

## Program 12: Human Rights

**Pacific custom and culture are based on land, family, spirituality and the Church. But in the age of human rights, are there conflicts between individual and collective rights? What about freedom of religion, freedom from violence, freedom to dissent? Can women and young people assert their rights for an equal role in governing the community?**

PEARSON VETUNA: Hello, Pearson Vetuna here from Radio Australia and it's 'Time to Talk'.

Today in our series on governance in the Pacific we focus on gender issues and human rights.

MERELYN TAHI: You know the big question would be what is a right anyway? And I think that's the basic thing that we have to answer.

VETUNA: It is a difficult question: the Western approach on individual rights is sometimes at odds with Pacific tradition, where the rights of a person are tied to that person's status in society and relationship to other people.

Most Pacific constitutions - inspired from the Western legal tradition - guarantee fundamental rights as expressed in international agreements.

But what do people know about these 'modern' rights and how do they sit with customary values?

HEATHER LINI-LEO: Most chiefs, most people in the villages don't know these rights and some of these rights contradict with the traditional practice, values, code of ethics or rules, and for some islands they apply it thinking that is correct not knowing that in applying they're breaching the constitutional rights of a person.

VETUNA: Heather Lini-Leo is Vanuatu's public prosecutor.

HEATHER LINI-LEO: We've had cases where police officers in crime prevention campaigns were telling the chiefs to regulate women wearing shorts or a pair of long pants and they were saying that it was because of the manner of dressing that women get raped. But because the poor chiefs do not know the constitutional rights of a person, freedom of choice, of movement, they accept what the chiefs say and they've actually imposed fines on women.

VETUNA: There may be legal standards and fundamental rights provided by Constitutions but they do not mean much in some villages.

Take Samoa for instance: in theory, the Constitution guarantees freedom of religion but in practice the village chiefs, the matai, choose the religious denomination for the village. Choosing another

denomination can lead to serious trouble.

Samoan Historian Asofou So'o.

ASOFOU SO'O: The village is a state within the state and the village council's like the Parliament, and the village parliament says hey, we're going to have only this religion there. There are villages that allow only the Methodists or the Catholics or the Congregationalists. It's a very serious matter you know disobeying your village fono because they can order you killed, they can order your house and your plantations burnt, they can order your banishment, and usually all the three combined.

VETUNA: The Salamumu village incident in 1998 on the island of Upolu, attracted the attention of the Human Rights organisation Amnesty International.

ASOFOU SO'O: Well the Salamumu village is the same kind of thing, this group, I think a Bible group were forbidden by the village not to have any meetings, any prayer meetings within the village, they could have it outside. So this group disobeyed the village order and so they suffered the consequences, they were carried away like pigs and naked and their houses were burnt and they were lucky to escape with their lives. They were taken and left on the road, the main road. But justice has been done, those people involved were taken to court and they were fined. I think the government has to be firm, it has to lay down the law you know and say no, you cannot banish a person from his place of birth, and you cannot punish a person for practicing his or her own religion. It's easier said than done. I think in American Samoa the American government just said some of these things are basic - for instance the right to practice religion, the right to move about freely. I think that something like that should happen here too.

VETUNA: In most cases people know there are laws to protect their rights but which one applies in which case? Lack of legal literacy remains a major obstacle. So who provides the necessary information and makes it accessible to the community at large? Quite often non-government organisations take on the task.

Lady Hilan Los works for ICRAF in Papua New Guinea. ICRAF is the Individual and Community Rights Advocacy Forum.

LADY HILAN LOS: I must admit not many of our people know the laws of the country at this point in time. You know even like for our Constitution, a lot of them don't even know they have not seen it, I mean the Constitution is supposed to be the tool that we're supposed to use right? But if many people don't know about it I don't know about the introduced laws that have come in here to kind of assist us in our everyday life.

VETUNA: However awareness is growing and people do enquire about their rights.

LADY HILAN LOS: Sometimes people ring in from the other parts of the country, like for instance we had a couple of calls from Vanimo when a couple of the young men were taken in by police and

after interviewing them they didn't release them, they were holding them without charging them. So those are some of the issues that people ring us from outside to say look, what is our right here? You know, can police keep us in custody even though they don't charge us? We said no, if they don't charge you then they should let you go. And you know like as human rights organisation we also sometimes speak about the issue of police brutality with the communities or we try to conduct courses so the communities can learn their right that if a policeman comes into your house who said I want to search your house, so you just don't let him come in. You have also a right to say: "Can I have a look at your piece of paper to say you can search my property?" So those are some of the things that we're trying to do to help people understand their rights.

VETUNA: It's 'Time to Talk' on Radio Australia. Today we discuss human rights and gender issues.

MERELYN TAHI: Gender as a word was known when the CRP came around. Before that Vanuatu didn't know what gender is, and the government wouldn't even tell the ministers or the Members of Parliament in there wouldn't know what gender is.

