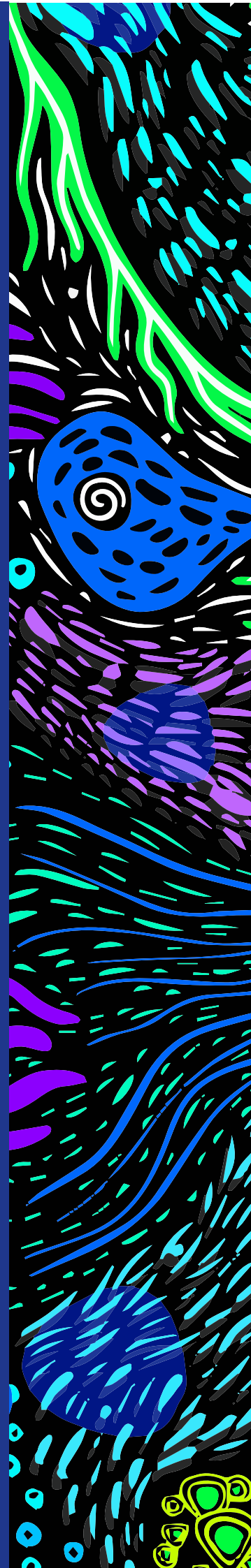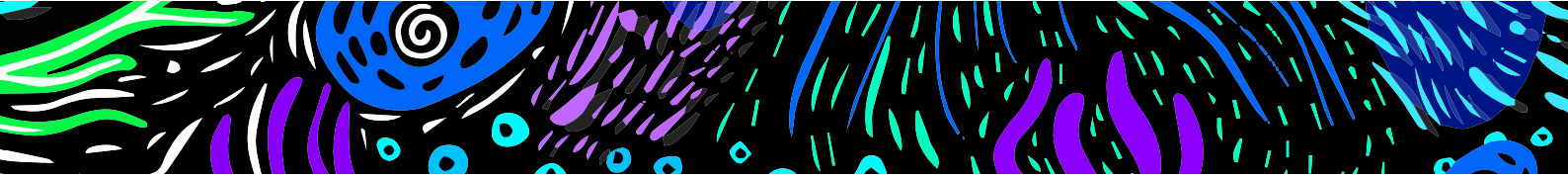# CEVAW

ARC Centre of Excellence for the
Elimination of Violence Against Women

SEXUAL HARASSMENT IN HIGHER EDUCATION REPORT: THE INDO-PACIFIC

Australian Research Council Centre of Excellence for the Elimination of Violence Against Women
Sexual Harassment in Higher Education Report: The Indo-Pacific

Traditional Custodians
The Australian Research Council Centre of Excellence for the Elimination of Violence Against Women acknowledges the Traditional Custodians of the lands on which our various nodes stand and whose cultures and customs have nurtured and continue to nurture these lands since the Dreamtime. We pay our respects to Elders past and present. We extend our respects to all Aboriginal, Torres Strait Islander, and other Indigenous peoples around the world.

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Sexual harassment, higher education, sexual violence, gender-based violence, policy, university,

Table of Contents

Table of Figures

Executive Summary

This report explores how sexual harassment in higher education settings is understood, addressed and responded to in 28 Indo-Pacific countries: Australia, Brunei, Cambodia, Cook Islands, Fiji, Indonesia, Kiribati, Laos, Malaysia, Marshall Islands, Micronesia, Myanmar, Nauru, New Caledonia, New Zealand, Niue, Palau, Papua New Guinea, Philippines, Samoa, Singapore, Solomon Islands, Thailand, Timor Leste, Tonga, Tuvalu, Vanuatu, Vietnam.

Of the 28 countries:

- Three had national policies specifically addressing sexual harassment in higher education institutions (Australia, Indonesia, Philippines).
- Four had special procedures in place addressing sexual harassment in higher education institutions (Australia, Indonesia, New Zealand, Philippines).
- The majority of universities within the focus countries (21 of 28) had some form of institutional policy in place addressing sexual harassment.

Key challenges relating to the implementation of institutional policies included:

- Knowledge and ease of access to reporting and support procedures.
- Lack of confidentiality for victim-survivors in reporting.
- Fear of reputational damage to institutions impacting on the effectiveness of procedures.
- Disconnect between policies/procedures and what happens in practice.
- Perceived lack of institutional prioritisation of victim-survivor needs and interests.

Promising elements of the institutional policies included:

- Developing specialised sexual violence committees or taskforces to handle reports.
- Integrating well-executed support systems for victim-survivors across the reporting and investigation processes.
- Widening the definition of sexual harassment to include the full range of sexually harmful behaviours, such as technology-facilitated sexual violence.
- Updating and revising policies regularly, including conducting audits and reviews.
- Sexual consent training for students and staff to help shift problematic cultural and gendered attitudes around victim-blaming, harm and sexual violence.

