including special support for BSP Rural).
The new International Development Association-IFC Risk Share Facility for small and medium enterprise access to finance, which works through commercial banks.

The greatest potential to expand financial services provision is in domestic mobile phone applications. A recent survey found that women who were early adopters of Nationwide Bank’s MiCash mobile phone banking liked this service because it helped them to keep their savings secret (to protect their money from being appropriated by their husbands and adult sons). The service was seen as a good alternative to hiding cash. A potential constraint to the effective expansion of such woman-friendly services is the lack of reliable local agencies in rural areas (usually small shops) to handle cash deposits and withdrawals. A characteristic of underdevelopment in PNG that there is a large gap in retail services between micro-enterprises and large trading corporations.247

Supporting women to participate in higher levels of the financial sector is also very important. The corporate and business sector in PNG had been increasingly active in providing targeted access to education and training in a bid to improve gender parity, with scholarship and training programmes offered by key corporate institutions in banking and financial services, as well as telecommunications, retail trading, air transport and mining/energy. The institutional framework for government support to overall labour force issues is established and regulated by the Department of Labour and Industrial Relations. Key stakeholders include the Department, the Chambers of Commerce and Industry, the National Apprenticeship Trade and Testing Board, the Office of Higher Education, PNG Employers Federation, and the PNG Trade Congress and Unions.

B. Agriculture, forestry and fisheries

1. The gendered context of productive resources

a. Access to natural resources

Approximately 85 percent of the PNG population live in rural areas and work in agricultural and other rural industries. About 90 percent of land is under customary tenure. The distribution of natural resources among the population is unequal; about three quarters of the land, supporting over half the rural population, is of low quality. Population density is highest in areas with high quality land (as shown in Table III.1).

The subsistence food production system, dominated by root crops, small-scale animal husbandry, hunting, gathering and fishing, provides sufficient food supply on a year-round basis for most of the population, but people living in highly marginal environments suffer from periodic food shortages. Malnutrition resulting from inadequate diets is a serious problem in many parts of the country and is associated with less developed areas, low monetary incomes, and poor delivery of health services.248


### Table III.1: PNG land quality and population density, 2000

<table>
<thead>
<tr>
<th>Land quality</th>
<th>Land area (km²)</th>
<th>Land quality class as % of total land area</th>
<th>Rural population (2000)</th>
<th>% of rural population</th>
<th>Population density (persons per km²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very low</td>
<td>85,270</td>
<td>18.5</td>
<td>468,300</td>
<td>10.9</td>
<td>5.5</td>
</tr>
<tr>
<td>Low</td>
<td>251,563</td>
<td>54.7</td>
<td>1,817,349</td>
<td>42.3</td>
<td>7.2</td>
</tr>
<tr>
<td>Moderate</td>
<td>92,121</td>
<td>20.0</td>
<td>1,151,418</td>
<td>26.8</td>
<td>12.5</td>
</tr>
<tr>
<td>High</td>
<td>20,532</td>
<td>4.5</td>
<td>511,264</td>
<td>11.9</td>
<td>22.0</td>
</tr>
<tr>
<td>Very high</td>
<td>10,368</td>
<td>2.3</td>
<td>348,003</td>
<td>8.0</td>
<td>39.4</td>
</tr>
<tr>
<td>Total</td>
<td>459,854</td>
<td>100.0</td>
<td>4,296,334</td>
<td>100.0</td>
<td>9.3</td>
</tr>
</tbody>
</table>


Approximately 60 percent of the total area of the country is covered by natural forests (about 29 million hectares of land). In many PNG societies women make extensive use of forest resources for food, firewood, medicine and materials for handicrafts. Men use forests for hunting, cutting trees for building materials, and men clear forested land for new food gardens. In swampland forests in riverine areas, sago palms provide the staple food resource. Men and women cooperate to produce sago: men fell and split the palms and construct sluices while women extract, wash, store and cook the sago starch. Mangrove forests play very important ecological and cultural roles in the lives of coastal communities; women harvest various mollusc and crustacean species from these areas for food, and for sale if there are accessible markets. Mangrove forests serve a wide range of uses from house construction to fuel wood and breeding ground for fisheries and reducing coastal erosion from the action of sea waves and tide.

PNG claims an Exclusive Economic Zone of 5,957 million square kilometres, which includes 17,000 kilometres of coastline. Over 400,000 coastal peoples of PNG own marine resources under customary tenure and depend on them to varying extents for their livelihoods. Thousands more depend on the aquatic resources of the country’s great river systems. Women tend to focus on habitats that are closer to the shore, such as sheltered coastal reef and lagoon areas, while men tend to target the outer reef. The differences in habitats targeted by men and fisherwomen also depend on the availability and accessibility of fishing grounds; when outer reef habitats are very close to shore and easily accessible, there are few gender differences in habitats targeted.

Resource use has gendered aspects. In most PNG societies women have use rights to cultivate land, gather forest products and to fish for or collect marine and riverine resources. However, regardless of whether their society’s descent and inheritance system is based on patrilineal or matrilineal principles, women are rarely considered to have ownership rights over productive resources. Planting annual food crops does not secure long-term use rights over land, unlike the planting of small plantations of perennial crops such as cocoa, coffee and coconuts. Food gardens are generally transient, whereas plantations of tree crops are semi-permanent markers of property rights and confer status on the men who control them. When customary land is leased for plantations, logging or mining or when access to marine

---


Access to Resources: Employment, Livelihoods and Economic Resources

rights and riverine rights are negotiated, women seldom take part in negotiations, nor are women usually considered to have the right to claim a direct share of leases, royalties or compensation payments.

Rights to water may be gendered, as they are associated with rights to land. Women are more likely than men to collect water for household use, but are rarely considered to “own” the source. Questions of ownership usually only arise when a water source is acquired to feed a water supply system and in these circumstances individual men or groups of related men are likely to assert ownership of it, and if it is to be developed for commercial purposes, expect payment for its use.\(^{252}\)

An area of increasing concern, but so far of limited analysis, is the gender-differentiated impact of climate change adaptation (changing rainfall, pests and land use challenges) on rural livelihoods. Even without detailed site-specific analyses, it is likely that as areas of land are rendered useless for agriculture by changed rainfall or patterns of pest infestation, women will have to cultivate crops in more distant locations or on poorer soil.

Another issue of concern is the impact on rural populations of the issuance and functions of Special Agricultural Business Leases (SABL). Between 2003 and 2011 there were 69 leases of a total of 4,215,848 hectares of customary land.\(^{253}\) Concern has focused on the low rents received by landowners and inadequate consultation with the majority of landowners and land users. Widespread leasing of large tracts may further marginalize women as farmers and small-scale traders by denying them traditional access to productive land. In 2011 the government launched a review of the SABL programme, with field visits and interviews in all the SABL sites completed in mid-2012.

2. Agriculture

a. The roles of women and men

Agriculture accounts for approximately a third of GDP and smallholder farming systems dominate the sector. Deficiencies in transport, cold chain and warehousing affect rural producers, and obstacles to market access are an especially binding constraint to small informal household-based producers, many of whom are women.

Men are far more likely than women to work in formal sector jobs in forestry, oil palm, rubber, sugar, coconuts, cocoa and coffee plantations, and capture fisheries. These enterprises typically employ migrant workers and some are large enough to be considered enclave developments. Large plantations, fishing ports and logging camps have similar social and health problems as those associated with minerals sector enclaves. Women have a very small share of formal employment in agriculture and animal husbandry, but they are the majority among workers in tuna processing plants.

Men predominate among smallholders growing export crops such as coffee, cocoa and oil palm. Coffee and cocoa are the main smallholder crops, with 30 percent and 20 percent of the labour force, respectively, involved in their production, processing and sale. Women contribute significant labour inputs for cash crop production, as the National Agricultural Development Plan 2007-2016 notes: women contribute 50-70 percent of agricultural labour, particularly in activities such as clearing, planting, weeding, harvesting, processing, transporting, storing and marketing.\(^{254}\) Despite this, the income from cash crops is usually considered to belong to the man who controls the smallholding. His decision on how the


income is spent may involve many considerations other than the needs or interests of his wife or other members of his household.

b. Constraints to women’s roles in agricultural production

Most socio-economic studies of smallholder production identify the household as a “productive unit”, assuming implicitly that the members of a household share economic interests, share income and therefore have the same production incentives. 255 This assumption does not apply in all cultural contexts, and it is seldom the case in PNG. 256 Food crop production is generally associated with women's work, and cash crop production with men's work, although in reality the situation is usually much more complicated in PNG's diverse cultural environment. In many PNG cultures there are separate cultivated “male” and “female” food crops, and to further complicate matters, male labour inputs are essential in food production, as is the labour of women and children in “cash” crop production.

Box III.3: Gender constraints to smallholder productivity

A major constraint to smallholder productivity is conflicting incentives among men and women to contribute labour. 257 This has been closely documented for coffee production in the Eastern Highlands. Women work more hours than men in all productive and household work, with the most equitable gender participation in coffee; but women still work more hours on coffee than men, and in harvesting periods the demands on female labour are particularly pressing. 258 Although average returns to labour were found to be higher for coffee than in food production, women persevered with the heavy and less rewarding work of planting, harvesting and carrying food crops because of the incentives were better. They exercised more personal control over production, could intentionally produce a surplus over subsistence requirements for sale, and were able to control and spend most of cash earned from selling food crops. In contrast, for labour in coffee production, women received, on average, less than a third of income of their male counterparts. Women respond positively and productivity increases when they are provided with economic incentives to contribute to cash crop production, however

Some of the challenges faced by women in agriculture are similar to those faced by men (lack of access to technologies and inputs, and to market information) but women face more severe constraints in other areas. These include lack of access to appropriately timed credit, lack of decision-making control over land use, less effective outreach to them by extension services, and lower knowledge of important links in the value-added chain. Technical support for agriculture has long been mainly directed to men and to commercial agricultural activities, rather than towards improvement of informal food crop production and vegetable market gardening and production, which would benefit women. Stakeholder consultations focusing on gender issues in the agriculture sector have highlighted the incorrect assumption that women’s needs are generally met if a community-oriented or village-based approach is applied to agricultural programmes. In practice, this does not hold true as most women, like most men, are concerned with household-based production. 259

Authority over land and fixed assets in systems of traditional tenure usually belongs to men, but women have use rights to land. Although population growth in both rural and peri-

urban areas appears to be creating pressure on the availability of land, this does not appear to be a significant constraint to women’s productive activities in most parts of the country. Moreover, any assumption that land titling or registration would increase women’s equity should be viewed critically. If land registration follows the patterns that other modern adaptations of customary systems have taken, male clan leaders will become entrenched as “sole owners” and women are likely to be formally dispossessed of whatever customary rights to land and resources that they now have.

In recent years women have been encouraged to participate in agricultural training courses, particularly those associated with promoting commercial fresh produce production (which has the greatest correspondence to women’s traditional productive roles). Yet even where specific provision is made for women’s participation, it has been found that extension workers in most provinces visit more male farmers than females. Unless the training is conducted on family smallholdings, women’s participation in training is constrained by their responsibilities for childcare and other domestic obligations.

Women have long been trained as extension officers (didimeri) in service provision for agriculture, but the female-to-male ratio of employees as a percentage of total agriculture sector employees actively involved in extension, training and research has reportedly fallen dramatically since the 1980s. In cocoa, coffee and oil palm producing areas, men have more opportunity to link their planting activities with commodity agencies or through broader industry-based growers lobby groups. Women are seldom targeted by commodity agencies, despite their contributions to commercial production.

Some studies suggest that the position of women as producers is being usurped by means of changing values and a breakdown of traditional social structures. In one example from Milne Bay Province, the increasing use of money in mortuary feasting had a significant impact on women’s status because women’s once-prestigious contribution of locally grown food, particularly yams, has become overshadowed by the use of money to buy food from shops.

### 3. Fisheries

#### a. Artisanal and subsistence fisheries

Fisheries in PNG are a critical source of household subsistence and livelihoods as well as a major contributor to the overall economy. Studies of four communities where women participate in capture fisheries show that the habitats targeted and the catch per trip is quite balanced between women and men. Men have larger average annual catch rates because they are most likely to be engaged in fishing for income, to specialize in fishing and to spend time away targeting more distant and promising habitats. Because women have a range of economic household responsibilities they are more likely to fish for the family meal. If men and women target the same fishing zone, women have a slightly lower catch per trip because they stop fishing once they have enough to feed their family (and share with relatives and neighbours), while men are more likely to keep fishing after meeting the family’s needs so that they can sell the surplus. Both men and women sell catches, fresh from roadside coolers, smoked for markets and in “takeaway” forms as prepared meals.

---

Women work in marketing fish at all levels, from roadside stalls to the export of tuna sashimi products.\textsuperscript{263}

In some parts of the country, women specialize in gleaning shallow inshore areas, swamps and reef flats for seafood. Women have also recently joined men in gathering holothurian species from the sea floor, which are processed as \textit{beche-de-mer}, a valuable export commodity. This evidence suggests that conservation programmes in coastal communities should involve more women, because of their roles in gathering and gleaning a variety of marine species.\textsuperscript{264}

\textbf{b. Industrial fisheries}

PNG has a number of fisheries industries targeting crayfish, prawns and tuna. Larger scale capture fisheries are a male domain, but following worldwide patterns, women are predominant in onshore processing, where they generally earn the minimum wage as unskilled or semi-skilled labour. An estimated 7,000 women work in the PNG tuna industry, including handling and loining or canning. Because wage jobs for women without technical or educational credentials are so scarce, competition for the tuna processing and canning jobs is fierce, in spite of a stagnation of wages at the minimum levels, persistent reports of poor working conditions including sexual harassment and safety concerns, lack of safe transport for women travelling from their homes, and myriad deductions from the modest pay package including high prices for “services and goods” from the company and penalties for late arrival at work.\textsuperscript{265}

There is a proportionately larger impact on women when government regulations on fair labour practices and occupational safety and health are not enforced effectively. The concentration of women in tuna processing and the relatively small number of private sector operators involved provide an opportunity for proactive efforts by the government to improve working conditions. The government could choose to make the expansion of marine industry processing conditional on the industry’s provision of improved working conditions, with more robust surveillance and monitoring by the relevant government agencies.

The PNG tuna catch for processing and export is substantial, with an approximate potential market value of K 1 billion, but the benefits of the industry risk being undermined by social costs.\textsuperscript{266} Men employed in the tuna industry spend long periods away from home with minimal physical and social support. In fishing ports risk factors for the transmission of HIV and STI are very high. Both the industry and the government should be more proactive in increasing services around ports and industrial processing centres, such as advisory services on the prevention of STIs, alcohol and drug abuse, and social support for women and children whose husbands and fathers are at sea.

\textbf{c. Fisheries management}

Women are also employed in fisheries-related business administration and provide legal, scientific and technical services to private and government fisheries institutions, but no specific employment figures are available. A recent review of the sector estimated that no

\begin{itemize}
\item Sullivan, N. and B. Ram-Bidesi. 2008.
\end{itemize}
more than 1,000 women are employed in service industries related to the fisheries sector. The National Fisheries Authority employs 33 women, out of a total of 91 staff, in a range of roles including surveillance, enforcement and monitoring. A growing number of private companies have been sponsoring female cadets for training at the Maritime College, establishing scholarships for women at the Maritime College, the Kavieng National Fisheries College and the PNG Institute of Public Administration.

4. Forestry

Women and men living in forested regions of the country depend on forest resources for many livelihood needs. A little more than half of all forests (about 15 million hectares) are officially classified “production forests” for harvesting timber, while about 14 million hectares are reserved for conservation due to inaccessibility or for ecological considerations. While the majority of the forestry sector involves harvesting and export of round logs, downstream processing of forest products in PNG is increasing. Privately owned companies control all commercial timber production and five companies control over 80 percent of the market.

Most employees in timber harvesting and processing industries are male. National Forest Authority estimates for 2005 were that the formal forestry sector employed directly about 7,000 people, with half working in logging operations and the other half employed in activities such as veneer processing, timber processing, carpentry and supporting workshop and engineering services. There are no consistent data on the participation of women in formal forestry sector enterprises, although there are anecdotal reports of significant differences in work conditions and treatment of national staff when compared with expatriate staff in forestry camp locations.

The forest industry operates widely in remote areas of the country and many households derive income from royalties, lease payments and wages. These payments are made to men, and mainly men are employed in logging operations, but in reforestation programmes women may be engaged in plant propagation and maintaining nurseries. When logging is underway, the scale of operations usually prevents landowning communities from using forest resources in these areas. Proponents of a more diversified and sustainable forestry products sector, including NGOs, advocate smaller scale operations using locally-operated portable sawmills to increase benefits to landowners. Small-scale forestry enterprises could involve women, but there are no data on women’s participation yet.

The negative economic impacts of forest industry activities may fall disproportionately on women. For example, poor practices by some operators result in soil impaction by bulldozers in fertile river valleys, while clear-felling may make land useless for agriculture. In areas under logging women may have to work gardens in more distant locations or on poorer soil, degraded water sources result in poor quality drinking water (with associated health impacts), and loss of hunting and gathering areas reduce food and fuel resources.

The Gender and Development Division of the PNG Department for Community Development provided inputs on social impact studies of logging operations in four provinces (Ania Kapiura, Open Bay, Vanimo and Wawoi Guavi). It reported evidence that the logging operations were not providing long-term benefits in either service delivery or improvements to the general standard of living. This was identified as a consequence not only of logging company attitudes and practices, but also of the government’s neglect and a lack of investment in infrastructure and services in these areas. There were differences in the practices of operators and local community responses; the operators at Open Bay were reported to demonstrate the best practices, and men and women in this location shared royalties equally. But, overall, the studies found that “the well-being of children and women

268 Papua New Guinea Forest Authority website at www.forestry.gov.pg
tended to be neglected in the planning and development process of these projects and issues that directly affect them are generally accorded low priority”.

The environmental and social impacts of large-scale commercial forestry operations are similar to those documented for mining enclaves: men living in operational camps can pose risks to local communities in relation to potential social conflict, alcohol abuse and commercial sexual activity, trafficking and exploitation. There is little or no public debate about gender issues in forestry sector governance, although other issues about impacts and sustainability are widely discussed. The only institutional mechanism for raising these issues is the seat held by the National Council of Women on the National Forest Board of the PNG Forest Authority.

5. Government policy and programmes

The government’s MTDP 2011-2015 states that:

To fully realize the PNG DSP 2010-2030 goal, gender mainstreaming and specific programs for women in urban and rural areas will continue to be a focus of the Government across all MTDPs. Moreover, once the enabling environment has been set and resources are more readily available, new and innovative programs that raise awareness of the roles of women and men in developing and promoting equal access to resources, information, opportunities and other services that support gender equality will receive increased attention.

While there are no specific policies relating to women in fisheries and forestry, one of the five objectives of the National Agriculture Development Plan 2007-2016 (NADP) is “to improve the recognition of women’s contributions to rural industries”. Government policy recognizes that both men’s and women’s contribution to the well-being of society is essential in primary production in PNG, and the NADP commits the government to promoting equal participation of women in all aspects of agriculture and livestock development, so as to improve the status of women through economic development and empower women through training, skills development and small credit schemes in the production, processing and marketing of agricultural products. The NADP explicitly recognizes women’s challenges:

Rural women in PNG are disadvantaged in almost all aspects of rural life, due to limited access to and control over productive resources (lands, water, labour, inputs and technology), services (extension, training and credit), markets, and their limited participation in decision-making. Women receive lower wages for agricultural labour, earn less than men from the sale of cash crops, are unequally represented in the social forums, and are left out both as contributors and beneficiaries in productive economic activities. When households need to generate additional income or faced with economic crisis, women must mobilize their energies. It is important to formulate clear policy and appropriate strategies towards welfare of women in all aspects of agricultural development.

---


271 Department of National Planning and Monitoring. 2010b.

Four areas are identified in the NADP for intervention or change:

- **Access to and control over resources and services**: gender imbalances can be addressed by providing equal access to and control over land and water, formal and informal markets, and equal access to credit and support services.
- **Empowerment and access to decision-making to support parity of benefits**: public agencies and industry groups can ensure women’s voices are heard in programme, project planning and design, in farmers’ groups, in negotiations with buyers, etc.
- **Research and extension**: efforts can be made to improve the exchange of information between women and men farmers, researchers and extension agents; undertaking research to understand the specific needs of and barriers faced by women agriculturalists; rebalancing the national research agenda to focus more on post-production issues that constrain profits for small producers.
- **Policy and advocacy**: government agencies at all levels can be proactive and support efforts to channel women’s voices so their needs and concerns as producers and businesspeople are represented in policy dialogues.

The NADP makes a commitment to supporting gender equality in the agricultural and rural sector, with a programme that will (i) improve the recognition of women’s contributions to agriculture and natural resource management; (ii) encourage more women to be involved in decision-making in these industries; and (iii) increase the capacity of women to contribute to national government and industry agendas relevant to agriculture, fishing and forestry. However, in the first four years of the NADP’s implementation (2007 to 2011), there has been little progress in achieving these outcomes, and only modest investment in inputs and activities. The priority development programmes did not include specific actions to lead to these three outcomes.

The Department of Agriculture and Livestock established the Women in Agriculture Development Unit in 1996 but it receives only modest operational funding. This measure has worked most successfully for gender issues in the sector during partnerships with donor-financed projects. More effort is needed to mainstream gender across all national and provincial rural development planning and programmes. At present, women’s participation in the sector is mainly addressed in relation to food and nutrition, which is a minor element of sector programming. In fisheries there has also been little attention to gender issues, or to other social issues in the sector.

The women-in-agriculture networks developed in the last decade through the Department of Agriculture and Livestock and provincial authorities did not become robust productive links informed by market realities. Instead, their focus was on gender awareness and identification of potential farmer leaders in small, local groups. Provincial budgets did not provide the resources needed by local officers to undertake studies, or provide training for women’s groups on how to develop gardening skills into profitable businesses. Even where money was available for technical extension, it was not matched by resources to provide training on business planning and management, or arrangements to finance seasonal production.

### 6. Stakeholder support

Agribusinesses may provide extension services that benefit women; these include support for food production and commercial activities, and ancillary support like literacy training or family health services. Examples include the programmes of Ramu Sugar, New Britain Oil Palm Ltd., New Guinea Table Birds and North Fly Rubber.

The Fresh Produce Development Authority has provided information that is relevant to women, market-focused and usually delivered by female field staff – an important

---

consideration in some areas where an outsider male extension officer would not be able to work with women. Women are specifically targeted for training and programmes such as their Mobile Market Information Service partnership with Digicel that are inclusive of and accessible to women.

The National Agricultural Research Institutes (NARI) and PNG-Australia Agricultural Research and Development Support Facility (ARDSF), supported by AusAID, foster agricultural research and development networks. These programmes focus on gender issues and outreach to women agriculturalists. A persistent challenge has been to provide information that is accessible to women, who have limited mobility compared to men. NARI is experimenting with alternative strategies to disseminate technical information to overcome this constraint, and is encouraging research on post-production opportunities to increase profitability for small producers.

ARDSF and NARI have links with the Women in Agriculture Foundation to address technical and institutional issues, such as improving business skills in horticulture among women smallholders. With support from the research programmes and national research institutions, the Foundation held its second National Forum in August 2011. It hopes to build capacity to become an “effective and efficient voice for women as equal partners and a platform for innovation by women in agriculture for development”.

C. Extractive industries

1. Gender issues

a. Development considerations

PNG has a heavy economic dependence on extractive industries. These industries have in common their location in isolated rural areas, their enclave characteristics and their major social impacts on surrounding populations. The development case for greater involvement of women in minerals and related sectors is straightforward: women constitute half of society and therefore should share equally the benefits, and women should not bear a greater burden than men from the risks of such sectors.

The business case for private companies’ focus on achieving a gender balance in their activities is equally compelling: businesses benefit and profits rise when they develop a culture of equity and diversity in the workplace, drawing upon a broad pool of labour in what has traditionally been a male-dominated industry. By overlooking women who are as productive and effective as men, extractive industry companies drive up labour costs for an already small pool of skilled workers.

