HUMAN RIGHTS IN THE PACIFIC
PRIORITIES, PRACTICE
AND SUSTAINABILITY
8-10 December 2014
CONFERENCE
INFORMATION BOOKLET
Massey University
Auckland, New Zealand
In this conference information booklet, you will find:

- Conference Programme
- Business Breakfast Programme
- Programme for the Launch of the Pacific Research and Policy Centre
- Conference presentations and other useful information.
It is with much pleasure that we welcome you all to the Human Rights in the Pacific: Priorities, Practice and Sustainability Conference at Massey University’s Albany Campus.

The issue, and no less the theorising of the concept, of human rights, remains contentious for Pacific societies. The merits of a rights-based approach to constructing social, economic and political institutions and the justification of the distribution of the benefits flowing from them have been largely settled in the West. However, it is generally correct to say that a great deal of negotiation is currently taking place across the entire spectrum of rights, between the questioning of the efficacy of rights and acceptance of them as a necessary condition of modern society in the Pacific. This event has emerged out of two earlier conferences held at the University of Canterbury, each tackling specific questions related to human rights and the Pacific. It is with this current collaborative conference that we hope to delve further into understandings about rights in a Pacific context.

We are very privileged at this conference to have a wonderful range of presentations, not only from across sectors but also from across the Pacific. The perspectives and insights on human rights are reflected in the presentations you will witness over the next two days. The discussions range from deliberations about greater political rights, gender equality, the rights of children, to the rights of communities affected by climate change, indigenous rights, legal rights, and rights to effective health care. It is not only important that we establish the state of the rights discourse but that we also identify, as far as we can, the priorities with a view to sustaining and developing them in the future. If this is achieved then we will have gone some way to accomplishing the overarching objective of the conference.

There are significant initiatives that will be realised during the conference. The first is the Inaugural Queen Sālote Tupou III Annual Lecture Series. The Series is named after Her Majesty the Late Queen Sālote of Tonga who was highly regarded in the region and internationally, among other qualities, as a leader and poet, and was much loved by her people. We are most grateful that Her Royal Highness Princess Sālote Mafie’o Pilolevu Tuita, Queen Sālote’s granddaughter, has graciously agreed to open the series. This year the lectures will be given by Mr Peter Forau and Mrs ‘Alisi Taumoepeau.

The end of the first day will see the Auckland launch of Massey University’s Pacific Research and Policy Centre. This is an important milestone because the centre will represent a genuine commitment by Massey University to supporting, coordinating and taking Pasifika and Pacific research to the world.

The third event is the Pacific Business Breakfast which will be held off campus at the Heritage Hotel in the Auckland CBD. The main aim of the breakfast is to facilitate the discussion regarding human rights and the private sector among people, both Pacific and non-Pacific, doing business in the Pacific and in Aotearoa. The discussion will contextualise business within a Pacific rights space.

The conference promises to be exciting, stimulating and at times perhaps a little challenging. With your participation, we will at least broach the main human rights issues and contribute to finding the solutions.

‘Ofa atu
Dr Katharine Vadura
Associate Professor Malakai Kolomatangi
YOUR HOSTS

DR KATHARINE VADURA
Dr Katharine Vadura is currently senior fellow at the National Centre for Research on Europe (NCRE) at the University of Canterbury in Christchurch New Zealand. At the NCRE she is leading research on aspects of human rights and humanitarian issues in the Asia Pacific, as well as teaching and postgraduate supervision. Her research interests in the area of human rights focus on human rights research methodology, global governance, forced migration as well as human rights aspects of humanitarian action in a European and Asia Pacific context. Her most recent research project, funded by the European Commission’s Lifelong Learning Programme, was on ‘Mainstreaming, Methodology and Human Rights in Disaster Risk Management: EU and the Pacific’. She has authored a number of articles, and presented at international conferences in these areas.

ASSOCIATE PROFESSOR MALAKAI KOLOAMATANGI
Dr Malakai Koloamatangi is Director of the Pasifika Directorate at Massey University. He was born in Tonga and grew up in Auckland. He has a PhD from the University of Auckland. His PhD thesis was entitled Constitutionalism, Culture and Democracy: Tongan Politics Between 1991 and 1996. He researches in the areas of democratisation, democratic theory and practice, international political economy, Pacific politics and economic development and the universality of ideas. Prior to coming to Massey University he was Acting Director of the Macmillan Brown Centre for Pacific Studies and Director of the Office for Pacific Excellence at the University of Canterbury.
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<tr>
<th>Time</th>
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<th>Speakers</th>
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<tr>
<td>8.00-8.45am</td>
<td>Registration</td>
<td>MC: Mr Fuimaono Ben Taufua</td>
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<tr>
<td>8.45-9.20am</td>
<td>Lotu University welcome</td>
<td>Reverend S.’I. Lea, President, United Church of Tonga</td>
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<td>Mihi</td>
<td>Haahi Walker, Ngäti Whätua</td>
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<td>Conference welcome</td>
<td>Dr Selwyn Katene, Assistant Vice-Chancellor (Mäori and Pasifika)</td>
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<td>Dr Katharine Vadura and Associate Professor Malakai Koloamatangi</td>
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<td>9.20-9.30am</td>
<td>Conference Opening Address</td>
<td>Her Royal Highness Princess Sálote Mafile’o Pilolevu Tuita</td>
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<tr>
<td>9.30-10.15am</td>
<td>Queen Sálote Tupou III Lecture Series: Lecture 1</td>
<td>Mr Peter Forau, Director General Secretariat, Melanesian Spearhead Group</td>
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<td>10.15-10.30am</td>
<td>MORNING TEA</td>
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<td>10.30am-12.30pm</td>
<td>Session 1: Promoting &amp; Protecting Human Rights - Regional and National Initiatives</td>
<td>His Excellency, Ambassador Rob Zaagman</td>
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<td>Promoting Human Rights in the Pacific Region: the Netherlands Embassy perspective</td>
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<td>Mr Romulo Nayacalevu, Pacific Island Governments: Navigating the Universal Periodic Review Process</td>
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<td>Ms Genevieve Taylor, Measuring the effectiveness of donorship towards reducing disaster risk across the Pacific</td>
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<td>Mr Henning Borchers, OPCAT in the Asia Pacific Region: an opportunity for Small Island Developing States?</td>
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<td>Mr Joelson Anere, The OLIPPAC, Human Rights, Political Systems, Policy Making &amp; Implementation in a Democratic or Demo-crazy Papua New Guinea</td>
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<td>12.30-1.15pm</td>
<td>LUNCH</td>
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<td>1.15-3.00pm</td>
<td>Session 2: Human Rights &amp; Governance - Gender, Youth and Children</td>
<td>Ms Seema Naidu, Women Human Rights Focused Policy to Practice: A Case Study on the Pacific Leaders Gender Equality Declaration</td>
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<td>Miss Rosie Catherine, Making mental health a priority for youth in the Pacific Islands</td>
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<td>Ms Pefi Kingi, Alofa’ Prioritising Rights and Human Trafficking: PacificWIN’s Innovation with Pacific Women</td>
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<td>Mr Teanuanua Nicole, The right to early childhood education: Perspectives from a Fiji squatter settlement</td>
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<td>3.00-3.15pm</td>
<td>AFTERNOON TEA</td>
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### Conference Programme: Day 1: 8th of December 2014

**Venue:** Sir Neil Waters Lecture Theatre 100, Albany Campus

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<tr>
<th>Time</th>
<th>Session 3: Human Rights &amp; Governance – Democratisation, Elections and Participation</th>
<th>Presentations</th>
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<tr>
<td>3.15-5.10pm</td>
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<tr>
<td>Chair: Dr Fiva Faalau</td>
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| 3.15-5.10pm | **Mr Powrie Veretambe**  
Human Rights issues in Vanuatu. |               |
| 3.15-5.10pm | **Mr Aman Ravindra-Singh**  
Recognising and Re-Establishing a Human Rights Culture after 8 Years of Military Dictatorship in Fiji. |               |
| 3.15-5.10pm | **Professor Shaista Shameem**  
Human Rights and Constitutional Legitimacy: The Case of Fiji. |               |
| 3.15-5.10pm | **Associate-Professor Malakai Koloamatangi**  
Tongan Elections and Human Rights |               |
| 3.15-5.10pm | **Dr Teena Brown-Pulu and Richard Pamatatau**  
Who’s who in the zoo? Tonga election 2014 |               |

| 5.10pm | CONCLUSION DAY 1 |
| 5.30-7.00pm | Launch of the Massey University Pacific Research and Policy Centre |

