



Stocktake of the gender  
mainstreaming capacity of  
Pacific Island governments

- Cook Islands -



**Stocktake of the Gender Mainstreaming Capacity**  
**of**  
**Pacific Island Governments**  
**COOK ISLANDS**

**Edited by**

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Community**

**Secretariat of the Pacific Community**

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*Secretariat of the Pacific Community*

## List of abbreviations and acronyms

ADB	Asian Development Bank
AusAID	Australian Agency for International Development
BPA	Beijing Platform for Action
CAT	Convention Against Torture (UN)
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CINCW	Cook Islands National Council for Women
CPPO	Central Planning and Policy Office
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of the Persons with Disabilities
GADD	Gender and Development Division
HOM	Head of Ministry
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
JD	Job Description
MDG	Millennium Development Goals
MOE	Ministry of Education
MFEM	Ministry of Finance and Economic Management
MOH	Ministry of Health
MINTAFF	Ministry of Internal Affairs
NWM	National Women's Machinery
NZAID	New Zealand Aid Programme
NCD	Non-communicable diseases
NGO	Non-governmental organisation
NSDP	National Sustainable Development Plan
OPM	Office of the Prime Minister
PSC	Public Service Commission
SPC	Secretariat of the Pacific Community
UNDP	United Nations Development Programme
UNIFEM	United Nations Development Fund for Women
WDO	Women's Development Officer

## INTRODUCTION

It is now widely recognised that development and governance processes will not be effective or sustainable until women and men participate in and benefit from such processes on a basis of both formal and substantive equality. Despite this, women continue to be significantly under-represented in governance and development processes, and experience discrimination and diminished opportunity in virtually all development sectors. Contrary to a wide range of commitments that Pacific Island governments have made to achieving equality between men and women, women's needs, issues, perspectives and contributions continue in many cases to be on the periphery of development and governance dialogue.

'Mainstreaming' a gender perspective across all multi-sectoral development and governance work was universally recognised in 1995 at the Fourth World Conference on Women in Beijing, China as a critical strategy for achieving government commitments to gender equality and sustainable development. The Beijing Platform for Action (BPA) states that:

Governments and other actors should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes so that, before decisions are taken, an analysis is made of the effects on women and men, respectively (UN Women 1995: para 202).

Gender mainstreaming was also recognised in the BPA as key to addressing the enjoyment of human rights (ibid. para 229) and the overarching objective of gender mainstreaming should thus be to ensure that all multi-sectoral development processes — which might otherwise be acting, advertently or inadvertently, to perpetuate gender stereotypes and inequalities — are instead actively contributing to the realisation of gender equality in all spheres of life.

### **Definition of gender mainstreaming**

*...the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.*

*(ECOSOC 1997)*

The Committee tasked with monitoring implementation of the United Nations Convention on the Elimination of all forms of Discrimination Against Women (UNCEDAW), which is the principle international human rights treaty that defines and firmly embeds equality of women and men as a core element of the international legal order, and which has been ratified by 97 per cent of UN member countries, has explicitly called on States Parties to adopt a policy of gender mainstreaming as a strategy for achieving gender equality. For all Pacific Island countries and territories that have undergone an examination before the CEDAW Committee, the committee has either commended existing efforts at gender mainstreaming (where such efforts were actively in place) or, more commonly, urged the State Party to develop or strengthen its gender mainstreaming policies and

capacity where they were absent or insufficient (UNCEDAW 2007). Linked with this are the Committee's recommendations to strengthen the government machinery for gender equality (national women's machinery – NWM) with adequate human, financial and technical resources and the authority and decision-making powers that are necessary for them to coordinate and work effectively for the promotion of gender equality and gender mainstreaming.

## **1. Objectives and methodology**

While gender mainstreaming gained significant momentum in the Pacific in the lead up to and early years following the Beijing Conference, perceptions are that the momentum was not maintained and that national governments do not have the necessary capacity to systematically integrate gender perspectives, including the provisions of CEDAW, into multi-sectoral development processes as part of their strategy to achieve national, regional and international commitments to gender equality.

This stocktake was designed to determine the extent to which capacity for effective gender mainstreaming exists in national governments, and to identify potential areas of strategic intervention to strengthen such capacity. It is an initiative of the Secretariat of the Pacific Community (SPC), in collaboration with national governments and with support from the Asian Development Bank (ADB) and the UN Development Fund for Women (UNIFEM).<sup>1</sup> It is being carried out in phases throughout the Pacific region in response to a call from Pacific island ministries responsible for gender equality and the advancement of women for support to strengthen the institutional capacity of governments to meet their stated commitments to gender equality.

The underlying premise of the stocktake is that NWMs are key catalysts for the mainstreaming of gender and women's human rights but they are not the sole agency responsible for achieving it. To be effective NWMs need both strong internal capacity and a wider government structure that is supportive of gender equality and mainstreaming. That wider structure must include a strong legal and policy framework supportive of gender equality and mainstreaming, genuine government commitment, a supportive organizational culture, clear accountability mechanisms, strong technical capacity and adequate resources — in short, an enabling environment. SPC's initiative is thus designed firstly to take stock of that enabling environment, and secondly to collaborate with national governments and other development partners in the design and implementation of concrete, evidence-based strategies for enhancing it.

The stocktake does not review or assess the work of government or specific efforts at mainstreaming; rather it simply analyses the degree to which there is an enabling environment for such mainstreaming to take place.

The stocktake process involved desk research combined with in-country structured interviews and focus groups. The in-country research was undertaken on 2–13 November 2009. Structured interviews were conducted with 12 ministries/departments, including a representative range of both central and line ministries. Informants were senior government officials — Heads of Ministries (HOMs) or their representatives — with direct responsibility for policy development and programme implementation in their respective departments. In total 8 males and 16 females were interviewed. In addition, two focus group discussions were held with civil society representatives, and a separate

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<sup>1</sup> Now UN Women.



interview was conducted with Cook Islands' main development partner, the New Zealand Aid Programme (NZAID). The appendix is a list of organisations interviewed or consulted.

### **Enabling environment requirements for gender mainstreaming**

- 1. Legal and policy framework:** The extent to which gender equality and mainstreaming commitments are in place by virtue of ratification of relevant international human rights treaties, existence of constitutional and legislative provisions, and existence of government policy mandates
- 2. Political will:** Demonstrated political will means that action is taken on stated gender equality commitments and action is formalised within systems and mechanisms to ensure mainstreaming is sustainable
- 3. Organisational culture:** The extent to which the attitudes of staff and institutional systems, policies and structures support or marginalise gender equality as an issue
- 4. Accountability and responsibility:** The ways in which action on commitments to gender mainstreaming can be traced and monitored within organisations, and the mechanisms through which individuals at different levels demonstrate gender equality related results
- 5. Technical capacity:** The extent of skills and experience that organisations can draw on to support gender and human rights mainstreaming initiatives across and within their operations and programmes
- 6. Adequate resources:** The allocation and application of human and financial resources in relation to the scope of the task of mainstreaming

## 2. Country overview

### a. Facts and figures

COOK ISLANDS	
<b>Population</b>	19,342* 9,816 men and 9,526 women
<b>Urban/Rural %</b>	72% /28%
<b>Land area</b>	240 km <sup>2</sup>
<b>EEZ</b>	1.8 million km <sup>2</sup>
<b>Geography</b>	15 major islands spread over 2.2 million square kilometres of ocean
<b>Political system</b>	Self-government in free association with New Zealand
<b>Economy</b>	Tourism Fishing industries Black pearl industry Agriculture (copra and citrus)
<b>Ethnic composition</b>	Cook Island Maori: 84%* Part Cook Island Maori: 7%* Other Ethnic Origin: 9%*
<b>Main languages</b>	Cook Islands Maori , English
<b>Life expectancy M/F</b>	77.2 years/83.2 years*
<b>Labour force participation</b>	3 738 men / 3 055 women*
<b>Human Development Index</b>	Value: 0.829 (no rank) in 1998 ** Value: 0.822 (rank 62) in 1998† Value: 0.985 (no rank) in 1993††
<b>Gender Development Index</b>	Value: 0.780 (no rank) in 2002 †††
<b>Gender Empowerment Measure</b>	Value: 0.455 (no rank) in 2002 †††



