Tackling Gender Inequality in Fiji: Business Responsibilities & Opportunities



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About:

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Introduction

Fiji has made a number of specific international and national commitments to gender equality, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the revised Pacific Platform for Action, and gender equality is also identified as a goal in national strategic planning documents. However, there exists entrenched gender inequality, with the country ranking only 107 out of 146 countries, according to the 2022 WEF Gender Gap Report. Widespread discrimination and dependencies create significant problems for women particularly, and hold back the social, political, and economic development of the country in general. Gender discrimination is estimated to cost the East Asia and Pacific region USD 2,440 billion annually.

This report provides an overview and context of gender inequality in Fiji¹, and also presents some pointers for companies operating in the country to address this issue, through their obligations under the <u>UN Guiding Principles on Business and Human Rights (UNGPs)</u> as well as national and international regulatory developments, in their **business activities**, and through their **supply chains**. It also provides some examples of opportunities to improve women's empowerment more widely in the country through partnerships with local expert groups and initiatives.



Overview of the Country

Geography and politics

Fiji consists of some 300 islands, and has a population around 900,000 in 14 provinces. The major languages are English, Fijian, and Hindi. Major religions are Christianity and Hinduism. Life expectation is around 68 years. Fiji became independent from the United Kingdom in 1970 after almost a century under British colonial administration. Tensions between ethnic Fijians, the iTaukei, (~58% population) and the Indo-Fijian minority (~35% population) are a longstanding issue.

Fiji is a constitutional republic. In December 2022 the country held general elections. After two four-year terms Josaia Voreqe Bainimarama was succeeded by Sitiveni Rabuka.

Fiji plays a central role amongst the Pacific Island Countries, being the headquarters of many international organisations in the region, such as UN Women, the International Finance Corporation (IFC), and the Asian Development Bank (ADB), as well as the <u>University of the South Pacific</u>. GDP growth for 2023 is expected to be around 6.3% according to ADB.

Its economy <u>relies heavily</u> on tourism, and agricultural products including, coconut, taro, copra, pawpaw, and ginger. The '<u>big five</u>' exports are fish, mineral water, sugar, garments and gold.

Business and human rights in Fiji

Fiji has signed all nine core UN human rights treaties². Despite this, the US State Department has found significant human rights issues in the country. A report by the Walk Free Foundation in 2020 found

Other particularly vulnerable groups across all ethnicities in Fiji include children, LGBTQ and other gender identities, and low-skilled migrant workers

International Convention on the Elimination of All Forms of Racial Discrimination (ICERD); International Covenant on Civil and Political Rights (ICCPR); International Covenant on Economic, Social and Cultural Rights (ICESCR); Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT); Convention on the Rights of the Child (CRC); International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW); International Convention for the Protection of All Persons from Enforced Disappearance: Convention on the Rights of Persons with Disabilities (ICRPD); Convention for the Protection of All Persons from Enforced Disappearance (CED)

widespread evidence of modern slavery. The risk of human rights violations in the business context tend to predominate in the low-skilled sectors:

- · fishing (see example, right),
- · construction,
- hospitality and tourism,
- · logging ad horticulture,
- · agriculture, and
- · domestic work.

The Walk Free Foundation **defines modern slavery** as "... situations of exploitation that a person cannot refuse or leave because of threats, violence, coercion, deception, abuse of power, or deception."

Women in Fiji

Traditions, customs, and faith

Gender inequality is rooted in traditional norms, customs, and models of decision-making that give more power to men than to women. As stated in the introduction, the WEF <u>2022 Global Gender Gap Report</u> ranked Fiji 107 out of 146 countries, i.e. belonging to the lowest third of all analysed countries.

Traditionally women's role is to care for family members and carry out domestic work. According to <u>World Bank</u>, women in Fiji spend 2.9 times as much time on unpaid domestic and care work than men - in the UK, US and Germany the figure is around 1.7 times, in China 2.6.