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**The Launch of the Pacific Research and Policy Centre (PRPC)**

*Massey University, Albany Campus*

**December 8th, 5:30pm @ the Sir Neil Waters Foyer**

- **5:30 pm:** Guests seated & Welcome (MC Fuimaono Ben Taufua, National Project Manager Pasifika Directorate)
- **5:35pm:** Lotu (Rev. Sione ‘I. Lea, President of the United Church of Tonga)
- **5:45pm:** Role of the PRPC (Associate Prof. Malakai Koloamatangi)
- **5:55pm:** Massey staff-Waiata
- **6:00 pm:** Launch of the PRPC (Pro Vice-Chancellor, College of Business, Massey University, Prof. Ted Zorn)
- **6:10 pm:** Cultural performance (Tau’olunga, Fofanga Club)
- **6:15pm:** Launch feature: Dr. Pushpa Wood (Director of Fin-Ed Centre)
- **6:25pm:** End of programme-prayer
- **6:30pm:** Drinks and nibbles & Entertainment
## CONFERENCE PROGRAMME: DAY 2: 9 DECEMBER 2014  
**VENUE: SIR NEIL WATERS LECTURE THEATRE 100, ALBANY CAMPUS**

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<tr>
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<td>Welcome</td>
<td>MC: Mr Fuimaono Ben Taufua</td>
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<tr>
<td>9.00am – 10.00am</td>
<td>Queen Sālote Tupou III Lecture Series: Lecture 2</td>
<td>Mrs Malia Viviena ‘Alisi Numia Taumoepeau, former Minister of Justice and Attorney General, Tonga</td>
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<td>10.00 – 10.20am</td>
<td>MORNING TEA</td>
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| 10.20am – 12.30pm | Session 4: Human Rights and Human Security - Issues, Impacts and Assessments. | Chair: Associate Professor Annick Masselot  
Mr Timothy Bryar | Strategies for operationalising the Human Security Framework for the Pacific  
Ms Kate Schuetze | Human rights implications of refugees and asylum seekers in the Pacific  
Ms Claire Levacher | Indigenous rights and sustainable development in the context of the Goro-Nickel mining project (New Caledonia)  
Ms Maria Trogolo | Building commitment to human rights through the development of Fairtrade business and partnerships  
Dr Sue Farran | The impact of intellectual property on food security in Pacific Island states  
Ms Faumuina Tafuna’i | Community based projects in Samoa  
Dr Sally Carlton | Human rights: The situation in Christchurch |
| 12.30 – 1.30pm | LUNCH                                                                  |                                               |
### Conference Programme: Day 2: 9 December 2014
**Venue: Sir Neil Waters Lecture Theatre 100, Albany Campus**

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<th>Session/Activity</th>
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<td><strong>1.30 – 3.00pm</strong></td>
<td><strong>Session 5:</strong> Human Rights - Methodology and Practice</td>
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<td><strong>Chair:</strong> Dr Katharine Vadura</td>
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<td><strong>Presentations:</strong></td>
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<td></td>
<td>Ms Natasha Khan</td>
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<td>Ms Ali’itasi Stewart</td>
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<td>Ms Sala Tamanikaiwaimaro</td>
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<td>Mr Leuatea Iosefa</td>
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<td>Ms Natalie Bair</td>
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<td>Dr Keith Dixon</td>
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<td><strong>3.00 – 3.15pm</strong></td>
<td><strong>Afternoon Tea</strong></td>
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<td><strong>3.15 – 5.15pm</strong></td>
<td><strong>Session 6:</strong> Human Rights and Human Security - Health a Cross Sector Approach</td>
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<td><strong>Chair:</strong> Associate Professor Malakai Koloamatangi</td>
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<td><strong>Presentations:</strong></td>
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<td>Ms Eliza Raymond</td>
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<td>Mrs Vaine Iriano Wichman</td>
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<td>Dr Jimmy Obed</td>
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<td>Dr Sione Vaka</td>
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<td>Ms Marie Bopp-Dupont</td>
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<td><strong>5.15m – 5.45pm</strong></td>
<td><strong>Conclusion and closing</strong></td>
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**Facilitator (proceedings and publications)**

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**10 December 2014: Business Breakfast**
**Heritage Hotel, Auckland City**
WELCOME TO THE PACIFIC BUSINESS BREAKFAST MEETING

10th December 2014, 7.45am to 9.45am.
Heritage Hotel, Entrance via 11 Wyndham Street, Auckland.
Robert Laidlaw Room 2

INTEGRATING HUMAN RIGHTS INTO SUSTAINABLE DEVELOPMENT IN THE PACIFIC

PROGRAMME

7.45am-8.00am Arrival, seating and networking
8.00am-8.10am Welcome
MC: Rachel Afeaki Taumoepeau,
Chairperson, New Zealand Tonga Business Council
8.10am-8.30am Breakfast
8.30am-9.20am Panel discussion
Sustainable development and human rights initiatives in the Pacific and the role of the private sector.
• Ms Ingrid Leary, Director, British Council New Zealand.
• Mr Wesley Morgan, Oxfam’s Pacific Regional Policy Advisor, Vanuatu.
• Mr Timothy Wilcox, Sub-Regional Coordinator (Pacific),
United Nations Office for Disaster Risk Reduction (UNISDR), Fiji.
• Chris Freer, Director - Pacific Business Manager,
Tonkin & Taylor International Ltd.
9.20am-9.40am Question and answers
9.40am Closing and networking
PRACTICAL INFORMATION

FLIGHTS:
Auckland Airport recommends passengers arrive at least three hours before their scheduled departure time. Before you get to the airport make sure that you and your luggage adheres to aviation security regulations - including those relating to what you can carry onto the plane in your hand luggage. Find out about carrying liquids, gels or aerosols before you get to the airport, and remember it is always wise to check your airline ticket for more information. If there are any issues with your ticket, please contact Orbit Travel on +64 6 350 5522.

TRANSPORT:
From the airport
Taxi and shuttle ranks are located at the Auckland Airport; outside the arrivals area at the international terminal and outside the Jetstar forecourt at the domestic terminal. You can pre-book with any of the companies or just turn up at the terminal ranks – taxis and shuttles are always available. The taxi numbers are listed below. Contact Super Shuttle on 0800 SHUTTLE (0800 748 885) or visit their website: www.supershuttle.co.nz

At Massey
The campus is well served by bus routes. Buses from many parts of the North Shore stop in front of the Atrium building on the East Precinct. This includes buses to the Albany Station on the Northern Busway to Auckland Transport. Phone Auckland Transport on 09 366 6400 or see this link: www.at.govt.nz/media/707311/n14_albany_masseynyuni_oct-2014-web.pdf for timetables and routes to and from Albany/Massey University.

There are numerous taxi services which you can use. Please ask conference staff for assistance in this area. Some of the taxi companies include: Auckland Co-Op Taxis (09 300 3000); Green Cabs Limited (0508 447 336) and North Shore Taxis (09 488 8000).

TELEPHONE/MOBILE:
The international calling code for New Zealand is +64 followed by the phone number. The area code for Auckland is (+09) followed by the phone number. You may want to consider renting a mobile phone, or utilise international roaming with your own phone. If you want to sign up with a local company, there are plenty of options for mobile phones and plans. The three main mobile providers in New Zealand are Vodafone, Spark and 2degrees. These providers have shops in Westfield Albany so visit them for more details. If you’d rather use telephone cards, there are plenty of shops in the area where you can purchase these from.