Background

Sexual harassment in higher education can involve any unwelcome and/or threatening sexual conduct which makes a person feel intimated, offended or humiliated, such as non-consensual sexual advances, sexual comments or jokes, relational or sexual pursuit, and sending sexually explicit communications (WHO, 2024a). These behaviours can occur in-person, online or using digital technologies within the university context, on or off campus, and before, during or after normal university operating hours (Flynn et al., 2024; Heywood et al., 2022). For example, sending sexual comments or sexually explicit images to a student using their university contact details, or making an unwelcome sexual advance at a social or professional occasion arranged or supported by a university, or where students or staff from the university are present in a university context (Heywood et al., 2022).

In the last five years, there have been growing concerns around the prevalence and challenges of sexual harassment in higher education settings across the Indo-Pacific region. While prevalence rates vary across countries and institutions, and in some cases are not recorded (e.g. Fiji), a systematic review across low and middle-income countries found higher rates of sexual harassment in higher education institutions than other settings, including the workplace (Ranganathan et al., 2021). This pattern seems to correspond with the higher prevalence of sexual violence among the 15–25-year age group across countries in population-based surveys–the same age group predominantly in higher education (WHO, 2018).

Higher education settings are a formative part of many young people's social, cultural and career development. This environment thus warrants increasing action from within higher education institutions and from governments to prevent, reduce and provide appropriate responses to combat sexual harassment in higher education.

Aims and methods

The primary objective of this report is to understand how experiences of sexual harassment in higher education settings are understood, addressed and responded to in 28 focus countries across the Indo-Pacific: Australia, Brunei, Cambodia, Cook Islands, Fiji, Indonesia, Kiribati, Laos, Malaysia, Marshall Islands, Micronesia, Myanmar, Nauru, New Caledonia, New Zealand, Niue, Palau, Papua New Guinea, Philippines, Samoa, Singapore, Solomon Islands, Thailand, Timor Leste, Tonga, Tuvalu, Vanuatu and Vietnam. These countries were selected because they are all United Nations (UN) member states situated in the Indo-Pacific region, as defined by the UN Economic and Social Council. They also had national level data available.

The report summarises findings on the state of government and institutional legislation, policies and special procedures relevant to sexual harassment in higher education settings across these 28 countries, informed by a desk review of relevant literature and policy data. It also presents a discussion on the practical implementation of these policies, drawing on interviews with ten stakeholders working in six higher education institutions in the Indo-Pacific.

Findings

Of the 28 countries included in the review, only three had evidence of national policies specifically addressing sexual harassment in higher education institutions (Australia, Indonesia, Philippines), and four had evidence of special procedures in place addressing sexual harassment in higher education

institutions (Australia, Indonesia, New Zealand, Philippines). Indonesia and the Philippines have legislation that guides sexual harassment policies and responses specifically in higher education institutions. Australian universities have been operating under the Universities Australia's (peak body) *Charter on Sexual Harm* (2023) and the *Primary Prevention of Sexual Harm in the University Sector Good Practice Guide* (2023), but in 2024, further changes were made through the *National Action Plan Addressing Gender-Based Violence in Higher Education* (2024). Sixteen of the 28 countries have national legislation that criminalises sexual harassment (six only criminalise this in the workplace), which offers some protection for students and staff, but it does not necessarily address the prevention of this form of sexual violence. Overall, the majority of countries had an institutional policy which in some way addressed or defined sexual harassment (21 of the 28 countries), but the depth and extent to which these policies captured all forms of sexually harassing behaviours and appropriately responded to them, varies greatly among institutions.

Implications

The effective implementation of institutional policies and processes relating to sexual harassment varied across countries and institutions with a range of implementation failures identified in the reporting and investigation processes, in supporting victim-survivors and in general sexual consent education training. The absence of information on how to report sexual harms was also a common finding. While some institutions were identified by participants as leading the way in their development of effective programs, processes and reporting procedures, there remains much to be learnt and shared among the Indo-Pacific to improve the prevention of, and responses to, sexual harassment in higher education settings.

1. Introduction

Sexual harassment in higher education involves any unwelcome and/or threatening sexual conduct that can result in a person feeling intimidated, offended or humiliated, which occurs within the university context (WHO, 2024a). This may include in-person and online behaviours, as well as behaviours using digital technologies that occur on or off campus, and before, during or after normal university operating hours. For example, sending sexual comments to a student using their university contact details, or making an unwelcome sexual advance at a professional event where students and/or staff are present in a university capacity (Heywood et al., 2022). Some examples of sexual harassment include unwelcome sexual advances, comments and jokes, sexual requests, relational pursuit, conduct of a sexual nature, threats of sexual violence, sexually explicit and abusive communications, and non-consensually taking, sharing or threating to share nude or sexual images (Flynn et al., 2024).

