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Solomon Islands

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Acknowledgement

Solomon Islands recognize the importance of Human Rights, and subscribe to the principles of Human Rights and believes genuine partnership can further promote and protect the rights of all.

The Government of Solomon Islands would like to thank all stakeholders that have contributed to the production of Solomon Islands Third cycle of Human Rights National Universal Periodic Review report. These includes the Government, Private Sector and Civil Society Organisations.

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This report also appreciate the trainings offered by the Office of the High Commissioner for Human Rights to Solomon Islands.

The report would like to acknowledge the United Nations Branch of the Ministry of Foreign Affairs and External Trade for its leadership and work in putting the report together.

Foreword

It is my honour and pleasure to present to you the Solomon Islands Third Universal Periodic Review Report. Solomon Islands acknowledge the importance of ensuring all Solomon Islanders are treated with respect, dignity and shared value of equality.

This report gives a birds' eye view of Solomon Islands human rights policies, legislations, action plans and programmes to promote and protect human rights in the country.

The report was put together during the COVID-19 period. Data collected represents inputs from public, private and the civil society stakeholders.

Solomon Islands as a Small Islands Developing State with Least Developed Country status, right to survive and right to development remains paramount of all other human rights.

The world needs to take stronger and firmer action on climate change to guarantee a sustainable future for all.

Solomon Islands remains determine to leave no one behind and remains committed to free our people from want, from fear and to live in dignity.

(Signed) Tagio tumas
Hon Jeremiah Manele
Minister of Foreign Affairs and External Trade

I. Introduction

1. Solomon Islands had its first and second cycle of UPR reporting in 2011 and 2016 respectively, with the commitment to uphold, protect and promote Human rights situation within the Country and to adhere to the UPR national reporting obligation.
2. In response to the 89 accepted out of the 139 recommendations from the 2nd cycle of UPR reporting in 2016, this report provides a human rights landscape and the efforts of implementation on the progress of advancing human rights situation in Solomon Islands.
3. This report highlighted Solomon Islands progress on Human Rights situation in four thematic areas namely: Cross-cutting human rights issues, Civil and Political Rights, Economic, Social and Cultural Rights, and Rights of Specific Persons or Groups.
4. A matrix outlining the current status and position on the country's legislations and frameworks in response to the 89 supported recommendations is enclosed as an annex.

II. Methodology and consultation

5. This report was prepared based on a series of consultations and workshops conducted as far back as 2019 with relevant government and non-government stakeholders.
6. Information gathered were fed into a matrix that identified where we are on addressing the human rights issues, highlighting progress made and challenges confronted and the next steps. Data collected were complimented with follow up interviews and research done by the United Nations Branch of the Ministry of Foreign Affairs and External Trade.

III. Implementation of recommendation from the previous cycles

A. Cross-cutting issues

Acceptance of international norm

7. The Constitution of Solomon Islands is the supreme law of Solomon Islands. The Rights and freedom of the people of Solomon Islands are protected by law. These include freedom to life, liberty and security, freedom of expression and the protection of privacy of his or her home.
8. The country has signed and ratified four of the nine core human rights treaties namely the Convention on the Rights of the Child (CRC), the Convention on Elimination of all forms of Racial Discrimination (CERD), the Convention on Elimination of Discrimination Against Women (CEDAW), and the Convention on Economic, Social and Cultural Rights (CESCR). The country is also a State signatory to the Convention on the Rights of Persons with Disabilities (CRPD).
9. Solomon Islands has in place a 2017 draft National Policy on Disability. It is the intention of Solomon Islands to ratify the Convention on the Rights of Person with Disabilities (CRPD) as soon as a cost-benefit analysis and assessment is made in relations to Solomon Islands capability and affordability to honour the obligations of the Convention.

Right to development

10. Solomon Islands is a Small Islands Developing State (SIDS) with Least Developed Country (LDC) status.
11. Solomon Islands has a narrow economic base and is greatly impacted by COVID-19, climate change and the frequency and intensity of climate change.

12. Solomon Islands is a Party to the United Nations Framework to Combat Climate Change and its subsidiary Agreement the 2015 Paris Agreement.

13. The low climate ambition and climate change commitment by the international community under the Paris Agreement is threatening the survival and wellbeing of Solomon Islands population. Increasing global temperature exacerbates sea-level rise and swallows more islands triggering ongoing migrations of Solomon Islands populations from low-lying islands to high raised islands. Placing stress and making more of the populations vulnerable as they shift away from their traditional food, traditional structure coupled with water and food security becoming more defined.