The chiefs of the 14 provinces are Fiji's traditional leaders. The people of each province look to them for guidance. Traditional patriarchal views of the role of girls, women, children, and sex in the Pacific Island Countries drive vulnerability to modern slavery.



In 2021 the US blocked a fishing boat from Fiji, citing forced labour:

According to the <u>NY Times</u>, customs officials had blocked a commercial fishing boat from bringing tuna and other seafood into the United States. Reasons for this blockage was the use of forced labour by its operator, a company based in Fiji. It was under suspicion having withheld workers' wages, kept their identity documents, and subjected them to debt bondage.

By creating an environment of tolerance of violence against women, opportunities for women and girls remain severely limited.

The church is an important moral authority in Fiji and could play a powerful role in promoting gender equality and discouraging violence against women. However according to the Walk Free Foundation, it doesn't: "... church teachings often present a barrier to addressing vulnerability to modern slavery, for example, by hindering the success of violence prevention initiatives by advocating for women to return to abusive relationships with men for the sake of preserving marriage".

Women have full rights of inheritance and property ownership by law, although local authorities often exclude them from decision-making processes on disposition of indigenous communal land. Limiting women's access to land is a central barrier to founding a formal business and puts pressure on them to marry. Women's dependency on men is a central challenge.

Gender violence

Fiji and the whole pacific region have, <u>according to UN Women</u>, one of the **highest rates of gender-based violence globally** - up to 68% of Pacific women have reported experiencing physical or sexual violence by a partner in their lifetime. Discrimination and (sexual) harassment of women is a common issue, including in the workplace.

In 2016, the former Prime Minister Bainimarama recognised Fiji's long culture of people resorting to violence: against women, children, or the police attempting to extract confessions from criminal suspects. The culture of buturaki – beating – has been found to be deeply ingrained in parts of the Fijian culture.

(Informal) work

According to World Bank there is very low participation of women in formal employment, only 37%,

compared to 72% men. Fiji ranks only 130 out of 146 countries regarding female labor force participation, according to the World Economic Forum Global Gender Gap Report 2022. Informal arrangements lead to increased dependency on men and increased vulnerability to economic shocks or climate disasters. The reasons for women's low participation in formal employment lie in traditional norms and patriarchal views, domestic and sexual violence, as well as lack of childcare services. According to an IFC study "Tackling childcare: The Business Case for Employer Supported Childcare in Fiji", beyond the obvious importance of early childhood education for children, it is also vital for mothers giving them time and peace of mind to work in a formal employment. Most parents depend on the extended family to care for children under five when they go to work. Moving away from the family community to cities with wider job opportunities brings additional barriers for young female professionals to participating in the formal job market and strengthening diversity of the corporates in Fiji.

Working conditions

Even when entering a formal working relationship in high-risk sectors, workers, and especially vulnerable groups such as women, still face challenges such as low wages (the national minimum wage in Fiji is 3.34 FJD per hour). Furthermore, issues such as unpaid overtime, discrimination, (sexual) harassment, difficulties in combining work and childcare duties, or harsh working conditions are reported.

Women in leadership

<u>According to World Bank</u>, in 2022 only 20% of seats in parliament in Fiji were held by women. The country scores only 99 out of 146 countries regarding women in parliament according to the WEF <u>Global Gender Gap</u> Report 2022.

All the barriers mentioned above lead, according to a <u>study by Fiji Women's Rights Movement</u>, to a low proportion of women in management boards. Women comprise only 21% of all Board members, (40 of 192). Ten of 38 Boards (26%) have less than 30% women participation.

How important yet difficult it is globally to increase the number of women in boards is illustrated by recent regulatory developments in the European Union. In November 2022 the EU Parliament formally adopted a new EU law on gender balance on corporate boards. By 2026, companies will need to have 40% of the underrepresented sex among non-executive directors or 33% among all directors. It took ten years from the first proposal for this law by the European Commission in 2012 to reach this point.