In the last five years, there has been increasing recognition of the prevalence and challenges of sexual harassment in higher education settings across the Indo-Pacific region. In Australia, for example, the latest National Student Safety (NSS) survey found that one in six students had experienced sexual harassment in a university context since starting their degree, and one in twelve had experienced sexual harassment in the last 12 months (Heywood et al., 2022). In Indonesia, a survey of 398 female students at a public institution in West Java found over 68% had experienced sexual harassment at university (Chairunissa et al., 2022). A study of university students in Thailand similarly found around 85% of students reported having experienced sexual harassment (Santre & Pumpaibool, 2015). While prevalence rates vary, a systematic review across low and middle-income countries found higher rates of sexual harassment in higher education institutions than other settings, including the workplace (Ranganathan et al., 2021). This pattern seems to align with the higher prevalence of sexual violence among the 15–25-year age group across countries in population-based surveys–the same age group predominantly in higher education (WHO, 2018). Higher education settings are a formative part of many young people's social, cultural and career development (Heywood et al., 2022) and as such, this setting warrants increasing action from institutions and governments to prevent, reduce and provide appropriate responses when sexual harms occur.

Sexual harassment is an actionable problem in the higher education context. In 2024, the Australian Federal Government announced an *Action Plan Addressing Gender-Based Violence in Higher Education* involving seven key steps to improve responses, transparency and prevention of gender-based violence, including sexual harassment in higher education settings. As part of this plan, Australian universities and the Federal Government have committed to collaborate on long-term social and cultural change to prevent gender-based violence. Together, they seek to implement change by an informed and shared understanding of the causes of gender-based violence in higher education settings, and to establish good practice and clearly defined standards to prevent it. They also plan to co-design responses with experts, local communities, students, staff and service providers. All actions under the plan (2024: 7) are expected to "reflect and respond to existing and emerging evidence, using the best research and contributing to new knowledge about what works". Similar plans have been implemented in Indonesia (see e.g. *Sexual Violence Prevention and Redress in Higher Education Institutions*), where schools and universities are considered critical settings where gender-based violence, including sexual harassment, can occur and require targeted interventions.

2. Report aims and methodology

The primary aim of this report is to understand how experiences of sexual harassment in higher education settings are understood, addressed and responded to in 28 focus countries across the Indo-Pacific. This includes considering whether any national government policy (legislation) or special procedures exist for addressing sexual harassment in higher education settings, as well as the role of governments in regulating/supporting responses within universities. With the focus on the higher education environment, the report presents findings on institutional definitions, relevant policies (prevention, detection and responses), management (guidelines and contacts), culture (support student and staff, including staff/student training modules – compulsory and non-compulsory), and practice (investigations), including key differences across institutions.

The 28 focus countries represented in this report include: Australia, Brunei, Cambodia, Cook Islands, Fiji, Indonesia, Kiribati, Laos, Malaysia, Marshall Islands, Micronesia, Myanmar, Nauru, New Caledonia, New Zealand, Niue, Palau, Papua New Guinea, Philippines, Samoa, Singapore, Solomon Islands, Thailand, Timor Leste, Tonga, Tuvalu, Vanuatu and Vietnam. These countries were selected because they are all UN member states situated in the Indo-Pacific region, as defined by the UN Economic and Social Council. National level data was also available.

To assist in meeting the project aims, we sought to understand both the current state of development of institutional and government policies relevant to sexual harassment in higher education settings, as well as the practical implementation of these policies. This was achieved by undertaking a desk review of relevant literature and policy documents, and conducting a series of interviews with stakeholders working in higher education institutions across the Indo-Pacific. The desk review involved reviewing research, legislation and policies relating to sexual harassment legislation, national and higher education sexual violence policies, and relevant academic literature from the 28 focus countries. We also reviewed the World Bank *Women's Safety Data* from 2024, which includes questions on sexual harassment legislation broadly, as well as in relation to employment and education, and questions on special procedures to address sexual harassment in education.

A total of seven interviews were conducted between July and August 2024 with ten stakeholders from six countries: Fiji, Indonesia, Samoa, Singapore, Thailand and Vietnam. Ethics approval was received from the Monash University Human Research Ethics Committee.[1] Participants were recruited using our professional networks, whereby an email invitation was sent to gauge interest in discussing sexual harassment policies and practice in higher education settings. In instances where contacts were unavailable or unsuitable, we were directed to alternative prospective participants through introductory emails by the original point of contact. Due to the short timeframe available to conduct the interviews, and the busy nature of the stakeholders involved, the sample size is small. However, we were able to gather rich data on experiences across six different countries and six different higher education institutions.

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[1] Project No. 44298.

The semi-structured interviews were designed to investigate sexual harassment policies in higher education settings, including the preferred term and definitions for these behaviours, what institutional policies and investigation processes exist (if any), and recent developments in institutional policies and culture. We also sought to understand how the policies were applied in practice, and what types of resources and supports were available to those who experience sexual harassment in higher education. The interviews lasted for approximately 30 minutes. They were recorded with participants' permission and transcribed using Zoom auto-transcription. One of the report authors then reviewed the transcripts for any errors and de-identified them for analysis. To ensure participant and institution confidentiality, we do not use any direct quotes from the interviews or identify any institutions. Instead, we provide a summary of the discussions based on our analysis of the key emerging themes and points of similarity and difference across countries and institutions.