\*CISO 2006

\*\* PIFS 2010 MDG Tracking Report

† Pacific HDR 1999

†† Pacific HDR 1994<sup>2</sup>

††† SPC-HDP:10th Triennial agenda Item 3\_Paper 3.3.1\_Annex1

<sup>2</sup> Figures from the 1999 Pacific Human Development Report are not directly comparable to those in the 1994 Report because the formula was changed slightly. Educational attainment was previously measured by a combination of mean years of schooling and adult literacy, factors which, because they both relate to adults, measure education access in the past. The HDI has been refined to better reflect the educational access of children today by replacing mean years of schooling with gross primary, secondary and tertiary enrolments. There was also a slight change to the minimum income threshold. This changed formula was used here in order to maintain international comparability and rankings (Pacific HDR 1999:13).

## **b. Key gender issues**

In the last few decades, women of Cook Islands have witnessed many improvements in their status, their rights, their access to education and employment, and their access to high level management positions in government institutions, yet some gender inequalities remain.

The following is a brief overview of some of the key manifestations of gender inequality in Cook Islands. This overview is not exhaustive; it is meant to provide the contextual basis for a proper understanding and appreciation of the need for gender and women's human rights to be thoroughly and systematically integrated across all government law and policy making, programming, planning, budgeting and monitoring. More detailed information on the status of gender equality in Cook Islands can be obtained from a range of resources, including those listed in the bibliography.

### **☞ Violence against women**

A national survey on the prevalence, causes and consequences of violence against women in Cook Islands is yet to be carried out. A situational analysis report states that domestic and sexual violence is still a very sensitive issue, which few women will speak openly about. Besides the adoption of legal measures to eliminate violence against women, there is a need to further develop and strengthen services for the victims.

### **☞ Recurrent health issues**

The overall health indicators have improved considerably in the last decades. Health care services are more accessible and the quality of care is better. The country has made great strides in reducing the maternal mortality ratio and infant mortality rate, and the reproductive health standards are good. The prevalence of contraceptive use is approximately 44 per cent. However, the adolescent fertility rate is as high as 68 births for 1000 women among women aged between 15 to 19 years (ADB 2008:9). In addition, the consistent prevalence of sexually transmitted infections (STIs) among younger men and women, which reaches up to 46 per cent according to a recent study conducted by the Ministry of Health (MOH), is a matter of concern.

A current policy requires a husband's authorisation if his wife wants sterilisation. Abortion is still illegal, unless the life of the mother is threatened or if the pregnancy is the result of rape or incest. These policies are violations of women's reproductive rights.

Other health issues, such as non-communicable diseases (NCDs), are becoming serious issues affecting women's health. The NCD STEPS survey conducted in 2004 reveals that the prevalence of hypertension was 29.5 per cent and diabetes 23.7 per cent; 88.5 per cent of the population is overweight and 61.4 per cent is obese (GCI 2009a). Besides their vulnerability to those diseases and conditions, women are usually the ones providing care for an ill family members — this burden is rarely acknowledged.

### **☞ Unequal access to productive and economic resources**

The 2001 Census showed that a significant gender difference in earnings for paid employment: more women than men were in the lowest income bracket (less than NZD 5,000) and more men than women were in the highest earning groups. In Rarotonga, women earn about 76 per cent of the

men's incomes; in the southern group of islands, they earn 72 per cent; and in the northern group, the women earn only 57 per cent of men's incomes.

Female-headed households — which represented 24 per cent of the households in 2001 — suffered greater risk of having low incomes or being socially isolated. Most of those who received allowances from the Social Welfare Department for destitution were single female heads of households with children (ADB and AusAID 2008: 94).

Apart from the six-week maternity leave allowed to women working in the public sector, there is no policy to support the parental role of women and men. Since 2007, however, efforts by the Cook Islands National Council for Women (CINCW) and the Gender and Development Division (GADD) to ensure that the maternity protection clause within the Employment Relations Bill provides the same level of protection for women working in the private sector have borne fruit. The Bill has recently been sent to a parliament select committee for final public and parliament consideration before being presented for enactment at the next sitting of parliament.

#### ***☞ Low participation of women and men in decision making and leadership***

Despite their comparatively high level of education and proven capacity to hold senior management positions, women are still poorly represented in public office.<sup>3</sup> Currently, there is one woman in parliament and none in government. Far fewer women stand for election than men. Among the constraints limiting women's participation in politics and decision-making bodies are lack of time (combination of family responsibilities and livelihood activities), lack of financial resources for campaigning, and limited networking and social capital. In addition, there are ingrained beliefs that decision making and politics is men's prerogative and men are more competent at this than women.

#### ***☞ Greater vulnerability of women living in the outer islands***

Women living in the outer island face several challenges. Their remoteness and relative isolation limit their capacity to access public services and employment, and to create enterprises and access markets for them. Furthermore, their greater dependency on natural resources for their livelihood increases their vulnerability to environmental and climate change impacts. Gender roles are stricter and women have less opportunity to participate in decision making and in local governance bodies, so their capacity to influence how resources are used is limited.

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<sup>3</sup> Public office' includes elected, appointed or civil service positions.

# SUMMARY OF FINDINGS

## 1. National women's machinery

This section describes the history and current organisation of the national government department responsible for the promotion of gender equality, as well as any other major government and non-government machinery that is or can be used to promote equality and mainstreaming.

### a. Structure

#### *Government department*

In the 1960s, a government women's interest officer was employed to help strengthen existing women's groups and help establish new ones. In the 1980s, a women's development officer (WDO) was appointed within the Ministry of Social Services. The officer was responsible for promoting women in development projects in collaboration with women's groups throughout the islands. Women's development officers were also appointed on the islands to oversee and implement the work of the WDO in Rarotonga.

In 1985, the Ministry of Internal Affairs set up a Women's Development Division to work closely with non-governmental organisations (NGOs) and the WDOs on the outer islands. The agenda for assistance was limited in that period to facilitating women's activities rather than looking at their activities within the overall sphere of development. In 1993, the Women's Development Division became the Division for Women's Affairs, which was mandated to drive, in partnership with the National Council of Women and women's NGOs, the Cook Islands National Policy on Women, which was endorsed in 1995.