14. Solomon Islands has a climate Policy that addresses mitigation and adaptation actions.

15. Its growing populations at a rate of 2.6%, 18,000 youths looking for jobs annually, economy not keeping up with the development needs of the country, more partnership is needed to diversify the economy, commercialize agriculture and equipped our people with the right tools to add value and export our products.

Impact of COVID-19 on Solomon Islands right to development

16. COVID-19 pandemic has closed borders, negatively impacted on trade and placed the country to divert resources to protect the populations from the virus, allow for essential services to continue and redirect policies to reset the foundations of sustainable development with resources, structure and institutions.

17. In 2021, the government is estimating a 1% GDP growth, a deficit budget of SBD322 million. So far, the country has 19 cases, currently, there are no active case. All cases remain within our quarantine stations.

18. Border closure between Solomon Islands and Papua New Guinea has suspended traditional crossing and place the country on full alert.

19. Roll out of AstraZeneca vaccine on 24 of March 2021 protects the population and allows the country to strengthen its resilience in keeping its population safe from the virus.

Cooperation with treaty bodies

20. Solomon Islands presented its combined second and third periodic report on the Rights of the Child in January 2018. The reports identified general measures and efforts to review current domestic legislations and practices into full conformity with the CRC and the Child & Family Welfare Act 2017. The alignment of CRC with the National Development Strategy (NDS) 2016-2035, the National Children's Policy, the National Youth Policy 2017-2030, and the National Gender Equality and Women's Development Policy.

21. Solomon Islands is a party to the Convention on Elimination of Racial Discrimination (CERD). Solomon Islands has found and strengthened its rich culturally diverse country with a population of 712,100 people. Nation building is a work in progress, by unifying a country with more than 80 indigenous languages scattered across a chain of islands. More than 90% of the populations are ethnic Melanesians, 3.1% Polynesians, 1.2% Micronesians and 0.3%, which includes Asians, Europeans and Others. Racial discrimination remains minimal.

Non-discrimination

22. Solomon Islands continue to ensure right to justice is guaranteed. Ministry of Justice and Legal Affairs continue to invest in the provincial courts namely in Gizo and Seghe (Western Province), Auki and Atori (Malaita Province), Lata (Temotu Province) and KiraKira (Makira Ulawa Province). There is a draft Bill of Rights under discussions. Progress of the Bill of Rights is still a work in progress.

23. Reform of the Penal Code with provisions to criminalize all forms of sexual violence under the Penal Code (Amendment) (Sexual Offences) Act 2016 is in place. Reforms on the other sections of the Penal Code is a work in progress.

B. Civil and political rights

24. Institutions that uphold good governance including the Office of the Ombudsman, Leadership Code Commission and the Anti-Corruption Commission is active and in place.

25. The Government is in discussion to consider setting up a National Human Rights Institute. A Scoping Mission study was conducted in 2019, under the auspices of the Ministry of Women, Youth, Children and Family Affairs (MWYCFA). The scoping study highlighted options for the Government to consider which includes, drafting a National Human Rights Action Plan that would sit alongside the National Development Strategy (2016 – 2035), expanding the mandate of the existing Office of the Ombudsman to include the promotion and protection of human rights or to establish an independent National Human Rights Institution.

26. Human Rights is incorporated in the Solomon Islands National Development Strategy (2016–2035). It incorporates the 2030 Agenda, 2030 Sustainable Development Goals, SAMOA Pathway and the Istanbul Programme of Action. A National Mechanism for Implementation, Reporting and Follow-up draft concept paper was completed in 2019, purposely for the implementation, reporting and tracking of human rights, the SDGs and other national development priorities.

27. Solomon Islands has submitted its first Voluntary National Review on the status and progress of implementation of its 2030 Sustainable Development Goals in 2020.

28. The Solomon Islands Public Service has sensitised Gender in Governance, specifically on women leadership, organizing a workshop to incorporate “Women in Leadership” in the Public Service Strategy.

29. The Political Parties Integrity Act 2014 supports women in leadership and sets out a quota of 10% of Political Party membership must consist of women members. Solomon Islands Parliament has seen a growing number of women taking up Parliament seats, for the 11th Parliament there are now four elected women.

Prohibition of slavery and trafficking

30. Solomon Islands is looking at having a standalone legislation on slavery and people trafficking under the Immigration Act of 2012. Border enforcement agencies and relevant authorities in Solomon Islands are monitoring logging and fishing operations throughout the country to prevent the commercial exploitation of women and girls.