This report begins by providing a brief background on the topic of sexual harassment in higher education settings in the Indo-Pacific, before detailing the findings from our policy analysis and interviews. We conclude the report with a reflection on the study limitations, a summary of the findings, and the importance of future regional knowledge sharing on the issue of sexual harassment among Indo-Pacific countries and higher education institutions.

3. Background

The extent of sexual harassment in higher education settings has become a growing concern for governments and universities. As identified in the introduction, the Australian National Student Safety (NSS) survey (Heywood et al., 2022) found that since starting university, one in six students had experienced sexual harassment and one in twelve had experienced it within the previous 12 months (see Table 1).

Table 1: Rates of sexual harassment in Australian Universities (Heywood et al., 2022)

Demographics	Sexual Harassment	
	12 months	Lifetime
Female	10.5%	21.3%
Male	3.9%	7.6%
Non-binary	22.4%	40.3%
Transgender	14.7%	25.8%
Aboriginal and/or Torres Strait Islander peoples	12.0%	21.4%
Students with a disability	13.7%	29.1%

In the NSS survey, victimisation rates for sexual harassment across a student's lifetime and in the last 12 months were highest among marginalised groups, including students identifying as non-binary, transgender, Aboriginal and/or Torres Strait Islander peoples, female, or with a disability (Heywood et

al., 2022).[2] Similar findings have emerged in relation to females experiencing higher rates of sexual harassment in studies across Indonesia (Chairunissa et al., 2022), Thailand (Santre & Pumpaibool, 2015) and Vietnam (Anh, 2024). This suggests a potential gendered and intersectional pattern in victimisation in higher education settings.

Research exploring the harms of sexual harassment in higher education settings have found high levels of mental health distress among victim-survivors with significant negative impacts on their wellbeing, academic performance, student retention and course completion (Jordan et al., 2014; Mengo & Black, 2016; Molstad et al., 2023). These harms are amplified for already marginalised groups given their overrepresentation in the victimisation rates (see Heywood et al., 2022 for Australian rates e.g. by gender, sexuality, indigeneity, or ability). Thus, students in these groups are also at higher risk of interruption or cessation of their university education.

A concerning issue emerging in research on the broader Indo-Pacific region is the downplaying or minimisation of the harms experienced by victim-survivors, and the potential for victim-blaming. In Thailand, for example, Elle (2021) explores the two different terms to describe sexual violence: 'Khom-kheun', which is violent rape, and 'Bplum', which describes non-consensual sex that is viewed as less harmful. Research in Myanmar has similarly found that sexual violence is conceived more in terms of dishonouring the victim-survivor's family or as an insult to a woman or girl's modesty, as opposed to a sexual harm or form of violence (Ross et al., 2020). In Malaysia, research has also described sexual violence as the responsibility of the female victim-survivor. As Shalihin et al. (2022: 26) describes:

> Females are at risk of being victims due to their feminine nature, which makes them vulnerable as they lack physical strength, no authority in decision-making, have a soft personality, and have a petite appearance. Thus, females are easily dominated by males who are physically strong, and superior compared to females. Apart from that, women also have subordinate status where they must obey and submit to men's wishes, especially their sexual needs.

Such views may contribute to the relatively weak or absent responses of governments and higher education institutions in addressing sexual harassment. It may also impact on whether students would feel comfortable reporting their experiences in the first place. Indeed, most research to date has found that very few students experiencing sexual harassment, disclose or seek help via institutional mechanisms (Chairunissa et al., 2022; Heywood et al., 2022; Ranganathan et al., 2021; Soenarto-Putri et al., 2024). For those that do report, research shows there are a range of attitudinal and systemic barriers that prevent them from accessing or receiving support, or just outcomes, from the institutions themselves (Chairunissa et al., 2022; Ranganathan et al., 2021; Soenarto-Putri et al., 2024). The Australian NSS survey, for example, found that more than half of all students knew nothing or very little about the formal reporting process for sexual harassment (51.0%) at their institution (Heywood et al., 2022). Moreover, students knew very little or nothing about where to seek support or assistance for sexual harassment (46.7%), with the majority of those who sought support doing so outside the university (61.5%). This is despite all Universities Australia (peak body)

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[2] The NSS survey notes the following in relation to non-binary and transgender participants:

> The NSSS asked students about their sex recorded at birth and current gender. Students' gender identity was then derived using the 'two-step-method' of cross-classifying responses to these questions as outlined in the Australian Bureau of Statistics Standards for Sex, Gender, Variations of Sex Characteristics and Sexual Orientation Variables (Heywood et al., 2022, p. 19)

institutions from which the students were surveyed having formal policies and procedures on sexual harassment in place.

