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Report of the Working Group on the Universal Periodic Review

Solomon Islands*

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its eleventh session from 2 to 13 May 2011. The review of Solomon Islands was held at the 6th meeting on 4 May 2011. The delegation of Solomon Islands was headed by Peter Shanel Agovaka, Minister for Foreign Affairs and External Trade. At its 10th meeting held on 6 May 2011, the Working Group adopted the report on Solomon Islands.
2. On 21 June 2010, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Solomon Islands: Jordan, Mauritius, United States of America.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Solomon Islands:
 - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/11/SLB/1);
 - (b) A compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/SLB/2);
 - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/SLB/3 and A/HRC/WG.6/11/SLB/3/Corr.1).
4. A list of questions prepared in advance by Czech Republic, France, Latvia, Maldives, Slovenia and the United Kingdom of Great Britain and Northern Ireland was transmitted to Solomon Islands through the troika. These questions are available on the extranet of UPR.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. During the opening statement, the delegation of Solomon Islands noted that human rights was a fundamental principle entrenched in the Constitution, and acknowledged the assistance of other Governments, development partners and the civil society for progress made in promoting and protecting human rights in Solomon Islands.
6. A priority focus was peace and reconciliation since the country was still in a peacebuilding and reconstruction phase after a five-year period of social unrest which the nation had experienced between 1998 and 2003. Although a lot of emphasis was being placed on structural, legislative, social and economic reforms, the losses incurred from the unrest were still affecting the enjoyment and realization of civil, political, economic, social and cultural rights by its citizens.
7. Solomon Islands was also not immune to the effects of global warming and climate change which give rise to environmental degradation, resource depletion, food insecurity, social and economic conflicts and growing poverty.
8. Solomon Islands participated in the universal periodic review with an open mind, sharing information on progress made in advancing human rights and committed to learning and benefiting from the interactive dialogue. The delegation thanked development partners for their support in preparation for the universal periodic review, in particular the Pacific Regional Rights Resource Team of the Secretariat of the Pacific Community

(sponsored by the Government of Netherlands), the Pacific Islands Forum Secretariat, the Regional Office for the Pacific of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Commonwealth Secretariat.

9. Of a most pressing nature was the need to ratify the Optional Protocols to the Convention on the Rights of the Child which Solomon Islands had already signed, and which was a priority task in the Government's work plan for 2011.

10. The delegation reported on its commitment and current efforts to submit its periodic reports to the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, and acknowledged that on the International Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination All Forms of Racial Discrimination were due. The Government planned to set up a treaties committee to monitor its reporting obligations.

11. Although Solomon Islands was yet to fully implement the concluding observations from the Committee on the Rights of the Child of 2003, it had incorporated those observations into the National Children's Policy.

12. As part of Pacific regional commitments, Solomon Islands had committed to the 2009 Pacific Islands Forum leaders' Cairns Compact which recognized violence against women as pervasive and underreported. The Compact also recognized that sexual and gender-based violence was a human security issue and a destabilizing factor for communities and societies. The Sexual and Gender-Based Violence Reference Group to support national efforts had consequently been developed.

13. Solomon Islands was committed to the Pacific Plan, especially Strategic Objective 12.5, which outlined the region's commitment to human rights through "treaty ratification, reporting and implementation" and the Pacific Regional Strategy on Disability. It was also committed to the principles of the Millennium Development Goals and the declaration on The World Fit for Children.

14. The bill of rights was entrenched in chapter II of the 1978 Constitution. The draft Federal Constitution had an expanded bill of rights which included civil, political, economic, social and cultural rights. It also provided for a national human rights commission.

15. Solomon Islands had passed legislation, endorsed policies and set out action plans and guidelines to direct the implementation of human rights. Reference was made in particular to the Evidence Act 2009, which eliminated the corroboration warning in sexual violence convictions and the use of prior sexual conduct of complainants as evidence to question the character and credibility of complainants. In 2009, the Government had endorsed the Family Health and Safety Study which showed a very high prevalence of domestic violence, as well as a baseline report for creating a future free from violence, abuse and exploitation of girls and boys. It had also recognized the recommendations from a report on the commercial sexual exploitation of children in the presence of the logging industry.

16. In 2010, the Government had endorsed the National Gender Equality and Women's Development Policy which provided overarching objectives for gender equality and women's development, and the National Policy on Eliminating Violence against Women. The delegation reported on policies for the implementation of the Convention on the Rights of the Child, such as the National Children's Policy (for ages 0–18) and the National Youth Policy (for ages 14–29).

17. Human rights were some of the guiding principles of the National Coalition for Reform and Advancement Government Policy for the next four years. The policy set out to promote social and economic advancements that ensured fair distribution and equal access

and opportunities for all. It specifically aimed to promote gender equality and full participation of women.