31. In 2018, a foreign national was convicted for Child trafficking under Solomon Islands Penal code (Amendment) (Sexual Offences) Act 2016. Perpetrator has served his term and since returned to his country of origin.

Rights to an effective remedy and immunity

32. In achieving access to Justice, Solomon Islands in partnership with UNDP carried out a survey to map out the justice needs of the country. The assessment gives a better understanding of issues and provided options to improve the country’s justice resources to be more responsive to the justice needs of the Solomon Islands population.

33. Solomon Islands during the height of its ethnic tensions from late 1998 to 2000, a Truth and Reconciliation Commission report was tabled in Parliament in 2014. The government has established a dedicated institution to deal with National Unity, Reconciliation and Peace. A framework is being developed to address the recommendations of the Truth and Reconciliation report.

Participation in public affairs and the right to vote

34. A draft Gender Equality and Social Inclusion Policy (GESI) has been put together by the Ministry of Public Service with the goal to increase women in decision making and leadership positions. Closing the gap of women under-representation in senior government positions. Advancing Gender equality across the board in all areas of the public service.

35. Women are increasing their representation in the paid workforce especially in the service, technical and managerial positions. Despite this growing trend, more needs to be done in getting more women in positions of leadership.

36. Solomon Islands Public Service has adopted a Public Service Transformation Strategy to sensitize gender in governance and gender equality. Workshops and consultation have been led by the Public Service Governance and Performance Management Division in support of developing women in leadership strategy.

37. The Institute of Public Administration and Management (IPAM) offers basic human rights courses to all public servants entering the service.

38. Solomon Islands 11th Parliament has four elected women out of the current 49 sitting Members of Parliament. There are two women Cabinet Ministers out of the 21 Ministers. The Solomon Islands National Election Commission is headed by a woman as well.

39. Solomon Islands Political Party Integrity Act 2014 provides for 10% of seats within Parties shall be reserved for female members. This is an initiative to keep encouraging women to take on leadership roles in all spheres of the decision-making process.

C. Economic, social and cultural rights

Right to education

40. A draft Bill is anticipated to go before Parliament in 2021 to make education compulsory for early childhood, primary and secondary education.

41. The Ministry of Education and Human Resources Development has developed an Education infrastructure plan that will ensure hygiene requirements are met including students having access to healthy safe drinking water and sanitation. Solomon Islands through its Ministry of Education and Human Resources Development have constructed 8 girls' dormitories and 8 absolute blocks during the period 2019–2020 in selected provinces in Solomon Islands.

42. Whilst the government continue to implement a Fee-Free Basic Education Policy for all for year 1–9 by allocating grants to schools; schools continue to charge maintenance costs from students. This remains an issue.

43. Solomon Islands is a signatory to the UN Convention on Persons with Disabilities. Addressing the education of children with special needs remains a work in progress. Solomon Islands has adopted a National Education Inclusive Development Policy (2015–2020). The Policy is going through a review with the aim to strengthen inter-sectoral collaboration between special needs schools and regular education institutions. The policy also plans to develop special education modules and provide in-service training for teachers so as to include disability issues into the existing education curriculum.

Right to health – Drinking water, sanitation and hygiene

44. On Health, the Solomon Islands National Security Strategy identified a Government system-wide approach to collaborate management measures of disease surveillance, screening, contact tracing and quarantining high-risk diseases that are resistant to medication.

45. The Government of Solomon Islands is committed to combating Non-Communicable Diseases (NCDs) which is disabling and killing three out of four Solomon Islanders. The National NCD Policy 2019-2023 Roadmap was launched in 2019 to address, halt and reverse the trend of NCD deaths.

46. The Healthy village project was initiated by the Ministry of Health and Medical Services which addresses these preventable diseases by improving Water, Sanitation and hygiene, healthy lifestyles including a clean environment and healthy nutrition for people in the rural villages.

47. The Government through the Ministry of Health and Medical Services has put in place a National Health Strategy Policy 2016-2020 which focuses on health improvement and universal coverage and access for basic health care by expanding the range of services within the country's rural health centres.

48. More than 80% of Solomon Islands populations are located in the rural areas of the country. Solomon Islands has a 2014 Rural Water Supply and Hygiene Policy (RWASH) which is supported by an RWASH strategy that includes collecting data and mapping out implementation plans to roll out the policy within rural communities working with government, faith-based institutions and non-governmental organizations.