Men and women usually prioritize and spend income quite differently, and changes in income and employment driven by extractive jobs and other payments may not significantly improve a family’s investment in health, nutrition, and education at the household level. Men are more likely to use their income on immediate consumption, traditional obligations and political goals, while women are more likely to save money or spend it on their families’ health and education, thereby mitigating some of the negative impacts of extractive industries almost immediately.²⁷⁴

b. Social impacts

Studies of the social and gender dimensions of extractive industries in PNG show substantial social impacts at the community and household level. There are stresses on the family and clan structure from having a mostly male workforce living away from their spouses and children. A concentration of mostly male workers usually encourages the sex trade and increases the risk of child trafficking and sexual exploitation. These dynamics in turn cause increased risk of HIV and AIDS, social conflict and violence. Men and women, boys and girls, all feel these impacts, but the differential impacts may be quite striking between men and women.

Poor management of stakeholder concerns around extractive projects can lead to conflict. The most extreme example of large-scale civil conflict and violence associated with mining occurred around the Panguna mine in Bougainville. The conflict eventually grew into a civil war engulfing most of the province. Women’s groups from the Panguna area played important roles in brokering the eventual peace agreement. Although they were subsequently marginalized in the formal reconciliation process (which was dominated by programmes focusing on weapons disposal and ex-combatants), they have continued to contribute to ongoing peace building and discussions of any eventual decision to renew mining in the province.

At the Porgera mine in Enga Province, negative consequences for women arose from the influx of large amounts of money from compensation, royalty payments and wages. This new wealth enabled men to pay high bride prices and marry multiple wives on an unprecedented scale. This destabilised marriage, household composition and social harmony and was seen by many women as contributing to a decline in their status and erosion of customary ways of negotiating marriage. It also increased the incidence of domestic violence and aggravated tensions between neighbouring groups when older wives were abandoned and new wives were taken from other tribal groups. The incentive for these groups was to gain access to mining benefits through marriage. Women without other means of access to money sold sexual services.

Extractive industry operations often have substantial environmental impacts, including conversion of land away from traditional uses and environmental degradation. These changes can impact agriculture, can increase the time it takes to collect water, firewood and food – often tasks borne by women and girls – and can create health problems that increase the burden of care for women. Specifically for mining and oil/gas operations, inadequate monitoring of environmental indicators or government policies that allow disposal of minerals waste, tailings and by-products in river systems or deep-sea channels, may result in long-term degradation of water systems which in turn have negative health impacts on women, men and children in nearby communities.

---


c. Employment and income

Worldwide, there is limited analysis of the gender-differentiated impacts of extractive industry-driven economies. Quantitative data show that employment opportunities created by mines and oil/gas fields provide employment opportunities, and that those employed in extractive industries have opportunities to develop technical skills in international demand. Employment in extractive industries has opened a door for a minority of men from PNG to move into high-value jobs with significant family benefits, including better education and health benefits.

Extractive industries employ an international workforce (mostly men) at senior levels who move between projects. The fly-in/fly-out rostering policies in PNG for senior expatriate and national employees favour men who are either single or married with a wife and family located elsewhere. Few enclave industries in PNG have arrangements for living on site and with more normal domestic arrangements. Negative impacts on the mainly male workforce in mines and oil/gas fields are associated with segregated living conditions, high consumption of alcohol and cannabis and infrequent access to family and community, which lead to both a strain on families and negative social and psychological impacts on the men themselves.

Local contractors to the extractive industries, usually PNG owned and operated, employ large numbers of women only when they have contracts for cleaning and catering. Extractive industry operators in clerical positions mainly employ women while men are concentrated in the skilled and semi-skilled jobs in the pit and plant sites.

d. Gender disparities

While extractive industries usually create jobs, there are significant gender disparities in male and female access to employment and access to better paid employment as noted above. Research over eight years on women’s experiences in the formal workforce, including a significant subsample from the minerals industry, found structural inequities that disenfranchise women in PNG across all industries and sectors.278 The factors that are most difficult to overcome are “probably those deriving from the local customs and economic and political conditions that predate mining”, which, when combined with the “masculine ideologies of mining”, produce powerful structural barriers. The sample of women from mining companies included the highest number of graduates, these women were younger than their public sector counterparts, they had a greater awareness of their capacities as professionals and expressed ambitions that extended beyond being successful in their current jobs. The challenges they experienced at work were the same as in other sectors, however. Such challenges included difficulty in gaining promotions to positions that required men to report to them, and problems at home with male partners who were jealous or suspicious.279

Some resource companies purposefully recruit and train women to work across a range of high-skill, high-wage areas previously not open to them but the majority of jobs in extractives are still held by men. Two examples of this “affirmative action” usefully expose the challenges and opportunities:

- At the Lihir mine in the late 1990s, local contracting companies gave women the opportunity to train as drivers of the large trucks and machines used in excavating the mine area and building the roads: they hired a female trainer and encouraged all Lihirian women to apply. Eight women completed training, most of them from Bougainville, and five gained employment. After a year only two Bougainvillean women remained—all

---

278 The study included 100 surveys and over 30 in-depth interviews with women in the workplace in PNG and included women in mining industries, nurses, teachers, and police officers.
279 Macintyre, M. 2011.
the others decided that they would stay at home and avoid the hostility of male employees, husbands and villagers.280

- At the Hidden Valley mine in 2008, a similarly proactive approach was taken, but more effort was made to engage with local community leaders (both men and women) to explain the importance of all community members having a chance to “try out” for these new jobs. More than 76 percent of the 180+ machine operator jobs were filled by locals, and 10 percent of those were women. Three years later, all but one of the women drivers were still working at the mine.281

Attitudes in PNG may be changing; media and the private sector are quick to highlight positive examples of women rising in previously male-dominated fields. But constraints still abound: outdated and discriminatory employment laws, unequal access to technical and university programmes in relevant disciplines, gender stereotyping by potential employers and reluctance by female graduates of engineering programmes to challenge a historically male-dominated industry. While enrolment and completion rates for girls still lag significantly behind boys, there has been increased enrolment of female students in technical disciplines such as engineering and geology. One indicator of change is that the University of Technology at Lae just graduated its first female degree holders in Mining Geology.

The Employment Act needs a review in relation to the provision that prohibits women from working in certain positions at night and from working underground, or in jobs that involve heavy labour. The prohibition on “all kinds of underground work” means that women are excluded from much of the mining industry, irrespective of whether or not the jobs involve hard physical labour or are mechanized, and irrespective of the nature of work (e.g., as geologists, engineers or mine surveyors). While the motivation for these restrictions may be health and safety concerns, they are arbitrary and outdated, and the protective intent of the older laws with regards to health and safety issues could be achieved by gender-neutral means: (i) inventorying the physical requirements of jobs; and (ii) undertaking health and physical risk assessments for both men and women, in consultation with employers, trade unions and workers.

2. Policy and strategic initiatives

In PNG’s national strategic development planning documents – the Vision 2050, the PNG Development Strategic Plan 2010-2030 and the Medium Term Development Plan 2011-2015 – the government acknowledges the historical structure of the PNG economy as being dependent on extractive industries. But there is no direct mention of gender-differentiated aspects of the activities and/or employment in the extractive industries sector, nor any discussion of specific policies or actions that would mitigate negative impacts or foster improved gender balance in the sector.

The government and the World Bank sponsored a series of workshops on gender and mining in 2003 and 2005, and expanded these to include petroleum areas in 2010. These led to the identification of gender-specific issues and potential solutions. In 2007, following recommendations from the landmark 2005 Women in Mining Conference, official support was given to a participatory process led by an Inter-Agency Steering Committee. Departments involved included Mining, Petroleum and Energy, National Planning and Monitoring, Environment and Conservation, Works, Justice and Attorney General, Community Development, and Agriculture and Livestock. The National Department of Education and the National Council of Women joined later during the process. Community members from mine-impacted areas across the country were consulted extensively through a grass-roots process resulted in a Woman in Mining Action Plan. The Department of

281 Interview and site visit, Morobe Mining Joint Venture.
Petroleum and Energy expressed an intention to follow a similar path and develop a “Women in Petroleum Action Plan”, but this has yet to be implemented.

The Women in Mining (WIM) Action Plan, finalized in late 2007 identified socio-economic problems caused by mining activities “including changes in traditional ways and culture; increasing population through in-flow of workers; loss of land and environmental degradation; social and family disruption (violence, increased alcoholism, prostitution, and sexual abuse; health deterioration); poor distribution of mining benefits and a lack of representation on mining matters”. The Plan articulates eight goals:

- Raise the level of general education and literacy to improve the status of women.
- Strengthen reproductive health services given degraded maternal and child health in rural PNG.
- Prevent or control incidence of TB and STIs, particularly HIV and AIDS.
- Increase opportunities for women and girls to participate in the economic, political, cultural and social life of their communities.
- Strengthen women’s associations’ ability to operate after mine closure.
- Ensure communities are able to sustain their livelihoods beyond mine closure.
- Mitigate and avoid environmental degradation that reduces quality of life.
- Promote and maintain safety, security and peace in communities.

Cabinet endorsed the WIM Action Plan in December 2009 and several important actions have followed, including the creation of a Gender Coordinator position in the Minerals Resource Authority and a commitment by the government to encourage resource developers to set up gender desks to coordinate women’s representation (which most of them have done). Despite this, no funding was allocated for implementation of the Women in Mining Plan in government budgets in 2010 and 2011; most actions undertaken were funded either by private sector resource companies (mine or oil field operators) or through the World Bank Japan Social Development Fund grant project administered by the PNG Chamber of Mines and Petroleum (2006 through 2010). Fortunately, the 2012 Development Budget provided an allocation of K 300,000 for implementation of the WIM Action Plan.

The Minerals Resources Authority, responsible for licensing, regulation and oversight of operators in the mining sector, has proactively advocated gender-informed actions in mining projects using the periodic Memorandum of Agreement Reviews and consultations to seek opportunities for recognition of women’s projects and allocation of assistance.

The Department of Mineral Policy and Geohazards Management is responsible for policy formulation and legislation and has specific responsibility for “ensuring that the interests of the State are protected when formulating mining development contracts and benefit sharing agreements” through revised relevant mining policies and regulations. This provides the department with the opportunity to include provision for mandatory participation by women in negotiations regarding mine agreements should the government wish to advance that direction. In its 2009-2015 Corporate Plan, it committed to drafting legislation and policies related to women in mining but the Policy and Legislation Division has yet to take action on this commitment. The petroleum sector may also engage in more proactive championing of gender issues across the entire minerals sector in the future.

3. Representation of women’s interests

A priority for women in mining-impacted communities is to gain representation in decision-making processes and bodies, to create mechanisms to channel mine-derived revenues and to determine how they will be able to independently manage their associations and implement programmes for their communities. Parties to Memorandums of Agreement

---

(MOAs) for mining or oil/gas projects include the government at national, provincial and local levels, resource developers and landowners.

The Mining Act 1992 stipulates that MOAs shall be agreed with the national government at commencement of mining operations and shall outline the parties’ commitments to (i) undertakings for infrastructure and services delivery; (ii) associated business opportunities; (iii) human resources development; (iv) environmental monitoring; (v) compensation packages, royalties and mining grants distribution; and (vi) various benefits meant to bring about development in mining communities and provinces. A critical emerging strategy for women is to be involved during the MOA reviews so that women’s development needs are tied to relevant undertakings in the MOA. If these are included, the MOA parties will have a legitimate obligation to commit to recognize and support women’s developmental needs.

Including women’s entitlements in MOUs is important because unless discussed and agreed to by all the stakeholders in negotiations and formalized in this way, there may be objection on cultural grounds. For example, in the case of the Lihir mine in New Ireland Province, groups of landowners set up bank accounts for the receipt of compensation and royalty payments, but no women were given authority to control the accounts. The mine operator tried to insist that women landowners be named on the lists to receive some control over the money, but both men and women, who considered that men had the right of customary control over a lineage’s wealth, rejected their efforts. Accused of cultural insensitivity, the operator was reluctant to interfere further in private financial matters within families and had no legal authority to determine how each local group deals with its money, so was unable to address the gender inequities.

The Ok Tedi Community Mine Continuation Agreement MOA set a new standard for women’s participation in mining project MOAs, in terms of both process and legal outcome. Women were involved in the 2007 negotiation and the results provided for 10 percent of dividends from each of the three shareholders to be “set-aside” for activities that benefit women and children. Since then, other mining projects with MOAs due for review have been lobbied for the interests of women to be acknowledged and included in the reviews. Advocates have also begun lobbying the Department of Mineral Policy and Geohazards Management to consider institutional arrangements that will provide a mandate for the involvement of women in benefit-sharing negotiations, as part of the ongoing review of mining sector legislation.

Specific examples of the trend among resource companies include:

- Ok Tedi Mining Limited, building upon the successful “10% win” from the Community Mine Continuation Agreement process, has built women’s participation into the ongoing Mine Life Extension MOA. This seeks to extend the life of the Ok Tedi mine by nine to ten years, in order to exploit three new ore bodies in the mining lease area.

---

284 Menzies, N. and G. Harley. 2012. We want what the Ok Tedi women have! Guidance from Papua New Guinea on Women’s Engagement in Mining Deals. Briefing Note 7(2). September 2012. World Bank, Washington DC.


286 Brere, S., 2011, Summary of Gender Related Information in Memoranda of Agreement Related to Mining Projects in PNG. Mineral Resources Authority, Port Moresby.


Box III. 4: Learning from the Ok Tedi community mine continuation agreement
“women’s 10 percent” experience

Guidance for the negotiation phase of mining agreements:

- Make the business case for women’s inclusion to get operators onside as powerful allies.
- Women’s representatives at negotiations who combine both local ties with national or international skills and experience can be particularly effective.
- Providing separate caucusing sessions for women.
- Support independent advisors (environmental, legal and financial) to overcome asymmetries of information and power, build trust and construct more equitable and durable deals.
- Avoid undermining accountability with a too-complex web of benefit streams; deliver resources through a smaller number of channels, the operation of which is easy for beneficiaries to understand and transparent in its delivery.

Guidance for the implementation of mining agreements:

- Require family bank accounts (with women as co-signatories) to enhance women’s control of cash compensation payments.
- Incentivize girl’s education by making boys’ scholarships conditional on a matching number of girls’ scholarships, and finance special provisions for girls’ safety and security.
- Post basic information about benefit procedures, amounts, dates and feedback/grievance channels in public places, such as community halls, health clinics, schools and churches.
- Consider a residency requirement for village representatives in the village they represent.
- Provide structured feedback and grievance processes that allow beneficiaries to bypass their local representatives who may be the subject of complaint.

- Morobe Mining Joint Venture Limited, operator of the Hidden Valley Mine, supported four women’s landowner associations in the project catchment area, through the company’s gender desk, to consultatively develop proposals during the MOA process. The proposals are that (i) four women’s representatives, as well as one women’s business association, be included at the MOA negotiations table; (ii) 1 percent of the 5 percent of royalties allocated to the local level government be channelled to support the four women’s associations’ family development plans; and (iii) the Future Generation Trust Fund Committee includes representation by a women’s business association.

- Newcrest Mining Limited, the operator of the Lihir Mine, has a team of community affairs officers and a gender officer that work closely with the two women’s associations to mobilize participation in consultations and prepare for consultation forums, including MOA reviews and networking with other stakeholders and the government at its three levels. The consultation forum in April 2011 agreed to establish a gender desk under the Lihir Sustainable Development Plan. The company team will support the women’s associations in their advocacy for outcomes to be presented to the MOA Review in 2013, including long-term allocation of funds and technical resources for women’s programmes in the MOA.

- The operators of the Ramu Nickel Mine employ two women officers. They work with four women landowner associations, assisting their participation in forums, including MOA reviews, and representation of their interests to other key stakeholders. Women’s evolving capacity is exemplified by the fact that in the 2008 MOA review women were represented by the Minerals Resources Authority but in 2011 women’s groups presented jointly with the government agency to the 2011 pre-MOA Review consultation,
requesting a percentage of landowner association royalties to be allocated for women’s priorities.

Company-funded gender officers have been instrumental in coaching women stakeholders in several instances, and some have channelled the voice of women to mainly male community leaders. Examples include (i) the Kurumbukari landowners’ association in the Ramu Nickel mine area voting to allocate a 1 percent royalty for women’s programmes; (ii) community leaders in Hidden Valley supporting women’s participation and sharing of resources at the MOA review; (iii) Simberi Mine Areas Association funding a women’s desk in their socioeconomic development programme and working with the Simberi Council of Women; and (iv) the Basamuk landowners association adding a Gender Desk to its draft constitution.

Some provincial and local level governments have also advocated women’s representation during negotiations. At the February 2011 Forum, the Madang Provincial Government proposed to establish a gender desk within its structure to work with the mining company and the four stakeholder women’s associations. It also advocated allocating a percentage of royalty distribution for women’s projects. Both those commitments are captured in the draft MOA. Saidor, Astrolabe Bay and Gama local level governments supported the efforts to formalize recognition of women’s interests.

Capacity building is the key to the achievement of women’s participation and benefits. An early example is the Chevron programme for women in their oil project areas. A more recent example is the government’s Women’s Self Reliance Programme, financed by the World Bank, for communities in resource extraction localities. These initiatives demonstrate that progress depends on group formation, management and record keeping, prioritization of needs, lobbying and advocacy. Individual women also need training in literacy, numeracy and demand-driven training in life skills and livelihoods.

---

**Box III.5: A corporate approach to women’s empowerment in the extractive sector: PNG-Liquefied Natural Gas and Esso-Highlands**

ExxonMobil’s Global Women in Management programme, executed by non-profit partner the Centre for Development and Population Activities (CEDPA), fosters leadership, entrepreneurship and advocacy skills in “women leading change for women” in non-profit organizations or women’s associations. Since 2010, more than a dozen PNG women have completed this programme. PNG women also attended a 12-day programme in Washington DC, which focused on developing advocacy strategies that advance women’s economic opportunities by building on the earlier month-long CEDPA programme. As of June 2011, nine PNG women have completed this training either in Washington DC or Jakarta, Indonesia.

The PNG Liquefied Natural Gas (LNG) project sponsors women’s professional development in specific areas such as agriculture and business management, including the 2010 Australian Women in Agriculture’s annual meeting in August, where female farmers shared lessons learned and best practices, and networked with peers. The Enterprise Centre, established by Esso Highlands Limited, which was constructed to help develop PNG suppliers to the PNG LNG project, is also playing a key role in mentoring and supporting women who wish to form companies, including Porebada Ahine Limited, a women-owned company that provides stitched bedding supplies to the LNG Pioneer camp.

Linkages to the informal employment sector are also made. In September 2010, PNG LNG joined with the PNG Chamber of Mines and Petroleum to undertake a skills development needs assessment as a precursor to launching a training programme for women in Porebada, Boera, Papa and Lea Lea. PNG LNG also facilitates the work of women’s associations and their ability to identify opportunities to improve livelihoods and support livelihoods-focused training throughout project impacted areas.

The impacts of extractives projects are felt in urban centres as well as in rural areas where gasfields are located. At the end of 2010, the PNG LNG project approved a three-year support plan for the Urban Youth Employment Project, led by the National Capital District with
support from the World Bank. The project provides at-risk youth with basic training to increase their employability, on-the-job training, and temporary apprenticeships. PNG LNG’s input is specifically designed to support inclusiveness of young women.

PNG LNG also supports important policy dialogues on women’s empowerment. In June 2011, PNG LNG supported a convening of women from throughout the Pacific led by the United States State Department, the Government of PNG and World Bank Group, to discuss both obstacles and approaches to women’s empowerment.


The Women in Mining Forums have encouraged programmes for microfinance, literacy and skills training, and the establishment of gender desks at each of the major mining operations. In addition, programmes have funded for HIV and AIDS awareness and counselling for victims of FSV. A small grants programme has been established for women’s associations to compete for resources supported by the World Bank-financed project with the Mineral Resources Authority (MRA), in association with its technical assistance to the mining sector.

Mining and oil/gas companies fund women’s programmes and projects as part of their community development programmes. With their support women are now taking a more central role in planning processes and discussions about the extractive projects in their communities. Operators are supporting infrastructure and services for communities affected by resource extraction industries. These include primary health programmes, malaria reduction and immunization, rehabilitation or construction of schools with support to teachers, and water and sanitation improvements. Operators are required to train staff to guard against potential negative impacts with programmes for HIV and AIDS awareness, services and counselling; to apply policies to prohibit the consumption of alcohol in camps; and to provide support for community policing.

Box III.6: Potential actions to increase access to employment, livelihoods and economic resources

The following actions are suggested to increase access to employment, livelihoods and economic resources:

- Consider a targeted “deepening” of the successful alternative dispute resolution programme ongoing at the national court level to focus on sectors where increased access for women to efficient and low-cost dispute resolution will significantly improve their productive economic involvement (such as in key agriculture niches like coffee).
- Request collaboration and support from key donors on tax policy and improvements that make it easier for informal sector to formalize and “graduate up”.
- Convene a review group to support the Constitutional and Law Reform Commission (CLRC) in drafting amendments to the two laws that currently affect women negatively in livelihoods and employment (the Wills and Probate Act and the Employment Act with regards to underground and night work).
- Provide systematic training for judges on the gender implications of their rulings under the Matrimonial Causes Act.
- Finalize and pass the draft law on using moveable assets as collateral.
- Investigate the positive benefits that could result from a GoPNG partnership with investors at the Pacific Marine Industrial Zone in Madang to commit to improved work conditions for the largely female canning workforce, with robust GoPNG monitoring and enforcement.
- Follow through on the Department of Mineral Policy and Geohazards Management (DMPGM) corporate plan commitment to draft legislation and policies specifically related to women in mining.
• Support agriculture sector research that focuses on post-production constraints, such as gender-differentiated benefits from improved marketing chain and cold storage.

• Seek support from the Department of Petroleum and Energy to invest in institutional mechanisms that support programmes for women in petroleum, just like the MRA does for women in mining.

• Include a specific gender focus in the proposed Agriculture Sector Update planned by the World Bank in collaboration with the Department of Agriculture and Livestock.

• Link these analyses to an investigation of the gender-differentiated impact of climate change (pests, rainfall and land use changes) on rural livelihoods.

• Use the current and upcoming reviews of mining and oil and gas policies and laws to provide for mandatory participation by women in negotiations, and guidance on allocations of dedicated shares of benefits streams based on the Ok Tedi community mine continuation agreement (CMCA).

• Prioritize donor support and municipal budget allocations for market safety initiatives.

• Solicit donor support for greater investment in numeracy and financial literacy.

• Prioritize the proposed IFC support to “FAST”, a programme that provides basic financial and business literacy to women farmers.
Chapter IV
Access to Rights through Legal and Social Empowerment

A. Factors affecting access

1. Distance to services

The justice system is a powerful tool for those who have access to it. But access is not easy in PNG. Most people live in rural areas where geography is rugged and travel is difficult, and many people lack money and means of transport. A journey to a regional centre to access the court registry to file a complaint would present considerable difficulty and expense to most of the population.

2. Illiteracy and lack of education

People with low literacy and limited formal education are unlikely to be aware of when they are entitled to take action in the courts over a grievance, to press for prosecution or seek damages and other relief for civil or criminal cases, or to know how to take the necessary action to prosecute that action in a District or National Court. Those who are not literate in English have even greater difficulty in understanding the law and accessing legal services.

3. Lack of judicial officials

The justice and law enforcement system is weak in many areas and is insufficiently policed. Furthermore, application of the law is often neglected by those who are responsible. The lack of judicial officials has been highlighted as a key issue. A survey of three provinces in 2011 found that Milne Bay Province had no resident judges, Eastern Highlands had only one resident judge and Simbu Province had no District Court Magistrates. (Appendix 4 provides a summary of the numbers of judicial officials in these three provinces.)

4. Gender inequality

Women have even less access than men to the transport, money and education that would make it possible to access the courts. They also have less representation than men, as significantly fewer judicial officials and police are female. In 2011, Milne Bay Province had no female Peace Officers and no female Land Mediators; Eastern Highlands Province and Simbu Province had no female resident judges and no female District Court Magistrates; and Simbu Province had no female Police Officers outside the provincial headquarters. Access to justice for women’s land rights is particularly poor. The management of these cases is made more difficult by the lack of female staff.

