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Gender discriminations and malpractices in Vanuatu's workplaces

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ACRONYMS

CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CGEDM	Coalition for Gender Equality in Decision-Making
CRC	Convention on the Rights of Children
CSO	Civil Society Organization
DOC&IR	Department of Customs & Inland Revenue
DOI	Department of Immigration
DOL	Department of Labour
GRT	Government Remuneration Tribunal
MDG	Millennium Development Goals
MNCC	Malvatumauri National Council of Chiefs
NGO	Non-Governmental Organization
PAA	Vanuatu's Priorities & Action Agenda
PacLII	Pacific Legal Institute of Information
PAM	Pro-Active Mamas' Network
PSC	Public Service Commission
TSM	Temporary Special Measures
VDP	Vanuatu Daily Post
VERM	Vanuatu Education Road Map
VFSC	Vanuatu Financial Services Commission
VIPA	Vanuatu Investment Promotion Authority
VNCW	Vanuatu National Council of Women
VNP&HC	Vanuatu National Population & Housing Census
VNSO	Vanuatu National Statistics Office
VSDP	Vanuatu Sustainable Development Plan
WACC	Women against Crime and Corruption
YTS	Yumi Toktok Stret

GENDER DISCRIMINATIONS AND MALPRACTICES IN VANUATU'S WORKPLACES

1.0 Background

1.1 The archipelago of Vanuatu comprises over eighty-five islands with sixty-five of them being inhabited and is one of the fastest growing economies of the Pacific (Thomas, 2013 & VNSO, 2009). Vanuatu's economy is based primarily on agricultural products, with the tourism industry hastily expanding into prominence. As such, Vanuatu ranked 134 out of 188 on the United Nations' Human Development Index (2015) with key progress achieved compared to 2005 in the key indicators of life expectancy, years of schooling and gross national income per capita. Vanuatu had been ranked as the 'happiest planet on earth' in 2006 and the 'fourth happiest planet on earth' in 2016 (<http://mentalfloss.com/article/21395/scenes-vanuatu-happiest-place-earth>).

1.2 Based on a doctoral research programme, the researcher undertook at the University of Waikato, New Zealand in 2010 & 2013 entitled: *Empowering Ni-Vanuatu Women: Amplifying Wantok Authority and Achieving Fair Market Access* (Thomas, 2013), she posited that Ni-Vanuatu women experienced many forms of gender discriminations in their work-places. Females in junior positions in various organizations must work many years before they were recognized and given positions of authority (Thomas, 2013 & 2010, Global Gender Report, 2010; Randell, 2010, VNCW, 2005, & The Republic of Vanuatu, 2004). In many instances, Vanuatu's patriarchal decision-makers appointed less qualified men into positions of authority rather than qualified women (Thomas, 2013 & 2010; Republic of Vanuatu, 2004 & Van Trease, 1995).

1.3 Although women make up 49 percent of Vanuatu's population (VNSO, 2009), they continued to be under-represented in positions of authority (Thomas, 2013). Positions of authority is defined as any level of leadership, decision-making or managerial positions including politicians, senior government officials, corporate and general managers in the public and private sectors] where women's needs' and perspectives are integrated into Vanuatu's decision-making processes. According to the Vanuatu National Statistics Office (2009), women made up 36% of the workforce and held 29% of positions of authority [limited to women in managerial, legislators and senior official positions; however, not all professions are listed as positions of authority] while men made up 64% of paid employment and held 71% of positions of authority. Vanuatu's patriarchy continued to dominate the decision-making processes in the public sector with women holding merely three per cent of senior management positions. In both the public and private sectors of Vanuatu, women held 28.5 per cent of management and decision-making positions (The Republic of Vanuatu, 2004).

1.4 In the last two sessions of Vanuatu's general elections, [a session lasts for four years], women were not represented in Vanuatu's national parliament. As such, women had no voice and space to posit their welfare and well-being concerns. Male decision-makers or as the researcher will refer to throughout this document, as 'Vanuatu's patriarchy' (Thomas, 2013; The Republic of Vanuatu, 2004 & Van Trease, 1995) in Vanuatu's national parliament were unable to adequately represent the needs and views of women, let alone advocate for and promote gender equality in Vanuatu. To combat this problem, the Department of Women's Affairs with the support of the Ministry of Justice and Community Affairs worked together with the Ministry of Internal Affairs to create a temporary special measure (TSM) legislation/affirmative action to permit women to gain seats in the Port Vila and Luganville Municipal Councils (Pacific Islands Forum Secretariat, 2016). Unfortunately, TSM legislation/affirmative action had not been extended into the national and provincial government elections, and as such, no women were allocated reserved seats in these platforms. The Minister of Internal Affairs, Hon. Andrew Napuat, stated in the opening of the Oxfam funded VNCW Meeting at

Mele Village on Efate on 9 May 2018 that the TSM legislation is only temporary and it is time for women to unite and display their leadership qualities and contest elections like everyone else (Yumi Toktok Stret, 9 May 2018).

1.5 Some progress made at the municipal council levels where the Decentralisation and Municipalities Act of 2013 introduced the temporary quota of 30-35 percent of reserved seats for women in the Port Vila and Luganville Municipal councils. TSM enabled five women to be elected into the Port Vila Municipal Council for the period 2014-2017 and six women into the Luganville Municipal Councils for the same period. One woman won her seat through open competition (Pacific Islands Forum Secretariat, 2016). Leimara Malachi was appointed as the Deputy Lord Mayor in the Port Vila Municipality. This was the first time for women to hold a leadership position in the council as all former leadership positions were occupied by men. In the recent Port Vila Municipal Council elections which took place on 7 March 2018, six women won their seats. Pascalyne Fred Cakau won in an open seat while five other women: Rose Peters, Marie-Louise Milne, Leipanga Jimmy, Seborah Tapau and Jenny Tasale Regenvanu won their seats under the reserved seats' legislation (Vanuatu Daily Post, March 2018). Only two former Port Vila Municipal female councillors, Rose Peters and Pascalyne Fred Cakau regained their seats in 2018. In the Luganville Municipality Council, Renata Netaf who was a former female councillor regained her seat and was appointed as the Deputy Lord Mayor in Luganville in May 2018. The Luganville Municipal Council has offered the Deputy Lord Mayorship twice already to a woman.

1.6 In Vanuatu's informal employment sector, an excess of 70 percent of women in Vanuatu were engaged in handicraft and food production, fisheries and the marketing of domestic produce, as well as domestic work. Lack of basic literacy, numeracy and financial skills as well as the additional burden of unpaid work in the homes were barriers to women entering the labour market, with women comprising 39 percent of waged employees (The Government of Vanuatu, 2015). There had been an increase in the participation of women in small to medium businesses, with the Reserve Bank of Vanuatu reporting that women owned 20 per cent of businesses in 2016 (The Vanuatu Independent, 2017). Urban women participated in small to medium businesses more than rural women. To assist in reducing the gender gap, the Vanuatu Government appointed the Government Remuneration Tribunal (GRT) to address the gender pay gaps in the public sector.

2.0 Establishment of Women Against Crime and Corruption Network

2.1 Three hundred participants attended the 'Women against Crime and Corruption' Network (WACC) which was created as the result of a national forum held on 15 January 2008 at the Malvatumauri National Council of Chiefs, Port Vila, Vanuatu. At this emotionally-charged forum, participants shared their concerns and frustrations that they had become victims of steadily escalating criminal activities in their Vanuatu places of residence and work. Female participants echoed: 'enough is enough – as women were always targeted, yet their voices were not heard'.

2.2 Because many organizations had failed to advocate for victims of criminal activities (Thomas, 2009 & 2008), a resolution was passed at the national forum nominating WACC as an independent, voluntary, advocacy organization, working to raise awareness on crime and corruption, preventing criminal activities, promoting the interests of victims and assisting communities to work together to create peaceful, safe and harmonious locations for every citizen and residents of Vanuatu to work and live in. WACC's executive board was elected at this first meeting sponsored by the Grand Hotel and all board members agreed to serve on a voluntary basis. The current executive members of WACC includes: Jenny Unity Viregagaru Ligo as Chairlady; Manina Packete as Vice-Chair; Dr Andrina KL Thomas as Secretary; Monique Stephens as Treasurer; and Bessie Ligo and Lucy Sandy as Members.

2.3 The work of WACC is based on the premise that if every Vanuatu citizen and resident focuses on crime prevention, they will succeed in reducing criminal activities such as: murders, rapes, assaults, theft, gender discrimination and other malpractices in their employment and life, destruction of property, and violence against women (WACC, 2017 & 2016). WACC does not merely concentrate on women's issues but includes events and issues affecting both men and women in Vanuatu.

2.4 Since its establishment, WACC had engaged in numerous projects and activities and it had become one of the most outspoken public advocacy groups in Vanuatu, giving voice to the voiceless victims, residents and citizens of Vanuatu (WACC, 2016 & Thomas, 2009). Although WACC had not received any donor funding like [CSOs such as the Vanuatu National Council of Women, focussing on women's empowerment; Vanuatu Women's Centre, focussing on gender-based violence; and the Wan Smol Bag Theatre, focussing on community theatre plays who are benefitting from continuous AusAID donor funding].

2.5 WACC continues to undertake private fundraising activities to raise funds to carry out its work. Its three major areas of activity include:

1. Engagement in public advocacy highlighting criminal issues through the international, national and local media, using the forums of newspapers, radio press releases and talk-back shows, one-to-one interviews and advocacy, forums, symposia and other group meetings;
2. Creation of networks in collaboration with the Vanuatu Police Force in crime prevention and victim support networks, distributing crime-related information, speaking out on key issues of crime, corruption and gender discrimination, and other malpractices and representing WACC in relevant national and community meetings;
3. Running community training, outreach and humanitarian support and implementing a variety of programs, including crime prevention and awareness training, individual, family and community support and relief work.

2.6 The main aim of this Gender Discrimination Research is to assist the researcher's three institutions/networks: Women against Crime and Corruption Network (WACC); Coalition for Gender Equality in Decision-Making Network (CGEDM) and the Pro-Active Mamas' Network (PAM) and any other CSOs/NGOs working, advocating for, promoting and campaigning for gender-equality to have relevant statistical data and facts to assist them in their work to fight against gender discrimination, and other malpractices that affects both men and women's decent work in Vanuatu. Having statistical data will help all institutions to advocate more effectively in promoting and publicly campaigning to increase gender equality in Vanuatu's decision-making processes and future directions.

3.0 Good Governance Concepts

3.1 The concept of 'Good Governance' is fundamental for public institutions and public-sector management including employers in the private sector to conduct and manage public affairs, regulatory reforms, public-sector skills and leadership including managing and directing their employees according to good governance concepts (Thomas, 2017; United Nations 2009 and 2008 & GSPS, 2005).

3.2 There are eight fundamental pillars of good governance. These eight concepts are defined in the acronym: [P, A, T, R, ROL, E, E, C] (Thomas, 2017). Therefore, P = participation, A = accountability, T = transparency, R = responsiveness, ROL = rule of law, E = equity and social inclusion, E = effectiveness and efficiency and C = consensus-created. A handful of institutions in Vanuatu follow a

few elements of these good governance concepts. For example, the Pacific Islands Association of Non-Governmental Organizations (PIANGO) through the Vanuatu Association of Non-Governmental Organizations (VANGO) encourages all CSOs and NGOs to adopt and comply with its Code of Minimum Standards comprising of the concepts of transparency and accountability (VANGO, 2016). The rule of law prescribes how employers should interact and deal with their employees. They must follow fair and legal frameworks being enforced by an impartial regulatory body for the full protection of these employees. Accountability is when decision-makers make decisions that are fair and just, that comply with the rule of law and when they are accountable for these decisions. Transparency on the other hand requires decision-makers to make clear, publicly-accessible decisions, and to avoid any conflict of interest, so as not to be accused of incorporating hidden agendas in these decisions (Thomas, 2017).

3.3 Work-place ethics and code of conduct of ethical behaviour, refers to behaviour and interactions that is acceptable between an employer and employee in any institution (Thomas, 2017). Therefore, ethical behaviour also known as 'just and honourable behaviour' is good business. If an employer is ethical, then his/her decisions in the work-place will follow the rule of law and decisions made are transparent and accountable. Workers will become satisfied workers and there will be limited turnover of employees from these institutions. Furthermore, employers can become "persons of integrity" when they do not entertain conspiracy, corruption, collusion, bribery, political manipulation, conflict of interest, work-place bullying and abuse of power in their relationships with their employees (Thomas, 2017 p. 9).

3.4 Nevertheless, poor governance, white-collar criminal activities, and malice, also known as malpractices include activities such as: non-transparency, conspiracy, collusion, bribery, political manipulation, conflict of interest, nepotism, cronyism, work-place bullying, abuse of power, un-informed policy making, unaccountable bureaucracies, unenforced or unjust legal systems, the abuse of executive power, and a civil society unengaged in public life, and entertaining widespread corruption (Thomas, 2017).

4.0 Ethical and Legal Issues

4.1 As gender discriminations and malpractices is rampant for both men and women in Vanuatu, it is important to prove this hypothesis by investigating primary data from the Women against Crime and Corruption (WACC) and the Pacific Legal Institute of Information (PaCLII) Court Register. To protect the applicants/victims concerned, case numbers were assigned to replace the victims' names. No Employer details were released except that the data is aggregated into state ministry, department & statutory body, private entities and CSOs as per Part B, Section 11.12 (G). Lastly, (d) only employment cases registered under the alphabets A, B, C, and D from the PaCLII Court Register were extrapolated to identify the numbers of men and women who experienced gender discrimination, and other malpractices according to Part C, Section 11.19 (I). The researcher removed the names of the applicants but kept their gender intact while undertaking a thematic analysis of the outcomes of their gender discrimination, and malpractices, and indicated whether the cases were successfully resolved or not.

4.2 In terms of legal issues, under Section 5(1) of the Constitution of the Republic of Vanuatu [CAPS 10, 15 and 20 of 1980, 1981 and 1983], it prescribes the fundamental rights and freedoms of a Ni-Vanuatu citizen as follows:

The Republic of Vanuatu recognises, that, subject to any restrictions imposed by law on non-citizens, all persons are entitled to the following fundamental rights and freedoms of the individual without discrimination on the grounds of race, place of origin, religious or traditional beliefs, political opinions, language or sex but subject to respect for the rights and freedoms of others and to the legitimate public

interest in defence, safety, public order, welfare and health: (a) life; (b) liberty; (c) security of the person; (d) protection of the law; (e) freedom from inhuman treatment and forced labour; (f) freedom of conscience and worship; (g) freedom of expression; (h) freedom of assembly and association; (i) freedom of movement; (j) protection for the privacy of the home and other property and from unjust deprivation of property; (k) equal treatment under the law or administrative action, except that no law shall be inconsistent with this sub-paragraph insofar as it makes provision for the special benefit, welfare, protection or advancement of females, children and young persons, members of underprivileged groups or inhabitants of less developed areas (p. 7).

4.3 The Vanuatu Government committed itself to these fundamental rights and freedoms, by acceding to three United Nations' (UN) conventions: The Convention on the Elimination of all forms of Discrimination against Women (CEDAW) in April 1995, the Convention on the Rights of the Child (CRC) in the same year, and Millennium Development Goals (MDGs) in 2000 (Thomas, 2010 & The Republic of Vanuatu, 2004). Accession to these UN conventions is the responsibility of member states as Vanuatu's refusal to voluntarily abide with any conventions may negatively impact its membership. Although implementation of any programmes is undertaken voluntarily, members must be seen to be committed to them or risk being censured. The MDGs and the CRC incorporated policies to address women and children's marginalization and human rights barriers in Vanuatu. The CEDAW was offered to specifically address women's employment discrimination and oppression that is manifested in the Melanesian and Pacific regions (The Republic of Vanuatu, 2004) along with the early imposition of European patriarchal missionary values (Macdonald-Milne et al. 1981), colonial rule (ILO, 2006), and in their contemporary adaptation by Vanuatu's male ruling elites/Vanuatu patriarchy (Thomas, 2013 and The Republic of Vanuatu, 2004). For many women, the CEDAW offers a remedy to Vanuatu's patriarchal expressions of power and control. Through its tenets, women are promised liberation, emancipation, and empowerment (Ashcraft, 1998; & Tuttle, 1986) to encourage their inclusion into Vanuatu's leadership, and as income earners for their families – currently all inhibited by demonstrable gender discrimination, and other malpractices, as it is now understood in Western terms.

4.4 CEDAW is aimed at reducing and eliminating all forms of discrimination imposed against women in Vanuatu by the government, private employers and other agencies. The Republic of Vanuatu (2004) postulates discrimination as:

Any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field (p. 21).

4.5 Hosting an educated workforce is fundamental to Vanuatu's formal and informal employment sectors. This goal is possible through educating Vanuatu residents and citizens and encouraging them to graduate from primary, secondary to tertiary education or professional qualification and even pursuing doctoral degree programmes. The Vanuatu Education Road Map (2009) stated that the Vanuatu Government's strategic directions for the country's Priorities & Action Agenda (PAA): 2005-2015, stipulated the country hosting: "An Educated, Healthy and Wealthy Nation" (p. 4). The Plan also speaks about the necessity to capacity-build the staff of the Ministry of Education. Other state and non-state actors also require this type of capacity-building training as well. Having a strong and capable work-force enables Vanuatu to rely less on overseas technical expertise and thus reduce the need to employ expatriate workers and foreign advisers to fill vacant positions that should be occupied by both Ni-Vanuatu men and women in Vanuatu on a long-term basis.

4.6 Nevertheless, in reviewing Vanuatu's Education Master Plan (1999), the enacted policy did not promote gender equality in positions of authority within the Department and Ministry of

Education. It is sad to note that since 1999, no females have been appointed or assumed any positions of authority in these institutions.

4.7 Vanuatu had enacted a policy entitled: Control of non-citizens (localisation policy) (<http://dol.gov.vu/index.php>) whereby expatriate workers are permitted to enter Vanuatu for a limited period to capacity-train local counterparts to replace them. After the expatriate worker's initial work-permit expired [which lasts 2-3 years], he/she must relinquish their position to the local counterpart, who will assume this role.