There have been a range of programs introduced in the Indo-Pacific to address and respond to sexual harassment in higher education settings, which have been explored in research. In the Australian and New Zealand context, McCall et al. (2024) examined the 'whole of campus' approaches to sexual violence used in four higher education institutions across the two countries. This approach is focused on every member of the community being involved in shifting problematic cultural norms and responses to better prevent and respond to sexual violence, including through training modules, prevention policies, reporting procedures and victim-survivor supports (Beres et al., 2019). McCall et al. (2024) argue that this approach should yield the most successful outcomes for minimising sexual harm in higher education settings, where it is also combined with strategies that prioritise the victim-survivor. Further research in New Zealand has focused on the importance of redressing negative institutional culture using student-centred workshops and programs aimed at prevention and intervention (Beres et al., 2019; Stojanov et al., 2021). While highlighting the benefits of these programs in increasing participants' understanding of sexual violence, reducing rape myths, and increasing participants' readiness to intervene, because these programs are often voluntary, there are challenges in ensuring active participation, particularly among those who would benefit the most from this knowledge, such as prospective perpetrators or bystanders (Graham et al., 2019; Stojanov et al., 2021). Similar findings emerged in Yount et al.'s (2023) exploration of sexual violence prevention programs in higher education settings in Vietnam, whereby they found that barriers to successful program implementation included the availability of resources, student participation and reliable internet access – the latter a particular factor likely affecting rural and remote institutions in the Indo-Pacific region more broadly.

In Indonesia and the Philippines, research has focused on the introduction of new policies on sexual harassment (and assault), examining how they have been integrated into higher education settings (Borito & Yango, 2022; Imania & Santoso, 2023, 2024). The *Safe Spaces Act* (2019) in the Philippines, led to the introduction of *Guidelines on Gender-Based Sexual Harassment in Higher Education Institutions* (2022). This policy, discussed in more detail in the next section, requires higher education institutions to have policies and mechanisms in place to prevent and punish sexual harassment and other related sexual offences occurring in higher education settings. In their analysis, Borito and Yango (2022) discovered that not only was the level of compliance by students to the guidelines very high, but the students also had high awareness of the policy, and held positive attitudes towards the implementation of the guidelines. Similarly, the Permendikbudristek 30 (translates to Regulation Number 30) legislation introduced in Indonesia, also discussed more in the next section, is specifically aimed at preventing and responding to sexual violence within higher education institutions.[3] In their study, Imania and Santoso (2023) explored the prevention and response policies from 15 higher education institutions both before and after enactment of the Indonesian regulation. Significantly, they found that after its enactment, all participating institutions took measures to comply with the legislation, including by broadening their definitions of sexual harm, for example, to include technology-facilitated sexual harassment (Imania & Santoso, 2023).

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[3] As of 10 October 2024, Regulation Number 30 has been replaced by Permendikbudristek 55 (translates to Regulation Number 55). The definitions of sexual harm remain in the new regulation. The key difference is that the taskforces in higher education institutions must now handle all forms of violence including and beyond sexual violence, such as bullying, religious discrimination and other forms of discrimination.

4. Discussion

In the below report card, we provide a snapshot of the existence of relevant sexual harassment national and institutional policies in higher education settings in the 28 focus countries.

Table 2: Sexual Higher Education Report Card[4]

	Yes	No
Evidence of National Sexual Harassment Legislation **(*indicates the legislation is only focused on the workplace, which means it only apples to staff working in higher education settings)**	✓ **Australia** ✓ **Cambodia*** ✓ **Cook Islands*** ✓ **Fiji** ✓ **Indonesia** ✓ **Kiribati** ✓ **Laos*** ✓ **Malaysia*** ✓ **New Zealand** ✓ **Palau** ✓ **Philippines** ✓ **Samoa** ✓ **Singapore** ✓ **Thailand*** ✓ **Timor-Leste*** ✓ **Vietnam**	✗ **Brunei** ✗ **Marshall Islands** ✗ **Micronesia** ✗ **Myanmar** ✗ **Nauru** ✗ **New Caledonia** ✗ **Niue** ✗ **Papua New Guinea** ✗ **Solomon Islands** ✗ **Tonga** ✗ **Tuvalu** ✗ **Vanuatu**
Evidence of National Sexual Harassment Policy for Higher Education	✓ **Australia** ✓ **Indonesia** ✓ **Philippines**	✗ **Brunei** ✗ **Cambodia** ✗ **Cook Islands** ✗ **Fiji** ✗ **Kiribati** ✗ **Laos** ✗ **Malaysia** ✗ **Marshall Islands**

[4] Sources for the table are provided in the reference list.