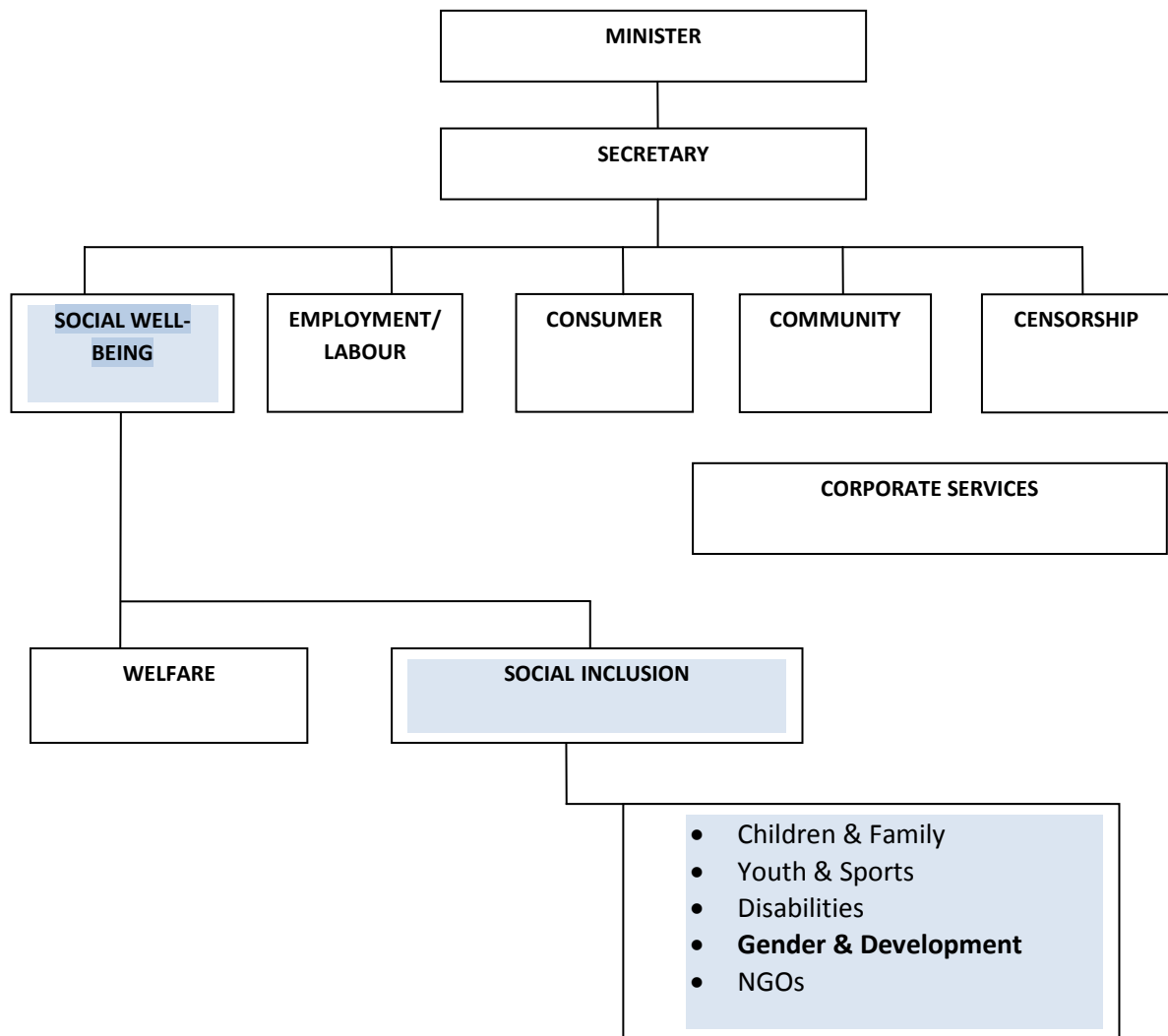
In the 1990s, with the economic reform programme and its focus on devolution of powers, island councils were empowered to appoint their own human resources to implement their island plans. In the financial year 1997/1998, island councils did this, and the WDOs in the islands came under their island secretary and councils' jurisdiction, with salaries and work programmes paid for by their island administrations.

After the economic reform programme, in 2002, the Division for Women's Affairs was renamed the Gender and Development Division (GADD) to reflect a refocusing in the work programme of the division to address gender issues and promote gender equality.

GADD is currently housed in the Ministry of Internal Affairs and has only two staff members, a Programme and Research Officer and a Director. This staffing level has not changed since 2001.

Figure 3: Location and structure of the government department responsible for gender

Ministry of Internal Affairs Organisational Chart



Source: GADD 2011.

The total budget for GADD for 2010 was NZD 74,153 (approximately USD 55,000) representing 0.03 per cent of the total government budget of NZD 215,537,534 (Table 1). The GADD budget covers the salaries of the GADD staff and the operations cost of the office. Development projects and activities are often funded by donors, including the majority of CEDAW awareness programmes, and training is also provided by NGOs.

GADD's priorities and objectives for advancing gender equality in Cook Islands are set out in the 1995 Cook Islands National Policy on Women and periodic national plans of action to implement the policy, the 2001 Cook Islands National Report on Implementation of the Pacific Platform for Action, and the 2007 UN CEDAW Committee's concluding comments.

GADD has recently been directing its work programme to align with the CEDAW Committee's concluding comments. The annual work plan for the period 2009–2010 included the following:

- Strengthen the status of the national machinery for the advancement for women;
- Review legislation and policies to identify systematic and structural discrimination of women;
- Increase the number of women in decision-making roles and statutory boards;
- Increase public awareness of CEDAW principles; and
- Strengthen partnerships with the WDO and Island Administration on each outer island.

In accordance with the UNCEDAW Committee's concluding comments, GADD is currently particularly focused on the legal reforms expected to be implemented over the next year and a half. Of the 20 recommendations and observations by the CEDAW committee, GADD adopted 13 to address in the remainder of its plan period. Four of these are currently being implemented: legal reform, raising awareness on temporary special measures, development of a family violence bill, and addressing domestic violence issues.

National reporting mechanisms are limited to biannual and annual reports submitted via the HOM to the Public Service Commission (PSC). If GADD reports on the activities implemented according to their annual plan, there is no mechanism for the other ministries to report on their achievements for

**Table 1: Budget of the national women's machinery (NZD)**

	2009	2010
<b>Total government budget</b>		
Recurrent budget	97,197,000	102,742,000
Development aid	21,174,088	30,219,800
<b>Total</b>	<b>141,658,052</b>	<b>215,537,534</b>
<b>Total GADD budget</b>		
Recurrent	74,153	74,153
Development aid	0	0
<b>Total</b>	<b>74,153</b>	<b>74,153</b>
<b>GADD % of total government budget</b>		
	<b>0.05%</b>	<b>0.03%</b>
<b>Allocation of GADD budget</b>		
Salaries and overhead	74,153	74,153
Programme costs	0	0
Gender mainstreaming	0	0

Source: GADD 2011

reducing gender inequalities. Other reporting mechanisms GADD adheres to include CEDAW reporting and the BPA global five-yearly reviews.

### ***Other government machinery***

The WDOs are under the authority of their respective island administration and council. There are nine WDOs — one for each island — and their role is to support the development and revitalisation of traditional women's handicrafts for income-generating activities. There was no formal networking and coordination between the WDOs and GADD when the gender stocktake was carried out. This needs to be strengthened and the capacity of the WDOs developed to include supporting women's empowerment and mainstreaming gender and women's human rights so as to make them effective agents for the implementation of GADD's policy.

There are no gender focal points in any ministry/department. While there is an officer responsible for gender within the Central Planning and Policy Office, this is an informal arrangement and the post lacks the authority to work across the whole of government to integrate and promote gender equality and mainstreaming approaches. In addition, the officer combines gender responsibilities with many other responsibilities. Due to the informal nature of the position, the responsibilities are not backed by terms of reference or a JD.

In 2007, Cabinet endorsed the establishment of a working group to guide the implementation of the Pathways to Development, which provided recommendations in conjunction with the Law Reform Committee based at the Crown Law Office. The working group comprised the heads of the following institutions: Crown Law Office, Office of the Prime Minister, Office of the Minister for Islands Administration, the Police Service and the ministries of education, health, justice and internal affairs. The mandate of the working group was the formulation of an agreed systematic programme of legislative reform, consistent with CEDAW recommendations. This working group met regularly immediately after the UNCEDAW concluding remarks came back to plan the implementation of the UNCEDAW recommendations, as well as to oversee the progress and finalisation of the national gender policy. However, the committee was not active when the stocktake was carried out.

