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Via email: [vaw@ohchr.org](mailto:vaw@ohchr.org)  
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Thank you for the opportunity to submit a response on COVID-19 and the increase of domestic violence against women, in the Pacific region.

## About SPC-RRRT

The Pacific Community (SPC) is an international development organisation which is owned and governed by the 26 Pacific Island countries and territories that constitute its membership. Founded in 1947, SPC is the principal scientific and technical organisation in the Pacific region. SPC works at both the regional and national level, to its support members in achieving their development goals.

The Regional Rights Resource Team (RRRT) is the human rights division of SPC. Established in Fiji in 1995, RRRT works with states and civil society to build a culture of human rights and to assist Pacific states in committing to, and observe international human rights and good governance commitments, obligations and standards.

Through a team of Human Rights Advisors and Country Focal Officers (CFOs) based in their member states, RRRT provides a comprehensive policy and legal advice, technical assistance and a suite of capacity building services to support Pacific Island countries (PICs) to effectively address regional human rights priority areas, including gender equality and ending violence against women and girls (EVAWG).

## Our region

Discrimination against women and gender inequality is the most prevalent and pressing social issue in the Pacific. Violence against women specifically, is the most pervasive and direct manifestation of women's inequality. While gender-based violence is a concern, domestic violence is by far the strongest manifestation. Family Health and Safety Studies that have been carried out in 11 PICs and Territories (PICTs) since 2008 show that 63 per cent of women in Melanesia, 44 per cent in Micronesia and 43 per cent in Polynesia have experienced physical or sexual violence by an intimate partner.<sup>1</sup> These rates of domestic violence against women are among the highest in the world.

Most PICs have legislation to protect members of the family who are experiencing violent situations in the household. However, implementation of these provisions continues to face practical social, cultural, religious, political, and economic challenges.

In this submission, RRRT takes stock of the current challenges facing women survivors of domestic violence in some Pacific countries during the COVID-19 response. Based on evidence gathered by its CFOs, these submission sets out the different restrictions that have been placed in different countries, the effect that these restrictions have had on the services available, and how governments and services have responded to these challenges.

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<sup>1</sup> Pacific Islands Forum Secretariat. First Quadrennial Pacific Sustainable Development Report 2018. Available at <http://www.forumsec.org/wp-content/uploads/2018/10/First-Quadrennial-P.S.D.R.-Full-Report.pdf>. Accessed on 22 June 2020.



## Coronavirus in the Pacific

On 30 January 2020, the World Health Organisation declared COVID-19 a global public health emergency. The first case in the Pacific Islands was reported in French Polynesia on 12 March 2020 and as at 4 June, 2020 infection numbers in the Pacific region remain low. As of 23 June 2020, 6 countries including Commonwealth of Northern Mariana Islands, Papua New Guinea, Fiji, French Polynesia, Guam and New Caledonia have reported a total of 363 cases and 7 deaths.

An outbreak of COVID-19 in the Pacific would be particularly detrimental due to the vast distances within geographically dispersed island countries engaged in communal living with limited resources and access to quality health care. These circumstances invariably affect access to services for survivors.

The region already records high numbers of chronic respiratory disease amongst the population. Chronic respiratory disease is one of the most significant contributors to non-communicable diseases which caused premature mortality rates in the Pacific. Further, history indicates that global health emergencies can have an extraordinary adverse effect on the PICs; for example, the 1918 influenza pandemic was estimated to have resulted in a mortality rate of 22% in Samoa<sup>2</sup> and more recently the 2019 outbreak of measles has had a devastating effect on the Pacific population.

Border restrictions have been detrimental to the small island economies in the Pacific, which rely heavily on global tourism. In countries such as Fiji, Samoa, and Vanuatu, tourism is a prime source of employment. Covid-19 border closures have meant a loss of jobs leading to rising unemployment, which in turn links to an increase in domestic violence.<sup>3</sup> PICTs that are not reliant on tourism are also feeling the effects of border closures, through the restrictions on trade in the Oceania Region and the flow on effect on their economics, which are reliant on imported goods. Further, women who are primarily responsible for the care of their families have seen an increase in their domestic duties, as schools and businesses close.

## Summary

The response to COVID-19 varied in the PICTs however, the restrictions that are in place have left women experiencing violence particularly vulnerable.

Restrictions on movement through nationwide curfews, lockdown periods and lockdown or 'stay at home orders' have left women unable to access essential services physically. Schools and non-essential business have closed, resulting in a restriction of income and overcrowding in familial homes. This has led to increasing tensions in the house and a direct exacerbation of the gender inequities and power dynamics in the household. Businesses that were allowed to remain open had to practice social distancing and often operated with minimal staff, which had a direct impact on the services they were able to provide.

Further, none of the countries in the Pacific had specific provisions in their domestic violence legislation to allow survivors exemptions to access essential services during the emergency. Many governments diverted funding and resources towards efforts to prevent an outbreak of COVID-19 and in doing so, took away much-needed attention from essential services required by survivors of violence.

<sup>2</sup> Wilson N, Mansoor O, Lush D, Kiedrzyński T. Modeling the impact of pandemic influenza on Pacific Islands. *Emerg Infect Dis.* 2005, 11(2):347-349. doi:10.3201/eid1102.040951

<sup>3</sup> Anderberg, D., Rainer, H., Wadsworth, J. and Wilson, T 2013. Unemployment, and domestic violence; theory and evidence. Available at: <http://ftp.iza.org/dp7515.pdf> (accessed 1 June 2020).



Civil society organisations and non-government women's groups that provide services to domestic violence survivors that are often already under-resourced were further strained or unable to respond to the increased demand for their services.

Even with these constraints, governments and organisations made considered efforts to respond to domestic violence during the pandemic. The Republic of Marshall Islands (RMI), Vanuatu, the Federated States of Micronesia (FSM) and Tuvalu ensured that the government agency responsible for gender affairs was involved in advising government responses for the management of Gender Based Violence (GBV) cases or, in some cases, to assist with the correct management of cases. Vanuatu, RMI and FSM developed specific GBV messaging as part of general COVID-19 awareness. The Federated States of Micronesia and Solomon Islands updated their referral pathways to make them more accessible and to include additional health precautions for COVID-19. Others have allocated specific resources to undertake a rapid gender survey to inform their work.

## Recommendations

Based on the evidence collected and analysis of the responses by government and civil society in the Federated States of Micronesia, Kingdom of Tonga, Kiribati, Republic of Marshall Islands, Solomon Islands, Tuvalu and Vanuatu, and noting the UN Policy Brief on Human Rights and COVID-19, RRRT makes the following recommendations to Pacific Island governments:

1. Ensure all organisations and groups that provide services and assistance to women experiencing violence are included as part of their list of essential services and ensure that they remain open for the duration of COVID-19 restrictions.
2. Support organisations and groups that assist women experiencing violence by providing additional resources and tools such as personal protective equipment (PPE) to ensure that they can remain open safely and continue to offer their services.
3. Ensure referral pathways remain available to assist survivors during this time. Train frontline workers to recognise and refer cases of violence to the appropriate service providers.
4. Ensure there is a plan in place for emergency accommodation for survivors of violence by identifying housing, hotels and motels that can be requisitioned to provide shelter for survivors or segregating disaster response accommodation to address the needs of survivors.
5. Ensure that awareness of existing services is ongoing during restrictions so that those experiencing violence are aware of where to get help.
6. Develop clear messages on what is domestic violence, its prevention, safety planning and what people can do, and the services that are available during the restrictions of COVID-19, as part of broader COVID-19 awareness.
7. Policies, protocols and guidelines on assisting survivors during a health pandemic should be developed with consideration and input from women and existing service providers.



8. Prioritise the collection of comprehensive data on the gendered impacts of COVID-19, including disaggregated data on the sex, age and persons with disabilities. Data will need to be continuously analysed to ensure meet immediate needs and inform future policy development and changes.
9. Provide emergency relief funds or 'packs' comprising of food, clothes, sanitisation kits, sanitary products and phone credit for women facing violence that require urgent assistance.
10. Consider reviewing current domestic/family violence legislation to provide specific provisions allowing access to essential services for survivors during public emergencies, including natural disasters.

## Country specific responses

### Federated States of Micronesia

The Federated States of Micronesia (FSM) consists of 607 islands and atolls spread across the western Pacific Ocean, east of the Philippines. The four states in the federation are Chuuk, Kosrae, Pohnpei and Yap; each with its own government and laws. The capital, Palikir, is situated on the island of Pohnpei.<sup>1</sup>

At the time of writing, FSM is yet to register a case of COVID-19.

#### Background of domestic violence in FSM

The *Federated States of Micronesia Family Health and Safety Study*, published in October 2014, aimed to identify the prevalence of family and sexual violence against women. The study found that nearly a third of ever-partnered women (32.8%) experienced physical and/or sexual violence at the hands of their partner, at least once in their life. Further, 6.3% of ever-partnered women had experienced physical violence during pregnancy; half reported being punched in the abdomen.<sup>2</sup>

Currently, there is no national legislation criminalising domestic violence. There are, however, two states, Kosrae and Pohnpei, which have passed state domestic violence legislation. Kosrae passed its *Family Protection Act (FPA)* in 2014. Key provisions of the legislation include the definition of domestic violence, domestic violence offences and penalties, protection orders, and duties of third parties.<sup>3</sup> Pohnpei, more recently, passed its *Domestic Issues Act* in 2017. As with Kosrae's FPA, Pohnpei State's legislation provides for mechanisms and procedures to deal with domestic violence.<sup>4</sup> Yap is currently reviewing its draft Domestic Violence Bill.

#### Overview of the impact of COVID-19 on domestic violence in FSM

FSM has no confirmed cases of COVID-19; there is a 5 stage alert system place to address COVID-19. At the time of writing the country's COVID restrictions included the suspension of schools, banning of public gatherings, travel restrictions and a state-wide curfew in Pohnpei and Yap.

The country has limited services available to survivors of violence. Unlike other parts of the Pacific, there are no women's non-government organisations or civil society organisations that provide specific services for survivors of violence. The available services often rely on volunteers to operate. Currently, Pohnpei is the only state which has a dedicated domestic violence helpline. Emergency accommodation is available in Chuuk and Yap. Further, there are no specific operating procedures or guidelines within the health system for dealing with survivors.



Coordination between service providers is either ad hoc or absent, which is why the availability of data from service providers regarding the number of women that accessed their services during COVID-19 is unavailable.

## Services available to survivors of violence in FSM

### Police

In Yap and Chuuk, the police department deals with domestic violence as an assault matter under their relevant criminal codes.

Pohnpei State is the only state to have established a Domestic and Family Violence Unit that acts as a focus for coordination all domestic and family violence activities and to record all domestic violence incidents. A no-drop provision (of cases referred) is in place, but a large number of officers in the Police are untrained on how to apply it.<sup>4</sup> An assessment conducted in 2017 by Pacific Women Shaping Pacific Development reported that the police force is generally under-resourced and struggles with recruitment and retention issues.