4.8 As there is no systematic and thorough collaboration with compliance checks undertaken between the: (a) Department of Labour, (b) the Department of Immigration, (c) the Department of Customs and Inland Revenue and the (d) the Vanuatu Investment Promotion Authority, it is not surprising to see expatriate workers continue to hold their original positions for many years without training any local counterparts to replace them. A recent article on the social media, "Yumi TokTok Stret" of (December 2017), highlighted how the Vanuatu Government's annual revenue collection of 4.2 Billion Vatu had not been collected within the Department of Customs and Inland Revenue - the VAT Office. The news highlighted that an expatriate worker was employed by the Department for over 7 years and was being paid 1 Million Vatu per month. The foreign worker was earning [1 Million Vatu per month x 12 months therefore earning 12 Million Vatu per annum x 7 years which equals 84 Million Vatu] disbursed while retaining his services, without localising the position to a Ni-Vanuatu counterpart. If Vanuatu's localisation policy had been diligently supervised by all departments highlighted above, the position occupied by this foreign worker would already have been localized in merely two to three years.

4.9 The Vanuatu Government created the Ombudsman's Office as the Watchdog to ensure that persons appointed as leaders in Vanuatu were complying with the Leadership Code (Ombudsman Act, CAP 252 of 1998 and Leadership Code, Act 240 of 1998). To combat anti-corruption, a matter can be reported to the Ombudsman's Office for investigation. While it is true that the Ombudsman's Office had investigated and reported on many forms of gender discriminations and other malpractices in the past, many leaders who breached the leadership code were never punished and continued to retain their positions of authority. By doing so, the risk of further gender discriminations and other malpractices can be applied on other employees in Vanuatu's formal employment sector. To improve its Watchdog capacity, the Ombudsman's Office had requested the Law Commission to review its legislation and prescribe additional legislations to enable it to prosecute offenders in the future when they are found guilty of an offence (<https://lawcommission.gov.vu>).

5.0 Initial Research Topic

5.1 The initial research topic chosen by the researcher was to identify whether work-place bullying and abuse of power malpractices is impacting Ni-Vanuatu women's career paths and job security in Vanuatu. However, this focus had to be revised because of the non-availability of statistical data from the Department of Labour, who is responsible for employment in Vanuatu, the Ministry of Justice and Community Affairs and the Department of Women's Affairs who are responsible for women's affairs and judiciary matters; or non-governmental organizations such as the Vanuatu National Council of Women and the Vanuatu Women Centre who are responsible for women's issues of gender-based violence. It is worth noting that the Vanuatu National Statistics Office had not captured this kind of statistical data in its past national population & housing censuses.

6.0 Revised Research Topic

6.1 The revised research theme is firstly: (a) to identify the percentages of working men and women collected by the Vanuatu National Population & Housing Censuses for (2009) and (2016) and (b) make an analysis of this data with the percentages of men and women holding positions of authority in Vanuatu and whether the environment proved more favourable for female workers in Vanuatu. The revised research topic also permitted the researcher to (c) analyse and posit gender discriminations and malpractices based on investigating the primary data of WACC and PaCLII in Vanuatu.

7.0 Research Questions

7.1 The revised research questions were:

- (a) From a literature review of secondary sources, have gender discrimination and other malpractices such as: non-transparency, non-accountability, non-compliance with the rule of law, work-place bullying, corruption, conspiracy, collusion, political manipulation, nepotism, cronyism, conflict of interest and abuse of power reduced for men and women because Vanuatu is honouring its obligations under the CEDAW it signed in 1995?
- (b) What strategies should be implemented to reduce gender discrimination and other forms of malpractices in Vanuatu?

7.2 The process the researcher utilized to select the specific questions emanated from past historical data and experiences of gender discriminations and other malpractices affecting both men and women in Vanuatu. As there were no gender-specific discrimination statistical data, this research study included a study of both men and women. As more gender-specific discrimination data is made available in the future, future researchers can focus entirely on women's gender discriminations and malpractice in Vanuatu.

8.0 Research Plan & Methods

8.1 A literature review of secondary sources such as CEDAW and other international data which is available, and primary sources through WACC and the PaCLII Court Register is the basis of this research study.

8.2 Firstly, (a) the results of the Vanuatu National Population & Housing Censuses for (2009) and (2016) obtained by the Vanuatu National Statistics Office (VNSO) through its qualitative and quantitative data, a theoretical lens and thematic framework, is used to identify the number of working men and women, in Vanuatu's workforce and the percentages of both gender assuming positions of authority in Vanuatu. Secondly, (b) the researcher posited men and women's occupations of positions of authority based on VNSO's statistical data as per Part A, Section 11 (A) of this study and the assumptions offered. Thirdly, (c) the results of a WACC 2017 list of female gender discriminations and other malpractices were depicted in Part B, Section 11, (G) and the results of the PaCLII Court Cases in Part C, Section 11, (I).

9.0 Data and Data Issues

9.1 There are limited data sources available in Vanuatu to examine the issue of gender discriminations and malpractices in men and women's workplaces in Vanuatu. Therefore, the researcher had to investigate a range of primary data from sources such as: WACC and the PaCLII, to

respond to the research questions posed, and hypotheses made. As there is no Crime and Corruption Commission Watchdog in Vanuatu except for an International NGO, Transparency International, there is no institution responsible for the rigorous capture of statistical data to fully examine the extent of gender discriminations and malpractices in Vanuatu.

9.2 The researcher is not required to collect any new data for this research study but understands the importance of having various research variables such as secondary and primary data to respond to the research questions and hypotheses made for this research study.

9.3 In using the statistical data provided by the Vanuatu National Population & Housing Censuses of (2009) and (2016) VNSO, it is important to state that there were limitations as follows: (a) respondents' career paths were not listed except the number of male and female workers working in different categories; (b) whether they were in the formal or informal employment sectors; (c) whether they were in the urban or rural areas; and (d) the wages of the different work categories. The second limitation of the 2009 Census is that a percentage of women were listed as holding positions of authority but not all decision-making professions were listed as positions of authority. In the (2016) Census, no revision was made to the number of women holding positions of authority. The third limitation is that researching the PaCLII Court Register is a tedious process that needs a great deal of time. As the deadline for the Official Statistics course will lapse at the end of June 2018, the researcher was only able to verify gender discriminations, and malpractice cases from the alphabets, A, B, C, and D of the Register. As such, the finding of this research is too small and biased to draw any generalized conclusions on gender discriminations and malpractices in Vanuatu.

10.0 Analysis

10.1 This quantitative study provides a thematic analysis of men and women studying doctoral degree programmes, which is the highest academic accomplishment as at the end of 2017 and to identify whether there is any gender bias in the number of graduates completing this programme and holding positions of authority. A thematic analysis of the number of men and women in the formal and informal employment sectors, men and women occupying positions of authority based on the Vanuatu National Population & Housing Censuses of (2009) and (2016) is also analysed. Furthermore, primary cases of gender discriminations and malpractices from the WACC 2017 Gender Discriminations and the PaCLII Court Registers were analysed as well.

11.0 Results

11.1 In this research study, four separate sets of data were utilized and analysed. Firstly, a head-count of PhD graduates were deduced to discuss whether both men and women were pursuing this type of tertiary study and if female graduates on their return to Vanuatu were able to secure positions of authority. Secondly, data from the Vanuatu National Population & Housing Census of 2009 and 2016 were analysed to compare the level of labour statistics in Vanuatu and ascertain whether there were any improvements in the recruitment of female workers between 2009 and 2016 and to also identify whether these female workers secured positions of authority. Categories of work undertaken in Vanuatu were also investigated based on male and female occupancy. Thirdly, primary data from the WACC 2017 Discrimination Register was analysed to portray the different types of institutions responsible for gender discriminations and malpractices in Vanuatu and to also identify whether these victims sought resolution from the Vanuatu judiciary to resolve their grievances. Lastly, data from the PaCLII Court Register was analysed to identify the gender of applicants seeking resolution from the Vanuatu judiciary to resolve their gender discriminations and malpractices in Vanuatu.

11.2 Based on a head-count of PhD graduates in consultation with the Vanuatu Training and Scholarships Unit at the end of 2017, three females completed doctoral degree programmes in linguistics; good governance, Pacific Islands leadership, strategic management, gender/feminist studies, social enterprise; and economics between 2010-2014; while six males completed doctoral degree programmes in mathematics [2012]; accounting [2014]; volcanology [early 2000]; economics [2015] and strategic management [2016]. Five students [three females and two males] are still pursuing doctoral degree programmes in Australia, New Zealand and Canada in the field of educational leadership; biosecurity; computer science; physics and biology; and criminology. Six out of the nine PhD graduates who have completed their programmes are serving in Vanuatu while two graduates are serving overseas, with one graduate passing away.

PART A

11.3 To ensure that the researcher did not include pre-schoolers and non-working aged students in the statistical data and analysis, she eliminated persons aged zero to fourteen years old and only included persons aged fifteen years and upwards. Although, the Vanuatu Employment Act [CAP 160] does not permit the employment of any persons under the age of 18 years, most of the workers aged 15 years of age in the VNSO statistics are employed in family businesses/domestic situations (<https://vnso.gov.vu/index.php/component/advlisting/?view=download&fileId=4542>). The Vanuatu National Provident Fund (VNPF) on the other hand, encourages formal or voluntary contributors to make VNPF savings at 14 years of age. The VNSO statistical data provided to the researcher does not provide figures on the urban/rural divide in terms of its employment categories. However, based on the VNSO statistical figure of rural inhabitants of 73% [204,710 persons as of the 2016 census], the researcher predicted that most of the workers engaged in producing goods for personal consumption [subsistence agriculture, hunting, fishing, gathering] in the age groups 15 to 24 years are living in the rural areas of Vanuatu. The second highest category of employment were workers engaged in the private sector within the age groups of 25 to 34 years:

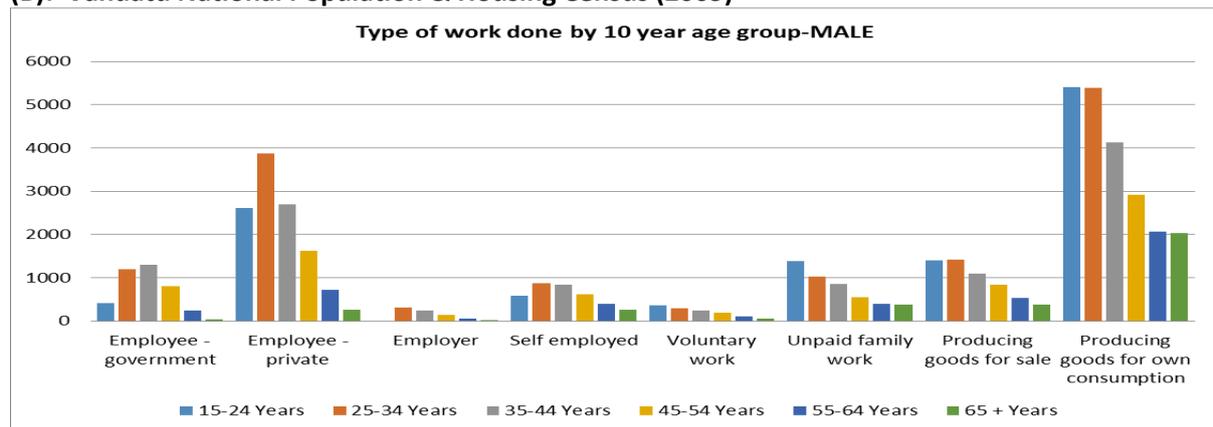
(A): Vanuatu National Population & Housing Census (2009)



11.4 The total number of working aged persons in Vanuatu as per the Vanuatu National Population & Housing Census (2009) amounted to [53,646 + 40,814] = 94,460 workers. Working men made up 56% of the national population compared to working women at 43%. Based on the graph below, the highest numbers of male workers produced goods for personal consumption were in the aged groups 15-34 years while the highest number of male employees in the private sector came from the age

groups 25 to 34 years. Working males with families and children living in the urban areas must seek paid employment to earn income for the survival of their families, which includes: putting food on the table, paying for rent, school fees, health care services, bus fares to and from work, school fees and many other expenses which are mandatory for urban dwellers. Urban expenditure includes owning a vehicle for transportation purposes. This involves paying annual fitness checks of 3,100 Vatu, road taxes of 15,000-30,000 Vatu depending on the type of vehicle a household owns and the minimum third-party insurance of 25,000 Vatu per annum. Gasoline and diesel cost between 150 to 200 Vatu per litre in Vanuatu. The longer distance between a person's residence and work will mean more vehicle running costs. If workers do not own a vehicle, then they need bus fares of 150 Vatu per trip in the urban areas times 4 = **600 Vatu per day** and 200 Vatu per trip in the rural areas times 4 = **800 Vatu per day** to commute to work. Based on the Consumer Price Index of the September quartile of 2017, the VNSO compared the December quarter of 2016 for price increases and decreases. The Vanuatu index increased by (+3.2%). For Port Vila, the index increased by (+3.6%) and the Luganville index slightly increased by (0.7%). Increases in food was (+6.4%); transport (+6.3%); education (+3.2%); health (+1.3%); clothing and footwear; and communication (+0.5%) each; drinks and tobacco, and housing utilities also contribute (+0.2%) respectively. The price increases for the expenditure group emanated from the movement of price of root crops, fruits and vegetables, purchasing and hiring of motor vehicles, international airline tickets, charges of petroleum per litre and school fees (<https://vnso.gov.vu/index.php/new-releases/quarterly-reports/cpi-news>):

(B): Vanuatu National Population & Housing Census (2009)

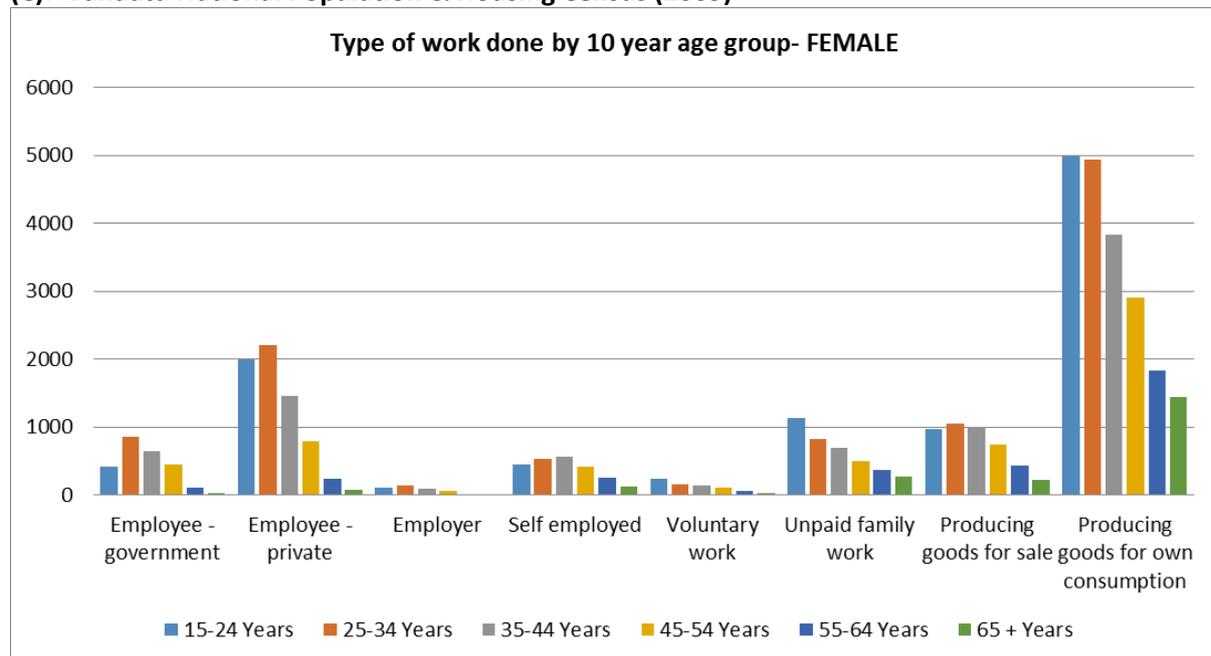


11.5 The World Bank's tabulation of fertility rates for women in Vanuatu demonstrated that in 1955, women gave birth to a minimum of 8 children. However, over the years, the number of births per woman had declined significantly to 3.275 births per women in 2015 (<https://fred.stlouisfed.org/series/SPDYNTFRTINVUT>). Over time, the number of children per woman had declined sharply in Vanuatu. One explanation for this trend is that more women living in the urban areas used family planning medication at 42% and were engaged in paid work. For rural women, although they were fully engaged in producing goods for personal consumption, they used 35% of family planning medication to reduce the size of their family (<https://vnso.gov.vu/index.php/component/advlisting/?view=download&fileId=2967>).

