

Gender Profile Tonga

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Gender Context

Over the years, Tonga's population has remained at around 100,000 people who are predominately rural with 25% living in urban areas. Tonga has a young population with a median age of 21 years. More than one third (38%) of the population is under 15 years of age, with 8% 60 years and older. Life expectancy is considered high at 70.2 overall (67.3 for males and 73.0 females) ¹

Women are respected and cherished. Despite women's powerful position in Tongan social structure and increased opportunities for education and advancement of women, issues such as violence against women, low levels of participation in decision-making and unequal access to productive and economic resources need to be addressed.² No women were elected to the new Parliament in November, 2010. Women in Tonga perform multiple roles as household and subsistence managers, income earners and as active members of churches and community groups. Most of women's contribution in agriculture is in the form of unpaid work, and mainly to produce food for household consumption. Women's contribution to agriculture and fisheries are not captured by official statistics because of its informal nature.

Gender Issues

Women in Decision Making

Since 1951 when women became eligible to vote and stand for the Legislative Assembly, only six women have held parliamentary positions and two women have been voted into local government, reflecting the extremely slow process of acceptance of gender equality in the political arena. The only current woman Minister is the Minister for Education, Women's Affairs and Culture, appointed directly by the Prime Minister. Women have also been appointed as acting ministers.

The parliamentary and electoral systems continue to disadvantage women. Until 2010, of the 32 parliamentary seats, 14 were reserved for cabinet ministers appointed by the King, nine for nobles selected by the country's 29 nobles, and nine were elected by popular vote. Only men can be nobles, which means that women are excluded from participating in both the selection process and in the holding of these nine seats. Women wishing to take part in a national election could contest only the nine seats elected by popular vote. In 2010, new electoral laws increased the number of people's representatives from nine to 17. The lack of participation by women in decision-making is arguably inconsistent with the culture of the fahu system in which sisters are held in the highest regard. This traditional status is commonly used to justify the marginalized, political status of women today. Gender stereotypes are also widespread in Tonga, including the notion that politics is the domain of men.³

Women are slowly being represented in managerial and higher administrative positions in both government and the private sector. There has been an increase of women in executive level of government including the current Chairperson of the Public Service Commission, the Governor of the National Reserve Bank. Tonga, the

¹ Tonga Second National Millennium Development Goals Report, 2011

² Tonga National Report on the Universal Periodic Review, 2008

³ SPC Stocktake of the gender mainstreaming capacity of national governments, Tonga, 2012

Chief Executive Officer for Education and Training, the Chief Executive Officer of the Public Service Commission, the Chief Executive Officer for Revenue Services, and the Secretary for Justice. A number of women are also in position at the second most senior level of Government, particularly in Revenue Services, Finance and National Planning, Internal Affairs, Tonga Police, Education and Training, Infrastructure, Agriculture, Lands, Environment and others. In the public enterprises there are women who are chairpersons of the board of directors, directors, chief executive officers or at deputy level. These include Tonga Communications Corporation, the Waste Authority Limited, and the Ports Authority. Women also hold prominent roles in the private sector with the President of the Chamber of Commerce and Industries, and other medium to small business owners who are women. There are also ordained ministers in the Free Wesleyan Church of Tonga and Anglican Church. In 2012 the first female ordained minister was nominated as a candidate to be the leader of the Free Wesleyan Church of Tonga, which is the largest congregation in Tonga in 2012⁴

Violence Against Women

Findings of a National Study on Domestic Violence against Women in Tonga was released in 2012 and has drawn attention to the prevalence of domestic violence in Tonga. The key findings of the report revealed that more than $\frac{3}{4}$ of Tongan women and girls have experienced physical or sexual violence in their lifetime. In addition

- 68% of Tongan women and girls are affected by physical violence perpetrated by mainly their fathers or teachers
- 33% of married or ever partnered women are victims of physical violence
- 17% of married or ever partnered women are victims of sexual violence
- 24% of married or ever partnered women are subject to emotional violence
- 91% of women had experienced, at least once in their lifetime, controlling behaviour of the husband
- Perpetrators of violence are just as likely to be well respected and educated Tongan men

In September, 2013 the Parliament of Tonga unanimously passed the Family Protection Act. The Family Protection Act was developed by Tonga's Ministry of Education, Women's Affairs and Culture Women's Affairs Division and allows police to issue immediate protection orders to victims of domestic abuse.