PARKING:
There are plenty of parking spaces available on campus. Parking areas are easily identified and visitors should park in general car park spaces only, which are free. These spaces are identified by white painted lines. Parking is not permitted in reserved spaces, which are identified by yellow painted lines. Any driver with a valid mobility card may use designated disabled spaces.

CURRENCY:
Foreign currency can easily be exchanged at banks, some hotels and Bureau de Change kiosks, which are found at the international airport and in the city centre. All major credit cards can be used here. Travellers’ Cheques are accepted at hotels, banks and some stores.

Banks are open from 9:30am to 4:30pm Monday to Friday. Some banks also open for limited hours on Saturday. Visit Westfield Albany mall (Don McKinnon Drive) which houses all of the major banks (ANZ, ASB and Westpac) for more currency exchange options.
CONFERENCE VENUE

The conference will be held at Massey University – at the Sir Neil Waters Lecture building.

EMERGENCY:

In case of emergency, call 111 and request the emergency service most required. For non-urgent police assistance, contact the Albany Community Constable, Glenfield Community Policing Centre on 09 443 8039. You can also contact Campus Security (from any landline phone on campus) by calling: ext. 41300 or 0800 MASS 50 (0800 6277 50), from any phone.
FOOD
There are many places to eat on campus. Though most of these places are open, please be aware that some businesses may be operating on summer hours.

| FOOD FOR THOUGHT CAFE | Opening Hours: Mon-Fri, 8.00am-4.00pm  
| Location: Student Central |
|------------------------|------------------------------------------|
| BROWSE CAFE            | Opening Hours: Mon-Thu, 9.30am-4.00pm;  
|                        | Sat / Sun, 9.30am-6.00pm  
| Location: Level 1, Library |
| CAMPUS KEBAB           | Opening Hours: Mon-Fri, 8.30am-6.30pm;  
|                        | Sat / Sun, 9.30am-4.30pm  
| Location: Quadrangle B south kiosk |
| SUSHI LOUNGE           | Opening Hours: Mon-Thu, 10.30am-4.30pm;  
|                        | Fri, 10.30am-3.00pm  
| Location: Quadrangle B north kiosk |
| FAN EXPRESSO           | Opening Hours: Mon-Fri, 9.00am-4.00pm  
| Location: Quadrangle B North (Van) |
| SCHOLARS CAFE          | Opening Hours: Mon-Fri, 7.00am-4.00pm  
| Location: Recreation Centre |
| STUDENT BAR            | The Fergusson Bar, Recreation Centre |

Massey University is also a short drive or walk from the Albany Mega Centre, which has plenty of restaurants and other places to eat and drink. Albany Mega Centre is located on 140 Don McKinnon Drive.

ACCESS TO EMAIL:
All the delegates will be provided with a Wi-Fi code over the two days. Individual delegates are responsible for setting up the logs and maintaining internet security issues on their individual devices.

COMPUTER AND PRINTING FOR YOUR PRESENTATION:
A Conference Secretariat will be set-up in the foyer of the conference venue for presenters to use for printing of their presentations.

IF YOU HAVE COMMENTS ON THE PROGRAMME OR HAVE ANY FURTHER QUERIES, DO NOT HESITATE TO CONTACT US.
Shoma Prasad  S.Prasad1@massey.ac.nz.
Mobile  021 667 857
Dr Katharine Vadura  Katharine.vadura@canterbury.ac.nz
The Pasifika Directorate is proud to inaugurate The Queen SāloTE Tupou III lecture series as part of a directorate initiative. Queen SāloTE Tupou III was an inspirational leader, not only in Tonga, but in the Pacific as well. Her reign was characterised by her love for her people. Indeed, her reign is affectionately known in Tonga as the “golden years”. It is our aim, that through this annual lecture series, Massey University will be able to provide a platform for Leaders and advocates expressing their views and opinions on issues that matter to the people.

“One feels the heaviness of burdens, but I don’t really mind the burden. What I care about is to do things the right way, so that when the time comes for someone else to carry on the work, there are no problems of mine for them. Only those of their own making.” Queen SāloTE Tupou III.

QUEEN SĀLOTE TUPOU III LECTURE SERIES: LECTURE 1
Mr Peter Forau, Director General Secretariat, Melanesian Spearhead Group.

Forau has a Masters in Development Administration and a Post Graduate Diploma in Development Administration from the Australian National University. He has a Degree in Economics and Management from the University of the South Pacific in Fiji.

QUEEN SĀLOTE TUPOU III LECTURE SERIES: LECTURE 2
Mrs Malia Viviena ‘Alisi Numia Taumoepeau, former Minister of Justice and Attorney General, Tonga.

Mrs ‘Alisi Numia Taumoepeau is a former Minister of Justice and Attorney General in Tonga. During her tenure, she was the only female member of the Tongan parliament. A lawyer by training, she has a BA, MA, LLB and LLM from Victoria University of Wellington. The Ministry of Justice was transformed under her leadership. Amongst the many accomplishments during her time was the consolidation of Tonga’s laws into a manageable and accessible system which included their digitalisation. The process also involved demystifying the image of the law as being beyond the ordinary person by Crown Law, also under her stewardship, ‘taking the law to the community’ through regular ‘law days’. However, the most important singular contribution that ‘Alisi made during her time in government was her guidance and formalisation of political reform principles into law so thereby entrenching the fundamentals of democracy in the Constitution. That will be a lasting legacy for generations of Tongans to come.

‘Alisi practises law as a partner in the law firm Taumoepeau Law with her husband ‘Aisea Taumoepeau. ‘Aisea has recently been appointed Commissioner for Public Relations by the Tongan government.

HUMAN RIGHTS IN THE PACIFIC: PRIORITIES, PRACTICE AND SUSTAINABILITY CONFERENCE
SESSION ONE - PROMOTING & PROTECTING HUMAN RIGHTS - REGIONAL AND NATIONAL INITIATIVES.
Chair: Dr Katharine Vadura.

His Excellency, Ambassador Robert Willem Zaagman, Embassy of the Kingdom of the Netherlands.

The newly appointed Ambassador took up office in Wellington in mid-September 2014. Prior to this, Ambassador Zaagman was the Consul-General in Bavaria and Baden-Württemberg, Munich, Germany from 2010 to early 2014. From 2008 to 2010, he was the Ambassador for International Organizations in the Netherlands, Ministry of Foreign Affairs, The Hague, the Netherlands. Rob and his wife Monique have two adult children, who are living in the Netherlands and the United Kingdom. In his spare time he likes reading history books, looking at the stars through his telescope and playing golf.

ABSTRACT: The Netherlands sets great store by the promotion of human rights throughout the world. In the context of this policy, the UN Human Rights Council, to which the Netherlands was recently elected, is a very important forum. The Council’s UPR process, which applies to all UN member states, is a highly useful instrument for improving human rights standards. It is extremely useful for Pacific states as well, but they need assistance to build up the capacity required for the UPR process. The Netherlands is supporting the efforts of the RRRT of the Secretariat of the Pacific Community in this regard, having made available 180,000 euros for the next three years.
Mr Romulo B M Nayacalevu, Senior Human Rights Trainer, the Secretariat of the Pacific Community (SPC).

A lawyer by profession having graduated with a law degree from the University of the South Pacific in 2003, Romulo was a recipient of the prestigious Australian Leadership Awards for the duration of his study. His special interest in the law is largely around human rights law and he has worked for the Office of the United Nations High Commissioner for Human Rights: Regional Office for the Pacific for about five and a half years. His current work involves working with Pacific governments and civil society organisations on human rights.

ABSTRACT: Pacific Island Governments: Navigating the Universal Periodic Review Process

On 15 March, 2006 under a landmark Resolution 60/251, the United Nations General Assembly established the Human Rights Council and created the Universal Periodic Review (UPR) mechanism to review the human rights records of all UN member States. In this paper, I will explore the UPR mechanism and how it has impacted the human rights culture of the Pacific and in particular the strengthening of governance and democratisation processes in various Pacific States.

Ms Genevieve Taylor, PhD Student, National Centre for Research on Europe (NCRE), University of Canterbury.