Legislation and policy

The <u>latest analysis</u> (2020) by UN Office for the High Commissioner for Human Rights (OHCHR) and the pacific community "Human Rights in the Pacific" describes the legislation and policy status quo with respect to women as follows:

- Under the constitution, all citizens of Fiji, including women, are referred to as 'Fijians' and have equal status and identity, which means that they are equally entitled to all rights, privileges, duties, benefits, and responsibilities of citizenship. However, there are provisions for limitations on these rights and the constitution does not contain specific provisions on the rights of women.
- Barriers to access justice in the pacific island countries range from the physical inaccessibility of courts especially for those living in remote islands and especially with low income, such as women. Further barriers include the level of experience of adjudicators and the dependency on expertise from abroad, gaps in law enforcement as well as lack of administrative capacity.

In Fiji, the Legal Aid Commission is a key entry point for accessing justice formed under the Legal Aid Act in 1996. The Fiji Human Rights and Anti-Discrimination Commission (FHRADC) is Fiji's National Human Rights Institution (NHRI) established under the Human Rights and Anti-Discrimination Act 2009 and continued under the 2013 Constitution to ensure human rights are protected. The Pacific region is not part of a regional human rights mechanism.

Actors such as the Fiji Women's Rights Movement (FWRM) have carried out extensive legislative lobbying that has had a significant impact over the years. A major achievement was the enactment of the Family Law Act 2005 and FWRM's campaign around women's economic rights that led to amendments in the Employment Regulations Act 2007 improving protection for women.

Obligations and opportunities for the private sector to empower women

All businesses must ensure respect for human rights in their direct activities as well as in their business relationships, and this includes the issue of gender. Besides being compliant with national legislation and policy, businesses should refer to the <u>UNGPs</u> to ensure compliance with all aspects of human rights.

Business enterprises should respect the human rights of particular vulnerable groups where they may have adverse human rights impacts on them – such as women in Fiji. According to UNGP 23, businesses should treat the risk of causing or contributing to gross human rights abuses as a legal compliance issue wherever they operate.

Another important aspect is the impact of increasing hard law in the field of business and human rights such as the German Supply Chain Due Diligence Act, and the upcoming EU Corporate Sustainability Due Diligence Directive. They are developed on the basis of the UNGPs and oblige businesses to embed human rights due diligence in their own business area as well as their supply chain (see box below).

Businesses can use their presence and leverage to have a positive social impact in the workplace, in the marketplace and in the community at large.

Businesses in Fiji should be prepared for EU-based companies requiring them to explain how they ensure human and environmental rights are protected and what their human rights due diligence processes look like,

On the horizon: upcoming hard law with impact on global supply chains

The <u>German Supply Chain Due Diligence Act</u> entered into force on 1 January 2023. It is the first time the responsibility of enterprises based in Germany to respect human rights in global supply chains and in their own business operations has been put on a legal footing. It obliges businesses with more than 3000 employees (as of 2024: more than 1000 employees) to respect human rights by implementing defined due diligence obligations. The core elements include:

- establishment of a risk management system to identify, prevent or minimise the risks of human rights violations and damage to the environment,
- · a human rights policy statement,
- · defined responsibilities within the organisation,
- a grievance mechanism,
- adequate preventive and remedial measures as well as internal documentation and regular external reporting to the public and the authority.

It refers to the rights included in the International Bill of Human Rights including prohibitions that tend to apply to vulnerable groups such women - unequal treatment in employment as well as the withholding of an adequate living wage.

At EU level a proposal for a similar regulation - the <u>Corporate Sustainability Due Diligence Directive (EU CSDDD</u> is on the table and will have an even wider impact on businesses and their global supply chain, as it will apply to a huge number of multinational corporations.