		✗ Micronesia
		✗ Myanmar
		✗ Nauru
		✗ New Caledonia
		✗ New Zealand
		✗ Niue
		✗ Palau
		✗ Papua New Guinea
		✗ Samoa
		✗ Singapore
		✗ Solomon Islands
		✗ Thailand
		✗ Timor-Leste
		✗ Tonga
		✗ Tuvalu
		✗ Vanuatu
		✗ Vietnam
Evidence of Special Procedures in Addressing Sexual Harassment in Higher Education (for example, special or modified rules of procedure, including reversal of the burden of proof, for cases of sexual harassment in education)	✓ Australia ✓ Indonesia ✓ New Zealand ✓ Philippines	✗ Brunei ✗ Cambodia ✗ Cook Islands ✗ Fiji ✗ Kiribati ✗ Laos ✗ Malaysia ✗ Marshall Islands ✗ Micronesia ✗ Myanmar ✗ Nauru ✗ New Caledonia ✗ Niue ✗ Palau ✗ Papua New Guinea ✗ Samoa ✗ Singapore

		✗ Solomon Islands ✗ Thailand ✗ Timor-Leste ✗ Tonga ✗ Tuvalu ✗ Vanuatu ✗ Vietnam
Evidence of Sexual Harassment Policy within Higher Education Institutions	✓ Australia ✓ Cook Islands ✓ Fiji ✓ Indonesia ✓ Kiribati ✓ Malaysia ✓ Marshall Islands ✓ Micronesia ✓ Nauru ✓ New Caledonia ✓ New Zealand ✓ Niue ✓ Philippines ✓ Samoa ✓ Singapore ✓ Solomon Islands ✓ Timor-Leste ✓ Tonga ✓ Tuvalu ✓ Thailand ✓ Vietnam	✗ Brunei ✗ Cambodia ✗ Laos ✗ Myanmar ✗ Palau ✗ Papua New Guinea ✗ Vanuatu

5. Indo-Pacific sexual harassment policies and institutional mechanisms

Countries in the Indo Pacific region have diverse legal and policy systems, cultural traditions, and wide-ranging perspectives on sexuality and gender relations, which results in different approaches to the problem of sexual harassment in higher education settings and the institutional mechanisms to address it. At the time of writing, of the 28 focus countries, we found evidence of national policies specifically addressing sexual harassment in higher education institutions in only three countries: Australia, Indonesia and the Philippines. We also found evidence of special procedures addressing sexual harassment in higher education institutions only in four countries: Australia, Indonesia, New Zealand and the Philippines. In Australia, the national policy frameworks are guided by Universities Australia – the peak body for universities in Australia – and their *Charter on Sexual Harm* (2023) and *Primary Prevention of Sexual Harm in the University Sector Good Practice Guide* (2023), as well as the Federal Government's *National Action Plan Addressing Gender-Based Violence in Higher Education* (2024). The *Charter on Sexual Harm* (2023) contains nine action items to address, prevent, respond and reduce sexual harm in higher education settings, including:

> Strengthening, developing and implementing policies that make clear that sexual harm is unacceptable, acting against any violations of those policies and taking allegations seriously, regardless of the seniority or status of the person against whom a claim is made.

The *Charter on Sexual Harm* (2023) also focuses on providing support, as well as clear, transparent and easily accessible processes in dealing with sexual harassment. In addition, it requires annual public reporting of the number of sexual harassment incidents reported at each institution.

The *Good Practice Guide* (2023) provides guidance to Australian universities in fostering a culture that dismantles the values, norms, practices and structures that enable sexual harm in higher education settings. In September 2024, the Australian Federal Government also announced they will be implementing a *National Higher Education Code* (legislation) to prevent and respond to gender-based violence, including sexual harassment in higher education settings.

In terms of special procedures addressing sexual harassment in higher education institutions, Australian national legislation governs that acts of sexual harassment in higher education settings can be dealt with through the Civil and Administrative Tribunal (*Anti-Discrimination Act 1977* (Cth)). Similarly, in New Zealand, the *Human Rights Act 1993* recognises sexual harassment in education as unlawful and incidents can be reported to the Commission who has the powers to facilitate the resolution of disputes. The burden of proof is also reversed in these procedures, meaning the onus is on the defence to prove the sexual harassment did not occur.

Indonesia enacted the Permendikbudristek 30 (translates to Regulation Number 30) legislation in 2021. This policy specifically focuses on preventing and responding to sexual violence within higher education institutions (Imania & Santoso, 2023). The policy includes a comprehensive definition of sexual harm, which captures 21 different behaviours, including technology-facilitated sexual violence. Importantly, it requires higher education institutions to have a taskforce that is responsible for all

sexual harassment (and assault) investigations (Imania & Santoso, 2023). In October 2024, the Permendikbudristek 30 was replaced with the Permendikbudristek 55 (translates to Regulation Number 55). This policy widens the requirements of higher education institution taskforces beyond sexual harms, to include other forms of harassment and abuse, such as discrimination and bullying. There are some concerns that the widening of the taskforce's responsibilities will make it harder for them to appropriately and efficiently address sexual harassment reports, and that such reports may be de-prioritised by other kinds of violent behaviour reports, due to cultural norms and the challenges in responding to sexual violence more broadly.