### Helplines and safe accommodation

Survivors in Pohnpei state can access a dedicated domestic violence helpline run by the Pohnpei police while women experiencing violence in Yap, Chuuk and Kosrae must rely on their general emergency toll-free line (911) to report incidents of violence.

Safe accommodation is only available in Chuuk and Yap. Chuuk Women's Council operates the shelter in Chuuk which is run by volunteers. Yap State has a secret shelter that is available to women experiencing violence.

### Access to courts

Each of the four states in FSM has a separate court system with the Supreme Court of FSM as the final appellate court.

Women wishing to access protection in Pohnpei and Kosrae can apply for protection orders at their local courts with assistance from Police or through Micronesian Legal Service Corporation (MLSC). In Yap and Chuuk, women can access protection through a restraining order.

Survivors of violence can access free legal aid in all four states through MLSC. MLSC's experience of women accessing protection from domestic violence, is that the process for protection and restraining orders is not very streamlined, and victims can be reluctant to take action.

### Health services

State hospitals provide health services. There are no specific operating procedures or guidelines within the health system for dealing with survivors of violence. Women in rural areas have access to health centres and dispensaries, but they function at varying levels and have no specific policies for dealing with victims/survivors. The outer islands are the poorest served for dispensaries.

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<sup>4</sup> Assessment of EAW Services and Gaps in Services. Section 1 – FSM National Report, December 2017. DFAT/Pacific Women Shaping Pacific Development. <https://pacificwomen.org/wp-content/uploads/2018/09/Section-1-FSM-EVAW-Final-Report-July2018.pdf> (accessed 26 June 2020).  
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## Country Response to COVID-19

The President of FSM declared a State of National Public Health Emergency on 31 January 2020 and extended it on 14 March 2020 until 31 July. It put in place the following orders:<sup>5</sup>

- Border closure to prevent any person travelling from any country, state or territory with cases of COVID-19 from entering into FSM. Rare exceptions to be granted on a case by case basis which includes certified health experts, technicians and workers assigned to assist FSM in its COVID-19 response;
- Citizens are not allowed travel to any country, state or territory with confirmed cases – exceptions may be granted for FSM Citizens who are legal residents of an affected area, and are returning to their homes or employments or for medical treatment;
- Other citizens, nationals and residents of FSM strongly advised against travel to any country, state or territory with confirmed cases of COVID 19;
- Commercial sea vessels and oil tankers travelling to FSM to trade subject to abide by precautionary measures and protocols set up by the National and State Task Force;
- The power to issue appropriate decrees (including further restrictions) in connection with the emergency declaration.

An Emergency Task Force led by the Department of Health and Social Affairs was also created with the ability to access disaster assistance and emergency funds, to ensure that the movement of people and international travellers do not cause the introduction of COVID-19.

In addition to the restrictions above, a COVID-19 framework is in place that requires the national government to work with state governments to maintain essential services and other support services. The framework is an operational plan within the nation's existing disaster management framework. It sets out a five-stage approach outlining the response required at a national and state level.<sup>6</sup> Each stage is referred to as a COVID-Condition (COV-CON), with COV-CON 5 being the scenario where there are 0 cases and COV-CON 1 being a scenario where there are more than 100 cases. The framework includes an estimated budget for the allocation of resources to each department in the COVID-19 task force. There is no specific allocation for support to existing services for survivors, including safe accommodation, helplines and sexual and reproductive health services.<sup>7</sup>

There is a reference to community outreach packages for community-based awareness and distribution of information including handwashing hygiene, social distancing and distribution of soaps. The packages can include information on existing services and referral pathways, for those experiencing violence and requiring assistance.

## Accessibility of services during COVID-19 restrictions

FSM is currently at COV-CON1, and only travel restrictions are in place. However, if FSM moves to COV-CON2, stay at home orders will become active and non-essential businesses and schools will be closed. Currently, the COVID-19 framework does not provide guidance on which services are considered essential.

<sup>5</sup> The National Government of the Federated States of Micronesia 2020 <https://gov.fm/index.php/component/content/article/35-pio-articles/news-and-updates/320-21st-fsm-congress-extends-public-health-emergency-declaration-to-july-31st-2020-for-most-citizens-residents-status-quo-remains-in-effect-albeit-with-additional-implementation-of-physical-distancing-measures?Itemid=177> (accessed 1 June 2020); A resolution to further amend the President's public health emergency declaration, Congressional resolution 21-149, C.D.1., 4<sup>th</sup> Sess. (2020). Available at [https://www.c fsm.gov.fm/iframe/21%20congress/PASSED%20RESOLUTIONS/C\\_R\\_NO\\_21-149\\_CD1.pdf](https://www.c fsm.gov.fm/iframe/21%20congress/PASSED%20RESOLUTIONS/C_R_NO_21-149_CD1.pdf)

<sup>6</sup> FSM COVID-19 response framework: COVID-19 contingency plan for Federated States of Micronesia (3 April 2020). Available at [https://gov.fm/files/FSM\\_COVID-19\\_Response\\_Framework.pdf](https://gov.fm/files/FSM_COVID-19_Response_Framework.pdf) (accessed 6 June 2020).

<sup>7</sup> Ibid p18.



There is a need to include clear community messages on awareness on COVID-19 and existing support systems, which can be accessed by those that may need it as FSM moves through its five staged alert system.

Finally, the framework introduces robust data collection and also sets aside funds for case management and training of frontline workers. FSM has an opportunity to strengthen better co-ordinate and collect data in the area of gender based violence which has been absent.<sup>8</sup>

Some services such as the Micronesian Legal Service Corporation are limiting physical contact between staff and the public, but are encouraging the public to access legal aid through their website, Facebook page, phone or email.

One of the biggest challenges of assessing the impact of COVID-19 on domestic violence in FSM is the limited availability of data. Although services such as police, helplines, shelters, legal aid and courts remained open during the restrictions, they were unable to provide data on the number of cases received during restrictions.

### Good practices to prevent and combat violence against women and domestic violence

In addition to the framework, different stakeholders are making a considered effort to develop plans to address domestic violence during the emergency period. Within Pohnpei state, standard operating procedures, including step-by-step guides for clinical management of rape, sexual violence and gender-based violence cases, have been drafted and are awaiting approval by the State Director Health in Pohnpei.

FSM National Department of Health has been working with existing service providers to develop GBV and COVID messaging, which will be finalised in mid-June. The messaging has two essential parts. The first is a specific message about coming together as families and communities to prevent COVID-19 and all forms of violence, and the second is a more general message of keeping families and communities safe.

Dissemination of the messages will occur through social media, print posters, providing copies to community leaders through leaflets, in school, announcements from local municipal governments and various activities from the Department of Health.

## Kingdom of Tonga

The Kingdom of Tonga is the only monarchy in the Pacific. It is an archipelago of 170 islands, 36 of which are inhabited. It has four main island groups, Tongatapu and 'Eua in the south, Ha'apai in the centre, Vava'u, Niuatoputapu and Niufo'ou in the north. The total population stands at approximately 106,000.<sup>9</sup> Just over 76 per cent of the population residing rurally, with most people living on Tongatapu.

### Background of domestic violence in Tonga

The National Study on Domestic Violence against Women was conducted in 2012. It surveyed 634 women across 1000 households in the five island groups. It reported 79 per cent of Tongan women and girls had experienced physical or sexual violence in their lifetime, 33 per cent experienced physical violence in an intimate partner relationship, 17 per cent experienced sexual violence, and 24 per cent reported being subjected to emotional violence. Almost half of women (49

<sup>8</sup> Onyango, M. (2020) Sexual and gender-based violence during COVID-19: lessons from Ebola. Available at <https://theconversation.com/sexual-and-gender-based-violence-during-covid-19-lessons-from-ebola-137541>

<sup>9</sup> World Bank Data website. <https://data.worldbank.org/indicator/NY.GNP.PCAP.CD> (accessed 4 October 2019).

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per cent) who had experienced domestic violence did not report it.<sup>10</sup> The study also revealed that women in Tonga experience violence by non-partners (especially fathers and teachers) three times more often than by partners.

Two out of three women had reported experiencing physical violence more than five times in their lives, by someone other than their partner, since they were 15 years old. This high prevalence of non-partner violence did not vary by island group, age or educational level.<sup>11</sup>

A 2005 UN study highlighted heightened vulnerability to violence, sexual abuse and rape in Tonga for women with disabilities. A 2006 survey included anecdotal evidence from those interviewed indicated that women with disabilities experienced sexual violence.<sup>12</sup>

Tonga passed targeted legislation to address domestic violence in 2013. The Family Protection Act has clearly defined objectives:

- I. to ensure the safety and protection of all persons, including children, who experience or witness domestic violence;
- II. to provide support and redress for all victims of domestic violence and economic abuse including health and counselling services;
- III. to implement programmes for victims of domestic violence to assist their recovery in leading a safe and healthy life, this includes calling for a more robust institutional response through the creation of the Family Protection Advisory Council under the Ministry of Internal Affairs; and
- IV. to facilitate the making and enforcement of court orders and Police Safety Orders (PSOs) to stop and increase protection against acts of domestic violence.

### Overview of the impact of COVID-19 on domestic violence in Tonga

Tonga has no confirmed cases of COVID-19. However, in response to the threat of the pandemic, restrictions on gatherings, closures of non-essential businesses, a 14-day lockdown and national curfew were put in place. Impacts of these restrictions were further exacerbated by Tropical Cyclone Harold, which hit the country during its 14 day lockdown period.

Several organisations in Tongatapu provide essential services to survivors of violence including helplines, counselling services, free legal aid, a dedicated Police unit and safe accommodation.

Availability of helplines, legal aid and counselling is available to women in the outer islands by phone; in addition, women and children experiencing violence in Ha'apai can access face to face counselling services.

Essential services remained open and accessible during the period of COVID-19 restrictions. The data collected from these organisations show an increase in the demand for their services, indicating increased incidents of violence during restrictions.

<sup>10</sup> Ma'a Fafine mo e Famili 2012. National study on domestic violence against women in Tonga 2009. Available at <https://pacific.unfpa.org/sites/default/files/pub-pdf/tonga-vaw-report-final-2012.pdf> (accessed 20 May 2020).

<sup>11</sup> Ministry of Internal Affairs, Women's Affairs Division Government of the Kingdom of Tonga (2019), Gender equality: Where do we Stand? The Kingdom of Tonga. Suva, Fiji: Pacific Community. Available at [https://www.spc.int/DigitalLibrary/Doc/HDP/Gender/Gender\\_Equality\\_Where\\_do\\_we\\_stand\\_The\\_Kingdom\\_of\\_Tonga.html](https://www.spc.int/DigitalLibrary/Doc/HDP/Gender/Gender_Equality_Where_do_we_stand_The_Kingdom_of_Tonga.html)

<sup>12</sup> Spratt, J. (2013) A Deeper Silence: The Unheard Experiences of Women with Disabilities – Sexual and Reproductive Health and Violence against Women in Kiribati, Solomon Islands and Tonga. Suva: UNFPA Available at <https://pacific.unfpa.org/sites/default/files/pub-pdf/UNFPAReport-ADeeperSilenceA4PublicationLR3%283%29.pdf> (accessed 6 June 2020).