11.6 In the past, it was normal for families to invest solely in the education of their male children while girls were relegated to care for smaller children, the elderly and undertake domestic chores. However, over the years, because of increased national awareness on gender equality and the universal primary education access policy offered to both male and female children, school enrolments have dramatically improved for female students. According to VNSO, the overall enrolment in kindergarten, primary and secondary schools in Vanuatu is 80,800 students in 2015 of which 42,203 were males and 38,597 were females (<https://vnso.gov.vu/index.php/special->

[report/education-statistical-digest](#)). The next graph portrays the number of female workers and the types of work they undertook:

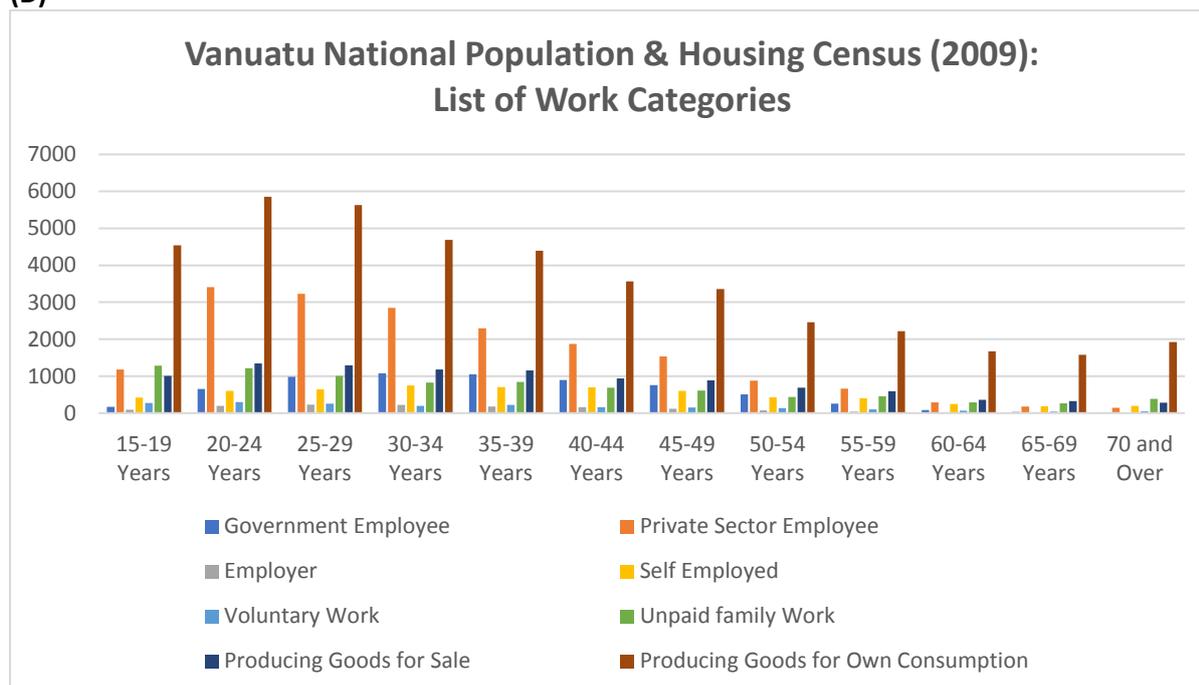
(C): Vanuatu National Population & Housing Census (2009)



11.7 Although Vanuatu does not promote arranged marriages, when parents in the rural areas do not have the capacity to continue to invest in the education of their female children, younger girls are at higher risk of being given out to marriage early or having children out of wedlock while they are still adolescents. Teenage pregnancies continue to plague Vanuatu (<https://vanuatuindependent.com/2016/09/03/>) as Vanuatu's peak child-bearing years begin at puberty. More and more children are being born out of wedlock and more and more younger people are giving birth to children without being ready to raise them. For example, the youngest female to give birth to a baby at the Vila Central Hospital in Port Vila was 11 years old. As adolescents have children out of wedlock, they create more economic burden for their rural families (https://www.unicef.org/eapro/Gender_Relations_in_Pacific_cultures.pdf). Income is needed to purchase baby formula, nappies or soap to wash napkins, baby clothes and other accessories. It is usually the mothers or grandmothers' who must increase their load of unpaid work to bear the additional caring and nurturing responsibility if the mother of the child must leave the rural area to find paid work or continue with their education in another location. Nevertheless, to counter-effect early teenage pregnancies and marrying at very young ages, more educated women are resorting to family planning methods.

11.8 According to VNSO, larger families are typical in Vanuatu and contraceptives are rarely used. However, as outlined in the 2013 Vanuatu Demographic & Household Survey, in the age groups 25 to 29 years, married women use 54% of contraception of female sterilisation (<https://vnso.gov.vu/index.php/component/advlisting/?view=download&fileId=2967>). The trend of more women seeking paid work and remaining in these jobs longer, correlates with the use of family planning methods. Life expectancy at birth according to VNSO has reached 71.7 years for females and 69.6 years for males as more women remain in employment unless they receive early retirement from the PSC at 55 years of age (<https://vnso.gov.vu>).

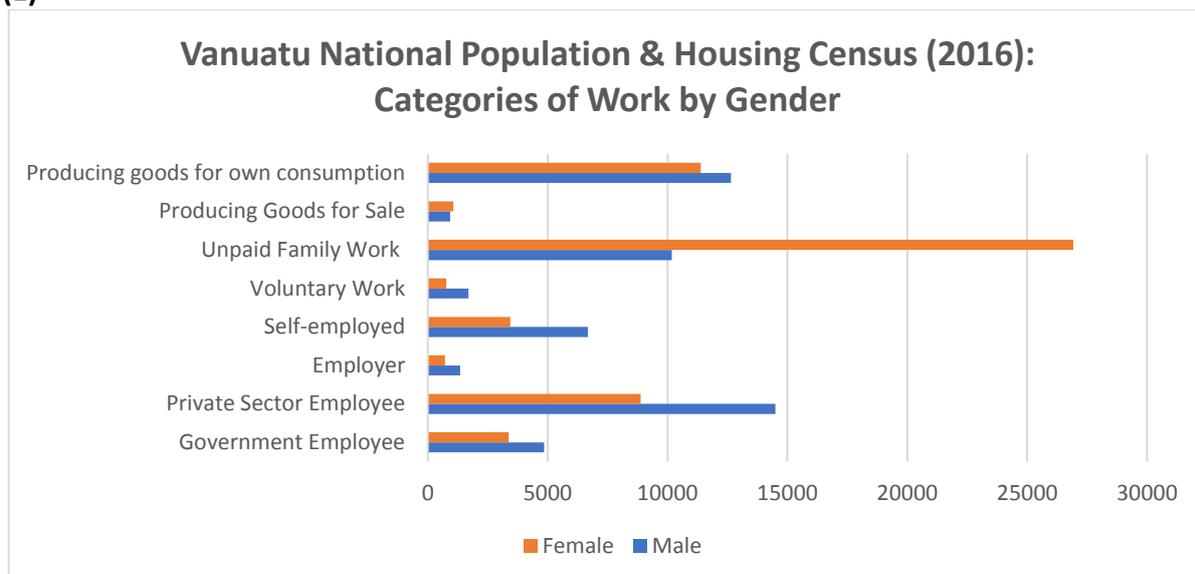
(D)



11.9 The above graph depicts the different work categories and age groups of workers from the Vanuatu National Population & Housing Census (2009). The most active age groups were between 20 to 24 years focussing on producing goods for own consumption. They are rural inhabitants who must plant gardens, hunt, gather and fish for resources to feed themselves and their families. The next highest age group was 25 to 29 years old and again, they were also involved in producing goods for their own consumption. There is a decline for producing goods for own consumption from the age groups 30 to 39 years. One possible explanation for the statistics is that more men are seeking overseas work in the recognized seasonal employers scheme in New Zealand at 83 percent and the worker support programme in Australia at 76 percent per annum (<https://vnso.gov.vu/index.php/component/advlisting/?view=download&fileId=4542> & <https://vnso.gov.vu/index.php/component/advlisting/?view=download&fileId=4542>). As such, producing goods for personal consumption must now be relegated to the spouse and family members who remain in the communities.

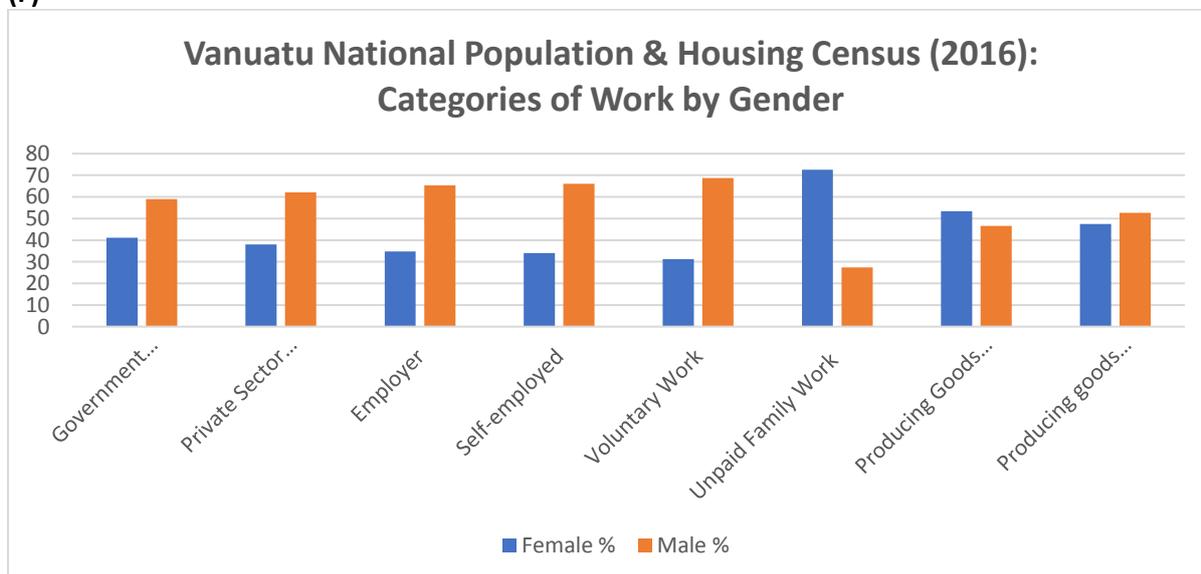
11.10 The graph below depicts the different types of work that men and women do in Vanuatu. It is not surprising that women account for the highest unpaid family work in Vanuatu according to the VNP&H Census (2016). The next significant work category of unpaid family work is producing goods for own consumption. Female workers nearly matched male workers in this category. The next highest work category is employees working for the private sector. These statistics duly confirm that urban dwellers must seek paid employment to earn incomes. On many occasions, having just one parent working in a menial job is insufficient for the person to meet all the expenses required of members of an urban setting:

(E)



11.11 To further elaborate on the percentages of workers in the different work categories, the next graph clearly portrays the differences. For example, the Vanuatu Public Service is dominated by male workers at close to 60% with females sitting at 40%. Male workers dominated females in private sector employment, as employers, self-employed and as voluntary workers. However, for unpaid family work, females dominated males at over 70% while men were engaged at close to 30%. Again, female workers dominated men in producing goods for sale while producing goods for personal consumption is almost equal for both men and women:

(F)



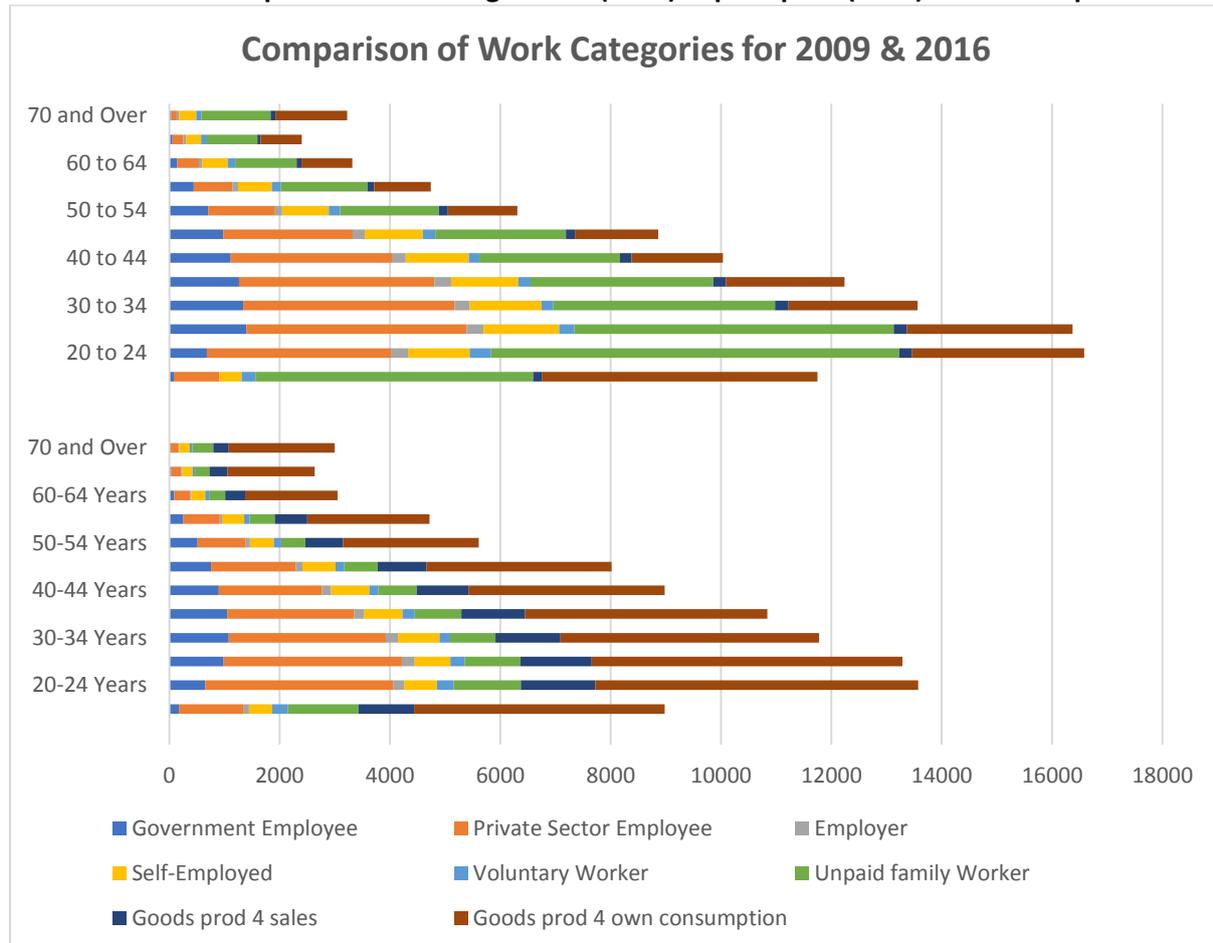
11.12 According to the introduction contained in this report, the researcher postulated that 70% of women participated in the informal sector. Therefore, the above statistics is confirmed by the high percentage of women producing goods for sale in comparison to men. For rural women, unpaid family work is also a dominant work category for them Urban women use 42% of contraception while rural women use 35% of it (<https://vnso.gov.vu/index.php/component/advlisting/?view=download&fileId=2967>). This will corroborate the roles and responsibilities that women undertake to put food on the table, care for

children and the elderly, and assist with communal and societal activities (The Republic of Vanuatu, 2004).

11.13 Further details on Vanuatu’s workforce and the different work categories they undertake is portrayed below in three different sets of graphs demonstrating the different work categories, age groups, and the increased and decreased trends depicted:

(G)

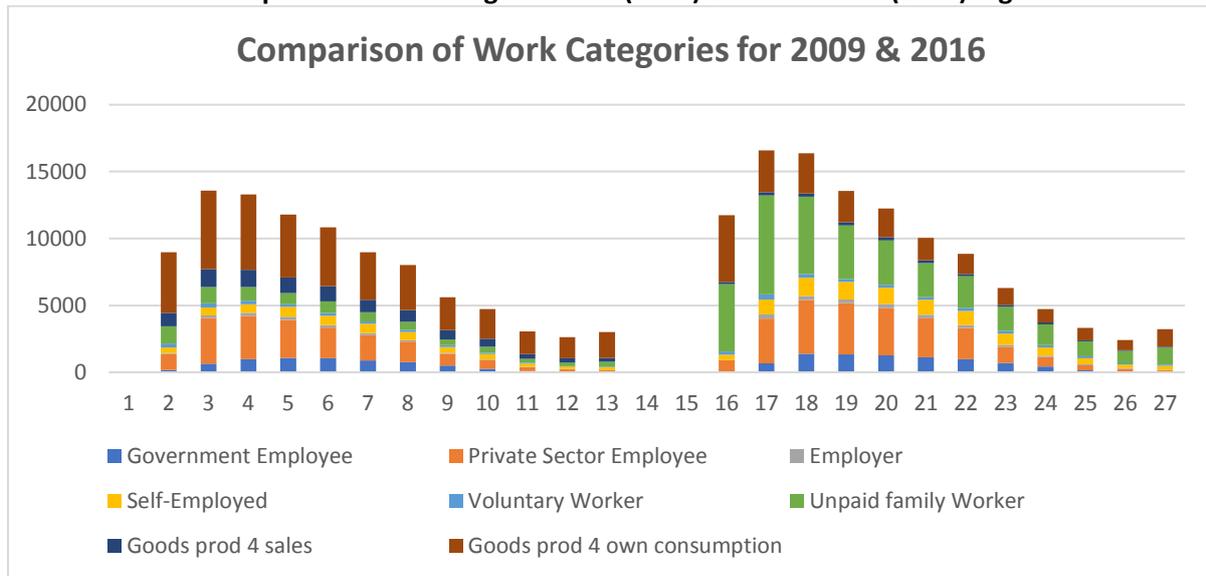
Vanuatu National Population & Housing Census (2009) Top Graph & (2016) Bottom Graph



11.14 In the above graph, some age groups are not specifically listed because they had insignificant figures against them. These age groups were: 15-19 years; 25-29 years; 35-39 years; 45-49 years; 55-59 years and 65-69 years. However, two categories of unpaid work therefore, unpaid family worker and goods produced for own consumption were higher in the Vanuatu National Population & Housing Census (2016) and in (2009). This finding is congruent with the notion that rural life involves a lot of manual and unpaid labour such as assisting the nuclear and extended family members including the community, as well as producing goods for own consumption which is again shared with not just the nuclear family, but the extended family and the community at large (<https://vnso.gov.vu/index.php/component/advlisting/?view=download&fileId=4542> & The Republic of Vanuatu, 2004).

(H)

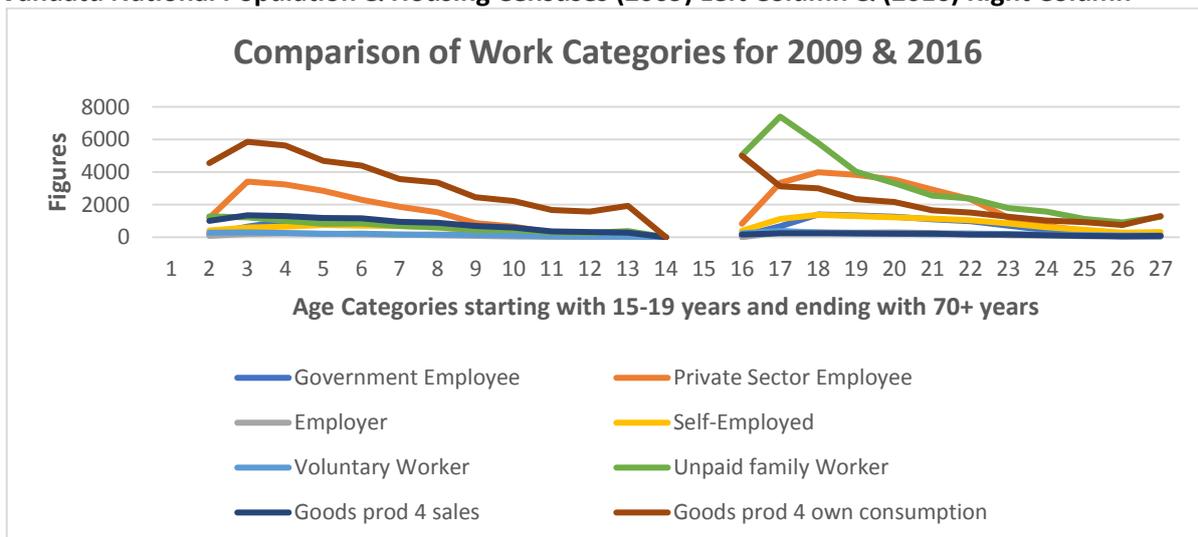
Vanuatu National Population & Housing Censuses (2009) Left Column & (2016) Right Column



11.15 The graph above confirms the number of government employees in 2009 increasing between the age groups 25-29 years and remaining steady right up to 30-34 years and 35-39 years and then declining over the age groups which follows. In 2016, government employees increased in the age group 25-29 years and declined over the years. Two possible reasons for the decreases and increases at the different age groups is government employees reaching the retirement age of 55 years and are given early retirement making way for more university graduates in the age group 25-29 years in 2016 to join the PSC firstly as interns, and then becoming permanent employees when they had completed their internship.

