



Statement

by

Minister for Women, Community and Social Development

Presentation of Samoa's 6th Periodic Report at the 71st Session of Committee on the
Elimination of Discrimination Against Women

October 26 2018, Apia, Samoa (Video Conference)

[Madam/Mr] Chair,

Members of the Committee

Ladies and Gentleman,

Talofa lava from Samoa.

It is an honour for me to present Samoa's 6th periodic report under the UN Convention on the Elimination of All Forms of Discrimination against Women, and to lead Samoa's delegation. I am **Faimalotoa Iemaima Kika Stowers** the Minister for Women, Community and Social Development.

This is the first time Samoa is presenting its report using video conferencing and I wish to register our appreciation to the committee for allowing us to do so. I thank the UN Office in Samoa for the facilities, that have helped make this possible. This opportunity is more cost effective for a Small Island Developing States like Samoa, but more importantly, it offers a rare opportunity to include a larger cross sectional delegation from across the whole of government, to be part of this review process. They will support the presentation; observe this important process and note any issues from our

dialogue today to assist with our ongoing efforts to implement the CEDAW Convention.

Also present with us here are Observers representing the National Human Rights Institute [and Civil Society.] We acknowledge the continuous support of all the NGOs, Private Sector, Women, Community and Church leaders, the UN Country team especially UNDP and UN Women; the OHCHR Office in Fiji and the SPC RRRT and our development partners. They are all key partners of the Government and important stakeholders in the implementation and monitoring of the Convention.

Joining me at the table is our team to assist with our responses to issues to be raised, and I have the pleasure of introducing them:

Ms. Afamasaga Faauga Mulitalo- Chief Executive Officer of the Ministry of Women Community and Social Development (MWCSD)

Ms Francella Strickland- Assistant Chief Executive Officer, International Relations Division of the Ministry of Foreign Affairs and Trade (MFAT)

Ms. Sheliza Tapua'i- Executive Legal Officer, Samoa Law Reform Commission

[Madam/ Mr] Chair

Samoa reaffirms its commitment to the promotion and protection of human rights of all persons, and to advancing our efforts to address discrimination against women. The socio-economic wellbeing of our people remains at the core of Samoa's development initiatives. We continue to strive towards equality and inclusion, to ensure that all Samoans particularly our women and girls, children and persons with disabilities, benefit equitably from economic and social progress.

Samoa views today's presentation as an important opportunity to reflect on our efforts to implement CEDAW and how we have responded to the Committee's recommendations. We look forward to discussing some of the challenges we continue to face in implementing the convention and also share with, or elaborate to

the Committee and international community our experience and efforts to address compliance that responds to the Samoan context.

Method of consultation

Our 6th CEDAW report responds to the recommendations from our last report presented in 2012 and outlines the many changes since. I am happy to reconfirm that the report preparation included broad-based consultations, and it benefitted from the input of a wide range of stakeholders from both government and non-government organisations and individuals, especially at the grassroots level. The updated translation of the Convention into Samoan including the Committees concluding comments from the last report were critical for effective consultation on the Convention and to realizing our “whole of Samoa” approach to implementation.

Highlights since last report

I would like to highlight some of the important developments since our last report to the Committee.

Legislative Compliance review

The first comprehensive legislative review of CEDAW in Samoa since its ratification was carried out by the Samoa Law Reform Commission. The report finalized in 2016, concluded that overall, Samoa is compliant with CEDAW with room for improvement. We wish to highlight some of these achievements.

The *Constitutional Amendment in June 2013* introduced the 10% quota of women representatives into the national Legislative Assembly and was activated during the last election in 2016. We wish to emphasize that this is the floor and it does not prohibit more women from entering into political roles in future general elections. The 2016 elections saw a record number of women running as candidates and the highest number ever to be elected to parliament at five. We also have our first female Deputy Prime Minister and Deputy Leader of the Ruling Party namely the Human Rights Protection Party.

Samoa also achieved a critical milestone in the legislation landscape with the passing of the *Family Safety Act 2013*, which provides for greater protection of families and handling of domestic violence and related matters through the use of protection orders. Additionally, the Family Court of Samoa was established in 2014 in an effort to protect the vulnerable who are mainly the women and children and youth offenders. Linked to these developments is the establishment of the Drugs and Alcohol Court in 2015 which gets support from gender programs to fund officers of the court. Both the Family Court and Drugs and Alcohol Courts are presided over by female Supreme Court judges.

Another notable legislation enacted is the Crimes Act 2013, which introduced several significant changes to provisions relating to sexual offences such as the increase in maximum penalties for most offences, more inclusive definition of these offences, including a variety of forms of unwanted sexual contact and the criminalization of marital rape.