The Office of the Ombudsperson has been identified to act as the national human rights institution and is still in the process of being resourced. Women who want to complain about the violation of their human rights can file their grievances to the office as any other citizen, or through a special petitioning via the Cook Islands National Council of Women. The actual Ombudsperson is a woman, and she has expressed her interest in playing an active role in protecting women's human rights and promoting gender equality. Guidelines and knowledge products to support increased effectiveness in addressing gender inequalities and discrimination issues need to be provided to her.

### ***Civil society and the private sector***

NGOs have played a valuable role as independent advocates and activists, providing training and undertaking research and advocacy. In the 1950s, women's interest groups had grown to include village committees and child and community welfare groups, and had begun to have a wider influence in the community. In 1967, the Cook Islands Women's Federation was established, succeeded by the establishment of the National Council of Women (NCW) in 1981. The NCW has been instrumental in a number of development initiatives and is the main civil society vehicle for developing women's activities and disseminating information. Today, NGOs such as the Punanga



Tauturu Incorporated, an organisation focused on domestic violence, have played a significant role in complementing the work of GADD and promoting gender issues at the national level.

Other professional organisations that represent women are the Cook Islands Business and Professional Women's Association, registered with the Cook Islands Chamber of Commerce; the Cook Islands Women Teachers' Association; the Cook Islands Nurses' Association; and several women's associations affiliated to each major church (Catholic, Protestant, Seventh Day Adventist, Mormon, Assemblies of God, etc.)

## **b. Assessment**

This section reviews the only major government department responsible for promoting gender equality, namely GADD, including its basic capacity, working environment and relationships with other relevant stakeholders and how those factors influence its ability to act as a catalyst for the mainstreaming of gender and women's human rights across the whole of government.

### ***GADD not strategically located***

GADD is not strategically located within the central government structure to influence across the policy, programming and resource allocation spectra, which limits its effectiveness in mainstreaming gender and women's human rights. This observation supports the CEDAW Committee's 2007 Concluding Comments which expressed concern that the government had:

... not afforded the national machinery for the advancement of women the institutional capacity, resources and authority it requires to promote the full and effective implementation of the Convention in the Cook Islands and to support the use of the gender mainstreaming strategy across all sectors and levels of government, including in coordination with the Outer Islands' women's development officers. (UNCEDAW 2007: para 16)

### ***Unclear mandate***

GADD derives its mandate from a number of different sources, resulting in a crowded agenda. While there may be some overlap in the goals and strategies identified in these sources, GADD's mandate has remained wide and diffuse. As a result, since 1995 when the Cook Islands National Policy on Women was developed, implementation has been weak. In 2007, with Cabinet endorsement, implementation priorities shifted to the CEDAW Committee's concluding comments and this has allowed for a more focused approach with clear accountabilities and measurable performance for the next periodic reporting round. While the National Policy on Women is to some extent still grounded in a 'women in development' approach, the adoption of the 2007 CEDAW concluding comments has had the effect of shifting GADD's goals towards gender equality objectives and strategic interests.

### ***Limited resources and capacity***

The limited resources (financial and human) and capacity within the Ministry of Internal Affairs for GADD activities has been a consistent finding in GADD reviews, raising questions about the government's actual level of commitment. This was also raised by the UNCEDAW Committee in its concluding comments. Specific gender equality initiatives, unless supported by development partners, progress very little. Applying for and reporting on aid-funded projects, however, has been

a lengthy and arduous process for GADD staff, particularly given the tasks demanded of the two staff available.

The CEDAW Committee's 2007 concluding comments urged the government to strengthen the national machinery, both horizontally and vertically, and to provide it with authority, decision-making power and human and financial resources to permit it to work effectively for the advancement of gender equality.

The lack of resources and technical capacity within GADD limits its potential to make progress, particularly in ensuring the integration of the key gaps in women's human rights across the policy goals in other sectors. Government resourcing of gender equality is negligible, somehow reflective of the low priority attached to women's human rights and their isolation at the periphery of the government agenda. GADD cannot adequately cover its basic overheads, let alone implementation of strategic activities. In addition, GADD, in 'bidding' for its budget, has to compete with the other departments within the Ministry of Internal Affairs for budgetary allocations. Proposed budgets are first submitted and subjected to an internal process prior to the national vetting process by the Ministry of Finance and Economic Management (MFEM). GADD needs to be much more proactive in seeking to influence the prioritisations and outcomes of the budgetary processes, with clear links to a structured assessment of the steps and costs necessary to achieve its objectives.

### ***Lack of technical capacity***

Staffing numbers within GADD are insufficient and unrealistic, given its mandate. Among existing staff, there is a lack of technical capacity to analyse and integrate a gender perspective in national and sectoral policies and planning, and to drive the required changes in government systems and processes.

In the face of these considerable challenges, GADD struggles to balance project implementation and policy analysis and advocacy. GADD leadership recognises the strategic benefit of focusing on integrating gender equality into the work of line and central ministries, and has identified the review of laws and the development and endorsement of a new national gender policy<sup>4</sup> as priority areas for the division's work programme. Other priority initiatives in collaboration with other ministries include reproductive health initiatives; work in the outer islands, including strengthening coordination and collaboration with WDOs; and domestic violence issues. However, interviews with line ministries confirmed that contacts with GADD were minimal. The Police Service reported that they had no contacts and the Ministry of Education (MOE) cited only occasional contacts. This demonstrates that, while multi-sectoral initiatives are seen by GADD as falling within its ambit of responsibility, it is not acting as the driver and initiator of the necessary work. Again, given the low staffing numbers and technical capacity in GADD, this is perhaps unsurprising, and the resourcing of GADD needs serious stepping up for it to be appropriately equipped to meet its mandate.

### ***Absence of a reporting mechanism***

The current reporting requirements in GADD are purely administrative. There is no performance indicator to show progress in reducing gender inequality and advancing women's human rights over time. This is confirmed by the Central Planning and Policy Office of the Office of the Prime Minister

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<sup>4</sup> The Cook Islands National Policy on Gender Equality and Women's Empowerment and its Plan of Action 2011–2016 was adopted by the government in May 2011.

in its mid-term monitoring and evaluation report, which noted that ‘performance indicators were not received from the Gender Division’ (GCI and UNDP 2008).

At present, the international human rights reporting mechanisms are proving to be a much more effective tool for monitoring and evaluation as evidenced, for example, in the increased attention that is being accorded to the review of laws based on the examination before and recommendations by the UNCEDAW Committee.

### ***Lack of sex disaggregated data***

The lack of collection and systematic compilation of gender data continues to hamper not only strategic policy analysis but also reporting processes and evaluation of progress. Among the many gaps are data on violence against women and disparities between the outer islands and Rarotonga.

### ***The role of civil society***

The work of civil society is seen as invaluable in the promotion of gender equality and addressing women’s specific concerns. These include the Cook Islands National Council for Women (CINCW), Punanga Tauturu Incorporated, the Cook Islands Business and Professional Women’s Association, the Pan Pacific South East Asian Women’s Association and church-based organisations. NGOs stressed that a strengthened GADD with adequate resources would go a long way towards strengthening partnerships and combining forces for the achievement of gender equality goals.

### ***The role of development partners***

Development partners have been in the forefront of promoting gender equality in the implementation of development projects in various sectors. The establishment of steering and/or working committees, selection of project counterparts, development of work plans and integration of training programmes with gender components for technical staff have resulted in a transfer of skills and better understanding of gender issues in some ministries. These actions by development partners have contributed to raising the level of consciousness of gender equality imperatives across government, more than would otherwise have been possible, although it is acknowledged that significantly more work remains to be done.