(I)

Vanuatu National Population & Housing Censuses (2009) Left Column & (2016) Right Column



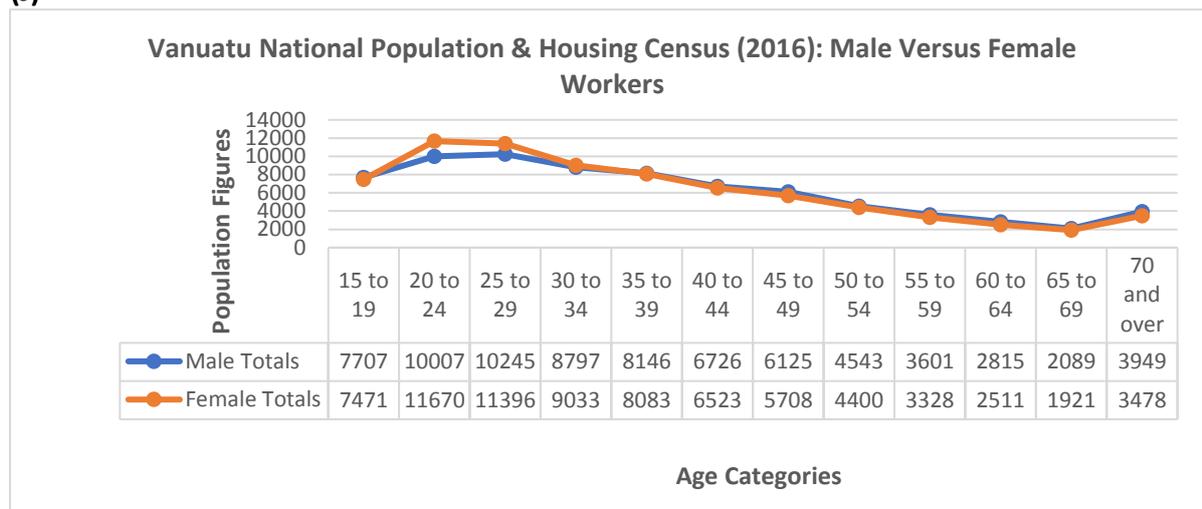
11.16 In tabulating the trend of the different work categories for 2009 and 2016 in the above graph, the two unpaid work categories of (a) unpaid family work and (b) goods produced for own consumption dominated. Rural life involves not only undertaking work for the nuclear family but extending unpaid work to the extended family and the community also

(<https://vnso.gov.vu/index.php/component/advlisting/?view=download&fileId=4542> & The Republic of Vanuatu, 2004).

11.17 In 2016, the total workers aged 20-24 years was 21,677. Out of this number, 677 females were government employees while 3,338 workers worked for the private sector. In the age group 25-29 years, the total workforce was 21,641 workers as female government workers increased to 1,396 while 3,987 female workers joined the private sector. As women became more educated in the aged group 20 to 30 years, they utilized family planning measures to plan their families accordingly which reduced the number of children they bore because of their engagement in paid employment. Urban drift continues in Vanuatu as more rural families are moving into the urban areas to find paid employment to cover all household expenses these families must meet. As the Ministry of Education continues to promote education universal access [with no tuition fees charged for primary schools in Vanuatu] and the increased investment in the education of females, rural families prefer to move to areas where there is adequate schools and health facilities to service them. Families have also recognized that once their investment in the education of their children pays off, their children become their social safety net to cater for them in their old age (<https://pdfs.semanticscholar.org/e976/5e44b7ac943b6540028cd0c5486162c4fa04.pdf>). With Vanuatu jumping on the bandwagon of globalization, where capitalism is replacing the once social, communal, reciprocal and cohesive systems of Vanuatu's rural communities, money is now needed to survive in both Vanuatu's urban and rural areas (The Republic of Vanuatu, 2004).

11.18 In highlighting how capitalism affects a rural inhabitant. Let us look at the example of a Poelvus villager in the Big Bay region on the island of Espiritu Santo in Vanuatu. When this villager gets seriously ill, he/she will need to travel by boat for 2 hours which will cost them about 15,000 Vatu per boat trip and then must catch a vehicle transport from Matantas Village landing and ride for another 1.5 hours at a cost of 10,000-15,000 Vatu to take them to the Northern District Hospital in Luganville for medical treatment. They must also pay for their medical treatment while admitted to the hospital and their return trip back home once they have recovered. Unless rural residents have access to money to pay for health, education and other expenses, a family's well-being is less secure (https://www.researchgate.net/publication/309322788_Development_in_Vanuatu_Traditional_Kastom_Western_Ideology_and_Competing_Concepts). Their only means of accessing incomes in the rural areas is running a small business or processing copra, cocoa and kava for sale (<https://vnso.gov.vu/index.php/component/advlisting/?view=download&fileId=2967>). More rural workers have resorted to seasonal work in Australia and New Zealand to bridge their need for more incomes (<https://dol.gov.vu/> & <https://vnso.gov.vu/index.php/component/advlisting/?view=download&fileId=4542>). The next graph compares males to female workers in the 2016 Census:

(J)



11.19 Although there is a major increase of females entering the workforce in the last seven years compared to men, this indicator does not mean that there is gender equality in terms of accessing leadership and managerial positions. Vanuatu's patriarchy still controls Vanuatu's bureaucracy (The Republic of Vanuatu, 2004). Many of these female workers are placed in junior positions. Please refer to Graph (I) to explain the various work categories being undertaken in Vanuatu. For women to move up the career ladder in their junior positions, they must work many years before their potential is recognized (Thomas, 2013). Nevertheless, Vanuatu's number of female PhD graduates had increased to equate with their male counterparts. There is some potential for female PhD graduates to access leadership and managerial positions after completing their doctoral programmes. As more men and women embark on doctoral degree programmes, Vanuatu will continue to build its pool of local experts and thus reduce the reliance on expatriate technical experts.

11.20 The next table portrays various statistical data on the results of male and female workers in the various job categories. It is not possible to define the work categories according to the urban and rural areas as this information was not provided to the researcher. The minimum working statistics for men exceeded female workers by 168 with men sitting at 2,089 and women at 1,921. Over the seven years, maximum working statistical depicted women exceeding male workers by 772 with men scoring 74,750 jobs with women sitting at 75,522 jobs in 2016. Male workers' standard deviation was lower at 2809.98 than female workers at 3318.87.

11.21 The next graph shows a comparison of the figures for certain work categories between the Vanuatu National Population & Housing Censuses of (2009) and (2016). There were 41,877 workers who produced food for personal consumption in 2009 but only 24,030 workers were involved in this work category in 2016. One explanation of this statistics is that more workers are doing other types of work. For example, going to Australia and New Zealand for seasonal work. For unpaid work, only 8,317 workers were involved in unpaid family work in 2009 but a dramatic increase of 37,112 workers were involved in this work category in 2016. One possible explanation for the increase is retired government and private sector employees and families were moving back into the rural areas to undertake unpaid work. Another explanation is that the capturing of this statistics is more accurate in 2016 than it was in 2009. This clearly indicated that a substantial proportion of work undertaken in Vanuatu is from the rural areas for 73% of Vanuatu's rural inhabitants for unpaid work: (i) to produce food for consumption and (ii) unpaid family work as depicted in the 2009 Vanuatu National Population & Housing Census. In 2009, the highest work category was producing food for personal consumption at 41,877 workers with the figure dwindling to 24,030 workers in 2016. One possible explanation for this trend is more workers are leaving this work category to join seasonal employment in Australia

and New Zealand (<https://dol.gov.vu> & <https://vnso.gov.vu/index.php/component/advlisting/?view=download&fileId=4542>). Employers in 2009 amounted to 1,369 with the figure increasing in 2016 to 2,063 as more foreign investors and PSC retirees are operating businesses in Vanuatu.

(K)

Comparison of Statistical Data for 2009 and 2016 Vanuatu National Population & Housing Censuses								
2009 & 2016	2009 Government Employee	2016 Government Employee	2009 Private Sector Employee	2016 Private Sector Employee	2009 Employer	2016 Employer	2009 Self-Employed	2015 Self-Employed
	15-19 Years	170	80	1181	827	92	0	420
20-24 Years	652	677	3408	3338	193	307	599	1120
25-29 Years	981	1396	3232	3987	231	311	649	1373
30-34 Years	1074	1340	2848	3830	222	276	750	1299
35-39 Years	1055	1264	2293	3541	176	301	703	1218
40-44 Years	894	1112	1871	2918	163	256	696	1143
45-49 Years	755	979	1534	2340	121	225	601	1046
50-54 Years	509	705	876	1209	79	131	426	845
55-59 Years	255	443	659	698	39	104	401	613
60-64 Years	87	145	289	390	24	59	251	463
65-69 Years	35	53	179	201	21	49	186	270
70 and Over	22	35	147	99	8	44	192	310
Total	6489	8229	18517	23378	1369	2063	5874	10105

11.22 Employer figures for 2009 was 1,369 while there was an increase of 20% of Employers for 2016 at 2,063. Self-employed workers in 2009 was 5,874 with the figure almost doubling to 10,105 in 2016. There are two possible explanations for these trends. More foreign investors are entering Vanuatu and operating businesses in Vanuatu or as PSC employees or private sector employees received early retirement, they operated small businesses for survival. In the last year when a batch of Vanuatu Mobile Force members received their early retirement, they used their retirement funds to purchase vehicles to operate transportation businesses in the two major towns of Port Vila and Luganville. The 2009 Census listed a total of Vanuatu Government employees at 6,489. However, compared to the figure in the 2016 Census, workers increased by 12% at 1,740 workers to 8,229. Vanuatu's population based on the 2016 Census is 272,459, which is made up of 138,265 males and 134,194 females. The urban and rural populations were made up of 34,506 males and 33,243 females [67,749], and 103,759 males and 100,951 females [204,710] (<https://vnso.gov.vu/index.php/component/advlisting/?view=download&fileId=4542>). The 2016 Vanuatu Government's workforce made up 12% of Vanuatu's urban population [8,229/67,749x100]. The Public Service Commission (PSC) recognized the need to incorporate university graduates into the public service (<https://psc.gov.vu/.../398-invitation-to-all-new-graduate>). This could be one reason why there were more workers in 2016. The intention of the PSC is to also work with the Vanuatu Commissioner of Labour who will encourage the private sector to also jump on the bandwagon and incorporate university tertiary graduates into their institutions. This strategy has both advantages and disadvantages. The disadvantage is that there must be a full-time coach, mentor and role-model coaching these university graduates. This person will need to work around their roles and responsibilities as well as mentoring the graduates. The advantage for the PSC or any other institution is that once the university graduates have become well versed with their roles and responsibilities, the institution will become more efficient and effective. While not forgetting experienced PSC workers', who are dedicated workers for many years, they can either seek early retirement to enable university graduates to take over their positions or they can seek sabbatical leave to pursue tertiary studies which will assist them to become employable in returning to the PSC in the future.

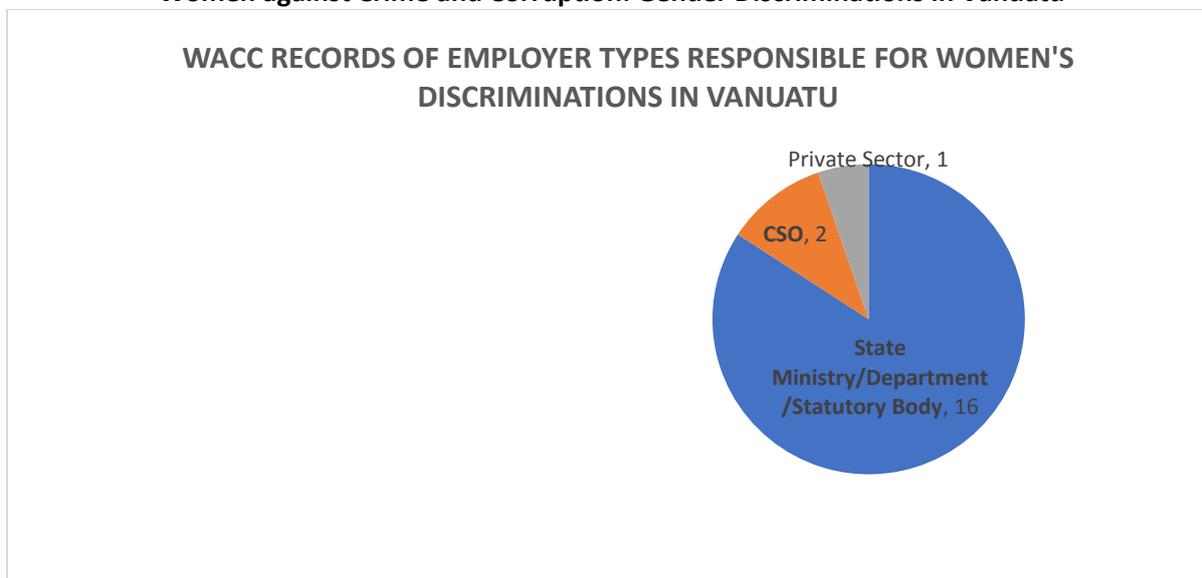
11.23 After discussing the employment situation and categories of work based on the 2009 and 2016 censuses, in the next two parts; therefore, B and C, primary data were analysed to confirm whether there is gender discriminations and malpractices occurring in Vanuatu’s work places. The researcher is cautioning readers that because there is no rigorous statistical data kept by any institutions on gender discriminations and malpractices in Vanuatu, it is not possible to generalize any of the findings of this research study to the topic in Vanuatu.

PART B

11.24 From WACC’s 2017 Discrimination Register, personal interviews with eighteen women who experienced gender discrimination and malpractices shows the highest offending employer as the Vanuatu Government ministry/department/statutory bodies with **16 offences**, followed by CSOs with **2 offences**, and the private sector, with **1 offence**:

(L)

Women against Crime and Corruption: Gender Discriminations in Vanuatu



11.25 The types of gender discriminations included: (a) 7 termination cases but the women did not file any complaints to the Vanuatu judiciary or the Ombudsman’s Office; (b) 4 cases referred to the Courts and resolved with compensation being accorded to the applicants; (c) 2 cases with victims being suspended and then reinstated; (d) 2 cases referred to the Courts pending resolution; (e) 1 case with the victim being demoted from her decision-making job but she did not file any complaint to the judiciary or the Ombudsman’s Office; (f) 1 suspension was upheld by the State Law Office, (g) 1 unsuccessful employment case and lastly (h) 1 case of ill-treatment received by employer forcing the employee to resign.

11.26 According to the Vanuatu Employment Act [CAP 160] which was adopted on 30 May 1983, there are prescribed rules and regulations in how an Employer leads and manages his/her employees. For example, in terms of discipline, the principle of natural justice is fundamental. If the employer receives an allegation against one of his/her employees, the principal of natural justice prescribes that he must formally write to the worker specifying the allegation(s) and providing the worker with a time frame of 7-14 days to respond to it. Once a response is received from the worker, the Employer must then consider whether the worker has committed a misconduct. If a misconduct had been committed and is not serious, then the Employer must send a First Warning Letter to the worker specifying the misconduct they have committed and cautioning them to refrain from committing the same

misconduct in the future. If the worker commits the same misconduct again, the Employer will write a formal Second Warning Letter following by a Third Warning Letter, if the same mistake is committed a third time. Only after three formal warnings had been issued for the same misconduct, the Employer will then decide whether it is in the best interest of the institution to serve the worker with a formal notice to terminate his/her employment. Staff work performance appraisals is also a requirement that is not widely adhered to by the PSC and private institutions in Vanuatu. Many staff members who are put on permanent employment make very little effort to improve their annual efficiency and effectiveness because they know that they are not being monitored. It is important that the PSC and private sectors embarked on 12 monthly staff work performance appraisals to appraise their employees and encourage them to improve in any future deficiencies. The outgoing Vanuatu Commissioner of Labour had concentrated on the recognized seasonal employer scheme for New Zealand and the worker seasonal programme for Australia without focussing on his core functions of working closely with the PSC and the private sectors to educate them on their roles and responsibilities as Employers. Many Employers in the public service, private institutions and statutory bodies do not conform to the processes of the Vanuatu Employment Act [CAP 160] in disciplining their staff members. In many illegal suspensions, demotions and terminations, when ordered by the Vanuatu judiciary, the institutions must pay hefty compensation claims to the workers who had been disadvantaged because due processes or unconstitutional suspensions, demotions and terminations had occurred.

11.27 It is not surprising that some of the women who experienced gender discriminations and malpractices such as work-place bullying and abuse of power malpractices on the WACC 2017 Discrimination Register did not make any complaints to the Ombudsman's Office or the Vanuatu judiciary. Some of these women expressed their apprehension because of the lengthy and costly process of court resolution. Access to income is also another factor. When female workers are junior workers earning minimum wages, there will be insufficient funds available for them to hire a lawyer to prosecute their Employer. Furthermore, the psychological trauma and emotional harm they experienced in the gender discriminations and malpractices becomes more pronounced when they lodge applications to the Vanuatu judiciary. They must write complaint letters/sworn statements and produce exhibits to take a complaint a step further and fulfil the requirements of the Court to hear the case. Some women also expressed that the shame they incurred when their suspension, demotion and terminations were reported by Vanuatu's media, deterred them to seek external resolution.