VETUNA: Merelyn Tahī, co-ordinator of the Vanuatu Women's Centre.

MERELYN TAHI: Because as soon as we spoke about domestic violence they'd say: "Oh you're talking about being leader over your husbands or over your chiefs", that we want the power.

VETUNA: And it's quite often this unequal power relationship between men and women, which is the cause of the problem.

SUSAN SETAE: The education system has made women to advance, to reach a higher standard and be equals at that level. And we're beginning to see that women are seen and regarded as a threat because of the cultural beliefs of women as subordinate to men.

VETUNA: Susan Setae, President of the National Council of Women in Papua New Guinea.

SUSAN SETAE: Man is the head of the family, society and this woman is going to overtake me and she's going to be the head of the family. And that kind of fear is also creeping into a lot of families and that is why a lot of violence is there. Secondly I think the economic situation has made it in such a way that a lot of families are poor and a lot of women maybe polygamous marriages, polygamous situation where one husband is the only breadwinner and he has many other wives to look after, children to look after and that has created a lot of domestic violence.

VETUNA: A growing number of women now go outside the traditional community, to seek advice in women's centres. But this in turn can trigger problems. Some traditional leaders believe it undermines their conciliatory role and promotes confrontation between people.

ANNIE PHILEMON: It comes back to tradition. Men think that when a man pays the price, he owns that woman and whatever situation that she would face in the home, she should not go and talk about

it outside, so that's the tradition.

**VETUNA:** Annie Philemon from Santo in Vanuatu. She works at the provincial counselling centre in Luganville.

**ANNIE PHILEMON:** Now that we have the women's centre, women are coming to us to tell us that she doesn't want to live in a violent home, and this really upset the Chiefs thinking that why should that woman go to the women's centre? The woman should be here and we are here to fix the problem. Yes it is true, they are there to fix the problem, they are there to help, they are the leading men in the village, but what we find sometimes the Chief themselves would judge the problem and would favour the men.

**MERELYN TAHI:** We can say that while we have more women going on scholarships, more and more women graduating, more and more women lawyers, but if we don't recognise that there is discrimination against women in this country, we won't have equal status. Our status will still be the same.

**VETUNA:** Merelyn Tahi. Many governments from the Pacific region have signed CEDAW, the Convention for the Elimination of all forms of Discrimination Against Women. But less than half of them have ratified it.

Gender equity is on the agenda but in the Pacific, like everywhere else there's still a long way to go. Annie Philemon:

**ANNIE PHILEMON:** It is true that the government said or even the Constitution say that equal rights it should be given to everyone. But I don't think practically we personally and even those of us that know a little bit about the human rights and equal rights to everybody, we are not agree with that because when you come to the decision making body at the national level you will always see that there's more men, and you can't say only up there in the decision making body, you come to the churches. Where you make decision for that church, you see that there's less number of women, or even no women at all. But this is sad to say that because when you go to the churches you will see that when the church activities are done the women are the ones that come and participate and they are the one to carry the program for the church. But when it comes to the decision making in the conference or in the sessions they why not giving more women or electing more women? And the Constitution said equal rights to everybody, but they never practically do it.

**VETUNA:** And when it comes to politics and decision-making women in the Pacific are grossly under-represented.

**LEAH DONALD:** The main problem is not enough training, not enough awareness and the grassroot women doesn't know about politics and they don't know their rights. So we think that in Vanuatu we need more awareness.

ELIZABETH TASOU: The problem is that women in Vanuatu we can tell that they're dominated by cultural way yeah? So it's very hard to pull them out to be in front or with men to play the politics in all different political parties.

VETUNA: Elizabeth Tasou and Leah Donald from Luganville Women Council in Santo.

GRACE MOLISA: I believe that if people understood the laws and the conventions like the Constitution there would not be all these excuses and arguments about custom and culture. The word custom would not be dragged around and abused as excuses just to stop women from doing whatever it is that can bring about changes to the life of women.

VETUNA: The late Grace Molisa, who founded VANWIP - Vanuatu Women in Politics - in 1995, to encourage women's participation in politics.

GRACE MOLISA: Because if people were properly informed people would understand that the excuses disadvantage the whole nation, the whole state rather than just women. And that such things happen when people fear change, when change is something that cannot be stopped because the whole of life is about change.

VETUNA: In Bougainville women from all sides are working to bring about change and to restore peace in communities torn apart by a ten-year long war.

TERESA JAINTONG: The women and children were the victims of the crisis because when the crisis started nobody really knew what was it for? You know when the problem really got out of hand then the children and the mothers suffered because most of us went to the bush for safety reasons.

VETUNA: Teresa Jaintong from the Bougainville Council of Women.

AGNES TITUS: There was so much violence around, especially violence against women.

