



TANOA RECOMMENDATIONS

From The
GENDER AND HUMAN RIGHTS WORKSHOP,
Held In Nadi, Fiji, May 2004
Organised By
COMMONWEALTH LAWYERS' ASSOCIATION
COMMONWEALTH MAGISTRATES AND JUDGES' ASSOCIATION
LEGAL AND CONSTITUTIONAL AFFAIRS DIVISION OF THE COMMONWEALTH
SECRETARIAT

CEDAW

1. Countries that have not ratified CEDAW and the Optional Protocol are urged to do so as soon as possible after appropriate consultation;
2. Need for education and sensitisation at a grassroots level of men, women and the family unit, through traditional leaders, NGOs and religious groups working within traditional cultures to change attitudes;
3. Governments should be urged to submit reports in compliance with specific deadlines provided for in the Convention and in the preparation of these reports they should be urged to consult widely with NGOs;
4. Encourage NGOs to submit shadow reports to the CEDAW committee and on CEDAW matters in other reporting mechanisms;
5. It is recommended that gender sensitisation should form part of the curriculum and should start at an early age and continues through to tertiary level education;
6. Parliaments should take active steps to review existing legislation and constitutions so that gender issues should be taken into consideration and implemented;
7. Governments should allocate substantial funding to Ministries dealing specifically with women's affairs in order to facilitate education, training and implementation of gender issues as a whole.

GENDER BASED VIOLENCE

8. Courts need to acknowledge the vulnerability of women in cases of domestic violence in order to protect victims and their families;
9. Protection orders and injunctions at low cost and in a simple format should be provided;
10. The definition of rape within national legislation needs to be broadened to include marital rape;
11. Training should be offered to judicial and legal officers and law enforcement personnel in combating domestic and gender-based violence;
12. The establishment of family courts/divisions should be encouraged;
13. The media should be encouraged to perpetuate peace rather than violence through accurate and informed reporting of cases and the broader issues of gender based violence;
14. The social impact of gender-based violence on children should be acknowledged and measures should be taken to address the problem;

15. Governments should recognise the need to put in place rehabilitation schemes for offenders and victims of gender-based violence.

HIV/AIDS AND HUMAN RIGHTS

16. Assistance through appropriate NGOs and governments should be provided for specific training of legal and judicial officers on issues relating to HIV/AIDS and its gender dimensions;
17. Primary focus should be on prevention, but adequate resources should be provided for the treatment, care and support to vulnerable women;
18. Sex education should be included in the school curriculum;
19. Legislation should be enacted to effectively deal with all aspects of HIV/AIDS.

ACCESS TO JUSTICE

20. Governments should be encouraged to establish accessible legal aid centres or mechanisms for vulnerable women and provide adequate resources;
21. High standards and professional competence should be encouraged at all levels of the legal profession through continuing legal education.

WOMEN IN THE CRIMINAL JUSTICE SYSTEM

22. There is a need for more female police officers, prosecutors and women judges;
23. Improved legislation – removal of the need for corroboration and evidence of recent complaints, introduction of battered women syndrome as a defence in crimes committed by women;
24. Sensitising judicial, legal officers and law enforcement personnel when handling cases where women are victims or offenders.

INDIGENOUS PEOPLES RIGHTS

25. In this, the final year of the UN Decade of Indigenous Peoples, we urge Commonwealth Governments to acknowledge and consider the rights and customs of indigenous peoples and how they affect women;
26. Commonwealth parliamentarians, legal and judicial officers should be sensitised to develop an understanding of the environment in which indigenous peoples are placed.

LAND RIGHTS AND GENDER EQUALITY

27. There is a need for women to be made more aware of their rights and the fact that land issues are not just male concerns.