Genevieve Taylor has recently defended her PhD in European Union DRR donorship around the Asia Pacific, through the National Centre for Research on Europe at the University of Canterbury. Her research interests surround DRR donorship, corporate social responsibility, human security, and rights-based approaches to reduced vulnerability. Her research involvement in DRR continues at a local, national, regional, and international level. She is currently working as an advisor in the Monitoring and Evaluation team of the Canterbury Earthquake Recovery Authority (CERA) in Christchurch, New Zealand.

ABSTRACT: Measuring the effectiveness of donorship towards reducing disaster risk across the Pacific.

This research employs a rights-based approach to evaluate the effectiveness of donorship in the Pacific. It looks at policy decisions and subsequent measures to uphold donor obligations to protect those at risk in a disaster context. Advances in human rights discourse and humanitarian responsibilities have led to a review of the concept of protection, and how it is applied in humanitarian and development assistance. Indeed, a rights-based approach to donorship centres on the obligations of duty bearers to uphold the rights of those at risk, while ensuring implementation practices are accountable, transparent, and contextually relevant at a local level.

Mr Henning Borchers, Research, Monitoring and Evaluation Officer, Human Rights Commission, New Zealand

Henning has over the past 15 years worked in the Asia-Pacific region, focusing specifically on human rights, peace and conflict in South East Asia, where he spent several years working with minority groups. He has a Master in Development Studies (2003) from the University of Auckland and a Master in International Relations (2013) from Victoria University Wellington. Henning currently works with the New Zealand Human Rights Commission as a Research, Monitoring and Evaluation Officer and manages the Commission’s coordinating role in the OPCAT National Preventive Mechanism. He further held several research positions at the University of Auckland and lectured at Auckland University of Technology.

ABSTRACT: OPCAT in the Asia Pacific Region: an opportunity for Small Island Developing States?

Deprivation of liberty continues to be an important policy tool used in criminal justice, health, social welfare, immigration and defence. Unfortunately, state detention is the locus of some of the most significant human rights abuses, resulting from the combination of the hidden nature of detention and the high level of state control. In a Pacific context, ill-treatment of detainees by agents of the State has been reported from a number of states including Fiji, Samoa and Tonga. Nauru, the only State Party among SIDS in the Pacific that has ratified the OPCAT to date, is yet to establish an independent monitoring mechanism to investigate human rights abuses in detention centres. This paper explores recent developments in the Pacific and highlights opportunities and barriers for Small Island Developing States to embed the OPCAT into their domestic frameworks. It also examines developments that have occurred in the region and draws out some lessons to assess the prospects for the future.
Mr Joelson Anere, Anere Institute of International Studies (in Association with the Centre for Diplomacy and Strategic Studies (CEDS), Paris, France).

ABSTRACT: The OLIIPAC, Human Rights, Political Systems, & Policy Making; Implementation in a Democratic or Demo-crazy Papua New Guinea.

A valid and effective account of human rights should be centred on the notion of agency, understood in terms of emancipatory principles that derive their power from the people directly concerned. In moral terms, human rights are concerned with human status, a moral concern that is unequivocally universal in its aspirations. When translated into legal terms, however, the framework for implementation of human rights becomes resolutely circumscribed. International human rights law is conventionally created by states and for states, and accordingly the obligations conferred are directed towards states. The power of human rights lies in their morally universal aspirations and we should not shy away from proclaiming their universality as well as emphasising their specific roots. In working for their realization in practice, however, pragmatism should be assigned moral value. Session Two - Human Rights & Governance - Gender, Youth and Children.

SESSION 2: HUMAN RIGHTS & GOVERNANCE - GENDER, YOUTH AND CHILDREN.

Chair: Associate Professor Annick Masselot.

Ms Seema Naidu, Gender Specialist, Pacific Islands Forum Secretariat.

ABSTRACT: Women Human Rights Focused Policy to Practice; A Case Study on the Pacific Leaders Gender Equality Declaration.

The Leaders of the Pacific Islands Forum met from 27 to 30 August 2012 in Rarotonga and brought new determination and invigorated commitment to efforts to lift the status of women in the Pacific and empower them to be active participants in economic, political and social life. Leaders expressed their deep concern that despite gains in girl’s education and some positive initiatives to address violence against women, overall progress in the region towards gender equality is slow. Leaders understand that gender inequality is imposing a high personal, social and economic cost on Pacific people and nations, and that improved gender equality will make a significant contribution to creating a prosperous, stable and secure Pacific for all current and future generations. This paper will highlight policy and legislative measures introduced by pacific governments following the adoption of the Declaration in 2012.

Ms Rosie Catharine, Youth Champs for Mental Health.

Rosie attained a diploma in applied computing from the Fiji Institute of Technology in 2002 and worked as a junior programmer with a local computer firm in 2003. She is actively involved in social work, first through the Raleigh International Expedition in 2004 before becoming involved with the Pacific Youth Festival in 2006 and numerous other trainings in areas like women’s rights and social work. In 2008, she became involved with the Youth Champs for Mental Health where she was able to work for a cause that is close to her heart more than anything else.

ABSTRACT: Making Mental Health a Priority for Youth in the Pacific Islands.

Mental health and recovery of mental illness of young people are the least prioritised in health and youth development and human rights. Whilst, early signs of mental illnesses are commonly portrayed at the adolescence or early adulthood and young people comprise of a high percentage of the populations of the Pacific Islands, there is a huge gap in youth-friendly mental health services.
There is a lack of human rights approach within mental health services in the Pacific. There are many barriers such as the lack of priority given to mental health in national budgeting and planning, a delay in seeking mental health services, accessing and or completing education, accessing and or maintaining employment, accessing and or participating in community activities, accessing and participating in civic education, involvement in decision making and in personal recovery and treatment plans, and overall living a productive and meaningful life. This paper explores Human rights integration in mental health services for young people living with a mental illness in the Pacific Islands. A human rights based approach will enable young people living with a mental health problem and or a mental illness having access to youth-friendly mental health services and be treated with equality, dignity and value.

Ms Pefi Kingi, Pacific Women’s Indigenous Network (PacificWIN).

Ms Kingi has devoted her whole life to working in the Pacific island and Niuean communities, mainly in education. She has also been a leader in Pacific mental health and women’s and youth development. She has started several community groups including Pacific Island Women’s Health Project, the national Pacific suicide prevention group, the Aoga Niue language nest, the Tialetafa Trust, the Matakau Vagahau Niue (Niue Language Committee) and the Tu Tagaloa Trust. She was on the national Pacific advisory committee to the ministerial task force on family violence and advised the Pacific Islands Youth Leadership Trust.


There is insufficient data and supported programmes available in the area of human rights and Pacific communities in metro/cosmopolitan countries, particularly, research into human trafficking in Pacific communities. PacificWIN (Pacific Women’s Indigenous Network) is a Pacific women’s community response focused on human rights and human trafficking amongst Pacific communities in metropolitan countries. Any work involving Pacific communities in metro/cosmopolitan countries will include stakeholders in the Pacific region. PacificWIN reflects on a few considerations through “Alofa” that is critical to the talanoa including, targeted awareness, information, education, training research and collaborations are critical for any regional strategy.

Mr Teanuana Nicole, Honours Student, University of Canterbury.

ABSTRACT: The right to early childhood education: Perspectives from a Fiji squatter settlement.

This paper is a preliminary study of children’s rights to education in Fiji. The paper examines article 31 of the Bill of Rights in Fiji’s new 2013 constitution which states that every Fijian child has a right to early education. This right recognises that early childhood education plays a key role in individual and community development. However, it is dependent on the government’s ability to deliver educational services in pre-schools and on families and communities’ capabilities of transforming this constitutional right into their daily practice. This paper explores the ways in which these two actors (Government and communities) interact to achieve this aim in one (or two) squatter settlements in Suva (Fiji).

As such, this paper offers some thoughts about the potential that the right to early childhood education can contribute to reducing poverty in Fiji. It also explores what the democratic process has to offer to the children living in Fiji’s squatter settlements. Session 3 - Human Rights & Governance - Democratisation, Elections and Participation.
Mr Aman Singh, Barrister & Solicitor.