49. Since the 2020 COVID-19 Pandemic, the government has heavily invested in strengthening the country's health system, unprecedented international partnerships have seen Solomon Islands equipped with knowledge, technology and supplies to strengthen the country's disease surveillance, screening, contact tracing, quarantine and emergency response.

Human rights: Adequate standard of living

50. Solomon Islands National Development Strategy (NDS) 2016-2035 establishes a visionary pathway for the socio-economic livelihood of all Solomon Islanders. Five objectives of the NDS are:

- Sustained and inclusive economic growth;
- Poverty eradication;
- All Solomon Islanders to have access to quality health and education;
- Resilient and environmentally sustainable development with effective disaster response, risk management and recovery;
- A unified nation with stable and effective governance and public order.

51. The National Development Strategy (2016–2035) NDS remains the blueprint for improving the quality of life of all Solomon Islanders.

Rights of Solomon Islands nationals

52. Chapter two of Solomon Islands Constitution lists the rights of Solomon Islands nationals. Provision of protection; for the protection of nationals from discrimination inclusion of race, place of origin, political opinions, colour or creed.

53. The Penal Code (Amendment) (Sexual Offences) Act 2016 is in compliance with the spirit and purpose of CEDAW. These covers matters relating to the definition of consent and strengthening the provisions for "Rape".

54. Work on reviewing the Penal Code and Criminal Procedures dealing with obstruction of justice through perjury, false statements made outside of judicial proceedings, fabrication and destroying evidence, interfering with witnesses and protection of witnesses amongst others is still work in progress.

55. The Dual Citizenship Act 2018 was passed by Parliament, which is now in force.

D. Rights of specific persons or group

Gender

56. Protecting the rights of women and girls is advocated by the Women's Development Division and the Government ministries annually through, the Sixteen days of Women activism, International Women's Day, Campaign against Gender Based Violence, and the International Day of Rural Women. The Family Protection Act 2014 awareness are shared with the communities, on the importance to safeguard families for a better and peaceful home, awareness is also done in the Public service through the Institute of Public Administration and Management (IPAM).

57. Gender mainstreaming workshop was conducted by the Ministry of Public Service in May 2018, for Human Resource Managers and Gender Focal points in the Public Service.

58. The economic empowerment of women remains a priority of the government for women to realize their human rights. Six focused areas of the economic empowerment agenda are:

- Gender mainstreaming;
- Financial inclusion through finance literacy;
- Provide enterprise development and business training;
- Creating an enabling environment;
- Research and knowledge sharing;
- Strengthen the Ministry of Women, Youth, Children and Family Affairs (MWYCFA).

59. With the support of the Central Bank of Solomon Islands, the establishment of saving clubs and access to microfinance and credit for women is growing in particular for market vendors. Women's Development Division of the Ministry of Women, Youth, Children and Family Affairs is in the final stages of completing a savings guide. To date, there is around 116 savings club across Solomon Islands.

60. The amendment of the Solomon Islands National Provident Fund Act (2018) provides a framework to establish a National Provident Fund "YouSave" programme, for long term savings scheme and retirement funds for the rural populations. The programme allows for many without Bank accounts to open an account to their name.

Gender equality

61. Solomon Islands National Gender Equality and Women's Development policy aligns the national framework with the international and regional commitments under the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW).

62. The Government is conducting a nationwide consultation on the Traditional Governance and Customs Facilitation Bill. The proposed bill is to promote, preserve and recognize traditional norms, values and practice: especially the matrilineal system practiced by a number of diverse ethnic and tribal populations in the country. The proposal is to have customary law reflect the matrilineal system in the decision making of traditional governance structures.

Gender violence

63. Solomon Islands has in place a Family Protection Act (FPA) 2014, which provides greater protection and access to justice for families, girls, women and children, persons with disabilities and victims of gender violence. The Act criminalizes domestic violence, protection and support mechanism for gender violence survivors. There is also a Child and Family Welfare Act (2017) that seeks to address the welfare and protection of children. The Act empowers the courts, Police, Social welfare and health care professionals to assist the victims.

64. Solomon Islands established a National SAFENET referral network in 2013. The SAFENET referral assists victims to obtain access to justice, health, legal and related support services. SAFENET has progressively strengthened with the training of police officers, of which some 650 were trained from 2016 to 2017. SAFENET has been equipped with operating procedures, and guidelines.