There is an established referral pathway in Tongatapu, which resulted in a coordinated response to assist survivors during and after COVID-19 restrictions.

## Services available to survivors of violence in Tonga

### Police

There is a Domestic Violence Unit (DVU) located in Tongatapu. The unit has received training on gender-based violence and is responsible for responding to domestic violence situations in a gender-sensitive manner. They have a 'no-drop policy' of cases referred and work closely with existing agencies to facilitate inter-agency referrals.

### Helplines and safe accommodation

Three main NGO support centres are responding to the needs of women experiencing violence in Tonga: the Women and Children Crisis Centre (WCCC), Tonga National Centre for Women and Children (TNCWC), and Ma'a Fafine Moe Famili Inc (MFF).

All three centres are located on Tongatapu and provide counselling services. WCCC offers safe accommodation for women and children who are experiencing violence. TNCWC has a branch in Ha'apai and WCCC had an office in 'Eua, which was destroyed by Tropical Cyclone Harold in 2020.

There are two toll-free helplines available that are run by the WCCC as well as, by the Family Protection Legal Aid Centre for those requiring urgent legal assistance.

### Access to courts

Legal protection is accessible through the Magistrate Court, which has a resident Magistrate to hear all applications for protection orders under the FPA. The Magistrate Court provides access to justice for those in the outer islands through a court circuit.

The Family Protection Legal Aid Centre (FPLAC) provides legal assistance and representation to survivors of domestic violence. The majority of their cases are applications for protection orders, but they also appear for criminal matters, divorce proceedings and child custody matters involving survivors of domestic violence.

### Health services

The Ministry of Health manages the health service in Tonga. A network of community hospitals, health centres and child health clinics provide a range of primary health care services. Tonga Family Health Association is a non-government organisation that provides support for sexual and reproductive health, maternal-child care through two permanent clinics and 15 community-based distributors.

From cases reported in the outer islands, healthcare providers noted a reluctance from women experiencing physical and sexual violence to seek medical treatment. These women prefer to seek medical treatment at a Tongatapu hospital, to avoid the shame and lack of privacy, if they were to seek help closer to home.<sup>13</sup>

<sup>13</sup> Government of Tonga (2018) Post disaster rapid assessment Tropical Cyclone Gita. Available at

<https://reliefweb.int/sites/reliefweb.int/files/resources/tonga-pdna-tc-gita-2018.pdf> (accessed 20 May 2020).

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## Country response to COVID-19 and the impact of TC Harold

The nation announced restrictive measures on 26 March 2020, which included a limit on public gatherings to 10 people indoors and 20 people outdoors. Restaurants, bars, nightclubs and any retail store selling non-essential goods were closed. There was a ban on recreational gatherings and imposition of a nationwide curfew between 8:00pm-6:00 am, which was progressively relaxed to 11 pm. Security personnel were made up of the Tongan Police and the armed forces to enforce the curfew.

Restrictions were eased on 4 May to allow public and recreational gatherings and businesses to reopen. However a nationwide curfew between 9pm -5:00 remains in place.

Tonga was also affected by Tropical Cyclone Harold. After the cyclone hit Vanuatu, it passed through Fiji before moving towards Tonga as a Category 4 storm. In response, Tonga declared a State of Emergency on 8 April.

TC Harold passed through Tonga on 9 April causing significant damage in Tongatapu, Ha'apai and 'Eua.<sup>14</sup> Strict restrictions in place for COVID-19, were immediately relaxed to prepare for the cyclone and to cater for those impacted.

There were no specific exemptions for victims of domestic violence included in legislation, in case of a national emergency. However, the police (including the domestic violence unit) have been able to attend to callouts for domestic violence during the curfew.<sup>15</sup>

## Accessibility of services during COVID-19 restrictions

### Police

The DVU was operational during the restrictions and reported 23 new domestic violence cases (approximately 11 cases per week) and the issuance of 3 police safety notices. Most of these cases were a result of direct referrals from existing support centres.

This number is almost double the number cases per week in 2019, where DVU recorded 315 cases of domestic violence (approximately 6 cases per week) and issued 74 Police Safety Notices. Ninety per cent of the complainants were female.

### Helplines and safe accommodation:

TC Harold destroyed WCCC'S branch located in 'Eua. However, both their helplines were operational during the restrictions. In a recent social media post, WCCC indicated that during the lockdown period 29 March – 12 April they had received 19 new cases involving women, 17 of which related to domestic violence, and of this number 3 required safe accommodation. They also conducted 106 repeat counselling session, 82 of which were cases involving women who had experienced domestic violence and eight involving girls who had reported abuse. The average number of cases per day during lockdown was 8.<sup>16</sup>

Existing data shows that during the period June 2017 to June 2018 WCCC received 430 new clients and assisted 857 repeat clients, it made safe house referrals for 40 women, 58 girls and 31 boys. The average number of cases per day was 3, which is almost three times less than the high number of cases received during the lockdown.

<sup>14</sup> Ibid

<sup>15</sup> Domestic Violence Unit, Tonga

<sup>16</sup> Women and Children Crisis Centre (WCCC) Tonga (1 May 2020) WCCC COVID-19 Lockdown statistics new cases <https://www.facebook.com/photo?fbid=2966312560096108&set=pcb.2966312733429424>. Accessed 11 June 2020.

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### Access to courts

The Magistrate Court remained open during COVID-19 restrictions.

The Family Protection Legal Aid Centre (FPLAC) remained accessible during COVID-19 restrictions; staff relied on telephones to provide legal assistance and take client briefs. Applications for protection orders were made by email during the COVID-19 restrictions and in person after the 14-day lockdown.

Between March 2018 and March 2020, the FPLAC received 636 clients (approximately six clients per week) and assisted 456 clients with legal representation. In 2019, FPLAC made 113 applications under the Family Protection Act 2013 and 81 per cent of these applications were granted.<sup>17</sup>

During the nationwide lockdown (29 March -12 May) the number of clients per week dropped significantly. The FPLAC received a total of 15 clients, approximately two clients per week. The FPLAC made applications for two emergency protection orders and received a total of 9 calls consisting of 5 existing clients, including four calls relating to general enquiries and 1 for a breach of court orders.<sup>18</sup>

Once the restrictions eased (13 April -10 June) the Centre saw a significant increase in its number of clients, seeing almost twice as many clients as before the lockdown. The Centre saw 86 clients (approximately ten clients per week), 66 per cent of whom were new clients seeking assistance for protection and advice relating to matters that occurred during the lockdown.

As a result, the Centre made 23 applications for protection orders with the courts, 22 of which were emergency and temporary protection orders. Most of survivors who sought these orders were seeking assistance from incidents that occurred during the lockdown. The FPLAC reported a hesitancy from women to seek help during the lockdown restrictions, because some felt that they were under constant surveillance from their families; others did not want to be stopped by the security checkpoints.

### Health services

The network of hospitals and the two permanent clinics were operational during COVID-19 restrictions. However, TC Harold and the lockdown restrictions made it difficult for women and the public to access medical services, due to the checkpoints set up throughout Tongatapu.

Obstacles and challenges encountered to prevent and combat domestic violence

Roadblocks were set up by security forces to ensure that the restrictions put in place were complied with. However, these made accessing any of the services located in the town centre very difficult, as each person was required to justify reasons for being out. Survivors might have been deterred from physically accessing services if there was a possibility that they would be questioned and needed to provide details regarding their circumstances to security forces.

The devastation caused by TC Harold posed an additional challenge to efforts to prevent and combat domestic violence. A representative of WCCC noted the surplus demands on women who were having to cater to the needs of additional family members during the lockdown. In addition to meeting the expectations of child care, household chores they had to prepare their families to move to evacuation centres.

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<sup>17</sup> Source SPC-RRRT.

<sup>18</sup> Tonga Family Protection Legal Aid Centre, Tongatapu, Tonga.

Pacific Community (SPC) Headquarters: Noumea, New Caledonia. Regional offices: Suva, Fiji, and Pohnpei, Federated States of Micronesia.  
Country office: Honiara, Solomon Islands.



## Good practices to prevent and combat violence against women and domestic violence

Currently, there is a case management group made up of the Domestic Violence Unit, representatives from the two Crises Centres, Ministry of Health and the Family Protection Legal Aid Centre. They meet fortnightly to coordinate ongoing cases. The group met during COVI-19 restrictions and was able to implement creative solutions to support survivors of violence through referrals, provision of packs, and additional security checks from the Police.

For example, FPLAC appeared in Court on behalf of several clients who had reported breaches of maintenance orders. The Court advised FPALC of delays due to COVID-19 restrictions in place. With the assistance of the two Crises Centres, FPLAC was able to provide the clients and their families with support packages consisting of dry food, clothing, diapers for babies and cash of TOP\$100.00.

## Kiribati

Kiribati consists of 33 coral atolls divided into three groups: the Gilbert Islands, the Line Islands and the Phoenix Islands. The population at the last census was approximately 109,000, the majority of whom reside on South Tarawa where the capital is situated. Kiribati is particularly vulnerable to the impacts of climate change.

### Overview of domestic violence in Kiribati

The recent Kiribati Social Development Indicator Survey showed high levels of violence against women. Significant findings included:<sup>19</sup>

- Approximately 2 out of 3 of ever-married women age 15-49 years have ever experienced emotional, physical or sexual violence at the hands of their current or most recent husband/partner;
- Approximately 1 in 10 women of women age 15-49 have ever experienced sexual violence ;
- More than half of ever-married women age 15-49 years experienced emotional physical or sexual violence by any husbands/partner in the last 12 months preceding the survey;
- Close to 40 percent of ever-married women age 15-49 years experienced physical violence by her most recent husband or partner in the last 12 months; and
- At least 55 percent of women age 15-49 years who have ever experienced physical or sexual violence; never sought help and never told anyone about their experience

In 2013 there was a UN study on experiences of women with disabilities, which interviewed twenty women with disabilities. Although these interviews are not reflective of the situation for all women who are living in Kiribati with disabilities, the findings were consistent with a high prevalence of violence. Approximately half of the women interviewed indicated that their first sexual experience was forced and reported several instances of rape.<sup>20</sup>

To address domestic violence, the government passed a National Policy and Action Plan on Eliminating Sexual and Gender-based Violence in Kiribati and the Te Rau N Te Mwenga 2014 (Family Peace Act), which makes domestic violence a crime and provides for the application of protection orders. Also, the Penal Code was amended in 2017 to expand the definition

<sup>19</sup> Kiribati National Statistics Office (2020) Kiribati- Social Development Indicator Survey 2018-2018, Snapshot of key findings. Available at [https://mics-surveys-prod.s3.amazonaws.com/MICS6/East%20Asia%20and%20the%20Pacific/Kiribati/2018-2019/Snapshots/Kiribati%20MICS%20KSDIS%202018-19%20Statistical%20Snapshots\\_English.pdf\\_1](https://mics-surveys-prod.s3.amazonaws.com/MICS6/East%20Asia%20and%20the%20Pacific/Kiribati/2018-2019/Snapshots/Kiribati%20MICS%20KSDIS%202018-19%20Statistical%20Snapshots_English.pdf_1) (accessed 29 June 2020).

