



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

**Combined fourth and fifth periodic reports submitted by the
Cook Islands under article 18 of the Convention, due in 2022***

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Abbreviations

AFPB	Aitutaki Family Protection Board
BPfA	Beijing Declaration and Platform for Action
BTIB	Business Trade and Investment Board
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
CEIT	Centre of Excellence for Information Technology
CIBPW	Cook Islands Business and Professional Women's Association
CICWA	Cook Islands Child Welfare Association
CIDSI	Cook Islands Dyslexia Society Incorporated
CIFWA	Cook Islands Family and Welfare Association
CINCW	Cook Islands National Council of Women
CIP	Cook Islands Party
CIWPC	Cook Islands Women Parliamentarians Caucus
COs	Concluding Observations
CPR	Contraceptive prevalence rate
CRC	Convention on the Rights of the Child
CSOs	Civil Society Organisations
CSW	Commission on the Status of Women
DIDP	Cook Islands Disability Inclusive Development Policy
EAP 02 002	Education's Inclusive Education Policy
ECE	Early Childhood Education
EPR	Employment to population ratio
FPS	Family Protection Services, Social Policy and Services Division, INTAFF
FPSA	Family Protection and Support Act
GANHRI	Global Alliance of National Human Rights Institutions
GBV	Gender-based violence
GDP	Gross Domestic Product
HIV	Human immunodeficiency virus
ICTs	Information and Communication Technologies
IE	Inclusive Education
INTAFF	Cook Islands Ministry of Internal Affairs
LFPR	Labour force participation rate

LGBTQI	Lesbian, gay, bisexual, transgender, queer/questioning and intersex
MOU	Memorandum of understanding
NCCP	Cook Islands National Cancer Control Plan (2022-2027)
NCDs	Non-Communicable Diseases
NER	Net enrolment rates
NGO	Non-Governmental Organisation
NHRI	National Human Rights Institution
NPGEWE	National Policy on Gender Equity and Women's Empowerment
NSDA 2020+	National Sustainable Development Agenda 2020+
NWM	National Women's Machinery
NZD	New Zealand Dollars
PILON	Panel to the Sexual and Gender Based Violence Working Group of the Pacific Islands Legal Officers Network
PLGED	Pacific Leaders Gender Equality Declaration
PSOs	Police Safety Orders
PTI	Punanga Tauturu Inc. (Cook Islands Women's Counselling Centre)
SAP	Social Assistance Policy (2024-2028)
SDGs	Sustainable Development Goals
SIF	Social Impact Fund
SPC	Pacific Community
SPS	Social Policy and Services Division, INTAFF
SRH	Sexual and reproductive health
STEM	Science, Technology, Engineering and Mathematics
STIs	Sexually Transmitted Infections
Te POM	Te Punaanga Ora'anga Matutu (Men's Counselling Centre)
TFGBV	Technology-facilitated gender-based violence
TFR	Total fertility rate
TMO	Te Marae Ora (Cook Islands Ministry of Health)
TPO	Temporary Protective Order
TSMs	Temporary special measures
UHC	WHO Universal Health Coverage
UNESCO	United Nations Educational, Scientific and Cultural Organization
WHO	World Health Organisation

Introduction

1. The Cook Islands hereby has the pleasure of submitting the fourth and fifth National Periodic Report on the implementation of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) to the Committee on the Elimination of Discrimination against Women (CEDAW Committee).
2. The Cook Islands acceded to the CEDAW in its own right on 11 August 2006, and withdrew all reservations made to the Convention on 30 July 2007. The Cook Islands subsequently acceded to the Optional Protocol to the Convention in October 2007.
3. The Government of Cook Islands and the CEDAW Committee's previous constructive dialogue on the combined second and third Periodic Report was conducted in 2018, and the Committee's subsequent Concluding Observations (COs) were received in July 2018.
4. In 2018, the Government of the Cook Islands convened a meeting with key stakeholders who were involved in the preparatory work for the State's report. The chief presenter to the combined second and third Periodic Report informed on the initial concluding discussions and the work ahead in relation to legal, social, economic and political considerations.
5. This report covers the period between January 2018 and September 2024.
6. During the reporting period, important electoral processes took place, including the Cook Islands General election (2022) won by the Cook Islands Party (CIP), and Outer Cook Islands Government Elections (2024). Aligning legislation, policies and programmes with the CEDAW has continued to remain a priority for the Government of the Cook Islands.
7. COVID-19 response plans and programmes took national priority during the pandemic, and Government had to focus on urgent legislation and policies in areas such as economic recovery, public health, and immediate social welfare issues. Implementation of some the CEDAW COs was impacted by this.
8. Despite the unprecedented challenges and impacts of the COVID-19 pandemic, there have been several major achievements in the advancement of gender equality and implementation of CEDAW COs over the reporting period.
9. The COVID-19 pandemic impacted on reporting processes, causing a delay in submission of the fourth National Periodic Report (due in 2022).
10. This report was endorsed in November 2024.

Part one Report preparation/methodology

11. The fourth Periodic Report to the CEDAW was prepared following a CEDAW Writeshop in October/November 2022, supported by the Pacific Community (SPC) with development partners, the Regional Office for the Pacific of the High Commissioner for Human Rights and UN Women.
12. The CEDAW drafting committee consisted of staff from the Ministry of Internal Affairs; Ministry of Corrective Services; Ministry of Justice; Crown Law Office; Ministry of Education; Cook Islands Family Welfare Association; Punanga Tauturu Incorporated (Women's Counselling Centre); Cook Islands Police Service; Te Marae

Ora (TMO, Ministry of Health); Foreign Affairs & Immigration; Ombudsman Office and the National Statistics Office.

13. The CEDAW drafting committee held five meetings between December 2022 and August 2023 to prepare the fourth National Periodic Report.

14. Stakeholders were further consulted via email correspondence in early 2024, with participants from Government and Civil Society Organisations (CSOs) in which the findings were shared, and the fourth Periodic Report was finalised.

15. The fifth Periodic Report was prepared following consultation with the CEDAW drafting committee in 2023 and 2024 via email correspondence.

Major policy and service developments impacting gender equality

16. The 2018-2024 reporting period has seen significant progress in advancing gender equality. Numerous advances have been made in terms of policy and legislative developments impacting gender equality:

- The Cook Islands' Government initiatives and priorities for accelerating gender equality and women's empowerment over the reporting period have been guided by the National Policy on Gender Equity and Women's Empowerment (NPGewe) 2019-2024. This policy presents a revised version of the NPGewe 2011-2016 and was built on past achievements and lessons learned. This Policy provided directions to advance gender equality and enhance women's empowerment at all levels of development and decision making;
- Increased resourcing was dedicated to ensuring the effective enforcement of the Family Protection and Support Act 2017 (FPSA 2017) and the effectiveness of programmes and services targeting survivors and perpetrators of gender-based violence (GBV). Since enactment, this Act addresses the Committee's concern for women and children exposed to domestic violence and its negative consequences;
- The Cook Islands Parliament passed the Crimes (Sexual Offences) Amendment Act 2023. This Amendment Act changed the sexual offences provisions of the Crimes Act 1969 by removing, amending, and adding offences, while updating language and making necessary consequential amendments. The Act contains three major changes to the offence of rape, which will provide greater protection for victims of gender-based and sexual violence. This includes the criminalization of rape within marriage;
- The Cook Islands Social Assistance Policy (SAP) 2024-2028 considers gender norms and roles in ways that support gender equality. A key component of this policy is to provide gender-responsive social protection. In 2024, maternity leave was extended from 6 to 14 weeks of paid leave for mothers, while paternity leave was increased from 2 days of paid and 3 days of unpaid leave to 2 weeks of fully paid leave for fathers. The maternity and paternity leave will progress by stages within the timeframe of the SAP 2024-2028;
- Efforts have been dedicated to mainstreaming gender in national policies. A gender perspective has been included in policies such as the Cook Islands National Digital Strategy 2024-2030; National Environment Policy 2022-2032 and the Cook Islands National Cancer Control Plan 2022-2027;
- The National Sustainable Development Agenda 2020+ (NSDA2020+) was launched in 2021. Advancing women's rights and achieving gender equality are key priorities in the NSDA2020+. More specifically, the NSDA2020+ sets out the goals of increasing representation of women in politics; reducing income

disparity between men and women; removing obstructions to women's career developments; and reducing domestic violence;

- The Cook Islands Disability Inclusive Development Policy (DIDP) 2020-2025 set out the priority of enhancing gender equality and women's empowerment for women and girls with disabilities. Under priority area 9, the DIDP 2020-2025 lists 'women and girls with disability', with a focus on advocating for the reproductive health of women with disability and promoting and advancing equality of opportunity;
- The Cook Islands National Health Strategic Plan 2023-2027 sets out targets aimed at enhancing women's health. These include supporting and promoting family planning services to all eligible women and increasing mammogram screening follow up of all eligible women by 1% every 2 years from the 2022 level;
- Several important actions and priorities are set out in the Cook Islands National Cancer Control Plan (NCCP) 2022-2027, in terms of addressing female-specific cancers. This policy sets out to create interventions at all levels of the health system, with particular emphasis on components of cancer care including prevention; early detection; diagnosis and treatment services and other needed health system support services.

17. Significant advances have been made in terms of service developments and delivery impacting gender equality.

18. Memorandums of understanding (MOUs) were signed between the Government of the Cook Islands and several stakeholder organisations. This formalised convergence of will and action in terms of service developments and initiatives impacting gender equality. These MOUs allowed the Government of the Cook Islands and stakeholder organisations to set out a clear understanding of responsibilities each party holds and how each party will collaborate when working towards achieving gender equality. MOUs were signed between:

- PTI and the Gender Division of INTAFF in 2018. This MOU strengthened legal aid available for female survivors of domestic violence in the Cook Islands. The legal aid program, which was supported by the Australian Government through the Pacific Women Shaping Pacific Development program, assured the services presence for legal advice and representation for women in domestic violence cases;
- The Government of the Cook Islands and the Cook Islands Family and Welfare Association (CIFWA) in 2023. This MOU ensures that CIFWA's services of antenatal care; family planning; and protection of women at risk of gender-based and sexual violence will present a key component of Government's response plan in national emergencies;
- The Government of the Cook Islands and PTI and the Men's Counselling Centre Te Punaanga Ora'anga Matutu (Te POM) in 2023, strengthening the support available for women and men affected by domestic violence issues;
- Cook Islands Ministry of Health and PTI in 2024 to enhance and strengthen support for women experiencing GBV;
- The multi-agency collective Te Ropianga Matutu was informally established in 2011 as a collaborative effort between INTAFF, the Cook Islands Police Service and the Ministry of Education to address the rising issue of truancy. Over time, its scope expanded to include discussions and interventions on domestic violence involving children and youth at risk. The agency consists of the Cook Islands Police Service; Ministry of Internal Affairs; Ministry of Justice;

Ministry of Education; Ministry of Health; Corrective Services; and other stakeholders by invitation, to address domestic violence, which includes intimate partner, sexual and gender-based violence. The multi-agency group convenes quarterly to review cases and may be called upon at any time to address urgent situations. A MOU is currently in draft, with plans for formal endorsement in 2025;

- Besides MOUs, service delivery was also strengthened through the following initiatives and developments:
 - PTI continued to provide a supportive environment for women who experience domestic violence and rape, offering counselling services and support such as emergency accommodation. In 2024, PTI received a large SPC Pacific Women Lead Grant Fund (approx. \$400,000 NZD) to implement GBV prevention and awareness projects over the next 2.5 years in Rarotonga and the Outer Cook Islands;
 - In 2022, a male Counselling Centre, Te Punanga Oraanga Matutu (Te POM), which focuses on addressing domestic problems was established. This Centre offers counselling to men affected by, or dealing with, domestic violence;
 - In 2023, the Cook Islands Police Service collaborated with PTI and Te POM to implement a preventative framework against domestic violence. The Family Unit at the Police Prevention Division will spearhead the strengthened framework of cooperation with these CSOs;
 - Over the reporting period, PTI, the Ministry of Justice and the Cook Islands Police Service have held training courses and workshops with regional resources to upskill in counselling, victim/survivor profiling, and legal implications;
 - Government and stakeholder organisations developed and continued programmes to support and build the capacity of women in politics. These included workshops targeting young women, women leaders and women in the Outer Cook Islands; and education and awareness programmes to address negative gender stereotypes, and reduce discrimination based on gender, age and disability;
 - Programmes to support women entrepreneurs have been implemented, providing access to business training and mentorship. Collaborations with stakeholders, including local business women, and organisations such as the Cook Islands Business and Professional Women’s Association (CIBPW), have played a vital role in advancing women’s economic participation in business over the reporting period;
 - A childcare subsidy programme was introduced to provide affordable childcare for children aged 0–3 years. Affordable early childcare services can increase labour participation rates, particularly among women, by alleviating the burden of childcare. Further, efforts have been directed at providing after-school childcare options for children, as a key strategy for increasing the female labour participation rate;
 - Services have been implemented to tackle female-specific health issues. For example, to increase uptake of cervical cancer screening, Government introduced a pilot self-testing programme for cervical cancer in 2023, with a promising uptake rate, especially by women who were overdue for pap-smear testing. Efforts to improve the availability of medical supplies and equipment are ongoing. A new mammogram machine, which detects breast cancer earlier than the existing machine, is in the procurement stage. Access to reproductive

health services for women, including family planning and contraception, have been expanded.