## **2. Enabling environment overview**

### **a. Legal and policy framework**

Cook Islands has a relatively strong legal and policy framework to support the mainstreaming of gender and women’s rights across the whole of government. Most of the major human rights treaties are in force, constitutional precedence is given to non-discrimination over custom, and the National Policy on Women, the National Sustainable Development Plan and the new Gender Equality and Women’s Empowerment Policy recognise the importance of gender mainstreaming. To achieve a stronger framework, specific anti-discrimination legislation must be enacted. Much greater effort is also needed to ensure that the existing legal and policy framework is widely understood and that it systematically informs the work of government across the political, economic, social and cultural spheres.

## ***International and regional commitments***

### ***Key human rights instruments ratified***

Cook Islands has ratified six core international human rights conventions of particular significance for women and girls, either directly or through New Zealand, as summarised in Table 2. It has also endorsed a number of key international and regional policy frameworks, including the 1995 Beijing Platform for Action, the 2000 Millennium Development Goals, the Revised Pacific Platform for Action on the Advancement of Women and Gender Equality 2005–2015 and the Pacific Plan (2005, revised 2007).

While certain treaties were ratified by New Zealand on behalf of Cook Islands, as a self-

governing State in free association with New Zealand, the Government of Cook Islands has full legislative and executive powers. As such, New Zealand does not report on behalf of Cook Islands and Cook Islands' own reporting has been irregular.

Cook Islands became a party to CEDAW in 1985 through territorial application under New Zealand, and on 11 August 2006 the country acceded to CEDAW in its own right. On 30 July 2007 the country withdrew its reservations on Article 11(2) (b) on provision of maternity leave; Articles 2(f) and 5(a) with regard to inheritance of chiefly titles; and in general as regards recruitment and service of women in the armed forces, and signed the optional protocol (UNCEDAW 2007: para 5).

Although the country has ratified those important human treaties, there is no national human rights action plan in place to date.

### ***Constitution***

Part IVA of the Constitution of Cook Islands contains provisions on fundamental human rights. Article 64 (1) guarantees the stated rights without discrimination by reason, among others, of sex.<sup>5</sup> Despite this, the Constitution does not include direct and indirect discrimination, does not bind the actions of both public and private actors, and provides no mechanism for making the provision enforceable (UNDP/UNIFEM 2008). In addition, as highlighted in the CEDAW Committee's 2007 concluding comments, neither the Constitution nor any other legislation contains the principle of equality between men and women or a definition of discrimination against women. However, the ongoing law reform programme that started in 2005 includes the amendment of the Constitution to add a definition of discrimination against women, as stated in Article 1 of the CEDAW, and this is now waiting to be adopted by the cabinet.

Table 2: Status of ratification and reporting of key international human rights treaties (\*Via New Zealand)

	<b>Ratification date</b>	<b>Reporting date(s)</b>	<b>Examination date(s)</b>
<b>ICCPR</b>	28 December 1978*	6 September 1984	28 March 1985
<b>ICESCR</b>	28 December 1978*		
<b>CAT</b>	10 December 1989*		
<b>CEDAW</b>	10 January 1985* 11 Aug 2006	18 September 2006	3 August 2007
<b>CRC</b>	6 June 1997	In process	
<b>CRPD</b>	8 May 2009	In process	

<sup>5</sup> Constitution of Cook Islands (as of July 2004 including Amendments 1– 27)  
<http://www.parliament.gov.ck/Constitution.pdf>

While Part IVB ('Custom') Article 66A of the Cook Islands Constitution provides that 'custom and usage shall have effect as part of the law of the Cook Islands', the provision expressly does not apply 'in respect of any custom, tradition, usage or value that is, and to the extent that it is, inconsistent with a provision of this Constitution or of any other enactment' which would include enjoyment of the fundamental human rights provisions without discrimination on grounds of sex.

### **Legislation**

There is no stand-alone anti-discrimination legislation in Cook Islands. However, positive examples of legislative actions promoting equality include:

- the Education Act 1986–87 which stipulates that it is compulsory for all children, regardless of sex, to attend school between the ages of 5 and 15;
- the planned scoping in 2010 of the new Family Law Bill;
- the planned revision of the 1969 Crimes Act, which currently limits sexual offences to penile penetration except for indecent assault and which provides immunity to husbands from prosecution for marital rape;
- the inclusion of maternity leave protections within the Employment Relations Bill to extend maternity cover (currently limited to public service workers under the Public Service Act 1996) to private sector employees;
- the Matrimonial Property Act 1991–1992 made comprehensive changes to the disposition of marital property. Financial contribution to the marriage is no more highly rated than non-financial input such as child rearing and management of the home. A general rule of a 50/50 split, other than in exceptional circumstances, for marriages exceeding three years now applies. However, periods of co-habitation prior to marriage, as is now common, are not provided for in the Act.

Ongoing legislative gaps include:

- the lack of specific legislation aimed at eradicating violence against women;<sup>6</sup>
- the provisions in the Marriage Act 1973 which set the minimum age of marriage at 16 years or younger with the consent of a parent or guardian (well below the marriageable age recommended by CEDAW);<sup>7</sup>
- the lack of legislation prohibiting courts in sexual offences cases from allowing the victim's past sexual history with the accused to be admitted, from applying the corroboration rule and from requiring proof of resistance by the victim (UNDP and UNIFEM 2008);
- the lack of sexual harassment legislation;
- grounds for divorce in Cook Islands are still based on a mixed system of fault and no-fault (Corrin and Paterson 2007). Cruelty is not a ground for divorce, although it may constitute divorce if coupled with habitual alcoholism issues (*ibid.*). There is an implication here that

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<sup>6</sup> Domestic violence will be covered in the upcoming Family Law Bill presently under study but for crime committed within the family unit.

<sup>7</sup> The CEDAW committee considers that the minimum age for marriage should be 18 years for both man and woman: see CEDAW General Recommendation No. 21 (13th session, 1994), Equality in marriage and family relations, para. 36, <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm#recom21>.

women whose husbands are not given to intoxication but who are physically abusive cannot seek a divorce. For a no-fault divorce where the marriage is irretrievably broken down, parties have to prove that they have lived apart for four years immediately prior to the petition being filed.

### ***Gender mainstreaming and equality policies***

#### ***The 1995 National Policy for Women***

The development of the first National Policy on Women (1995) was driven by the National Council of Women (NCW) and provided the direction that guided the government's work over the years on improving the status of women in Cook Islands. Seven specific objectives were set out in the National Policy on Women, one of which was to bring women's issues into the national development framework. The other six were: to ensure women participate equally in decision making at all levels; to foster closer working relations between government, NGOs and the private sector; to enhance women's roles by improving health and environment; to make women equal partners as contributors and beneficiaries of development within the family, community, and the nation; to maintain and preserve those cultural values/traditions that promote the status of women; and to uphold the human rights of women by improving their social, economic, political and cultural status in line with CEDAW by providing opportunities and support systems for women's multiple roles in society.

Implementation of the policy has been a major challenge due to the financial and capacity constraints of GADD and the NCW, the organisations responsible for its implementation.

#### ***Strategic development plans***

The Cook Islands National Sustainable Development Plan (NSDP) 2007–2010 indicated the government's intention to integrate gender equality policies into its sectoral strategies. However, gender perspective was integrated only into the social welfare section, rather than mainstreamed across all strategic goals. Moreover, the NSDP contained very few sex disaggregated data. Inputs to mainstream gender in the upcoming NSPD 2011–2015 were provided.

#### ***Good initiatives for addressing gender issues in the sectors***

Although not fully institutionalised, some departments have taken steps to address gender issues in their sectors, such as the ones promoted by the Ministry of Education (MOE), the Ministry of Agriculture and the Ministry of Marine Resources, that are worth mentioning.

- The Ministry of Education has updated school curricula and educational resources to ensure there is no stereotyping of males and females. For example, the science and social science curriculum was re-written to ensure that it is gender neutral.
- In 2002 the Ministry of Education organised the first Women in Science and Technology Conference. One of the Conference aims was to provide an opportunity for female students from all the secondary schools on Rarotonga and the Southern Group islands to talk to women working in science-related areas
- There is a policy provision to allow girls to go to school during and after pregnancy.