Currently barrister practicing in areas of human rights, constitutional law and criminal law, and a former lecturer in human rights, criminal law and advocacy at the University of the South Pacific. Mr Singh as a Bachelor of Laws & Bachelor of Arts from the University of Waikato; Master of Laws (University of London, King’s College London). He is a Barrister & Solicitor of the High Courts of New Zealand & Fiji, and a Solicitor of the Supreme Court of England & Wales.


Vanuatu as a small island state has long been faced with problems with regard to Human Rights. Although, attempts were made to domestically legislate some of these human rights issues in line with the International Conventions ratified by the country, to date there are still some challenges to be address. The 2013 Human Rights report to UN, reports that Discrimination and violence against women remained the most prominent human rights abuses in Vanuatu. Therefore the Vanuatu Law Commission would like to make a brief presentation on the development of human rights in Vanuatu with specific reference to the rights of Women and its development to date, and the law.

The Constitution of the Republic of Vanuatu provides for equal treatment under the law and for entitlement to the fundamental freedoms set out under the Constitution without discrimination on the grounds of, among other things, sex (s.5(1)).

Mr Powrie Veretambe, Senior Legal Research Office, Vanuatu Law Commission.

Powrie Vire is a Senior Legal Researcher at the Vanuatu Law Commission in Port Vila, Vanuatu. He received his LLB (Bachelor of Law) and his PDLP (Professional Diploma in Legal Practice) from the University of the South Pacific in Suva Fiji before eventually becoming a Legal Officer at the Advocacy and Legal Advice Center (ALAC Vanuatu), a project of Transparency International in Vanuatu in 2011. After his two years career as a Legal Officer with ALAC Vanuatu, he further advances his career to becoming a Legal Researcher with the Vanuatu Law Commission.

ABSTRACT: Recognising and Re-Establishing a Human Rights Culture after 8 Years of Military Dictatorship in Fiji.

This paper will discuss the fragile state of Fiji’s human rights culture and the need to recognise and re-establish this culture. Particular emphasis will be directed at the events of the last eight years under military dictatorship. After four coups in the last 27 years, Fiji stands alone in the Pacific when its human rights record is assessed. Out of 44 years of independence, there has been a period of 15 years of military rule during which time human rights was suppressed and outlawed. Furthermore the essence of human rights as a necessity has depleted to a notion perceived by the vast majority as a privilege.

Suppression of Human Rights: After each coup beginning from 1987, successive army takeovers have resulted in accounted deaths at the hands of military regimes, stripping the fundamental rights of those taken into custody and setting in motion a culture of fear and silence. Silencing the Media: The role of the fourth estate in Fiji has dwindled from its three-fold role of informing, investigating and educating the public on human rights to a propaganda outlet only highlighting the positive achievements of the military regime from 2006. These have resulted in the lack of investigations into brutal human rights abuses and minimal education on its values.

Systematic Violation & Denial of Human Rights: Anecdotal and documentary evidence prove the violation and systematic abuse of human rights during military rule. Fundamental human rights were not recognised by law as these rights had been suppressed by draconian decrees introduced by the military regime. With all the disruptions by military coups over the last three decades, there needs to be a concerted effort to recognise and re-establish a human rights culture in Fiji.

Professor Shaista Shameem, Director New Migrants, Massey University.

Professor Shaista Shameem has enjoyed a career as an academic in both New Zealand and Fiji. She taught Sociology at the University of Waikato from 1985-1997 and was Associate Professor of Law at the University of Fiji from 2009 until 2011. Professor Shameem also held the positions of Director and principal litigator of the Fiji Human Rights Commission. She became Ombudsman in 2007 and remained in that position until 2009 when the 1997 Constitution of Fiji was abrogated. She was the United Nations Special Rapporteur on the Use of Mercenaries in 2004-2006 and Chairperson of the UN Working Group on the Use of Mercenaries 2009-2010. In 2006 she was appointed by the UN Secretary General to a Commission of Experts to investigate human rights violations in Timor L’este. Professor Shameem has been a Doctor of Juridical Science candidate at the Waikato University Law School since 2012.
An entrenched, supreme and agreed Bill of Rights in an entrenched and supreme Constitution is the core element of legitimacy of constitutions. A Bill of Rights negotiated by consensus between the (ruler/s of) a state and the people which is then drafted into a national constitution has historically been regarded as the best example of legitimacy of a legal order. Democratic governance, while significant, is not the sole criteria of legitimacy of a constitutional legal order. Democratic elections may award legality but not legitimacy. Legitimacy of constitutions and of any legal order is derived from the social contract willingly agreed between the state and its people. A Bill of Rights is the best formulation of the social contract which creates legitimacy. Fiji is used as a case study to illustrate that neither an imposed Bill of Rights in a constitution nor a democratic election per se defines a legitimate constitutional order.

Associate Professor Malakai Koloamatangi, Director, Pasifika Directorate, Massey University.

Associate Professor Malakai Koloamatangi is Director of the Pasifika Directorate at Massey University. He was born in Tonga and grew up in Auckland. He has a PhD from the University of Auckland. His PhD thesis was entitled Constitutionalism, Culture and Democracy: Tongan Politics Between 1991 and 1996. He researches in the areas of democratisation, democratic theory and practice, international political economy, Pacific politics and economic development and the universality of ideas. Prior to coming to Massey University he was Acting Director of the Macmillan Brown Centre for Pacific Studies and Director of the Office for Pacific Excellence at the University of Canterbury.

ABSTRACT: Tongan Elections and Human Rights.
The call for more democracy in Tonga began with the call for more participation in politics. The early reformers saw democracy in the form of greater political participation for the kau tu’a (commoners) which was justified in terms of people’s rights to govern themselves. This was the fundamental reason behind the reformist demands for the number of people’s representatives to be increased in proportion to the number of noble representatives in parliament. This led to subsequent demands for accountability, transparency, and just government, again all based on the idea that Tongans’ basic rights, as guaranteed in the Constitution for example, included the right to ‘self-government’. The political reform process, which was consolidated with the 2010 general election, saw a partial realisation of the call for popular control of parliament and government by the increase in the number of people’s representatives from 9 to 17. A similar call was made during the 2014 election campaign. In this paper, I propose that the pathway to more democracy in Tonga is still being paved by a rights approach to politics. How would that tendency shape a Tongan democracy?

Dr Teena Brown-Pulu and Mr Richard Pamatautau.
Teena Brown Pulu is an anthropologist and senior lecturer in Pacific development in the Faculty of Māori and Indigenous Development at Auckland University of Technology. Richard Pamatautau is a journalist and programme leader of the graduate diploma in Pacific journalism in the School of Communication Studies at Auckland University of Technology.

Something was different about Tonga’s general election on November 27th 2014. Going into the vote, New Zealand political commentaries noted the obvious. Compared to the 2010 ballot, less candidates were standing for election in the seventeen constituencies for people’s representatives with a slight increase of women contenders (Radio New Zealand, 2014c, 2014d). But this time around, the political climate gave no guarantee the splintered Democratic Party led by veteran politician Akilisi Pohiva would win a majority of seats (Radio New Zealand, 2014b, 2014e, 2014f; Vaka’uta, 2014).

This paper reflects on fieldwork Teena Brown Pulu and Richard Pamatautau co-conducted in Tonga on the people’s election and the nobles’ election of November 27th 2014. Who’s who in the zoo? Ethnographically speaking, we mean what were voter outlooks on the leadership and government needed for the next four years, and what did politicians - that is, past and present parliamentarians - say about the country’s priorities for moving forward? Tangled in the politics and polemics of democratisation, how was sustaining Tongan “life, liberty and security” made sense of? (United Nations, 1948).
Mr Timothy Bryar, Conflict Prevention Adviser, Pacific Islands Forum Secretariat.

Tim Bryar has been living and working in the Pacific region for the past 8 years. He is currently the Conflict Prevention Adviser at the Pacific Islands Forum Secretariat where he works with Pacific Island governments on issues of human security, women peace and security, and climate induced migration and conflict. Tim is also completing his PhD with the Centre for Peace and Conflict Studies at the University of Sydney.