HELEN HAKENA: It was extremely difficult because I was witnessing a lot of things which I didn't want the other women to go through - like seeing women die giving birth, seeing a lot of children without any medical treatment and seeing a lot of villages being destroyed by the different fighting factions, and I didn't want for the other women to go through that as well. So that is how we started Leitana Nehan Women's Development Agency, to support the women.

VETUNA: As an outspoken peace activist Helen Hakena, director of the Leitana Nehan Women's Development Agency knows the limits of her freedom. She's received death threats; she was held at gunpoint on her way to a peace conference and told to return home. Her family too became a target during the crisis.

HELEN HAKENA: They were going to abduct my daughter from Talena High School so I had to

withdraw my daughter for two years and again that same daughter of mine was sick so we had a hospital at Sohano which is still operating, I sent her there and my mother had to look after her. And three masked men came with knives and guns to look for her because they couldn't get me, they were going to target my daughter.

**FABIAN KOTSIN:** So a lot of things happened at that time. Young girls were raped. For us young boys we would have to follow what my elders told me to do.

**VETUNA:** Fabian Kotsin didn't have much of a choice. He had just started high school in 1990 when he had to join the ranks of the BRA - the Bougainville Revolutionary Army - to fight for the liberation of the island.

**FABIAN KOTSIN:** I also saw most of my brothers being killed, I saw them shot dead by the Defence Force and the BLF . and my aunties too, my small cousins, they were all really affected and when I was in Rabaul now for my first year in the college I still recall where all those things, the dead and the happening at home. Sometimes I used to wake up in the night or shout at night and my fellow classmates used to ask me or wake me up in the middle of the night asking me why was I crying or why was I shouting? So I used to tell them my dreams about the past, the things that happened to me.

**VETUNA:** Fabian is now a field worker with the Strengthening Communities for Peace project. This is another activity of the Leitana Nehan Development Agency.

Linus Saram from Tinputz is also a team leader in this project, which operates all over Bougainville to raise awareness against violence.

**LINUS SARAM:** There are problems like home-brew violence, you know when youths get drunk, there are disturbances in the community and there is violence against women, there is harassment, there is child sexual abuse and there is rape. But the community then realised what this probably means and we tell them that it is only destroying the life of the women, Chiefs and the children in the community. So that they're coming to an understanding of the problems.

**AGNES TITUS:** And so now that they are made aware communities out there are helping themselves now. They're setting their own rules, they know what crimes they must immediately report to the police. In the long run I think we are doing so much good out there just informing people, getting them aware you know what violence is.

**VETUNA:** Agnes Titus who coordinates the Strengthening Communities for Peace project in Bougainville.

Ten years of armed conflict have left deep scars. Although the situation is improving, there's still a long way to go to restore lasting peace within the community. Helen Hakena again.

HELEN HAKENA: The question is the arms disposal because people have to be totally free of everything. The women are not free to go to their gardens, like we are still scared of going to the gardens because any time somebody will come up and we will be raped under gunpoint. We cannot speak our minds when drunkards roam the villages. I would call good governance total freedom of fear, total freedom of violence, total freedom of speaking our minds, total disposal of arms and total recognition of the work of the efforts women are doing and total trust in one another.

VETUNA: Next week is the final episode of Radio Australia's 'Time to Talk' - 'Challenging the state'.

I hope you can join us then. In the meantime visit our website at [www.abc.net.au/timetotalk](http://www.abc.net.au/timetotalk).

I'm Pearson Vetuna. Bye for now!

## Program Participants:

- Pearson Vetuna, Executive Producer of the Tok Pisin service at Radio Australia
- Merelyn Tahi, co-ordinator of the Vanuatu Women's Centre in Port Vila
- Heather Lini-Leo, Vanuatu's Public Prosecutor
- Asofou So'o, historian and Dean of Arts at the National University of Samoa in Apia
- Lady Hilan Los, Director of the Individual and Community Rights Advocacy Forum (ICRAF) in Papua New Guinea
- Susan Setae, President of the National Council of Women in Papua New Guinea
- Annie Philemon, provincial women's counselling centre in Luganville on Santo, Vanuatu
- Elizabeth Tasou and Leah Donald, Luganville Women's Council in Santo, Vanuatu
- The late Grace Molisa was President of the National Council of Women in Vanuatu, and a leading poet, writer and activist until her death in January 2002
- Teresa Jaintong, Bougainville Council of Women
- Agnes Titus, Leitana Nehan Women's Development Agency in Bougainville
- Helen Hakena, Leitana Nehan Development Agency, a peace-building organisation in Bougainville
- Fabian Kotsin, former BRA militant, is now a field worker with the Strengthening Communities for Peace project of the Leitana Nehan Development Agency
- Linus Saram, Strengthening Communities for Peace Program in Tinputz, Bougainville