---

287 Interviews with justice and law enforcement officials in 2011 by B.D. Brunton.
288 Interviews with justice and law enforcement officials in 2011 by B.D. Brunton.
B. Constitutional provisions for equality of access

The Constitution of the Independent State of Papua New Guinea states that citizens have the same rights, privileges and obligations irrespective of sex, including equality of opportunity for equal participation of women in all political activities. As the foundation of formal law-making, the constitution blends modern thinking about human rights, equality of opportunity and individual freedoms with traditional Papua New Guinean customs. The constitution places a duty on governmental bodies to apply and give effect to such principles that lie within their respective powers.

The Constitutional Planning Committee’s Statement of National Goals and Directive Principles addressed the question: “What kind of society do we want?” The answer was provided in guidelines known as the “eight aims”. The seventh aim was “a rapid increase in the active and equal participation of women in all forms of economic and social activity”. The Statement of National Goals and Directive Principles of the constitution addressed the rights of women as follows:

We have also emphasized the importance of women being able to make their full contribution to the welfare of the country, on an equal footing with men. In recent years women have played a significantly greater part in the country's national life - in politics, in business, in social and cultural activities. But more effort should be made by government to hasten this development. Obstacles to educational and other opportunities which face women at present should be removed, and insofar as it is within the power of the Government to do so, the difficulties facing women who wish to involve themselves in the affairs of the nation should be reduced.

The protection of human rights is part of the exclusive jurisdiction of the National and Supreme Courts. Despite the constitutional provisions for equality of opportunity, the Supreme Court has been conservative on the enforceability of the National Goals and Directive Principles. Few people seek to enforce their constitutional rights and many people are quite unaware that they exist.

The constitution declares the "underlying law" to consist of "customary law" derived from the "custom" of the various ethnic groups of PNG and the common law of England as it stood at the date of PNG's independence on 16 September 1975. The framers of the constitution intended the customary law portion of the underlying law to be developed according to indigenous conceptions of justice and equity. In practice there has been difficulty in both the development and the application of customary law within a modern legal system. In 2000 the national parliament enacted the Underlying Law Act to direct the attention of the courts to the development of customary law as an important component of the underlying law.

C. Commissions

1. Ombudsman Commission

The Ombudsman Commission (OC) was established under the constitution. The OC’s operations are contained in specific legislation, the Organic Law on the Ombudsman.
Commission 1998. As a specialist jurisdiction carrying out a crucial role in defending democracy in PNG, its work is properly done situated in proximity to public sector centres and is not expected to reach into the rural villages. While legal representation is not necessary, the resources and coverage of the OC are only available in four regional offices.

A key part of the OC’s mandate is “the improvement of the work of governmental bodies and the elimination of unfairness and discrimination by them.” The OC may investigate a complaint of discrimination made about a public sector department or agency, but it may decide against hearing a complaint if another remedy or channel of complaint is available to the complainant. The OC may take action following a complaint by an individual, or by its own decision to investigate a matter. The OC cannot award compensation and its decisions cannot be reviewed. Anecdotal evidence suggests that women in public sector employment who complain about discrimination in employment are referred to other avenues of complaint, under public service legislation and general orders.

The two OC programmes relating to ensuring gender equality and tackling FSV and HIV/AIDS are the External Relations Program and the Anti-discrimination and Human Rights Unit. The OC has taken proactive steps in recent years to increase its effectiveness in eliminating discrimination and upholding the human rights of women. In 2011 the OC assisted the Royal Papua New Guinea Constabulary (RPNGC) to improve police effectiveness and to increase the willingness of senior management in the RPNGC to address FSV. Furthermore, the OC has incorporated gender, FSV, HIV/AIDS and human rights concerns into an ongoing external relations programme that educates Local Level Government leaders on section 27 of the Constitution (the leadership code). It is planned that the OC’s Human Rights Unit will collaborate in future with civil society organizations and development partners to improve provincial service delivery and mainstream gender equality, so as to better tackle FSV and reduce the spread of HIV.

2. Human Rights Commission

The National Executive Council has approved the establishment of a Human Rights Commission for Papua New Guinea. The International Law Branch of the Department of Justice and Attorney General is presently working on the configuration of the Commission and legislation is currently being drafted to establish the Commission. This will provide an important avenue for redressing breaches of CEDAW as well as women’s rights under other human rights treaties.

D. The courts

1. National and district courts

The National Court is responsible for protection of fundamental rights to life, freedom from inhuman treatment, liberty of the person or property, and has exclusive jurisdiction over human rights. It also has exclusive jurisdiction over divorce and the Matrimonial Causes Act, and the statutory adoption of children under the Infants Act. Its civil jurisdiction is for

295 Government of Papua New Guinea. 1975. S. 218 and S. 219 (1) (c). The purposes of the commission are set out in section 218 of the constitution, and are for the commission: (a) to ensure that all governmental bodies are responsive to the needs and aspirations of the people; and (b) to help in the improvement of the work of governmental bodies and the elimination of unfairness and discrimination by them; and (c) to help in the elimination of unfair or otherwise defective legislation and practices affecting or administered by governmental bodies; and (d) to supervise the enforcement of the Leadership Code; Organic Law on the Ombudsman Commission. S. 13 & 22.
the trial of major matters including compensation claims, involving an amount exceeding K10,000. There are National Courts in the National Capital District and in 12 of the 21 provinces, and there are plans to eventually establish National Courts in all provinces.

The 65 District Courts are the front-line of the formal justice system for addressing legal rights. The Magisterial Service administers, manages and sustains the operation of District Court establishments and four hundred Court Circuit Court locations throughout the country. The District Courts provide a mechanism for the administration of justice and the resolution of disputes.301 In each province District Court Magistrates deal with most matters, including applications for maintenance and custody of children, and assaults associated with cases of sexual and domestic violence. Many matters need to be dealt with exclusively by female magistrates. District Court Magistrates are located in few district centres, and usually only do intermittent circuiting.

A commentary on the Law and Justice system in PNG in 2002 noted that there were only 130 District Court Magistrates, which works out to one magistrate per 36,000 people and less than 1.5 per administrative district.302 The Law and Justice Sector (LJS) has since committed to increasing the number of magistrates, lawyers and police, particularly females, and has seen numbers rise significantly. The sector has also committed to empowering women in the judicial system. In 2011 the sector supported the establishment of an association for female lawyers and in 2012 supported the establishment of an association for female magistrates, the Papua New Guinea Judicial Women’s Association.303

2. Village courts

The Village Courts system is provided for in the constitution and these courts are supported by several pieces of legislation, key among which is the Village Courts Act 1989 (amended from the Village Courts Act 1975). The primary purpose of Village Courts is to maintain peace and good order in villages through mediation and the application of customary law.304 Their charter is based on the use of local custom but these courts cannot use, condone or support customs that breach the rights enshrined in the constitution.

Village Courts deal with minor offences, disputes and problems in communities. While their primary focus is on mediating agreed outcomes, they have both civil and criminal jurisdiction with full court powers for matters that cannot be settled using mediation or where mediation is not appropriate, such as matters relating to violence. The courts issue orders, including Preventive Orders, and impose small fines and compensation payments but do not imprison people. Village Courts have the power to order imprisonment for non-compliance with a Village Court Order, however.

There are currently over 1,540 Village Courts operating throughout PNG, providing free justice services for the people. The number of Village Courts has increased by 50 percent since the late 1990s. Village Courts are the most accessible form of justice available to the rural population and deal with an estimated 600,000 cases every year. Women comprise around 42 percent of all complainants overall, but the percentage is higher in the Highlands provinces where around 46 percent of complainants are women. Violence or potential violence matters account for around 30 percent of cases dealt with in the Village Courts and women represent around 25 percent of the defendants in these cases.

Over 16,000 officials support the Village Courts. Officials are respected community leaders and are selected by the communities. Nominated Chairpersons, Deputy Chairpersons and Magistrates are agreed with the Provincial Supervising Magistrate before being appointed by the national Minister for Justice. They must then be gazetted.

There are around 8,000 Peace Officers and Clerks, 200 of which are female, and there are over 8,000 Village Court Magistrates. Until 2004, only around 10 of the magistrates were women. To address this, a policy commitment was made in 2000 to appoint at least one woman into every Village Court, and a campaign to support this policy has been pursued vigorously over the past 12 years, with strong leadership from the Village Courts and Land Mediation Secretariat within the Department of Justice and Attorney General (DJAG). This campaign has seen major success and the goal of one woman per court is being exceeded in many communities, with numerous Village Courts nominating two or three women. Thus, by July 2012 the number of female Village Court Magistrates stood at around 950 (i.e. around 12 percent of all Village Court Magistrates are women) and another 300 were being recruited. It is expected that there will be around 2,000 female Village Court Magistrates by 2015. The recruitment of female magistrates has progressed much more rapidly than expected, demonstrating the value of political will among leaders and of acting decisively on policy commitments. Many male magistrates have welcomed this achievement and their support has been promoted since 2008 by incorporating gender, FSV and HIV and AIDS into induction and professional development training of magistrates, managers and other officers. 

While the courts are formal, they use informal processes. The effectiveness of informal processes depends on the extent of social cohesion in rural communities. Studies of women’s rights in the context of Village Courts in different parts of the country have reached varying conclusions about the effectiveness of these courts, which is to be expected given the variation between cultural norms and customary law in PNG societies. Some studies have found that women are confident to bring cases before Village Courts and are likely to receive judgments in their favour. Other studies have found that women are less likely to pursue their rights in Village Courts than elsewhere; that Village Courts are more severe in their treatment of women than of men; and that because women do not have equal rights with men in custom, particularly in relation to marriage, Village Courts uphold customs that perpetuate the oppression of women.

Recognizing that Village Courts must protect and promote the rights of women and children, the DJAG has taken action to address these concerns. The Village Courts National Policy was revised and updated and now includes sections on the appointment of women officials, violence, and the rights of women and children. In 2008 a new Village Courts Information Management System was designed with extensive input from local

305 Information provided by the Department of Justice and Attorney General. 30 November 2012.
communities and officials, and gender disaggregated data on the work of over 700 Village Courts is now collected and analysed. This data is used for training, planning and development.  

Between 2007 and 2010 an extensive consultation process was undertaken to review and modernise the Village Courts legislation. A draft Village Courts Amendment Bill was prepared, which is currently with the National Executive Council and is ready for passage through parliament. This bill includes new objectives and principles specifically addressing human rights and the protection of women and children. It has a new section on the use of Preventive Orders to address violence, it contains a requirement that every Village Court must have at least one female magistrate, and it places increased emphasis on the role of District Courts.

E. Reform of customary laws and practices

The constitution and the report of the Constitutional Planning Committee emphasise the importance of Papua New Guinean ways, but the Constitutional Planning Committee report does acknowledge that some of PNG’s own institutions constrain “our vision of freedom, liberation and fulfilment and these should be left buried if they cannot be reshaped for our betterment”. It is clear that PNG’s legal environment accepts customary laws that may be discriminatory or oppressive in the light of modern thinking on human, and especially women’s, rights. Support must be provided to reform discriminatory customary laws and practices if PNG is to meet its CEDAW commitments.

An example of an initiative to examine how customs can be changed through the justice system is the Manus Province Project, a pilot project implemented in 2009 and 2010 by the DJAG. Initially implemented in Manus Province, with strong support from the provincial government, the project tested the potential for Village Courts engage with their communities in addressing customs that hinder the advancement of women or continue to oppress women. The project placed high importance on Papua New Guineans deciding how they want to address customs that need changing and confirmed that many people see Village Courts as the most relevant and accessible justice system to challenge what are essentially local issues and customs. The project demonstrated a high level of community interest in and commitment to exploring changing customs and to understanding how a modern PNG could accommodate major social change at the village level. There is strong interest from the PNG Constitutional and Law Reform Commission and the Chief Justice to see how this approach could be expanded across PNG given the importance of respecting custom and tradition and supporting people to decide how to confront challenging customs that act against the interests of women and children.

Research shows that the erosion of community cohesion has led to a decline in effective conflict resolution capacities in many areas. Empowering communities to deal with local problems of order within the overall framework of national law is an important priority in the National Law and Justice Policy.

The Nauro Gor Community Laws Initiative in Simbu Province is a positive example of community-based conflict resolution. In 2006, after 32 years of tribal fighting, nine clans came together in Simbu Province to initiate a peace mediated by the Catholic Church. New community laws were drawn up based on local custom. Unfortunately, these new laws did not shift entrenched customary discrimination against women, but progress was made in

---

313 Department of Justice and Attorney General. Personal communication. 30 November 2012.
314 Department of Justice and Attorney General. Personal communication. 30 November 2012.
318 Department of Justice and Attorney General. Personal communication 30 November 2012.
2006 when the same clans participated in “Community Conversations”, a community development approach to HIV and AIDS prevention that integrates the principles of gender equality and human rights. Community laws were revised and women participated in the process. 320 Other initiatives include the “Meri Saif Pleis” (safe places for women) programme, whereby a community offers “cool-off” zones and respite for women under immediate threat of violence.

The management of the formal customary land dispute system in PNG is severely neglected and underdeveloped. Although land features heavily in many tribal fights, clan disputes and village disputes, most people in PNG have inadequate access to any form of land dispute settlement. 321 Land cases may run for years, or may not be heard at all. In the Eastern Highlands the provincial administration has led the development and training of District Peace Management Teams to help defuse and manage such disputes, recognising that the use of violence to seek redress is no longer appropriate, helpful or supported by the wider community. As part of this process, the engagement of women in these processes has been part of the change process in challenging what were once accepted customs. Village Court Magistrates and Peace Officers have been active in these mechanisms and are sometimes used to formalise agreements and to mediate better outcomes. Other Highlands provinces are interested in this initiative and want to test the approach.

Reform of the formal customary land dispute system offers one of the greatest opportunities to explore means of changing customs and of increasing the participation of women in crucial decision-making about PNG’s resources. This was confirmed in the Manus Province Custom Project and in other work undertaken through Village Courts, and in training for Village Court officials, who also have the power to help shape community opinions and to lead community change. Land use is within the jurisdiction of Village Courts. If reforms are to be decided and driven by PNG leaders, with gender as a primary consideration, there is high potential to achieve major positive changes for women.

Box IV. 2: Gender differences in experiencing and handling disputes

Disputes over land and water are by far the most commonly reported disputes by both men and women (albeit more by men at 25 percent compared to women at 17 percent). Disputes over land and water are not only the most common but they are also seen as having the most impact on the household.

After disputes over land and water, the next four most common disputes are quite close in frequency, with only small gender variations:

- Disputes over domestic violence (8.8 percent men reporting vs. 9.3 percent women);
- Disputes over theft (8.9 percent men reporting vs. 7.4 percent women);
- Disputes over physical assault (7.8 percent men reporting vs. 6.0 percent women); and
- Disputes over bride price.

These four types of dispute are also the next four in terms of impact.

The disputes that men report significantly more frequently than women are related to resources and power within the community or economic sphere: disputes over land and water, forestry, other tribal disputes, village decisions made by village authorities, election disputes, distribution of aid, and access to development resources.

The three types of disputes where women report more frequently than men are related to resources and power within the family structure: domestic violence, dispute over bride price and dispute over child custody/support.

There is greater variation between men and women in their judgments of the impact of dispute than was seen in the frequency of disputes:

321 Information provided by the Department of Justice and Attorney General. 30 November 2012.
Most impact felt from disputes over land/water (48.3 percent men vs. 37.4 percent women);
Most impact felt from disputes over domestic violence (10.1 percent men vs. 17.6 percent women);
Most impact felt from disputes over theft (9.2 percent men vs. 8.8 percent women); and
Most impact felt from disputes over physical assault (6.9 percent men vs. 7.9 percent women).

Men and women were equally likely to report seeking help in resolving a dispute (56 percent of each group), and their level of satisfaction towards the process was quite similar (65 percent for men, 67 percent for women). However, the person or group to whom they turned most frequently, and their judgment on the usefulness of different persons or groups in actually resolving the dispute, varied:

- **Person/group to whom you turned:**
  - **Men**
    - Community leader (33.4%)
    - Village Court (22.5%)
    - Family member/wantok/friend (16.8%)
  - **Women**
    - Community Leader (28.5%)
    - Family member/wantok/friend (23.8%)
    - Village Court (21.0%)

- **Most able to resolve the dispute:**
  - **Men**
    - Family member/wantok/friend (26.2%)
    - Community leader (21.1%)
    - Village Court (20.0%)
  - **Women**
    - Family member/wantok/friend (53.5%)
    - District government official (22.4%)
    - Village Court (15.2%)

Finally, men and women reported identical average financial costs of handling disputes (K 10) but women reported more time spent (in days) than men to handle the dispute (21 days for women vs. 16 days for men).


### F. Legal provisions for increasing access to rights

#### 1. Family law

Laws exist to empower citizens to address injustices irrespective of education level, financial capacity and social status. Appendix 5 provides a compendium of PNG’s laws and their gender dimensions.

Family matters are generally governed by custom. Because of the cultural diversity in PNG, the constitutional laws wisely devolve these matters to provincial and local level governments. Provincial governments have law-making powers with regards to family law, marriage, adoption and maintenance but local-level governments have law making powers with regards to customary marriage transactions (including bride price and forced-marriage) and dispute settlement.

The *Marriage Act* of 1963 (enforced in 1965) created a dual marriage system, with statutory marriage and customary marriage, the latter in accordance with the customs of the respective tribe. Under the *Marriage Act*, the marriageable age is fixed at 16 for women and

---


18 for men, and girls under 21 years old may only marry with the consent of their parents, a judge or a magistrate. But under customary law, girls as young as 13 to 14 years old can get married. At the same time, according to the Criminal Code the age of consent for a girl is 16 years of age and in law, sexual intercourse with a girl below this age is defined as statutory rape. In 1980 around 13 percent of girls aged 15 to 19 were married, divorced or widowed. In 1996 this had increased to almost 21 percent. It appears therefore that contrary to CEDAW commitments, there is an increasing social acceptance of early marriage in PNG. This trend could be because many parents prefer that their daughters marry young than to have boyfriends and risk becoming victims of sexual violence, or parents may be motivated by the economic gains (bride price in the form of cash and modern goods) of the marriage of a daughter.

There are other anomalies between customary and constitutional law. For example, bigamy is a crime but the Criminal Code recognises polygamous marriage where the custom recognises a subsequent marriage as valid. Similarly, while constitutional law grants parental authority to both parents, women’s actual rights in marriage are limited due to the lack of laws to regulate customary marriages. Reconciling customary law in relation to family matters can also be a problem when parties to the marriage are different cultures and geographic locations, as is common today. In such cases there are significant and difficult issues in determining which traditional marriage custom should be applied.

Currently, PNG’s Marriage Act and Matrimonial Causes Act are based on the old fault-based model of divorce, inherited from Australia in the 1960’s. These require the spouse petitioning for a divorce to prove that their marriage partner has committed adultery or acts of abuse. In most cases women do not have the resources to prove in court that their husbands have committed adultery or abuse, so often cannot file for divorce and have no choice but to stay in abusive marriages.

2. Law reform initiatives

The Law Reform Commission was established in April 1975 to review all the Laws of PNG. It was tasked with considering law reform in the context of customary law, and the provisions of the constitution. Particular attention was given to reconciliation of the constitutional aims for the equality of women and men with customary laws and practices. The Commission has examined laws relating to adultery, prostitution, polygamy, succession and inheritance, marriage and divorce, and maintenance, but has thus far had limited impacts on the justice system.

A study of the work of the PNG Law Reform Commission on domestic violence in 1982 and 1992 describes an extensive research exercise in which a number of policy

http://www.paclii.org/pg/legis/consol_act/ma196385/
325 Government of Papua New Guinea. Marriage Act. S. 7(2) & (3) and S. 8.
papers were produced and published. In 1992 the Commission produced a final report summarizing its findings and recommendations. It proposed a five-fold approach of action involving strengthening the application of the criminal law (police and correctional services), improving other means of legal protection (village courts, protection orders), maintaining public awareness campaigns, improving counselling for victims and offenders, and improving services for victims (health and accommodation). From 1986 to 2000, the Commission took action in each of these areas, most notably in the provision of special training programmes for the police, village courts and Probation Service.

An evaluation in 2001 of the Commission efforts between 1986 and 2000 found that action was taken in each of these five areas, most notably in the provision of special training programmes for the Police, Village Courts and Probation Service. It reported, however, that the criminal justice system had not responded and that no recommended legislative changes had been made. The main issue identified was not lack of evidence or inadequacy of policy proposals, but an absence of state capacity, ineffectual governance structures and a weak policy environment. Amnesty International recently drew attention to the continuing lack of effective law enforcement to protect women from violence in its latest representations to the CEDAW committee.

In 2002 the parliament passed laws to amend the Criminal Code and the Evidence Act. Those amendments came into effect on 10 April 2003. The changes were aimed at providing greater protection to children and to victims of sexual violence by ensuring that the crime can be more effectively investigated and prosecuted. The new laws were directed toward the elimination of discrimination based on sex, and to provide protection for all Papua New Guineans. Features included (i) a clear definition of sexual offences against children; (ii) expansion of the definition of incest to cover more categories of illicit sexual relationships, in line with custom; (iii) expansion of the definition of rape to cover a number of sexual offences and modes of penetration, with the requirement for corroboration removed; (iv) changes that made the victim’s previous sexual conduct no longer admissible as evidence; and (v) changes so that rape in marriage became illegal. The new laws only apply to offences that can be tried in District and National Courts.

Sorcery is an occult practice that most Papua New Guinean people believe occurs (whether it does or not). Although the Criminal Code does not recognize sorcery as a crime, the Sorcery Act affirms the existence of sorcery by criminalising sorcerers, and sorcery is regarded as a punishable offense in most PNG communities. The Sorcery Act might be more effective if it criminalised accusations of sorcery instead of the unprovable offense itself. Sorcery accusations often result in the accused person being killed, severely injured or forced to take refuge away from the community. Such accusations are frequently directed at women. In 2009 the government ordered a review of the Act and the Constitutional and Law Reform Commission reviewed it in 2011, and proposed that the Act be repealed by the end of 2012.

Despite reforms to legislation in PNG, the police and prosecution authorities continue to have difficulties in applying and enforcing the laws. In an effort to address this issue, the United Nations Development Fund for Women (UNIFEM), now the United Nations Entity

---

for Gender Equality and the Empowerment of Women (UN Women), and the Department for Community Development collaborated on a three-year project to educate communities, leaders, health service providers, legal aid organisations, the police and the judiciary about the amendments in two pilot provinces. Similarly, the Law and Justice Sector programme for Community Police supported police to better understand and apply the present criminal law, which makes domestic violence a crime.

Before further legislation reform is undertaken, consideration must be given to the current laws and the extent to which they are implemented. Provision of resources and support for existing legislative powers is an important step toward reform. Proper resources for law reform may include a communication strategy; development of explanatory materials; training packages; new staff to undertake explanation and support of new rights and responsibilities, inspections and prosecutions; improvements in the capacity of police to gather evidence and in the capacity of the Department of Public Prosecutions to prosecute and the Public Solicitor to defend; a new tribunal or an increased workload for the present tribunal. Furthermore, new registration of the licensing regime may also need criteria and standards, processes, payment, and appointment and removal powers.

3. Laws relating to family and sexual violence (FSV)

Several pieces of legislation are significant in addressing the challenges of FSV: the Amended Criminal Code and Evidence Act 2002, the Lukautim Pikinini Act and the proposed Family Protection Bill.

The Amended Criminal Code and Evidence Act 2002 recognizes sexual offences and crimes against children and women and introduces substantial penalties based on the harm caused to the victim. Rape within marriage is explicitly recognized under this amendment, providing women who experience this form of sexual violence within marriage an avenue of legal recourse. The definition of penetration was expanded under this amendment. The Act provides protection for children under the age of 18 from sexual exploitation, introducing a series of charges and tough penalties. Adults can be charged for soliciting, allowing or purveying child prostitution or pornography, but children cannot be charged for prostitution.