<sup>20</sup> Spratt, J. (2013) A Deeper Silence: The Unheard Experiences of Women with Disabilities – Sexual and Reproductive Health and Violence against Women in Kiribati, Solomon Islands and Tonga. Suva: UNFPA p 76. Available at <https://pacific.unfpa.org/sites/default/files/pub-pdf/UNFPAReport-ADeeperSilenceA4PublicationLR3%283%29.pdf> (accessed 6 June 2020).



of sexual offences and the Disaster Risk Management and Climate Change Act adopted in 2019 recognized gender differences and the vulnerability of women and children in disasters.

The Kiribati government also has standard operating procedures for gender-based violence response in partnership with SAFENET, a network of government and non-government service providers. The document defines key terms and sets Minimum Standards of practice; outlines SAFENET partner roles and responsibilities; and provides guiding principles to ensure each survivor's needs are addressed from a survivor-centred perspective.

It also includes referral and risk assessment tools to ensure safe, coordinated responses between all sectors, in line with the Minimum Standards.

### Overview of the impact of COVID-19 on domestic violence in Kiribati

Kiribati has no confirmed cases of COVID-19, there was a state of emergency in response to the pandemic resulting in travel restrictions, school closures and restrictions on public gatherings.

Essential services including police, courts, legal aid, safe accommodation and helplines remain operational and accessible. The Police reported an increase in cases of domestic violence during the state of emergency.

### Services available to survivors of violence in Kiribati

#### Police

Within the Police, there is a specialist Domestic, Child Protection and Sexual Offence Unit (DCSU) established in 2004 before the passing of Te Rau N Te Mwenga (Family Peace Act). The unit is responsible for responding to cases of violence against women and children and making appropriate referrals to existing service providers.

In 2019, DCSU received approximately 19 cases in a week. This number significantly increased during the duration of COVID-19 restrictions. From 26 March to 31 May 2020, the DCSU has recorded 353 cases of domestic violence, amounting to approximately 37 cases per week. DCSU issued 164 police safety notices, served 25 protection orders, reported eight breaches of police safety notices and three breaches of protection orders.<sup>21</sup>

#### Helpline and safe accommodation

There are two helplines available to survivors of violence. The Police Domestic Violence and Child Abuse helpline and the Kiribati Women and Children Support Centre (KWCS) helpline. Both helplines are available 24 hours a day, seven days a week.

There is only one safe house in Kiribati which is located in the capital and operated by Our Lady of the Sacred Heart Crisis Centre. The safe house takes referrals from SAFENET.

Women and girls experiencing violence in the outer islands can access assistance through the Assistant and Administrative Welfare Officer (ASWO) who may refer the matter to SAFENET Task force at the Ministry of Women, Youth, Sports and Social Affairs in order provide further support or referrals, including access to a safe accommodation located in Tarawa.

#### Access to Justice

<sup>21</sup> Source: Domestic Violence, Child Protection and Sexual Offences Unit, Tarawa, Kiribati.  
Pacific Community (SPC) Headquarters: Noumea, New Caledonia. Regional offices: Suva, Fiji, and Pohnpei, Federated States of Micronesia.  
Country office: Honiara, Solomon Islands.



Survivors can access free legal advice through the Office of Peoples' Lawyer. However, legal aid is only available to the women located in the urban centres, leaving women in rural, remote locations disadvantaged.

### Health

Kiribati Family Health Association (KFHA) provides a range of sexual and reproductive health services for people of all ages. KFHA is currently in its second phase of the Kiribati Healthy Families Project which aims to increase access to sexual and reproductive health information, skills and services, resulting in a reduction in sexually transmissible infections and unplanned pregnancies.

### Country response to COVID-19

The government of Kiribati declared a state of emergency on 26 March 2020 for 30 days, and put in place the following restrictions:

- Closure of all schools
- Social distancing requirements and restrictions on public gatherings
- Border closures: and
- Mandatory 14-day quarantine for any travellers coming into Kiribati.

There are no exemptions to the restrictions above, for survivors of violence who require access to essential services in cases of violence. However, the Police are still able to attend to callouts.

### Accessibility of services during COVID-19 restrictions

COVID-19 restrictions put in place in Kiribati did not consist of any stay at home orders or curfews; all business and services, including the courts, remained open and were accessible during this time. However, the DVSU still recorded high numbers of domestic violence callouts. SAFENET was operational and made referrals.

Although there was awareness carried out for hygiene practices related to COVID-19, there was no specific awareness related to COVID-19 and the availability of services to survivors of violence.

## Republic of the Marshall Islands

The Republic of the Marshall Islands (RMI) is an atoll island country, comprising 1,156 islands and islets, situated in the Pacific Ocean, slightly north of the equator. It is an associated state of United States of America, and the capital and largest city is Majuro.

At the time of writing, RMI is yet to register a case of COVID-19.

### Background of domestic violence in RMI

In 2014, the *Republic of Marshall Islands Family Health and Safety Study* was published, showing high rates of intimate and non-partner violence in the country. Findings showed that 51% of ever-partnered women reported physical and/or sexual intimate partner violence at least once in their lifetime, of which 18% reported having experienced it in the previous twelve months.



In RMI, physical and sexual violence by intimate partners overlaps to a large extent. Nationwide, 20% of women reported partner sexual violence only and 48% of women said that they were subjected to physical violence alone, while 51% reported physical and/or sexual violence by their partner.<sup>22</sup>

The study also uncovered significant rates of women experiencing physical violence from non-partners. One-third (33%) of women in the RMI have experienced physical violence by a non-partner at least once since the age of 15. In the majority of cases, perpetrators were mothers or stepmothers (19%), fathers or stepfathers (18%), and other female family members (6%). Sexual violence was also a problem - approximately 13% of all women reported experiencing sexual violence since they were 15 years old. In most of the instances, the perpetrator was a male family member or male acquaintance.<sup>23</sup>

In 2011, RMI passed its *Domestic Violence Prevention and Protection Act 2011 (DVPPA)*, making domestic violence an offence. As provided for by the DVPPA, domestic violence includes any of the following acts against a family member: assault, sexual assault, psychological abuse or intimidation, economic abuse, restraining freedom of movement, stalking, behaving indecently, and damaging property. A family member includes a: partner, a member of the person's family including their spouse, child, parents, grandparents, grandmothers, uncle/aunt (including in-law), sibling, brother/sister-in-law, nephew/niece, cousin, family members by adoption, a person treated as a family member.<sup>24</sup>

The DVPPA provides for Temporary Protection Orders (TPOs) which can be granted by the Community, District, or High Court, on the grounds that the complainant or child is in danger of an act of domestic violence and is not practicable to apply to a court. A TPO may be made permanent by the Court. An application for a protection order can be made orally, by phone, by radio, in writing, by fax, email or any other mode as required by the court rules and procedures.

While the *Marshall Islands Criminal Code 2011* does not explicitly address domestic violence, it penalises acts of physical and sexual violence such as rape (marital and otherwise, incest, and statutory).<sup>25</sup> RMI also recently passed the *Gender Equality Act 2019* to comply with and domesticate its CEDAW obligations.<sup>26</sup>

## Overview of the impact of COVID-19 on domestic violence in RMI

RMI has no confirmed cases of COVID-19. There was a state of emergency in response to the pandemic resulting in travel restrictions and quarantine requirements. Essential services including police, courts, legal aid, safe accommodation and helplines remain operational and accessible. None of the service providers reported an increase in cases of domestic violence.

## Services available to survivors in RMI

RMI has various services available for survivors of sexual and gender-based violence, in the capital as well as outer islands:

<sup>22</sup> Republic of Marshall Islands Family Health and Safety Study, <https://evaw-global-database.unwomen.org/-/media/files/un%20women/vaw/vaw%20survey/marshall%20islands%20vaw%20survey.pdf?vs=1408> (accessed 25 May 2020).

<sup>23</sup> ibid

<sup>24</sup> GRMI (2011). Republic of Marshall Islands Domestic Violence Prevention and Protection Act 2011.

<sup>25</sup> GRMI (2011). Marshall Islands Criminal Code 2011. [http://rmparliament.org/cms/images/LEGISLATION/PRINCIPAL/2011/2011-0059/CriminalCode2011\\_1.pdf](http://rmparliament.org/cms/images/LEGISLATION/PRINCIPAL/2011/2011-0059/CriminalCode2011_1.pdf) (accessed 22 May, 2020)

<sup>26</sup> GRMI (2019). Gender Equality Act 2019.

Pacific Community (SPC) Headquarters: Noumea, New Caledonia. Regional offices: Suva, Fiji, and Pohnpei, Federated States of Micronesia.  
Country office: Honiara, Solomon Islands.



### **Police**

There is a Domestic Violence Unit within the Marshall Islands Police Department (MIPD) responsible for DV matters. Both national and local Police may respond to a DV call/incidence. There is a no-drop policy in place which requires a police officer, who receives a report of DV to investigate and press charges if appropriate.

### **Helpline and Safe accommodation:**

RMI's only domestic violence helpline is run by the WUTMI's *Weto in Mour Program*, in Majuro, the capital.

There are two shelters available for survivors of domestic violence in RMI, one in the capital Majuro and the other on the island of Ebeye. The shelters are resourced by the Weto in Mour (WiM) program run by the NGO Women United Together Marshall Islands (WUTMI). The names and the exact location of the centres are not available to the public; instead, they are provided to victims in secrecy to ensure their safety.

### **Access to Justice**

An application for a protection order can be made at the Community, District or High Court. These applications can be made in several ways including in person, by telephone or email. Free legal aid is provided by the *Micronesian Legal Services Corporation (MLSC)* in Majuro and Ebeye only.<sup>27</sup> Other islands do not have offices. The Court may also provide free legal assistance if MLSC has a conflict in delivering their services to clients.

### **Access to Health**

The Ministry of Health and Human Services (MHHS) provide reproductive health services for women, including family planning clinics, public health services, counselling, contraceptives, screening and testing, education and awareness. Youth to Youth in Health is a non-governmental organisation that provides a teen pregnancy prevention program, advice, and a clinic for youth offering general health services.

## **Country Response to COVID-19**

Between 24 January and 8 April 2020, RMI issued 14 health travel advisories and restrictions, which closed borders and imposed a strict quarantine on container vessels and tankers.<sup>28</sup> Given that the majority of food and supplies are imported and arrive by boat, this restriction, in particular, had a significant effect on the availability of food and other necessities which caused a strain on many families.<sup>29</sup> On 7 February, the President declared a State of National Emergency (SoE) and ordered all government ministries, departments, private sector and stakeholders to work in unison to plan and coordinate an immediate national preparedness response through the National Disaster Committee (NDC).<sup>30</sup>

<sup>27</sup> Micronesian Legal Services Corporation Strengthening our communities through advocacy <http://micronesianlegal.org/default.asp?seclD=21> (accessed 28 May 2020).

<sup>28</sup> Office of the Chief Secretary (2020) Updated interim health travel advisory and restrictions Issuance cc. Available at [https://drive.google.com/file/d/1QCkMR5Pu\\_Nw-zbh2gmxy1xkYyaxoDnY5/view](https://drive.google.com/file/d/1QCkMR5Pu_Nw-zbh2gmxy1xkYyaxoDnY5/view). (accessed 11 June 2020).