These hard laws can also have an impact on businesses based in Fiji, for example when business relationships to the EU market exist as supplier of products or services. Businesses in Fiji should be prepared to upcoming questionnaires by EU based companies requiring them to explain how they ensure human and environmental rights are protected and what their human rights due diligence processes look like, new contract clauses, or even audits that may be conducted onsite. It is a development that goes beyond Europe - Japan published in September 2022 Guidelines on Respecting Human Rights in Responsible Supply Chains.

Embassies can serve as interface by using their influence to raise awareness amongst their headquartered businesses in Fiji and unite them for joint trainings, initiatives, or advocacy – especially with respect to the upcoming hard law developments.

Beyond obligations under national and international legislation as well as international standards, businesses can use their presence and leverage to have a positive social impact in the workplace, in the marketplace and in the community at large. Below are some of the aspects an analysis should cover.

..in the workplace

- Consider culture: businesses with direct or indirect
 workforces in Fiji should take the challenges women are
 facing (as set out above) into account and set respective
 preventive measures. Traditional and patriarchal views,
 gender-based violence, as well as the burden of care and
 domestic work, are key issues.
- Employ women: by employing more women businesses can support women in generating their own income. This increases their independency and contributes to Fiji's overall social and economic development.
- Develop and implement policies and training: ensuring adequate policies for existing women in the workforce (e.g. human rights policies, gender equity and social inclusion policies, or policies around respectful workplaces, domestic violence, etc.) is vital to frame the working culture correctly, alongside condemning any form of discrimination or human rights violations. UNGP 16 gives clear guidance on developing an effective policy statement. Trainings and workshops with local management and employees are important to ensure the implementation of the policies. See case study, right.
- Responsibilities and grievance mechanism: Businesses
 are recommended to ensure clearly defined responsibilities
 within the organisation for protecting and empowering
 women in the workforce. The opportunity for women
 to report grievance through an effective non-judicial
 mechanism according to UNGP 31 (legitimate, accessible,
 predictable, equitable and transparent) is critical (see
 case study, right). It will also allow a full understanding of
 human rights risks and violations women are facing. UNGP
 22 emphasizes where businesses identify that they have
 caused or contributed to adverse impacts, they should
 provide for or cooperate in their remediation through
 legitimate processes.
- Support childcare: the burden of childcare (<5 years old) is a huge barrier for women to enter and stay in formal employment. Offering employer-supported childcare helps women to participate in the formal sector. It can also help reduce absenteeism thereby increasing productivity. Every business must find the right model of childcare support that takes the needs of its employees into account (e.g. emergency back-up care or on-site full-service care). When offering childcare, qualified staff is important. Being consistent in managing childcare-related leave is important, an IFC study further revealed.
- Join forces: Many competent partners such as <u>IFC</u>, Fiji
 Women's Rights Movement or <u>Fiji Women's Crisis Center</u>
 can help to set up and implement the right strategy taking
 the local context into account.

(1) CASE STUDY: SolTuna

SolTuna is a tuna processing company in the Solomon Islands and one of the largest employers of the pacific island state. 64% of its employees are women. The company faced challenges with high rates of resignation and absenteeism. An extensive gender diagnostic with IFC revealed the following reasons:

- Low financial literacy
- Domestic violence
- Limited career opportunities
- High level of sickness
- · Care responsibilities

IFC recommended measures including a policy on "Respectful Workplaces", targeting anti-bullying and harassment as well as promoting positive communication in the workplace; training of over 100 line-managers on how to recognise and respond to sexual harassment; and a policy on "Domestic Violence" and training on how to support employees who are experiencing domestic violence.

SolTuna established suggestion boxes and a grievance processing system to address issues raised by employees. The SolTuna Employees Consultative Committee (SECC) was formed, tackling for example low wages. To address the lack of financial literacy among employees, SolTuna, with support from IFC, implemented a "Financial literacy and lifeskills training program" for all employees.