Corresponding amendments to the Evidence Act are intended to alleviate the disempowerment that results when victims are subject to humiliation and fear when providing evidence in sexual assault cases. Amendments introduced in 2003 allow for sexual offence cases to be closed to the public, forbid cross-examination by the accused, remove the ability to introduce as evidence the victim’s previous sexual conduct, and abolish the need for evidence to corroborate survivor testimony in sexual violence cases. Because the law has not been fully utilized for the protection of women and children, the Public Prosecutors Office, with the Law and Justice Sector Secretariat, has been conducting training with the law enforcement agencies.

The Lukautim Pikinini Act is a child protection law that has included the components of the Convention on the Rights of the Child. The Bill was gazetted in 2009. The framework for implementation was developed with support from UNICEF and training is currently being conducted with the key stakeholders.

Prosecution of family violence is covered under relevant sections of the Summary Offences Act and the Criminal Code, and it is prosecuted as either common assault, which carries a maximum of six months imprisonment, or aggravated assault, which has a maximum of 12 months imprisonment. 

---

The Family Protection Bill (FPB) was developed by agencies of the Law and Justice Sector in 2011, with the support of the FSVAC and the Coalition for Change. This legislation specifically criminalizes domestic violence and provides easily accessible protection orders for victims. The proposed bill is gender sensitive – it protects women, children and men. When passed, the bill will carry heavy penalties for offenders – for instance, five years imprisonment for assault and seven years for violation of the protection order. The proposed law will also take into consideration the interests of children, such as providing that an abuser leave home, even if the house is under his or her name.

In June 2011, the planned submission of the FPB to the NEC was postponed to allow for wider and more targeted public consultation. An expert group conference was held in October 2011 (comprised of magistrates, lawyers, prosecutors, police officers, public solicitors and NGO representatives) to discuss it and to make recommendations on its provisions. A number of recommendations were passed on to DJAG, which is now working on updating the bill. There is scope for further consultations on the draft legislation, however, particularly with the legal and judicial sector, including police and other relevant stakeholders, prior to the Family Protection Bill going to parliament.

PNG does not currently have laws against people smuggling and trafficking. In 2011 the Department of Justice and Attorney General, in cooperation with national and international NGOs, pushed for revisions of the Criminal Code to criminalize people smuggling and trafficking. Draft legislation to prohibit human trafficking was endorsed by the National Executive Council (NEC) and approved by the Office of the First Legislative Council, which issued a certificate of compliance. The certified bill is now waiting for review by the NEC before submission to parliament. If passed, this legislation can be applied to situations in which girls and young women are transferred to buyers for monetary gain as temporary “brides” or for prostitution.

G. Law enforcement

Since 1987 there has been a Constabulary Standing Order stipulating that domestic assaults must be treated with the same degree of seriousness as other forms of assault. In 2007, the PNG Police Commissioner committed to a joint resolution at the Pacific Police Commissioners’ Conference to make violence against women a priority, and a circular was released in May 2007 that stated that gender-based violence was to be treated as a criminal offence and not as a civil or family matter.

When surveyed, both men and women said there is good awareness of the laws to protect women and children, and of the right of women to be free from violence, including marital rape. When asked about the impact of these laws on the communities, however, all groups agreed that there has been limited impact, and that there is generally a lack of interest in complying with these laws. Many women have found that even when court orders for maintenance or custody are obtained, they are difficult to enforce.

Survey respondents emphasised that in order for the laws protecting the rights of women to be effective, communities must take more control over their own policing and rely less on outside interventions. It was widely agreed that current legal system is inadequate to address the breaking of these laws. Courts and court officials are difficult to reach and court proceedings are expensive for most rural women. Furthermore, in some cases customary decision making processes prohibit or constrain women and children from

345 United States Department of State. 2012a.
346 United States Department of State. 2012a.
accessing legal services. All groups feel that there are few or limited services to assist victims of domestic violence.  

Women’s perceptions of their freedom to access services and to obtain redress for crime and violence were measured in the 2009-2010 HIES. The survey also examined perceptions of crime and violence in PNG, as seen from the differing vantage points of men and women. Some of the key findings are described in Box IV.3.

### Box IV.3: Gender differences in handling crime and violence

According to the findings of the HIES 2009-2010, a significant proportion of men and women believe there has been less crime in their area over time, with almost half of the men (43 percent) and over a third of women (39 percent) responding this way. The remaining men are split between “more crime” and “stayed the same”, but women are significantly more likely to say “more crime”. These findings are less negative than the findings of qualitative research, which indicates that both genders and all age groups believe that crime has become worse over time.

- Stealing is universally seen as the most common crime by both men and women, and assessments of frequency of other crimes are relatively similar between men and women except for sexual assault; women feel twice as likely as men this to be the most common crime in their area.
- Women and men are equally “afraid of” alcohol and drug-related crimes for which rates are the highest among men, followed by stealing and robbery (stealing with violence) as the second worst crime. Women are most afraid of sexual assault (32 percent of women as compared to only 2 percent of men citing it as their worst fear).
- Men are almost twice as likely to report that “crime does not stop me from doing anything” (63 percent of men vs. 39 percent of women). Women are twice as likely to report that crime stops them from using public transport, walking to work or shopping, fetching water, walking to the garden and allowing children to walk to school. More than half (55 percent) of PNG women surveyed said that crime prevents them from walking at all at night.

No men reported being hit or beaten by someone within their household in the previous 30 days, whereas 9 percent of women/girls reported being beaten (67 percent by their husband, 8 percent by their brother, 7 percent by their father, 6 percent by their mother). One-quarter of those who reported being beaten sought help, with first recourse being a family member/friend/wantok, the second being a community leader and the third being a Village Court.

**H. Social and legal empowerment for survivors of FSV**

There are various mechanisms to provide social and legal empowerment for survivors of FSV. Sexual Offences Squads were established in the late 1980s and now most provincial police stations have them. They are now part of the police structure and provide an investigative arm that looks into indictable cases such as serious assault, attempted murder, grievous bodily harm and sexual offences, and the squads facilitate the prosecution of these cases. In 2009 the Boroko Sexual Offences Squad received 265 cases; 67 of these resulted in the arrest of offenders. In 97 percent of these cases, the victim knew the offender.

Family and Sexual Violence Units (FSVU) were established by the Royal Papua New Guinea Constabulary (RPNGC) in the National Capital District as a pilot project in 2008. These units are designed to provide services to FSV survivors and dovetail with the Sexual

---

Access to Rights through Legal and Social Empowerment

Offences Squads. Following the success of the pilot units, FSVU were rolled out in Lae, Mount Hagen, Goroka and Kokopo. Units are now being established in Vanimo (opening in December 2012), Kundiawa (opening in January 2013), Buka and Alotau (opening in February 2013). More FSV units will be established in the latter part of 2013. Each year, police officers are sent to Fiji for training in gender-based violence, which is facilitated by the Fiji Crisis Centre. In 2011 four police officers from FSVUs received training. Most FSVUs report receiving between 10 and 20 FSV complaints per day, but the Boroko FSVU reports receiving up to 50 per day—an overwhelming caseload. The police stations with established FSVU are reportedly working to strengthen local cooperation with Family Support Centres at the local hospitals, Seif Haus (safe houses), and with counselling and social welfare services, all of which is essential for timely and effective responses to FSV.

In a statement at the conclusion of her visit to PNG in March 2012, the UN Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo, noted that the FSVU “are yet to be formalized and permanently integrated into the structure and budget of the police, including with adequate human and financial resources.” In May 2012 the police began the process of formalizing the establishment of these units as part of the RPNGC structure. Funding for the establishment of these units is being provided by AusAID and supported by the PNG Australia Law and Justice Partnership. As noted by Manjoo, however, “Currently these units have very little resources, and as awareness and usage of these specialized units increase, there is a growing need for additional staff and resources to be allocated to them.”

Box IV.1: Views on domestic violence and access to protection and justice: Findings from qualitative research in 16 PNG communities

In general, domestic violence is perceived to have increased in both frequency and severity over the last ten years, with commonly cited factors being drug and alcohol use among young men, lack of employment or economic opportunities, and weak law enforcement. A common perception amongst men is that the laws against violence against women, and movements to empower women, are causing increased levels of violence. All groups feel that there are no services to assist victims of domestic violence.

Across both males and females, there is good awareness of laws protecting women and children, including the rights of children to education and protection of women from violence and marital rape. However, when asked about the impact of these laws on communities, all groups agree that there has been limited impact, and that there is a general lack of interest in maintaining or complying with these laws.

Respondents emphasized that in order for laws protecting the rights of women to be effective, communities must take more control over policing and rely less on outside intervention for help. It was widely agreed that the current legal system is inadequate to redress the breaking of the laws that are meant to protect women. Court proceedings are expensive and courts and officials are difficult to reach for many women in rural villages, while in some cases, customary decision-making processes prohibit or constrain women and children from accessing legal services.


Royal Papua New Guinea Constabulary. Family and Sexual Violence Unit Coordinator. Annual Plan and Quarterly Reports.
Royal Papua New Guinea Constabulary. Family and Sexual Violence Unit Coordinator. Annual Plan and Quarterly Reports.
Survivors of FSV may access the formal justice system for legal recourse. As noted earlier, the Village Courts are the most accessible and affordable means of seeking justice for the general populace. This court system addresses disputes with the formal aim of achieving amicable settlement based on customary law. Customary law allows for compensation payments to be made for FSV offences. In recent years Village Court officials have been receiving training on the issue of FSV, which offers victims of FSV hope for fairer court outcomes in the future.\(^{357}\)

In August 2011 the DJAG established the Family and Sexual Offences Unit of the Office of the Public Prosecutor in Port Moresby. It began operations in March 2012, providing support to survivors of FSV throughout the court process: pre-trial, during the trial and post-trial.\(^{358}\) In 2011 five lawyers from DJAG, the Office of the Public Prosecutor and the Constitutional and Law Reform Commission attended the annual regional training in Human Rights and Gender hosted by the Pacific Islands Forum Secretariat and the Regional Rights Resource Team.\(^{359}\)

In 2008 the Office of the Public Prosecutor produced a book designed to assist those who are accessing the court to understand the court processes, which contains appendices that provide additional information specifically for victims of FSV who are going to court, outline information about consent in sexual violence cases and information about and instructions for victims impact statements. Such information is inaccessible to women who are illiterate, however.

The National Judiciary Staff Service (NJSS) has “help desks” at all 10 National Court locations to better respond to clients and staff requiring advice and assistance related to gender discrimination, human rights abuses, FSV and HIV/AIDS. The NJSS also conducts a Court Users Forum to better meet the need of the court users.\(^{360}\)

Recognizing the great need for access to legal aid services, particularly among people affected by FSV and people living with HIV/AIDS, the Office of the Public Solicitor (OPS) is expanding its legal services into the provinces. In 2011 the OPS had nine branches and 16 Legal Aid Desks across 19 provinces and aimed to establish an additional 15 Legal Aid Desks in 2012/13. While OPS service coverage is expanding, it faces staffing challenges in dealing with its heavy and increasing caseload.\(^{361}\)

I. Policy initiatives against FSV

Few government decision makers appear to understand the social and economic costs of the epidemic proportions of family and sexual violence in PNG. Since independence the issue has been excused by cultural norms despite extensive research and policy advice provided by both government and international agencies. There is still neither a national strategy nor allocation of substantial resources to address FSV.

Research by the Law Reform Commission differentiates between “trigger causes” of violence and the underlying causes. Triggers are the self-identified reasons respondents give for violence and include factors such as drinking, jealousy, money, sex and unfulfilled social expectations.\(^{362}\) To effectively prevent family and sexual violence, strategies must be targeted at addressing the root causes of the violence, namely the power imbalance between men and women, rather than superficial triggers.

The MTDP 2011-2015 recognizes gender inequality, including gender-based violence, as a “threat to future development in PNG”, and sets a target of zero tolerance for violence.

---

\(^{357}\) Department of Justice and Attorney General. Personal communication. 30 November 2012.

\(^{358}\) Department of Justice and Attorney General. Personal communication. 30 November 2012.

\(^{359}\) Government of Papua New Guinea Law and Justice Sector. Forthcoming.

\(^{360}\) Government of Papua New Guinea Law and Justice Sector. Forthcoming.

\(^{361}\) Government of Papua New Guinea Law and Justice Sector. Forthcoming.

against women by the year 2030. \textsuperscript{363} Gender equality is identified as a priority area under the Department of Community Development’s National Policy for Women and Gender Equality 2011-2015, with strategies focused on awareness, service provision, capacity building, legislation, research and programme development. \textsuperscript{364} The National Health Strategy 2011-2020 highlights some strategies to combat gender-based violence, and the National HIV and AIDS Strategy 2011-2014 explicitly recognizes the linkages between HIV/AIDS and gender-based violence. A stated commitment under the National Health Plan 2011-2020 is to “increase the roll-out of and access to Family Support Centres to reduce the impact of violence in the home and community”. \textsuperscript{365}

In 2008 a proposed national strategy and action plan was developed by national experts with a steering committee of government and NGO representatives, and funded by the AusAID Sanap Wantaim Programme. Despite these promising steps, there is currently no overarching approved National Executive Council policy to guide government efforts. There is a clear need for coordinated, long-term resourced actions.

One of the major constraints to assisting victims of family violence in developing countries such as PNG is the absence of a social welfare system that can provide victims with interim financial support and accommodation. Without this, victims often have little choice but to return to the perpetrator. Accordingly, many feel they have no choice but to withdraw complaints. In the absence of resources to provide victims with housing and financial support, the most effective approach to victim support has been provision of temporary emergency accommodation (safe houses), counselling, health care and legal aid, including providing a supportive person to accompany victims to court. Such services are unlikely to be provided to most victims, either because they do not exist everywhere or because the victim does not know how to access them. \textsuperscript{366}

In 2008 progress began to be made towards providing women with interim protection at the time of the laying of a complaint or information in the District Court, under the leadership of the Chief Magistrate and other judicial officers. The aim is to ensure a woman’s safety in the interval between the time that a complaint is made and the time that the court is able to hear the substantive matter. Interim Protection Orders (IPOs) were introduced by the Magisterial Service in 2009. While the issuance of such orders has not been consistent throughout the country, and IPOs usually do not offer victims “witness protection”, such orders have reportedly often resulted in a stop to violent behaviour. More awareness on IPOs is required, however, and survivors of violence must be empowered to obtain them. The legislative basis for issuing and enforcing IPOs is included in the draft Family Protection Bill. \textsuperscript{367} The Magisterial Service, in collaboration with police and other stakeholders, will now review the IPOs and their effectiveness. \textsuperscript{368}

A number of NGOs and faith-based organizations have provided various forms of assistance to victims. \textsuperscript{369} There are some safe houses to provide emergency or temporary shelter, most of which are in Port Moresby. Safe houses are not covered by government policies and hence are not regulated and have no operational guidelines. There is a need to raise training standards for those who provide such services. In 2010 Oxfam reviewed service provision in the National Capital District, and made a series of recommendations that require further action by the stakeholders. \textsuperscript{370}

\begin{thebibliography}{99}
\item Department of National Planning and Monitoring. 2010b. p. 96.
\item Department of Community Development. 2011a.
\item National Department of Health. 2010a.
\item United Nations Entity for Gender Equality and the Empowerment of Women. 2012.
\item Government of Papua New Guinea Law and Justice Sector. Forthcoming.
\item Personal communication with the A/g Deputy Chief Magistrate Dessie Magaru – reporting to FSV Advisor, RPGNC FSV Coordinator on meetings with acting Chief Magistrate, 29 May 2012.
\item Australian Agency for International Development. 2008. p. 113.
\item Oxfam International. 2010a.
\end{thebibliography}
J. FSV public awareness initiatives

Following the extensive research by the Law Reform Commission and the publication of policy papers on domestic violence, a major effort was made to change public attitudes between 1986 and 1990. The Women and Law Committee, an NGO, mounted an extensive public awareness campaign entailing nationwide distribution of leaflets, t-shirts, posters and videos, in addition to conducting theatre group tours, a radio play, a television debate, an essay and debating competition for schools, and counsellor training. There have been continuing efforts of this kind since then, largely funded by external donors.

Awareness of the social damage caused by FSV is outlined as a topic for social studies and health in the national education curriculum for high school students. The National Department of Health has produced leaflets describing the negative impacts of FSV. In the absence of continued steady supply of these leaflets, they have been reproduced by civil society organizations and distributed throughout the country. At the local level, some NGOs produce their own awareness materials for distribution.

A number of initiatives have attempted to involve men in processes to combat FSV, including the training of men as anti-violence advocates. However, research on issues of men and violence in PNG raise the concern that some of these trainings have failed to focus enough attention on FSV, have avoided discussion of sensitive topics, and have not addressed the embedded issues of gender such as the cultural constructions of masculinity and the ways in which these constructions condone and encourage forms of aggression and violence.

The Family and Sexual Violence Action Committee (FSVAC) is the leading national agency that promotes awareness and conducts training on various aspects of FSV. The FSVAC also develops and circulates legal literacy informational brochures and posters throughout its provincial networks. Large national awareness campaigns such as the one run annually during the 20 Days of Activism are significant, as they involve engagement by partners in the provinces.

The FSVAC develops and coordinates para-legal, FSV awareness and counselling training, and distributes funding to a network of provincial FSVAC partners to facilitate their own awareness activities within the community. Various service providers undertake campaigns against FSV.

A notable initiative by the DCD Gender Branch is the Say No to Sexual Violence Against Women Project, which has as one of its key aims to make sexual violence laws known and understood within PNG society.371

---

371 Department of Community Development. 2011a.
Box IV.4: Potential actions to increase access to rights through legal and social empowerment

The following actions are suggested to increase access to rights through legal and social empowerment:

- Consider the potential value in better resourcing and implementing current legal mechanisms as an important step toward reform, no less important than creating new laws or powers.

- Encourage training on FSV conducted by service providers and advocacy programs to address the cultural constructions of masculinity and the implications of those constructions for perceived condoning of aggression and violence, especially with inputs designed by local PNG institutions and academic/research bodies.

- Prioritize the DNPM finalization of the draft National Family and Sexual Violence Strategy based on the work done by the FSVAC and delivered to the government in 2011, and bring the draft Strategy to the NEC for discussion and approval.

- Fast-track the consideration of the draft Family Protection Bill and the amendments to the Criminal Code required to criminalize people smuggling and trafficking.

- Explicitly address the aspects of “empowering communities to deal with local problems of order” (listed as an important priority in the National Law and Justice Policy) that requires greater emphasis on women’s rights.

- Provide high visibility GoPNG support to the collection and analysis of nationally-representative data on gender-based violence to allow for more evidence-based programming by all stakeholders:
  - through the proposed AusAID-funded, UN-implemented national survey (using the methodology that other Pacific countries have already completed); and
  - as an element in the study on the socioeconomic costs of crime and violence being led by the World Bank under the guidance of the Prime Minister’s office.

- Seek donor support for more extensive training for Village Court Magistrates—many of whom are now women—on FSV, especially intimate partner violence, and link this to mediation as a key method of resolving disputes.

- Convene a dialogue with service providers and faith-based institutions to develop service standards and core training modules for safe havens and counselling programmes like Meri Saif Ples.

- Provide explicit and public government support—messaging at a minimum, if not immediate financial resources—for safe haven initiatives largely initiated by private business, churches and civil society.

- Empower the CLRC to consider the benefits and challenges of reforming the statutes that control the executive branch’s delivery of basic services (health, education, etc.) to make them justiciable (e.g., to create legally enforceable citizens’ rights with explicit wording on equal access to men and women, boys and girls).
Chapter V
Access to Political Voice and Participation

A. Political representation

1. National parliament

PNG is currently ranked at 138 out of 143 countries globally for women’s participation in national political representation. This ranking is a slight improvement from its previous global position of 141. This improvement came about as a result of 135 women contesting the 2012 national general elections, compared to 102 in 2007. More significantly, three women were elected to the 111-seat national parliament in 2012, equalling the record set in 1977 for the highest number of women in parliament at one time. There were no women elected to parliament in the three elections between 1982 and 1997. As of 2012 only seven women have ever been elected to PNG’s parliament.

The issue of increasing women’s political representation in PNG was brought to the fore in the late 2000s. In 2007, the Minister for Community Development submitted a proposal to cabinet to nominate three women to parliament, as an affirmative action initiative to increase women’s representation. This proposal was in line with provisions Sections 101 and 102 of the constitution, which allow the appointment of up to three persons (other than members) to parliament, with a two-thirds majority vote. The NEC approved the three nominated seats in October 2008. But in March 2009 the motion received less than the required votes and was therefore defeated. This defeat sparked a debate over whether there should be special seats of women, and strengthened the movement supporting women in leadership. The debate led to the convening of a public summit in August in which the Regional Governors endorsed the Morobe Communiqué, which contained a resolution for 22 reserved seats for women in parliament.

This was followed by a Temporary Special Measure (TSM) – the Equality and Participation Bill – which sought to introduce 22 reserved seats for women in the national parliament, one seat per province, and one for the National Capital District. This Act was passed in December 2011. A constitutional amendment was necessary for the Act to be implemented, however. In November 2011, the crucial Constitutional Amendment Bill on Equality and Participation Law 2010 was passed in parliament. But three consequential amendment bills, namely the Organic Law for National and Local Level Government, the Organic Law on Provincial and Local Level Government Elections and the Organic Law on Political Parties and Candidates, must also be passed in order to affect the amendment bill. The tabling of the enabling Organic Law for National and Local Level Government

Elections followed in early 2012, but it was not passed. Therefore, reserved seats for women were not introduced in the 2012 elections.376

There is currently a debate in PNG about whether the TSM is needed. Those who consider it is unnecessary refer to the perceived structural, cultural and ideological limitations of the TSM. Those who favour affirmative action and equity measures such as the TSM point out that such measures are needed to overcome these perceptions and the barriers to women’s fuller participation. A diagnostic review and assessment activity by UN partners was scheduled for October 2012 involving key government agencies, women candidates, development partners, and academics.

2. Provincial governments

Traditional forms of local leadership continue to be strong forces in local government, and most traditional leaders are older men. Although not all councillors or parliamentarians are traditional leaders, the support of traditional leaders is essential for winning seats in most rural electorates. Recognising this, the Organic Law on Provincial and Local Level Government provided for representation of women.

Provincial governments have a legislative arm, the provincial legislature, known as a provincial assembly.377 According to the law, provincial assemblies are required to include one appointed woman. They have an executive arm that includes the provincial governor, the member of the national parliament representing the provincial electorate,378 and the deputy provincial governor appointed by the provincial assembly.379 The executive arm also includes the Provincial Executive Council, which establishes a Joint Provincial Planning and Budget Priorities Committee.380 Up to three members of this committee may be appointed.381

3. Local governments

The provinces of PNG are divided into districts and each district has one or more Local Level Government (LLG) areas. The law stipulates that two women should be nominated as members of all rural LLGs nationwide, and one in each urban LLG. Few implement this provision.382 According to a report in 2005, there are 12,579 women councillors both elected and appointed throughout the country;383 but this figure may be more theoretical than actual. Women may be nominated but few actually participate. Women have not been elected to leadership positions such as council chairs or heads.384

Although local governments, in the sense of state recognized LLGs as well as more traditional village councils, are male dominated, local-level governance includes many other stakeholders, including women’s associations, youth groups, church congregations, branches of NGOs, school committees and so on. Some analysts have suggested that those women will not be elected to leadership positions unless measures are taken to strengthening informal governance associations in rural areas that encourage women’s participation.

---

377 Organic Law on Provincial and Local Level Governments. S. 10(2).
378 Organic Law on Provincial and Local Level Governments.
381 Organic Law on Provincial and Local Level Governments. S. 25(c).
participation in decision-making at the local level. Most attention to gender and politics has been given to national parliaments and provincial assemblies, and very little is documented about women’s roles in local government. This could be a promising area for identifying opportunities for change and a strong starting point to increase women’s political participation. In New Ireland there is a current effort at reform to include more women at the local level. The provincial governor is introducing two constitutional amendments to allow women to be elected directly by electors as deputy heads (vice presidents) of LLGs.