- A new programme for improving food security in the outer islands implemented by the Ministry of Agriculture is targeting women farmers.
- The Ministry of Marine Resources is providing scholarships for women who want to study in science or management of marine resources.

### ***Awareness of legal and policy frameworks***

Of the twelve governmental institutions whose representatives were interviewed, only two identified CEDAW as a supportive international instrument to gender mainstreaming work. MOE also made reference to the MDGs and Education for All. No other human rights treaties were identified, nor were the Cook Islands Constitution, the National Policy on Women or the NSDP. Overall, there is very little awareness across sectors of the legal and policy framework for mainstreaming gender and women's human rights in the work of the government.

In addition, there is widespread confusion across government about gender concepts and objectives, with many equating gender with women and having little appreciation of the notions of equality or rights. This lack of understanding is attributed to a basic lack of awareness of government commitments and their significance, and to cultural overtones of the clearly defined roles for men and women.

## **b. Political will**

### ***Gender perspective not mainstreamed across the sectors***

Political will for gender mainstreaming varies across ministries, with the social sectors demonstrating a relatively higher level of awareness and understanding. A measure of a government's political will for gender equality and mainstreaming is the extent to which national and sectoral policies recognise, prioritise and seek to address gender imbalances. National and sectoral policies and action plans in Cook Islands generally do not integrate gender perspective or refer to women's human rights. Although the 2007–2010 NSDP refers to the integration of gender equality policies into sectoral strategies, it lumps gender almost entirely into one section, social welfare, rather than mainstreaming it across all strategic goals.

The NSDP contains few sex disaggregated data and only two baseline indicators that refer to gender. The 2006 Cook Islands Health Strategy, for example, recognises gender in a few areas but, for the most part, does not provide sex disaggregated data or reflect any gender analysis of the issues. The Health Strategy does not explicitly address reproductive rights for women and girls, although its values and text can be said to implicitly affirm women's rights to access information and the means to exercise voluntary choice in reproductive health care, and the right to privacy. It also implies that young people have the right to reproductive health care and the means to control their fertility. The Cook Islands National Strategy and Action Plan to Prevent and Control NCDs (2009–2014), with few exceptions, does not provide a comprehensive gender analysis for most of the strategies identified.

### ***A new national policy***

The social welfare goal of the NSDP 2005–2007 to 'improve and increase participation of women in the development of Cook Islands' proposed a key policy target to update the 1995 national women development policy. In 2010, the Central Planning and Policy Office (CPPO) (Office of the Prime

Minister) reviewed the policy and the report recommended the development of a new national gender policy.

The new National Policy on Gender Equality and Women's Empowerment was adopted by parliament in May 2011. Its goal is 'to advance gender equality and enhance women's empowerment ensuring the active contribution and meaningful participation of both Cook Islands women and men in all spheres, and at all levels, of development and decision making' (GCI 2011:8). Six priority outcomes are proposed:

- Gender-responsive government's programs and policies
- Equitable participation of women and men in decision-making and governance bodies
- Enabling environment for the full participation of women in economic development
- Improved capacity of women to contribute to climate change adaptation strategies
- Improved capacity of women to address health issues
- Elimination of violence against women (*ibid.*: 9)

The policy also proposes a monitoring and reporting mechanism embedded in the current reporting mechanism of the government to ensure its effectiveness. An implementation plan has been developed and the outer islands will receive technical assistance to develop their island implementation plans.

### ***Political will rated medium to high***

Perceptions of the political will for gender equality and mainstreaming is another, albeit less concrete, measure of actual political will. Of the 12 ministries interviewed, three ranked political commitment to gender equality as high, three ranked it as medium, and two as low.

Six ministries were able to identify specific actions that could demonstrate commitment.

- The MOE stressed that gender issues are taken into account in the MOE Master Plan, and that work is in progress to ensure that school curricula integrate equality issues, as has already been achieved in the Health and Wellbeing curriculum with its focus on gender and sexuality. The MOE also mentioned the work that is currently under way in government to review legislation, including the planned scoping in 2010 of the new Family Violence Bill, the revision of the Crimes Act and the Transport Act, and the passage of maternity protection within the Employment Relations Bill.
- The Ministry of Marine Resources reported that it has progressed in integrating a gender perspective into its policy, due in part to the SPC Gender and Fisheries project.
- The Department of Police mentioned its establishment of a domestic violence unit and a programme of training for its officers in the areas of reporting, counselling and dealing with domestic violence issues.



- In the Ministry of Agriculture, work was seen to be deficient in terms of gender mainstreaming, but as a new entrant into the service, the HOM was committed to mainstreaming gender into the plans and policies.
- The CEO of the Prime Minister’s Office is supportive of the gender agenda.

***Lack of awareness hampers political will***

Of the 12 ministries interviewed, two reported the lack of awareness about gender issues as the main barrier to greater political commitment to gender mainstreaming, and two referred to the lack of technical skills. Other barriers reported were people’s perceptions of what gender mainstreaming entails and the lack of financial resources.

In addition, staff turn-over is a major issue and regular awareness-raising initiatives need to be organised.

***Little recognition of GADD’s role***

Only two ministries identified GADD as a supportive factor for generating higher political will, which underscores the importance of GADD developing its capacity to build alliances if it is to successfully act as a driver of better commitment to mainstreaming.

The NSDP was stressed by one informant as critical; gender equality issues will continue to be on the periphery of the policy agenda, unless gender is first mainstreamed into the NSDP and into the organisational culture of the core agencies responsible for national development, planning and budgeting.

**c. Organisational culture**

Organisational culture refers to the extent to which the attitudes of staff and institutional systems and structures support or marginalise gender equality as an issue across sectors. A supportive organisational culture encourages a gender lens during all policy dialogues, establishes good lines of communication with the national women’s machinery, ensures sex disaggregated data collection and analysis, has organisational systems in place to guide and inform staff on integrating gender within their technical area, strives for gender balance at all levels of the organisation’s staffing, and has gender-sensitive human resource management policies in place. Analysed against these factors, the organisational culture of the government institutions in Cook Islands is not supportive of gender mainstreaming.

***Gender issues rarely discussed as development issues***

Donors have provided the impetus when it comes to prioritising gender in policy dialogue with government. The CPPO reported that the influence of donors has resulted in gender being incorporated into the programmes of the office. The Ministry of Infrastructure and Planning and the Crown Law Office both noted that meetings with donors have led to an acknowledgement of the lack of in-house gender expertise. NZAID and AusAID, through the Joint Country Strategy (JCS 2001–2006) theme of ‘strengthening governance and civil society’ have worked to promote gender as a development issue throughout the bilateral aid programme.

Eight of the 12 ministries/departments interviewed confirmed attending meetings with development partners and ministries where gender is raised as a development issue. Of these six referred to meetings with development partners and only three with other ministries, in particular the Ministry of Internal Affairs (MINTAFF) and GADD. The Crown Law Office, however, stressed that gender is not raised as a development issue in the meetings that it is part of, whether with development partners or ministries.

However, while policy dialogue and high level consultations have been important in ensuring that a gender perspective needs to be integrated, this same type of dialogue has not been a significant factor in programme/project design and implementation.

### ***Lack of interaction with GADD***

Without exception, all informants interviewed noted minimal or no interaction with GADD. Six had no contact with GADD and six reported only occasional interactions. Interaction between the Ministry of Finance and Economic Management and GADD happens only during annual budget preparation. This overall low level of interaction is not surprising; with only two staff, their ability to work across sectors is severely handicapped. However, six of the ministries/departments interviewed noted collaborative efforts in place with relevant NGOs.