11.28 One victim advised that she had sought intervention from her Ministry including the Prime Minister's Office to protect her position, but nothing was done to resolve the demotion. The victim did not want to suffer additional psychological trauma, emotional harm and financial hardship by taking the matter to the Ombudsman's Office or the Vanuatu Judiciary. The victim negotiated an overseas scholarship without her Employer's knowledge. If her Employer had known what she was up to, they would have stopped her from going overseas for further training. Another two victims advised that one political adversary from the same government ministry who was board members in both institutions' board of directors employed work-place bullying and abuse of power tactics to stop their official overseas travel because they were becoming too popular representing their institutions in overseas meetings, workshops and conferences which he disliked. This political adversary confronted one of the victims at the airport and stopped her from boarding her flight. The same person wrote to the funding agency of the other victim and asked that they withdraw their funding support to the victim as she was required to remain in the country to respond to allegations of misconduct. Another victim expressed that her board of directors terminated her because of pressure from the outgoing former general manager of the institution she worked for, because she doxxed him in for sexual harassment. Another victim advised that she was terminated twice, once in her role in a statutory body and state ministry and the other in a private institution. She took both employers to Court and received compensation for these unlawful terminations. She even received compensation for loss of

use of money because she had bank loans that she could not pay because of the illegal terminations. Another female employee advised that her state ministry terminated her unlawfully and she took them to Court. Her case was successfully resolved, and she received compensation and was reinstated to another state ministry.

11.29 The Vanuatu Daily Post had systematically been publishing successful and unsuccessful gender discriminations and malpractice cases in Vanuatu. For example, Livo Mele who used to be the Director of Agriculture was illegally terminated by the Minister of Agriculture, David Tosul without due process according to the Vanuatu Employment Act [CAP 160]. He received a successful court resolution as reported by the Vanuatu Daily Post of 29 July 2017, with a compensation pay out of 28 Million Vatu (<http://dailypost.vu/news>). As the PSC and Ministers continued to suspend, demote and terminate employees unconstitutionally, it is the Vanuatu Government that gravely suffers because compensation pay outs must come from the Vanuatu Government Treasury.

11.30 It is the core duty of the Vanuatu Commissioner of Labour to provide training to all Employers in Vanuatu to comply with the provisions of the Vanuatu Employment Act [CAP 160]. Therefore, the Vanuatu Government leaders/managers/human resource managers as Employers urgently need to attend an *Employers’ Ethics and Good Governance Training* to improve how they understand the meaning of transparency, accountability, the rule of law, efficiency and effectiveness, responsiveness, participation, equity and social inclusion and consensus-created, to properly lead and manage civil servants and statutory body employees. CSO and private employers should also receive similar training to also improve their working relationships, leadership and management of their employees.

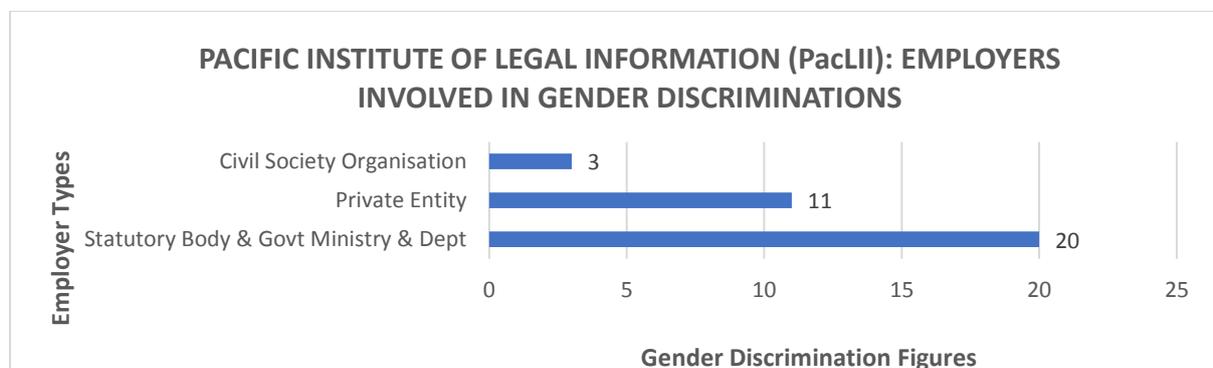
11.31 The next part investigates Vanuatu judiciary records for any gender discriminations and malpractices occurring in Vanuatu’s workplaces.

PART C

11.32 By perusing the first four alphabets: A, B, C, and D, of the PaCLII Court Register, a total of 42 gender discrimination cases were identified. Twenty Vanuatu Government institutions such as government ministries, departments and statutory bodies created the highest number of gender discrimination cases in the work-place. The next highest entity was the private sector followed by civil society organizations. Similarly, to the analysis carried under Part B, Graphs L of the WACC 2017 Discrimination Register, and Part C, Graphs M-Q, Section 13, there is an urgent call for good governance ethical training to be given to employers in the institutions highlighted below:

(M)

Pacific Legal Institute of Information: Employment Court Cases with the Vanuatu Judiciary

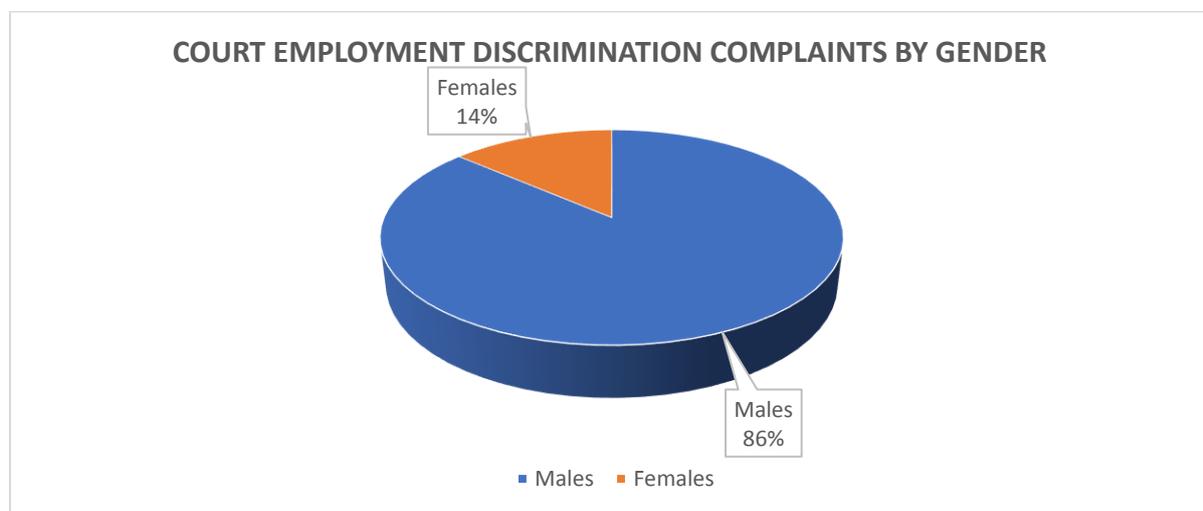


11.33 If the employers in the three different types of institutions listed above had complied with the rule of law, transparency, accountability, or provided natural justice to the victims concerned and with the Vanuatu Employment Act [CAP 160], there would be less gender discriminations and malpractices cases with the Vanuatu judiciary. Out of the 42 cases investigated, only 18 cases [86 percent were men and 14 percent were women] were successful. The success of these court cases clearly demonstrated that the employers of the victims concerned had not complied with the Vanuatu Employment Act [CAP 160] to discipline their staff members before they were suspended, demoted, terminated or made redundant.

11.34 The graph below depicts the gender of people seeking Vanuatu judiciary restitution for their gender discrimination cases:

(N)

Pacific Legal Institute of Information: Employment Court Cases with the Vanuatu Judiciary



11.35 With no dedicated institution recording gender discrimination statistics and malpractice cases nor dedicated lawyers assisting applicants to file gender discrimination and malpractice cases to the Vanuatu judiciary, only 14% of women voluntarily filed cases with the Vanuatu judiciary, while 86% of the claimants were men according to PacLII. Speaking to women who were listed on the 2017 WACC Register, the findings clearly suggested that women were more apprehensive and less reluctant than men to boldly step out and seek the intervention of the Ombudsman’s Office or the Vanuatu judiciary for their gender discrimination cases. As discussed in the preceding section, women who held junior positions and earned minimum wages, did not have access to income to hire lawyers to take their complaints to Court. Some women had also indicated that the psychological trauma, emotional harm and damages to their reputations when their suspensions, demotions, terminations and redundancies were published in the social media and print media gave them cold feet to pursue the matter any further.

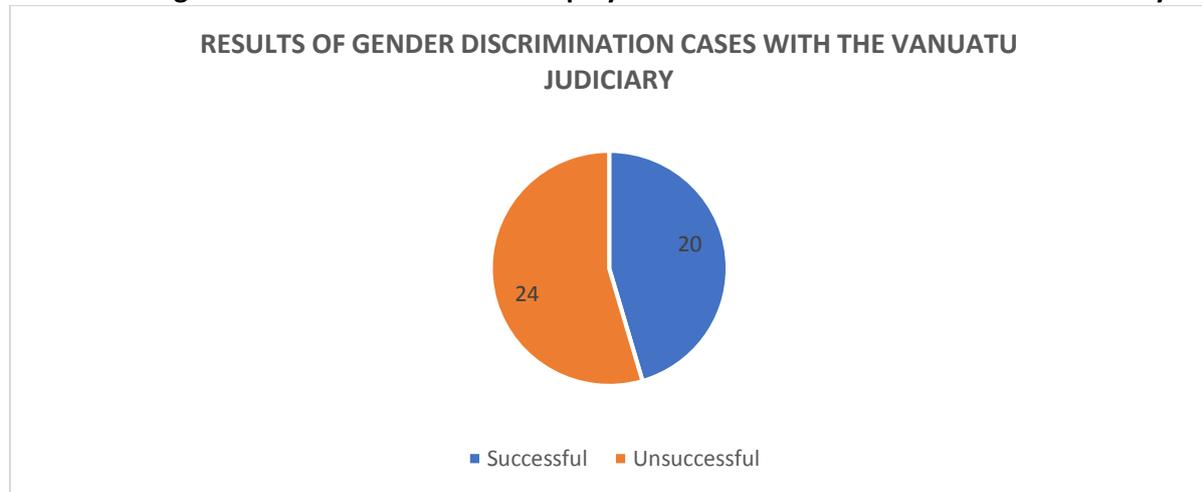
11.36 Only two female cases failed [one involving a couple requesting the Court to authorize them to keep a residence built from the proceeds of a crime which their niece had stolen from her work place] and the other involved an Employer termination that the Court considered as undertaken legitimately according to the provision of the Vanuatu Employment Act [CAP 160].

11.37 The next graph depicts the results of the gender discrimination cases filed with the Vanuatu judiciary. Although 24 out of 42 cases failed, this research study cannot attest that all the employees’ gender discriminations and malpractice cases were undertaken following the rule of law and were

transparent and accountable. The results of the court cases are tabulated below. A list of successful court cases is placed as the next Appendix:

(O)

Pacific Legal Institute of Information: Employment Court Cases with the Vanuatu Judiciary



11.38 The majority of the unsuccessful cases were from men. For example, in CC # 36, there were four female applicants whose case were rejected because they were volunteers while CC # 42 had a male and female applying to keep their residence built from stolen funds. The results of the gender discriminations and malpractices demonstrated that: (a) **three** of the applicants were involved in malpractices such as mutiny, criminal and gross misconduct. **One** case was dismissed because (b) the contract was illegal. **Another** case was dismissed because of (c) timing limitations - statute-barred – as the timing to make judicial claims had passed its deadline. All the **other cases were rejected** because of various reasons involving: (d) the lawyer who formulated the claim erred in submitting a claim in meeting the court’s criteria; (e) legal rotation to another department ordered by Ministers were legal; (f) funds stolen from the institution to build a residence; (g) gross misconduct so claim was rejected; (h) rejected over-time claims with no documentary evidences provided; and (i) rejected work injury claim:

(P)

The Pacific Legal Institute of Information Register of Unsuccessful Court Cases

Case #	Gender	Type of gender discrimination	Result of Court Case
CC # 1	M	Terminated. Was involved in criminal activity so case rejected	1. Unsuccessful
CC # 2	M	Terminated. Application to amend application was rejected	2. Unsuccessful
CC # 6	M	Terminated. Contract illegal so claim dismissed	3. Unsuccessful
CC # 7	M	Terminated and claimed had work injury before being terminated. Claim rejected	4. Unsuccessful
CC # 8	M	Terminated. Case dismissed	5. Unsuccessful
CC # 10	M	Terminated. Case rejected	6. Unsuccessful
CC # 14	M	Terminated. Case unsuccessful as statute due to timing limitation	7. Unsuccessful
CC # 15	M	Terminated for gross misconduct. Case rejected as dismissal is legitimate	8. Unsuccessful
CC # 16	M x 4	Terminated by new Minister. Case rejected as termination is legal	9. Unsuccessful

CC # 17	M	Terminated for gross misconduct. Case rejected as dismissal is lawful	10. Unsuccessful
CC # 20	M	Rotated to another State Department. Case rejected as rotation is legal	11. Unsuccessful
CC # 21	M	Rotated to State Ministry. Case rejected as rotation is legal	12. Unsuccessful
CC # 23	M	Terminated. Case rejected so ordered to pay wasted costs	13. Unsuccessful
CC # 29	M x 2	Terminated by Statutory Body for threatening to carry out mutiny. Case rejected	14. Unsuccessful
CC # 30	M	Terminated by employer as on scholarship for more than 1 year. Case rejected, and new actor appointed	15. Unsuccessful
CC # 31	M x 4	Terminated. Case rejected as appointments are not permanent	16. Unsuccessful
CC # 32	M	Terminated. Case rejected and termination lawful	17. Unsuccessful
CC # 33	M	Terminated. Case rejected and termination lawful	18. Unsuccessful
CC # 34	M x 4	Overtime claims made. Case rejected as no documentary evidence of overtime worked	19. Unsuccessful
CC # 35	M	Terminated. Case rejected as termination is lawful	20. Unsuccessful
CC # 36	F x 4	Terminated. Case rejected as Institution employees are volunteers and impasse to be resolved internally	21. Unsuccessful
CC # 38	M	Terminated. Case rejected	22. Unsuccessful
CC # 41	M	Terminated by Minister of State. Case rejected as termination is legal	23. Unsuccessful
CC # 42	M + F	Requested to keep residence built from funds stolen by former employee from Institution. Case rejected	24. Unsuccessful
Unsuccessful cases = 24 cases			

11.39 Less than half of the claimants, [18 out of 42 cases with CC # 11; 18; 26 and 40 involving women while the rest of claimants were men] were successful because victims were: (a) terminated illegally by the boards, commissions and ministers, (b) judicial review of company being bought out by another company/financial institution and its termination of employees and employees who were entitled to severance pay, (c) severance pay entitlements for deceased spouses, (d) successful libel/defamation cases, (e) definition of public servants and if a director-general is a public servant, (f) institutions were dissolved so gratuity and severance applied, (g) non-payment of agricultural services, (h) terminations illegal so reinstatement ordered, (i) termination for gross misconduct applied but claimants entitled to compensation and (j) severance calculations of one day for every month worked for departing employees:

(Q)

THE PACIFIC LEGAL INSTITUTE OF INFORMATION REGISTER OF SUCCESSFUL COURT CASES

Case #	Gender	Type of gender discrimination	Result of Court Case
CC # 3	M	Terminated. Case successful as entitled to compensation as council terminated by Minister of State	a. Successful
CC # 4	M	Terminated. Case successful and able to pursue compensation claim in Court	b. Successful
CC # 5	M	Terminated. Case successful so awarded compensation	c. Successful
CC # 9	M	Attorney General's Judicial Review case for Institutions. Case successful as claimants have valid claims to submit to Court	d. Successful
CC # 11	F x 2	Applicants for their deceased partners. Case successful so entitled to severance pay for deceased spouses	e. Successful
CC # 12	M	Terminated. Libel case successful and awarded compensation	f. Successful
CC # 13	M	Terminated. Case successful and awarded compensation	g. Successful
CC # 18	F	Terminated. Case successful and compensation awarded	h. Successful
CC # 19	M x 2	Terminated. Case successful and compensation awarded	i. Successful
CC # 22	M	Definition of public servant. Case successful as applicant is not a public servant when appointed as a DG	j. Successful
CC # 24	M	Terminated when institution was dissolved. Case successful so compensation awarded	k. Successful
CC # 25	M	Terminated and not paid for agricultural services. Case successful so awarded 66,808,016 Vatu	l. Successful
CC # 26	F	Terminated. Case successful and compensation of 5,049,584 Vatu awarded	m. Successful
CC # 27	M x 4	Terminated. Termination upheld by Arbitration Board, but case is successful, so termination is illegal, and all members ordered to be reinstated	n. Successful
CC # 28	M x 4	Terminated by Statutory Body. Case successful so compensation awarded	o. Successful
CC # 37	M	Terminated. Case successful so entitled to compensation	p. Successful
CC # 39	M	Severance Calculations. Case successful, employer must pay severance 1 day for every month worked after applicant files case with Court again	q. Successful
CC # 40	F	Terminated for gross misconduct/unauthorized withdrawals from the bank. Case successful and applicant awarded compensation	r. Successful

11.40 Gender discriminations and malpractices such as: (a) non-transparency; (b) non-accountability; (c) non-compliance with the rule of law; (d) no prescribed natural justice given to victims to respond to purported allegations; (e) work-place bullying; and (f) abuse of power; were experienced by many of the victims from the WACC and PaCLII analysis. For victims who persevered

and were willing to pay lawyers' costs, submit sworn statements and exhibits and wait until their cases were heard, some of them received successful court resolution and due compensation for their illegal terminations.