4. Conflict resolution

PNG women also have an important role to play in conflict resolution and peacemaking, as demonstrated during the civil war in Bougainville and in its aftermath. Women's groups played important roles in initiatives to end the violence and promote a sustainable solution to the conflict. Women in many parts of the province experienced harassment by both parties to the conflict. The blockade deprived them of access to shelter, food, clothing, health and educational services and many had difficulty with access to land to plant food for their families.

Working together, women played an important role in awakening the international community to the suffering of the Bougainville people. For many years women prayed, marched and negotiated for peace and reconciliation. In 1995 the Bougainville Inter-Church Women's Forum was established and in 1996 organized a Women's Peace Forum. About 700 women met to discuss how they could move towards a united front and find lasting solutions to the conflict. An official delegation of leaders of women's organizations played an important role at the Burnham talks in New Zealand in July 1997, and in July 1998 the Bougainville Women for Peace and Freedom made significant political representations.

When the Bougainville People's Congress was appointed, only six out of a total of 106 members were women. In 1998 the sole woman member of the Bougainville transitional government introduced a motion without notice in parliament to reserve 12 seats for women in the emergent Bougainville reconciliation government. After community consultations, the number was reduced from 12 to eight and then to three, which was the final result. Ex-combatants also got three reserved seats. Despite their contribution to peace making, the decision that the time was “not yet right” for stronger female representation become a pattern in later political developments.

No budgetary allocations have been made for implementing the United Nations Security Resolution 1325 or earmarked to target women’s specific priorities in the continuing peace process. A recent report suggests that representation of women might also help put some issues affecting women onto the agenda. Post conflict, sexual and gender-based violence has, by many accounts, increased, however women have a limited role within, and access to, instrumental political, economic and social actors and institutions – those that shape and influence Bougainville’s security.

5. Women on statutory boards

There are many boards created by statute in PNG but few women have seats on them. These boards are in areas as diverse as forestry, public hospitals, fisheries management and gaming. The Regulatory Statutory Authorities (Appointment to Certain Offices) Act 2004 has as one of its objectives the appointment of non-ex officio members of boards of regulatory statutory authorities. The appointment process, as set out in the Act, requires a list of candidates for any vacancy to be prepared by the minister for submission to the Public Services Commission. The Education Act 1983 created a National Education Board and boards of management for schools. These important boards also present opportunities for the inclusion of women’s voices and the involvement of women in governance in PNG.

B. National and international commitments to gender equity

1. The Platform for Action on Women

The PNG Platform for Action was developed after a PNG delegation attended the Fourth UN World Conference on Women held in Beijing, China in September 1995. It was based on extensive consultations with government, NGOs and individuals, particularly women, throughout the nation. It identifies critical areas of concern for women, with strategic objectives and recommendations for action in each critical area, using a similar format to the Beijing Declaration and Platform for Action. The Beijing document was comprehensive and ambitious in its scope; 189 world governments adopted it unanimously, agreeing to remove all obstacles to equality for women and to ensure a gender perspective in all government policies and programmes.

In the Foreword to the PNG Platform for Action, the then Prime Minister Sir Julius Chan presented the 1995 document as “the yardstick in the coming decade”. The preamble states, “The government of PNG officially recognizes the needs and potential of women”. It further states that despite early initiatives, successive government policies had not maintained momentum and, accordingly, there had been few achievements in the advancement of women, with consequences for a poor quality of life for women. It invokes the constitution as an important source of rights for PNG women, but noted that these had not been realized in practice, “largely due to ineffective government mechanisms advocating and promoting the rights of women”. Sixteen years later there has been limited change to the situation it describes.

The former Minister for Community Development, Dame Carol Kidu, commented on the outcome of the international forums designed to advance the interests of women:

[the] reality for many Pacific women has not improved as anticipated with the euphoria of Beijing and post-Beijing activities. In fact, life has become harder for some women as our societies grapple with the uncomfortable interface between tradition and modernity. Some Pacific customs that traditionally provided

protection for women have been abused to the detriment of women’s welfare. In addition, the traditional decision-making power of women in the private sphere, as well as publicly in matrilineal societies, was eroded with the advent of patriarchal colonial powers, and has still not been acknowledged by post-independence male dominated parliaments.  

2. Human rights commitments

In 1948 the UN General Assembly adopted the Universal Declaration of Human Rights that was comprehensively codified with the support and agreement of the international community. These rights were further articulated in subsequent conventions. In 1966 the UN General Assembly adopted the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. Together with the Universal Declaration of Human Rights, these treaties constitute an International Bill of Rights. Subsequently, other major human rights treaties dealing with specific subjects were adopted by the UN General Assembly and were ratified by the majority of nations. They include the Convention on the Elimination of All Forms of Discrimination Against Women.

PNG acceded to the UN Human Rights Convention on Social and Economic Rights on 21 July 2008. An accession to the Optional Protocol would constitute an important signal to the judiciary and the executive, because the values of the convention would be imported into overall governance.

3. The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)

The CEDAW was ratified by the government in 1995 and sets the standard in addressing women’s rights. By ratifying CEDAW, PNG agreed to condemn discrimination against women in all its forms and to pursue by all appropriate means and without delay a policy of eliminating discrimination against women. PNG also undertook to adopt suitable legislative and other measures prohibiting all discrimination against women. This included measures to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against women. PNG has an obligation under international law to give CEDAW domestic effect but, as with all international covenants, the treaty respects national sovereignty and does not impose absolute legal obligations. CEDAW is not “self-executing”; it requires that domestic laws be passed to implement its provisions. If no such law is passed, the Convention has no direct domestic effect. The Convention may, however, be used to interpret PNG laws where doubt exists as to their meaning. There are precedents in other Commonwealth countries in which courts have used UN conventions to interpret domestic laws in such situations.

The implementation of CEDAW has been slow, with the combined initial report and three subsequent reports delivered together nearly 15 years after ratification. In its response, in addition to noting concern about the high levels of violence against women (Chapter I-B), the UN CEDAW Committee raised concerns about the murder and torture of women and some men, alleged to be witches or sorcerers. As noted previously, the
Constitutional and Law Reform Commission is examining the law on sorcery, but this is a complex issue with ramifications beyond law making and enforcement.\textsuperscript{404}

The CEDAW Committee raised other equality and participation issues and pointed out possible omissions in the current set of domestic legal norms.\textsuperscript{405} For example, it recommended that the GoPNG consider raising the age for women’s marriage to 18, in line with international standards.\textsuperscript{406}

PNG was obliged by reporting conditions to return to the Committee by 12 July 2012, but did not do so.\textsuperscript{407} An official process is in place between the Office for the Development of Women, Department of Community Development and the Department of Justice and Attorney General to ensure compliance with CEDAW. The Office for the Development of Women, with support from UN Women, has embarked on drafting a national strategy to address the 2010 Concluding Observations of the UN CEDAW Committee and to start the process of application of CEDAW to the laws, regulations and policy environment of PNG. The government is currently developing a strategy to address issues raised by the CEDAW Committee.

An Organic Law on Women's Rights and Gender Equality may provide a framework for women's rights and the institutional mechanisms to enforce those rights. Such a law would embrace and help bring into effect the Concluding Observations of the UN CEDAW Committee. The law may address concrete measures, goals and timetables to accelerate representation of women in all spheres of public life, including targets and quotas, awareness-raising,\textsuperscript{408} attention to women in the outer-islands including issues of balance and equity in women’s representation on provincial and local level governments and village courts.\textsuperscript{409}

The mere reform of out of date statute law would significantly enhance women’s rights, but that would not address issues that are matters of social and economic right: for example, access to health, access to credit and access to markets. These are examples of social and economic rights that are, in general, not enforceable by law at present.

Many of the social and economic goods and services are controlled by the executive arm of government (usually the minister) and are discretionary. That is, the minister may grant or withhold a service such as health or education. Some possible ways of dealing with these impediments are: (i) reform the statutes that control the delivery of goods and services to create consumer rights (patients’ rights in health, housing rights, access to markets, etc); (ii) reform the constitution to make the National Goals and Directive Principles justiciable, as recommended in 1985 by the General Constitutional Commission; (iii) pass into law a general overarching Organic Law that would entrench all the appropriate women's rights, and provide a mechanism for their delivery and monitoring; and (iv) implement gender responsive budgeting initiatives across different sectors to fulfil the commitments to gender equality and women’s empowerment enshrined in the constitution and national development plans.

---

\textsuperscript{404} Constitutional and Law Reform Commission. 2010.
\textsuperscript{405} Committee on the Elimination of Discrimination against Women. 2010. para 34.
\textsuperscript{406} Committee on the Elimination of Discrimination against Women. 2010. para 50.
\textsuperscript{407} Committee on the Elimination of Discrimination against Women. 2010. para 60.
\textsuperscript{408} Committee on the Elimination of Discrimination against Women. 2010. para 34.
4. The Millennium Development Goals

PNG is a signatory to the Millennium Development Goals (MDGs), which were adopted by world leaders at the United Nations in 2000, to be achieved by 2015. The eight goals provide concrete benchmarks with 21 quantifiable targets.

The eight goals are: (1) Eradicate extreme poverty and hunger; (2) Achieve universal primary education; (3) Promote gender equality and empowerment of women; (4) Reduce child mortality; (5) Improve maternal health; (6) Combat HIV/AIDS, malaria and other diseases; (7) Ensure environmental sustainability; and (8) Develop a global partnership for development. Six of these goals have significant gender dimensions in PNG. Those relating to education, health and HIV/AIDS are discussed in Chapter II.

There is broad support for the gender-specific MDG3 on gender equality and women’s empowerment and MDG5 on maternal health. Apart from MDG3 and MDG5, two other MDGs include gender-specific or sex-disaggregated indicators and thus have a gender equity dimension: MDG2 on education (ensuring that both boys and girls complete primary school) and MDG6/Target 7 on HIV and AIDS. The MDGs as a whole have been widely critiqued for their narrow approach to gender issues, however.

In contrast, international instruments (such as CEDAW and the Beijing Platform for Action) and national policies and action plans to promote gender equality usually take a much more comprehensive approach to address gender inequities. In light of these limitations, there is widespread agreement that MDG3 and MDG5 need to be broadly interpreted within the frameworks of CEDAW and the Beijing Platform for Action.

The World Summit held in September 2005 endorsed the broader view of gender equality goals reflected in the Beijing Platform. Several countries in the Asia-Pacific region have already interpreted MDG3 and MDG5 more broadly through their own MDG targets and indicators. MDG progress reports and other studies from Asian and Pacific countries confirm the interrelationships between the gender-specific MDGs and the other goals, as well as the importance of including a gender perspective in any strategy to achieve these goals.410

Under MDG3, PNG has committed to eliminate gender disparity at the primary and lower secondary education levels by 2015 and at the upper secondary level and above by 2030. Progress indicators accepted by PNG for MDG3 are:

- Sex ratio (males per 100 females) of students in primary, secondary and tertiary education.
- Sex ratio (males per 100 females) of literate 15-24 year olds.
- Sex ratio (males per 100 females) of literate persons over age 15.
- Percentage of persons aged 10 and over in wage employment in the non-agricultural sector that are women.
- Percentage of persons aged 10 and over with money income from any source that are women.
- Percentage of seats in National Parliament held by women.411


C. Gender considerations in national development plans

1. Gender considerations

As discussed in Chapter I, the government prepared three plans that will shape policy, strategies, programs and funding decisions in PNG over the next forty years. The implementation of these plans will be crucial for the political voice and participation of women and men in PNG and for mainstreaming action to encourage the participation and empowerment of women. As documented in previous chapters, however, there has been limited progress on policies to address the barriers to women’s participation.

The Vision 2050 document commits that PNG “will be a smart, wise, fair, healthy, and happy society by 2050,” by creating “opportunities for personal and national advancement through economic growth, smart innovative ideas, quality service, and ensuring a fair and equitable distribution of benefits in a safe and secure environment for all citizens.” It draws attention to gender disparities to be overcome, noting that while women form 50 percent of the population, there are very few women in management, leadership and decision making roles in PNG, women are less than 30 percent of the formal workforce, and girls and women comprise less than 40 percent of the combined gross enrolment ratio for primary, secondary and tertiary education. Noting that few women have seats in parliament, it refers to the 2050 Leaders Summit in Lae in August 2009, when the prime minister and provincial governors resolved to endorse the proposal to establish seats in parliament reserved for women.

In the section on Crosscutting Issues, subsection 21.1 on Gender, reference is made to the NDGP2, the MDGs and PNG’s MTDP 2005-2010. Vision 2050 recognizes the reality of gender inequality in PNG and promises to identify gender as a critical focus area to be proactively addressed at all levels of government, administration, business, and communities, including civil society organizations.

“There is a huge imbalance and inequity in our society, mostly in favour of the male gender, which marginalizes the equitable participation of females in all walks of life. In addition, there are strong cultural beliefs and value systems that require major education and empowerment interventions to imbue young people with a more liberal approach, in order to sensitize them”.

In the document, the government recognizes the significance of the NGDP2 and MDG3, and that PNG as a nation has utilized less than 50 percent of the intellectual and creative potential of its people. Vision 2050 envisages – and strongly recommends – that interventions to achieve gender equity must be given more attention and be supported with sufficient resources.

Despite the affirming statements in the document that identify women’s voice and participation as part of the strategy to achieve the national vision, however, only a few of the key outcomes actually contain specific targets and strategies to advance women: a key outcome in human capital development is “enhanced gender parity and equality in access to

---

414 Government of Papua New Guinea. 2010. p. 24. NEC Decision No 154/2009, NEC (2) noted the outcome of the Lae National Leaders Summit; (3) took specific note of the Morobe Communique, including the Governors Resolutions; (4) endorsed the Morobe Communique and the Governors Resolutions of the National Leaders Summit 2009 and (8) (iv) approved that the NSPTF, in working closely with all relevant government agencies, undertake work to bring about all consequential legal adjustments, reform and amendments to existing legal and constitutional pre requisites to give effect especially to the following: the provision of 22 reserve seats for women in the national parliament.
formal education”; another key outcome is “non-discriminatory laws and policies” (with a key performance indicator of “increased gender participation”).

As important as these two outcomes are, Vision 2050 does not offer the comprehensive cross-sectoral approach necessary to address barriers to equitable participation in cultural, economic, social and legal spheres. It nominates the 1974 Constitutional Planning Commission Report (discussed in chapter IV–A above) as a key inspiration for the development of its long-term strategy.

Although the Constitutional Planning Commission Report refers to the importance of women in development, the Vision 2050 document does not give the same emphasis to women’s voice and participation. Only a few of the key outcomes actually contain specific targets and strategies to advance women. Gender is addressed in relation human resource development and equity. Key outcomes include enhanced gender parity and equality in access to formal education and increased women’s participation, as a result of non-discriminatory laws and policies. Gender considerations are not mainstreamed in the document to provide a comprehensive cross-sectoral approach necessary to address barriers to women’s participation in cultural, economic, social and legal spheres.

The DSP includes broad objectives for equality and anticipation, “All citizens should have equal opportunity to participate in and benefit from the nation’s development”.416 In its discussion of key strategic areas and indicators, two specific sections focus on issues related to women’s health and gender equality. Section 4.3 on health proposes that the country seek to “achieve an efficient health system which can deliver an internationally acceptable standard of health services”.

**Table V.1: Key indicators and issues relating to women’s health and gender equality**

<table>
<thead>
<tr>
<th>Key Indicator</th>
<th>Baseline</th>
<th>Issues</th>
<th>2030 Target / Objective</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supervised Deliveries</td>
<td>37% in 2008</td>
<td>Unsupervised deliveries are a key reason infant and maternal mortality rates are very high.</td>
<td>Increase to 95%</td>
</tr>
<tr>
<td>Antenatal Care</td>
<td>63% of pregnancies in 2008</td>
<td>Insufficient attention is paid to antenatal care services for detecting early risk in pregnancies, which affects maternal and infant health.</td>
<td>Increase to 100%</td>
</tr>
</tbody>
</table>

Section 6.3 on gender sets a goal that “all citizens, irrespective of gender, will have equal opportunity to participate in and benefit from the development of the country”. The DSP particularly emphasizes “the importance of respect for all”.

*Men, women, boys, and girls are all valuable members of PNG society. Every person, irrespective of gender, needs to be given the opportunity to reach their potential because in this way, the whole country will benefit. Currently, gender disparity is evident in many aspects of society, from education, employment, and political representation to mortality and cultural norms. This largely reflects traditions that are harmful and life-threatening and that need to be done away with.*

*In education, for example, boys have better access to primary school than girls, with boys accounting for 53 percent of enrolment and girls for just 47 percent. This gender disparity increases for higher levels of education. In higher*

416 Department of National Planning and Monitoring. 2010a. p.4.
education, men account for 63 percent of total enrolment and women for only 37 percent.\[417\]

The DSP also identifies “strategies for enhancing gender equality”.

*International experience confirms the powerful link between a country’s prosperity and the equality of men and women. For almost all countries in the world, the UN constructs a Gender Development Index where a score below 1.0 indicates that women are disadvantaged relative to men. Comparing the index across developing nations reveals a clear link between prosperity and improving respect for women. As more women are educated and join the workforce, PNG will no doubt benefit greatly.*

*It is therefore desirable to build opportunities for women and girls to participate in economic, political, cultural, and social life at all levels (community, provincial, and national). This will require, among other things, legislation that not only protects women against violence but endures their rights to education and in the workplace.*

*New and innovative programs are also needed to raise awareness about the roles of men and women in development, and to provide access to resources, information, opportunities, and other services that support gender equality.*\[418\]

The government acknowledges that effective mainstreaming is essential to advance the voice and participation of women, but the gender issues identified in the DSP are not mainstreamed; they are not related to the discussion of development considerations in each sector. The section on gender in the DSP includes key indicators, baseline information and targets relating to women’s empowerment, domestic violence, female to male school enrolment rate, females in tertiary education and females in waged employment. However, many targets are not clearly specified or related to the relevant sectoral chapters.

In the Law and Order section, for example, the DSP does not mention women and violence, domestic violence or sexual assault; and gender targets or statistics on women do not receive specific mention in the baseline data or the 2030 target/objective for law and order. Similar gaps exist in the section on primary and secondary education. While this topic appears in the Gender section, there is no cross-reference in the education chapter (no mention of the disparity in access to education, nor any strategy to address it). Likewise, sections on enabling traditional landowners to register their land make no mention of gender issues and disparities.

PNG’s 20-year DSP is designed to be “rolled out” through a series of five-year plans that will in turn guide the budget allocation process. In Section 5.3, the MTDP 2011-2015 refers to the DSP goal: “All citizens, irrespective of gender, will have equal opportunity to participate in and benefit from the development of the country”, which is broken down into nine indicators, with targets for 2015 and for each of the subsequent 5-year milestones.\[419\]

The MTDP goes on to identify seven sector strategies related to gender equality. Given that one of the most severe challenges facing PNG women is the stubbornly high maternal mortality rate, and that maternal health is flagged in the DSP, it is notable that health is not mentioned at all in the following MTDP list:

1. Achieve equal access to education for all males and females.
2. Increase the rate of functional literacy among girls and women.
3. Increase women’s access to economic opportunities and awareness of their economic rights.

---

\[417\] Department of National Planning and Monitoring. 2010a. p. 111.
\[418\] Department of National Planning and Monitoring. 2010a. p. 112-113.
\[419\] Department of National Planning and Monitoring. 2010b. pp. 95-97.
4. Enhance sustainable access by women to capital, markets, information, technology and technical assistance.
5. Mainstream gender in the bureaucracy, legislative and judicial system.
6. Ensure equal access to and full participation in power structure and decision-making.
7. Prevent and eliminate violence against women and children by strengthening legislation on family welfare and on children’s and women’s protection.

Sector goals with gender considerations include goals to improve PNG’s ranking in the internationally comparative gender development index; achieve gender parity in primary, secondary and tertiary enrollments; achieve parity in literacy; achieve parity among women in employment; parity among women as a proportion of people with cash income; increase the proportion of national parliamentary seats held by women; and reduce FSV.

Structural issues such women’s political participation; legal rights and customary rights to land are not addressed. There is an absence of strategies to address the educational, cultural, economic and systemic barriers preventing women’s full participation. Women’s participation in the national parliament is a specific goal in the MTDP, with responsibility allocated to both the DCD and the DNPM. This is welcome, but there are no specific programmes or strategies to achieve this save the distribution of leaflets.

The MTDP goes on to articulate six “deliverables” or “interventions” meant to contribute to the achievement of these strategies, but these are uneven in their coverage and scope. Sector Strategies 1 and 2 are to be addressed by the Department of Education (yet none of the “deliverables” in the education chapters mention gender parity), and Strategies 3 and 4 are addressed only with entrepreneurship training. Strategies 5, 6 and 7 are to be addressed through specific interventions as listed below.

- Develop women’s political awareness programmes before elections.
- Conduct several gender sensitivity programmes in the bureaucracy, legislative and judicial systems.
- Produce and disseminate a number of gender sensitivity communication awareness materials.
- Establish protective shelters for women and child survivors of abuse.
- Train police, welfare/community development and health officials to respond to FSV.

The imbalance between the ambitious nature of the seven strategy outcomes and the deliverables offered is notable. The actual outputs that are planned for the next five years are limited to: entrepreneur skills training for 100 to 300 women; 15,000 leaflets on women’s political participation; gender sensitization for one third of public servants; two to four safe houses; and up to 300 police trained to respond to FSV. Recognizing that it is the MTDP specifics that will drive the resource allocation process underpinning each annual budget, we can see that the deliverables and interventions in the MTDP do not add up to the robust cross-sectoral action that would be required to reach the 2050 vision or the specific targets in the DSP and MTDP.

The National Policy for Women and Gender Equality 2011-2015 states that gender equality means that the roles of women and men are valued equally. The definition has three aspects: equal opportunities, equal treatment, and equal entitlements. The policy describes the mission “to promote improved equality, participation, and empowerment of women in Papua New Guinea”, and offers specific objectives:

- To create an enabling policy environment for translating government commitment to gender equality into a reality, and to establish the policies, programmes, structures and mechanisms required to do so.

---

420 Department of Community Development. 2011a. p. 20.
To empower women and to transform gender relations in all aspects of work and in all levels of government, including the wider society.

Dozens of specific strategic actions are prioritized in Section 3.1 under ten Priority Action Areas drawn from the Beijing Platform for Action, National Platform for Action and extensive stakeholder consultations held during 2010-2011. In presenting the ten Action Areas, the government identifies the key challenge as trying to “transform gender relations into a process of broader institutional change”: (i) gender-based violence, (ii) health (iii) HIV/AIDS, (iv) education and training, (v) cultural norms and traditions, (vi) women’s economic empowerment, (vii) employment opportunities and conditions, (viii) decision-making and political participation, (ix) agriculture and market opportunities, and (x) environment.

The National Policy document includes an Implementation Plan with details under each of the ten Action Areas with regard to issues, objectives, implementation strategies, performance indicators and sources of verification and key actors, along with an illustrative budget for the five-year time frame. The DCD is identified as the nodal ministry, but a strong emphasis is placed on the shared responsibility across government for mainstreaming and implementation of the actions in the Implementation Plan. In Section 1.3, the Policy also lists the many sectoral policies, which explicitly address gender issues.

While this discussion of the national strategic and policy context necessarily focuses on the government, there are important institutions in civil society and the private sector whose voice and activities are critical to any consideration of the gender dimensions of PNG’s development challenges. A key organization is the National Council of Women (NCW), which is comprised of provincial chapters/councils that provide an extensive network of women. It was first established in 1978 by a group of women in Port Moresby. The National Council of Women Incorporation Act of 1979 led to the NCW having the mandate to speak for women to the government and to the larger community on issues affecting women. The NCW was later “recognized as an alternative vehicle through which women’s programs, information and educational training could be delivered”. In 1996 and 1997 the NCW “took up the challenge” of building the capacity of women for leadership roles.