Key challenges to advancing gender equality

19. The total population of the Cook Islands (2021) is 15,040 people: 7,392 men and 7,648 women. Over 70% (10,898) of the total population live in Rarotonga, 20.2% (3,040) in the Southern Group Islands and 7.3% (1,102) in the Northern Group Islands.

20. In 2020, prior to the pandemic, tourism accounted for 66% of the country's Gross Domestic Product (GDP), which was the highest in the region. From 2014 until the start of the COVID-19 pandemic (2020), the Cook Islands experienced strong economic growth, with its GDP growing at an average of 6% annually between 2014-2019, presenting the highest among all Pacific Small Islands States. Reliance on the tourism sector made the Cook Islands' economy particularly vulnerable to external shocks. When the Cook Islands closed its borders in March 2020 due to the COVID-19 pandemic, and the tourism industry collapsed, this led to the economy contracting by 5.9% in 2020 and 29% in 2021.

21. It has been widely acknowledged that globally the negative impacts of the COVID-19 pandemic disproportionately affected the vulnerable, including, for example, women and girls with disabilities; women and girls with underlying health issues; as well as financially deprived women and girls. This also applied in the Cook Islands where the pandemic presented an unforeseen and challenging obstacle in terms of progressing and implementing gender equality initiatives.

22. COVID-19 response plans and programmes took national priority during the pandemic, and gender equality initiatives were impacted by this. The Cook Islands' Government introduced temporary measures to offer additional support for its people, particularly its most vulnerable, during the pandemic.

23. In early 2020, temporary social protection initiatives were introduced by the Cook Islands' Government as part of its economic response plan to mitigate the negative impacts of the COVID-19 pandemic.

24. These temporary measures included, for example, offering parents additional child benefit every fortnight during COVID-19-related school closures. As 36% of the female population were engaged in childcare responsibilities, and 60% of the female population in unpaid housework, this measure would have alleviated some of the financial burden on female parents and guardians.

25. Further measures included offering financial support to businesses to cover staff absences due to self-isolation, and unemployment benefit to any employee who had lost their employment as a result of the pandemic. One-off welfare support payments, paid on top of existing welfare payments, to the infirm; destitute; pensioners; and caregivers, were also provided. As caregiving is a responsibility that predominantly falls on women in the Cook Islands, this measure would have alleviated some of the financial burden on female caregivers. While the measures that were introduced were not solely targeted at women, they nonetheless directly benefited many women, such as female business owners; female parents and guardians; female caregivers; infirm and destitute women; and female pensioners.

26. Despite these unprecedented challenges posed by the COVID-19 pandemic, the Cook Islands has made significant progress over the reporting period in advancing gender equality. This attests to the effectiveness of governmental measures introduced during the pandemic in preventing a reversal of progress in terms of women's rights

and empowerment and highlights the perseverance and resilience of the Cook Islands people in times of crisis.

27. Achievements were made in leadership and governance, and women's representation in parliament stands at 29.1%, presenting the highest number of women in parliament to date. Further, the number of women in business and business industry leadership roles increased. Progress has been noted in women's health, including in the areas of sexual and reproductive health and female-specific cancers. Successes have also been made in terms of addressing GBV, and closer collaboration and coordination with stakeholder organisations has been achieved through mechanisms, such as the signing of MOUs. Women's rights have also been furthered through legislative changes and gender-responsive policies, such as the *SAP 2024-2028*.

28. The Cook Islands re-established international connections and networks working on advancing women's rights and empowerment. In 2023, for the first time in 14 years, a Cook Islands delegation attended and chaired the *67th session of the Commission on the Status of Women (CSW)*, hosted by the United Nations, in New York, USA. The Cook Islands also attended and chaired the *68th CSW session* in New York, USA in 2024. Further, the Cook Islands chaired the *Pacific Islands Forum Women Leaders Meeting* in 2023 and 2024. Most recently, the Cook Islands chaired the *75th Session of the WHO Regional Committee for the Western Pacific*, on 21 October 2024 in Manila, Philippines.

29. Notwithstanding the consistent strides the Cook Islands has made towards gender equality since 2018, the Government continues to face challenges in implementing CEDAW conditions and advancing gender equality. These specific challenges include:

- Lack of dedicated financial resources has hindered the effective implementation of various gender equality programmes;
- Difficulties in coordination and communication between stakeholders and implementing agencies;
- Gender mainstreaming into Government programmes, policies and budget remains a work in progress;
- Despite significant progress, women's representation rates at the Island government and parliament levels remains lower than men's;
- The labour force participation rate remains higher for men (77.8%) than women (63.4%) (2019). The rate is lower for women in the Northern Outer Islands group (52%) and Southern Outer Islands group (54%), compared to Rarotonga (67%);
- The income gap between male and female pay remains; in 2016 and 2021 the medium income range stood at \$10,000-\$14,000 (NZD) for women and \$15,000-\$19,000 (NZD) for men;
- Women in the Outer Cook Islands continuing to face a multitude of challenges which hinder their economic activities, including high cost of consumer goods; limited market access and employment opportunities; and high shipping costs;
- Societal attitudes towards gender roles. GBV is interlinked with the perceived role of women within families and society. The most recent national study of GBV (Cook Islands Ministry of Health, 2014) revealed that 26% of women believed that they should obey their husband even if they disagree with him;

- Reducing NCDs amongst women by promoting healthy diets and exercise remains an ongoing challenge. Further, ensuring equal access to healthcare for women with disabilities remains a challenge;
- The Cook Islands remain one of several Pacific Island countries with a high rate of adolescent pregnancies. Over the past four years, the adolescent pregnancy to birth rate stood at 10% (2020), 9.2% (2021), 3.5% (2022) and 9.8% (2023);
- Tackling female-specific cancers remains a concern. Breast cancer remains a significant concern, affecting 131 women as of 2023. Between 2021 and 2023, there were 28 new cases, most of which were referred to New Zealand for treatment;
- Males dominate in trade qualifications and women continue to be underrepresented in terms of Science, Technology, Engineering and Mathematics (STEM) qualifications and careers;
- According to UN Women, only 15% of indicators, required to monitor the Sustainable Development Goals (SDGs) from a gender perspective, are available in the Cook Islands. Key gaps exist in areas such as care and domestic work and labour market indicators. Areas such as such as gender and poverty; physical and sexual harassment; women’s access to assets; and gender and the environment lack comparable methodologies for regular monitoring. A Gender Inequality index is yet to be calculated for the Cook Islands.

Part two

Progress in implementation of the 2018 concluding observations

Articles 1–3

Discrimination and obligations of State parties

30. The Social Policy and Services (SPS) Division (previously known as the Gender and Development Division, GADD) of the Cook Islands Ministry of Internal Affairs (INTAFF) is the national focal point for the advancement of gender equality and women’s empowerment. The function of developing the measures and policies to progressively implement CEDAW rests with SPS.

31. In the Concluding Observations (COs) on the combined second and third periodic reports of the Cook Islands, the Committee recommended that the State party:

18 (a) Allocate adequate human, technical and financial resources to the setting of social policy and the provision of services in order to implement the national policy on gender equality and women’s empowerment effectively and retain staff, including through the use of incentives;

(b) Review the strategic plan of action for the period 2011-2016 of the national policy and adopt a new plan of action with adequate funding and technical expertise allocated in order to reinforce substantive equality between women and men in all six priority areas, namely, gender-responsive policies, equal participation in decision-making, economic empowerment, climate change, health and violence against women, and monitor its implementation;

(c) Establish a ministry of women’s affairs to monitor the implementation of the gender mainstreaming policy in all ministries and government

departments and ensure that it has a clear mandate to effectively coordinate policies and programmes on women's rights;

(d) Collaborate with, support and partner with civil society organizations in the implementation of programmes on women's rights;

(e) Establish outreach programmes for women in the outer islands.

32. Progress was made in terms of **CO 18 (a)**, as the SPS was restructured in 2018 and 2019 to accommodate its expansion. This included the establishment of National Coordinator roles for Children, Youth & Sports, and the introduction of the first National Children's Policy — *Te Pito Manava o te Anau* and the *National Youth Policy* — *Te Mana o te Mapu*. The Ministry is planning further expansion of the SPS to include a Gender-Based Violence (GBV) Unit, which will work closely with key government and NGO/CSO partners such as PTI, Te POM, and Solutions Cook Islands.

33. INTAFF prioritised upskilling through training programmes, internal secondments, delegation of Authority (Manager & Director positions), capacity development workshops (Gender Based Violence, CEDAW write-shop, Social Protection, *National Employment Policy*, Red Cross, Safety Training, Workplace Induction, Financial Management Information System and cross training).

34. Further, in terms of **CO 18 (a)**, the Cook Islands Government fully funded the Social Impact Fund (SIF), dedicated to empowering CSOs, NGOs and community groups to foster improvements in family life, relationships and broader social welfare. From 2018 to 2023, a significant amount of funding was granted to an increasing number of organisations engaged in family-oriented services, including: Gender – Equality & Empowerment; Youth – Development & Empowerment; Children – Development & Protection; Person with Disability – Inclusion & Participation; The Elderly – Positive Ageing & Care; Domestic Violence – Elimination & Provision; and Mental Health – Improve Mental Health & Care. Notably, the SIF expanded its scope to include a gender component, strengthening the fund's impact on gender equality and support services. During the first three-year agreement term, New Zealand's Ministry of Foreign Affairs and Trade contributed \$1.8 million (NZD), while the Cook Islands Government provided an additional \$660,000 (NZD) to support SIF's second term from 2017 to 2020.

35. Over \$800,000 (NZD) was allocated specifically to the Gender program, underscoring the commitment to gender-focused initiatives. For the third term, from 2020 to 2023, the Cook Islands Government fully funded the SIF program, with a \$1 million (NZD) allocation per financial year. This robust commitment highlights the government's steadfast dedication to empowering CSOs and addressing critical societal needs. The SIF is channeled through two primary funding streams:

- Programme Fund Component offers larger, multi-year grants for high-priority social initiatives, ensuring continuity in services over three years, allowing CSOs to effectively plan and deliver interventions; and
- Project Fund Component provides smaller, 12-month grants, fostering flexibility and innovation for CSOs addressing emerging issues.
- Over time, SIF's impact has grown significantly, as evidenced by an increase in funded organizations: 38 organizations during Term 1 (2012-2016), 50 in Term 2 (2017-2020), and 105 in Term 3 (2020-2023). This growth reflects the evolving role of SIF as a vital resource for CSOs dedicated to enhancing community well-being and family life across the Cook Islands.

36. **CO 18 (b)** was implemented as the Cook Islands *National Policy on Gender Equality and Women's Empowerment and Strategic Plan of Action 2011-2016* was

reviewed and the *National Policy on Gender Equity and Women's Empowerment* (NPGWE) 2019-2024 launched. The NPGWE 2019-2024 provides a comprehensive framework for accelerating gender equality and the wellbeing of women and informed the development of gender sensitive legislation and government policies. This policy recognises that gender is not just about women, and that relationships and men and women's access to resources present key elements of gender and development approaches. Consequently, the roles and issues of men and boys are also deemed to be critical in pursuing the country's national and local development goals from a gender equality perspective. In turn, the NPGWE 2019-2024's vision is 'a society where all women and men are protected, empowered, and actively engaged in national development' and its mission is to 'establish and strengthen mechanisms that eliminate gender inequalities and empower women of all diversities in all sectors and at all levels'. The accompanying Gender Action Plan contains a matrix of work programme deliverables and activities, lead and implementing agencies, indicative costings, organised by Outcomes, and Strategic Actions. A separate Monitoring Tool is maintained by INTAFF and contains information on the key outcome and output indicators which allows for tracking progress against the 2011 baseline data.