Higher education settings in the Philippines are regulated by two main bodies of legislation: the *Safe Spaces Act* (2019) and the *Guidelines on Gender-Based Sexual Harassment in Higher Education Institutions* (2022). The *Safe Spaces Act* (2019) defines and criminalises sexual harassment in public spaces and includes specific requirements on higher education institutions in relation to sexual harassment, including to develop a code of conduct, have a designated complaints officer and educate students on available reporting processes. The *Guidelines on Gender-Based Sexual Harassment in Higher Education Institutions* was developed in response to the *Safe Spaces Act* (2019) by the Commission on Higher Education in 2022. These guidelines provide details to higher education institutions on their legal requirements (e.g. developing codes of conduct, supporting victim-survivors and the duty to report and document sexual harassment reports), as well as providing information on the responsibilities of higher education institutions, the types of behaviours, the procedures and possible outcomes of investigations (Commission on Higher Education, 2022).

Although most countries did not have national policies directly addressing sexual harassment at higher education institutions, there were several adjacent national policies. Ten countries have legislation criminalising sexual harassment, which would capture incidents of sexual harassment that occur in higher education institutions. A further six countries criminalise sexual harassment, but only in workplace contexts, which means that staff in higher education institutions in these countries should have some protections, but not students. This leaves a total of 12 countries in the study without *any* form of national sexual harassment legislation.

In contrast, the majority of countries appeared to have some form of institutional policy in place addressing sexual harassment, with only seven countries not appearing to have any kind of institutional policy within their higher education systems that in some way addresses sexual harassment. Some examples of sexual harassment policies include universities in Micronesia and New Caledonia, which have policies for students that define sexual harassment, a procedure for investigations, and a process for challenging outcomes. Similarly, universities in Fiji and Indonesia have institutional sexual harassment policy that defines sexual harassment (including technology-facilitated forms of sexual harm), as well as a student grievance procedure and a staff code of conduct.

In some countries, there was no specific written policy on sexual harassment, however definitions were included on what constitutes this form of inappropriate behaviour in university codes of conduct (see e.g. Samoa), in university staff policies (e.g. Vietnam), or in policies more broadly dealing with gender equality and discrimination (e.g. Thailand). In other countries, the focus was more prominently on educational programs on sexual misconduct. In Australia and New Zealand, for example, some institutions run sexual consent and bystander intervention programs several times across the year for students; some are compulsory (e.g. understanding sexual consent), while others are voluntary (e.g. bystander intervention) (Beres et al., 2019; Graham et al., 2021; Stojanov et al., 2021).

Across the region, some universities were considered by participants to be pioneers or champions of responding to sexual harassment, for example, by having specific committees (e.g. Thailand) or taskforces (e.g. Indonesia) to handle reports of sexual harassment. Other ways in which universities were considered pioneering by participants were through changes to institutional policy to recognise developments in sexual violence, for example, including technology-facilitated sexual harassment in definitions of sexual harassment (e.g. Fiji and Indonesia). Sharing best practice knowledge among multiple institutions in the country to ensure best practice of sexual misconduct policy, including updating and revising policies based on other institution responses (e.g. Singapore) was also identified. In addition, regular audits and reviews to allow for updates to policies to capture new forms of sexual harassment and that assess whether responses and procedures around victim-survivor support and investigations are working effectively (e.g. Samoa and Vietnam) were considered by participants to be leading the way.

6. Implementation Approaches

A key factor in the practical implementation of sexual harassment policies and programs in higher education institutions is the reporting process. Across the interviews, two prominent issues emerged relating to reporting: (1) the need for transparent, easy to access processes; and (2) the need for ensuring confidentiality, and where desired, anonymity for those reporting experiences of sexual harassment in higher education settings. It was common for participants across countries to describe students having a lack of awareness of the channels or offices to report to, including how to report and what happens post reporting. Further, in some institutions, the reporting process was considered more victim-survivor-focused because it had confidentiality guidelines for those who report to prioritise victim-survivor protection and to avoid any prospective retaliation against the victim-survivor (e.g. Indonesia). In others, the reporting process did not allow for anonymity or confidentiality. For example, during the reporting process in a Fijian university, victim-survivors are required to disclose the name of the perpetrator for a report to be considered. This is problematic for a range of reasons, including the potential power dynamics at play between the perpetrator and the victim-survivor in a higher education setting (e.g. student and staff member), as well as reducing the likelihood of victim-survivors reporting due to fear of retaliation or harm.

Another key issue emerging from the implementation of institutional policies was the inability of the institution and policy alone to challenge cultural or social perceptions. There was a common view among participants that many students would not report experiencing sexual harassment due to the stigma of being a victim-survivor. This was particularly problematic in countries with patriarchal gender norms, where the view that the victim-survivor was in some way to blame for the victimisation or that it should remain a private matter were pervasive (e.g. Fiji and Indonesia). There was also a view that victim-survivors may be afraid of not being believed or taken seriously (e.g. Fiji, Indonesia, Samoa and Singapore), and consistent with the research on sexual harassment in higher education settings, that the victim-survivor themselves may not believe that their incident is serious enough to report (Australian Human Rights Commission, 2017). One way in which this has been challenged was identified in a university in Singapore, in which a sexual misconduct report is published biannually describing cases of sexual violence reported, but in an anonymised way. This publication is considered a way to encourage other victim-survivors to recognise experiences as sexual violence, and to feel more comfortable reporting.