Samoa has also enacted the Labour and Employment Relations Act 2013 which has introduced significant changes to Samoa's employment laws for both employers and employees including but not limited to new maternity and paternity leave entitlements, the introduction of new fundamental employment rights including, no forced labour and equal pay for equal work.

We also note that the Community Law Centre Act passed by parliament in 2015 and commenced on 1 February 2016, and serves to provide legal assistance in the form of legal aid granted under the Act. However, due to budgetary constraints it has not been fully implemented. Functions of the Centre headed by a Public Advocate appointed under the Act, includes providing public awareness and education programmes on legal rights, obligations and services. We also made Legislative amendments ensuring gender neutral language in all legislation.

NHRI

The **National Human Rights Institution** since its establishment in 2013 has been Awarded GANHRI's "A Status" and remains the only A Status NHRI in the Pacific. It has submitted to Parliament three State of Human Rights Report and launched this year the report of its first ever National Public Enquiry into Family Violence in Samoa.

The NHRI in its first state of human rights report discussed the relationship between the *Fa'asamoa* or the Samoan way of life, and international human rights. It allowed for dialogue on the relationship between culture and human rights, and the status of women in Samoan society. It also highlighted some of the underlying misconceptions related to the term human rights and thus the need for continuing discussions and dialogues on the issue.

Restructure of the Ministry of Women, Community and Social Development

Madam/Mr Chair,

To enable the Ministry of Women, Community and Social Development to respond in a more meaningful manner to the needs of the community the focus of its work was reviewed and changed during 2016-2018. While the mandates of the Ministry have remained, the approach has shift from working with separate community groups to thematic areas of work, being social development, economic empowerment, governance and leadership. This involved mainstreaming of women, gender, children, people living with disability issues into all divisions of the Ministry of Women, Community and Social Development.

The key to the change is to ensure improvement in integrated planning, implementation, monitoring, evaluation and improved reporting so that we can better respond to the needs of our people.

While the Ministry of Women Community and Social Development continues to lead on the implementation of CEDAW, we continue to exercise a "whole of government" approach where there is strong recognition that gender equality cannot be achieved

by the Ministry for Women alone. The Ministry of Finance (MOF) as the lead coordinating agency for sector planning across government, has further refined a policy mandate through the development of sector planning guidelines, promoting the mainstreaming of gender and disability and other cross cutting issues across sector plans. This mandate extends to the execution of all aid funded development initiatives and defines engagement with development partners. The Cabinet Development Committee has introduced gender analysis as a requirement for any aid project proposal, which represents a positive step in enhancing the role of gender development policies in the Government's resource allocation decisions.

Madam/Mr Chair

Ending Violence

The Government remains committed to combating all forms of violence against women and children and is promoting safe families and communities. Two important studies have been carried out that will be critical to addressing Gender Based Violence. The Samoa Family Safety Study in July 2017 commissioned by the Ministry of Women, Community and Social Development reported a high prevalence of violence in the family and in particular against women and children. The Safer Families, Stronger Communities Policy, and Strategy & Plan of Action was informed by the recommendations of this 2017 study.

The National Inquiry into Family Violence commissioned by the National Human Rights Institution, as mentioned earlier, was the first of its kind for Samoa and the Pacific region. It provided a platform for public discussions of violence thus removing the stigma associated with violence. The inquiry reaffirmed calls for more proactive leadership by village councils, church leaders and Government to prevent the occurrence or improve the response to violence against women, children and persons with disabilities. The inquiry also highlighted that the principles contained within the Fa'asamoa, Faith and human rights are central to the prevention approach to

violence. They contain standards, values, norms and approaches which, when well applied, can prevent and protect against all forms of family violence.

The results of the Samoa Family Safety Study 2017 and the National Inquiry into Family Violence have prompted more work and investment with assistance from Development Partners into prevention campaigns at village level, and strengthening response services for survivors of violence. We continue to support Districts/Village led initiatives as well as faith based led programs looking at the root causes and consequences of family violence. This is our primary approach to scaling up prevention efforts in response to family violence in Samoa.

The National Council of Churches plays a vital role in addressing issues of Gender Based Violence through workshops and consultations amongst the different church denominations within the country. A workshop on Gender Based Violence with the focus on a "Survivor Centered Approach" was conducted in March 2018, where members of the communities actively participated.

The District Development Planning (DDP) program was rolled out in 2017 and one of the key components of the plan is Ending Violence. It provides the opportunity for community leaders to discuss the issues and most importantly, determine what their role is in eliminating violence. A National Public Awareness Campaign was initiated in December 2017 focusing on a combination of multimedia, social media and village community conversations to create awareness but also to understand the root causes of violence and how they can be removed. To date, conversations about ending violence have taken centre stage throughout the 16 districts for the District Development Plan.