18. The delegation also referred to institutions instrumental to promoting human rights, such as the Office of the Auditor General, the Office of the Ombudsman and a Leadership Code Commission and commended the Regional Assistance Mission to Solomon Islands for its role in strengthening the capacity of those institutions. The Truth and Reconciliation Commission was also established in 2009, with a mandate to promote national unity and reconciliation.

19. Solomon Islands thanked delegations for their advance questions and provided responses highlighting some challenges.

20. The delegation reported on the approval of a national policy which set out strategic actions and cross-cutting efforts to prevent violence against women, protect victims and to prosecute perpetrators. The policy also recognized the need for significant social, political and economic empowerment of women. Progress had also been made in proposing legislation for trafficking, protection orders for victims of violence in the home, law reform to respond to child abuse, neglect and exploitation.

21. Regarding the promotion of women's participation in decision-making, the delegation referred to the Gender Equality and Women's Development Policy. Some significant steps had been taken to promote and increase women's participation in politics, decision-making and leadership. Regarding women, peace and security, there was currently a move to develop a national affirmative/sustain action plan to increase women's participation.

22. On the issue of land ownership, the delegation indicated that this was one of the root causes of the civil unrest from 1998 to 2003. The Government initiated the Constitutional Reform Programme in 2000 as an initiative to address the issue. Work on the constitutional reform was well advanced, with provincial feedback on the 2009 draft Federal Constitution now being collected. The Government further developed a land reform policy and established the land reform unit, which was working in consultation with land-owning groups to determine tribal boundaries and map the relevant areas concerned. A commission of inquiry into land dealings and lost properties on Guadalcanal in 2007 had also been set up and was now conducting its hearing on abandoned lands. Those initiatives would take time to show results, but they were in progress.

23. Regarding progress made by the Truth and Reconciliation Commission, especially in terms of what it had done to create the social conditions needed to establish peace in the long term, the delegation reported that Commissioners were appointed in 2009 and operations began in 2010. Significant progress had been made through national and provincial public hearings as well as closed hearings for victims of the tensions.

24. The delegation noted that climate change was a big problem. The Ministry of Environment, Conservation, Meteorology and Disaster Management had been established and the National Environment Policy to accommodate both the sector and cross-sector policies for development was being implemented.

25. On the establishment of a national human rights institution, that was dependant on the draft Federal Constitution being passed. Solomon Islands was, however, open to exploring the possibility of establishing a national human rights institution, which was not necessarily hinged on the draft Federal Constitution being passed.

26. The delegation reported that the cultural context of society did not condone same-sex relationships. Any commitment to removing Penal Code provisions criminalizing sexual relations between consenting adults of the same sex must be subject to consultations.

However, there had not been any submissions to the Law Reform Commission in their review of the Penal Code to repeal those sections.

27. In concluding, Solomon Islands noted that it had frameworks and institutions that work to integrate human rights; however, it was also dealing with a range of competing priorities and limited resources. It called on the international community to help them to explore how they could strategize to ensure that the citizens of Solomon Islands continued to enjoy full realization of their rights. The delegation recognized the initiatives of the Pacific Regional Rights Resource Team of the Secretariat of the Pacific Community for a regional human rights commission that would reinforce national initiatives to promote and protect human rights.

28. Solomon Islands announced that it was extending an open invitation to all mandate holders of the United Nations special procedures to visit the country.

29. Solomon Islands informed that a coordinating committee would be established to monitor implementation, monitoring and reporting following the universal periodic review.

B. Interactive dialogue and responses by the State under review

30. During the interactive dialogue, 28 delegations made statements. Recommendations made during the dialogue can be found in chapter II of the present report.

31. Canada welcomed the adoption of policies and plans to address several human rights issues as well as the announcement of the extension of an open invitation to the special procedures. It was concerned by the lack of law enforcement, ongoing corruption and continuing widespread discrimination against women and girls, children of certain ethnic minorities, and children with disabilities, endemic practices of domestic violence and ill-treatment and abuse of children, including child labour, exploitation and prostitution. Canada made recommendations.

32. Cuba stated that Solomon Islands faced enormous challenges, originating from the global economic crisis and serious environmental problems, as well as other consequences of the unjust international economic order. Additionally, it noted that the country had been faced with an ethnic conflict and that great efforts had been required to restore normality. Cuba considered that, nevertheless, the country had deployed significant efforts to minimize the negative impact of those circumstances noting, in particular, measures to ensure education and improve services for the population. It also took note of the National Health Plan 2010–2015 and collaboration between the two countries to help improve health services and train health professionals. Cuba made recommendations.