37. The NPGWE 2019-2024 five key priority areas are:

- A gender-responsive Government;
- Gender equity in leadership and governance;
- Women engaged in economic development;
- Healthy women and girls;
- Eliminating violence against women and girls.

38. The NPGWE 2019-2024 will be reviewed in 2025.

39. Progress was made in terms of implementing **CO 18 (c)** as INTAFF is in the process of expanding the SPS to include a Gender-Based Violence (GBV) Unit. The GBV Unit will be responsible for creating and developing the country's first National GBV Policy in 2025.

40. Progress was also made in implementing **CO 18 (d)**, as the Government of the Cook Islands signed MOUs with various stakeholders working on implementing programmes on women's rights. Further, Government has continued to provide SIF funding to CSOs working on gender equality initiatives and women's rights and has implemented several gender equality programmes in collaboration with stakeholder organisations.

41. In alignment with **CO 18 (e)**, INTAFF carried out the *Pa Enuu* (Outer Cook Islands) *National Engagement Programme* in 2020 to 2023, carrying out outreach programmes for women and other members of Outer Cook Islands communities.

42. In the Concluding Observations on the combined second and third periodic reports of the Cook Islands, the Committee recommended that the State party:

(10) in line with articles 1 and 2 of the Convention and its general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, adopt, without delay, a comprehensive definition of discrimination against women, covering all prohibited grounds of discrimination and encompassing direct and indirect discrimination in the public and private spheres.

(12) (a) Fully incorporate the provisions of the Convention into national law;

(b) Adopt and adhere to a clear timetable for the completion of the legislative reform necessary to ensure that national law is in full compliance with the Convention.

43. The Cook Islands 1964 Constitution affords all individuals equality before the law regardless of individual characteristics such as sex, race, nationality, or religion. However, there still exists no comprehensive definition of discrimination against women, covering all prohibited grounds of discrimination, in article 64 of the Cook Islands Constitution.

44. Lack of human resources and the impact of the COVID-19 pandemic have meant that **CO 10** has not yet been implemented. However, the *NPGWE (2019-2024)* sets out definitions and descriptions of gender equality and discrimination against women. Further, the Employment Relations Act 2012 (Part 5, section 55) prohibits discrimination in employment on the basis of gender or sexual preference. Further, existing legislation (e.g. Disability Act, Public Service Act 2009, Education Act 2012) promotes gender equality.

45. **CO 12 (a)** and **(b)** are yet to be implemented. As such, the incorporation of the provisions of the Convention into national law is yet to take place. This is the case as Government had to deal with other country priorities during the pandemic. However, Government sets out to address these COs in the next reporting period.

46. Over the reporting period, the Cook Islands has adopted legislation and policies that promote gender equality and tackle discrimination based on gender. The key policy in this regard is the *NPGWE 2019-2024* – this policy is an insurance that government will implement its gender commitments. Further, legislative changes were made that will provide greater protection for women against sexual assault (*Crimes, Sexual Offences Amendment Act 2023*).

47. As per Gender Action plan (*NPGWE, 2019-2024*) the Government of the Cook Islands and stakeholder organisations established education and awareness programmes to reduce discrimination based on gender.

48. Government worked on establishing regulations, policies, and other relevant protection measures to eliminate gender-based discrimination in the workplace. This included promoting equal opportunity and dedicating efforts to closing the gender pay gap. Government increased paid maternity leave from six to 12 weeks, and will assess the success of this in 2025, with a view of increasing it to 18 weeks.

49. The country reports for BPfA and CEDAW were timely in laying the baseline foundation for the *NPGWE 2019-2024* review, which is currently in process.

50. In the Concluding Observations on the combined second and third periodic reports of the Cook Islands, the Committee recommended that the State party:

(14) Extend the provision of legal aid to women who are victims of discrimination on the basis of sex or gender.

51. **CO 14** is yet to be implemented as the Cook Islands have not yet extended the provision of legal aid to women who are victims of discrimination on the basis of sex or gender. Implementation of this has been hindered by other national priorities during the COVID-19 pandemic.

52. In the Concluding Observations on the combined second and third periodic reports of the Cook Islands, the Committee recommended that the State party:

(16) Establish a national human rights institution with a broad mandate to promote and protect human rights, including women's rights, and gender equality, that is independent in accordance with the Paris Principles.

53. Progress was made in implementing **CO 16**, as the Cook Islands Ombudsman Office, led by Niki Rattle, is in the process of establishing a National Human Rights Institution (NHRI) to promote and protect human rights across the country, with a focus on LGBTQI and disability rights.
54. This initiative follows the participation of Rattle and her team in the *Pacific Regional Forum* on NHRIs held in Nadi, Fiji in February 2023, where they learned from the experiences of Samoa and Tuvalu in creating their respective institutions. Samoa's success, including its "A" grade accreditation from the Global Alliance of National Human Rights Institutions (GANHRI), serves as a model for the Cook Islands, while lessons from Tuvalu highlight the need for adequate resources.
55. As part of the establishment process, the Ombudsman Office is revising the *Ombudsman Act 1984* to incorporate the NHRI's functions and is planning outreach to the Outer Cook Islands communities to ensure public consultation and understanding. Support from technical and financial partners is key to these efforts, and the Office is committed to ensuring that human rights awareness, rooted in respect, dignity, and equality, is spread throughout all levels of society.
56. No complaints of discrimination based on sex and gender have ever been filed with the Office of the Ombudsman.
57. The National Women's Machinery (NWM) in the Cook Islands is INTAFF (including its Gender function within the Social Protection Service Unit). Links to the country's women's groups are through this facility and the Ministry's SIF arm. The SIF encourages gender equality and women's empowerment activities.
58. The non-governmental arm of the NWM is embodied in the Cook Islands National Council of Women (CINCW), one of a several national CSOs mandated to ensure women, and their families are factored into socio-economic growth and national justice systems for human rights and gender equality. The establishment of the CINCW dates back to the 1950s. The CSO has over 20 affiliated member organisations which include professional women's groups; community women's organizations involved in crafts etc. Membership stands at over 5000 women.
59. Over the reporting period, the Cook Islands Government continued to work with CINCW towards empowering women through advocating the principals of the CEDAW Convention. CINCW has campaigned for women to stand for local government as well as central government to raise their capacity in decision making and policy.
60. A bi-annual Women's Conference brings all representatives of these communities and member organisations together to formulate strategic plans and direction. This ensures that the process of consultation is transparent and inclusive.
61. CINCW has continued to provide advocacy and information sharing services to members and when requested by the public and Government Ministers on the state of CEDAW in the community.
62. The Cook Islands Child Welfare Association (CICWA) and the CIFWA agencies collaborated with INTAFF and the CINCW network to promote and implement their work plans pertaining to gender-equality throughout the country.
63. The other set of national, non-governmental women's machinery are two major faith-based women's organisations under the Catholic Women's Council and the Cook Islands Christian Church women's fellowship.
64. Most of INTAFF's and SPS's work programmes and outreach activities are externally funded confirming the persistent lack of budget and human resources in Government spaces.

Article 4**Temporary special measures (TSMs)**

65. In the Concluding Observations on the combined second and third periodic reports of the Cook Islands, the Committee recommended that the State party:

20 (a) Adopt temporary special measures to achieve substantive equality between women and men in all areas in the State party, in particular in political life, as well as in the fields of education, employment and health care;

(b) Raise awareness among relevant government officials, policymakers, political parties and parliamentarians of the non-discriminatory nature of temporary special measures and of their importance to the achievement of substantive equality between women and men in all areas in which women are underrepresented or disadvantaged.

66. **CO 20 (a)** is yet to be implemented, as discussions around TSMs for Parliament have not progressed to implementation due to factors such as the short-term tenure of political positions, changes in parliamentarians and shifts in parliamentary priorities.

67. In terms of **CO 20 (b)**, there has been movement in awareness raising and discussions around temporary special measures at the Women in Parliament, and CINCW levels. The previous female speaker of Parliament was instrumental in forming the Cook Islands Women Parliamentarians Caucus (CIWPC) grouping comprised of Members of Parliament seeking to encourage more women to take up the challenges of lawmaking and leading.

68. The Cook Islands Women Parliamentarians Caucus holds a crucial role in promoting the participation of women in political life. Female members of parliament have attended regional and international meetings to upskill and seek help to promote the governance role woman need to play in their country's development.

69. The CIWPC is a member of the Commonwealth Women Parliamentarians Pacific Region Group. They met at several occasions during the reporting period and key resolves included encouraging more women to enter parliament, and using relevant tools to promote further entry of women into Parliament.

70. CINCW has been proactive in staging a Women and Youth Mock Parliaments to encourage and expose young leaders and women to the workings of Parliament and its possibilities.

71. Despite the absence of TSMs in the parliamentary realm, significant achievements were made in leadership and governance as women's representation in parliament stands at 29.1% since the 2022 election, presenting the highest number of women in parliament to date.

72. Of note is the TSM conducted in the Education sector. A program began in 2011 by the Ministry of Education, which proactively organised career exposure events for senior female students from the Southern Group Cook Islands to increase their interest in STEM.

73. The TSM tool has appeared in sector efforts to encourage women into male dominated positions. Effort will need to focus on a systematic approach to advance women's presence and contributions into the sectors identified.

Article 5**Stereotypes**

74. In the Concluding Observations on the combined second and third periodic reports of the Cook Islands, the Committee recommended that the State party:

22 (a) Adopt specific strategies, including awareness-raising programmes, targeted at government officials and the general public, on the negative impact of discriminatory stereotypes on the roles and responsibilities of women and men in the family and in society on the enjoyment by women of their human rights;

(b) Develop and promote the engagement of men in programmes aimed at combating all forms of gender-based violence against women, changing patriarchal attitudes and mindsets and promoting shared responsibility;

(c) Encourage the Media Council to adopt a gender-specific code of ethics that promotes positive images of women and girls and review the use of content and language and portrayal of women by the media for ways in which they may perpetuate discriminatory gender stereotypes.

75. The NPGewe 2019 – 2024 recognises that women and men are equal partners in the development of the Cook Islands, and places gender equality at the heart of economic and social progress, giving equal value to the roles and responsibilities of Cook Islands’ women and men.

76. Progress was made in terms of advancing **CO 22 (a) and (b)**, as the Government of the Cook Islands adopted approaches, set out in the NPGewe 2019-2024, to change the mindsets, beliefs, attitudes, accepted norms and behaviours of both men and women in all sectors, at all levels:

- To understand that gender is more than the biological sex of a person, for example a person that is born ‘male’ does not necessarily accept the male gender role or male identity;
- To recognize that ‘gender’ refers to the accepted roles of men and women in our society, and the power relations between them e.g. it is acceptable for women to stay home to raise the children, it is acceptable for men to be the primary breadwinner of the family;
- To understand and recognize the danger of unequal power relations between men and women, (decision-making authority, control over finances, physical and other forms of violence) and to restructure society and create a balance of shared power from the family unit to the highest levels of leadership;
- To understand and recognize when gender discrimination and negative gender stereotypes exist, and be able to model and advocate for gender equality.

77. Gender inequalities continue to be greater in the Outer Cook Islands where traditional gender roles and gender stereotypes are more ingrained, and access to education, health, information, training, finance, and other services are limited, difficult, irregular or more expensive.

78. GBV is interlinked with the perceived role of women within families and society. The most recent national study of GBV (Cook Islands Ministry of Health, 2014) revealed that 26% of women believed that they should obey their husband even if they disagree with him. Shifting societal attitudes towards gender roles remained an ongoing challenge.

79. INTAFF in collaboration with the Cook Islands Police Service; PTI; Te POM and international partners, have worked together to challenge harmful gender stereotypes, particularly those associated with GBV. These efforts include a range of educational activities and workshops and initiatives such as the White Ribbon Day. This has continued to encourage men to show commitment to promoting safe, healthy relationships within their families and to challenge each other on harmful attitudes and behaviors.

80. Since 2022, INTAFF coordinates an annual event in collaboration with SPC and lead Women's Organisations throughout the country to mark International Women's Day. This event offers women an opportunity to network with women and girls from diverse backgrounds and serves as a platform for women to discuss societal challenges faced in the Cook Islands, including generational stereotypes, GBV, substance abuse, and mental health issues. During the event, INTAFF offers guidance on best practices and creates awareness on services and support available.