Faith based led support and interventions have started and some villages have been instrumental in adopting bylaws to protect against intimate partner violence and setting up 'safe haven village committees', that would provide support mechanism as well as create an advocacy network for changing stereotyping and outdated practices and promoting zero tolerance.

At the district level, strategic plans developed by village representatives is inclusive of village, church leaders, women, persons with disabilities and children. For the first time, they have a clear focus on efforts towards ending violence and building strong happy families. This is seen as a positive policy reform step by the village council and a reflection of major re-orientation of traditional beliefs. As part of the 16 Days of Activism against Violence Campaign the MWCSA Safer Families, Safe Villages campaign saw 30 villages and groups across Samoa participate in village-led initiatives to highlight awareness of domestic violence in our communities with objectives such as changing mindsets and zero tolerance. The initiative was well attended and supported across the country.

Despite current efforts, much more work still needs to be done to address the issue. Government will continue to work closely with all the stakeholders particularly in light of the outcome of the recent studies.

Inclusive governance

A major development since our last report is the District Development Plans, which is a programme coordinated by the Ministry of Women, Community and Social Development that brings together the leaders, both men and women, of the villages within an electoral district. The planning process is inclusive of all and most especially the women leaders from the villages. While the social, health, educational, and economic issues of the district are discussed the leaders set up a District Committee that oversees the development of their district plan and works directly with their district member of parliament as well as the specific leaders within each village to address and come up with solutions to their identified issues.

Participation in political and public life

In terms of women participation in political and public life, we mentioned earlier our first female Deputy Prime Minister and the increase in number of females represented in parliament. Statistics show also the increase over the years of women holding management level positions, at the CEO and Assistant CEO level for government

Ministries. As reported, around 60% of these management level posts are held by women. We have two female Cabinet Ministers and two female members of parliament that chair parliamentary committees.

Samoa has appointed three more female judges since we last presented to the Committee, increasing the numbers from one to four; Two Supreme Court Justices out of six, and two District Court Judges out of four.

One of our main Theological Colleges, the Piula Methodist College, has hired a woman lecturer, Dr Mercy Maliko. This is a first for any Theological Collage in Samoa.

In terms of sports, one of the survivors of domestic violence won gold in weightlifting at the recent Commonwealth Games; Ms Ele Opeloge, became Samoa's first Olympic medalist and the first woman in the Pacific to win an Olympic medal. Two women were also elected into the Samoa Rugby Union as board members, for the first time.

We also continue to work with our partners such as UNDP and Australia on programmes to raise awareness and strengthen opportunities for women's participation in leadership pathways. One of the key outcomes of an Australian funded program was that one out of the 21 villages with bans on women matai title holders has allowed women to hold matai titles, that is Vaega, Satupaitea. Therefore we believe that there are always opportunities for change, we just need to facilitate the necessary discussions and dialogue, and implement strategic policies.

Women and Health

Mr/ Madam Chair

Village Women's committees have continued to play an integral role in carrying out programs for the benefit of rural communities. For example, efforts to reduce NCDs, include the Ministry of health tailoring the World Health Organization- Package of Essential non-communicable disease interventions protocol to initiate a contextualized primary prevention program called (PEN) Fa'a Samoa. The program has a community outreach spearheaded by the village women's committees who have been trained

by the National Health Services/ Ministry of health to facilitate the provision of important non-communicable disease (NCD) screenings and health interventions as part of the early intervention work. The program is working in 8 rural villages, and has screened over 1,000 people with referrals made to district hospitals. The ultimate target is to reach villages.

About 99 new cases had come through in 2017 of people who are suffering from cancer with 60% of them being women. As a part of awareness and advocacy for cancer, the Pinktober Campaign was launched with Samoa's monument the national clock tower, painted pink to raise awareness of cancer. The campaign has resulted in free mammogram screenings for women and an expansion of the roll out of mobile clinics for promotion of breast cancer self examination for women in the rural areas. While great advocacy work has resulted in some positive progress, there is still a long way to go to ensure Samoa's health care infrastructure does cater for women's needs and having adequate palliative health care for sufferers.