### ***Limited production and use of sex disaggregated data***

The lack of systematic data collection to highlight key gender differences across projects/programmes is a major obstacle to proper gender analysis and mainstreaming. Although the Statistics Office has provided sex disaggregated data in the major reports they are responsible for, and the Ministries of Health, Agriculture and Education have fairly extensive databases that have sex disaggregated figures, there is still a long way to go.

- The Ministries of Health, Education and Agriculture collect and use sex disaggregated data for planning purposes.
- The Ministry of Finance and Economic Management's use data from the census and the household income and expenditure survey.
- The Ministry of Justice reported that although it collects data it is not sex disaggregated.
- The Public Service Commission and the Business, Trade and Investment Board reported that work is in progress to build up databases.
- Four ministries interviewed do not collect sex disaggregated data at all.

### ***Absence of guidelines and systems for mainstreaming gender***

None of the ministries and departments interviewed had tools or systems in place to guide and inform staff on how to integrate gender perspective and take into account women's human rights into their technical area of work.

### ***Gender concerns are not part of human resources management***

The Public Service Commission (PSC) is responsible for the human resource management policies for the whole of the public service. The Commissioner confirmed that gender perspective is not part of

the current human resource management system. Six of the ministries interviewed do not have specific human resource policies in place but are guided by the PSC, while six others do have such policies in place: equal employment opportunity policies, code of conduct, human resource regulations.

In the *Principles of a Good Employer*, which are enclosed in the contracts of Head of Ministries, it mentions that a good employer must look at various perspectives in all aspects of management and decision making. Although it is not mentioned specifically, many HOMs understand this statement to be about the importance of taking into account the gender perspective, the youth perspective, the disability issues, etc. Gender mainstreaming could well be integrated in those principles.

**Table 3: 2010, Heads of government ministries and agencies**

Post	Men	Women	Total
Head of Ministry	9	5	14
Island Secretary	9	1	10
Crown Agencies	9	4	13

Source: GADD, 2011

***Men dominate highest levels of decision making***

As a result of the last elections, there is only one woman in parliament and none in the actual government. Table 3 shows that men continue to dominate the highest positions in the public service, in particular in the outer islands. It is important to note, however, that there are now five women occupying the function of Head of Ministry.

Although there has been a slight increase of women in decision-making positions, the increase is minimal, and men still dominate. There is, however, evidence that gender balance is improving at the second and third level positions.

The Public Service Act makes provision for equal employment opportunity, but implementation of this provision was reported to be lacking or not monitored, due to the fragmentation of human resource policies and responsibilities.

There are no programmes in place, formal or informal, to mentor and encourage women into leadership positions. The Ministry of Education, however, has embarked on an ‘Aspiring Principal Programme’ to support senior potential candidates for school principal positions as a way of addressing the lack of women or men, as applicable, in principal positions.

***Few leaders are supportive***

Only four of the 12 ministries interviewed were able to identify individuals at the senior executive levels who are supportive of gender equality issues and gender mainstreaming. The remaining eight ministries could not identify specific individuals but indicated potential candidates for future gender mainstreaming work, including the younger recruits coming into the system.

**d. Accountability mechanisms**

Accountability mechanisms ensure that action on commitments to gender mainstreaming can be traced and monitored within organisations, and that individuals are held to account for gender

equality-related results in their area of work. There are virtually no national accountability mechanisms in place in Cook Islands to monitor the advancement of gender equality.

### ***No performance management systems in relation to gender mainstreaming***

Job descriptions contain no responsibility for gender-related results except for staff within GADD and the officer directly responsible for gender mainstreaming within the Central Planning and Policy Office. For those positions, the job descriptions (JDs) require ‘awareness of, and sensitivity to, the values and particular needs of girls and women; people with disabilities and other vulnerable groups’.

There are no performance management systems to monitor gender mainstreaming actions, although the Te Kaveinga NSDP Monitoring and Evaluation Report (2008) attempted to monitor progress in addressing gender issues. PSC has been active in reviewing, monitoring and evaluating performances from a broad administrative platform. However, because of its strategic position to enforce process across the whole of the government, develop JDs and manage staff performance, PSC could play a greater role in developing explicit gender accountabilities in TORs and JDs. The institution has indicated its willingness to implement such initiatives and there is ongoing action to integrate the responsibility to mainstream gender into the contracts of Heads of Ministries.

Lack of gender awareness was cited as a major barrier to including gender accountabilities in the terms of reference or JDs. Remedial action proposed by informants included gender awareness training and reviews of business plans and equal employment opportunity policies.

### **e. Technical capacity**

Gender perspective and women’s human rights cannot be properly mainstreamed without a pool of technically qualified experts in these areas whose skills and experience line and central ministries can systematically draw upon.

Most ministries do not have the necessary technical qualifications or capacity to properly understand gender equality issues and mainstream them into their work. There is a major need for specialised staffing or sustained training for existing staff to increase their technical skills.

Under the NZAID/AusAID Joint Country Strategy (2001–2006) GADD’s Gender Analysis Training Project was designed to train community leaders and public service policy-makers to provide strong leadership for the mainstreaming of gender perspectives. Although many priority government target groups did not attend, those who did reported shifts in their attitude and practices at work. The Solicitor General became quite active in looking at the gender perspective: the office’s function is to provide legal advice. In providing this advice care is taken that all angles of the law are covered and for this reason the office is interested and committed to gender mainstreaming.

Of the 12 ministries/departments interviewed seven reported that technical capacity in gender mainstreaming need to be developed.

- The Police ranked its technical capacity at medium and emphasised that this is increasing due to training of its staff, in particular domestic violence training, and technical support provided by NZAID.

- A Ministry of Justice staff member had attended a ‘women in politics’ training.
- Staff of both the Ministry of Justice and the Central Planning and Policy Office have had training in basic gender awareness.
- The Ministries of Education and Health noted that there is in-house technical capacity in looking at the gender dimension in the areas of teaching and medical issues, but that technical support and focused training in mainstreaming gender equality are required.

Apart from these, all other ministries stated that no staff have been trained in the areas of gender-related analysis, planning or budgeting. Although there are no systems in place across government to track gender related training, ministries whose staff have had some training did confirm that it had resulted in increased awareness and supplied a gender perspective to programme and project implementation.

It was confirmed by all ministries and departments interviewed that no staff or consultants had been engaged specifically because of their technical expertise in gender. The Ministry of Infrastructure noted, however, that consultants engaged for other works within the ministry have addressed the issue of gender in their reports.

### ***Capacity development in gender mainstreaming is required***

Three of the ministries interviewed were of the view that having staff skilled at incorporating gender analysis into planning and budgeting would be beneficial to the organisation in terms of service delivery. The Ministry of Justice was not sure what the impact on the organisation would be, and the other ministries did not respond to the question.

Awareness raising was cited as the main need area to create a receptive environment for integration of gender and women’s human rights, as well as the most strategic and effective way to increase technical capacity for gender mainstreaming. Others suggested more effective networking with GADD. PSC indicated that, unless gender mainstreaming is taken on board by the core agencies such as MFEM, CPPO and PSC, gender equality issues will continue to be on the periphery of government policy and development planning. As a consequence they should be targeted for technical skills upgrading, along with politicians, HOMs and key technical officers.

### **f. Adequacy of financing for gender equality**

Ensuring reliable financing requires that gender mainstreaming across the whole of government be built into the government's budgeting processes. The national budget should allocate specific and sufficient resources to both GADD and individual agencies to engage in systematic results-based gender analysis, planning, implementation and monitoring.