Another problem identified in the interviews with the implementation of institutional policies was the tendency for investigations not to follow the policy procedures. This was considered particularly

problematic when the allegation was made against a senior staff member, where there may be reputational damage to that person and the university from the investigation. Other participants described not being aware of any investigation having taken place, despite the existence of a relevant policy, and their awareness of sexual harassment having taken place in their institution. This aligns with research in Indonesia which found 63% of cases of sexual violence within higher education settings are not officially reported to maintain the reputation of the university (Soenarto-Putri et al., 2024). These examples may suggest a reluctance by the institution to prioritise the needs and interests of victims-survivors to protect its reputation.

In contrast, an institution in Thailand was commended for its process that allows students to write a petition to either contest or give feedback on the decision made from the investigation for up to 30 days after its conclusion. Students can also give feedback on the initial report and have it amended within seven days of the commencement of the report. This process was considered by participants to be evidence of victim-centred practice for responding to sexual harassment and providing a transparent investigation process.

Connected to victim-survivor feedback, participants identified the importance of ensuring appropriate victim-survivor support. One institution in Singapore was strongly acknowledged by the research participants for having a well-executed support system, including a specific care unit that is dedicated to student wellbeing during the investigation process. This includes providing a care manager for the victim-survivor from the first stage of reporting, until after a decision has been made. This level of support was not evident in other countries discussed.

In many of the interviews, participants described victim-survivor support as being an afterthought, partially due to reputational issues associated with reporting sexual violence at institutions, and partially due to tight budget restrictions which do not allow universities to provide the supports needed. Most institutions had some type of victim-survivor support available, such as free counselling sessions, however participants challenged the availability and quality of some of these options.

Training on sexual consent and sexual education was also identified as key to any higher education response to sexual harassment. Several institutions discussed in the interviews were evidently implementing training with some success, including an institution in Singapore, which offers a respect and consent workshop, alongside a respect and consent online module that students are required to complete during their induction and again every two years. Likewise, an institution in Thailand requires staff training on sexual misconduct. In other countries discussed in the interviews however, there was often no mandatory training for either staff or students identified, suggesting a disconnect between policy and practice when it comes to prevention of sexual harassment in higher education institutions.

7. Conclusion

Like all research, this report has limitations. Many of the countries focused on have a primary language other than English. As such, it is possible that the policy analysis did not fully capture all relevant documents in the requisite native language, and there may be additional policies relevant to sexual harassment that are not represented in this report, since they were not able to be easily accessed. Further, due to time limitations and participant availability, we were not able to interview participants across all 28 countries. While the interview data is rich, the sample size is small and cannot be considered representative of the Indo-Pacific context. Despite these limitations, this report

consolidates different sexual harassment policies operating across higher education institutions in 28 countries of the Indo-Pacific, providing evidence of how sexual harassment is and is not addressed.

Of the 28 countries, only three were found to have evidence of national policies specifically addressing sexual harassment at higher education institutions (Australia, Indonesia, Philippines), and four were found to have special procedures in addressing sexual harassment in higher education institutions (Australia, Indonesia, New Zealand, Philippines). Indonesia and the Philippines have both introduced legislation to guide sexual violence policies and response within higher education institutions. Australian universities have been operating under the Universities Australia's *Charter on Sexual Harm* (2023) and the *Primary Prevention of Sexual Harm in the University Sector Good Practice Guide* (2023), but in 2024, further changes were made through the *National Action Plan Addressing Gender-Based Violence in Higher Education* (2024), which will shortly see the introduction of legislation (*National Higher Education Code*). Sixteen of the 28 Indo-Pacific countries have national legislation that criminalises sexual harassment (six only in the workplace), which offers some protection for staff, and in eleven countries, protection for students, but it doesn't necessarily address the prevention of this form of sexual harm. Finally, we found evidence that 21 focus countries had an institutional policy that in some way addressed or defined sexual harassment, but the depth and extent to which these policies capture such behaviours and appropriately responded to them varied greatly among institutions.

The effective implementation of institutional policies and processes relating to sexual harassment also varied across countries and institutions. The interviews revealed several implementation failures in the reporting and investigation processes, as well as in the types and amount of support provided to victim-survivors, and the sexual consent education training provided to students and staff. Key here was the potential reputational damage to the institution from reports of sexual harassment. The absence of information available on how to report sexual harassment to higher education institutions, and what happens during the process, was also a common theme emerging in both the interview data and the existing literature on sexual violence in higher education settings in the region. While there were some standout institutions developing effective programs, processes and reporting procedures, there remains much to be learnt and shared among the Indo-Pacific to improve the prevention of, and responses to, sexual harassment in higher education settings. For example, some of the countries identified by participants as having effective practices in addressing sexual harassment, had no national special procedures or policies in place, yet were found to be adopting best practice. To sufficiently promote the diffusion of effective policy regulation and best practice across the Indo-Pacific, building the body of regional knowledge on sexual harassment in higher education and what works to address it is critical.

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