Unequal Access to Productive and Economic Resources

Following Tongan traditions many women choose to remain at home and forgo the opportunity for a career.⁵ Difficulties in balancing family life with the demands of full time employment are also an underlying reason. The re-entry of women into employment is hindered by the lack of any formal supportive system – outside the family itself - to assist women to balance family life with the demands of full time employment. However there has been an increase in kindergarten and child care facilities in Tonga since the 1996 census, providing mothers further opportunities for

⁴ Human Rights Council Working Group on the Universal Periodic Review Fifteenth session Geneva, 21 January–1 February 2013 National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21* Tonga

⁵ 2013 Pacific Regional MDG Tracking Report 2013

child care while they work.⁶

In accordance with the Constitution of Tonga and the traditional principles of inheritance through the legitimate male lineage, Tongan men are guaranteed land rights to an 'api kolo (town allotment) and an 'api 'uta (tax or country allotment), and inheritance passes through the male heirs. Women are excluded from land holding unless there is no male in the lineage, and even then they have mere occupancy rights. Access to land for women is thus temporary, limited by the social controls of their sexuality and kinship relationships. Women are subject to the good will and continuance of the traditional fahu system, where the brother is obligated to take care of his sister and her children — a system that is fast eroding with the transition to a commercial and cash-based society. The leasing of land has provided some respite and women now hold the highest number of leases (70%) in Tonga.⁷

In 2006 there were an estimated 15,299 females in all forms of employment, representing 43.5% of all those recorded as employed in all sectors. The predominant source of employment and income earning for females was in the craft and related trades that accounted for 60% of all female employment. In this category females accounted for 78.8% of all employment. Only in clerical positions did the number of females (74.5%) also exceed the number of males employed.⁸ The share of women in wage employment in the non-agricultural sectors (industry and services) rose from 36% (1986 census) to 43.2% (2006 census). While the numbers of females in formal employment has increased, there has been little significant change in the type of occupation held. A majority of women continue to be employed in un- skilled or clerical level positions. At the Professional, legislators, senior official and manager level females accounted for 41.2% of employment. In 2008, the Ministry of Agriculture, Food, Forests, and Fisheries created a division called Food, Women, and Youth Community Development to support the development of women in their communities, notably through agricultural activities such as vegetable gardens.

As of 2010, the Public Service Commission instituted a new policy to extend maternity leave from one month to three months for public servants (one week is granted for paternity leave). The policy is an important step towards supporting women's participation in the labor force, as well as supporting breastfeeding and infant health under MDG4. It will be important to monitor progress in women's participation in the labor force in the next five years to see the impact of this new policy. An international indicator as to whether women are active in economic and political activities is the gender empowerment measure (GEM). The GEM also takes into account gender disparities in earned income. In 2007, Tonga ranked 102nd out of 109 countries in the GEM, with a value of 0.363.⁹

Gender and Development

A measure of a government's political will for gender equality and mainstreaming is the extent to which national and sectoral policies recognise, prioritise and seek to address gender imbalances. The Tonga Strategic Development Framework (TSDF) 2011 – 2014 positions government's commitments to gender equality under the

⁶ Tonga Second Millennium Development Goals Progress Report, 2011

⁷ *ibid*

⁸ *ibid*

⁹ *ibid*

outcome of strong inclusive communities, recognizing the key role that gender equality and women's empowerment has towards building strong inclusive communities. However, gender is not mainstreamed in the other 9 outcomes of the TSDf that means these commitments are not likely to be mainstreamed at the sector level. The TSDf supports an increase in the level of gender-balanced economic opportunities and activities throughout Tonga.