11.41 The research showed that more males were recorded as lodging employment cases with the Vanuatu Judiciary than women, as outlined below. If a comprehensive review of all court cases on the PacLII Court Register is done from alphabets A to Z, the gender composition might be more accurately reflected in a future study:

Case #	Gender	Type of gender discrimination	Result of Court Case
CC # 11	F x 2	Applicants for their deceased partners. Case successful so entitled to severance pay for deceased spouses	a. Successful
CC # 18	F	Terminated. Case successful and compensation awarded	b. Successful
CC # 26	F	Terminated. Case successful and compensation of 5,049,584 Vatu awarded	c. Successful
CC # 40	F	Terminated for gross misconduct/unauthorized withdrawals from the bank. Case successful and applicant awarded compensation	d. Successful

12.0 Conclusions

12.1 Although there were limitations to this research study, based on the statistical analyses provided and discussions carried out in Part A, Graphs A to K, fertility rates for both urban and rural women were declining and freeing up urban women to embark on paid employment or rural women to undertake other work categories. Both urban and rural women utilized family planning contraception to plan their family numbers and larger family numbers were declining. Urban women were mostly employed as government employees and private sector workers. Compared to 2009, more women were entering paid employment in 2016 because of becoming more educated, accessing PSC internships in the Vanuatu Government, and remaining in these jobs longer. Despite more women entering paid work in 2016, only 30 percent of these women held positions of authority. There was also an increase in women accessing doctoral degrees and matching the number of men who were completing doctoral degree programmes. A doctoral degree female graduate had a higher chance of securing position of authority on their return. For rural women, unpaid work and producing goods for personal consumption were their highest work categories.

12.2 After studying and analysing the research questions posed in this research, the responses to the research questions are outlined under each of the questions below:

(a) From a literature review of secondary sources, have gender discriminations and other malpractices such as: non-transparency, non-accountability, non-compliance with the rule of law, work-place bullying, corruption, conspiracy, collusion, political manipulation, nepotism, cronyism, conflict of interest and abuse of power been reduced because Vanuatu is honouring its obligations under the CEDAW it signed in 1995?

12.3 In Part B, Graphs L, primary data from the WACC 2017 Gender Discrimination was utilized. Out of 18 cases, most of the Employers did not comply with the Vanuatu Employment Act [CAP 160] to administer relevant discipline to their female employees. As such, many of the victims were suspended, demoted, terminated or made redundant without due process. A few of the women

sought Vanuatu judiciary interventions to resolve their grievances while others did not feel brave enough to continue to pursue their cases through the Vanuatu judiciary. It was also discussed that many of the female workers who experienced gender discriminations and malpractices were low income earners and this would mean insufficient funds being available to recruit a lawyer to fight their grievances in Court.

12.4 In Part C, Graphs M to Q, primary data from the PacLII Court Register was utilized. A total of 42 employment cases were investigated. Out of this number only 18 cases were successful. From this figure, four of the applicants were females who received: (a) severance payment for their deceased spouses who were Vanuatu Mobile Force members; (b) two were illegally terminated so the Court ordered for their Employer to pay them their relevant gratuity payment and with (c) one female being terminated for purported gross misconduct but was ordered by the Court for the Employer to pay her severance payment. Only two female cases failed because (a) one termination was legal according to the Court and (b) another involved an application by a couple to retain a residence built from the proceeds of a crime.

12.5 Gender discriminations and other malpractices affected both men and women in Vanuatu. It is now over twenty-three years since Vanuatu acceded to the United Nations’ CEDAW. However, gender discriminations and malpractices such as: non-transparency, non-accountability, non-compliance with the rule of law, work-place bullying and abuse of power in Vanuatu, continues unabated. As Vanuatu has no Crime and Corruption Commission set up to record and monitor employment gender discriminatory practices and malpractices, it will continue to be difficult for researchers to provide an exact figure of gender discrimination and malpractice cases affecting both men and women’s employment in Vanuatu.

(a) According to the Pacific Legal Institute of Information (PacLII), what sort of gender discriminations are men and women facing in their career paths in Vanuatu?

12.6 In Parts B, and C of this research study, the researcher confirms that there is some evidence of gender discriminations and malpractices happening to both men and women in Vanuatu. As outlined in Part C, employment cases involving women who received successful court resolution were identified with some employment discriminations and malpractices they received as outlined below:

Case #	Gender	Type of gender discrimination	Result of Court Case
CC # 11	F x 2	Applicants for their deceased partners. Case successful so entitled to severance pay for deceased spouses	a. Successful
CC # 18	F	Terminated. Case successful and compensation awarded	b. Successful
CC # 26	F	Terminated. Case successful and compensation of 5,049,584 Vatu awarded	c. Successful
CC # 40	F	Terminated for gross misconduct/unauthorized withdrawals from the bank. Case successful and applicant awarded compensation	d. Successful

12.7 Another list of female appellants who were at fault with their employment cases were extrapolated and listed below:

Case #	Gender	Type of gender discrimination	Result of Court Case
CC # 36	F x 4	Terminated. Case rejected as Institution employees are volunteers and impasse to be resolved internally	1. Unsuccessful
CC # 42	M + F	Requested to keep residence built from proceeds of crime by former employee from Institution. Case rejected	2. Unsuccessful

12.8 A list of successful male applicants and their employment discriminations were extrapolated and listed below. Eleven applicants were terminated and were ordered to receive compensation or be reinstated. Three applicants' cases were successful when they sought a judicial review; the definition of a public servant and the correct severance calculation amount due:

Case #	Gender	Type of gender discrimination	Result of Court Case
CC # 3	M	Terminated. Case successful as entitled to compensation as council terminated by Minister of State	a. Successful
CC # 4	M	Terminated. Case successful and able to pursue compensation claim in Court	b. Successful
CC # 5	M	Terminated. Case successful so awarded compensation	c. Successful
CC # 9	M	Attorney General's Judicial Review case for Institutions. Case successful as claimants have valid claims to submit to Court	d. Successful
CC # 12	M	Terminated. Libel case successful and awarded compensation	e. Successful
CC # 13	M	Terminated. Case successful and awarded compensation	f. Successful
CC # 19	M x 2	Terminated. Case successful and compensation awarded	g. Successful
CC # 22	M	Definition of public servant. Case successful as applicant is not a public servant when appointed as a DG	h. Successful
CC # 24	M	Terminated when institution was dissolved. Case successful so compensation awarded	i. Successful
CC # 25	M	Terminated and not paid for agricultural services. Case successful so awarded 66,808,016 Vatu	j. Successful
CC # 27	M x 4	Terminated. Termination upheld by Arbitration Board, but case is successful, so termination is illegal, and all members ordered to be reinstated	k. Successful
CC # 28	M x 4	Terminated by Statutory Body. Case successful so compensation awarded	l. Successful
CC # 37	M	Terminated. Case successful so entitled to compensation	m. Successful
CC # 39	M	Severance Calculations. Case successful, employer must pay severance 1 day for every month worked after applicant files case with Court again	n. Successful

12.9 Male appellants who were at fault with their employment cases were listed below. **Ten cases** involved legitimate terminations; **two cases** involved criminal activity and mutiny; **three cases** were rejected with one not meeting the legislation timing limitation; **one case** with an unjustified work

injury claim; **two cases** who were legally terminated for gross misconduct; **two cases** who were legally rotated; **one case** with an unjustified overtime claim, **one case** with an illegal contract and **one case** requesting Court approval to keep residence built from the proceeds of a crime:

Case #	Gender	Type of gender discrimination	Result of Court Case
CC # 1	M	Terminated. Was involved in criminal activity so case rejected	1. Unsuccessful
CC # 2	M	Terminated. Application to amend application was rejected	2. Unsuccessful
CC # 6	M	Terminated. Contract illegal so claim dismissed	3. Unsuccessful
CC # 7	M	Terminated and claimed had work injury before being terminated. Claim rejected	4. Unsuccessful
CC # 8	M	Terminated. Case dismissed	5. Unsuccessful
CC # 10	M	Terminated. Case rejected	6. Unsuccessful
CC # 14	M	Terminated. Case unsuccessful as statute due to timing limitation	7. Unsuccessful
CC # 15	M	Terminated for gross misconduct. Case rejected as dismissal is legitimate	8. Unsuccessful
CC # 16	M x 4	Terminated by new Minister. Case rejected as termination is legal	9. Unsuccessful
CC # 17	M	Terminated for gross misconduct. Case rejected as dismissal is lawful	10. Unsuccessful
CC # 20	M	Rotated to another State Department. Case rejected as rotation is legal	11. Unsuccessful
CC # 21	M	Rotated to State Ministry. Case rejected as rotation is legal	12. Unsuccessful
CC # 23	M	Terminated. Case rejected so ordered to pay wasted costs	13. Unsuccessful
CC # 29	M x 2	Terminated by Statutory Body for threatening to carry out mutiny. Case rejected	14. Unsuccessful
CC # 30	M	Terminated by employer as on scholarship for more than 1 year. Case rejected, and new actor appointed	15. Unsuccessful
CC # 31	M x 4	Terminated. Case rejected as appointments are not permanent	16. Unsuccessful
CC # 32	M	Terminated. Case rejected and termination lawful	17. Unsuccessful
CC # 33	M	Terminated. Case rejected and termination lawful	18. Unsuccessful
CC # 34	M x 4	Overtime claims made. Case rejected as no documentary evidence of overtime worked	19. Unsuccessful
CC # 35	M	Terminated. Case rejected as termination is lawful	20. Unsuccessful
CC # 38	M	Terminated. Case rejected	21. Unsuccessful
CC # 41	M	Terminated by Minister of State. Case rejected as termination is legal	22. Unsuccessful
CC # 42	M + F	Requested to keep residence built from proceeds of crime stolen by former employee from Institution. Case rejected	23. Unsuccessful

13.0 Recommendations

13.1 The researcher would like to propose the following recommendations to resolve some of the anomalies identified in this research. Therefore, to respond to the question: *What strategies should be implemented to reduce gender discriminations and other forms of malpractices in Vanuatu?*

13.2 It is imperative that the Vanuatu Commissioner of Labour undertakes his core function to provide *Employers' Ethics and Good Governance Training* to all Employers [the public service, statutory bodies and private institutions] in Vanuatu to understand their roles and responsibilities as Employers and to comply also with the provisions of the Vanuatu Employment Act [CAP 160].

13.3 Therefore, the Vanuatu Commissioner of Labour should proceed with a nation-wide *Employee Ethics and Good Governance Training* for all civil servants, political advisers, ministers, members of parliaments including the public sector, statutory bodies and the private sector to comply with the provisions of good governance and work ethics in all employee decisions they make. This type of training should also be rolled out into the rural areas so that communities and church organizations are trained to comply with the rule of law, accountability and transparency in all spheres of their community work. When good governance ethics training is embedded in people's lives in the communities and church affairs, this will also infiltrate into civil society organizations and non-governmental organizations operating in Vanuatu. It is the desire of the Vanuatu Association of Non-Governmental Organizations through the Pacific Islands Association of Non-Governmental Organizations to train all CSOs/NGOs/Not-for-Profit/Non-State Actors/Faith-based Organizations on the concepts of good governance to improve their future governance and fiduciary responsibilities in Vanuatu.

13.4 Research must be undertaken to identify the number of Vanuatu Government institutions that cause the highest number of gender discriminations and malpractices to administer urgent employer or employee work ethics and good governance training to their directors, managers, human resources personnel, public service commission staff members, ministers, civil servants, members of parliament including director generals. Similar trainings should also be administered to CSOs, NGOs and the private sector.

13.5 Furthermore, after receiving this type of training, to protect high leakages from the Vanuatu Government Treasury, the Vanuatu Government, must swiftly enact appropriate legislation to make all Employers who commit gender discriminations and malpractices and who do not comply with proper disciplinary procedures prescribed by the Vanuatu Employment Act [CAP 160] for employee suspensions, demotions, terminations and redundancies to become personally liable to pay for employee compensations for wrongful decisions made. If Employer decisions are made in a manner that does not conform to the Vanuatu Employment Act [CAP 160], these leaders must be investigated by the Ombudsman's Office and if found guilty, they should be removed from their positions and privileges.

13.6 The Ministry of Justice & Community Affairs and the Department of Women's Affairs in collaboration with the Department of Labour and the VNCW should establish a joint database which registers all types of gender discriminations and malpractices affecting both men and women in Vanuatu's workplaces. This database will enable future researchers to continue to research this topic and provide a more comprehensive and pronounced enumeration of gender discriminations and malpractices affecting workers in Vanuatu. The statistical research will also assist CSOs/NGOs who are required to write up annual CEDAW Shadow Reports on Vanuatu's obligations against the United Nations' CEDAW Convention to identify the effect of gender equality in Vanuatu.

13.7 The Public Service Commission and Vanuatu Government Ministries including any other statutory bodies in Vanuatu must ensure that only professionals who have undergone internal or external Work Ethics and Good Governance Training and are abiding by these concepts should be nominated to become board of directors in any statutory bodies and private institutions in Vanuatu. This will reduce the number of gender discriminations and malpractice cases that is plaguing Vanuatu.

13.8 The Ombudsman's Office should also continue to investigate any Employers/leaders/men or women who are involved in gender discriminations and malpractices, and if found guilty of any employment offences, to remove them of their privileges to participate as future leaders or members of a board of directors in any state, statutory or private institution in Vanuatu.

13.9 The Department of Labour in collaboration with the Ministry of Justice & Community Affairs and the Department of Women's Affairs, the VNCW and the VWC should establish a joint database to register all gender discriminations and malpractice cases in Vanuatu.

13.10 The VNSO must incorporate the names of positions/professions, including the name of the highest qualifications in either vocational, professional and tertiary qualifications and the countries they were obtained into its future census questions. This will make it easier to identify the positions/professions, qualifications, and the country where they were obtained of respondents separated by gender in the future. Furthermore, it is recommended that in future, the VNSO list the categories of employment in the urban/rural divide and wages paid to these respondents [if not already done so] so that it is easier for future researchers to identify the types of employments carried out in the rural areas and ones that are undertaken in the urban areas and the wages earned. As the same question is asked census after census, future researchers can ascertain whether there are any positive or negative changes in the level of career paths/positions/professions and qualifications in Vanuatu and the number of workers in Vanuatu.

13.11 CSOs, NGOs and donors who are funding gender-equality platforms in Vanuatu should not turn a blind eye to gender discriminations and malpractice cases in Vanuatu and must assist WACC [who is working with no donor funding but voluntary contributions from its executive members and other sponsors] to reduce Vanuatu patriarchal gender discriminations and malpractices affecting women accessing positions of authority.

13.12 WACC is to negotiate with the Ministry of Justice and Community Affairs and the Department of Women's Affairs to undertake further research on the topic of gender discriminations and malpractices for the Alphabets E to Z of the PaCLII Court Register. This will offer a more comprehensive research report to identify the numbers and types of gender discrimination, and other malpractices affecting both men and women in Vanuatu. This report will also assist the CSOs/NGOs groups who are commissioned to write CEDAW Shadow Reports to the United Nations' to be aware of the obligations of the Vanuatu Government under the United Nations' CEDAW Convention.

14.0 Further Research Questions

14.1 The timing of the Official Statistics course does not permit the researcher to do a thorough analysis and extrapolate all gender discriminations and malpractice cases contained in the PaCLII Court Register. Therefore, the researcher would like to propose that future researchers continue with this identification and extrapolation work by researching and responding to further research questions highlighted below:

14.2 How can future VNSO statistical data be better refined to suit the needs of better research reporting?

14.3 What are the benefits for various institutions to work together to create and maintain a database listing all gender discriminations and malpractice cases in Vanuatu?

14.4 What are the advantages of establishing a future Crime and Corruption Commission in Vanuatu?

15.0 References/Bibliography

- GGSPS (2005). *Good governance standard for public services*. Retrieved from http://www.opm.co.uk/resources/papers/policy/Good_Gov_Standard.pdf.
- Global Gender Gap Report* (2010). Retrieved December 20, 2011 from WE Forum Retrieved from <http://www.weforum.org/issues/global-gender-gap>.
- Godelier, M. & Strathern, M. (Eds.). (1989). *Big men and great men: Personification of power in Melanesia*. New York: Cambridge University Press.
- Internet Website: (<http://mentalfloss.com/article/21395/scenes-vanuatu-happiest-place-earth>) Accessed on 7 March 2018.
- Internet Website: (<https://lawcommission.gov.vu>) Accessed on 7 March 2018.
- Internet Website: (<https://fred.stlouisfed.org/series/SPDYNTFRTINVUT>). Accessed on 7 March 2018.
- Internet Website: (<https://vanuatuindependent.com/2016/09/03/unplanned-teenage-pregnancies-on-the-rise/>). Accessed on 7 March 2018.
- Internet Website: (<https://psc.gov.vu/.../398-invitation-to-all-new-graduate>). Accessed on 7 March 2018.
- Internet Website: (<https://www.vnso.gov.vu>). Accessed on 7 March 2018.
- Internet Website: (<https://vnso.gov.vu/index.php/new-releases/quarterly-reports/cpi-news>). Accessed on 17 May 2018.
- Internet Website: (<https://vnso.gov.vu/index.php/component/advlisting/?view=download&fileId=2967>). Accessed on 17 May 2018.
- Internet Website: (https://www.unicef.org/eapro/Gender_Relations_in_Pacific_cultures.pdf). Accessed on 17 May 2018.
- Internet Website: (<https://pdfs.semanticscholar.org/e976/5e44b7ac943b6540028cd0c5486162c4fa04.pdf>). Accessed on 17 May 2018.
- Internet Website: (<https://dol.gov.vu/>). Accessed on 17 May 2018.
- Internet Website: (https://www.researchgate.net/publication/309322788_Development_in_Vanuatu_Traditional_Kastom_Western_Ideology_and_Competing_Concepts). Accessed on 17 May 2018.
- Internet Website: (<https://vnso.gov.vu/index.php/component/advlisting/?view=download&fileId=4542>). Accessed on 21 May 2018.
- Lini, H. (1995). *Vanuatu women and national development*. VNCW: Port Vila, Vanuatu. PAPER PREPARED FOR THE VANUATU NATIONAL COUNCIL OF WOMEN FOR THE FOURTH WORLD CONFERENCE ON WOMEN: ACTION FOR EQUALITY, DEVELOPMENT AND PEACE.
- Macdonald-Milne, B.J. & Thomas, P. (1981). *Yumi Stanap: Some people of Vanuatu, Leaders and Leadership in a new nation*. Christchurch, New Zealand: Institute of Pacific Studies, University of the South Pacific and Lotu Pasifika Productions.
- Molisa, G. (1992). *Konvensen blong stopem evri kaen diskrimineisen agensem ol woman: Women Ikat raet long human raet o no?* Port Vila, Vanuatu: Blackstone Publications.
- Molisa, G.M. (2000). *Preliminary CEDAW report*. Port Vila, Vanuatu: Department of Women's Affairs/UNIFEM.
- Pacific Islands Forum Secretariat (2016) *Pacific Leaders Gender Equality Declaration Trend Assessment Report 2012-2016*. Suva: Fiji.