All these initiatives contributed to a reduction in controllable absenteeism (from 18% to 15%), which stands to earn an additional \$1.58 million in additional productivity and to save \$166,000 a year (\$45,000 in savings due to not needing to overstaff shifts; and \$121,000 in savings due to reduced overtime.), showing a clear business case. The number of employees setting savings goals and planning for the future increased. SolTuna recognised how gender issues are material to their business. By understanding and addressing gender dynamics that impact indicators like absenteeism, productivity, and leadership diversity, SolTuna increased employee satisfaction, enhance the workplace culture, and ultimately improve their bottom line.

..in the marketplace

The private sector can play an important role in improving the empowerment of women in Fiji by collaborating with direct suppliers that employ women or by collaborating directly with women themselves.

When **collaborating with suppliers** in Fiji businesses should again refer to the existing international standards such as the <u>UNGPs</u>, that give clear guidance on how to foster their positive impact and to mitigate any related risks of adverse impact on vulnerable groups like women. By **collaborating directly with women** business can empower them by giving them access to

- a) markets and demand,
- b) training and resources,
- c) income, as well as
- d) investments and finance

This applies especially to sectors where women are active in Fiji such as agriculture, fisheries, handcrafts, and tourism (see separate briefing with a focus on fishing).

a) Access to markets and demand

Giving women, particularly those in the informal sectors, **access to markets** is an important way to empower them financially and increase independence. Supporting women in formalising a business, for example, is an important step to access markets. However, such initiatives must be accompanied by ensuring increase in demand. See accompanying briefing looking in detail at fishing women.

b) Access to training and resources

To help women in meeting increased regular demand, businesses can help them to set up cooperatives with respective management skills and trainings. Managers could work pro-bono, coordinating the women and splitting the income fairly. It is important however to work with managers who know the local cultural context well (native, knowing village dynamics, speaking the local language, etc.), so that participating women feel understood and safe to collaborate. Businesses not familiar with local knowledge should look for partnerships, such as with the Women Entrepreneurs Business Council or the University of South Pacific.

c) Access to income

When entering into a business relationship with women, it is important to pay an adequate price. As already outlined in this report, the minimum wage per hour is quite low in Fiji at 3.34 FJD per hour, so it is recommended to pay women a price that allows them to earn a 'living wage'. However, limited data may make it difficult to determine an adequate price so it is therefore critical to collaborate with local expert groups such as the Women Entrepreneurs Business Council.

d) Access to investments and finance

To empower women to grow their business and access further buyers or exporters, investments and access to finance are needed. The finance industry should explore opportunities to offer sustainable finance to women, as well as financial literacy training, to ensure women are aware of the financing conditions they need to meet.

Administrative and societal challenges that will arise when women step into a traditionally male-dominated role ask businesses to collaborate with local expert groups such as the Fiji Women's Rights Movement. Men must be included into this transformational process, showing them the benefits they and the whole community will enjoy. When men feel left behind and excluded, women in Fiji who receive support and investment face the risk of increased domestic violence.

..in the community

In order for women to lift themselves out of positions of inequality, they must overcome barriers such as patriarchal views, violence, and the burden of care and domestic work. These structural challenges are best tackled jointly, with collaboration between stakeholders such as government, academia, international organisations, non-governmental organisations, and wider civil society. Businesses can use their market power for advocacy and to fund existing projects, collaborating with other stakeholders. Some examples of opportunities for businesses to collaborate with organisations and initiatives in the community are laid out below.

a) Addressing traditional norms and patriarchal views

It is a long journey to change those deeply rooted traditional norms and views in the Fijian society that undermine perception of women and girls, but one opportunity to embrace the change is education. Working with young girls and boys is critical to break with discriminating role models and to enable the next generations of girls and boys engaging at eye level. Plan International in Fiji is for example tackling attitudes and barriers that perpetuate violence against girls and women and hold them back from having a say in their futures.