Tonga's high human development index score demonstrates that men and women are essentially equal in terms of health and education attainment indicators. Tongan women and girls have excellent performance in educational attainment. Net secondary enrollment for girls is 67.4%, and marginally more girls than boys are enrolled at secondary level with the female/male ratio being 1.08. Girls generally out-perform boys in the national entrance examination for secondary school, at School Certificate level, and at senior secondary school levels. Literacy rates are approximately 99% for both women and men. The progress of Tonga in providing equity in education and supporting women to undertake tertiary training has benefited women in areas such as maternal health and access to formal employment. However it has not translated into significant gains for women's participation in decision-making outside the home or in equitable control of economic assets.¹⁰

An alternative measure of gender equality is to look at the Gender Development Index (GDI). Tonga's GDI Index value for 2009 was 0.765 compared to its HDI value of 0.768. Its GDI value is 99.6% of its HDI value. Out of the 155 countries with both HDI values, Tonga is ranked 39th, placing it amongst the countries with highest gender equality.¹¹

Sectors

Health

According to the 2013 Regional MDGs Tracking Report, Tonga is on track to achieve MDG 5. There were very few maternal deaths recorded and almost all women give birth at the hospital or at home with a skilled birth attendant as a result of the Ministry of Health's strong commitment to improving maternal health. Opposition to family planning was strong in the 1960s and 1970s but Tonga gradually accepted the utility of family planning. Contraceptive use is low but there is a decline in total fertility suggests that women are taking action to reduce the size of their families. The MOH policy requires a husband's written and signed consent if his wife wants sterilisation, while the husband does not need his wife's consent if he wants a vasectomy. This policy is discriminatory, denying women the right to make their own informed decision about their body.¹²

According to the MOH Annual Report 2010, 5% of all deliveries were to mothers between the ages of 15 – 19 years old. This is an increase of .5% from the figures recorded in 2007, when 4.5 per cent of all deliveries were to mothers between 15 and 19 years old. 26% in 2010 were to mothers between the ages of 16-24 years old I comparison to 24.2 per cent in 2007. Conservative religious and cultural norms often

¹⁰ *ibid*

¹¹ *ibid*

¹² Extracted from SPC Stocktake of Gender Mainstreaming capacity of Pacific Island Governments, Tonga, 2012

impede reproductive and sexual health programs for adolescents.¹³

Cervical cancer is considered a leading gynecological problem among women in Tonga. However, tests such as PAP smears are not available nation-wide, meaning critical early detection is not possible for many women.¹⁴

There is a lack of choice in terms of methods available. For cultural reasons, women very rarely opt for an IUD (an ideal choice for delaying and spacing pregnancies), and prefer injection. The same cultural reasons result in low uptake of pap smears, which presents an impediment in developing cervical cancer prevention programs.¹⁵

Education

Tonga is strongly committed to free education until class 6 (12 years old), and to a compulsory education until age 14, regardless of gender. The ratio of girls to boys has remained around 88 at the primary level. Tongan women and girls have excellent performance in educational attainment. Net secondary enrollment for girls is 67.4%, and marginally more girls than boys are enrolled at secondary level with the female/male ratio being 1.08. Literacy rates are approximately 99% for both women and men. The progress of Tonga in providing equity in education and supporting women to undertake tertiary training has benefited women in areas such as maternal health and access to formal employment. However it has not translated into significant gains for women's participation in decision-making outside the home or in equitable control of economic assets.¹⁶

Peace and Security

Following 2006 civil unrest in Tonga, representatives from women's organisations in Tonga have been engaged in the development of the Pacific Regional Plan on Women, Peace and Security 2012- 2015 committed to advancing women's inclusion in peace negotiations, peace building activities and conflict prevention, protecting women from sexual and gender based violence and ensuring equal access to relief and recovery assistance, in areas of conflict and insecurity. Tonga does not have a women peace and security national plan or strategy.

Energy

All urban centers in the country have access to electricity as well as all rural areas on the main islands of Tonga. However, the remote islands of Tonga do not have access to sustainable energy and this is the focus of this country's current sustainable energy strategy. NGOs participate in planning and designing energy projects (solar lighting) for the remote islands. SPC through the Pacific Gender and Energy Network have conducted a number of in-country training sessions in an attempt to assist energy officials with mainstreaming gender equality by taking into consideration the different roles of men and women, their different uses of energy and how energy projects can be used to strategically empower women and girls.