The NCW does not have the exclusive role of representing the concerns of PNG’s women, however, and there is a need to ensure that new emerging women groups equally have a voice. A range of other civil society and business organizations are also important in mobilizing voices from the community perspective in support of action on gender equality issues, including the FSVAC, the National YWCA, the BAHA, the Coalition for Change, the gender desk at the Chamber of Mines and Petroleum and the Minerals Resource Authority, and the various sectoral and professional associations (PNG Women in Politics, PNG Women in Business, PNG Women in Agriculture, PNG Women in Maritime).

As shown above, the higher-order strategy and planning documents include broad aspirational statements about gender equality and opportunity that create the “policy space” for more specific programming and more ambitious and concrete targets, but few such programmes and strategies are offered in the DSP or MTDP, and neither document has fully grasped the opportunity to mainstream gender issues and to address them across all sectors and programmes.

Adding to the inconsistent message send by this “mainstreaming gap” in the overarching planning framework is the resourcing gap. While the financial costs provided in

---

421 Department of Community Development. 2011a. pp. 22–27.
422 Department of Community Development. 2011a. pp. 48–57.
424 Sepoe, O. 2002. p.27.
the Implementation Plan of the National Policy are most likely severely underestimated, based on current real costs of programme implementation across the government, even those very modest estimates are not reflected in the costing attached to the relevant MTDP deliverables. In budget terms, the “mainstreaming” of gender actions across government agencies continues to appear to result in “marginalization” by under-resourcing.

As a result of these combined factors, it is likely that the recently launched National Policy may not have the necessary resources and political will needed to support its implementation since the wealth of detail offered in its Implementation Plan does not link explicitly to specific goals and targets in the DSP and MTDP, and the resourcing and monitoring is not adequate although the implicit linkages are there. There are several options that government could consider to address this challenge:

- Align the lists of policy strategies of the National Policy for Women and Gender Equality 2011-2015 to the relevant sector goals, deliverables and interventions in the DSP and the MTDP through a joint initiative of the DCD and DNPM, and then undertake the necessary work with line agencies on programmes and budgets to ensure resources and support for implementation.
- Incorporate the National Policy for Women and Gender Equality in the mid-term review of MTDP (2011-2015) and DSP (2010-2030) to create targets and strategies necessary to foster women’s participation.
- Map (and align responsibilities and priority setting) across plans and implementation of the constitution, the National Policy for Women and Gender Equality, CEDAW, the MDGs, Pacific Plan, etc.
- Identify the opportunities presented in the budgeting and planning process to demonstrate the importance of mainstreaming gender issues.
- Emphasize the use of sex-disaggregated data as a base for preparing the annual budget submissions across all departments, so as to drive a more effective mainstreaming across departmental policies and programmes.

2. Gender Responsive Budgeting

The PNG government, with the support of UNIFEM, began planning for a gender responsive budgeting (GRB) initiative in 2009. UNIFEM’s (as of February 2011, UN Women) assistance focused on ‘sensitizing stakeholders from the government and civil society on GRB tools and methodologies and provide technical assistance on the drafting of GRB policy guidelines’.

**Box V.1: What is Gender Responsive Budgeting (GRB)?**

GRB is an indispensable complement to Gender Responsive Planning. Mainstreaming gender into development planning and implementation can only be effective when budgeting processes are made gender responsive as well. GRB is part of a country’s core budgeting processes. It takes into consideration the different situations of men and women, boys and girls, and looks at their different needs, then makes sure that provisions to address their needs are financed within a country’s budgetary processes. GRB is, in essence, a strategy to maximize the effectiveness of budgetary allocations.

In 2011 the University of South Australia conducted a study on GRB in the Asia Pacific Region. The study produced country profiles documenting ‘the different approaches to GRB, the enabling and constraining factors operating within a country, the groups
involved and the tools and strategies adopted.” The study’s coverage of the Pacific Region encompassed six countries including that of PNG.

The Country Profile for PNG study notes that since 2010 UN Women has advocated GRB to contribute to the development of a comprehensive monitoring framework to assess results and progress towards national gender equality commitments. The study notes lack of capacity in PNG as an issue.

In 2011 UN Women commissioned a scoping study to assess PNG’s preparedness for the initiation of a programme to advance GRB in the country. The scoping study specified that the success of GRB is largely contingent upon the fulfillment of a set of requisites. These provisions include the political will to support implementation of commitments towards gender equality; the existence of planning and budget systems that provide an enabling environment for gender responsive actions, adequate capacity of the various actors to plan, budget, deliver, and monitor performance in relation to gender equality outcomes; allocation of adequate funds to implement gender equality commitments; and accountability and monitoring mechanisms for tracking performance in addressing gender equality demands.

The scoping study confirms that PNG’s institutional framework offers an enabling environment for the implementation of GRB. The country’s legal and regulatory foundations are anchored to its Constitution, and its planning and budgeting instruments are coherent and consistent. If the country’s capacity to implement GRB is considered inadequate, it can be enhanced and the question of whether sufficient funds have been allocated can only be addressed by ensuring that the best possible use is made of available budgets. The study also pointed out that PNG’s Policy Implementation and Communication Structure offers a systematic conduit for monitoring and tracking performance in gender equality demands.

PNG’s Planning and Budget Systems are consistent in translating the National Goals and Directive Principles of the country’s Constitution into development plans as well as development strategies and development budgets. The country’s principal development planning and budgeting instruments comprise PNG Vision 2050, DSP 2010-2030, and Medium Term Fiscal Strategy 2008-2012. All the long-term goals of these instruments can be traced back to the National Goals and Directive Principles of PNG’s Constitution, including those that guarantee equality between men and women of the country’s citizens.

PNG separates its budget into a recurrent budget and a development budget. Because the development budget is drawn up against the estimated costs of inputs required to achieve the MTDP’s targets, it could be presumed that adequate financial provisions have been made for development-related activities to be carried out under the Plan.

UN Women has made practical progress in advancing GRB in the National Capital District Commission (NCDC) with a pilot project to ensure that GRB is included within the UN Women and NCDC jointly managed Safer Cities Project. The multi-million dollar five-year Safer Cities Project promotes the greater inclusion of women in all aspects of economic life in the city’s major market places. As such, an audit of the NCDC budgets and programming that are linked to the city markets has been undertaken and remedial action has ensued to progress GRB accordingly. In 2012 UN Women has also worked to ensure that the National AIDS Council Secretariat (NACS) has received sufficient capacity development to programme GRB into its core functions. Training of core NACS staff has ensured that the NACS has a deeper institutional understanding of gender and its personnel now have sufficient capacity to deliver GRB. Further plans for GRB sensitization and application of GRB principles are set for the period of 2013–2014, including the National Department of Education and the National Department of Planning and Monitoring.

426 Fiji, Papua New Guinea, Samoa, Solomon Islands, Vanuatu and Tuvalu
D. The national machinery for gender and women

1. Establishment of the national machinery

a. Early developments

Programmes for women began several decades before PNG’s independence in 1975. These were government- and church-sponsored welfare and community programmes targeting village and church-based women’s associations with home-life skills and activities such as cooking, sewing and nutrition. They were concentrated in the more developed regions of the country and were not accessible to the majority of women. The genesis of the women’s movement in PNG was in the late 1960s and 1970s when increasing numbers of women gained access to higher education. Women began to speak openly about gender equality and advocate action to eliminate violence against women. The women's movement gained momentum when women from PNG participated in global women's conferences in Mexico (1975), Copenhagen (1980), Nairobi (1985) and Beijing (1995). These conferences became avenues for PNG women to speak globally about local issues and gain support from the international community. This was the context in which an organized women’s movement emerged.

In 1962, the United Nations Commission on the Status of Women encouraged the establishment of national commissions on the status of women. The First World Conference on Women, which launched the UN Decade for Women in 1975, endorsed the World Plan of Action, which identified “national machinery for women” as a measure for accelerating the achievement of equal opportunities for women and their full integration into national life. National machineries were intended to facilitate a formal system whereby civil society organizations representing women could make representations to government through a government department for women, leading to policy development, programmes of action, and progress toward gender equality and the empowerment of women. The creation of state women's machineries, with similar arrangements in donor agencies and NGOs, were expected to ensure that women's needs would be addressed in development policy and planning.

By 1985, 90 percent of countries had established some form of national machinery for women; of these, 50 percent were set up during the first Decade for Women (1975-1985). The government of newly independent PNG appointed a women’s adviser to the Office of the Prime Minister to respond to these international initiatives and the advocacy by leading PNG women, towards the establishment of PNG’s national machinery for women.

b. The National Council of Women

In 1979 the government enacted the National Council of Women Act thus institutionalizing the National Council of Women (NCW) as the government’s partner with civil society in what the UN termed a ‘national machinery for women’. The objectives of the NCW were to promote and encourage the views of women and to advocate for change, for public support and for legislative reforms to progress women’s advancement. The NCW began to lobby for women’s rights and protection of women from abuse and violence. Its membership consisted mainly of rural church and community-based women from the Provincial Councils of Women.

The NCW was the peak representative body for all women’s organizations and was intended to provide a forum for women to express their views on issues affecting their lives. As a result of a resolution it passed into being at a special annual general meeting of the NCW, a ministerial directive was given to the Papua New Guinea Law Reform Commission to investigate and report back to the parliament its recommendations on amendments to laws to eliminate or minimize domestic violence.429 A Women and Law Committee was set up in 1987 that spearheaded a national campaign on domestic violence, as outlined in Chapter IV above. The Women and Law Committee produced seven leaflets on legal issues affecting women, including one on the voting rights of women and men.

c. Gender in development (Department for Community Development)

In 1974, a National Women’s Development Programme (NWDP) was endorsed which also led to the appointment of 20 Women’s Development Officers in the provinces. From 1983 to 1990, the government partner in the national women’s machinery was the Women’s Affairs Division under the Office of Youth and Recreation, later the Department for Home Affairs and Youth and now the Department for Community Development (DCD). The Women’s Affairs Division was later renamed and reorganised as the Gender and Development Division. Although there had been other prior initiatives, the National Women’s Policy430 was the first to be formulated through a joint government and NCW consultative process and endorsed by the National Executive Council. For the first time, women’s concerns were formally incorporated into a government policy for national planners to include into government plans and budgets. The policy was based on a “women and development” approach, focused on development activities for women, rather than the gender and development approach recommended internationally in the 1990s, which focused more specifically on addressing gender inequities.431

Major restructuring undertaken in 2002 led to downgrading of the functions of the Gender and Development Division from a division to a branch within the DCD. Thus, the Gender and Development Division became the Gender and Development Branch of the DCD. The restructuring was not only a response to reduced resource allocation, but was also intended to encourage mainstreaming of gender across all activities of the Community Development Division, within national, provincial and district administrations. The restructuring was in line with international thinking, which advocated shifting attention from women in development and separate women’s projects and programmes, to gender and development, which focused on gender inequality. Gender mainstreaming was advocated as a means of including women’s interests and concerns in all aspects of development. The aim was to address the causes of women’s inequality rather than the symptoms.

The mandate of the Gender and Development Branch (GADB) was for gender mainstreaming of community programmes, but included responsibilities for the social mobilization of women, empowering rural women, involvement of women in community governance, economic empowerment projects and poverty alleviation.432 The GADB continued to act as the focal point for women and gender equity issues, to support the NCW and other women’s NGOs, and the provincial and district administrations, in their implementation of programmes. It lacked technical and financial capacity for much of this mandate, however, and also lacked the authority to direct policy and programme responses in the various sectors of government.

**d. The Office for the Development of Women**

In 2005, the government approved the establishment of the Office for the Development of Women (ODW) to address policy aspects of gender and development, particularly reporting on international commitments like CEDAW, the Beijing Platform and gender in the MDGs. The ODW was to be a stand-alone agency reporting directly to the prime minister, with functions to include i) policy advice, implementation and gender mainstreaming; ii) research, monitoring and evaluation; iii) coordination and monitoring of PNG’s commitments and implementation of its international obligations, conventions and treaties, and participation at international forums; iv) strengthened partnership with NGOs for women and other civil society organizations, government agencies and professional groups; v) provision of informed and representative advice to government on policy issues relevant to the diverse views and circumstances of women; and vi) enhancing the partnership between the government and the National Council of Women, and other women’s organizations.

The ODW was expected to provide technical and financial support to increase the voice of women’s civil society organizations in government decision-making and conduct regular targeted consultations and forums on priority issues, providing opportunities for women’s organisations to raise issues of concern directly with the government.

To promote mainstreaming, a number of gender focal points, desks or units were set up in various government departments and tasked with the responsibility of mainstreaming gender issues into policies and programmes, including in the Prime Minister’s Office, Department of National Planning and Monitoring, Department of Education, Department of Mining, Department of Fisheries, Department of Agriculture, Department of Health, and the Department of Justice and Attorney General.

**2. Challenges to the national machinery for women**

**a. Government's response**

The effectiveness of PNG’s national machinery for women has been severely constrained since 1979 by the lack of adequate budgets to fulfil its mandate, which in turn has led to weaknesses in capacity. Overall, it could be concluded that national efforts for the promotion of gender equality and the empowerment of women over the past thirty-six years have been tokenistic. A capacity assessment of the three national women’s machineries conducted in October 2010 confirms earlier studies and assessments identifying organizational and policy challenges that constrain the effective operations and functioning and coordination of the government and the civil society arms of the national machinery for women.433 (See Appendix 6 for a summary of the capacity-gaps.)

Although the capacity assessment found that the three agencies have respected leaders and many capable staff, key issues are the lack of core funding for programmes and the implementation of work plans, and the absence of an effective coordination mechanism at policy level to ensure that national gender strategies and policies are implemented and monitored.434 Each arm of the women’s machinery: the GADB of the Community Affairs Division, the ODW and the NCW, had an annual operational work plan, but these did not match their human and financial resource capacities. Their work plans needed to be more closely linked to comprehensive situational gender analyses to strengthen practical directions. The work plans also needed to include a clear definition of the expected outputs

---

433 United Nations Development Programme. 2010. Capacity Assessment of the Office for the Development of Women (ODW), the National Council Of Women (NCW), and the Gender and Development Branch (GAD Branch) of the Department for Community Development. UNDP Asia Pacific Regional Centre, Suva.

and the key results expected, and to provide a means of measuring the performance of staff members.

Furthermore, the assessment found that few central and line government agencies understood the mandate, role and functions of the ODW or the roles of the GADB and the NCW.435 Government agencies with policy development responsibilities considered that the ODW needed to be able to articulate, advocate and raise public awareness on its mandate. Thus, clarification is needed on the mandate, roles, and responsibilities of the three arms of the national machinery. Most of the GADB policy formulation functions have been transferred to the ODW, but overlapping functions have caused continuing confusion and duplication of effort. Therefore, coordination mechanisms are needed to define the roles and responsibilities of each of the three partner agencies, including the areas in which they are to collaborate and how such collaboration is to be facilitated and implemented. The capacity assessment also noted that technical planning skills, resource mobilization, budgeting capacities and file management systems need improvement.

The collection, management and analysis of sex-disaggregated data, documentation of important issues and dissemination of information are important functions of the ODW. The ODW is mandated to produce data or analytical papers aimed to inform and contribute to national gender policies; this is an area where specialized skills are needed, along with capacity development. A shared electronic database management system is needed to enter and access to data. Regular information sharing and close networking with the National Research Institute (NRI), and the National Statistical Office (NSO) are crucial elements in strengthening the ODW’s capacities to conduct gender research, analyses and sex-disaggregated data. In addition, the ODW must work closely with the Civil Registration Unit of the DCD. The three arms of the national machinery have conducted monitoring and evaluation activities, but they all need support and resources in improve clarity about the division of responsibilities for analysing key gender targets, results and indicators for progress of women’s empowerment and gender equality in the country.

Other gender mainstreaming initiatives -- the establishment of gender focal points and gender units -- have also struggled with lack of funding and “are also functionally weak and structurally marginalized”.436 They lack the authority to influence both vertical and horizontal decision making structures. As with the national machinery, they have no clear terms of reference, staff may not be appropriately qualified and in many cases are assigned gender responsibilities in addition to other work responsibilities. The gender focal point in the Department of Agriculture is not functioning effectively, those in the Prime Minister’s Office and the Department of National Planning and Monitoring have been discontinued, and that of the Department of Education has been vacant since 2005.

b. Issues for the National Council of Women

The NCW has experienced challenges in sustaining itself financially and operationally ever since it was established. One issue has concerned representation and mandate. As elsewhere in the world, women in PNG do not always have common concerns and interests; they are divided by differences in levels of education, urban and rural situations, ethnicity, culture and adherence to religious teaching. Support for the NCW has fluctuated among women’s organizations at community and provincial levels, and among women’s groups working on specific legal, political and economic inequity issues.

Another issue has been one of priorities. While many highly educated women advocate more emphasis on a right-based approach to gender and development, others have felt more comfortable with a “women and development” approach that focuses on providing training and resources to community women’s groups. It has not always been clear to them that

resources are needed for policy development towards gender equality and the empowerment of women, as well as for community programmes. There have been times when women leading rural organizations could not see the point of providing resources to councils of women operating at the provincial and national levels, feeling that those resources were more urgently needed at the community level. When the NCW and its provincial branches appear to lack “grass roots” support, their advocacy roles to the provincial governments and the national government are undermined. Overall, competition for very limited resources and political support has tended to undermine the cohesiveness of the civil society arm of the national machinery.  

Box V.2: Potential actions to increase voice and participation in political and institutional spheres

The following actions are suggested to increase voice and participation in political and institutional spheres:

- Resuscitate the gender focal point role in the DNPM, and consider re-positioning the ODW in the Prime Minister’s Office where it was originally meant to be located.

- After assessing the level of support by members of parliament in the new parliament for advancing the Equality and Participation Bill (creating 22 reserved seats for women) past the final required votes, consider a diversification of effort and resources beyond those dedicated to national level Temporary Special Measures:
  - Investigate the potential demand for, and financial donor support for, legal provisions similar to Timor-Leste, which uses mandatory participation of women in each political party’s slate of candidates to help ensure equality of participation at the national level.
  - Prioritize investments in community and ward governance mechanisms that encourage women’s participation in local decision-making / resource allocation.
  - Investigate the needs of women considering, or running for, local-level office (LLGs and districts) and invest resources there, perhaps through a focus on provinces where 1) women are already successful (Manus) and/or 2) special measures have been introduced (Bougainville, New Ireland).

- Provide for specific attention to gender omissions in updates/revision of the key national strategy documents – the DSP and the MTDP – to correct the lack of gender targets or statistics on women in baseline or milestones for law and order and primary/secondary education.
  - One logical mechanism for this would be to incorporate the National Policy for Women and Gender Equality into the mid-term reviews of the MTDP and the DSP.

- Consider either a Public Services Department circular or an amendment of the Regulatory Statutory Authorities (Appointment to Certain Offices) Act of 2004 to request that the list of candidates submitted by the responsible minister to the Public Services Commission for any vacancy should include at least one female candidate.

---

437 For a detailed account and analysis, see Anne Dickson-Waiko. 2009.
Chapter VI

Recommendations

These recommendations are the result of extensive national consultation and research processes by the multi-stakeholder Government–Development Partners Gender Forum. All these recommendations are consistent with the government’s policies and its national and international commitments. Many, if not all, of these recommended actions are already articulated in policies and proposed initiatives to increase gender equality, but have not been translated into funded programmes of action. A critical overarching recommendation is that more robust attention to funding programs to implement existing policies, and enforcing existing laws, would have a significant positive effect on gender equality in Papua New Guinea.

The following actions are recommended to the Department for Community Development (DCD), the Department of Treasury (DoT) and the Department of National Planning and Monitoring (DNPM) and development partners.

- Allocate specific budget resources from the DCD 2013 Budget to meet the government’s obligations to report back to CEDAW (was due in July 2012) on the two Committee concerns (violence against women including sorcery, and low political participation).
- Address all seven of the sector strategies listed under gender in MTDP Section 5.3 (currently items 1, 2, and 5 do not have concrete actions and resources). As the DNPM updates the MTDP, advocate the addition of specific deliverables.
- Disseminate the National Policy on Women and Gender Equality and provide resources and support for a DCD work plan for 2013. As the DNPM updates the MTDP, advocate the addition of specific deliverables.
- Map gender budget items annually by convening a joint task force of the DoT, DNPM and DCD. The task force would review the 2013 Budget in the first year, once it has been approved by parliament and identify all of the budget allocations that support specific activities identified in the Policy. In subsequent years, the mapping could be done in August-September during the budget formulation process, which would allow line agencies to adjust their own budget submissions to better address gender concerns through actions specified in the Policy.
- Rectify gender omissions in updates/revisions of the key national strategy documents – DSP 2010-2030 and MTDP 2011-2015 – to correct the lack of gender targets or statistics on women in the baseline or milestones in law and order, and in primary/secondary education.

The following actions are recommended to the National Department of Education (DoE), the Department of National Planning and Monitoring (DNPM) and development partners.

- Support a joint effort by the NDoE and the DNPM to reconcile and align the various programmes and interventions of the strategy documents that are related to gender parity in education, with a specific focus on bringing MTDP Sections 3.4 and 5.3 and the UBE and NEP2 up-to-date with concrete and costed actions on gender parity.
- Provide budget to the NDoE Gender Equity Desk, appoint gender focal points, and develop Division Gender Action Plans (as per the NDoE Gender Equity Strategy Plan).
• Provide funding and technical support for research on gender-related issues in education to:
  ✓ Collect and analyse sex-disaggregated data on enrolment and completion outcomes as fee-free education and UBE continues, and report the findings publicly.
  ✓ Identify the gender specific barriers to transition from primary to secondary and from secondary to tertiary education.
  ✓ Investigate reasons for non-attendance by girls and boys, and identify ways to enforce the fee-free compulsory basic education policy.
  ✓ Examine urban poverty and its implications for education.

• Provide targeted financial support to girls at secondary and tertiary levels through scholarships, bursaries and/or fee waivers.
• Include gender awareness in pre-service and in-service teacher training.
• Ensure the zero tolerance policy on FSV is implemented, that appropriate penalties are imposed, that implementation is monitored and that the policy is reviewed (within five years).
• Strengthen existing affirmative action messages about school attendance and participation of pregnant girls and ensure that mission/church agency schools apply the policy of encouraging pregnant girls to complete their education.
• Provide more non-formal learning opportunities at the basic/primary school level for women and girls who have missed out on formal schooling altogether.
• Provide second chance opportunities for those who leave school early, including pregnant girls and adults through support for:
  ✓ Flexible open and distance education.
  ✓ Non-governmental education options including non-formal schooling options.
• Increase funding for provision of female dormitories and other appropriate accommodation at the secondary and tertiary levels, including at technical colleges.
• Examine possibilities for greater sharing of institutions’ space and facilities.
• Fund the construction of separate and physically disconnected girls’ and boys’ ablution blocks at schools.
• Investigate and apply innovative approaches to enrolment and retention of girls and young women, such as that of the Bomana Sacred Heart Teachers College.
• Use mass communication tools and strategies (including use of tokples) to advocate and communicate the importance and value of education to families.
• Provide training to school staff and school committees to work together to improve school security, and promote measures such as organizing groups of student to walk to school together, organizing school buses or passenger motor vehicles, and monitoring the security of students, particularly girls, in the school grounds and facilities.
• Undertake a gender audit and subsequent training throughout the National Department of Education.

The following actions are recommended to the National Department of Health (NDOH), the National Executive Council (NEC), the Department of National Planning and Monitoring (DNPM) and development partners.

• Members of the NEC should send both public messages and departmental circulars to reinforce the government policy that services for maternal and child health and survivors of domestic violence are exempt from fees, with monthly monitoring of compliance.
• Update the NHIS database system to permit easier retrieval of sex-disaggregated data across all categories, and introduce systematic annual reporting and analysis of the routine sex-disaggregated NHIS data collected on outpatient visits.
• Provide resources for research and data collection to:
Recommendations

- Improve collection of sex and age disaggregated health data at all levels of the service.
- Improve recording of such data by reviewing the design of data collection forms.
- Establish effective data collection on FSV and reporting systems and procedures at hospital family support centres.