81. INTAFF conducted three community outreaches in 2023 and 2024 in Aitutaki (Outer Cook Island), delivering services around child protection and family support. The aim of the outreach programmes was to inform the community of human rights, identifying and understanding all forms of abuse, including technology-facilitated gender-based violence (TFGBV), reporting and notification process, adoptions and how to access support.

82. INTAFF, through the Family Protection Unit is responsible for the implementation of the Family Protection & Support Act 2017, Juvenile Crimes Prevention Act 1968, and is the focal agency for the Convention on the Rights of the Child (CRC). The key purpose of this unit and these key documents is to safeguard the well-being of the Cook Islands children and families at risk.

83. In the 2022–23 & 2023–24 financial year, the Children's Court in Aitutaki saw 17 cases, which is unusually high compared to its small child population, alongside 22 cases in Rarotonga. In response, INTAFF increased support in Aitutaki with a dedicated case worker, an MOU with Solution Cook Islands (SCI) with a pediatric psychiatrist, and more frequent visits for better coordination among families and agencies. Campaigns on child protection laws and rights have been intensified.

84. In November 2023, INTAFF formally established an Aitutaki Family Protection Board (AFPB), a collaborative platform uniting relevant government agency, community leaders, and stakeholders. AFPB acts to address growing family-related concerns, to develop strategies, coordinate resources, and implement initiatives aimed at supporting family protection and well-being within the Aitutaki Community. Board members were appointed by the Minister of Internal Affairs and are operating under an endorsed Terms of Reference.

85. On 14 April 2023, lawmakers approved a bill that decriminalizes consensual same-sex adult relationships. The (Sexual Offences) *Amendment Bill 2023* decriminalizes homosexuality, which under the Crimes Act 1969 was punishable by up to five years in jail. When the Crimes Act 1969 was amended, changes were also made to offer greater protection to victims of sexual violence and discrimination. It was driven by CSOs dedicated to the promotion of sexual and reproductive health and human rights.

86. In 2023 the *Crimes (Sexual Offences) Amendment Act* was passed, with the primary purpose of making significant updates to sexual offences. Prior to the passing of this Act, sexual offences were one of the few laws in the Cook Islands that expressly did not apply to men and women equally, by the use of old and outdated offences which were informed by gendered understandings of sexual relationships. The *Crimes Amendment Act* removed all gendered language so that sexual offences applied equally to any person regardless of gender. Another key policy intent of the Act was to remove all marital defenses to sexual offences, which had remained part of the law despite conflicting with policy developments in the Cook Islands, and generally no longer meeting acceptable standards of equal rights under the law. The Act also removed any language that was deemed to have any consequential relation to the ideology and policy intention behind the old marital defenses.

87. The *Crimes Amendment Act 2023* removed marriage as a defense against rape so that domestic violence and domestic sexual abuse against women can no longer be accepted under the disguise of marriage. Information about this historical change was shared on all social media platforms, the Cook Islands News and Tangata Pasifika.

88. **CO 22 (c)** has not been implemented as the Media Council has been inactive-over the reporting period due to other priorities, including those related to COVID-19.

Article 6

Ending gender-based violence

89. In the Concluding Observations on the combined second and third periodic reports of the Cook Islands, the Committee recommended that the State party:

24 (a) Adopt a comprehensive strategy to combat all forms of gender-based violence against women, implement the Family Protection and Support Act of 2017 and amend the Crimes Act 1969 to ensure that perpetrators of all forms of gender-based violence are prosecuted and adequately punished;

(b) Adopt a comprehensive law to address gender-based violence, including domestic violence, and provide specialized training to judges, prosecutors, lawyers, police officers and other law enforcement officials, health personnel and non-State actors, including traditional chiefs, in gender-sensitive protocols, based on the principle of confidentiality, for working with women and girls who are victims of gender-based violence;

(c) Ensure that victims of gender-based violence, including domestic violence, have adequate access to shelters and support services, in particular in the outer islands where no counselling centres exist, and, to that end, establish well-resourced public shelters and support civil society organizations providing such services;

(d) Ensure that perpetrators of domestic violence are prosecuted and that victims of such violence are not subjected to alternative dispute settlement procedures.

90. Data from the Cook Islands Police Service showed that GBV continues to be a problem. Eliminating violence against women and girls therefore remained one of government's priorities from 2018 to 2024.

91. According to the collection of data for the purposes of this report, sexual and gender-based violence has remained a prominent issue in this reporting period. Reporting of domestic violence incidents has ranged from 72 domestic violence incidents in 2021 at the lowest, to 82 incidents in 2022 at the highest. Reports of domestic violence incidents have continued to make up a significant proportion of all domestic reports to police; 47.37% of all domestic reports in 2018 and 22.8% in 2020.

92. In 2023, TMO recorded 65 domestic violence cases. These cases ranged from assault by fight, assault, sexual assault, domestic problems, and physical injury to child and stabbed by fight. Cases have been referred to Police and Ministry of Internal Affairs accordingly however, there is a need to improve data collection, reporting and networking with relevant stakeholders for ongoing care and support.

93. Police data showed an overall increase in domestic violence incidents during the pandemic. This increase aligns with data from around the world revealing that violence against women increased during the pandemic.

94. The most recent national survey on GBV was carried out in 2014 (Cook Islands Ministry of Health, 2014) and showed that 33% of ever-partnered women reported experiencing physical or sexual abuse from an intimate partner in their lifetime.

95. The proportion of women and girls subjected to physical or sexual violence which resulted in a conviction has ranged in the reporting period from 0.1% at the lowest, to 0.4% at the highest. The number of convictions increased at the start of the period, dipping during the period 2020 and Covid-19's impact on the closing of economic activities. The number of convictions has since slowly begun to increase again. In 2018 there were 24 convictions, accounting for 54.5% of all violence convictions in that year. In 2019 there were 33 accounting for 61.1%, in 2020 there were 10, accounting for 62.5%, in 2021 there were 12, accounting for 70.5% of all violence convictions and in 2022 there were 17, accounting for 70.8%.

96. From 2018 to 2022, 47 women and girls are recorded to have received medical treatment due to sexual and gender-based violence.

97. Progress has been made in implementing **CO 24 (a)**. The NPGWE 2019-2024 set out the priority of eliminating violence against women and girls. To achieve the desired outcome, five policy objectives and strategies were outlined:

- Promote gender equality, women's human rights, and reinforce commitment to eliminate all forms of discrimination against women;
- Promote awareness about, and sensitivity to, domestic violence among researchers, policy makers, law enforcement officers, and health care providers;
- Work to change women's and men's attitudes, perceptions, beliefs, and behaviours regarding gender-based violence, violence against women, and domestic violence through education and research, to prevent and reduce violence in the community;
- Ensure that women play a key role in decision-making and efforts related to addressing violence against women;
- Strengthen Legal Frameworks, law enforcement services, and justice systems and other national mechanisms to reduce domestic and all forms of violence against women and girls.

98. INTAFF will establish a GBV Unit in 2025, which will be responsible for creating and developing the country's first National GBV Policy. This will form part of a comprehensive strategy to combat all forms of GBV as set out in **CO 24 (a)**.

99. In terms of **CO 24 (b)**, in March 2023, the Advisory Panel to the Sexual and Gender Based Violence Working Group of the Pacific Islands Legal Officers Network (PILON), presented the Working Group with draft regional guidelines for prosecutors and Witness Support Officers to support vulnerable witnesses through the prosecution of sexual GBV offences. The Working Group is now considering this draft.

100. The Regional Guidelines are an accessible best practice guide for prosecutors and witness support officers across the Pacific to support vulnerable witnesses through the prosecution of sexual and GBV violence offences. The Guidelines were designed to provide direction on how to approach, understand and take measures to reduce trauma to vulnerable witnesses throughout the prosecution process and ensure the court hears the best evidence. The Guidelines can be used to ensure gender-sensitive protocols and actions as set out in **CO 24 (b)**.

101. The Cook Islands Crown Law Office was represented on the Advisory Panel by an experienced Crown Counsel, who played a key role in developing and drafting Regional Guidelines. PILON invited the Crown Law Office to participate in a pilot

trial of the Regional Guidelines and the Crown Law Office is currently identifying appropriate cases for the pilot.

102. Progress was made in terms of **CO 24 (d)**. In 2022, the Court of Appeal of the Cook Islands heard the crown's appeal against sentence in a case of sexual offending by an adult male. The offender had been sentenced by the High Court to nine years imprisonment following conviction on two charges of rape, three of indecent assault on a girl between 12 and 16 years, and three of performing an indecent act on a girl between 12 and 16 years. The crown appealed the sentence as inadequate. The Court of Appeal handed down its decision in November 2022. The Court of Appeals judgment was significant because for the first time the court established clear sentencing bands for rape in the Cook Islands, including a minimum sentence of five years. This case is now the lead precedent for rape sentencing in the Cook Islands. Previously, the Courts had adopted the New Zealand sentencing bands for rape and made ad-hoc downward adjustments to reflect the different societal and cultural context in the Cook Islands. This approach left open the possibility of inadequate prison sentences. The Court of Appeal's judgment provides clarity for legal practitioners and the Crown, and for victims of sexual and gender-based violence and protects against overly lenient custodial sentences. This shows that progress has been made in ensuring that perpetrators of GBV are adequately punished.

103. The (Sexual Offences) *Amendment Act 2023* represents a major sea-change in policy around sexual offending in the Cook Islands and is a significant milestone in the Cook Islands' progress towards addressing gender-based and sexual violence. The *Amendment Act* directly addresses the Committee's **CO 24 (a)** from the last review, which recommended that the *Crimes Act 1969* be amended to ensure that perpetrators of all forms of gender-based violence are prosecuted and adequately punished.

104. *The Amendment Act* changed the sexual offences provisions of the Crimes Act 1969 by removing, amending, and adding offences, while also updating language and making necessary consequential amendments. *The Amendment Act* contained three major changes to the offence of rape, which will provide greater protection for victims of gender-based and sexual violence:

- The Amendment Act significantly expands the type of behavior which is included in the most serious sexual offence, which is now called 'sexual violation'. Sexual violation encompasses both rape and 'unlawful sexual connection';
- The Amendment Act criminalises rape within marriage, by repealing the statutory defence for rape if the offender is married to the victim;
- The Amendment Act amends the language of section 141 of the Crimes Act 1969, which previously allowed the acquittal of a defendant on a charge of rape if they believed the victim was consenting – even if that belief was an unreasonable one;
- The Amendment Act makes important changes to sexual offences, including decriminalisation of anal intercourse and consensual sexual activity between members of the same sex; and the 'de-gendering' of existing sexual offences which previously only recognised criminal actions by men against women. Amendments to the language of the Crimes Act 1969 also recognises and addresses criminal actions by men against boys; and by women against men, boys, women, and girls.

Implementation of existing policy and legislation

105. Implementation of the *FPSA 2017* has seen significant progress since the last reporting cycle. For example, the numbers of Police Safety Orders (PSOs) issued has

steadily increased as a result of increased training and capacity building with front line officers. PSOs have been issued since 2020 with seven PSOs issued in that year, 30 PSO's issued in 2021, and 15 PSO's issued in 2022.

106. PSOs present a powerful tool available to police officers when attending a domestic violence callout and can be issued where a police officer is satisfied that the respondent has committed an act of domestic violence against someone they are in a domestic relationship with, or where the protected person has reasonable grounds to fear that the respondent will commit such an act.

107. PSOs require a respondent to surrender any weapons, vacate the family residence, and refrain from certain actions and contact with the protected person. PSOs also suspend the operation of any parenting orders which would otherwise allow the respondent to have contact with any child who lives with the protected person. PSOs can last for up to five days and are designed to act as a "circuit breaker" to separate the parties and allow time for them to reconcile (as appropriate) or make their own, more permanent, legal arrangements.

108. The public are also increasingly utilising the Protection Orders available through the High Court under the *FPSA 2017*. Protection Orders are designed for long-term protection but can also be issued on a temporary basis where there is a need to do so prior to determining an application for a permanent Protection Order. Protection Orders are available to those who fall within the *FPSA*'s wide definition of domestic relationship and offer similar protections to a PSO but on a long-term basis.

109. For those who do not fall within the definition of domestic relationship, protection is still available through the courts in the form of restraining orders under the *Harassment Act 2017*. These are available upon application where an individual has been harassed (at least two 'specified acts' over 12 months) by another; and their content can be tailored by the Court to ensure the applicant is protected. The *Harassment Act* also criminalizes certain forms of harassment.