<sup>29</sup> Koroivulaono, T and Reiher, W (16 April 2020) Keeping COVID-19 at bay in the Marshall Islands. Available at <https://devpolicy.org/keeping-covid-19-at-bay-in-the-marshall-islands-20200416/> (Accessed 13 June 2020).

<sup>30</sup> Republic of Marshall Islands 2019 Novel Coronavirus (COVID-19) Updated Interim Health Travel Advisory & Restrictions Issuance 12. <http://rmipa.com/wp-content/uploads/2015/03/COVID-19-Travel-Advisory12.pdf> (accessed 27 May, 2020)





## Accessibility of services during COVID-19 restrictions

As of 13 June 2020, services, business and government agencies were operating as per usual, and there were no lockdown restrictions in place. Lockdown orders will come into effect if the RMI ever records a positive case of COVID-19.<sup>31</sup>

Since the SoE in February 2020, there have been 10 cases of domestic violence reported. Anecdotal evidence from the DVU indicates that these numbers do not reflect an increase or decrease to their current numbers. Both safe houses have been fully operational. However, there are concerns that the safe house would not be able to cater for increased numbers if there was an increase in clients seeking shelter. Discussions are ongoing to ensure safe accommodation for survivors.

The helpline continues to be available. However, accessibility is an issue as the number is not toll-free, providing a challenge to women who may not have access to a mobile or mobile credits to call. WUTMI is currently talking with the telecommunications company in RMI to address this. In addition, survivors calling from other islands have a more expensive mobile phone rate, compared to Majuro callers. Many parts of RMI also do not have network coverage, adding a further challenge to those living in these areas.

MLSC has continued to operate during the restrictions; by placing social distancing measures, limiting physical contact between staff and public, providing provide services through mobile, its website and Facebook page.<sup>32</sup> Since the start of the SoE, there have been 5 DV cases received by the MLSC.

## Good practices to prevent and combat violence against women and domestic violence

A RMI Coronavirus (COVID-19) Pandemic Preparedness and Response Plan has been approved by the government. It is made up of two components, the emergency response which includes strengthening health service delivery and the implementation management and monitoring and evaluation.

To assist with the coordination of national agencies the Ministry of Health and Human Services (MOHHS) has identified response clusters, including a Gender and Protection Cluster which is made up of:

- Ministry of Culture and Internal Affairs' Community Development Division (MoCIA) (including Human Rights Office, Youth Services Bureau, Gender in Development Office, Senior Citizens Affairs, Child Rights Office, Disability Coordination Office);
- Marshall Islands Police Department- Domestic Violence Unit;
- WUTMI- Weto in Mour;
- Deaf Flourish (NGO);
- Marshall Islands Disabled Persons Organization;
- Early Hearing Detection and Intervention Programme (EHDI); and
- SPC RRRT Country Focal Officer.<sup>33</sup>

The Cluster has developed and budgeted a response plan. The response plan specifically recognises that women experiencing gender-based violence are particularly vulnerable and require assistance, and indicates that as part of its

<sup>31</sup> RMI COVID-19 Information (2020) Available at <https://ndmo.gov.mh/rmi-covid19-information/> (accessed 23 June 2020).

<sup>32</sup> Micronesian Legal Services Corporation Strengthening our communities through advocacy <http://micronesianlegal.org/default.asp?secID=21> (accessed 28 May 2020).

<sup>33</sup> Republic of the Marshall Islands World Bank RMI COVID-19 Emergency Response Project (24 May 2020) Stakeholder engagement plan. Available at <http://rmi-mof.com/division-of-international-development-assistance/reports/?fbclid=IwAR3IfK3Q0rsCAADInFwfxDGmxWI17vxiE1ubsXvHE6P7ji-Ogl85T8CgsT8> (accessed 13 June 2020).



environmental and social management framework. It lists MoCIA's community development division, WUTMI-WiM and the Police as essential services to remain open during restrictions. The response plan also sets aside funds to be allocated to support services offered by these service providers.

## Solomon Islands

The Solomon Islands is in the south-western Pacific Ocean, just below the equator. The island nation has over 900 islands and islets. The total landmass of the Solomon Islands is 28,000 square kilometres with a population of approximately 600,000 people and seventy languages. The islands are divided into ten provinces, with the capital, Honiara, situated on the island of Guadalcanal.

### Background of domestic violence in the Solomon Islands

The Solomon Islands has a domestic violence prevalence rate that is higher than the world average. The *Solomon Islands Family Health and Safety Study* found that 64 percent, or two out of every three women, who had been in an intimate relationship reported having experienced either physical or sexual violence from their partner, in their lifetime. The rate of sexual violence was higher than physical violence. Women in the Solomon Islands were also more likely to experience severe forms of physical partner violence, as opposed to moderate partner violence.<sup>34</sup>

Solomon Islands passed the Family Protection Act 2014 (FPA) in 2014; it came into force in 2016. The FPA defines domestic violence as physical, sexual, psychological and economic abuse. It includes a broad definition a domestic relationship and includes members of a family (past and present); people who have parental responsibility for a child (past and present) or who are parents of a child; people who used to be in or are currently in engagement, courtship or customary relationships, or have had intimate/sexual relations of any duration; or domestic worker/s in the home of the another person.<sup>35</sup>

### Overview of the impact of COVID-19 on domestic violence in the Solomon Islands

The Solomon Islands has no confirmed cases of COVID-19. The country imposed restrictions on public gatherings. Border closures, mandatory quarantine requirements, a 36-hour lockdown and an evening curfew in Honiara was also enforced.

There is an existing formal referral network of essential services known as SAFENET which includes police, helplines, counselling, safe accommodation and legal assistance. These services were available throughout restrictions.

There is a lack of available data from service providers, however anecdotal information received indicates that some service providers experienced a decrease in the number of clients when the SoE began, but are now reporting an increase due to an easing of restrictions.

### Services available to survivors in the Solomon Islands

Domestic violence services are available, both in the capital, Honiara, and the provinces.

<sup>34</sup> SPC (2009). Solomon Islands family health and safety study. Noumea: Secretariat of the Pacific Community.  
<https://pacific.unfpa.org/sites/default/files/pub-pdf/SolomonIslandsFamilyHealthandSafetyStudy.pdf>.

<sup>35</sup> SIG (2014). Family Protection Act 2014.

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In Honiara, a network of government and non-governmental organisations signed a memorandum of understanding in March 2013 to formalize a referral network known as SAFENET. The network has four components: services and support; coordinated formal referral; prevention and advocacy programmes; as well as governance and accountability.<sup>36</sup> More members have been added since its inception and the following government and non-government services providers are included at present:

- Family Support Centre (psychological first aid, counselling, legal assistance);
- Christian Care Centre (safety, long-term shelter)
- Solomon Islands Planned Parenthood Association
- Seif Ples (Toll-free helpline for sexual and gender based violence cases, including domestic violence - 132, medical first aid, treatment, temporary shelter)
- Ministry of Health and Medical Services – Social Welfare Division, Integrated Mental Health Services, National Referral Hospital, Honiara City Council Clinics (treatment, medical report, child welfare protection needs)
- Royal Solomon Islands Police Force (safety, protection, toll-free emergency helpline - 999)
- Ministry of Women, Youth, Children and Family Affairs (coordination)

In the provinces, outside of Honiara, services are limited. In Malaita, there two shelters, both operating out of the provincial capital - the Malaita Provincial Council of Women (MPCW) and the Malaita Christian Care Centre (MCCC). The Royal Solomon Islands Police Force (RSIPF) has police stations and posts in all ten provinces; however, provinces are primarily rural with limited road access making effective service of court orders challenging. The Ministry of Health and Medical Services (MHMS) has hospitals in most provincial capitals as well, providing treatment and medical reports as needed. The Family Support Centre (FSC) has branches/committees in at least four provinces outside of Honiara.

Protection orders can be accessed through the Magistrate Court in Honiara or through Authorised Justices (AJ), who are local court justices mandated under the FPA to provide interim Protection Orders (IPOs) for protection in all provinces.<sup>37</sup> SPC RRRT is currently piloting a project to build the capacity of AJs in Malaita and Guadalcanal provinces to respond to domestic violence cases and support women to obtain interim protection orders. It has also begun working to develop a simple guideline to help women who want to apply for IPOs from an Authorised Justice or Magistrate.

## Country response to COVID-19

On 25 March 2020, the Governor-General of Solomon Islands declared a State of Emergency (SoE) to preserve public security and protect the Solomon Islands from COVID-19. Following the proclamation, the following restrictions enforced:

- Prohibition of public assembly, public procession or social gatherings in the emergency zone (Honiara city);<sup>6</sup>
- Ban on entry of non-citizens into the Solomon Islands for the duration of the emergency period, an exemption for those entering for humanitarian purposes;<sup>38</sup>
- A mandatory quarantine requirement for 28 days for anyone entering the Solomon Islands;<sup>39</sup>
- A 36-hour lockdown in Honiara to simulate an emergency response by government and essential services, including SAFENET. An evening curfew in Honiara from 8 pm to 5 am;
- Restriction on travel by small craft vessels between the Papua New Guinea and Solomon Islands border, effective 9 March 2020;<sup>40</sup>

<sup>36</sup> SIG (2017) SAFENET Guidebook 2017.

<sup>37</sup> SIG (2014). Family Protection Act 2014.

<sup>38</sup> SIG (2020). Proclamation Declaring State of Public Emergency, 25<sup>th</sup> March, 2020.

<sup>39</sup> SIG (2020). Emergency Powers (COVID-19) (NO.2) (Amendment) Regulations 2020.

<sup>40</sup> SIG (2020). Restrictions of Movement of small Craft Vessels (Solomon Islands and Papua New Guinea Border) Order 2020.

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- Restrictions on vessels that are entering or berthing at the port of Honiara, effective 19 May, 2020;<sup>41</sup>
- Restrictions and requirements of foreign ships and fishing vessels and crew entry into Solomon Islands ports or wharfs, effective from 12 May, 2020.<sup>42</sup>

Exemptions to the curfew, and 36-hour lockdown, allow people to leave their homes as a matter of urgency. Although “matter of urgency” has not been specified, this provision could be used for domestic violence cases or violence against women survivors, who are in danger.

## Accessibility of services during COVID-19 restrictions

### Police

The Royal Solomon Islands Police Force (RSIPF) has a national Crime Prevention and Family Violence Unit, set up in 2009, which is responsible for the overall implementation of the RSIPF’s *Family Violence Policy*. All provincial police stations also have Family Violence Units and Family Violence Coordinators. According to the Unit, the Police have recorded 28 domestic violence cases and issued 30 PSN’s since the SoE came into effect.<sup>43</sup> There is currently no comparable data to assess if these figures are more or less than usual.

### Helplines

There are two toll-free helplines in the Solomon Islands - 132 is housed by Seif Ples, on behalf of SAFENET. The Police operate 999 emergency line. Both are available to survivors of domestic violence and have continued to provide 24-hour services during the COVID-19 restrictions.