- Educate all health personnel on the importance and methods of data collection through in-service and pre-service training.
- Disseminate sex and age disaggregated health data to health staff and policy makers to improve interventions.
- Provide resources to support the finalization and implementation of the NDOH gender policy for the health sector that addresses (i) maternal and reproductive health, including strategies to involve men in contributing to improved outcomes for women; (ii) centres for the victims of FSV in all hospitals; and (iii) men’s health issues.
- Strengthen the provision of care to survivors of FSV at aid posts, health centres, and the new Community Health Posts by revising protocols and including training on FSV in pre-service and in-service curricula for primary health service providers.
- Collaborate with the proposed donor-financed national survey on FSV and begin routinely collecting data through the NHIS on service use by survivors of FSV.
- Support the proposed study of the socioeconomic costs of crime and violence.

The following actions are recommended to the National Department of Health (NDOH), the National AIDS Council (NACS), the Department of National Planning and Monitoring (DNPM) and development partners.

- Support the implementation of the planned Integrated Bio-Behavioral Survey (IBBS) and use the results to better identify the HIV status of men and women at different ages, and to form new programme guidance and policies using that information.
- Support and coordinate an agreed national HIV and AIDS communication strategy among stakeholders that targets men effectively, but without promoting negative male stereotypes. The communication strategy should emphasize rights and responsibilities to prevent the spread of HIV and should aim to educate community leaders on a rights-based approach. It should include measures to increase awareness among political leaders about HIV and AIDS prevention measures as cross-cutting development issues.
- Increased resources for testing and treatment of HIV infection in ways that recognize and address the risks faced by women diagnosed as HIV positive and for treating mothers to prevent transmission to children.
- Provide resources and high-level support to monitor and support the implementation of the PNG National Policy on Gender and HIV and AIDS.
- Provide resources to improve coordination of programmes between NDOH and NACS at all levels of services (i) to prevent and treat HIV and AIDS, (ii) to collect data, (iii) to implement the national policy on HIV and AIDS, and (iv) to assess and improve partner and stakeholder capacity to design, implement and report on gender-responsive HIV/AIDS programming.

The following actions are recommended to the Department of Agriculture and Livestock, National Fisheries Authority, PNG Forestry Authority, the Department of National Planning and Monitoring (DNPM) and development partners.

- Include a specific gender focus in the proposed Agriculture Sector Update, including investigation and analyses of the gender-differentiated impact of climate change (pests, rainfall, and land use changes) on rural livelihoods.
- Seek donor support for greater investment in numeracy and financial literacy for male and female farmers and traders, with careful attention to training delivery through both blended and separate groups.
Assist women farmers to form cooperative societies for production and marketing and to receive training and technical assistance.

Seek donor support for investments to support recommendations by the UN on safe market infrastructure and services.

Support agriculture sector research that focuses on post-production constraints, such as gender-differentiated benefits from improved marketing chain and cold storage.

Develop a strategy for investor compliance to improve working conditions for the largely female fisheries canning workforce, with robust government monitoring and enforcement.

Apply lessons to the forestry sector learned from successful initiatives in the mining sector for including women in negotiations, consultation, dispute resolutions and benefit sharing.

Request collaboration of key donors on tax policy and improvements that make it easier for informal sector farmers and traders to formalize and “graduate up”.

The following actions are recommended to the Department of Mineral Policy and Geohazards Management (DMPGM), the Department of Petroleum and Energy (DPE), the Department of National Planning and Monitoring (DNPM) and development partners, including investors in the mining, gas and petroleum industries.

- Use the current and upcoming reviews of mining and oil-and-gas policies and laws to provide for mandatory participation by women in negotiations, and guidance on allocations of dedicated shares of benefits streams based on the Ok Tedi CMCA.
- Follow through on the DMPGM corporate plan commitment to draft legislation and policies specifically related to women in mining.
- Seek support for the DPE to invest in institutional mechanisms that support programmes for women in petroleum, just like the Mineral Resources Authority (MRA) does for women in mining.
- Encourage the DPE to work actively with the oil/gas industry, which wants to be proactive on gender equality in negotiations and benefits sharing.
- Encourage use of alternative dispute resolution (ADR) in extractives sector disputes (recent resolution of a Misima related case shows that ADR is more accessible to women than formal courts).
- Explore more robust mechanisms for women’s involvement in mine closure committees.
- Encourage the Department of Environment and Conservation (DEC) and related government agencies to involve women in reviews and policy processes around mining waste disposal.
- Provide for “plain language” engagement by industry and DEC / MRA / DPE on scientific and environmental issues so that extractives reviews are inclusive (benefit both men and women).
- Use the lessons from the experience of Oil Search Ltd in extending health services to impacted communities (an “alliance” model where government policy and standards apply, but delivery is supported by industry and NGOs).

The following actions are recommended to the Department of Justice and Attorney General (DJAG), the Department of National Planning and Monitoring (DNPM) and development partners.

- Convene a review group to support the Constitutional and Law Reform Commission in drafting amendments to the two laws that currently affect women negatively in livelihoods and employment (the Wills and Probate Act and the Employment Act with regard to underground and night work)
- Provide systematic training for judges on the gender implications of their rulings under the Matrimonial Causes Act.
Recommendations

- Consider a targeted “deepening” of the successful alternative dispute resolution programme ongoing at the national court level to focus on sectors where increased access for women to efficient and low-cost dispute resolution would significantly improve their productive economic involvement (such as in key agriculture niches like coffee).
- Emphasize women’s rights in the National Law and Justice Policy measures for “empowering communities to deal with local problems of order”.
- Provide explicit and public government support for safe haven initiatives largely initiated by private business, churches and civil society.
- Convene a dialogue with service providers and faith-based institutions to develop service standards and core training modules for safe havens and counseling programs like Meri Saif Ples.
- Empower the CLRC to consider the benefits and challenges of reforming the statutes that control the executive branch’s delivery of basic services (health, education, etc.) to make them justiciable (e.g., to create legally enforceable citizens’ rights with explicit wording on equal access to men and women, boys and girls).
- Empower the CLRC to continue to work on gender inequalities in customary law within the constitutionally recognized underlying law.
- Provide resources and facilitate interagency cooperation and coordination for raising public awareness of the legal and human rights of women and men, through (i) mass media, (ii) school curricula, and (iii) training of ward counsellors.
- Prioritize the DNPM finalization of the draft National Family and Sexual Violence Strategy based on the work done by the Family and Sexual Violence Action Committee and delivered to the government in 2011, and bring the draft Strategy to the NEC for discussion and approval.
- Fast-track the parliamentary consideration of the draft Family Protection Bill and the amendments to the Criminal Code required to criminalize people smuggling and trafficking.
- Seek donor support for more extensive training for Village Court Magistrates – many of whom are now women – on FSV, especially intimate partner violence, and link this to mediation as a key method of resolving disputes.
- Encourage training on FSV to address the cultural constructions of masculinity and perceived condoning of aggression and violence, with inputs by local PNG institutions and academic/research bodies.
- Plan, legislate and implement measures that will substantially increase women’s participation in parliament in time for the next elections. Consider legal provisions similar to Timor-Leste, which has mandatory participation of women in each political party’s slate of candidates.
- Plan and legislate for reserved seats for women in all provincial and local level governments.
- Encourage a gender rights caucus in parliament to bring women in different parties together.
- Develop toolkits for women in parliament and local government.
- Establish a high level steering committee on women’s political representation to bring the recommendations forward.
- Develop supportive policies and legislation to require inclusion of at least one woman on the board of statutory authorities.
- Support proactive efforts to increase the number of women on PNG corporate boards, including creating a Business Coalition for Women in PNG and establishing a Pacific Women on Boards database.
- Re-establish a senior gender focal point role in the Department of National Planning and Monitoring.
- Raise the profile of the Office for the Development of Women by locating it in the Prime Minister’s Office as originally planned, and resourcing it robustly.
Appendices

Appendix 1

Rural Primary Health Services Delivery Project: Gender-Responsive Programming

The ADB-designed Rural Primary Health Services Delivery Project features a Gender Action Plan, of which the main gender-related elements are listed below. The government, through the Department of National Planning and Monitoring, could consider promotion of a similar mechanism in all development partner project design documents.

Output 1: National support for policy development

- Community Health Post policies and standards include strategies such to improve women’s access to primary health care and reproductive health care, with specific monitoring and evaluation tools to measure improvement in women’s access.

Output 2: Sustainable partnerships between provincial governments and non-state actors

- Agreements include provision to monitor equitable access to health services for women.
- At least 40 percent of partnerships are with organizations whose main client group is women.
- Establish provincial health partnership boards with equal representation of men and women from wards in the CHPs, and provide gender awareness training to all members.

Output 3: Human resource development in the sector

- Develop measures to recruit rural females for health worker training, and to improve working conditions and security to maximize health worker retention and performance.
- Develop training programmes for all health workers on maternal and child health care and family planning to improve health care for women.
- Conduct at least two outreach activities per community per year on antenatal care and family planning.
- New and renovated facilities include private spaces for women’s medical consultations, and are provided with equipment and supplies for antenatal and post-natal care, childbirth and reproductive health services.

Output 5: Health promotion in local communities

- Collaborate with local partner organizations to conduct health promotion in rural communities through village health volunteers, at least with 30 percent male participants.
- Develop training modules for village health volunteers on antenatal care, safe birth, post-natal care, family planning, child immunization, STIs, HIV, domestic violence and gender awareness.
- Train village leaders on primary health care and gender awareness.
Output 6: Project management

- Employ social/gender/community development specialists to oversee the implementation, monitoring and reporting of the Gender Action Plan at both at national and provincial levels.
- Provide gender awareness training to all members of the Project Support Unit, all management staff in participating provinces, and non-state providers in alliances.
- Ensure all district and community consultations consult equal numbers of men and women.
- Train management staff in provinces and districts, non-state health providers and those in health worker training and health promotion activities in the collection of sex-disaggregated data and monitoring of these data.
- Ensure baseline and periodic monitoring surveys collect, analyse and report sex-disaggregated data for all project outputs.
Appendix 2

Summary of Research Findings on HIV Risk Behaviour

Table A2.1: HIV sexual risk behaviour related to UNGASS indicators 15, 16 and 17

<table>
<thead>
<tr>
<th></th>
<th>Female</th>
<th>Male</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 15: % of age group 15-24 who had sex before age 15</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Port Moresby General Hospital Antenatal Clinic 2008 (14:18)</td>
<td>1.96%</td>
<td>-</td>
</tr>
<tr>
<td>Lae STI clinic 2008 (2:54)</td>
<td>8.1%</td>
<td>11.1%</td>
</tr>
<tr>
<td>Plantation workers 2008 (2:55)</td>
<td>23.1%</td>
<td>25.0%</td>
</tr>
<tr>
<td>Petroleum development workers 2009 (10:16)</td>
<td>*</td>
<td>18.5%</td>
</tr>
<tr>
<td>No. 16: % of age group 15-49 who had more than one sexual partner in last 12 months</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General population 2006 (15:153)</td>
<td>4.0%**</td>
<td>17.4%**</td>
</tr>
<tr>
<td>Port Moresby General Hospital Antenatal Clinic 2008 (14:19)</td>
<td>15.3%</td>
<td>-</td>
</tr>
<tr>
<td>Lae STI Clinic 2008 (12:17)</td>
<td>24.1%</td>
<td>55.3%</td>
</tr>
<tr>
<td>Plantation workers 2008 (2:59)</td>
<td>8.2%</td>
<td>39.5%</td>
</tr>
<tr>
<td>Petroleum development workers 2009 (10:70)</td>
<td>15.4%</td>
<td>46.1%</td>
</tr>
<tr>
<td>No 17: % of age group 15-49 who had more than one sexual partner in the last 12 months and used a condom at last sex</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General population 2006 (15:153)</td>
<td>30.0%**</td>
<td>48.4%**</td>
</tr>
<tr>
<td>Port Moresby General Hospital Antenatal Clinic 2008 (14:19)</td>
<td>4.3%</td>
<td>-</td>
</tr>
<tr>
<td>Plantation workers 2008 (2:63)</td>
<td>*</td>
<td>35.6%</td>
</tr>
<tr>
<td>Petroleum development workers 2009 (10:70)</td>
<td>*</td>
<td>53.1%</td>
</tr>
</tbody>
</table>

*Sample size too small. ** Defined as more than one “non-cohabiting partner” sexual partner.

Table A2.2: Exchange of sex for cash, goods or other benefits in the last 12 months

<table>
<thead>
<tr>
<th></th>
<th>Males: gave something for sex</th>
<th>Females: were given something for sex</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lae STI clinic 2008 (12:17)</td>
<td>14.3%</td>
<td>11.6%</td>
</tr>
<tr>
<td>Plantation workers 2008 (13:40)</td>
<td>24.2%</td>
<td>6.2%</td>
</tr>
<tr>
<td>Petroleum development workers (10:84)</td>
<td>24.5%</td>
<td>-</td>
</tr>
<tr>
<td>Men in six economic enclaves 2009 (17:6)</td>
<td>34.0%</td>
<td>-</td>
</tr>
</tbody>
</table>

Note: Only the plantation workforce behavioural survey had a large enough sample of female workers to give valid findings on female workers’ involvement in transactional sex, but the qualitative research for both the plantation workers and the petroleum development workers found evidence for widespread transactional sex between male workers and local community women, including schoolgirls (10:84-88 and 13:38-41).
Appendix 3

Summary of Mining Sector Memorandum of Agreement (MOA) Data and Clauses

The table below summarizes clauses in the Memoranda of Agreement (and some preparations for reviews of these agreements) related to gender, but it doesn’t take into consideration other non-MOA related commitments by resource developers, the state, provincial governments and LLGs meant to address community concerns. The MOAs prior to 2005 have no specific clauses highlighting women’s participation and benefits-sharing.

<table>
<thead>
<tr>
<th>Mining project</th>
<th>Titles of agreements</th>
<th>Discussion on gender clauses / comments on MOA reviews preparation and participation of women</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ok Tedi Mining Project</td>
<td>Memorandum of Agreement</td>
<td>Agreement in relation to compensation package from impacted areas downstream and outside of current OTML mining leases. Each shareholder to the mining project is specified to allocate minimum of 10 percent of respective dividends funding for women and children for five years (2007-2011). About K 100 million to be used in accordance with their Women and Children Ten-Year Development Plans. Women are asking that their Development Plans be embedded in the Mine Life Extension agreements currently under review.</td>
</tr>
<tr>
<td>Lihir Mining Project</td>
<td>Memorandum of Agreement (revised 2007) relating to Lihir Gold Mining Project</td>
<td>Appendix B of the MOA accommodates a funded and occupied position of a Welfare and Women Officer by the provincial government MOA and Integrated Benefits Package due for review in 2012. Lihir women, in consultation with MRA and Newcrest Mining Limited, have consulted with the Lihir Mine Area Association and Lihir Sustainable Development Plan to participate in the review. The general clause states that words imparting any gender include the other gender in respect to the MOA benefits.</td>
</tr>
<tr>
<td>Porgera Mining Project</td>
<td>Memorandum of Agreement Relating to the Development of Porgera Gold Project, May 1989</td>
<td>Appendix (unmarked) of the MOA accommodates for funded and occupied position by the provincial government for a Welfare and Female Social Worker. Clause on Future Generation Trust Funds (school fee purposes for future generation of respective landowners including female children). MOA review is outstanding; it resumed in 2010 but is yet to be completed. The Porgera District Women’s Association (PDWA) plans to participate in the Tri-partite MOA Reviews. The PDWA, through the MRA, has consulted with the Enga Provincial Government for a 10 percent share of the Special Support Grant, to be allocated to PDWA and be recognized in the MOA. The PDWA delivers social and economic programmes to mining impacted communities and is supported technically by Barrick. The PDWA receives technical and funding support from Barrick and from its economic programmes. The general clause states that words imparting any gender include the other gender respective to the MOA benefits.</td>
</tr>
</tbody>
</table>
### Hidden Valley Mine

**Memorandum of Agreement Relating to the Hidden Valley Gold Project**

- **May, 2005**

#### Discussion on gender clauses / comments on MOA reviews preparation and participation of women

- **Clause 13** – Future Generation Trust Funds (school fee purposes for future generation of respective landowners including female children).

- **Clause 25** – Family Development Plan (Development of family life for women and youth through life-skills training programmes).

The Hidden Valley Mine MOA is due for review in 2012.

The NAKUWI women landowners, in association with the MRA and Hidden Valley Mine MMJV conducted an MOA awareness workshop in June with a first draft “women’s MOA concerns” in circulation in preparation for the 2012 MOA review.

The general clause states that words imparting any gender include the other gender in respect to the MOA benefits.

### Simberi Mining Project

**Memorandum of Agreement Relating to the Simberi Mining Project**

- **21st November, 1996**

#### Discussion on gender clauses / comments on MOA reviews preparation and participation of women

The MOA review is outstanding; review commenced in 2009 and is yet to be completed.

Draft MOA resolutions on gender from 2009 were incorporated by Simberi Mine Areas Association (SMAA) with women’s representatives now at the SMAA Board of Directors and SMAA’s funded Gender Desk within its Socio-Economic Development Programme.

The general clause states that words imparting any gender include the other gender respective to the MOA benefits.

### Ramu Nickel Mining Project

**Memorandum of Agreement Relating to the Ramu Nickel/Cobalt Project**

#### Discussion on gender clauses / comments on MOA reviews preparation and participation of women

Clause on Future Generation Trust Funds (school fee purposes for future generation of respective landowners including females).

MOA review commenced in 2008 and is due for completion this year.

Draft MOA from 2008 review highlights an allocation of 1 percent of royalty by the Kurumbukari (KBK) landowner association (LOA) for KBK women’s development programmes.

There are discussions by the Basamuk LOA on incorporating a gender position into Basamuk’s LOA structure.

The MOA consultation in February 2011 saw four women LOA representatives submit to the MOA forum 1) their concerns on representation of women in the LOAs and 2) a request for a royalty percentage to fund women's smaller specific projects and programmes.

The Basamuk LOA stated an incorporation of a Gender Desk in its draft LOA constitution.

The provincial government proposed to the forum its undertaking to set up a gender desk within its structure and an allocation of a percentage of royalty distribution for women’s projects.

Bundi Saidor, Astralabe Bay and Gama LLGs further emphasized that the LOAs consider women’s concerns.
### Mining project Titles of agreements Discussion on gender clauses / comments on MOA reviews preparation and participation of women

<table>
<thead>
<tr>
<th>Mining project</th>
<th>Titles of agreements</th>
<th>Discussion on gender clauses / comments on MOA reviews preparation and participation of women</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tolukuma</td>
<td>Memorandum of Agreement (revised) relating to Tolukuma Gold Mining Project, 2007</td>
<td>Clause on Future Generation Trust Funds (for school fee purposes of children of the Special Mining Lease landowners including female school children). The Tolukuma Infrastructure Trust Deed highlights women and youth in the landowner areas, designated LLGs and sub-districts as beneficiaries of 10 percent of the funds at the cessation of the mining project.</td>
</tr>
<tr>
<td>Mt Sinivit</td>
<td>Deed of Amendment to the Memorandum of Agreement relating to the Wild Dog Mining Project</td>
<td>General clauses on community benefits (royalties, spin-off benefits, Special Support Grants, etc.) with no specific clause on benefits to women.</td>
</tr>
</tbody>
</table>

The resource developers listed below have a section or officer in their Community Affairs Divisions with specific responsibility for coordination and action with women landowners and community development programmes and consultations with MOA stakeholders.

- **MMJV Limited** – Team of Community Affairs Officers with a supervisory team leader that take charge of women and family programmes in accordance with the company’s undertakings in the MOA. It also mobilizes women’s consultations and preparations for consultation forums including MOA reviews and networking with other stakeholders and the various levels of government.

- **Newcrest Mining Limited** - Team of Community Affairs Officers and gender officer who develop and implement women’s programmes in accordance with the Lihir Sustainable Development Plan and under the company’s social responsibility. They also mobilize women’s consultations and preparations for consultation forums including MOA reviews and networking with other stakeholders and the various levels of the government. An important landowner structure “work in progress” is the establishment of a gender desk with the Lihir Sustainable Development Plan for long term channelling of all development funds and technical resources to women’s associations.

- **Ramu MCC** – Two gender officers take charge of four women’s landowner associations. Much of the work involves setting up the associations, including foundation capacity building. They also mobilize women’s consultations and preparations for consultation forums including MOA reviews and networking with other stakeholders and the various levels of government.

- **Allied Gold** – The gender desk is structured in the landowner association (Simberi Mine Areas Association) Community Development Programme. Much of the work involves setting up the foundation capacity building programmes for women. SMAA also mobilizes women’s consultations and preparations for consultation forums including MOA reviews and networking with other stakeholders and the various levels of government.

- **Ok Tedi** – The gender branch function was transferred from the OTML to the Ok Tedi Fly River Development Programme (OTFRDP) at the commencement of the programme in 2010. The OTFRDP is responsible for developmental activities at and after mine closure. In 2008/9, the OTML coordinated the development of CMCA women and children development plans; this is now being implemented by the OTFRDP using the 10 percent dividends.
Appendix 4

Access to Justice Services in Three Provinces

B.D. Brunton collected the data for the table below from interviews with justice and law enforcement officials in 2011.