110. The Cook Islands Police Service implemented the *No Drop Policy* on domestic abuse charges in 2014. This policy is described in the *Police General Instructions* in the following terms:

111. In line with the principles outlined in this policy, where domestic violence criminal offences are established, offenders must be arrested and prosecuted. No investigations will be 'dropped.' No charges will be 'dropped.' Where victims request that charges be withdrawn this will not occur without the express written permission of the Commissioner. Such permission will only be given in rare and compelling circumstances.

112. The implementation of the *No Drop Policy* is challenging. In practical terms, when a victim does not give evidence, a successful prosecution becomes very difficult. Unfortunately, the policy also does not seem to have deterred the practice of trying to induce a victim to withdraw their statements. The Defense Counsel representing those charged with domestic abuse offences continue to directly approach victims and ask them to sign letters to the Court recanting their evidence or asking the Court to throw out the charges.

Training and capacity building

113. The training initiatives outlined below directly address the Committee's **CO 24 (b)**; that specialised training take place for those involved in dealing with victims of sexual and gender-based violence:

- In June 2022, a New Zealand expert sexual assault clinician provided a Family Violence Workshop on Rarotonga which covered counter-intuitive evidence, medical evidence in sexual assault cases, and safe ways to support victims. The workshop was well attended by government staff (Cook Islands Police Service, Ministry of Justice, INTAFF, Crown Law, Te Marae Ora, Ministry of Education), academics and students (University of the South Pacific, Whitireia Nursing School), legal practitioners, and civil society organisations (CIFWA, PTI);
- In August 2022, prosecutors from the Crown Law Office provided domestic abuse training to frontline Police Officers, including appropriate charging approaches, interview techniques, and evidence gathering;
- In October 2022, INTAFF, with support from the South Pacific Community (SPC), ran a two-day Domestic Violence workshop. The workshop was well attended by government staff, Police (including officers from the Outer Cook Islands), CSOs, and judicial officers (justices of the peace). It covered causes and consequences of domestic violence; Police Safety Orders, and Civil Protection Orders; *Family Protection and Support Act*: powers and obligations of different agencies; and domestic violence prosecutions and common issues.

114. In 2023, the Crown Law Office and Cook Islands Police conducted an informal audit of the domestic violence prosecution files held by the Cook Islands Police Service. As a result, a number of files were identified as appropriate for more serious charges and were transferred to Crown Law. The audit helped to identify areas for further training and development, particularly around appropriate charging and victim support processes. As a result, the New Zealand Police Partnership for Pacific Policing agreed to provide a New Zealand Police Prosecutor with significant experience in domestic violence prosecutions on a three-month secondment to the Cook Islands Police. The New Zealand Police Prosecutor has provided training and guidance to the Cook Islands Police and has assisted in the prosecution of domestic violence cases.

NGOs / civil society organisations

115. There are several CSOs in the Cook Islands providing services for both victims and perpetrators of sexual and gender-based violence, including domestic abuse. Two of the most long-standing are:

- Punanga Tauturu Inc. (Cook Islands Women’s Counselling Centre), which since 1994, has provided counselling, education, and support for women affected by domestic abuse;
- Cook Islands Family Welfare Association (CIFWA), which since 1987 has provided family planning services and comprehensive sexuality education in the Cook Islands.

116. In 2021 a new organisation was established to provide counselling and support services to men affected by domestic abuse, including men who perpetrate domestic abuse. Te POM works closely with PTI and provides a space for men to receive counselling and support services separately from women.

117. These NGOs receive government funding and support and have formal working relationships with government agencies through various MOUs. The examples set out below demonstrate steps taken to address **CO 24 (c)**, that support be provided to civil society organisations providing services to survivors of GBV:

- INTAFF administers the SIF, which provides programme funding for civil society organisations delivering services for the most vulnerable. The Fund has

two priority target areas, one of which is accelerating gender equality and empowering women and girls;

- In 2021, the SIF granted \$225,000 (NZD) over two years to PTI, to support their provision of support services to survivors of domestic abuse;
- In 2021, the SIF granted \$50,000 (NZD) over two years to CIFWA to support their work with youth on comprehensive sex education in schools and in the community;
- In May 2023, the Cook Islands Police entered into new MOU with both PTI and Te POM. The MOUs require the Police and the NGOs to, amongst other things, work together, share information about available services, and facilitate referrals for counselling in domestic violence and rape cases.

Challenges

118. The Cook Islands faces a number of challenges in addressing gender-based and sexual violence. Key amongst these are issues around resourcing, cultural attitudes, and geographic isolation (particularly in the Outer Cook Islands).

119. An underlying issue is the lack of consistent data collection and analysis in relation to sexual and gender-based violence, because of a lack of capacity and resourcing. The most recent comprehensive study on the prevalence of domestic and sexual abuse (the Cook Islands Family Health and Safety Study) is from 2014; and justice sector agencies do not routinely collect or analyse their own data. The lack of data makes it difficult to understand the current picture of GBV, to recognise patterns or trends, and to plan and implement interventions. PTI received grant funding from SPC in 2024 to conduct a large-scale GBV survey in Rarotonga and the Outer Cook Islands, which will address this lack of up-to-date statistics on GBV.

120. There are currently no dedicated safe houses for survivors of GBV in the Cook Islands. However, and in alignment with **CO 24 (c)**, safe accommodation is provided for female survivors of GBV through PTI at tourist accommodation and selected private homes. In the Outer Cook Islands, churches play an important role in offering temporary, safe shelter for women and girls experiencing GBV.

121. There is an ongoing issue for the prosecution of GBV, to provide for culturally based resolution in an appropriate way. Family based resolution is acknowledged as a key principle of Cook Islands culture, however those practices do not reconcile with the interests of the victim, nor with a no drop policy. This often leads to victims seeking to withdraw their complaints as a result of unsupervised, unregulated resolution discussions outside of Court, usually between families or within relationships, and sometimes involving defense counsel. Prosecutions have been challenged to prevent such cultural norms from being an obstacle to the justice system in the GBV space.

Trafficking and exploitation of prostitution

122. In the Concluding Observations on the combined second and third periodic reports of the Cook Islands, the Committee recommended that the State party:

26 (a) Amend section 161 of the Crimes Act 1969 in order to decriminalize prostitution;

(b) Undertake a study on the connection between prostitution and trafficking in women and girls and the tourism industry in the State party to determine the extent of sex tourism in the State party;

(c) Allocate sufficient resources in order to provide adequate support services to victims of trafficking and exploitation of prostitution;

(d) Provide alternative income-generating opportunities and exit programmes for women who wish to leave prostitution, as well as adequate protection and rehabilitation services for women and girls who are victims of exploitation of prostitution;

(e) Ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

123. According to the *Crimes Act 1969*, every person is liable to imprisonment for a term not exceeding 20 years or to a fine not exceeding \$500,000 or to both, who engages in trafficking in a person, or is involved in the arranging of trafficking in a person, knowing that the person's entry into the Cook Islands or any other state is or was arranged by specified means.

124. According to the *Crimes Act 1969*, every person is liable to imprisonment for a term not exceeding 30 years or to a fine not exceeding \$800,000 or to both, who intentionally engages in trafficking in a person who is a child or is involved in the arranging of trafficking in a person who is a child, regardless of whether the child's entry into the Cook Islands or any other country is or was arranged by specified means.

125. COs 26 (a) to (e) are yet to be implemented, as due to factors, including the COVID-19 pandemic and shortage of financial resources, implementation has been delayed.

Articles 7–8

Equality in political and public life at the national and international levels

126. In the Concluding Observations on the combined second and third periodic reports of the Cook Islands, the Committee recommended that the State party:

(28) (a) Introduce measures, including a review of the Electoral Act 2004 and the Island Government Act 2012-2013, to increase the number of women in Parliament and local government;

(b) Introduce measures, including temporary special measures, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 and general recommendation No. 23 (1997) on women in political and public life, including quotas and reserved seats, to accelerate the full and equal participation of women in elected and appointed bodies;

(c) Provide full support to the work of the Cook Islands Women Parliamentarians Caucus, to promote the participation of women in political life.

127. In terms of CO 28 (a), a reform of the *Electoral Act 2004* is currently intended, including a review of the number of parliamentary seats. CO 28 (b) is yet to be implemented.

128. The Cook Islands has taken steps towards further promoting women's participation in politics and public life. In terms of CO 28 (c), the Cook Islands Women Parliamentarians Caucus provides support to women in politics and encourages their participation in decision-making processes. The Caucus plays a crucial role in promoting the inclusion of women's perspectives and interests in the legislative process.

129. Women's representation in parliament has increased since the last report. As of 2024, women's representation in parliament lies at 29.1%, which is the highest number of women in parliament to date. The national target of 30% of women in parliament is thus close to being reached. The Cook Islands currently have the highest rate of female members of parliament in the Pacific; its rate is higher than the Pacific average female parliament representation rate of 8.4% (2021).

130. In 2024, women's representation among Island Government councillors increased to ten (18%); a promising indicator that women are progressively taking on more leadership roles. On the Outer Cook Island of Aitutaki, the 2024 election produced a monumental five of eight (62.5%) women councillors, which presents the highest percentage of women in leadership at Island Council level ever recorded in the Cook Islands.

131. The achievements and developments made in leadership reflect concerted efforts to support women candidates through various initiatives. Since 2018, Government and stakeholders developed programmes to promote and build the capacity of women in politics such as workshops targeting young women, women leaders and women in the Outer Cook Islands; and education and awareness programmes to address negative gender stereotypes, and reduce discrimination based on gender, age and disability. Community leadership programmes have been implemented, encouraging women to take on leadership roles within their communities, focusing on building networks of support and providing mentorship opportunities.

132. Despite this progress, women continue to be underrepresented in decision-making positions, particularly in local government, the judiciary (court of appeal), and senior management positions in the civil service. This lack of gender balance in key positions undermines the full and equal participation of women in shaping policies, implementing government programmes, and ensuring their voices are heard at all levels of government.

133. The Cook Islands hosted the *52nd Pacific Islands Forum (PIF) Leaders Meeting* in Rarotonga in 2023. At the PIF, leaders endorsed the revitalised Pacific Leaders Gender Equality Declaration (PLGED). This commitment to gender equality and social inclusion is to be actioned as part of achieving the Leaders 2050 Strategy vision. One of the key commitments made included accelerating measures to strengthen the participation of women and girls at all levels of leadership and decision making. Achieving gender equity in leadership and governance is crucial for representation, enhanced consideration of women's priorities, and improved decision-making.

134. The Cook Islands has witnessed notable improvements in women's representation in senior management positions within government agencies. Currently, women hold 40% of senior management positions in the public service, indicating an upward trend in women's leadership roles and decision-making authority within the civil service.

135. The Speaker of Parliament in the Cook Islands was a woman from 2014 to 2021, who actively advocates for gender equality both within the country and the wider region. The appointment highlights the country's commitment to promoting women's leadership and ensuring their meaningful participation in the highest levels of decision-making.

Article 9 Equality in nationality laws

136. In the Concluding Observations on the combined second and third periodic reports of the Cook Islands, the Committee recommended that the State party:

(30) Ensure that the immigration policy protects the rights of migrant women to resident status on an equal basis with migrant men and that it complies with article 9 of the Convention.

137. The rights to resident status in the Cook Islands are equal for men and women. Language in the *Immigration Act 2021* reflects this with the use of neutral terms such as ‘persons’, ‘Spouse’ and ‘his or her’ – there are no sections which apply only to men or women.

138. In the absence of a Cook Islands passport, Cook Islanders have a stamp in their New Zealand passport as evidence that they are a Cook Islander. This stamp is available from the Ministry of Foreign Affairs and Immigration, upon presentation of genealogical proof of being Cook Islands Māori. There are no differences between the rights of men and the rights of women to acquire, change, or retain their Cook Islander status. Marriage to anyone, and/or a change in nationality of a spouse, does not impact this status, for men or for women. Neither is the right to a New Zealand passport impacted by marriage.

139. Women and men have equal rights with respect to the nationality of their children. If one or both parents is a Cook Islander, children will have rights to a Cook Islander status stamp in their passport as long as genealogical records show that they are of Cook Islands Māori descent. This is not impacted by the nationality of the other parent, or by the gender of the parent who is a Cook Islander.