The presentation will discuss the human rights and human security work of the Pacific Islands Forum Secretariat. It will explore strategies for operationalising the Human Security Framework for the Pacific including the lessons learned from a recent workshop linking human security and sustainable development planning. The presentation will conclude by entering into the debate on the similarities and differences between human rights and human security.

Ms Kate Schuetze, Pacific Researcher, Amnesty International.

Ms Kate has worked on a broad range of human rights issues in the Pacific, including gender based violence, freedom of expression in Fiji and refugees and asylum seekers. She has been inside Manus Island detention centre twice in the past twelve months and co-authored the Amnesty International reports This is Breaking People and This is still breaking people. Kate is a lawyer by training and intervened in the PNG National Court inquiry into the rights of asylum seekers detained on Manus Island. The case is currently before the PNG Supreme Court. Amnesty International continues to seek access to Nauru, after being refused permission to visit the centre in March 2014.

ABSTRACT: Human rights implications of refugees and asylum seekers in the Pacific.

Australia has sent asylum seekers to Nauru and PNG for the past two years in an attempt to shirk its human rights responsibilities. An Amnesty International report into the conditions on Manus Island, called ‘This is breaking people’ revealed that there is a real risk of refoulement - the return of individuals to places where their lives or freedom is likely to be threatened or where they are at risk of torture or other ill treatment. In addition to this, the uncertainty about resettlement plans, prolonged and arbitrary detention and harsh conditions at the centre has the combined effect of amounting to cruel, inhuman and degrading treatment.

Now Nauru and PNG are making progress on accepting refugee claims and releasing refugees into the community there are important considerations around what this means for the Pacific. Are they capable of meaningful integration of refugees? Are we creating second class citizens in the region who will always have limited rights to access housing, employment, education and health services? While Australia continues to have an obligation to ensure refugees’ ongoing safety in countries they are sent, both PNG and Nauru have similar responsibilities to people within its territory.

Ms Claire Levacher, PhD student, Ecole des Hautes Etudes en Sciences Sociales, New Caledonia.


In New Caledonia, mining activities are constitutive of both the economy and political landscape. Considering that in some countries such as United States or Canada, indigenous peoples may wish to play a part in mining activities by exercising some type of control over them (Ali, 2003), we wish to examine here the implementation of indigenous rights on the Pact for the Sustainable Development of the Great South, an impacts and benefits agreement (IBA) recently signed between the customary leaders of the South of New Caledonia and a Brazilian multinational company, Vale. Based on fieldwork done in Yate (South of New Caledonia) this communication will describe and analyze the indigenous governance mechanisms set out in the Pact’s content and its relations to state mechanisms of development. We hence, wish to question the right of development of the United Nations Declaration on the rights of indigenous peoples by highlighting some visible and invisibles aspects of the sustainable development in New Caledonia at a local level but also in a larger view. This talk aims to demonstrate that the scope of implementation of indigenous peoples rights not only depend of the State policy but also of the very local history et political context. More generally, we hence wish to illustrate how indigenous rights and mining activities contribute to define in some ways what a sustainable development in New Caledonia is.
Ms Maria Trogolo, Producer Support and Relations Manager, Fairtrade ANZ.

ABSTRACT: Building commitment to human rights through the development of Fairtrade business and partnerships.

The presentation on building commitment to human rights through the development of Fairtrade business and partnerships builds on the lessons learned from completed and on-going Fairtrade development projects globally in Latin America, Africa and Asia over the past 25 years; and particularly on Fairtrade ANZ projects in East Timor, Papua New Guinea and the South Pacific Island Countries.

Funded by a variety of donors, including the New Zealand Aid Programme (NZAID), the UN International Fund for Agricultural Development (IFAD), the World Bank International Finance Corporation (IFC) and the Inter-Church Cooperation Organization (ICCO), Fairtrade ANZ project has provided an opportunity to expand and up-scale Fairtrade global success in ANZ immediate neighbouring countries.

This presentation outlines Fairtrade experience in promoting development and growth through trade; the role of international standards as platforms to build commitment to human rights throughout the supply chain; promote greater empowerment and inclusion of groups like children, women and waged workers; and the importance of supporting the development of producer organizations not only to engage business but to deliver socially relevant services to their members, contributing to the empowerment of the poorest people touched by international supply chains.

Dr Sue Farran, Northumbria University, School of Law and an Adjunct Professor at University of the South Pacific.

Formerly Senior Lecturer at the University of Dundee and before that Associate Professor of Law, University of the South Pacific, based in Vanuatu. Author of ‘Human Rights in the South Pacific: Challenges and Changes’ (2009); ‘South Pacific Property Law’ (2004) - with Don Paterson, monographs on South Pacific Intellectual Property, Property and Trusts and numerous articles on family, land and human rights issues in the Pacific and wider region. Research interests include comparative laws, legal pluralism, law and development, law and gender issues in South Pacific island states and indigenous laws.

Ms Faumuina Felolini Tafuna’i Women in Business Development, Samoa.

Faumuina Felolini Tafuna’i has almost 20 years’ media and communications experience that includes stints in New Zealand, London and Samoa. Currently she is the media specialist at Women in Business Development, a non-governmental organisation dedicated to strengthening village economies in Samoa in ways that honour indigenous customs, use traditional and modern technology, and promote fair trade. In 2012 she won the international African/Caribbean/Pacific award for best agricultural journalist. Prior to that, she was part of Te RNanga o Ngai Tahu’s communications team, where she was the editor for the iwi’s quarterly magazine, Te Karaka.

ABSTRACT: Community based projects in Samoa.

Most of Women in Business Development Inc’s work is centred on the economic development of rural families in Samoa and the Pacific. Throughout the years, we have been well aware of how the lack of cash can increase of gender-based violence. This is not a phenomenon peculiar to the Pacific, but because of the scarcity of paid employment it may be more prevalent. To develop economic programmes that will work in our culture, we take a family approach to our work. This is a lesson we learned from the field because when we solely focused on women, we were creating an imbalance within the family. Now, both men and women are included in all discussions including the financial literacy training we offer them when they are earning a regular income. They learn, become empowered and grow together as a family. In addition, we see youth as being essential to succession planning. We feel that families are the unit of social change and that rather than separating people into gender and age demographics, families need to be viewed holistically, especially in the Pacific where people are family centred. In many countries, there is a poverty of opportunity and it’s only when families are introduced to opportunities that raise their living standards that the violence is more likely to stop.

ABSTRACT: The impact of intellectual property on food security in Pacific Island states.

Although it is often argued that poverty and food insecurity in Pacific island states is unknown, in fact both are on the increase. The causes are many but among them is the impact of intellectual property regimes driven by the trade agendas of the global north, including, but not limited to compliance with TRIPS plus legal obligations as a prerequisite of WTO membership. The design and operation of these legal regimes are ill-suited to PICs and marginalise valuable indigenous customary ways of fostering food security and the most basic of human rights: access to food.
Dr Sally Carlton, Human Rights Commission, New Zealand.

In 2011, Sally completed a PhD in French History from the University of Western Australia (UWA). Having long volunteered in the human rights sector, she applied for a position with the Australian Youth Ambassador for Development (AYAD) programme and spent 2011-2012 working as a Research Fellow at the Nepal Institute for Policy Studies (NIPS). She has since moved to Christchurch, New Zealand, where she worked at the Canterbury Refugee Council and has conducted her own research into the city’s post-earthquake urban regeneration and human rights situation. Sally has recently started working for the Human Rights Commission NZ.

ABSTRACT: Human rights: The situation in Christchurch.

In September 2010, a 7.1-magnitude earthquake shook the Canterbury region of New Zealand, triggering a major seismic sequence which lasted for over eighteen months and included the devastating and deadly 22 February 2011 earthquake. Four years on, the region is still reeling from these disasters and their ongoing effects, often detrimentally impacting upon the human rights of the people living in the area. This paper provides an overview of some of the most pressing human rights issues in Christchurch, looking primarily at housing and at public responses to the situation.