While the helplines have continued to be operational, there are existing challenges. Many parts of the country do not have network coverage. Also, most women do not own or have access to mobile phones and although Seif Ples has reported a significant decline in clients physically accessing services, they have reported an increase in calls seeking general health information on COVID-19.<sup>44</sup>

### Safe accommodation

The Anglican Church of Melanesia operates the Christian Care Centre (CCC) which is located outside Honiara and provides long term accommodation survivors of violence. CCC was operational during COVID-19 restrictions and reported a decrease in the number of survivors accessing their services. Before the restrictions (1 January – 28 February) were introduced, 8-9 clients per a week were accessing CCC. Since the restrictions came into force, this number dropped to 2-3 clients per week.<sup>45</sup> As restrictions ease, CCC is beginning to see more clients coming into access their services. CCC reported that women were concerned about contracting COVID-19 and did not venture out of the house. Others were unable to leave due to familial obligations and a lack of financial means to travel to CCC.

Temporary accommodation is usually available at Seif Ples, which is a safe house located within the Rove Police Headquarters in Honiara. However, Seif Ples has closed its overnight shelter due to occupational health and safety reasons. The temporary closure of Seif Ples means that survivors who are travelling to Honiara seeking temporary

<sup>41</sup> SIG (2020). Restriction of movement of vessels in Emergency Zones Order 2020.

<sup>42</sup> SIG (2020). Restriction of movement of Foreign Vessels Order 2020.

<sup>43</sup> Royal Solomon Islands Police Force. Family Violence Unit. Honiara.

<sup>44</sup> Gender Based Violence in Emergencies Committee Report #1. 30<sup>th</sup> April, 2020.

<sup>45</sup> Christian Care Centre, Honiara.



accommodation are potentially stranded. Many are unable to afford safe transport to Christian Care Centre, which is a considerable distance away.<sup>46</sup>

The Malaita Christian Care Centre (MCCC) and Malaita Provincial Council of Women (MPCW) provide shelter for survivors of violence in Malaita Province. MPCW has ceased operations during the COVID-19, while MCCC continues to operate and has reported a marked increase in women and children accessing their service for violence matters.<sup>47</sup>

### **Access to Justice**

The FPA provides for two types of Protection Orders (POs) – Interim Protection Order (IPO) and Final Protection Order (FPO). The IPO can be made by the Magistrates Court or an Authorised Justice (AJ) if there is a need for urgent and immediate protection for a victim/survivor of domestic violence. Applicants can make an application for a protection order via the phone. However, this service is not used as the court staff have not received training on how to handle these applications. Only Magistrates Courts have the jurisdiction to make an FPO.

During the COVID-19 restriction period, four applications for IPOs were received by AJs<sup>48</sup>: IPOs were issued for two cases, and the other two cases were referred to the Police because they were criminal matters that did not fall in the parameters of the FPA.

According to the SPC Regional Rights Resource Team's Access to Justice Project (A2J) staff, there has been a marked increase in the number of complaints received by AJs, since COVID-19 measures came into place.<sup>49</sup>

The Magistrates Court in Honiara was inaccessible during the 36-hour lockdown period but resumed hearings after this period. It is currently prioritising curfew/lockdown violations which are contributing to a further backlog to the list of domestic violence/gender-based violence/family maintenance cases.

The Office of the Public Solicitor (PSO), as well as the Family Support Centre (FSC), are located in Honiara and provide free legal assistance. The PSO is not included in the government's list of essential lawyers and has been impacted by the scale down of public officers by the government. FSC continues to provide services. However, they have reported that women are increasingly stating that they do not have bus fares to access FSC's services.

The main challenges with accessing justice for women in rural areas across the provinces are the distance and costs of travelling to the closest Magistrates' Court, as well as the confidence to approach courts. AJs are in some but not all communities. The government's recommendation for Honiara residents who could return to their villages is leading to overcrowding in rural communities and resulting in significant family pressures that can exacerbate violence.

### **Access to Health**

Ministry of Health and Medical Service provides reproductive health services for women is provided through the (National Referral Hospital, Honiara City Clinics, and private clinics in Honiara; and provincial hospitals and area health clinics in the provinces). The Helena Goldie Hospital in Munda, Western Province and Atoifi Hospital in Malaita Province are church-run hospitals also providing this service. Apart from these, the Solomon Islands Planned Parenthood Association (SIPPA)

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<sup>46</sup> *ibid*

<sup>47</sup> Malaita Christian Care Centre (MCCC), Malaita.

<sup>48</sup> Ms Ruby Awa, SPC RRRT A2J Project Manager, interview dated 19<sup>th</sup> May, 2020.

<sup>49</sup> *ibid*

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is the only non-governmental organisation providing reproductive health services in the Solomon Islands. It is based in Honiara, with branches in Auki, Malaita, Gizo and Taro (rural centres).

These service providers remained operational during the SoE, except for SIPPA, which is currently only providing limited services.<sup>50</sup> SIPPA was also closed during the lockdown period. Other Honiara-located services remained open during the lockdown but saw only emergency and serious cases.

The SIPPA office in Auki reported a surge in women accessing reproductive health services from the start of the COVID-19 SoE, which they are attributing to the village repatriation exercise carried out by the government. Whereby, the government assisted those who were wanting to return to their home provinces but did not have means to.

### Obstacles and challenges encountered to prevent and address domestic violence

The 36-hour lockdown revealed that agencies in Honiara are prepared and have response plans in place. However, it also showed specific gaps in responding to the safety of women and children, and *The Gender and Protection in Emergencies Cluster (GBViE sub-committee)* is working to address this. Gaps include:<sup>51</sup>

- Not all services providers were formally recognised as essential services under the lockdown;
- Existing shelters are unable to cater for an increase in numbers requiring these services;
- Access to legal assistance has been limited due to a scale-down of government employees;
- Data collection needs to be prioritised and consistently analysed to ensure a clear picture of women survivors' engagement with services;
- There is a need to provide service providers with Personal Protective Equipment (PPE) and mobile capabilities through phones and phone credit so that they can continue to assist survivors during a pandemic safely;
- Provinces need to be better supported to prepare for an increase in domestic violence. The movement of people to provinces has led to a rise in the housing and financial pressure on families.
- Accessibility of services in provinces is challenging due to a highly dispersed population, a lack of human resources and capacity within the Ministry of Women, Youth, Children and Family Affairs (MWYCFA) to engage with provincial stakeholders effectively. The focus has been mainly on Honiara and Western and Choiseul Provinces, as the selected emergency zones due to concerns regarding border security and closeness to Bougainville and PNG.

### Good practices to prevent and combat violence against women and domestic violence

A new referral pathway was created called *The Solomon Islands COVID-19 SAFENET Referral Pathway Preparedness and Response*. With the new referral pathway, SAFENET conducts essential health screening before providing SGBV services. In the case of a positive COVID-19 case, the new referral pathway only allows the Police, Christian Care Centre and Honiara City Council Clinics to provide face to face services, with Christian Care Centre providing shelter to high-risk cases only. All other SAFENET services will be through phone support only.<sup>52</sup>

During the 36-hour lockdown (20th – 22nd May) text messages were sent from Seif Ples informing survivors of their services that they could leave their homes should they feel that their lives were in danger, during the lockdown.

The following measures were also put in place during a 36-hour lockdown in Honiara by service providers:<sup>53</sup>

<sup>50</sup> Gender Based Violence in Emergencies Committee Report #1. 30<sup>th</sup> April, 2020

<sup>51</sup> Ms Vaela Falefehi Ngai, Director Women's Development Division, MWYCFA, Solomon Islands Government, interview dated 29<sup>th</sup> May, 2020.

<sup>52</sup> SAFENET (2020). *Solomon Islands COVID-19 SAFENET Referral Pathway Preparedness and Response*.

<sup>53</sup> Ms Vaela Falefehi Ngai, Director Women's Development Division, MWYCFA, Solomon Islands Government, interview dated 29<sup>th</sup> May, 2020.

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- SAFENET agencies were provided with passes to allow movement through Honiara during the lockdown;
- Community awareness conducted to ensure that victims of violence knew about the lockdown, and were encouraged to plan for their safety in advance, including identifying support structure available to them;
- Police provided additional points of contact for domestic violence support;
- People with Disabilities Solomon Islands (PWDSI) offered direct client support to assist women and children with disabilities, to access services;
- Solomon Islands' primary shelter, the Christian Care Centre in Honiara, remained open with health screening measures in place;
- Infographics for safety planning have been developed and disseminated to existing service providers.

### Additional information

FSC and the RSIPF Sexual Assault Unit reported a decline in client numbers during March and April, which could be a direct result of COVID-19-related measures with women reluctant to leave home or visit services due to concerns regarding potential infection.

The decrease in numbers could also be related to the fact that there was a large number of people who returned to their home provinces, where there are limited services available. Further, it could also relate to the lack of public knowledge about available services.<sup>54</sup>

## Tuvalu

Tuvalu is one of the world's smallest states. It consists of nine small islands. The capital, Funafuti, is located on the main island.

During the 2017 mini census, Tuvalu's total population was 10,645 with more than half, 6716 people living on Funafuti.<sup>55</sup> Around 75 per cent of the labour force in Tuvalu work in a subsistence and informal economy. A higher proportion of males (70%) than females (48%) are economically active, and males make up 57% of the labour force. However, women comprise 78% of the labour force in the subsistence economy and 37% of the labour force in cash employment.<sup>56</sup>

### Background of domestic violence in Tuvalu

The *Tuvalu Demographic and Health Survey*, conducted in 2007, reported that approximately half of the women interviewed had experienced some form of violence: 37 per cent reported experiencing physical violence, 21 per cent reported experiencing sexual violence, and 13 per cent indicated that their first sexual experience was forced. Of the women who had experienced intimate partner violence, 42 per cent reported sustaining physical injuries such as cuts, bruises, dislocations, eye injuries and burns.

The report also indicated widespread acceptance of physical domestic violence in Tuvalu. A large percentage of women (70%) believe that a husband is justified in beating his wife in at least one situation. The most widely accepted reasons are: neglecting the children (66%), going out without informing her husband (42%) and arguing with her husband (28%). The results for male respondents were very similar, with 73% of men agreeing that a husband is justified in hitting his wife in at least one situation. Again, the most widely accepted reasons were: neglecting the children (64%), going out without

<sup>54</sup> Gender Based Violence in Emergencies Committee Report #1. 30<sup>th</sup> April, 2020.

<sup>55</sup> Ministry of Finance, Economic Planning and Industries. (2017) Tuvalu Population and Housing Mini-Census 2017. Funafuti, Tuvalu: Central Statistics Division. Available at [https://www.tuvaluarchives.tv/tuvalujspu/bitstream/1/170/1/2017\\_Census\\_Preliminary\\_Report-release.pdf](https://www.tuvaluarchives.tv/tuvalujspu/bitstream/1/170/1/2017_Census_Preliminary_Report-release.pdf). (Accessed on 13 June 2020).