Article 10 Equality in education

140. In the Concluding Observations on the combined second and third periodic reports of the Cook Islands, the Committee recommended that the State party:

(32) (a) Monitor the implementation of the right of girls and women to education by regularly collecting data, disaggregated by sex, location, age, school type and ethnic group, on access for girls and women to all levels of education, including dropout rates owing to early pregnancy and caregiving work;

(b) Improve access for girls with disabilities to specialized programmes under the inclusive education policy of the Ministry of Education by, among other things, allocating adequate human, technical and financial resources to the implementation of the policy;

(c) Ensure the inclusion in school curricula of age-appropriate education on sexual and reproductive health and rights that covers responsible sexual behaviour and is free from discriminatory gender stereotypes;

(d) Strengthen efforts to retain girls in school;

(e) Address stereotypes and structural barriers that may deter girls from enrolling in traditionally male-dominated fields of study, and provide girls with career counselling, scholarships and other incentives to encourage them to choose courses of study in science, technology, engineering and mathematics.

141. Under Section 22 of the *Cook Islands Education Act 2012*, every person is entitled to be enrolled and educated at a government school.

142. Under Section 23 of the *Cook Islands Education Act 2012*, each parent or guardian of a child resident in the Cook Islands must ensure that children are enrolled into a primary or secondary school from the day that the child turns 5 years of age and that the child remains enrolled until the end of the Year of which a child turns 16 years.

143. The Ministry of Education's *Inclusive Education Policy* titled *EAP 02 002* applies to all early childhood education (ECE) centres, schools and tertiary institutions in the Cook Islands that are bound by the requirements of the *Education Act 2012*.

144. The *EAP 02 002* is to ensure that the education system is inclusive, equitable, fair and just and that the curriculum and programmes are accessible by all learners of the Cook Islands. It is a framework to inform practice for all those working with learners who require additional support or extension.

145. Inclusive Education (IE) is about changing the system to meet the needs of all – to strengthen the capacity of the Cook Islands education system to reach out to all learners.

146. **CO 32 (a)** is yet to be implemented, and Government will assign importance to increasing the disaggregate data available by sex and gender during the next reporting period.

147. One of the key achievements of this reporting period is near universal primary net enrolment rates (NER) for both girls and boys (96.6% and 97.3% respectively) and secondary school NERs of 91.8% boys and 84.3% girls. 78% of children are in pre-school and 93% of all children are enrolled in kindergarten, with no disparity between girls and boys. As a direct result of the increase in overall primary education, functional literacy rates of persons between the ages of 15 and 24 are significantly higher than for the overall adult population – at 97% for females and 96% for males (as of 2014); as compared to all persons over the age of 15, with 76% of males and 70% of females functionally literate.

148. Female students outperform their male counterparts in most national literacy and numeracy assessments at all levels (2021). For example, in Year 3 numeracy evaluations, girls outperform boys at the national level; 75% of girls are at, or above, the expected numeracy level for their age range, compared to 62% of boys. For English year 4 literacy, 60% of girls are at, or above, the expected level, compared to 40% of boys. In terms of the national year 8 Māori literacy rate, 55% of girls and 38% of boys, are at, or above the expected level for their age.

149. Efforts to integrate gender perspectives into the curriculum have been undertaken, ensuring that educational materials and teaching practices promote gender equality and challenge stereotypes. This means that progress has been made in implementing **CO 32 (c)**.

150. Diagnosing and supporting dyslexic girls (and boys) in the outer Cook Islands remained an ongoing challenge. This is the case as dyslexia is not an obvious disability and as there exists a lack of qualified assessors, who can identify students with dyslexic characteristics, in the Outer Islands.

151. Progress was made in implementing **CO 32 (b)**, as according to the *Inclusive Education Policy*, every child with a disability is to be assigned a Teaching Assistant. Further, the Cook Islands Dyslexia Society Incorporated (CIDSII) started to implement a comprehensive approach to identifying and supporting girls (and boys) with dyslexia in the Outer Southern Group Islands in 2023. Assessors travelled to the Outer Islands to test students for dyslexia and provide workshops on the condition. Between August and December 2023, 82 students were assessed in the Outer Islands

and 68% were found to display markers of dyslexia. A formal diagnosis of dyslexia presents an important first step in ensuring that dyslexic girls (and boys) receive the support they need to live up to their full potential in education.

152. Further, Autism Cook Islands conducted a needs assessment analysis in 2018, which highlighted needs including: communication language teachers and teacher aide training or support diagnosis resources awareness. Over the reporting period, Autism Cook Islands has worked on supporting girls (and boys) with Autism in learning and every-day living contexts. This led to further progress in implementing **CO 32 (b)**.

153. The percentage of women achieving tertiary education is higher than for males for most qualifications. Women are dominant in the bachelor's degree category (58.9%) and in the postgraduate certificate and diploma category (59.3%). Further, more females than males received tertiary education scholarships in 2021.

154. Initiatives such as annual Science Expos for children and adolescents have aimed to encourage a greater uptake of STEM subjects and degrees by young people, including women. Such initiatives have directly addressed **CO 32 (e)**.

155. Female (and male) high school students aged 14 to 18, with an interest in STEM, can join the Cook Islands Robotic club, at the Centre of Excellence for Information Technology (CEIT). The Centre is a collaboration project between the Government of India and the Government of the Cook Islands. In 2019, CEIT, in collaboration with a tertiary and secondary education institute, developed the country's first Robotics Club. The aim of this initiative is to promote and encourage young people, including girls, to consider education and career opportunities in STEM. In 2024, the Robotic club's team consisted, for the first time in its history, of an only female student team, representing the Cook Islands at the Global Robotics Competition in Greece. These developments present promising steps towards achieving greater representation of women in STEM subjects and degrees.

156. Government and stakeholder organisations have successfully worked on increasing the contraceptive prevalence rate (CPR). Considering the role of contraceptives in preventing unwanted teenage pregnancies, this increase in the use of contraceptives positively impacts the implementation of **CO 32 (d)**.

157. Sexual and reproductive health continues to be taught in schools through the Ministry of Education's Health and Physical Education Curriculum, which sets out clear and structured progression of learning objectives.

Article 11

Employment

158. In the Concluding Observations on the combined second and third periodic reports of the Cook Islands, the Committee recommended that the State party:

34 (a) Create more opportunities for women to gain access to formal employment, ensure their inclusion in the pension system, count child-rearing periods towards pension benefits and accelerate the implementation of plans to promote equal sharing of domestic and family responsibilities between women and men;

(b) Encourage the private sector to adopt gender-sensitive employment policies and to increase the participation of women in professions that are traditionally dominated by men;

(c) Formalize flexible work arrangements for working mothers, including time off from work for the purpose of breastfeeding their infants or expressing milk;

(d) Increase the number of affordable childcare facilities throughout the State party, including public childcare facilities, to ensure the equal participation of women in the labour market;

(e) Extend maternity leave from 6 to 12 weeks and take appropriate measures to implement other types of maternity protection in line with relevant International Labour Organization conventions and other international standards on maternity protection, provide for mothers to take maternity leave before and after giving birth at their option and increase periods of paternity leave to promote the participation of men in childcare;

(f) Raise awareness among women of available labour-related complaint and dispute resolution mechanisms to address discrimination on the basis of sex, including sexual harassment;

(g) Adopt and enforce the principle of equal pay for work of equal value in the public and the private sectors, narrow the gender pay gap with a view to eliminating it, including through gender-neutral, analytical job classification and evaluation methods and by conducting regular pay surveys, encourage regular labour inspections aimed at enforcing compliance with the principle of equal pay for work of equal value and regularly review wages;

(h) Ensure that women migrant workers enjoy equal protection under the law, including with regard to employment benefits.

159. The working-age population (15 years old and above) is estimated at 11,445 people, corresponding to 74.9% of the total population. Over 73% are located in Rarotonga, with 26.4% located in the Outer Cook Islands (2019).

160. With a sex ratio of 1,032 males per 1,000 females, the women in labour force participation rate (LFPR) is 63.6%, compared to 78.5% for men (2019).

161. The latest Census revealed that the employment to population ratio (EPR), showing the number of people employed as a percentage of the total working age group, was 68.1%, 72.2% for males, and 64.2% for females.

162. The highest LFPR by age groups is among workers aged 25-34 (91.0%) and lowest in the 65+ age group (31.7%). The youth (aged 15-24) LFPR is 58.9%.

163. Women are more likely to be outside the labour force, with 36.7% of the female working-age population and 22.2% of male working-age population outside the labour force. Women continue to be twice as likely to report their main activity as home duties, and women's average annual incomes are just 85% of those reported by men.

164. Women are more likely than men to be employed in service occupations and clerical roles and more women than men work within the informal sector.

165. In Rarotonga, there were 95 people categorized as unemployed; 45 males and 50 females. This translates into an overall unemployment rate of 1.2%. Unemployment is slightly higher in the Southern Group at 1.6% than in Rarotonga and the rest of the outer islands.

166. The Cook Islands 2012 Gender Profile report systematically collected and analyzed data on the status of men and women—the first time this had been done in the Cook Islands. An updated profile is in the process of being completed.

167. The Cook Islands *SAP 2024-2028* focuses on the needs of working mothers, including time off from work for the purpose of breastfeeding infants and childcare. As such, **CO 34 (a)** and **(c)** has been partially implemented.

Paid maternity leave (recently increased from six to 12 weeks), is only available to women in formal employment, presenting an incentive for women to engage in formal employment.

168. In alignment with **CO 34 (b)**, CINCW has been conducting awareness raising activities around gender-sensitive employment policies in the private sector. Further, and in terms of **CO 34 (f)**, INTAFF offers monthly workplace induction workshops to employers and employees. These workshops cover the *Employment Relations Act 2012* and explain the minimum working conditions that apply to anyone working in the Cook Islands. In addition, the Cook Islands Mediation Centre, established in 2020, assists employers and employees with employment disputes in the workplace. The majority of the Mediation Centre's lawyers are women and the Centre receives funding support from the International Labour Organisation.

169. In terms of **CO 34 (g)**, efforts to ensure equal pay for work of equal value, promote pay transparency, and conduct comprehensive job evaluations have been ongoing. INTAFF has been conducting equal pay wage reviews of businesses and organisations in Rarotonga in cases where complaints were received by INTAFF's Labour and Consumer Unit.

170. In 2020 INTAFF introduced monthly workplace inductions aimed at preventing, improving and addressing any unfair working conditions, in particular the exploitation of workers. By attending an induction session, employers are able to learn how to better prepare their contracts and policies for their business, as a preventative way to avoid employment disputes. Employees are able to learn about their rights and obligations, understand their contracts, raise their concerns and clarify any misunderstandings.

171. An accurate assessment of whether progress has been made in terms of the gender income gap between 2021 and 2024 will not be possible until 2026, when the next census data is collected.

172. Positive trends have been witnessed over the past five years, indicating that progress has been made in empowering women in economic participation. One key achievement pertains to the number of women in business and business industry leadership roles in the Cook Islands, which has increased over the past years. This indicates women's economic perseverance even in times of unprecedented challenges, such as the COVID-19 pandemic.

173. Progress has been made in implementing **CO 34 (e)**, as paid maternity leave was increased from six to 12 weeks, with a view of increasing it to 18 weeks. Paternity leave was increased from 2 days of paid and 3 days of unpaid leave to 2 weeks of fully paid leave for fathers.

174. In terms of **CO 34 (d)**, a childcare subsidy programme has been introduced to provide affordable childcare for children aged 0–3 years. Affordable early childcare services can increase labour participation rates, particularly among women, by alleviating the burden of childcare.

175. The Cook Islands *Economic Development Strategy 2030* sets out the importance of increasing the female labour participation rate. To ensure that women have the ability to return to the workforce post childbearing, and to ensure that children are supported in a safe environment, the Government is in the process of introducing regulation of childcare services to those operating for children under three; and establish and resource after-school care options at all pre-schools and primary schools. These actions will allow women to return to the workforce (earlier), and, in turn, are expected to increase women's participation in the labour force.

176. Efforts have been directed at providing after-school childcare options for children. In 2024, Apii Nikao, one of the largest primary schools in Rarotonga with approximately 400 students, catering from ECE to year 8, established *Tiaki Tamariki*; Rarotonga's first after school care programme. This service is offered for a small fee and will allow working women (and men) to leave their children in a safe and nurturing environment. Government aims to establish after-school programmes at all pre-schools and primary schools in the Cook Islands. The establishment of *Tiaki Tamariki* presented a crucial first step towards this.