The We Rise Coalition is made up of seven organisations from within the Pacific region who implement the We Rise 3 Program: femLINKpacific (FemLINK), Fiji Women's Rights Movement (FWRM), Brown Girl Woke (BGW)-Samoa, Talitha Project-Tonga, Sista-Vanuatu, Voice for Change - Jiwaka, Papua New Guinea, and the International Women's Development Agency (IWDA). Together, these organisations are "... building a movement to demand that women are able to realise their full human rights, equality and justice, and creating a political force for change that cannot be ignored by families, communities, governments, or society at large." Businesses can partner with these and other leading organisations - supporting them via funding, participation or via other cooperative initiatives.

b) Violence against women

Opportunities for advocacy include:

- <u>Fiji Women's Rights Movement (FWRM)</u> is carrying out a Gender Equality Campaign focusing on four key areas including women in leadership, women and unpaid household work, women in sports and women in employment.
- UN Women runs the multi-country office in Suva covering 14 Pacific Island Countries. They run the
 16 Days of Activism against Gender-Based Violence, an annual international campaign that runs
 from 25 November, the International Day for the Elimination of Violence against Women, until 10
 December, The International Day of Human Rights.
- UN Women targets the local markets in Fiji creating a safe space for women with a dedicated initiative: "Markets for Change" A Safe and Accessible Place For Rural Women Vendors | UN Women Asia-Pacific.

c) Childcare

As outlined earlier in this report, Fiji lacks early childhood education (ECE) of high quality for children below five years. Plan International is active in advancing ECE. IFC recommends the Fijian government establish a coherent policy and regulatory framework, consider provision and/or subsidisation of childcare services, promote space for childcare services to increase supply, and partner with private sector to expand access to care. Businesses could explore with the authority opportunities around providing or subsidising real-estate costs of childcare facilities for company staff, for example.

In advocacy work it is recommended to consider the following three steps:

- Analyse: every advocacy strategy should be built on a situational analysis, consulting with local experts.
- **Prioritise**: the biggest societal challenges women in Fiji face are traditional norms and patriarchal views, violence, as well as the burden to care for children and the wider family. Based on an individual situational analysis every business should prioritise initiatives and organisations for collaboration and support.
- Advocate visibly and authentically: when supporting local organisations, it is critical to do this in an authentic and very visible way.

The <u>protection of human rights defenders</u> should be part of any advocacy and funding strategy. They have formed alliances in Fiji, like the human rights defenders' network supported by the OHCHR, but continue to be threatened, attacked, and intimidated by authority and parts of society.

Conclusion

The upcoming <u>EU directive on corporate sustainability due diligence</u> (EU CSDDD) will require risk and compliance departments of businesses with activity in the EU to apply human rights due diligence processes in their own business area and also their global supply chains. In addition, national legislation, including in <u>Germany</u>, <u>the UK</u>, or <u>Australia</u> push businesses towards more transparency with respect to human rights. Due diligence will include ensuring gender equality and non-discrimination. For companies with business relationships or supply chain connections in Fiji, this will be of particular significance.

As has been shown above, companies can introduce policies on gender in the workplace that can improve outcomes for women in the workforce and in Fijian society more widely, while simultaneously benefitting the business itself.

An authentic social impact strategy that goes beyond risk mitigation and considers various opportunities to empower women in the workplace, the marketplace and in the community, is an excellent way to meet Sustainable Development Goal (SDG) pledges and earn and maintain the 'social license to operate' as a business. Empowering women in Fiji can be an important contribution to SDG 5 on gender equality.

The positive social impact that a business can have on women plays an essential part in building a sustainable and resilient future for the Pacific Island people. Social inequalities such as gender inequality hold back social, political, and economic development. As gender discrimination is estimated to cost the East Asia and Pacific region <u>USD 2,440 billion annually</u>, empowering women bears the potential to bring tremendous gains in health, education, food security, employment, and livelihoods – for the whole society. Something every business should strive for as a good corporate citizen.