### ***Inadequate financial resources for mainstreaming gender***

The Cook Islands government does not provide adequate resources for mainstreaming gender and addressing women’s human rights issues. At present, only 0.03% of the total government budget is allocated to GADD and no sectoral budgets include allocations for gender and human rights mainstreaming. There is no functional mechanism within the government to ensure that relevant sectoral gender issues are incorporated into the national budgetary process or, if identified in

planning, are appropriately funded. The Ministry of Finance and Economic Management advised that gender was not a criterion for assessing budget preparations or allocations and it was the responsibility of each ministry to highlight gender in their work programmes and submit them to MFEM for budgetary considerations. However, there was no evidence that this is being done during sectoral planning. No ministries interviewed were able to identify any specific or general budgets that target or could support the work of addressing gender issues and promoting gender equality.

The Police stated that budgetary provisions for addressing women's issues by government and donors have improved from previous levels, although there is still need for improvement. Furthermore the Crown Law Office considered that unless a central unit is set up where all international commitments are channelled and policies developed to guide line ministries, no proper allocation would be made towards gender and women's human rights.

While there must be improvements in demonstrated national level ownership, there is also a need for more resourcing from and coordination amongst donors if gender equality and mainstreaming goals are to be achieved. There is no consistency in GADD receiving development aid each year; it all depends on the priority of the year and the priorities of the donors.

A few informants believed that lack of awareness was cited as the main constraint to increasing funds for gender mainstreaming; others made reference to the lack of coordination

### **g. Additional factors**

#### ***Changes in government priorities***

The new government has shifted its focus from the social sector to economic development. The broad strategic priorities 2011–2012 are going to affect the budget allocation of the whole government. GADD needs to position its programme in this new environment and show that gender equality is as critical as infrastructure development for supporting the economic development of the country, in particular in the context of a high rate of out-migration of the population, mostly male, which means that women are becoming the major labour force. To be effective, they will need not only knowledge and skills, but also the conditions to effectively balance their household and work responsibilities. It becomes even more important in this context to improve the working environment for women by providing maternity leave, having a sexual harassment policy, providing suitable working conditions, and other measures in both the public and private sectors so that women can perform well in the workplace.

## **POTENTIAL STRATEGIC APPROACHES FOR GENDER MAINSTREAMING**

The following are potential starting points for increasing the capacity of the Cook Islands government to mainstream gender perspective and women's human rights in an effective and sustainable way. These approaches have been discussed with a range of line and central ministries while preparing the new National Policy on Gender Equality and Women's Empowerment (GEWE) and they were integrated in the policy's Strategic Plan of Action 2011–2016.

## **1. Capacity development for GADD**

There is a need to develop the technical capacity of GADD to be a key driver for the mainstreaming of gender perspective and women's human rights and to improve its policy analysis and advocacy role in government. Accompaniment of GADD by a technical expert through a sustained process of identifying one or two key and concrete gender gaps in targeted priority sectors; analysing them from a gender and human rights perspective; developing legal, policy and administrative responses; and advocating for them across relevant government sectors and branches with clear process and output indicators for success would provide the necessary hands-on experience and would equip GADD for similar work in a range of other areas in the future. It is important that GADD staff do the work; the technical expert must simply guide it.

Another critical element will be working closely with the relevant sectors so that once GADD acquires the necessary technical skills, it has the capacity to transfer them to sector representatives. This could involve a series of collaborative meetings amongst GADD, the relevant sector and key central agencies such as MFEM and CPPO (led by GADD with the support and guidance of the technical expert) with gender and human rights awareness sessions, hands-on training in analysing a specific development issue from a gender and human rights perspective, and jointly developing and implementing responses that will promote gender equality. Critical to this process is focusing on ministries/departments that reported support for gender equality and are able to push the agenda of gender mainstreaming within their ministry and ensure the appropriate level of sustained participation.

## **2. Tools and systems development**

To be effective and institutionalised in the work routine, tools and systems need to be in place for mainstreaming gender and women's human rights. Core central agencies, including the Office of the Prime Minister, CPPO, MFEM and PSC could be provided with technical assistance to review and strengthen their performance management systems to create accountability mechanisms that align with the strong policy framework for gender mainstreaming.

Other tools such as training manuals, handbooks and analytical tools on gender and mainstreaming and human rights could be developed, either broadly or targeted to specific priority sectors. It is important that the use of such tools be mandated and monitored, and appropriate record-keeping and reporting systems be developed accordingly. They should also be used (driven by GADD, the relevant sector and central agencies, with the assistance and guidance of a technical expert) throughout at least two separate mainstreaming processes so that the use of the tools is demystified and GADD is comfortable driving similar processes in future. Finally, there should be a clear process established at the outset for reviewing the impact of the tools, including results achieved and feedback from those using them.

### ***Strengthening WDOs and linkages with outer islands***

In light of the weak collaboration between GADD and the outer island mechanisms, and considering the CEDAW Committee's recommendation in this respect, sustainable systems and processes could be developed to strengthen collaboration with and capacity of the WDOs, island administrations, island councils and relevant NGOs to provide systematic, country-wide approaches to gender mainstreaming and the promotion of human rights and to strengthen these key alliances.

### ***Establishment and strengthening of a mechanism for guiding and monitoring the implementation of the GEWE policy***

There is a need to establish a national mechanism to overlook the implementation of the GEWE policy and monitor progress. Instead of creating a new national committee, it is proposed to use existing coordination and reporting mechanisms, such as the regular HOMs meeting and annual reporting processes of each ministry.

Capacity-building activities and tools customised for senior managers need to be developed.

## **3. Gender statistics**

There is insufficient collection, compilation and analysis of sex disaggregated data and gender indicators across sectors. Such data are critical to the identification, understanding and addressing of gender inequalities. Increased capacity is needed to develop and maintain comprehensive national databases that will allow the compilation of quality statistics, including those relevant to gender mainstreaming monitoring and analysis, and real time monitoring and reporting of key indicators underpinning national development progress across key sectors. This will be complemented by ongoing Statistics Office efforts to implement a comprehensive programme of statistical collections, including censuses (population and housing; agriculture) and specialized household and establishment surveys to complement national administrative databases. Currently, there is heavy dependence on population censuses, household income and expenditure surveys, and demographic and health surveys, which are undertaken every five or ten years. There is also a need to strengthen and harmonise national and outer islands statistical information systems and databases, including development information, focusing on sex-disaggregated data.

Building on SPC's ongoing gender statistics initiative, government could be accompanied through a process of compiling key gender indicators in one comprehensive framework, developing user-friendly 'situation of women' statistical reports, conducting policy analysis based on the priority indicators with relevant government agencies, and collaboratively developing policy responses. This will directly complement and support all other strategic approaches discussed here.

## **4. Strengthen the advocacy role of women's NGOs**

Women's NGOs have always been instrumental in Cook Islands for promoting women's rights. The National Council of Women is a key partner in the implementation of the GEWE policy. There is a need to further build their capacity to advocate for women's rights and the integration of gender concerns in government programmes and services, particularly in the outer islands. Training of trainers on gender and human rights analysis, gender mainstreaming, advocacy could be offered and guidelines developed.



# APPENDIX

## ***Government***

- Business Trade and Investment Board
- Cook Islands Police
- Crown Law Office
- Ministry of Agriculture
- Ministry of Education
- Ministry of Finance and Economic Management
- Ministry of Health
- Ministry of Infrastructure and Planning
- Ministry of Justice
- Ministry of Marine Resources
- Policy and Planning, Office of the Prime Minister
- Public Service Commission

## ***Development Partners***

- AusAID
- NZAID

## ***Civil Society***

- Apostolic Church in the Cook Islands
- Catholic diocese of the Cook Islands and Niue
- Assemblies of God Church of the Cook Islands
- Seventh-Day Adventist Church
- Pan Pacific South East Asian Women's Association (PPSEAWA)
- Cook Islands Business and Professional Women's Association
- Cook Islands National Council of Women
- Punanga Tauturu Inc

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