¹³ Tonga Second National Millennium Goals Progress Report, 2011

¹⁴ Extracted from SPC Stocktake of Gender Mainstreaming capacity of Pacific Island Governments, Tonga, 2012

¹⁵ Tonga Second National Millennium Goals Progress Report, 2011

¹⁶ *ibid*

Institutional and Legal Framework

Tonga has ratified only two core international human rights conventions, which are the Convention on Elimination of All Forms of Racial Discrimination (CERD) and the Convention on the Rights of the Child, of particular significance for the human rights of women and girls. It has endorsed a number of key international and regional policy frameworks containing commitments to gender equality, including the 1995 Beijing Platform for Action (BPA), the 2000 Millennium Development Goals (MDGs), the Commonwealth Plan of Action for Gender Equality 2005–2015, the Revised Pacific Platform for Action on Advancement of Women and Gender Equality 2005–2015 (RPPA) and the Pacific Plan (2005, revised 2007).

Most importantly, Tonga has not ratified CEDAW. In September 2009 the Tongan Legislative Assembly overwhelmingly voted against ratification of CEDAW, stating that it goes against the Tongan way of life. The main reason given for the decision not to ratify CEDAW is because Tonga wants to reserve the right not to apply provisions of Article 2 of CEDAW to the succession to the Tongan Throne and succession to Nobility and hereditary titles, and succession in our land laws. To ratify CEDAW Tonga would have to amend clause 32 of its Constitution that specifies that succession to the throne shall be to the eldest male child and the heirs of his body, so as to allow the female child to ascend to the Throne if she is the eldest. Similar amendments would have to be made to clause 111 of Tonga constitution and Section 82 of the land Act to enable the female child to inherit hereditary titles and estates as well as registered tax and town allotments, if she is the oldest child. There have been suggestions that Tonga can go ahead and ratify CEDAW with reservations. Unfortunately the key Articles on which Tonga has reservations, viz Article 5 and Article 16, have been held by the committee on the Elimination of Discrimination Against Women as central to the object and purpose of CEDAW, and states very clearly that any “reservations on them are “impermissible” under Article 28 (2) which states very clearly that any “...reservation incompatible with the object and purpose of the present Convention shall not be permitted.”¹⁷ Tonga is overdue with its reporting obligations under the Convention on the Rights of the Child (CRC).

A Women’s Affairs Unit (WAU) was established in 1993 and located within the Prime Minister’s Office. The Unit was re-designated the Women and Development Centre (WDC) in 1996, and in 2004 it was transferred to the Deputy Prime Minister’s Office. In 2006, WDC was transferred to the Ministry of Education, where it is currently located. Its name was changed to the Department of Women’s Affairs (DWA). The DWA is responsible for coordinating and implementing the national policy on gender and development. To achieve this it has to network and disseminate information on women’s issues; provide secretariat services to the National Advisory Committee on Gender and Development (NACGAD); coordinate with CSO activities in support of women; and strengthen partnerships with donors and other major stakeholders. In order to ensure implementation of the policy, an Implementation Plan (2003/2004- 2005/2006) was developed. However due to the lack of human resources

¹⁷ *ibid*

in DWA the plan stopped in 2006 and restarted only in 2011.

Actors

Key actors in Tonga involved in the advancement of Gender Equality and Women's Empowerment are the:

- Center for Women and Children
- Crown Law Office
- Women Catholic Women league
- Tonga media Council
- Department for women affairs
- National Disability Organisation
- Talitha Project Young Women
- SPC RRRT Country Focal Officer
- PLP Country Officer
- Civil Society Forum of Tonga (CSFT)
- Tonga Women Crisis Center

Recommendations

The SPC Gender Stocktake from 2012 identifies potential starting points for increasing the capacity of the Tongan government to mainstream gender and women's human rights in an effective and sustainable way. These approaches include:

- Support for ongoing advocacy towards the ratification of CEDAW
- Support for the creation of an enabling environment for women's economic empowerment.
- Capacity development for the Department of Women Affairs and National Advisory Committee on Gender and Development
- Gender Statistics – Compiling of gender statistics in one comprehensive framework
- National Sectoral/Corporate Plans - Fully mainstreamed corporate plans to include gender indicators
- Implementation of the Family Law Act
- Reform Discriminatory laws relating to inheritance and law, access to land for widows
- Increase efforts to get more women in parliament and other decision making bodies in preparation for Tonga's general elections scheduled for November 2014
- Facilitate access to family planning