- Randell, S. (2003). *Ni-Vanuatu role models: Successful women in their own right*, (2nd Edn.). Port Vila, Vanuatu: Blackstone Publishing.
- The Department of Labour (2018). Port Vila: Vanuatu Accessed 18 February 2018 on webpage: <http://dol.gov.vu/index.php>.
- The Government of Vanuatu (2015) *National Gender Equality Annual Report*, Port Vila: Vanuatu.
- The Leadership Code Act* (1998). CAP 240 of 1998, Port Vila: Vanuatu.
- The Law Commission (2016). *Ombudsman and Leadership Code Act Legislative Review: 02/16*. Accessed today 18 February 2018 on website: <http://lawcommission.gov.vu>.
- The Ombudsman's Act* (1998). CAP 252 of 1998, Port Vila: Vanuatu.
- The Republic of Vanuatu (2004). *Combined, initial, second and third report on the convention of elimination of all forms of discrimination against women*. Port Vila, Vanuatu: Office of the Prime Minister and the Department of Women's Affairs.
- The Vanuatu Independent (2017). *Women in business in urban higher than in rural*. Port Vila: Vanuatu.
- Thomas, A.K.L. (2017). *Good governance concepts..., the rule of law, transparency, accountability*. Women Against Crime and Corruption; Pro-Active Mamas and Coalition for Gender Equality in Decision-Making Networks. Port Vila, Vanuatu.
- Thomas, A.K.L. (2013). *Empowering Ni-Vanuatu Women: Amplifying Wantok Authority and Achieving Fair Market Access*. Hamilton, New Zealand: University of Waikato. Unpublished thesis.
- Thomas, A.K.L. (2011). *Do the United Nations Convention on the Elimination of All Forms of Discrimination against Women – UNCEDAW and Microfinance meet the well-being needs of women in Vanuatu?* 4 October 2011: University of Waikato, Hamilton, New Zealand: THESIS IN 3 COMPETITIONS.
- Thomas, A.K.L. (2011). *Does the UN Convention on the Elimination of Discrimination Against Women (CEDAW) and the VANWODS Microfinance Inc address the well-being issues of the women of Vanuatu?* [Power point slides] 15 August 2011: Hamilton, New Zealand: Waikato University: BRCSS TALANOA SESSION # 10.
- Thomas, A.K.L. (2011). *A contrast between the Melanesian indigenous traditional governance system and the Westminster urban governance system*. 8 March 2011: Why we give a damn talk? Hamilton City Gardens. Hamilton, New Zealand: International Women's Day: PRESENTED RESEARCH FINDINGS TO THE INTERNATIONAL WOMEN'S DAY POVERTY.
- Thomas, A.K.L. (2011). *A contrast between the Melanesian indigenous traditional governance system and the Westminster urban governance system*. [Power point slides] 23 February 2011: Hamilton, New Zealand: University of Waikato: PRESENTED RESEARCH FINDINGS TO HIS HIGHNESS, HEAD OF STATE OF SAMOA, TUI ATUA TUPUA TAMASESE EFI.
- Thomas, A.K.L. (2010). *A contrast between the Melanesian indigenous traditional governance system and the Westminster urban governance system*. 1 October and 1 November 2010: HAMILTON, New Zealand: University of Waikato: PARTICIPATED IN POSTGRADUATE STUDIES' OFFICE THESIS in 3 COMPETITIONS.
- Thomas, AKL (2010). *Focus Group Discussion Report to the Vanuatu Ministry of Justice and Social Welfare and the Vanuatu Department of Women's Affairs*. Hamilton, New Zealand: University of Waikato.
- Thomas, A.K.L. (2009). *Status of women in Melanesian states of Vanuatu, Papua New Guinea and Solomon Islands and some possible projects to empower Melanesian women*. 2-4 OCTOBER 2009. PANEL SPEAKER FOR MELANESIAN RESEARCH

FOR THE TRIENNIAL CONFERENCE. AUCKLAND, NEW ZEALAND: NEW ZEALAND FEDERATION OF GRADUATE WOMEN FOR THE PACIFIC GRADUATE WOMEN'S NETWORK.

- Thomas, A.K.L. (2009). *How civil societies and NGOs in Vanuatu are adequately assisting Ni-Vanuatu Women to have or restore their voices in the direction of Vanuatu?* (Power point slides) 7 September 2009, HAMILTON, New Zealand: University of Waikato" BRCSS TALANOA SESSION.
- Thomas, A.K.L. (2009). *How civil societies and NGOs in Vanuatu are adequately assisting Ni-Vanuatu women to have or restore their voices in the direction of Vanuatu?* [Power point slides] 12-14 JUNE 2009. CHRISTCHURCH, New Zealand: ADULT AND COMMUNITY EDUCATION CONFERENCE.
- Thomas, A.K.L. (2009). *Market models for salvation: Neo-liberalism, the solidarity economy, or something in between for the women of Vanuatu?* 12-13 FEBRUARY 2009, A SYMPOSIUM OF CRITICAL ORGANISATION STUDIES IN AOTEAROA/NEW ZEALAND. HAMILTON, NEW ZEALAND: WAIKATO MANAGEMENT SCHOOL: THE ORGANISATION, IDENTITY AND LOCALITY (OIL) EXPLORING THE LOCAL WITHIN THE AOTEAROA/NEW ZEALAND LOCALITY.
- Thomas, A.K.L. (2008). *The CEDAW convention: Human rights and fundamental freedoms.* 24-26 NOVEMBER 2008: THE AUSTRALIA NEW ZEALAND THIRD SECTOR RESEARCH (ANZTSR) NINTH BIENNIAL CONFERENCE DEMONSTRATE. AUCKLAND, NEW ZEALAND: AUCKLAND UNIVERSITY OF TECHNOLOGY.
- Thomas, A.K.L. (2008). *The CEDAW Convention: Human Rights and Fundamental Freedoms.* 20 OCTOBER 2008, 12TH ANNUAL WAIKATO MANAGEMENT SCHOOL STUDENT RESEARCH CONFERENCE. HAMILTON, NEW ZEALAND: UNIVERSITY OF WAIKATO.
- United Nations (2008 & 2009). *Good Governance.* Retrieved October 14, 2008, from United Nations Economic and Social Commission for Asia and the Pacific from <http://www.unescap.org/pdd/prs/ProjectActivities/Ongoing/gg/governance.asp>
- United Nations (2015), *Human Development Indicators*, UN, New York: USA.
- Van Trease, H. (1995). *Melanesian politics: Stael blong Vanuatu.* Christchurch and Suva, Macmillan Brown Centre for Pacific Studies and University of the South Pacific.
- Ministry of Education (2009). *Vanuatu Education Road Map.* Ministry of Education: Port Vila, Vanuatu.
- VNCW. (2005). *Many rivers we crossed: A tribute to the women of Vanuatu on the special commemoration of the VNCW 25th Silver Jubilee Anniversary.* VNCW: Port Vila, Vanuatu.
- Vanuatu Daily Post (2017). 'Various articles on discrimination affecting women's and men's career paths'. Vanuatu Daily Post: Port Vila: Vanuatu.
- Vanuatu Association of Non-Governmental Organizations. (2016). *Stret Fasin blong Wok long saed long Akaontabiliti mo Transparensi blong ol Oganaesesen blong Sivil Sosaeti long Vanuatu.* VANGO: Port Vila, Vanuatu.
- Women Against Crime & Corruption. (2016). *Report of the Stop Violence & Brutal Killing Organization Committee (SV&BKOC) and Women against Crime and Corruption (WACC): In organizing a peaceful and silent march through Port Vila Town on Wednesday 23 March 2016 from 0730-1100hrs.* WACC: Port Vila, Vanuatu
- Yumi Toktok Stret (2017). 'Revenue of 4.2 Billion Vatu not collected and expatriate worker employed by the VAT Office for over 7 years'. Yumi Toktok Stret. Port Vila: Vanuatu.

Yumi Toktok Stret (2018). Temporary Special Measure is short-term. Women must unite and contest elections like their male counterparts. Yumi Toktok Stret 9 May 2018. Port Vila: Vanuatu.

16.0 Appendices

APPENDIX A

UN CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

After twenty-three years of ratifying the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), both Ni-Vanuatu men and women continued to suffer gender discrimination, and other forms of malpractices in their career paths (Thomas, 2013, 2010, 2009 & 2008, VNCW, 2005, Randell, 2003; & The Republic of Vanuatu, 2004). In Vanuatu's political and civil service appointments, nepotism and cronyism continued to be entertained. Workers are rarely employed on merit or for their professionalism or qualifications but because they are certain political party supporters (Thomas, 2013).

The Republic of Vanuatu (2004) and Macdonald-Milne et al., (1981) confirmed that Vanuatu's decision-makers are predominantly men also referred to by the researcher as 'Vanuatu's patriarchy' (Thomas, 2013). Van Trease (1987) posited, men see women's places and roles as domestic servants in managing their families at home. This is reflected in how Vanuatu's patriarchy had assigned jobs in various Vanuatu Government institutions.

The Republic of Vanuatu (2004) stated that in 1995, while women made up over a third of the public service, only a few women assumed positions of authority. For example, the ratio of males to females' public-sector workers was highlighted as only 36 out of 639 total employees (5.6% were women in the Vanuatu Police Force); and only 4 women out of 39 male employees (10.3%) held senior managerial positions in the public service. Vanuatu's CEDAW Report highlighted that there were no increases in the number of women appointed into senior managerial positions in the public service (The Republic of Vanuatu, 2004). The 2000 CEDAW statistics portrayed 9 women out of 56 men (16.7%) holding positions of authority in the public service. Three years later in 2003, only 30 out of 560 employees in the Vanuatu Police Force were women (6 fewer than in 1995).

The total employees in Vanuatu's public service amounted to 4,641. Out of this number, only 1,781 were women, making up 38% of the work force. One woman out of 9 men held the position of director-general; 10 females out of 46 men were directors representing 21.7% female participation in position of authority (The Republic of Vanuatu, 2004). In 2006, there were 10 women out of 57 men (17.5%) who held positions of authority (OECD, 2007). Although, the Vanuatu's Education Road Map (1999) enacted an equity and equality policy, there were no women holding positions of authority during this period in the Department or Ministry of Education. In the Ministry of Internal Affairs, a female DG had been appointed [however, she was suspended for over 12 months and then reinstated by the order of the Court in 2017] while another woman was appointed as Acting DG in the Ministry of Foreign Affairs in the same year.

Many men and a handful of women had been appointed to board of directors, as ministers, civil servants, political advisers or into private sector positions. Nevertheless, they received no orientation programme in ethical and good governance training. For example, Vanuatu had not set any benchmarks for the recruitment of its members of parliament in terms of qualifications and professionalism. Due to Vanuatu's kastom and high regard for big men's leadership (Godelier et al., 1989), many of Vanuatu's leaders and members of parliament have basic education and for many, very little knowledge of good governance and ethical concepts and etiquette (Thomas, 2017; United Nations, 2008 & 2009 & GGSP, 2005). It is not surprising to see that Vanuatu's current members of parliament are all men (Macdonald-Milne et al., 1981). Therefore, grassroot citizens with very basic knowledge of good governance and ethical values were elected into positions of authority (Thomas,

2017). When these leaders obtained positions of authority, without diligently enforcing and practicing the concepts of the rule of law, transparency and accountability amongst other good governance concepts in their decisions, many men and women continued to face gender discrimination, and other malpractices in their career paths. On many occasions, the rule of law is not followed in terms of employment terminations, suspensions and redundancies, predominantly influenced through political manipulations (as was recently argued between the court case of Livo Mele versus the Minister of Agriculture, Hon. David Tosul) (Vanuatu Daily Post, November 2017) and Linda Kalpoi versus the Vanuatu Tourism Office (Vanuatu Daily Post, February 2018).

Hence, many fearless complainants have resorted to file cases with the Ombudsman's Office and the Vanuatu judiciary for resolution of their gender discrimination, and other malpractices. Although there are snippets of gender discrimination, and other malpractices being reported by the media in Vanuatu, they continued to increase as reported by the Vanuatu Daily Post (on the terminations of Livo Mele through the intervention of the Minister of Agriculture; Linda Kalpoi through the intervention of the VTO Board of Directors; the suspensions of the TRR Regulator influenced by the Prime Minister's Office; and the VIPA CEO through the intervention of the First Political Adviser of the Deputy Prime Minister's Office; and the Manager of Member Services through the Vanuatu National Provident Fund Board of Directors). All these suspensions and terminations were influenced through political manipulations (Vanuatu Daily Post July 2017 and February 2018, WACC 2017 & Thomas, 2017).

There is no comprehensive research in Vanuatu enumerating the number of gender discrimination, and other malpractices that affect both genders in their careers/positions and how some of these malpractices had been resolved through the Vanuatu judiciary.

The researcher relies on the VNSO's National Population & Housing Census (2009) and (2016) to identify the numbers of working men and women in Vanuatu and the positions of authority occupied by them. Nevertheless, this statistical data is unable to provide the researcher with the exact titles of the men and women's positions in the formal and informal employment sectors.

A study of gender discrimination, and other malpractices on the PaCLII Court Register does provide the researcher with an indication of gender discrimination, and other malpractices victims faced; and the number of both men or women who seek Court restitution. From WACC's 2017 Register, twelve out of nineteen women had indicated that fear of public humiliation; the risk of stress, emotional harm, psychological trauma, health impacts or financial implications had deterred them from reporting their gender discrimination, and other malpractices to the Vanuatu judiciary for resolution. This research identifies a gap in the way leaders are chosen into board of directors or appointed as civil servants, political advisers and ministers in Vanuatu and recommends the types of strategies to stop malpractices or bad governance from continuing to affect men and women's employment and career paths in Vanuatu.

Although a lot of civil society organizations (CSOs) and non-governmental organizations (NGOs) are working on the platforms of promoting gender equality in decision-making in Vanuatu, there is no research to demonstrate whether gender equality is indeed a concept that the state and the private sector had aspired to (Thomas, 2013, 2010, 2009 & 2008). Because of limited gender discrimination, and other malpractices statistical data, the only solution is for the researcher to review and identify employment discrimination through the PaCLII Court Register. These Court cases sought the Vanuatu judiciary's intervention to protect victim's employment or order compensation for unfair suspension, terminations and redundancies.

The topic of gender discrimination, and other malpractices needed to be investigated more thoroughly. Extensive unreported cases of suspensions, redundancies and terminations affecting both

men and women because of gender discrimination, and other malpractices exist in Vanuatu (Thomas, 2013, 2010, 2008, & VNCW, 2005).

The researcher as a direct recipient of gender discrimination in the form of work-place bullying, conspiracy, collusion, political manipulation, conflict of interest and abuse of power malpractices is affiliated on a full-time basis to WACC, CGEDM and PAM. She is interested to ascertain from the literature review of PaCLII’s Court Register of employment cases, if both men and women received similar kinds of gender discrimination, and other malpractices and whether their applications to the Courts had been successfully heard and resolved and appropriate compensation and orders accorded to the victims.

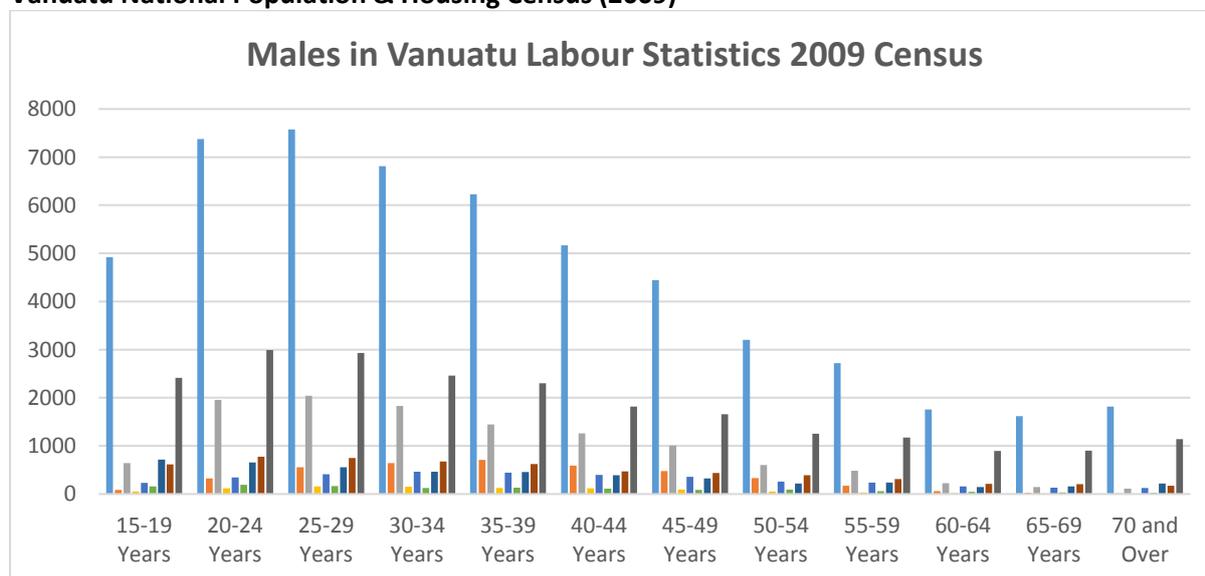
APPENDIX B

Vanuatu National Population & Housing Census (2009)

2009 5 Year's age interval	Government Employee	Private Sector Employee	Employer	Self-Employed	Voluntary Worker	Unpaid family Worker	Goods prod 4 sales	Goods prod 4 own consumption
15-19 Years	170	1181	92	420	278	1288	1007	4541
20-24 Years	652	3408	193	599	302	1218	1348	5855
25-29 Years	981	3232	231	649	260	1011	1291	5633
30-34 Years	1074	2848	222	750	193	823	1180	4690
35-39 Years	1055	2293	176	703	220	847	1153	4393
40-44 Years	894	1871	163	696	165	691	939	3561
45-49 Years	755	1534	121	601	156	608	885	3357
50-54 Years	509	876	79	426	139	435	685	2456
55-59 Years	255	659	39	401	99	458	591	2214
60-64 Years	87	289	24	251	70	292	360	1677
65-69 Years	35	179	21	186	43	264	327	1580
70 and Over	22	147	8	192	46	382	280	1920
Totals	6489	18517	1369	5874	1971	8317	10046	41877