Women in Economic and social life

In terms of vulnerable families, the MWCSO also facilitated livelihood support on the basis of the community development approach. Based on the list of vulnerable families identified through the vulnerability assessment conducted by the MWCSO in collaboration with NGOs and civil society, livelihood programs and skills building trainings funded by the Samoa Women Shaping Development Program (DFAT) were conducted to provide and arm women with new knowledge and skills to support their families. The majority of the skills building programs and training were designed to cater to the needs and requests of women as identified in the vulnerability assessment. The sole intention of the program was to empower women towards income generation. The skills included sewing, maintenance of sewing machines, flower arrangement, elei printing, handicraft making, siapo (tapa making), making of plastic recycled goods and so forth. The Government led program for the revival of the "le

Samoa" (fine mat) provides opportunities for women to generate income but also indirectly addressing social related issues within families.

The economic empowerment of women continues to be a focus of Ministry of Women, Community and Social Development, with assistance from the Samoa Women Shaping Development program. One of the main focuses is on increasing the number of women receiving financial literacy training and improvement of skills resulting in establishment of micro-businesses. Just in the last financial year alone there were 130 micro-business established most of them owned by women.

Women and Climate Change

The Disaster Management Office under Ministry of Natural Resources and Environment has developed a policy on Gender in Disaster Risk Management. The policy ensures that gender considerations are fully addressed in all phases of disaster risk management in Samoa. Given the vulnerability of SIDS like Samoa to climate change and the more frequent and severe weather events, such policies are an example of Samoa's gender mainstreaming efforts across all different sectors and has a national outreach.

Other developments

Mr/ Madam Chair

The Government presented its Second Universal Periodic report in 2016 and remains committed to ensure that it ratifies all core human rights conventions to safeguard the citizens and their rights thereof. We have now ratified the Convention on Persons with Disabilities and the three optional protocols for the Convention on the Rights of the Child (CRC). In 2016 Samoa was the first SIDS to present its Voluntary National Review on the implementation of the Sustainable Development Goals. Its sector wide approach in implementation of the SDGs including SDG 5, is very much linked to our whole of government approach to implementing our international obligations, including for CEDAW.

We have also deposited with the UN Secretary General the Instrument of Acceptance on the Amendment of Article 20 paragraph one of the CEDAW Convention.

Samoa has established an inter-ministerial National Mechanism for Implementation, Reporting and Follow-up (NMRF) to efficiently coordinate and monitor implementation especially of Human Rights Conventions. The NMRF is currently in the final stages of drafting a National Implementation Plan containing all of Samoa's human rights obligations and recommendations received from treaty bodies, the UPR and special procedures. The government has also launched the SADATA web tool developing national implementation plans, tracking progress and linking them to the SDGs. The decision was made as reflected in the national Voluntary report on SDG implementation that Samoa would use a human rights based approach to implementation of the Sustainable Development Goals.

Challenges

Mr/ Madam Chair

While we have made significant steps to implement the Convention, many challenges still remain. We need to continue to look at more effective measures, partnerships and approaches to implementing the Convention while taking into account our resource constraints. The need for appropriate capacity building for key staff, community leaders and NGOs is also crucial. The need to improve data collection and sharing of relevant data to inform policies and strategic interventions is important.

The changing of attitudes and behavior does not happen over night, but we are seeing progress and movement in the right direction to ensure the elimination of discrimination against women.

The ongoing dialogue and discussions on the balance of the fa'asamoa, faith and human rights to address key concerns and gaps in our CEDAW implementation efforts continues.

Lastly, Samoa has a standing invitation for all Special Procedures and this year we hosted the **country visit of the Working Group on the Issue of Discrimination against Women in Law and in Practice** .

We were pleased to be the first country from the Pacific to welcome the visit in August 2017 by this Working Group and take advantage of its expertise. It provided us also with an opportunity to discuss, demonstrate some of our efforts, understand the contextualization and assess our progress on such an important priority issue. During the visit the independent experts had several meetings including with civil society, traditional and religious leaders, the NHRI, civil servants and Government. The discussions helped to gain a greater understanding of CEDAW within Samoa's context and the resulting recommendations are currently being incorporated into the NMRF National Implementation Plan.

The Working Group's report rightly highlights that we have made important strides in putting in place critical legal and policy frameworks that comply with international human rights obligations, with regard to the elimination of discrimination against women. The report also acknowledged efforts to continue to encourage intergenerational dialogue and community-government partnerships to address some of the root causes of gender-based violence and help remove some of the stigma associated with violence. The report also states that, and I quote, **“there is a growing consensus that the country is undergoing a moment of fundamental change,”** end of quote.

Therefore, we remain confident, as Samoa is always pushing for change, for an improved quality of life for all its people, particularly for our women and girls.

Madam/Mr chair, members of the committee, Ladies and Gentlemen

I would like to again restate the Government of Samoa's commitment to the empowerment of women and pursuing gender equality at all levels.

We look forward to the dialogue with the Committee today (tonight), on how to further improve our work to eliminate all forms of discrimination against women in Samoa.

Thank you