<sup>56</sup> [https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms\\_120556.pdf](https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_120556.pdf)

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telling husband (39%) and arguing with husband (28%). Younger men and men with no education, are more likely to believe that violence against women is justified.<sup>57</sup>

In December 2014, the Tuvaluan parliament passed targeted legislation addressing domestic violence. The Family Protection and Domestic Violence Act defines violence as physical abuse, sexual abuse, verbal abuse, economic abuse and psychological abuse. It criminalises any type of domestic violence and any breaches of protection orders issued under the Act.

### Overview of the impact of COVID-19 on domestic violence in Tuvalu

Tuvalu has no confirmed cases of COVID-19. Orders following a state of emergency included border closures, mandatory quarantine requirements as well as a relocation order for people that were not residents of the densely populated island of Funafuti.

A rapid assessment of the socioeconomic impacts of COVID-19 on Tuvalu was carried out by the Ministry of Health, Social Welfare and Gender Affairs. The report found that more women had lost their income as a result of the pandemic. Majority of women were involved in the hospitality, handicraft and tourism industry were without an income and were unable to support their families. The report did not show an increase in domestic violence cases; instead, it attributes the low numbers of reporting to women being unable to leave the house to seek help.<sup>58</sup>

There are limited services available to survivors in Tuvalu. On Funafuti, survivors can access safe accommodation, protection from the police, counselling through the gender affairs and social welfare department and health care through government clinics. There are currently no shelters counselling, or helplines available to those in the outer islands. Access to protection through the Courts is limited in both Funafuti and the outer islands..

As a result of the relocation order, those returning to their home islands were unable to access these services. Police on Funafuti also reported a decrease in the number of domestic violence cases, which can be directly attributed to the reduced population. Currently, survivors are unable to access protection orders through the Magistrates court, creating a considerable barrier to access to justice.

There is a government fund available for survivors of violence that can be accessed based on a needs assessment.

### Services available to survivors

The following services providers respond to domestic violence in Tuvalu:

#### Police

A domestic violence unit was established with the Police in 2006 and has two dedicated officers. In 2019 the DVU had reported a total of 91 cases for Funafuti. Outside of the capital, *Falekaupule* (traditional assembly of elders) and *Kaupule* (island council) are obliged to use their resources to assist the Police in the detection and prevention of crime, within the area of its authority.<sup>59</sup> *Falekaupule* have wide-ranging authority to use its resources to support the Police the detection and prevention of crime. Some *falekaupule* nominate individuals as *island police* who are tasked with assisting in crime prevention.

<sup>57</sup> Secretariat of Pacific Island Countries Community (SPC) & Macro International. (2009). Tuvalu Demographic and Health Survey 2007. Noumea, New Caledonia: Secretariat of Pacific Island Countries Community.

<sup>58</sup> Gender Affairs Department. Rapid assessment of the socioeconomic impacts of the COVID-19 Global Pandemic (13 May 2020).

<sup>59</sup> *Falekaupule Act*. Cap. 4.08. [http://www.pacii.org/tv/legis/consol\\_act\\_2008/fa121/](http://www.pacii.org/tv/legis/consol_act_2008/fa121/) (accessed 4 August 2019).

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### Helplines and safe accommodation

Two helplines are available to survivors of violence: the first is a general emergency line operated by the Police and is available 24/7 and the second is run by the Social Welfare Department, which is set up to assist survivors of domestic violence. This line is operated from 8 am to 4.00 pm Monday to Friday. These lines are only available to residents of Funafuti and are toll-free. In the outer islands, help can be accessed through the local police department.

There is a government-run safe house in Funafuti which can house 4 survivors of violence at a time in their 'K houses.' There are no safe houses available for those in the outer islands. However, survivors of domestic violence are able to apply for financial assistance through the Domestic Violence Fund, which requires approval from the Minister of Social Welfare and Gender Affairs, with advice from the government's CEDAW Committee.

### Access to Justice

Women experiencing domestic violence are able to get legal advice from the Office of the Peoples' Lawyer, Attorney-General's Office, Gender Affairs Department, Social Welfare Department and the Police Domestic Violence Unit.

### Health services

The country's only hospital is on Funafuti. The hospital is difficult to access for those on the outer islands. There are two health clinics, one south and one north of Funafuti. Eight health centres cover the outer islands, which are usually only staffed with a nurse who can provide primary care and preventive services. The country has a Medical Treatment Scheme, which facilitates travel to overseas hospitals for those patients that need advanced clinical care.<sup>60</sup> The government provides most health services except family planning services, which are jointly offered by the public health services and the Tuvalu Family Planning Association.<sup>61</sup>

## Country response to COVID-19

The Tuvaluan government convened a COVID-19 health taskforce in late January 2020, and as a result, border restrictions were put in place. Any visitors that had been anywhere other than Fiji, Kiribati, Vanuatu, Solomon Islands, Samoa and Tonga were required to self-isolate for 14 days.

Fiji is the point of departure for most flights coming into Tuvalu, and on 20 March Tuvalu declared a state of emergency after the first case of COVID-19 was confirmed in Fiji. Borders were closed except for vessels, which were exempt because they were carrying essential supplies of food, medicine, fuel, humanitarian assistance, etc. Schools throughout the country were closed, and there were restrictions placed on public gatherings. The government also ordered the compulsory relocation of people from Funafuti to their home islands and prohibited anyone from entering Funafuti, unless it was for medical referrals.

Restrictions have eased slightly now, schools have resumed, and public gatherings are allowed. However, domestic travel requires prior government approval.

Emergency regulations have allowed the government to control the sale and price of essential items and the local food system. Residents were provided with seedlings and encouraged to use these in their home gardens, in the capital and

<sup>60</sup> Tuvalu–WHO Country Cooperation Strategy 2018–2022. WPRO/2017/DPM/024. <https://apps.who.int/iris/rest/bitstreams/1096384/retrieve> (accessed 10 August 2019).

<sup>61</sup> Ibid.  
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outer islands. A message was sent to landowners, encouraging them to stockpile produce such as root crops, preserve breadfruit, store coconuts and dry fish.<sup>62</sup>

Although there are no specific exemptions to restrictions for survivors of domestic violence, survivors can ask for assistance through the government's CEDAW Committee, who can make a recommendation through the Minister of Health, Social Welfare and Gender for approval from the Prime Minister.

## Accessibility of services during COVID-19 restrictions

### **Police**

The police domestic violence unit remained open and accessible during the restrictions.

In 2019 there were a total of 91 cases of domestic violence that was dealt with by the domestic violence unit, 88 per cent of cases involving male perpetrators. During COVID-19 restrictions (January–May 2020) the unit reported 11 cases of domestic violence, where 10 out of the 11 cases involved male perpetrators. This number is significantly less than the 49 cases that were reported during the same period in 2019. The domestic violence unit also indicated that they issued ten police safety notices during this time.<sup>63</sup> According to a recent report by the Social Welfare department, this decrease in numbers cannot be attributed to a reduction of domestic violence. Instead, the decrease in numbers could be reflective of a fear of reporting during restrictions and a direct result of the decrease in population on Funafuti.

### **Helpline and safe accommodation**

Both the helplines and the safe house remained available during the restrictions. While the restrictions were in place (February-May), the helplines were available and reported an increase in the number of calls. Anecdotal evidence indicated that the Police received over 40 calls, which is more than usual.<sup>64</sup>

The Gender Department and Social Welfare department have counsellors available to assist survivors of violence.

### **Access to Justice**

Victims of domestic violence were able to get assistance through the Office of the Peoples' Lawyer, Attorney-General's Office, Gender Affairs Department, Social Welfare Department and the Police Domestic Violence Unit.

### **Health**

All health services were available during restrictions. However, all Funafuti based services under Department of Health Sexual and Reproductive and Mother and Child Services (and the MCH Dept of Health team) have been operating out of the offices of the Tuvalu Family Health Association since 20 April, as the Department of Health is in the process of renovating the MCH Clinic at Princess Margaret Hospital into a COVID-19 Triage Centre if required.

## Obstacles and challenges encountered to prevent and combat domestic violence

The only Magistrate Court is on Funafuti. The Family Protection Domestic Violence Act allows protection orders to be applied for over the phone.

<sup>62</sup> Farbotko, C. and Kitara, T. (6 April 2020) How is Tuvalu securing against COVID-19. Available at <https://devpolicy.org/how-is-tuvalu-securing-against-covid-19-20200406/> (accessed on 13 June 2020).

<sup>63</sup> Domestic Violence Unit, Funafuti, Tuvalu.

<sup>64</sup> Ibid.



However, the Courts has been unable to hear any applications under the FPA because the position of Senior Magistrate has been vacant since September 2018. The domestic violence legislation allows island magistrates to issue protection orders for people located in the outer islands. However, many island magistrates are not aware of the scope of their responsibilities and obligations under the act and are not utilising these provision to assist survivors.

Data received from the judicial officer indicates that there was only a single application for protection order filed in 2019. This was dealt with by the Island magistrate who encouraged reconciliation.

Finally, as most of the services available to survivors are located on Funafuti, the order requiring people return to their homes in the outer islands, has rendered them inaccessible.

### Good practices to prevent and combat violence against women and domestic violence

The Government of Tuvalu provided additional resources to their Gender Affairs Department to provide services during the restrictions. Radio awareness carried out on the impacts of COVID-19, including where to access help for those experiencing domestic violence.

There was an increase in police patrols in the evenings and counsellors providing services to survivors of violence, who can make referrals to the CEDAW Committee if they require financial assistance. During 2020, four survivors who had dependent children had been able to access financial assistance through the CEDAW Committee.

The Gender Affairs Department of the Ministry of Health is currently compiling the results of a rapid gender survey that focused on the economic status of women working during the preparation of COVID-19, including the impacts of relocation as well as specifically domestic violence. The report is expected to be released in early July. The Social Welfare Department is conducting a similar survey that focuses on vulnerable persons, including women, children, elderly and persons with disabilities.

### Vanuatu

Vanuatu is situated in the south-western Pacific and consists of 83 islands, with the majority of the population spread over 22 islands. In 2019 the population was estimated to be 299,882 people, with eighty per cent of ni-Vanuatu living in rural areas. The country was listed by the United Nations Institute for Environment and Human Security, as the world's most at-risk country for natural disasters.<sup>65</sup>

### Background of domestic violence in Vanuatu

The Vanuatu National Survey on Women's Lives and Family Relationships noted that 3 out of 5 (60 per cent) women had experienced intimate partner violence, of which 90 per cent experienced severe violence.<sup>66</sup> According to this nationwide population-based study, 68 per cent experienced emotional violence, 69 per cent experienced a form of coercive control from an intimate partner in their lifetime. Violence against women occurred in all provinces and islands, and among all age groups, education levels, socio-economic groups and religions. However, overall, levels of violence were higher in rural than in urban areas.

Intimate partner violence during pregnancy was also common: 15 per cent of ever-pregnant women reported violence during pregnancy, and 9 per cent had been hit or kicked in the stomach whilst pregnant. Half of the women in Vanuatu

<sup>65</sup> United Nations Institute for Environment and Human Security, 2014. World Risk Report 2014, Bonn, Germany p 9.