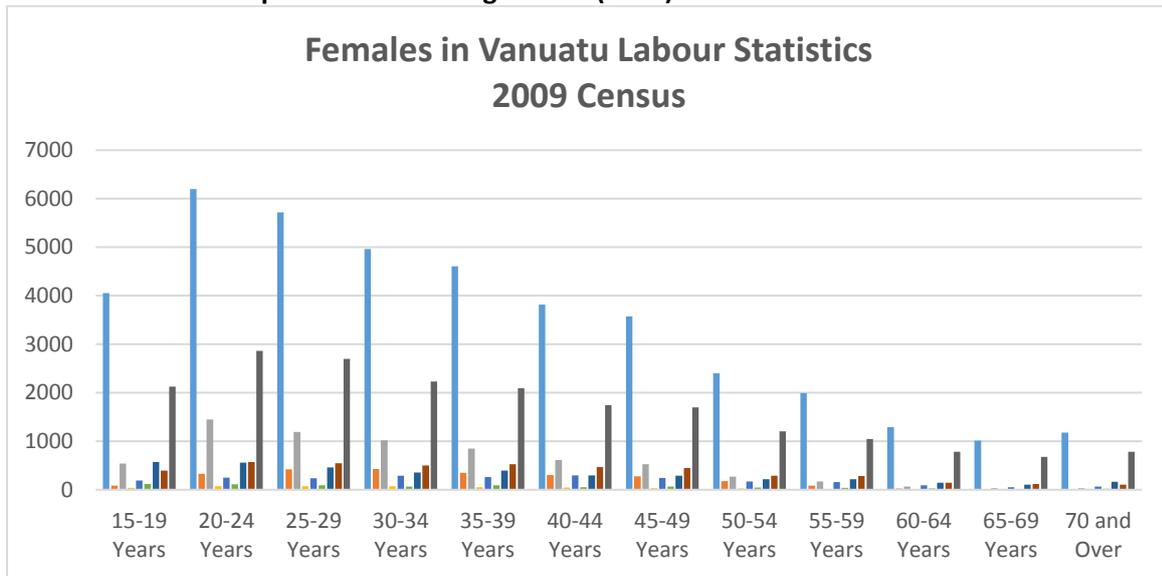
APPENDIX C

Vanuatu National Population & Housing Census (2009)



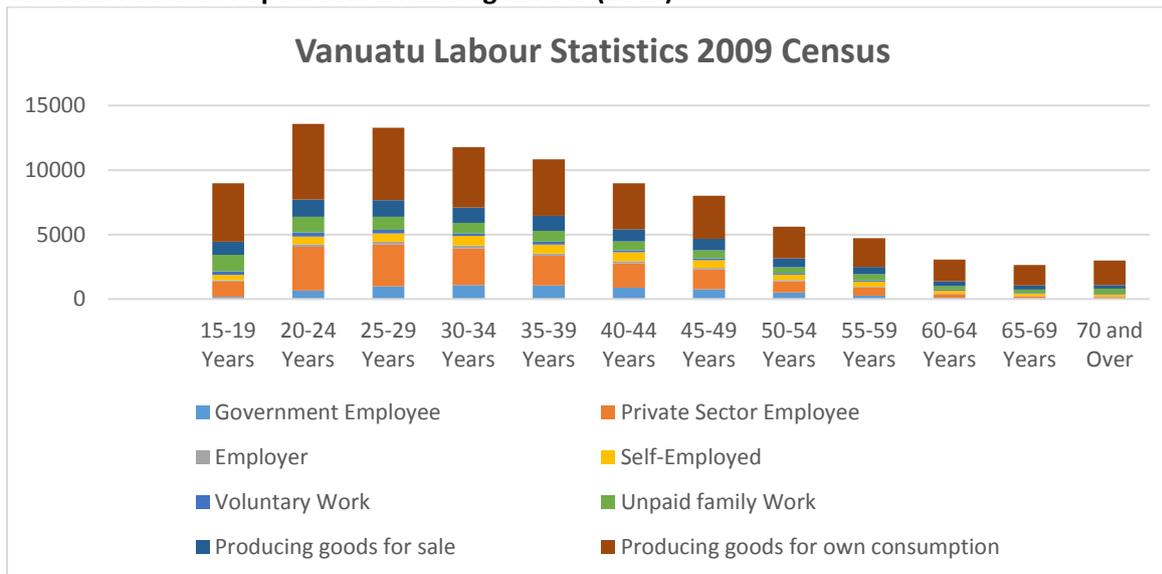
APPENDIX D

Vanuatu National Population & Housing Census (2009)



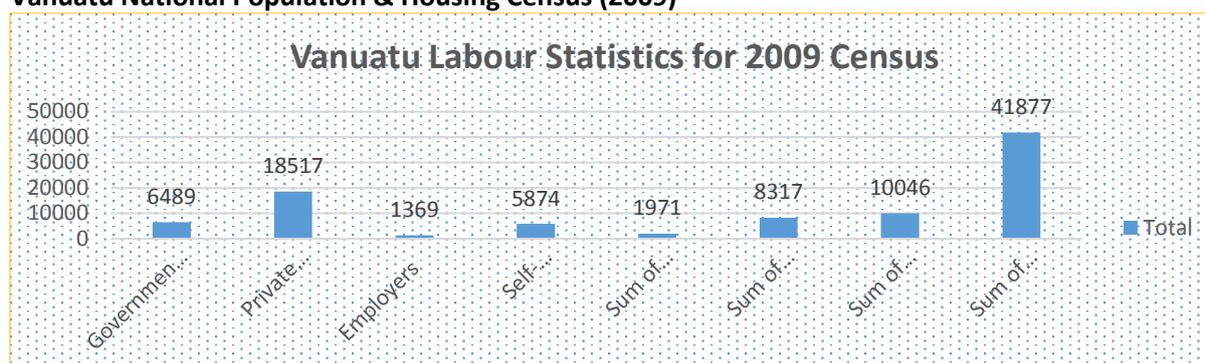
APPENDIX E

Vanuatu National Population & Housing Census (2009)



APPENDIX F

Vanuatu National Population & Housing Census (2009)



APPENDIX G

Vanuatu National Population & Housing Census (2016)

2016 5 Year's Age Interval	Government Employee	Private Sector Employee	Employer	Self-employed	Voluntary Worker	Unpaid Family Worker	Goods prod 4 sales	Goods prod 4 own consumption
15 to 19	80	827	0	405	246	5032	162	4994
20 to 24	677	3338	307	1120	389	7400	231	3122
25 to 29	1396	3987	311	1373	275	5786	244	3000
30 to 34	1340	3830	276	1299	215	4020	241	2342
35 to 39	1264	3541	301	1218	220	3316	226	2154
40 to 44	1112	2918	256	1143	190	2546	215	1656
45 to 49	979	2340	225	1046	230	2370	159	1512
50 to 54	705	1209	131	845	204	1789	164	1261
55 to 59	443	698	104	613	165	1569	121	1023
60 to 64	145	390	59	463	133	1116	87	923
65 to 69	53	201	49	270	107	913	63	745
70 and Over	35	99	44	310	94	1255	85	1298
Totals	8229	23378	2063	10105	2468	37112	1998	24030

APPENDIX H

Vanuatu National Population & Housing Census (2016)

Categories of Work	Totals	Male	Female	Female %	Male %
Government Employee	8229	4848	3381	41	59
Private Sector Employee	23378	14501	8877	38	62
Employer	2063	1347	716	35	65
Self-employed	10105	6670	3435	34	66
Voluntary Work	2468	1697	771	31	69
Unpaid Family Work	37112	10181	26931	73	27
Producing Goods for Sale	1998	932	1066	53	47
Producing goods for own cor	24030	12643	11387	47	53

APPENDIX I

Comparison of Statistical Data for 2009 and 2016 Vanuatu National Population & Housing Censuses								
2009 & 2016	2009 Government Employee	2016 Government Employee	2009 Private Sector Employee	2016 Private Sector Employee	2009 Employer	2016 Employer	2009 Self-Employed	2015 Self-Employed
15-19 Years	170	80	1181	827	92	0	420	405
20-24 Years	652	677	3408	3338	193	307	599	1120
25-29 Years	981	1396	3232	3987	231	311	649	1373
30-34 Years	1074	1340	2848	3830	222	276	750	1299
35-39 Years	1055	1264	2293	3541	176	301	703	1218
40-44 Years	894	1112	1871	2918	163	256	696	1143
45-49 Years	755	979	1534	2340	121	225	601	1046
50-54 Years	509	705	876	1209	79	131	426	845
55-59 Years	255	443	659	698	39	104	401	613
60-64 Years	87	145	289	390	24	59	251	463
65-69 Years	35	53	179	201	21	49	186	270
70 and Over	22	35	147	99	8	44	192	310
Total	6489	8229	18517	23378	1369	2063	5874	10105

APPENDIX J

Comparison of Statistical Data for 2009 and 2016 Vanuatu National Population & Housing Censuses								
2009 & 2016	2009 Voluntary Worker	2016 Voluntary Worker	2009 Unpaid family Worker	2016 Unpaid Family Worker	2009 Goods prod 4 sales	2016 Goods prod 4 sales	2009 Goods prod 4 own consumption	2015 Goods prod 4 own consumption
15-19 Years	278	246	1288	5032	1007	162	4541	4994
20-24 Years	302	389	1218	7400	1348	231	5855	3122
25-29 Years	260	275	1011	5786	1291	244	5633	3000
30-34 Years	193	215	823	4020	1180	241	4690	2342
35-39 Years	220	220	847	3316	1153	226	4393	2154
40-44 Years	165	190	691	2546	939	215	3561	1656
45-49 Years	156	230	608	2370	885	159	3357	1512
50-54 Years	139	204	435	1789	685	164	2456	1261
55-59 Years	99	165	458	1569	591	121	2214	1023
60-64 Years	70	133	292	1116	360	87	1677	923
65-69 Years	43	107	264	913	327	63	1580	745
70 and Over	46	94	382	1255	280	85	1920	1298
Total	1971	2468	8317	37112	10046	1998	41877	24030

APPENDIX K

Women against Crime & Corruption's Register of Employer Types with Gender Discriminations

EMPLOYER TYPES	CASES OF GENDER DISCRIMINATION
State Ministry/Department/Statutory Body	13 + 2 + 1 = 16
CSO	2
Private Sector	1

APPENDIX L

Women against Crime & Corruption List of Suspensions, Terminations and Redundancies

CASE NUMBERS	EMPLOYMENT TYPE	STATUS OF FURTHER LEGAL ACTION
Case # 1	State Ministry/Dept/Stat Body	Terminated but did not file any complaints
Case # 2	State Ministry/Dept/Stat Body	Court resolved termination legal so case unsuccessful

Case # 3	CSO	Terminated but did not file any complaints
Case # 4	State Ministry/Dept/Stat Body	Case referred to Courts and resolved
Case # 5	State Ministry/Dept/Stat Body	Suspended and then reinstated
Case # 6	State Ministry/Dept/Stat Body	Demoted but did not file any complaints
Case # 7	State Ministry/Dept/Stat Body	Case referred to Courts – pending
Case # 8	State Ministry/Dept/Stat Body	Suspension withheld by State Law Office
Case # 9	State Ministry/Dept/Stat Body	Case referred to Courts – pending
Case # 10	State Ministry/Dept/Stat Body	Terminated but did not file any complaints
Case # 11	State Ministry/Dept/Stat Body	Suspended for 6 months and then reinstated
Case # 12	CSO	Terminated but did not file any complaints
Case # 13	State Ministry/Dept/Stat Body	Case referred to Courts and resolved
Case # 14	State Ministry/Dept/Stat Body	Received Employer severe ill-treatment & resigned
Case # 15	State Ministry/Dept/Stat Body	Terminated but did not file any complaints
Case # 16	State Ministry/Dept/Stat Body	Terminated but did not file any complaints
Case # 17	State Ministry/Dept/Stat Body	Terminated but did not file any complaints
Case # 18	Private Sector	Case referred to Courts and resolved
Case # 19	State Ministry/Dept/Stat Body	PSC resolution and reinstatement

APPENDIX M

Women against Crime and Corruption (WACC): Gender Discriminations and Malpractices

REFERRAL TO COURT & CASE NUMBER?	INFORMATION SOURCE	OUTCOME OF GENDER DISCRIMINATIONS
No	WACC	Complaint never pursued
No	WACC	PSC resolution
Yes	WACC	In process by Court
Yes	WACC	In process by Court
Yes	WACC & PaCLII	Court resolution
No	WACC	No formal court complaints
No	WACC	No formal court complaints
No	WACC	No formal court complaints
Yes	WACC	Court resolution
No	WACC	No formal court complaints
Yes	WACC	Court resolution
No	WACC	No formal court complaints
No	WACC	No formal court complaints
No	WACC	No formal court complaints
No	WACC	No formal court complaints
No	WACC	PSC resolution
No	WACC	No formal court complaints
No	WACC	No formal court complaints
Yes	WACC	Court resolution
Yes	WACC	Court resolution and reinstated to DG position in the Ministry

APPENDIX N**Results of WACC Gender Discriminations and Malpractices**

Terminated but did not file any complaints x 7
Cases referred to Courts and resolved for compensation x 4
Suspended cases and then reinstated x 2
Demoted case but did not file any complaint x 1
Cases referred to Courts – pending resolution x 2
Suspension case being withheld by State Law Office x 1
Case referred to Courts and unsuccessful as applicant had received some compensation & termination was legal x 1
Severe ill-treatment received so resigned from employment x 1

APPENDIX O**Vanuatu Employment Gender Discriminations in Alphabets A, B, C, and D****In the Pacific Legal Institute of Information Register of Court Cases:****With U = Unsuccessful and S = Successful Cases**

Case #	Gender	Type of gender discriminations	Result of Court Case
CC # 1	M	Terminated. Was involved in criminal activity so case rejected	Unsuccessful
CC # 2	M	Terminated. Application to amend application was rejected	Unsuccessful
CC # 3	M	Terminated. Case successful as entitled to compensation as council terminated by Minister of State	Successful
CC # 4	M	Terminated. Case successful and able to pursue compensation claim in Court	Successful
CC # 5	M	Terminated. Case successful so awarded compensation	Successful
CC # 6	M	Terminated. Contract illegal so claim dismissed	Unsuccessful
CC # 7	M	Terminated and claimed had work injury before being terminated. Claim rejected	Unsuccessful
CC # 8	M	Terminated. Case dismissed	Unsuccessful
CC # 9	M	Attorney General's Judicial Review case for Institutions. Case successful as claimants have valid claims to submit to Court	Successful
CC # 10	M	Terminated. Case rejected	Unsuccessful
CC # 11	F x 2	Applicants for their deceased partners. Case successful so entitled to severance pay for deceased spouses	Successful

CC # 12	M	Terminated. Libel case successful and awarded compensation	Successful
CC # 13	M	Terminated. Case successful and awarded compensation	Successful
CC # 14	M	Terminated. Case unsuccessful as statute due to timing limitation	Unsuccessful
CC # 15	M	Terminated for gross misconduct. Case rejected as dismissal is legitimate	Unsuccessful
CC # 16	M x 4	Terminated by new Minister. Case rejected as termination is legal	Unsuccessful
CC # 17	M	Terminated for gross misconduct. Case rejected as dismissal is lawful	Unsuccessful
CC # 18	F	Terminated. Case successful and compensation awarded	Successful
CC # 19	M x 2	Terminated. Case successful and compensation awarded	Successful
CC # 20	M	Rotated to another state depart. Case rejected as rotation is legal	Unsuccessful
CC # 21	M	Rotated to State Ministry. Case rejected as rotation is legal	Unsuccessful
CC # 22	M	Definition of public servant. Case successful as applicant is not a public servant when appointed as a DG	Successful
CC # 23	M	Terminated. Case rejected so ordered to pay wasted costs	Unsuccessful
CC # 24	M	Terminated when institution was dissolved. Case successful so compensation awarded	Successful
CC # 25	M	Terminated and not paid for agricultural services. Case successful so awarded 66,808,016 Vatu	Successful
CC # 26	F	Terminated. Case successful and compensation of 5,049,584 Vatu awarded	Successful
CC # 27	M x 4	Terminated. Termination upheld by Arbitration Board, but case is successful, so termination is illegal, and all members ordered to be reinstated	Successful
CC # 28	M x 4	Terminated by Statutory Body. Case successful so compensation awarded	Successful
CC # 29	M x 2	Terminated by Statutory Body for threatening to carry out mutiny. Case rejected	Unsuccessful
CC # 30	M	Terminated by employer as on scholarship for more than 1 year. Case rejected, and new actor appointed	Unsuccessful
CC # 31	M x 4	Terminated. Case rejected as appointments are not permanent	Unsuccessful
CC # 32	M	Terminated. Case rejected and termination lawful	Unsuccessful
CC # 33	M	Terminated. Case rejected and termination lawful	Unsuccessful
CC # 34	M x 4	Overtime claims made. Case rejected as no documentary evidence of overtime worked	Unsuccessful
CC # 35	M	Terminated. Case rejected as termination is lawful	Unsuccessful

CC # 36	F x 4	Terminated. Case rejected as institution employees are volunteers and impasse to be resolved internally	Unsuccessful
CC # 37	M	Terminated. Case successful so entitled to compensation	Successful
CC # 38	M	Terminated. Case rejected	Unsuccessful
CC # 39	M	Severance Calculations. Case successful, employer must pay severance 1 day for every month worked after applicant files case with Court again	Successful
CC # 40	F	Terminated for gross misconduct/unauthorized bank withdrawals. Case successful and applicant awarded compensation	Successful
CC # 41	M	Terminated by Minister of State. Case rejected as termination is legal	Unsuccessful
CC # 42	M + F	Requested to keep residence built from funds stolen by former employee from institution. Case rejected	Unsuccessful
Unsuccessful cases = 24 cases Successful cases = 18			

APPENDIX P

Head-count of PhD graduates at the end of 2017

Programme of study	Gender	Status	Serving
Linguistics	F	Completed	Vanuatu
Good governance etc...	F	Completed	Vanuatu
Economics	F	Completed	Vanuatu
Agriculture	M	Completed	Now deceased
Mathematics	M	Completed	Vanuatu
Accounting	M	Completed	New Zealand
Volcanology	M	Completed	Philippines
Economics	M	Completed	Vanuatu
Strategic Management	M	Completed	Vanuatu
Educational Leadership	F	Incomplete	Still studying
Biosecurity	F	Incomplete	Still studying
Computer Science	M	Incomplete	Still studying
Physics, Biology	F	Incomplete	Still studying
Criminology	M	Incomplete	Still studying