Table A4.1: Access to justice services in Milne Bay, Eastern Highlands and Simbu

<table>
<thead>
<tr>
<th>Province</th>
<th>Milne Bay</th>
<th>Eastern Highlands</th>
<th>Simbu</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proportional population*438</td>
<td>210,412</td>
<td>432,972</td>
<td>259,703</td>
</tr>
<tr>
<td>National Court judge resident</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Female judge resident</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Male judge resident</td>
<td>0</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>District Courts</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Location of magistrates courts:</td>
<td>Alotau</td>
<td>Goroka</td>
<td>Kundiawa</td>
</tr>
<tr>
<td>Female magistrates</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Male magistrates</td>
<td>2</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Village Courts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of Village Courts</td>
<td>344</td>
<td>828</td>
<td>53</td>
</tr>
<tr>
<td>Female Village Court Magistrates</td>
<td>61</td>
<td>109</td>
<td>56</td>
</tr>
<tr>
<td>Male Village Court Magistrates</td>
<td>283</td>
<td>719</td>
<td>479</td>
</tr>
<tr>
<td>Peace officers</td>
<td>427</td>
<td>533</td>
<td>428</td>
</tr>
<tr>
<td>Female</td>
<td>0</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Male</td>
<td>427</td>
<td>530</td>
<td>428</td>
</tr>
<tr>
<td>Land Courts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land mediators</td>
<td>74</td>
<td>74</td>
<td>26</td>
</tr>
<tr>
<td>Female</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Male</td>
<td>74</td>
<td>74</td>
<td>25</td>
</tr>
<tr>
<td>Police</td>
<td>53</td>
<td>288</td>
<td>124</td>
</tr>
<tr>
<td>Female</td>
<td>4</td>
<td>12</td>
<td>10</td>
</tr>
<tr>
<td>Male</td>
<td>49</td>
<td>276</td>
<td>114</td>
</tr>
<tr>
<td>Stationed outside provincial HQ</td>
<td>17</td>
<td>125</td>
<td>36</td>
</tr>
<tr>
<td>Female</td>
<td>1</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Male</td>
<td>16</td>
<td>120</td>
<td>36</td>
</tr>
</tbody>
</table>

http://www.spc.int/prism/country/pg/stats/2000_Census/census.htm
## Appendix 5

### Compendium of Laws and Their Gender Dimensions

<table>
<thead>
<tr>
<th>Law</th>
<th>Content</th>
<th>Needs</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Summary Offences Act</strong></td>
<td>Stalking: No offence; Family Protection Bill 2011 only covers &quot;family&quot;; non-family stalkers are immune. Sex-workers: Aiding and abetting consensual acts of soliciting, needs decriminalization for CEDAW compliance.</td>
<td>Amendments</td>
</tr>
<tr>
<td><strong>District Courts Act</strong></td>
<td>Restraining order for domestic violence: There is no mandatory prosecution. District Courts Act binding-over to keep the peace etc.; works, some of the time but requires ingenuity; gays probably not protected even under Family Protection Law Protection Bill 2011.</td>
<td>Pass the Family Law Protection Bill 2011, with amendments to make it CEDAW compliant, or amend the District Courts Act.</td>
</tr>
<tr>
<td><strong>Criminal Code Act s347</strong></td>
<td>Incest: Adult women have a defence to incest if there was coercion under existing law. But the defence has no express definition of coercion, needed for CEDAW compliance. No exhaustive definition of &quot;consent&quot; for CEDAW compliance. No prohibition on evidence of prior sexual conduct. Prior sexual conduct part of the law of evidence which needs codification. No prohibition on need to prove resistance.</td>
<td>Amendments</td>
</tr>
<tr>
<td><strong>Criminal Code Act s229F</strong></td>
<td>Unlawful carnal knowledge: There currently is a defence for an offence against a female over the age of 12 that the accused honestly and reasonably believed she was over 16. To be CEDAW compliant there should be no such defence. The current upper age for the female victim is 16. To be CEDAW compliant it should be 18.</td>
<td>Amendments</td>
</tr>
<tr>
<td><strong>ss 229L,M 221</strong></td>
<td>Sex workers: Provides only low penalties for women procured against their will. Not CEDAW compliant.</td>
<td>Amendment</td>
</tr>
<tr>
<td><strong>ss 218,219</strong></td>
<td>Trafficking of women: Not CEDAW compliant because penalties too low and corroboration required. Sex tourism is not an offence.</td>
<td>Amendments</td>
</tr>
<tr>
<td><strong>ss 225</strong></td>
<td>Abortion is a criminal offence. While abortion is not specifically mentioned in CEDAW, sexual and reproductive rights are recognized as a step towards equality in general. Some countries have legalised abortion for cases of rape or when the woman's life is at risk.</td>
<td>Amendment</td>
</tr>
<tr>
<td><strong>Criminal Code Act s301(1)(a)(b)</strong></td>
<td>Infanticide prosecutions for murder and manslaughter partially open in infanticide circumstances. Law needs to be tightened to meet CEDAW compliance.</td>
<td>Amendments</td>
</tr>
<tr>
<td>Law</td>
<td>Content</td>
<td>Needs</td>
</tr>
<tr>
<td>-----</td>
<td>---------</td>
<td>-------</td>
</tr>
<tr>
<td>Criminal Code Act, Summary Offences Act etc</td>
<td>There is no mandatory prosecution for sexual offences. CEDAW compliance requires minimum sentences for sexual offences. CEDAW compliance also requires prohibition on taking into account customary forgiveness on prosecution and sentencing customary forgiveness.</td>
<td>Amendments required to be compliant with CEDAW.</td>
</tr>
<tr>
<td>Criminal Code s360</td>
<td>Bigamy allowed by law in custom. Not CEDAW compliant.</td>
<td>Amendment</td>
</tr>
<tr>
<td>Bail Act</td>
<td>Rape is a National Court bail matter; Bail Act does not specifically deal with sexual assaults.</td>
<td>Amendment</td>
</tr>
<tr>
<td>Education Act</td>
<td>Not CEDAW compliant: special measures for the advancement of women; compulsory primary and secondary education for boys and girls; compulsory reproduction and sexual health education; prohibition on expulsion from school for pregnancy.</td>
<td>Complete reform</td>
</tr>
<tr>
<td>Employment Act</td>
<td>Not CEDAW compliant because there is no protection on grounds of marital status, disability, sexual orientation, HIV status. No special measures for the advancement of women. Exclusions for casual s and piece rate workers ss1 and 10 disproportionately affect women. No pay equity legislation. Ss 98, 99 - discriminatory: women prevented from doing certain kinds of work and at particular times etc. No sexual harassment laws, see PSCGO 15 59, 20 73. No guarantee of equal retirement. No compliance with CEDAW 14 weeks paid maternity leave. No protection associated with pregnancy from dismissal for a reasonable period. No provision of child care.</td>
<td>Amendment</td>
</tr>
<tr>
<td>National Provident Fund Act</td>
<td>s2 not CEDAW compliant; inclusive (excludes pieceworkers, etc.).</td>
<td>Amendment</td>
</tr>
<tr>
<td>Workers Compensation Act</td>
<td>s1 not CEDAW compliant, it excludes out-workers and casuals.</td>
<td>Amendment</td>
</tr>
<tr>
<td>Public Service (Management) Act</td>
<td>PSCGO 20, 63-71 not CEDAW compliant because non-breadwinner women may be discriminated against in regard to entitlements. De facto relationships not recognised. No compliance with CEDAW 14 weeks paid maternity leave. No provision of child care. PSCGO 14 not CEDAW compliant as time allowed for breastfeeding in all the circumstances is insufficient.</td>
<td>Amendment</td>
</tr>
<tr>
<td>Law</td>
<td>Content</td>
<td>Needs</td>
</tr>
<tr>
<td>------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Marriage Act</td>
<td>Marriage: CEDAW non-compliance: no statutory guarantee of women's free and full consent in customary marriage, or measure to provide for nullification of the same. Discriminatory minimum ages for marriage; statutes do not regulate minimum ages or bar customary marriages under 14; custom allows &quot;child marriages&quot;, consent for marriage of child born out of wedlock allowed from one parent. Custom prevents women from equal ownership of property in marriage.</td>
<td>Complete reform</td>
</tr>
<tr>
<td>Matrimonial Causes Act</td>
<td>Divorce: This law is not CEDAW compliant. The law takes away a woman's autonomy and is widely discriminatory because it is based on fault. There is no protection for women driven-out of the family home by domestic violence. The law takes away woman's autonomy over whom she has sexual relations [restoration of conjugal rights]; the law may “force” reconciliation; the law does not recognise woman's unpaid contribution to marriage in any property settlement. Children's maintenance is not fully protected; fault: discriminates in maintenance.</td>
<td>Complete reform</td>
</tr>
<tr>
<td>Adultery and Enticement Act</td>
<td>Adultery: No damages for adultery. No CEDAW compliance.</td>
<td>Repeal</td>
</tr>
<tr>
<td>Adoption of Children Act</td>
<td>Adoptions: Age differentiations of adopters is discriminatory; de facto relationships not recognised in the statute; no provision to establish parentage; no statutory contribution of father to pregnancy and child birth costs. No CEDAW compliance.</td>
<td>Amendment</td>
</tr>
<tr>
<td>Wills Probate and Administration Act</td>
<td>The Act does not stop discriminatory customs in relation to women's right of inheritance to land. Inheritance laws should apply equally to men and women. Not CEDAW compliant.</td>
<td>Amendment</td>
</tr>
</tbody>
</table>
Appendix 6

Summary of Capacity-Building Issues for the PNG National Machinery for Women

This matrix summarizes the prevailing issues and the capacity development needed within the Office for the Development of Women, the Gender and Development Branch of the Department for Community Development and the National Council for Women.

Table A6.1: Summary of capacity-building issues for the PNG national machinery for women

<table>
<thead>
<tr>
<th>Machinery</th>
<th>Identified core issues</th>
<th>Priority functional/technical capacities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office for the Development of Women</td>
<td>Institutional Development Visioning and strategic planning.</td>
<td>Coordination (internal and external with central and line agencies including national research institute and statistics office).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Institutionalizing internal processes and mechanisms.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lack of monitoring and evaluation framework.</td>
</tr>
<tr>
<td>Human Resources and Knowledge</td>
<td>Long-term career development planning and capacity development work plans.</td>
<td>Institutionalizing a merit-based performance evaluation system and rewards system.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Information and sex-disaggregated data management (gender analyses), and research dissemination.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Advocacy and awareness-raising capacities.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gender sensitization, gender responsive budgeting, gender mainstreaming capacities (gender concepts).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Understanding universal standards (e.g. conventions, treaty bodies) on women’s empowerment and gender equality.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Budget management and implementation capacities.</td>
</tr>
<tr>
<td>Leadership Development</td>
<td>Strategic visioning and policy formulation (including gender analysis).</td>
<td>Capacities to provide guidance, direction and motivation to staff (including team building).</td>
</tr>
<tr>
<td></td>
<td>Resource mobilization, negotiation and consensus building capacities (including engagement with development partners and agencies).</td>
<td></td>
</tr>
<tr>
<td>Financial Resources</td>
<td>Resource mobilization strategy and contingency planning.</td>
<td>Gender responsive budgeting.</td>
</tr>
<tr>
<td>Machinery</td>
<td>Identified core issues</td>
<td>Priority functional/technical capacities</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>---------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Gender and Development Branch</td>
<td>Institutional Development</td>
<td>Visioning and strategic planning.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Inadequate coordination (particularly with DFCD branches and with central and line agencies).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Institutionalizing internal processes and mechanisms.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Putting in place a monitoring and evaluation framework.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Developing and implementing a public advocacy and outreach strategy.</td>
</tr>
<tr>
<td>Leadership Development</td>
<td>Visioning and strategic planning (including gender analysis).</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Consensus building and awareness-raising on women’s issues.</td>
<td></td>
</tr>
<tr>
<td>Human Resources and Knowledge</td>
<td>Budget management and implementation capacities.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Advocacy and awareness-raising on women’s empowerment and gender equality (including conducting training, awareness-raising activities and gender sensitization programmes).</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Understanding basic and specific issue-based gender concepts (including gender responsive budgeting and gender mainstreaming).</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Gender responsive budgeting and gender mainstreaming.</td>
<td></td>
</tr>
<tr>
<td>Financial Resources</td>
<td>Resource mobilization strategy and contingency planning.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Gender responsive budgeting.</td>
<td></td>
</tr>
<tr>
<td>Machinery</td>
<td>Identified core issues</td>
<td>Priority functional/technical capacities</td>
</tr>
<tr>
<td>---------------------------------------</td>
<td>---------------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>National Council for Women</td>
<td></td>
<td>Strategic visioning and planning.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Internal coordination mechanisms (secretariat, executive, and with provincial and district offices).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Coordination mechanism with members, provincial and local level governments and churches and NGOs.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Monitoring and evaluation mechanism for internal impact evaluation and monitoring of country’s obligations.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Absence of advocacy and outreach strategy.</td>
</tr>
<tr>
<td>Institutional Development</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Leadership Development</td>
<td>Strategic visioning and planning including gender analysis.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Consensus building, negotiation and process facilitation capacities.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Capacities to provide guidance, direction, and motivation to staff and members.</td>
<td></td>
</tr>
<tr>
<td>Human Resources and Knowledge</td>
<td>Advocacy and awareness raising on women’s empowerment and gender equality (including training of trainers).</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Long-term information dissemination strategy and programme.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Budget, managing, and implementation capacities.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Gender responsive budgeting including results reporting capacities.</td>
<td></td>
</tr>
<tr>
<td>Financial Resources</td>
<td>Developing resource mobilization strategy and partnership strategy.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Contingency planning capacities.</td>
<td></td>
</tr>
</tbody>
</table>
Appendix 7

Gender-Responsive Budgeting

Introduction

The Government of Papua New Guinea (GoPNG), by way of its Department of Community Development, has expressed interest in implementing “a programme to build the capacity of government departments, women’s organizations and gender-equity advocacy groups in civil society, to participate in national planning and budgeting processes”. The Department also observes that “Indicators and mechanisms to assess and evaluate the gender impact of public sector reforms need to be put in place.”

The intended programme is currently in the form of an idea that has not yet been shaped into a detailed plan of action or a project with (an) agreed outcome(s), well-defined objectives, a partnership strategy and an output production strategy. It is, nonetheless, obvious that the intended programme is one that meets the criteria of a gender budget initiative.

The environment for initiation of gender budget initiatives in Papua New Guinea (PNG)

Gender budget initiatives may vary in their immediate objectives and features but their success is largely contingent upon the existence of a common set of requisites. These fundamentals include the political will to support implementation of commitments towards gender equality; the existence of planning and budget systems that provide an enabling environment for gender responsive actions; adequate capacity of the various actors to plan, budget, deliver, and monitor performance in relation to gender equality outcomes; adequate funds allocated to implement gender equality commitments; and accountability and monitoring mechanisms for tracking performance in addressing gender equality demands.

The GoPNG’s political will to meet its obligation of upholding gender equality is high. The country’s commitment towards codes of equality between men and women are firmly enshrined in its constitution. This commitment is reinforced by PNG’s Vision 2050, the country’s long-term 40 year development plan, which places gender among its strategic focus areas of Human Capital Development, Gender, Youth and People Empowerment.

PNG’s planning and budget systems are remarkably consistent in translating the National Goals and Directive Principles of the country’s constitution into development plans as well as development strategies and development budgets. The country’s principal development planning and budgeting instruments comprise PNG’s Vision 2050, the Development Strategic Plan 2010-2030, the Medium Term Development Plan 2011-2015, and the Medium Term Fiscal Strategy 2008-2012. The long-term goals of these instruments can be traced back to the National Goals and Directive Principles of PNG’s constitution, including those that guarantee equality between men and women. PNG separates its budget into a recurrent budget and a development budget. Because the development budget is drawn up against the estimated costs of inputs required to achieve the Medium Term Development Plan’s targets, it could be presumed that adequate financial provisions have been made for development-related activities to be carried out under the Plan.

Lack of capacity is almost always cited as a cause of failure or limited success in achieving programme/project objectives. There is a need to break this habit by ensuring that capacity development, if needed, meets the specific requirements of relevant agencies to implement gender responsive budgeting. The types of skills and knowledge required for the

---

specific type of gender budget initiative need to be identified at the outset of a contemplated intervention. This should be followed by the establishment of baseline information on existing or comparative skills. Finally, training, if required, needs to be conducted to meet the purpose of filling the gap between existing and desired capacity.

Insufficiency of funds is yet another reason that is habitually cited to explain away absence of or limited success in implementing gender equality commitments. The adequacy of currently allocated budgets needs to be verified against the estimated cost of inputs that GoPNG needs to procure in order to achieve the gender equality targets that it has set itself to achieve. Wide gaps are discernible between allocated budgets and estimations of financial resources that would be needed to achieve many of the gender equality targets established in PNG’s planning instruments. These gaps may have been, however, caused by situations other than tightfistedness such as, for example, assignment of over ambitious targets, inaccurately articulated targets and even lack of understanding of what a target actually constitutes.

PNG’s principal accountability and monitoring mechanism for tracking performance in addressing gender equality demands takes the shape of an arrangement of government and non-government institutions, all of which carry mandates to ensure that PNG meets its constitutional commitment of upholding equality between men and women. The arrangement includes the Department for Community Development, the Office for Development of Women and its Gender and Development Branch, provincial Women’s Offices and district Women’s Offices. It also includes the National Women’s Convention, the National Women’s Council Executive, the National Advisory Committee, Provincial Councils of Women and the District Women’s Councils.

PNG’s institutional framework offers an enabling environment for the implementation of gender budget initiatives. The country’s legal and regulatory foundations are firmly anchored to its constitution and its planning and budgeting instruments are coherent and consistent. Its capacity to implement gender responsive budgeting, if considered inadequate, can be enhanced and the question of whether sufficient funds have been allocated can only be addressed by ensuring that the best possible use is made of available funds. PNG’s policy implementation and communication structure offer a systematic conduit for monitoring and tracking performance in gender equality demands. All in all, it can be concluded that Papua New Guinea’s planning and budgeting systems offer an enabling environment for the implementation of gender budget initiatives.

*Implementation of gender budget initiatives in PNG*

There is an abundance of information on the how-to’s of gender budget initiatives on the internet. The information available online includes reports on past initiatives, guidelines, manuals, models and training material for gender budget initiatives. The following paragraphs discuss only the fundamental concepts of, and the essential steps towards, implementing a gender responsive initiative.

The basic principles of budgeting and gender responsive budgeting are as follows:

- There is never enough money to meet all demands for its use.
- Budgeting processes are politically driven.
- A gender responsive budget initiative does not aim to produce a separate budget for women.

Gender budget initiatives can apply, according to their specific objective(s), one or both of the following strategies:

- Direct interventions towards the government’s budgeting processes, with the aim of mainstreaming gender into budget processing instructions.
Mainstream gender into women-specific or mainstream programmes and projects, with the aim of developing and expanding through the application of gender responsive budgeting.

Another important step to take in implementing a gender responsive initiative is that of establishing a clear and achievable objective(s) for the intended enterprise. A coherent objective will facilitate identification of the initiative’s stakeholders and development of the intervention’s partnership strategy. An achievable objective will also lead to the establishment of realistic progress indicators that will, in turn, make easy monitoring and evaluation exercises.

The goals and objectives of gender budgeting initiatives, as in any sector of development, run along a hierarchy of expected development results. The higher the rank of the development result, the more the number of interventions will be needed, the broader the project’s partnership strategy will need to be, and the larger the financial investment will be required to enable the programme to achieve its objective. A lower level objective will, however, require fewer partners as well as less time and resources to achieve.

A large number of gender budget initiatives articulate as their objectives at the higher levels of development outcomes such as “implementation of gender equality commitments by governments”, achievement of equality between men and women, improvements of the status of women, sensitivity of public financial management systems to gender issues and improvement of women’s access to public services. These objectives are not targets that are achievable in the short term and are instead long-term goals that can be attained not through improved budgeting processes alone but through the collective contributions of a range of partners striving towards the achievement of a common development outcome, through long periods of time and using large amount of resources.

GoPNG has not as yet embarked upon the implementation of a full-scale gender budget initiative. Hence, one means of introducing the processes of gender responsive budgeting would possibly be by illustrating its application within the context of a goal in a lower rank of development results hierarchy.

An objective such as “making public services available to both men and women” is a justifiable lower level objective. Specification of a type of public service such as health or water supply will bring the objective even lower, and specification of a location will bring it further down. Thus, a gender budget initiative aimed at “enabling both men and women to access health care in XXX District” will be more achievable and affordable than an unqualified objective of “implementation of gender equality commitments by governments”. Identifying an achievable and affordable objective is a strategic way of putting into practice the budgeting principle of working within existing allocations which, it is presumed, have been subjected to another set of budgeting principles comprising aggregate fiscal discipline, allocative efficiency and operational efficiency.

Conducting a stakeholder mapping and analysis exercise is the next important step in a gender budget initiative. Stakeholders include agencies that are working towards, are interested in, or can be persuaded to take interest in the same objective as that of the programme, as well as agencies who are opposed to it. The following step is that of the formulation of a partnership strategy with selected stakeholders. The stakeholder analyses and partnership strategies are important stages of gender responsive budgeting as they can be designed to look out for women’s agencies, organizations and societies.

The stakeholder analysis will, more often than not, divulge that the objectives of programmes and projects cannot be achieved by a single agency, and the partnership strategy will record information on agencies with whom the programme needs to establish partnerships. A common but valuable finding of a stakeholder analysis is that achievement 441

UNWOMEN, 2010. Implementing Policy Commitments to Gender Equality and Women’s Rights” the Theory of Change of Gender Responsive Budgeting.
of the objectives requires multi-sectoral contributions and that development interventions thus need to employ a multi-sectoral approach. The objective of improving the health condition of a community, for example, will not be achieved by the contributions of the health sector alone. Other contributing factors include water and sanitation which are the concerns of public works; electricity supply; and education, which are not within the mandate of the health sector.

While development issues are cross-sectoral, budgets are notoriously sectoral. Budgets are the hard won spoils of political battles and their use is guarded by their owners. The higher up in the government political hierarchy a programme is located, the lower the willingness of budget owners to share their allocations.

On the other hand, the lower the level of political government in which a programme is implemented, the more visible is the situation of the region’s citizens, including those of its women and girls. At the district level, it would probably be easier to convince budget owners that a problem is a common concern that needs to be addressed collaboratively. Most importantly, though, results of gender budget initiatives would be more tangible at local levels and it is also at these levels that successes in attaining programme objectives can be claimed and shared jointly.

The success of gender budget initiatives depends not only on the effectiveness of the government’s planning and budgeting systems, but on budget advocacy groups, consumer organizations, women’s groups and other types of civil society organizations.

PNG does not have a law that establishes the rights, responsibilities, obligations and authorities of the providers of public goods and services and the protection and legal rights of the public as a consumer of public goods and services.

Yet the country has, nonetheless, established a target to achieve by 2050 a public service at the national, provincial and district levels that is efficient and effective in delivering services. It has also selected productivity and performance of public service as key performance indicators of progress towards the achievement of this target to be measured through standard and cost of service delivery. Efforts need to be made to ensure that the service standards include gender related values and the costs are adjusted for any additional expenses to accommodate gender related needs.

GoPNG includes fair competition and consumer protection policies in its development plans. The plans, however, refer only to goods and services such as the mobile phone sector and the international and domestic air sector. Consumer protection is discussed in the context of state-owned enterprises, including air transport, electricity supply, water and sewage and infrastructure development as well as construction and business development. Well-considered though this may be, there is also the need to put in place standards of quality and costs as well as protection measures for consumers of basic goods and services, particularly because women are inclined to be the direct consumers or providers to their family of such goods and services.

PNG does not as yet have a citizen’s budget awareness and advocacy movement or NGOs that are active in the area of consumer protection. Support for the establishment and development of such movements, particularly those representing the interests of women’s rights, could encourage the government to meet its obligation to provide public goods and services at a standard quality and cost to the country’s citizens.

The above discussion is an example of how gender analyses of planning and budgeting processes stimulate interventions that introduce a gender perspective to development processes and cause budgets to be more responsive to the different situations and needs of men and women, and boys and girls.

The types of analyses used here were, for the purpose of explanation, made simple. More complex and intricate analyses could be conducted according to needs and as well as
the hierarchical level of the development objective, which dictates that the higher the objective is ranked in the hierarchy of development results, the more analyses is needed.

The character of the gender budget initiative used as an example here was that of an initiative that is designed to maximize the effectiveness of an existing allocation. An alternative and perhaps more advanced type of gender budget initiative is one that is designed to increase the budget allocation to finance gender budget concerns.

PNG’s institutional framework already offers an enabling environment for the implementation of gender budget initiatives. The establishment of demand side institutions is necessary but not essential, and can be initiated in a gradual manner.

There are two characteristics that typify PNG’s national budget. One comprises a recurrent budget and a development budget. The other is that 22 percent of the country’s MTDP development budget is made up of grants. The source of PNG’s development budget calls for joint responsibility between the country and its donors to ensure the effectiveness of the country’s planning and budgeting processes.

**Observations**

- GoPNG needs to consider the implementation of gender responsive budgeting as a tool to maximize the effectiveness of its planning and budgeting processes.
- Gender budgeting initiatives need to be implemented within the existing policy and regulatory frameworks. No new operational structures should be constructed for the specific purpose of accommodating gender-responsive processes.
- Initial gender budgeting initiatives need to be implemented in phases that can be observed and studied until such time when agencies responsible for their propagation are confident in using them.
- Any training needed for the implementation of gender budget initiatives needs to be delivered by local institutions competent in delivering training in development planning and budgeting. Additional selection criteria for the training institution include having experience in delivering training in planning and budgeting to GoPNG agencies and owning the institutional faculties to sustain long-term training requirements.
- Because a high proportion of PNG’s development budget is financed through external sources, a procedure needs to be instituted to ensure that donors to the country’s development budget assume responsibility for the effectiveness of their contributions, particularly for their contributions towards the achievement of the gender equality objectives of the country.


Department of Education. 2010a. *Parental School Fee Affordability Study. Case Study. Western Highlands Province.* Policy, Planning and Research Division, Port Moresby.

Department of Education. 2010b. *Teacher Appointment Data for Teacher Training Colleges.* Port Moresby.

References


References


 References


United Nations Development Programme. 2010. Capacity Assessment of the Office for the Development of Women (ODW), the National Council of Women (NCW), and the Gender and Development Branch (GAD Branch) of the Department for Community Development. UNDP Asia Pacific Regional Centre, Suva.


For more information on the Papua New Guinea 2011-2012 Country Gender Assessment please contact the

GoPNG Department of Community Development
PO Box 7354, Boroko, NCD, PAPUA NEW GUINEA
Phone: 3230554 Fax : 3250133

Special thanks to Tasha Sinai (cover design) Laura Bailey (cover photo) and Leah Castro (main text layout).