<sup>66</sup> Vanuatu Women's Centre, 2011. The Vanuatu National Survey on Women's Lives and Family Relationships. Port Vila, Vanuatu p11.



had experienced violence by a non-partner since the age of 15. In most cases, the perpetrators were male family members or intimate partners.

The prevalence of sexual abuse against girls was one of the highest in the world: nearly a third (30 per cent) of women has been sexually abused before the age of 15 years. For 28 per cent of all women surveyed, their first sexual experience was forced. Although there was no specific data available for women with disabilities, the study recognised that women with disabilities were at considerably higher risk of physical, sexual abuse and neglect.<sup>67</sup>

Vanuatu was the first Pacific Island country to put in place specific legislation to address domestic violence.<sup>68</sup> The Family Protection Act (FPA) was passed in June 2008 and came into force in March 2009. The FPA creates a criminal offence for committing an act of domestic violence where the offender can be sentenced for up to five years imprisonment or fined up to VUV100,000, or both. The FPA also provides for civil protection orders, which can be issued in cases where the defendant has committed or is likely to commit an act of domestic violence against the complainant.

The FPA defines a family member broadly and includes any person that is ‘treated by the person as a family member.’<sup>69</sup> A majority of Vanuatu’s population live in rural and remote areas and are dispersed across 63 of the nation’s 83 islands. To overcome this challenge and provide better access to justice for women in these areas, the FPA allows “Authorised Persons” to make temporary protection orders for 14 days and for registered counsellors to provide support to victims.<sup>70</sup>

Authorised persons include chiefs, assistant chiefs, church, community leaders, teachers, health workers that have been nominated by chiefs, high ranking police officers and teachers, or anyone that applies in writing to the Minister of Women’s Affairs. Although the FPA came into force in 2009, authorised persons and registered counsellors were not appointed until 2018.<sup>71</sup> There are currently 12 authorised persons and seven registered counsellors in six communities across 12 provinces.<sup>72</sup>

## Overview of the impact of COVID-19 on domestic violence in Vanuatu

Vanuatu has no confirmed cases of COVID-19.

It has an established referral pathway for survivors of violence. The country’s response to COVID-19 was exacerbated by effects caused by TC Harold, which had a significant impact on services available and data collection.

There was a considered effort by the government to provide a gendered response to COVID-19, as well as TC Harold. There was a gender cluster set up that worked on strengthening referral pathways. Community awareness on COVID-19 and domestic violence was carried out, and information on services was disseminated to stakeholders and schools.

<sup>67</sup> Vanuatu Women’s Centre, 2011. The Vanuatu National Survey on Women’s Lives and Family Relationships. Port Vila, Vanuatu p11.

<sup>68</sup> Jalal, I. Harmful Practices against Women in Pacific Island Countries: Customary and Conventional Laws. Expert Paper for UN Expert Group Meeting on Good Practices in Legislation to Address Harmful Practices against Women, Addis Ababa, Ethiopia, 25–28 November. Available at [https://www.un.org/womenwatch/daw/egm/vaw\\_legislation\\_2009/Expert%20Paper%20EGMGPLHP%20\\_Imrana%20Jalal\\_.pdf](https://www.un.org/womenwatch/daw/egm/vaw_legislation_2009/Expert%20Paper%20EGMGPLHP%20_Imrana%20Jalal_.pdf)

<sup>69</sup> Family Protection Act 2008

<sup>70</sup> Napwatt, F (23 January, 2018) Authorised Persons and Registered Counsellors pilot project launched. *Daily Post*. Available at [https://dailypost.vu/news/authorised-persons-and-registered-counsellors-pilot-project-launched/article\\_8688d2a2-6cfe-5817-946f-34fb15a8a182.html](https://dailypost.vu/news/authorised-persons-and-registered-counsellors-pilot-project-launched/article_8688d2a2-6cfe-5817-946f-34fb15a8a182.html). (Accessed 14 June 2020).

<sup>71</sup> The appointment of authorised persons and registered counsellors were made possible through a pilot project that was supported by UN Women and the Government of Australia which was launched in January 2018 by Ministry of Justice and Community Services in Vanuatu and Stretrem Rod Jastis mo Sefti;

<sup>72</sup> International Center for Research on Women 2012. *Violence Against Women and Girls in Melanesia and East Timor*. Available at <https://www.icrw.org/wp-content/uploads/2016/10/Violence-against-women-in-Melanesia-Timor-Leste-AusAID.pdf> accessed May 2020. (Accessed on 14 June 2020).



## Services available to survivors in Vanuatu

### Protection

The Government of Vanuatu has established a family protection unit, housed by the Vanuatu Police Force. The family protection unit is in four provinces and is responsible for dealing with and investigating any reports of domestic violence, as well as serving the protection orders to the perpetrators of DV.

### Counselling, legal aid, and helpline

Vanuatu Women's Centre is the primary provider of essential services relating to gender-based violence. The centre currently runs a 24-hour helpline, has five provincial counselling centres and has set up Committees Against Violence Against Women in every province, to provide assistance to survivors through counselling services and the provision of safe accommodation.

There are currently 41 active committees which consist of 200 volunteers who deliver a wide range of services including conducting outreach and awareness, providing individual and family counselling, supporting women to access protection orders and working with local chiefs in *kastom* dispute resolution relating to EVAW.<sup>73</sup> In 2019 the Vanuatu Women's Centre provided legal and counselling services to over 6,574 women across the country.<sup>74</sup>

### Health services

The Ministry of Health supports Reproductive, Maternal, Neonatal, Child and Adolescent Health Committee (RMNCAH) to coordinate activities and provide services across all areas of the health system. The provision of public health services is through the Vanuatu Central Hospital, Vanuatu Family Health and Northern District Hospital.<sup>75</sup> In addition to this, Vanuatu Family Health Association provides sexual and reproductive health services through two clinics located in Port Villa and the other in Santo and 11 youth friendly sites, across six provinces of Vanuatu.<sup>76</sup>

## Country response to COVID-19 and the impact of TC Harold

In its response to COVID-19, Vanuatu declared a state of emergency on 26 March 2020, which has been extended twice and is currently in place to 11 June 2020. Travel restrictions were put in place with borders being closed and travel between the islands limited.

There was a curfew imposed on businesses and public gatherings were limited to a maximum of 5 people. There was also an order issued that media outlets were not allowed to publish any articles about COVID-19 without authorisation.

The country was also severely impacted by category 5 TC Harold which hit the country on 9 April. Over 176,161 people were affected by the cyclone including 3 fatalities, 119 injuries and 36 referrals to service providers for further assistance reported as a direct impact of TC Harold.<sup>77</sup>

<sup>73</sup> International Center for Research on Women 2012. *Violence Against Women and Girls in Melanesia and East Timor*, <https://www.icrw.org/wp-content/uploads/2016/10/Violence-against-women-in-Melanesia-Timor-Leste-AusAID.pdf> accessed May 2020.

<sup>74</sup> Australian High Commission Vanuatu Media Release (26 November 2019) Available at <https://pacificwomen.org/news/no-to-violence-against-women-and-girls/> (Accessed on 14 June 2020)

<sup>75</sup> Vanuatu National Sustainable Development Plan, 2016-2030, p11.

<sup>76</sup> Vanuatu Family Health Association (2017) Available at <https://vfha15.wordpress.com/our-services/who-we-are/> (Accessed on 14 June 2020)

<sup>77</sup> The Shelter Cluster Vanuatu was set up in 2015, it is led by the Public Works Department and the International Federation of Red Cross and Red Crescent Societies. Shelter Cluster Vanuatu 2020. TC Harold accessed on 26 May 2020 at [https://www.sheltercluster.org/sites/default/files/docs/2020.05.22\\_scv\\_sitrep\\_8.pdf](https://www.sheltercluster.org/sites/default/files/docs/2020.05.22_scv_sitrep_8.pdf)



The Shelter Cluster estimated 87,000 people were left without homes and the country only had the capacity to meet the needs of 9,950 households as at 25 May. Resulting in 78% of people with severely damaged or destroyed houses not receiving shelter assistance. There was also a severe impact on medical centres in the Northern region.<sup>78</sup>

The impact of TC Harold has made it difficult to access specific data related to the COVID-19 pandemic.

There are also no specific exemptions for victims of domestic violence. However, the impact of TC Harold meant that strict restrictions put in place for COVID-19, had to be immediately relaxed to meet the needs of those impacted by the cyclone.

### Accessibility of services during COVID-19 restrictions

The direct effects of TC Harold inhibited physical access to certain services and created an additional pull on resources allocated for health and essential services during the COVID-19 pandemic.

#### Police

Since the state of emergency was declared, the Vanuatu Women Centre and the Family Protection Unit continued to attend to callouts. Data on the number of cases reported was unavailable due to the diversion of officers responsible for data management attending to assist with TC Harold recovery.

#### Helplines and safe accommodation

The Anglican Church mobilised its emergency operation centre which operated as a drop off centre for donations and emergency supplies as well as a source of information.<sup>79</sup> During COVID-19 restrictions, the centre received and supported women and girls who were experiencing domestic violence. However, these numbers increased after TC Harold, with the centre receiving 3-5 clients daily for advice and referrals. The centre reported assisting approximately 200 people with disability and widows for awareness on DV and COVID-19.

During the COVID-19 restrictions, Vanuatu Women Centre continued to provide services through helplines, access to safe accommodation through the shelter available in the capital Port Vila and through the Committee Against Violence Against women.

#### Access to courts

The Courts were fully operational during the state of emergency, although there is no data available on the number of protection orders that were filed during the time. Survivors were able to access legal assistance through legal aid provided by Vanuatu Women Centre and the Office of Public Solicitor.

#### Health services

During the COVID-19 restrictions and TC Harold recovery, the Government of Australia has been supporting the Vanuatu Family Health Association, through the IPPF SPRINT program, to provide gender-based violence support, sexual and reproductive health services, and other essential medical care in Penama and Sanma Provinces, reaching 4,500 people<sup>80</sup>

<sup>78</sup> ibid

<sup>79</sup> Vanuatu Daily Post (07 April 2020) [https://dailypost.vu/news/anglican-church-activates-covid-19-eoc/article\\_6deeb916-7856-11ea-9c69-cbc55ee27be9.html](https://dailypost.vu/news/anglican-church-activates-covid-19-eoc/article_6deeb916-7856-11ea-9c69-cbc55ee27be9.html)

<sup>80</sup> <https://www.dfat.gov.au/crisis-hub/Pages/tropical-cyclone-harold>

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## Good practices to prevent and combat violence against women and domestic violence

Vanuatu's crisis response team includes a Gender and Protection Cluster (GPC) led by the Department of Women's Affairs (DWA) and which includes civil society organisations.

CARE Vanuatu has partnered with the Ministry of Health to create a COVID-19 Booklet for households.

Supported by the Australian Humanitarian Partnership, this handbook includes awareness and information on COVID-19 including hand hygiene, medical information in cases of infection, information on mental health and well being, managing stress and finances during the pandemic, assisting children and information for anyone experiencing violence including a clear referral pathway. Currently, the books are being disseminated through existing partner organisations and community awareness sessions.