Ms Natasha Khan, Coordinator for Diploma in Leadership, Governance and Human Rights, School of Government, Development and International Affairs (SGDIA), Faculty of Business and Economics, The University of the South Pacific.

ABSTRACT: Empowering Pacific leaders on human rights and governance - Practical reflection.

The Diploma in Leadership, Governance and Human Rights (DLGHR) is the first human rights- focused curriculum delivered in the South Pacific through the University of the South Pacific (USP) since 2013. Taking into consideration the personal, financial and social challenges faced by mature Pacific Islanders in leaving their home to study abroad; the DLGHR is designed to be offered fully via distance education so that people throughout the South Pacific region can enroll for studies. The programme also offers a select number of scholarships each year and is the first of its kind as it gives preference to under-represented groups such as women, minorities, remote island residents, rural residents and those with disabilities.

Since Semester 1 2013 the five new DLGHR courses have collectively attracted over 600 enrolments. Personal testimonials from students indicate that the curriculum materials challenge students’ mindsets and develop their understanding of human rights, governance, gender issues and leadership. In the words of one student, “It has really helped me a lot in my career and ... at home, involving my children in decision making.” Innovative ideas in curriculum development include the recording of interviews and lectures from regional subject matter experts, and making this available to all students via Moodle and/or DVDs. While the work of NGOs and the governments are usually recognized in the promotion and advancement of human rights, governance and leadership, very little is documented about the role tertiary institutions play in bringing about change in these issues.

Mrs Ali’itasi E Stewart, PhD student, Massey University.

Ali’itasi is a New Zealand born Samoan often described as a social commentator with 20 years in business/corporate accounting, and 20 years in the grassroots community and education sector as a board member, counsellor, activist, and advocate, focusing on indigenous and environmental rights.
**ABSTRACT: FRIC: Building a Pacific Island Regional Regulatory Monitoring Agency.**

Foundations of indigenous rights are crucial in order for Indigenous People to monitor, administer, use and benefit from their lands and natural resource according to their governing bodies, laws and customs. However our rights to free prior and informed consent are diminishing perhaps due to closed negotiations especially in relations to mining and other industrial investments.

Investment establishments or officialdom such as the Pacific Island Forum cannot make decisions over natural resources without free prior and informed consent of the indigenous Pasefika communities.

The aim of this paper is to offer an alternative proposed framework for monitoring our natural resources which encourages national and local government agencies working very closely with the local indigenous communities. The framework will provide a mechanism to monitor the extractive industries Corporate Social Responsibility; a vehicle to establish a Pacific Human Rights Charter and finally a Pacific Economic Framework.

Ms Salanieta Tamanikaiwaimaro, Founder and Executive Director of Pasifika NEXUS.

Salanieta Tamanikaiwaimaro is the Founder and Executive Director of Pasifika NEXUS. A lawyer by profession, her interests span across diverse areas. Ms Tamanikaiwaimaro is a member of the Global Advisory Council of BrightPath Foundation and a member of Global Leadership Interlink (GLI).

Ms Tamanikaiwaimaro is involved in various capacity building, outreach initiatives within the Asian Australasian and Pacific region. She is co-coordinator of the Civil Society Internet Governance Caucus (IGC) and a member of the Steering Committee for the Dynamic Coalition of the Internet of Things. Ms Tamanikaiwaimaro is an International Cyber Legislation Expert and assists member countries in the Pacific in drafting Policies and legislation on Cyber Crime. She has a strong interest in Information Communications Technologies (ICT), gender, cultural, human rights and development initiatives.

**ABSTRACT: ICT and Human Rights in the Pacific.**

We live in a digital world and ICT is a pervasive force in terms of development. As ICT continues to permeate and impact Pacific societies and communities, it is important to understand the Human Rights implications of ICT as there are many activities that can occur within the ICT ecosystem that potentially infringe on Human Rights and dignities of people. The impact of Snowden’s revelations on cyber security globally has caused massive tectonic shifts. The ramifications of extra territorial jurisdictional cooperation has a bearing on people’s rights to access information.

The balancing of human rights when rights conflict within the ICT ecosystem is something that remains a continuous challenge in global jurisdictions. This presentation will also highlight some case studies in this regard. It is important to understand the plethora of rights and responsibilities in the context of ICT. As such there is a need for growing dialogue on shared responsibilities of awareness, governance, and impact. Issues such as surveillance, data protection, rights to privacy, freedom of expression are some of the many issues that surface with the evolution of ICT in the world.

Mr Leuatea Iosefa, PhD Student, University of Canterbury.

**ABSTRACT: The Right to Recognition of Cultural Factors in Criminal Proceedings.**

The primary focus of my research is on the right of any individual who comes before the criminal courts to recognition of all factors which have impacted his or her cognitive processes and therefore influenced their behaviour. A review of legal systems worldwide confirms that the substantive criminal laws of any legal system represent the cultural expectations of the dominant population and which will have little scope for acknowledgement of the cultural influences of minority cultures.

I assert that the notion of equality upon which all human rights are based forms the obligation upon criminal courts to acknowledge all factors which influence the behaviour of any individual, inclusive of cultural factors. It is contended in my research that acknowledgement of an individual cultural background and influences are a fundamental aspect for recognising such individual. I maintain that the obligation upon any legal system to recognise such cultural influences arise from the fundamental right to a fair trial. Consequently, a failure to acknowledge individuals cultural influences, would be tantamount to a violation of an essential aspect of the right to fair trial. The objective of this paper is to seek acceptance for a relativist approach towards the development of substantive criminal laws and argue for clearer guidelines for the use of culture evidence; throughout all aspects of a criminal hearing.
Ms Natalie Baird, Senior Lecturer, School of Law, University of Canterbury.


ABSTRACT: After the Quakes: Reflections on New Zealand’s Human Rights Framework.

The 2010-2011 Canterbury earthquakes and their aftermath have been described by the Human Rights Commission as New Zealand’s greatest contemporary human rights challenge. In light of the challenges in realising human rights in post-quake Canterbury, this paper reflects on what these challenges illustrate about New Zealand’s underlying human rights framework.

The paper first explains the key human rights issues in Canterbury including challenges in realising the rights to housing and property, inroads into democracy, adverse human rights impacts caused by businesses and adverse human rights effects on vulnerable and marginalised groups including CALD communities, people with disabilities, and the elderly and migrant workers. The paper then considers what these challenges tell us about New Zealand’s overall human rights framework, concluding that the ongoing and seemingly intractable nature of some of these issues and the apparent inability to resolve them are suggestive of an underlying fragility to New Zealand’s framework for the protection and promotion of human rights.

Dr Keith Dixon, Department of Accounting and Information Systems, University of Canterbury.

Keith Dixon (PhD, CA) is a research-active academic specialising in the practice of accounting and public finance among people governing and working in organisations. He was active politically in English local government before becoming a chartered accountant in the 1970s and then an academic in the 1980s. He has worked in a number of locations including England, Papua New Guinea, New Zealand and Kiribati, for organisations as diverse as the UK Government Department for International Development, the Institute of Public Administration of PNG, Kiribati Institute of Technology and the Open University Business School. In 2007, he moved to the University of Canterbury, where his research into universities, organisational change and neo-imperialism continue, along with designing and staging courses in government accounting and management control.


Purpose of this account was compiled in the course of a study to examine consequences that arise from human application of accounting ideas and practices (i.e., accounting usages), and to devise a means of classifying these consequences. The subjects or identities it covers are Kain Nikunau (i.e., persons indigenous to Nikunau Island in the central Pacific Ocean). The accounting usages that have had consequences for them mainly originated among I-Matang (i.e., indigenous persons of Europe, in particular being fair-skinned). They started from early in 19th Century and have been added to ever since (as elaborated in Dixon, K. and Gaffikin, M. (2013) Accounting practices as social technologies of colonialistic outreach from London, Washington, et Cetera. Critical Perspectives on Accounting (in press) http://dx.doi.org/10.1016/j.cpa.2013.11.001), including recently by other non-Kain Nikunau, some from elsewhere in Kiribati.