65. SAFENET in partnership with UN Women is now established in four of the nine provinces in the country as of 2018. The provinces are Western, Makira, Temotu and Isabel. SAFENET is currently being monitored by Solomon Islands Ministry of Women Youth, Children and Family Affairs in coordination with UN Women.

Child trafficking and sexual exploitation

66. Solomon Islands authorities within the Ministry of Commerce, Industries, Labour and Immigration supported by the International Migration Organization looked at the issue of child trafficking, child marriage, sexual exploitation of women in logging camps. Child Protection Committee has been established in the Western Province by Save the Children and Royal Solomon Islands Police Force (RSIPF).

67. Under the Islander Marriage Act, the marriage age is 15 years of age. There is a review of the Act to increase the marriage age to 18.

68. Family Support Centre organized sexual exploitation awareness workshops in eleven communities in five provinces namely Isabel, Makira Ulawa, Guadalcanal, Temotu and Rennell and Bellona.

69. The government in collaboration with the International Organization for Migration placed provisions under the Immigration Act 2012 to counter trafficking in persons. Amendments to the Penal Code (Amendment) (Sexual Offences) Act 2016 was also done to address trafficking in person and sexual exploitation; so far two perpetrators are before the courts and one was convicted.

70. The Family Children and Welfare Act 2017 protects children from prostitution, pornography or marriage and hard labour. The Act aligns itself with the International Convention on the Rights of the Child. Currently, the minimum age for criminal responsibility by a juvenile under Solomon Islands Penal Code is 8–12 years of age. The draft Youth Justice Bill has increased the criminal responsibility from 10 to 14 years – Age under 10: not criminally responsible. Under the age of 14: not criminally responsible unless proven guilty beyond reasonable doubt.

71. The Education Act prohibits corporal punishment in schools. Solomon Islands has in place a draft National Children’s Policy for the term 2020–2025 of which is expected to be endorsed by the Cabinet in 2021.

Persons with disabilities

72. Solomon Islands is a signatory to the Convention on the Rights of Person with Disabilities (CRPD). A Draft National Disability Inclusive Development Policy 2020-2024 is a step up from the previous policy. The Policy embraces the principles of the Convention and sets out inclusive access to education and training for persons with disabilities. This also includes building designs that are disability friendly and provide proper disability access to public buildings.

IV. Challenges

73. The socio-economic impact of COVID-19 has seen the contraction of the economy in 2020. The closure of borders and its impact on trade has placed much stress on Solomon Islands economy. The government remains determined to take corrective economic measures to keep the economy afloat, deals with the growing impact of climate change, provide essential public services and protect its people from the virus.

74. The geographical landscape of Solomon Islands is such that 80% of the 712, 100 population is scattered across a chain of islands from the tip of Papua New Guinea to the tip of Vanuatu, has made both development and governance an expensive exercise. This also has made monitoring, verifying and reporting on rights of people a challenge.

75. The bulk of the population are youths, 18,000 annually look for jobs in a narrow based economy.

76. The right to reliable and verifiable data is an indispensable element in the information system. Data availability and collection remains a standing challenge.

77. The Growing impact of climate change continues to reverse national developmental gains.

78. Partnership tend to be more on employing consultants and workshops over hard rights based infrastructure that empowers and connects our people.

79. Solomon Islands is the third largest population in the Pacific amongst the SIDS countries, whilst it is a post conflict country, it is one of the most culturally diverse countries speaking more than 80 indigenous languages. Regional offices of the United Nations are all externally based in Fiji, making UN country relationship a distant and remote one.

V. Conclusion

80. Solomon Islands is still undergoing the process of Nation Building. Development growth of the country has not kept up with the development needs of the country. The changing global posture of Solomon Islands relations has elevated bilateral cooperation. This has resulted in a number of transformative national projects bilaterally initiated and funded.

81. Human Rights is best addressed through the lens of development, and Solomon Islands remains committed to translating the SDGs into action, our lives and the health of the planet depends on the world doing its fair share and genuine partnership extended to Small Islands Developing States like Solomon Islands.

82. The country is expected to graduate out of its Least Developed Country status in January 2024. Contraction of the economy due to COVID-19 may see a further extension of the graduation transition period.

83. Protecting the rights of Solomon Islands is about building a climate resilient population, developing a low carbon economy, and creating people centred opportunities that embraces all three pillars of sustainable development, economic growth, social development and environment protection.

84. Partnerships is needed to unlock the means needed to create a better and sustainable future for all and realize the freedom from want, freedom from fear and freedom to live in dignity.