33. Algeria commended Solomon Islands for having been always a supporter of human rights initiatives at the regional level and for governmental efforts in the areas of health, youth and education. It expressed the conviction that further progress would be achieved within the framework of the implementation of the National Development Strategy 2011–2015. It was aware of the constraints faced by a small island developing State in the context of the negative impact of climate change and the economic crisis, and recalled that international cooperation was important. Algeria made a recommendation.

34. Ireland welcomed efforts by Solomon Islands to strengthen human rights including the Policy Strategic Framework 2008–2010 and the establishment of the first Truth and Reconciliation Commission in the Pacific. It also welcomed the commitment made during the review to issue a standing invitation to the special procedures and the initiative to consider establishing a national human rights institution. It inquired what initiatives were planned and what might be done by the country to tackle climate change. Ireland also asked

what progress had been achieved in developing multi-year plans to guide capacity-building for the judiciary and police. Ireland made recommendations.

35. Australia congratulated Solomon Islands for the conduct of its national election in 2010 and restated its support for future reform. It was pleased with the announcement of a standing invitation to the special procedures, recognized the progress achieved in Solomon Islands toward strengthening its justice system and noted the importance of consolidating those gains, as the regional assistance mission was to draw down. It noted that gender-based violence remained a significant problem. It welcomed the continuing commitment to pursue justice for victims of the “tensions” through the extension of the mandate of the Truth and Reconciliation Commission until 2012. It made recommendations.

36. Norway expressed concern that adolescents did not have adequate information on and access to health and, in particular, reproductive health. It was also concerned about reports that girls were traded as brides in exchange for payments. It noted that the country still maintained criminal sanctions against sexual activity between consenting adults of the same sex. Norway appreciated efforts made to end violence against women and reduce illiteracy. It made recommendations.

37. Hungary commended Solomon Islands for the establishment of the Truth and Reconciliation Commission and recognized steps made towards gender equality, in particular changes to the legal practices criminalizing sexual assault. However, it was concerned with the increasing number of cases of gender discrimination and violence against women and highlighted the lack of judicial redress, which perpetuated gender inequality. It noted achievements in ensuring the well-being of children but considered that child protection could be further improved through the prohibition of corporal punishment, ill-treatment or violence at home, at schools and all other contexts. Hungary made recommendations.

38. Brazil appreciated progress made in the country despite constraints posed by poverty, unemployment and climate change. It was encouraged by the possibility that Solomon Islands would attain the Millennium Development Goals on universal primary education. It also welcomed recent legislative measures to provide protection to refugees. Brazil noted, however, reports indicating that domestic and sexual violence against women and children remained major problems. It also noted with concern the low ages for criminal responsibility and employment. Brazil made recommendations.

39. France noted with satisfaction that the Truth and Reconciliation Commission had begun its work in 2010. It also highlighted that primary education, though free, was still not compulsory, that the number of girls attending schools was low and that qualified teachers were rare. It noted the concerns by the Committee on the Rights of the Child regarding the low minimum age of criminal responsibility. It also expressed concern regarding the number of cases of domestic violence and the fact the Criminal Code criminalizes consensual sexual.

40. Thailand noted efforts of Solomon Islands to promote and protect human rights despite many existing challenges. It welcomed the announcement of a standing invitation to the special procedures. It acknowledged steps taken to strengthen its domestic human rights institutions such as the amendment of the Evidence Act in 2009. Nevertheless, it shared concerns with some international organizations regarding discriminatory practices and laws against women and girls. It also noted discrimination of other vulnerable groups. Thailand stated that it stood ready to continue cooperating with Solomon Islands in the area of capacity-building of human resources in the public sector. It made recommendations.

41. In responding to additional questions and comments, the delegation thanked speakers that had taken the floor for their comments, advice and recommendations. It noted that some issues had already been addressed in the opening statement and responses to advance questions received.