177. The percentage of female board directors in the Cook Islands increased from 32% in 2021 to 40% in 2023. This figure lies well above the regional average of 26% and the Cook Islands are one of the highest performing countries in the region in terms of women's representation on boards.

178. Women comprised 29% of Chief Executive Officers (CEOs) in 2023, representing a marginal increase from 27% in 2021, and remaining well above the regional average of 20%.

179. The percentage of boards with gender parity in the Cook Islands increased from 17% in 2021 to 38% in 2024. These gains do not only reflect the outstanding achievements of individual women but also suggest a shift in societal norms and attitudes towards women in leadership positions which Government and stakeholders have been working towards.

180. Currently, foreign workers and their children are not eligible for social assistance until they become a permanent resident of the Cook Islands. However, foreign workers pay taxes, and some face vulnerabilities, particularly women who have children. To ensure that social assistance is inclusive, Government aims to expand some social welfare benefits to foreign workers. This could make female foreign workers eligible for the newborn allowance and maternity allowance, and their children eligible for the child benefit. Eligibility criteria might be set so that foreign workers who have worked and paid taxes in the country for a certain number of years become eligible for certain social welfare benefits (see *SAP 2024-2028*). This would address **CO 34 (h)**.

Article 12

Health, including sexual and reproductive health and rights

181. In the Concluding Observations on the combined second and third periodic reports of the Cook Islands, the Committee recommended that the State party:

(36) (a) Ensure that all women have access to high-quality sexual and reproductive health-care services and increase awareness among women and girls of available services;

(b) Ensure that the health sector is adequately funded, improve access for women, in particular those living in the outer islands, to high-quality health care and allocate adequate budgetary resources to recruit medical doctors to provide services in the outer islands;

(c) Take measures to address the high incidence of sexually transmitted infections and early pregnancy, including through awareness-raising programmes on prevention and by promoting the use of modern contraceptives. In that regard, the State party should ensure that contraceptives are available, accessible and affordable, including in the outer islands;

(d) Revise the Crimes Act 1969 to legalize abortion, at least in cases of rape, incest, threat to the life or health of the pregnant woman and severe fetal impairment, decriminalize abortion in all other cases and ensure access for

women to safe, high-quality and affordable abortion-related care, including post-abortion care;

(e) Conduct a needs assessment of the mental health situation of women and girls in the State party and, on the basis of its results, develop specialized mental health programmes, including programmes to prevent suicide, and services for women and girls.

182. NCDs remain a significant health challenge for women in the Cook Islands. Over 5,800 cases of NCDs were reported in 2023 (52% females and 48% males), indicating a 5.4% increase from 5,500 in 2020. NCDs affect more than half (52%) of the resident population aged 15 and above. The gender gap in the NCDs prevalence rate reflects healthcare seeking behaviours, access to preventative measures and lifestyle choices.

183. The need to expand continuing professional development and strengthen all aspects of the health workforce, as outlined by Cook Islands workforce strategy, is also an important challenge for the country's health-care system. This strategy calls for: an increase in the number of specialists in most disciplines; to build the nurse practitioner workforce on all islands; and to increase the nursing, dental and allied health workforce.

Access to health services

184. TMO is guided by the WHO Universal Health Coverage (UHC) principles, providing health services to all for a small fee. In the Cook Islands, health services are provided free for children under 16 years, person with disability and individuals over 60 years old, residents in outer islands.

Sexual and reproductive health

185. In terms of **CO 36 (a)**, all pregnant mothers are offered routine screening for sexually transmitted infections (STIs) – Hepatitis B, HIV and Syphilis. Although routine chlamydial infection screening is not performed, clients receive counseling regarding chlamydial infection risks and preterm labor.

186. TMO provides voluntary testing for STIs and human immunodeficiency virus (HIV) along with appropriate counseling for all pregnant women. In 2023 alone, TMO conducted more than 600 antenatal tests for pregnant women. Of these, less than 1% yielded positive results, with an age range of 21 to 37 years old. However, additional resources are needed to conduct tests for other STIs.

187. In 2023, TMO visited five outer islands to raise awareness in the community and conduct screening for HIV & Syphilis and distribution of condoms and prevention packages. On Rarotonga, five programmes were completed for specific groups and community stakeholders, including counseling for appropriate contraceptives use. TMO also commemorates World AIDS day nationally as well involving the schools to participate in speech, poem and poster competitions, quizzes, radio talkback shows, television and social media messaging.

188. Considerable progress was made in terms **CO 36 (a) and (c)**, as Government and stakeholders have continued to advance women's sexual and reproductive health (SRH) rights society-wide, through initiatives such as broadcasting SRH information on local media, and SRH youth clinics run by CIFWA. Access to reproductive health services, including family planning and contraception, have been expanded, and well-established measures such as the condom dispenser system in Rarotonga remain in place.

189. The contraceptive prevalence rate (CPR) increased significantly. CPR stood at 17.6% in 2020 and increased to 37.5% in 2023. This marks a 53% increase and is the highest recorded in the past five years. Considering the role of contraceptives in preventing unwanted pregnancies and sexually transmitted diseases, this presents a considerable achievement.

190. In terms of **CO 36 (d)**, whilst the law around abortions has not changed, there exists an option through CIFWA to access this service in New Zealand in certain cases. For such cases, a referral letter is required from TMO and counselling services are offered by CIFWA. Accessing abortion services in New Zealand may be covered by CIFWA, based on income testing.

Life expectancy

191. From 2019 to 2020, there was a notable increase in life expectancy at birth, reaching 82 years for males and 86 years for females. These upward trends in life expectancy are positive outcomes, surpassing the desired benchmarks outlined by TMO. It is important to acknowledge that despite the burden of NCDs, the extended life expectancy gives individuals more time for interventions and control measures. A closer look on the factors affecting life expectancy has to be further investigated such as patterns on diet, lifestyle and physical activity levels, smoking habits and alcohol consumptions, family history and socio-economic status.

192. The total fertility rate (TFR) has seen consistent decline over the years. The Cook Islands remains classified as having moderate fertility levels, which are defined as a TFR less than 3 but greater than 2.1. The average number of children ever born to all women (average parity) was 2.4 children per woman in 2021, which presents a slight decline compared to 2.5 in the 2016 Census.

Women's mental health

193. In terms of **CO 36 (e)**, a needs assessment of the mental health situation of women and girls in the Cook Islands still needs to be conducted to develop specialised mental health programmes and services. The delay in implementation is predominantly due to COVID-19-related impacts. Additionally, maternal mental health is an area that has seen an increase in post-natal depression and other mental health issues among women dealing with pregnancy, birth and post-natal challenges. These areas require specialised programmes and partnerships with other stakeholders when delivering SRH education.

194. In 2023, a mental health unit named *Te Puna Tiaki*, was established at the Rarotonga hospital to alleviate some of the pressure on the mental health system on the Island. The fittings and doors are specialised for an in-patient unit and meet international requirements. The Unit can accommodate up to 4 inpatients. The Government of the Cook Islands funded this Unit, totaling \$1.2 million (NZD) over 3 consecutive financial years.

Child and maternal welfare clinics

195. As part of the *National Health Strategic Plan 2023-2027*, TMO in partnership with CIFWA, aims to increase Pap smear screening to cover 80% women in the reproductive age group. It also provides a rights-based approach to SRH to girls and women, with a focus on eliminating complications of teenage pregnancy. In 2023, 253 pap smear screenings were conducted by TMO, which is a slight increase from 220 screenings completed in 2022. These screening services are also available in the rural islands. TMO also recognizes the importance of men's health by supporting annual screening for prostate cancer and advocate for male methods of vasectomy.

196. Currently, TMO and CIFWA provide health services on SRH in the Cook Islands. There are also five community health clinics available on the mainland, Rarotonga, including the Outer Cook Islands that provide basic SRH services. These include nursing care, baby checks, family planning, child immunization, antenatal and post-natal check-up for mother and baby, and counseling. In addition, there are Child Welfare Clinics both on Rarotonga and the Outer Cook Islands. The Child Welfare Association owns these clinics, and public health nurses provide supportive roles in the clinics for weighing the babies, follow up post-natal cares for babies and mothers, encouraging breastfeeding and advising women on family planning.

197. CIFWA provides the people of Cook Islands with safe, quality and affordable SRH services and education. The cervical cancer prevention program has been implemented by CIFWA in partnership with TMO since 2019 with more focus on Rarotonga and a few selected Outer Cook Islands. CIFWA currently operates one clinic on Rarotonga with mobile clinics for the selected Outer Cook Islands (Aitutaki and Atiu).

Impacts of Covid-19 pandemic

198. The mental health of the Cook Island population was significantly affected by the COVID-19 pandemic, with a 300% increase in mental health referrals, and more than 2000 Cook Islanders attending stress and anxiety workshop during the pandemic.

199. Women's physical health was also impacted by the pandemic as health programmes, such as the national breast cancer screening programme, experienced a backlog, due to women unable to be screened.

Future implementation

200. NCDs pose the greatest health issue in the Cook Islands, with high rates of diabetes, hypertension, chronic obstructive pulmonary disease, and other lifestyle-related illnesses. This not only affects the wellbeing of individuals but also significantly constrains the healthcare system.

201. In 2023, two health programmes were launched as pilot projects on the Outer Cook Island of Atiu. The goal is to be a 'Smoke Free Island' by 2025 and a 'Healthy Island' by 2030 and beyond. The Smoke free initiative includes a focus on pregnant women and mothers, to enhance their health during pregnancy and childcare. To date, five programmes have been conducted in the outer islands, namely Atiu, Mitiaro, Mauke, Mangaia, and Aitutaki and these Islands' governments have committed to becoming smokefree by 2025. For Rarotonga, Aitutaki, and the Northern Group Cook Islands, the goal is to achieve being smokefree by 2030. According to WHO definition, being smokefree does not mean the complete absence of smoking; rather it involves maintaining a smoking rate of no more than 5% of the population.

Challenges

202. Among the challenges affecting women are the increased number of pregnant women with type 2 diabetes mellitus and the need to increase the number of skilled birth attendants to meet the needs of these women.

203. Moreover, efforts should be made to reduce the incidence of preterm labor by addressing risk factors such as presumptive treatment of chlamydial infection during pregnancy, identifying and managing medical conditions like hypertension, improving antenatal care visits, treating STIs and infections, reducing substance abuse, continuing Group B streptococcus screening, and ensuring early referrals to tertiary care centers in New Zealand.

204. TMO requires adequate resources, such as infrastructure improvements, professional development, and procurement of new and upgraded equipment and medical supplies, to improve services delivered by health professionals.

205. The last mammogram screening occurred in 2022 and was attended by 809 women. The programme was scheduled to run for four weeks but was extended to cover the backlog from the previous two years due to the COVID-19 pandemic. The current mammogram machine is nearing the end of its lifespan and is no longer able to operate at full capacity. Due to this, breast cancer screenings were cancelled in 2023, and breast self-examinations were encouraged. Efforts to improve the availability of medical supplies and equipment are ongoing. A new mammogram machine, which detects breast cancer earlier than the existing machine, is in the procurement stage.

206. Monitoring, data collection and reporting are challenges recognized by TMO, crucial for timely update of health status. Revisiting the patient information management system is necessary to ensure that all prevention and curative activities are captured in the system.

207. Additionally, due to the unique archipelagic settings of the Cook Islands, comprising 13 outer islands, transportation and logistical challenges pose significant obstacles in providing specialist services and medical supplies, particularly to the Northern Group Islands. This poses challenges for implementing **CO 36 (b)**. However, progress has been made in terms of this CO, as Government has increased the referral budget by \$1 million (NZD) to support pregnant women in the Outer Cook Islands. As of 2020, TMO refers all pregnant women residing in the Outer Cook Islands to Rarotonga Hospital to give birth. Further, CIFWA has offered screening for female-specific cancers in the Outer Cook Islands over the reporting period.

Article 13

Equality in economic and social life

208. In the Concluding Observations on the combined second and third periodic reports of the Cook Islands, the Committee recommended that the State party:

38 (a) Take appropriate measures to ensure that women can gain access to loans and other forms of financial credit and adopt policies to promote the entrepreneurship of women and enhance the entrepreneurial skills of women and girls;

(b) Adopt long-term policies and programmes on the economic empowerment of women and regularly monitor their implementation and effectiveness.

209. The Business Trade and Investment Board (BTIB) soft loan facility offers access to capital through a loan facility for start-up and expanding business initiatives but there is no preference for women only businesses.