The empirical materials include secondary sources covering more than two centuries from various disciplines, and participant-observations during a quarter of a century. They are composed into an analytical description of occurrences that paralleled accounting usages for the last several generations of Kain Nikunau. These usages have been local and distant. They relate to trade, mining and wage employment, religion-making, government, formal education, medical care and other services, development projects and aid. The analytical description is interpreted partially in terms of consequences for Kain Nikunau of accounting usages. The paper stops at full interpretation and theorising in order to enhance the extant literature about consequences of accounting.
SESSION 6 - HUMAN RIGHTS AND HUMAN SECURITY - HEALTH A CROSS SECTOR APPROACH.

Chair: Associate Professor Malakai Kolomatangi.

Ms Eliza Raymond, International Programmes Coordinator, Family Planning, New Zealand.

As the international programmes coordinator for Family Planning, Eliza is responsible for coordinating Family Planning’s advocacy, research and project work in the Pacific. Her current focus is on improving the sexual and reproductive health and rights of I-Kiribati through the Kiribati Healthy Families Project. Prior to joining Family Planning, Eliza was the Director of the Global Volunteer Network Foundation and has lived and worked in Chile, Haiti, Kenya, Peru and Siberia.

ABSTRACT: Promoting and Protecting sexual and reproductive rights in the Pacific: Kiribati.

The ability to decide freely the number, spacing and timing of children is a fundamental human right with proven benefits for the health of women and children. Across the Pacific, many countries and territories have made important progress towards improving access to sexual and reproductive health and rights (SRHR). However, contraceptive prevalence rates in most Pacific Island Countries and Territories (PICTs) remain well below the global average and unmet need for contraception is among the highest in the world. Furthermore, abortion laws are highly restrictive in most PICTs and while statistics are limited, anecdotal evidence indicates that the number of unsafe abortions is high.

Family Planning New Zealand has been working in the Pacific since the landmark 1994 International Conference on Population and Development to improve access to SRHR. Our Healthy Families Project in Kiribati provides an example of a unique model for advancing the SRHR of I-Kiribati. The project works to address three key challenges faced by PICTs by developing capacity, improving access to services and information, and creating an enabling social and legal environment.

A number of key lessons can be drawn from our experience in Kiribati of relevance to other stakeholders working to promote and protect human rights in PICTs. Key learnings include how to advocate for increased investment in SRHR, the importance of working with youth, and how to develop an enabling social and legal environment for SRHR.

Ms Vaine Iriano Wichman, President of the Cook Islands National Council of Women.

Vaine has worked extensively throughout the Cook Islands and the Pacific Islands as a development economist over the last 30 years. She has held positions in the regional, public, community and private sector, as a rural economist at the Secretariat of the Pacific Community, as a head of division in the Ministry of Finance during the economic reform period (1990’s) of the Cook Islands, as a President of the Cook Islands National Council of Women, and as a director in two private companies - Arama & Associates and Taimoana Ltd. She is enrolled as a PhD student at the University of the South Pacific pursuing research into real costs to atoll dwellers (Tongarevans) of climate change from a gender and indigenous knowledge perspective.

ABSTRACT: Te Ata o te Ngakau - The Cook Islands Family Health and Safety Study.

The Family Health and Safety Study (FHSS) aimed to obtain reliable data on the prevalence and frequency of different types of VAW in the Cook Islands. Among other objectives, the study also sought to document the associations between partner violence with health issues and other outcomes, and to identify risk and protective factors for partner violence.

Dr Jimmy Obed, Medical Doctor, Port Vila, Vanuatu.

Dr Jimmy Obed (MBBS, PGDMH) is a Medical Doctor by Profession and is based in Port Vila, Vanuatu. He specializes in the area of Mental Health. Dr Obed is involved in pioneering in this area and building a sustainable Mental Health Care Service Delivery System in Vanuatu. Having served as a Medical Professional in both rural and urban areas, he has an appreciation of the challenges in small island developing states. Dr Obed is a strong advocate for people with mental illness and a strong supporter for carers of the mentally ill. He is a key contact person in the area of mental health in Vanuatu. Dr Obed is a member of Global Leadership Interlink (GLI) and has a passion for community development and engagement.
ABSTRACT: Human Rights and Mental Health in Vanuatu.
Vanuatu is an archipelago of islands in the South Pacific, population of about 290,000 with a very rich and diverse culture. In recent years it has been dubbed as one of the most happiest places on earth, with a growing popularity as an ultimate tourist destination in the South Pacific, a lot of visitors arriving with the ideal of seeing islanders with warm tropical smiles abiding happily in the islands. The truth may be farther from that than expected, Vanuatu, like any other developing country faces the same challenges as its sister countries in the Pacific. One of the main challenges is the marginalization of vulnerable groups of people such as the mentally disabled and their human right to access the most basic of health services. This marginalization brought about by Vanuatu’s own culture as well as outside influences such as religion. Increased rates of urbanization, poor political will and lack of services further exacerbates this gap between the mentally disabled and the general population. This presentation will highlight and discuss the challenges in mental health services and human rights in Vanuatu.

Dr Sione Vaka, Lecturer in Nursing, School of Nursing, Massey University.
Passionate about Pacific peoples’ mental health, Sione is a man with a mission to lead the way in integrating indigenous knowledge into mental health nursing practice. He is now on the cusp of completing a doctoral degree and achieving his dream to become Massey’s first Tongan male nursing PhD graduate.

ABSTRACT: A Tongan talanoa about understandings of mental illness.
The New Zealand Mental Health Survey, Te Rau Hinengaro (Oakley-Browne, Wells, & Scott, 2006), reported that Tongan people have high prevalence rates of mental illness, do not utilise mental health services, and the risks of mental illnesses were different between Tongan people born in Tonga and those who were born in New Zealand. The risks were higher for those who were born in Aotearoa New Zealand (A/NZ). The overall aim of this research is to explore the meaning of mental illness for Tongan people in A/NZ, and the research question is, what is the meaning of mental illness for Tongan people in A/NZ? The Tongan cultural framework talanoa was used as a conceptual framework to inform this research and also as a method for collecting the data. Using talanoa engaged this research in the circular and collective ideologies of Tongan people. Tongan cultural contexts are used to strengthen this engagement and the collection of data, and Tongan concepts were used to discuss the findings.

Thematic analysis was utilised to analyse the data. These Tongan concepts construct (tufunga) mental illness from Tongan perspectives and interpretations. This research found that Tongans in New Zealand perceive and interpret mental illness in three ways: through traditional Tongan interpretations, through Western and biomedical influences, and also through an intersection of Tongan interpretations and Western/biomedical influences. These interpretations are presented as themes. These themes were tufunga faka-Tonga (Tongan constructions of mental distress); tufunga faka-paisaikosisiolo (biopsychosocial constructions of mental distress), and the tufunga fepaki mo e fetaulaki he vaha’a o e tufunga faka-paisaikosisiolo mo e tufunga faka-Tonga (intersections between biopsychosocial and Tongan constructions of mental distress).

Ms Maire Bopp Du Pont, a founding member of the Pacific Islands AIDS Foundation (PIAF).
Maire was a founding member of the above regional trust established in 2002 to combat the spread of HIV in the Pacific Islands and advocate for the rights of people living with HIV to leave in a supportive environment, free of social, economic, workplace, medical stigmatisation and discrimination. As Chief Executive Officer for PIAF, she developed and supervised the first PLHIV & Human Rights-based anti-discrimination law and workplace policy development program in the Pacific Islands region. When funding countries like New Zealand stopped to invest in PIAF and this whole health and human rights area, PIAF had to put the key under the door. Their HR and legal programmes also ceased. Maire returned to her home country of Tahiti where she is currently established.

She now resides back in Tahiti, her country of origin and is a translator and interpreter for the Adventist Church Mission of French Polynesia. She also lives with HIV and has been the leading international advocate for People Living and affected by HIV in the Pacific Islands from 1999 to 2011.

ABSTRACT: HIV and AIDS Advocacy in the Pacific.
She will focus her presentation on the lessons learnt from the Human Rights & Law programmes that PIAF implemented from 2007 to 2011.
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