210. BTIB has Business Training programmes, offered once a month on Rarotonga and in the Outer Cook Islands. While these training programmes cater predominantly to the general audience, BTIB ensures they meet the needs of all businesses, not just those owned and operated by women. Additionally, the workshops are customised to address the specific requirements of individual participants. For most of the business training programmes, women tend to have a higher participation rate than men.

211. In terms of **CO 38 (a) and (b)**, programmes to empower women economically have been implemented. Programmes supporting women in business have been delivered, providing access to business training and mentorship.

212. Collaboration with stakeholders, including local business women, and organisations such as the Cook Islands Business and Professional Women's Association (CIBPW), has played a vital role in advancing women's economic participation in business over the past five years. The CIBPW mentors and supports women entrepreneurs, helping them navigate the challenges of starting and growing a business.

213. In 2024, Government partnered with stakeholders, to deliver the inaugural annual *Taki Tahi Women in Business* summit in Rarotonga. This event, initiated by a local business woman, was attended by women from Rarotonga and the Outer Islands, and aimed to inspire and encourage women in business, while helping them to overcome daily challenges. In 2023, CIBPW offered a free online business course for local women, sponsored by the Academy of Women Entrepreneurs and the US Embassy. These courses and workshops offered women valuable opportunities to enhance their financial literacy and business skills.

214. Women's significant involvement in agriculture is demonstrated in their active role as market gardeners to meet local consumer demand and to serve the tourism industry. According to the Ministry of Agriculture reports, women's role in agricultural activities has changed from that of traditional domestic input to small commercial producers. Many women today, however, continue as unpaid workers for family and community endeavors in what are termed family obligations which include handicraft making, tending livestock, subsistence fishing, fish processing, copra making and pearl farming.

215. In the Cook Islands, 94% of employed women are in services; 4 percent in industry, and 2.5 percent in agriculture. A lower share of men is employed in services (76%), and higher shares of them in industry (16%) and agriculture (8%) (Census 2021).

216. Women are mainly employed in the following services (out of the 94%): restaurants and accommodation (27%), wholesale, retail trade and repair (17%), public administration (13 %), education (10%), finance (8%), health and social work (7%), and transport and communication (5%), arts, recreation, other services (4 percent), and information and communication (2%).

Article 14

Rural women (Outer Cook Islands Women)

217. In the Concluding Observations on the combined second and third periodic reports of the Cook Islands, the Committee recommended that the State party:

40 (a) Ensure the adequate provision of medical services, including through mobile health-care units, in the outer islands;

(b) Provide women and girls living in the outer islands with safe and affordable means of transport, including personal travel subsidies to complement existing subsidies for the transport of goods;

(c) Ensure that women and girls living in the outer islands have access to adequate drinking water.

218. The *SAP 2024-2028* sets out strategies to address gaps in the Welfare benefit envelope (particularly with toilets and showers, rails, ramps, roofing repairs, electrical repairs, and hot water, diapers, and assistive devices).

219. In line with the *Welfare Act 1989*, INTAFF is enforcing a specific clause regarding the destitute benefit. Providing assistance to beneficiaries who can work to enable them to reenter the workforce. This is determined by conducting a quarterly review.

220. It is evident that developing new programmes may not always be the best strategy to reduce poverty. It is possible to reduce poverty by expanding the programmes a country has already implemented. The social assistance program mentioned above is an example, increasing entitlement amount and expanding eligibility criteria even for the child benefit, old age and infirm benefit can contribute towards reducing poverty.

221. In terms of **CO 40 (a)**, CIFWA has offered SRH evening clinics in Rarotonga and some of the Outer Cook Islands, as well as breast and cervical screenings.

222. Freight issues and costs continue to remain one of the biggest economic challenges for women of the Outer Islands, posing challenges to stock replenishment and possibilities of expanding their businesses to Rarotonga.

223. In terms of **CO 40 (b)**, Government continued to implement a subsidy to reduce the freight rate of food products for those residing in the Northern and Southern Outer Cook Islands. This benefited the economic activities of women in the Outer Cook Islands.

224. Further, in 2023, Government secured an inter-island vessel for domestic shipping through an agreement with the Government of Japan. This new ship is expected to provide relief for the high freight and fuel costs, providing key services at an affordable price to Outer Island residents. This vessel is expected to help alleviate poverty in the Outer Cook Islands and promote greater economic resilience.

225. Further, progress has been made in terms of **CO 40 (b)**, as, as of 2020, TMO refers all pregnant women residing in the Outer Cook Islands to Rarotonga Hospital for giving birth. Government has increased the referral budget by \$1 million (NZD) to support pregnant women in the Outer Cook Islands.

226. In terms of **CO 40 (c)**, all inhabit outer Cook Islands have water tanks in each household as well as access to a community water tank as a secondary water supply form the main. For the Outer Island of Aitutaki, Government recently approved a \$4 million (NZD) 2025/2026 Budget for the upgrade of the water system.

Disadvantaged groups of women

227. In the Concluding Observations on the combined second and third periodic reports of the Cook Islands, the Committee recommended that the State party:

(42) Provide information in its next periodic report on access to education, employment and health care for women and girls with disabilities.

(44) Make the legislative changes necessary to prohibit intersecting forms of discrimination against lesbian, bisexual and transgender women and conduct awareness-raising activities to address their stigmatization in society.

228. In terms of **CO 42**, INTAFF continued to collaborate with the Creative Centre; a NGO in Rarotonga providing services aligned to disability, to provide employment opportunities for women (and men) with disability. For example, in 2021, the Creative Centre, in partnership with INTAFF and UNESCO Pacific, offered a 20-week program, which prepared and supported people with disability to enter the workforce. The Creative Centre continued to play an important role in providing financial independence to women (and men) with disability such as by providing these with opportunities for income generation.

229. In 2022, a privately owned healthcare service provider; *Rarotonga Home Healthcare Services*, started offering 'out of hospital care services'. Providing such services, including to people with disabilities, in their homes presented an important step for improving disabled women's access to health care. While being a privately-

owned service, the nurses of Rarotonga Home Healthcare Services have a close working relationship with the Cook Islands Ministry of Health, as the Ministry provides services that the home care service requires to operate.

230. In 2024, INTAFF, in partnership with the United Nations Partnership on the Rights of Persons with Disabilities, conducted public consultations engaging with communities to review the *National Disability Action Plan and Positive Aging Policy* to ensure that these policy documents reflect the daily experiences and priorities of women (and men) with disabilities and the country's ageing population.

231. In terms of **CO 44**, lawmakers approved a bill that decriminalizes consensual same-sex adult relationships in 2023. The (Sexual Offences) *Amendment Bill 2023* decriminalizes homosexuality, which under the Crimes Act 1969 was punishable by up to five years in jail. Further work remains to be done in awareness raising activities to reduce stigmatization of LGBTGI to fully implement this CO.

Impact of climate change and natural disasters on women

232. In the Concluding Observations on the combined second and third periodic reports of the Cook Islands, the Committee recommended that the State party:

(46) Ensure that a gender perspective is integrated into national policies and programmes on climate change, disaster response and disaster risk reduction to ensure that the needs and concerns of women are fully reflected, and that it assess the impact of such policies and programmes on women's rights and their overall well-being.

233. Progress has been made in implementing **CO 46**. The Cook Islands *Climate Change Policy 2018-2028* is based on the principles of equity and inclusiveness in terms of planning and implementation of activities. It sets out that climate change activities will be gender-responsive, participatory and fully transparent and will be based on an integrated, multi-sectoral approach to sustainable development. Even though this Policy does not outline strategies of how this will be achieved, Government has continued to integrate gender perspectives into its disaster risk reduction activities and programmes and continued to engage women in environmental and climate change-related decision making.

234. Enhancing knowledge on gender perspectives in an environmental context has assumed importance for Government, and staff have attended upskilling and training in this area.

235. In 2023, National Environment Service's staff attended the capacity development programme 'Water and Climate Change: Women's coping strategies in Pacific Small Island States' delivered under UNESCO's *World Water Assessment Program*. The program focused on addressing the interlinkages between water and gender in the context of Climate Change, as well as the links with the UN Sustainable Development Goals. As one of the outcomes, participants were equipped with the skills and knowledge to employ the internationally recognised Toolkit on sex-disaggregated water data collection.

236. A gendered perspective has continued to be included in environmental policies and programmes through community consultations, which ensured that all stakeholders and relevant social groups, including women, are involved from the development stage onwards.

237. The Cook Islands are in the process of drafting the national *Climate Change Response Bill*, which will address the risk of extreme weather events due to climate change, measures for reducing national vulnerability and climate change resilience. The Climate Change Cook Islands Office has been carrying out community

consultations, ensuring that all stakeholders and relevant social groups have their views heard and encompassed within this Bill.

238. Increased use of Information and Communication Technologies (ICTs) is crucial to build resilience to climate change and disaster events and the Climate Change Cook Islands of the Office of the Prime Minister has been working on improving the skills of citizens in accessing online information in relation to key environmental news and issues. Dissemination and timely access of simplified and translated weather and disaster-related information is particularly important in the Outer Cook Islands, due to their vulnerability to the effects of extreme weather events. The Climate Change Office is undertaking training to improve social media skills in the Outer Cook Islands, as well as the use of devices, such as tablets. Targeted training of digital skills has been provided to women of the Outer Cook Islands.

Articles 15 and 16

Equality before the law and equality in marriage and family life

239. In the Concluding Observations on the combined second and third periodic reports of the Cook Islands, the Committee recommended that the State party:

48 (a) Ensure that the review of the Marriage Act 1973, and the enactment of legislation raising the minimum age of marriage for girls from 16 to 18 years, is completed on schedule, by the end of 2018;

(b) Review the Matrimonial Property Act 1991–92 in order to adequately protect the property rights of women and establish a system of equitable division of marital property upon dissolution of de facto relationships, in line with the Committee’s general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution;

(c) Allocate an adequate budget for the implementation of the Family Protection and Support Act of 2017, raise awareness of it among women and regularly monitor its implementation.

240. During the last reporting period there was a review to amend the *Marriage Act 1973*, which would include the raising of the minimum age of marriage from 16 years old to 18 years old. Completion of this review by 2018 was recommended by the committee. Despite the *FPSA* only recognising de facto relationships from 18 years; the age limit for marriages under the *Marriage Act* currently remains to be 16 years old, as the review project was not completed due to limited resourcing within the Ministry of Justice to direct towards legislative projects, and the disruption by Covid-19 to 2020 and 2021 workplans. The project was resumed this year, with a view to making wider amendments, which would include amendments to the *Births and Deaths Registration Act 1973*. **CO 48 (a)** is therefore in process of being implemented.

241. The Cook Islands government focused on urgent legislation and policies in other areas, such as economic recovery, public health, or immediate social welfare issues due to the COVID-19 pandemic. This limited the resources and attention available to address family and property law reform. Legal reviews and reforms require dedicated financial and human resources, which have been limited, which affected the ability to prioritize the *Matrimonial Property Act* review. **CO 48 (b)** is therefore yet to be implemented.

242. In terms of **CO 49 (c)**, the *FPSA Implementation plan* is still in draft since 2019. However, the *FPSA* is nonetheless being implemented by Family Protection Services (FPS) within SPS under the guidance of Part 5 of the Act, with strong collaboration and partnership with key stakeholders, such as the Ministry of Education; Cook

Islands Police Service, TMO and NGOs/CSOs. The *FPSA* is being implemented through:

- Notification of Abuse (Section 50 *FPSA*);
- Arrangement for temporary care arrangement of child (section 52);
- Safety warrant (section 54);
- Assisting family/children with applying for Temporary protection order in court;
- Supervision order (section 56);
- Care order;
- Appointment of caregiver for child in the care of Ministry of Internal Affairs;
- Uipaanga Kopu Tangata (Family Group Conference);
- Parenting arrangement plan;
- Ropianga Tuatau – meeting with key stakeholders (urgent case meeting);
- Safety plan for children/family;
- Referral to relevant stakeholders (medical and psychological report);
- Monitoring and review of cases;
- Community awareness program – notification process.

243. As per FPS regulations, the administered budget of \$10,400 (NZD) is allocated for the care order to assist with vulnerable children aged 0–18 who are in need of care and protection.

244. Awareness of the *FPSA* has been raised through community awareness programmes (three in Aitutaki between 2023 and 2024); Ropianga Tuatau meetings with key stakeholders, including NGOs and CSOs; and through the radio.

245. FPS assisted four families/victims to apply for Temporary Protective Order (TPO) to the court under *FPSA*, and all applications were successfully granted.