42. The delegation took note of recommendations to ratify human rights instruments which Solomon Islands had not yet signed/ratified and reassured countries that Solomon Islands would take the necessary steps to do so.
43. In relation to the comments of Canada, Solomon Islands acknowledged that the current offences in the Penal Code of procuring defilement of a woman by threats, being involved with a household permitting defilement of a girl under 15 years, detaining an individual in a brothel and obtaining and disposing of minors for immoral purposes only applied to girls and women and some offences were limited to acts of sexual intercourse.
44. The delegation acknowledged that laws did not criminalize the full range of activities associated with child prostitution. Penalties were now low and there was no protection for children from being liable to prosecutions for prostitution. Standards from the Optional Protocol to the Convention on the Rights of the Child on the sale of children, prostitution and child pornography were being used to develop recommendations for reforms in that area, even though Solomon Islands had only signed the protocol. The Law Reform Commission was also considering introduction of an offence regarding the sale of children for sexual exploitation.
45. On comments made by Cuba, regarding efforts to promote the rights of women, children and persons with disabilities, the delegation referred to progress to be made as part of the current National Policy on Eliminating Violence against Women, the Youth and Children's Policies and the Disability Policy.
46. The Constitution did not contain a guarantee of access to health care. However, the draft Federal Constitution did include a section on health care in article 47. The delegation took the opportunity to thank the Cuban Government for the number of its students carrying out medicine studies in Cuba. Cuba had also sent medical officers and doctors who were working in Solomon Islands to assist in alleviating or eliminating some of the health problems.
47. Solomon Islands had a corporate plan on health care which was based on the following qualifications: improvement of access to quality care, management and development of human resources, maternity and morbidity reduction, maintenance of health environment, promotion of healthy living and lifestyle and improvement of reproductive health and family planning.
48. In response to comments made by Algeria, the delegation noted that it would work to ratify human rights treaties to strengthen its framework and institutions.
49. In response to a question made by Ireland, the delegation stated that the Law Reform Commission did not have a specific mandate to deal with traditional justice, but the Ministry of Justice and the World Bank were currently working together on a project called "Justice for the Poor" to address the issue.
50. The delegation reported that access to justice was a priority for Solomon Islands and that it would continue to reform laws and policies. The delegation took the opportunity to thank Australia for the assistance provided in institution-strengthening and capacity-building in the law sector.
51. Solomon Islands further stated that it had recently sent an invitation to the OHCHR Regional Office for an in-country assessment for the purpose of establishing an office in Solomon Islands.
52. The delegation noted the commitment of the Government to ensure legal mechanisms were in place and conducive to the rights of women and children.
53. On the issue of corporal punishment of children, the delegation stated that the Penal Code contained an offence of cruelty towards children, section 233. However, that section

did not affect the right of any parent or any other person having the control of a child to administer reasonable punishment to a child. "Reasonable" must be consistent with the constitutional right to be free from torture and it was usually determined by the court on a case-by-case basis. The review of the Penal Code was looking at whether any further provision or guidance should be given in the law about when corporal punishment was lawful.

54. On issues surrounding sexual relationships between consenting adults of the same sex, as raised by Brazil, the delegation indicated that it was being dealt under the review of the Penal Code.

55. The United States of America commended Solomon Islands on holding of national elections in 2010 and efforts made, with the assistance of the Regional Assistance Mission to the Solomon Islands, to address police corruption and impunity and reduce the backlog of cases before the courts. It expressed concern regarding human rights problems, including, lengthy pretrial detention, Government corruption, and violence and discrimination against women. It noted male dominance in Government and that violence against women remained a serious problem. Additionally, it noted that children and foreign women were often subjected to forced prostitution and that local children were victims of domestic servitude. It encouraged the country to investigate and prosecute human trafficking. It made recommendations.

56. Slovenia acknowledged the fragile economic and political situation of Solomon Islands, resulting from civil unrest in the near past. It commended the National Plan of Action for Human Rights outlined in 2010, in which the establishment of a national human rights institution was considered. It encouraged the Government to address the widespread use of corporal punishment of children. It expressed concern about child prostitution and asked what measures would be taken in that regard. Slovenia was also concerned by the prevalence of domestic physical and sexual violence against women, which was considered in Solomon Islands to be a private issue, a position which results in impunity. It made recommendations.

57. Germany asked what measures had been undertaken to grant equal access to justice to all. It inquired about measures adopted to educate the population on the rights of women and equal rights of women and men. Germany also asked about efforts made to follow up recommendations by the Committee on the Rights of the Child to reduce the number of working children and to ensure that children who worked did so in accordance with international standards and had access to education. Germany expressed concern that children were exposed to prostitution and noted the absence of institutions for the rehabilitation of victims and the lack of data. It made a recommendation.

58. Chile recognized existing constraints to the enjoyment of human rights created by climate change and measures taken to address those by the Government of Solomon Islands through the National Policy on Climate Change. Chile reiterated its support to initiatives aimed at addressing that issue. It acknowledged public efforts to promote and protect human rights and the work of the Truth and Reconciliation Commission. It noted the National Development Strategy, progress achieved in the area of gender equality and the initiative to consider the establishment of a national human rights institution. It made recommendations.

59. Argentina asked what results had been obtained through the implementation of the National Policy on Eliminating Violence against Women (2010) and the National Gender Equality and Women's Development Policy. It also inquired about measures adopted to eliminate all forms of discrimination against boys and girls, in particular those belonging to ethnic minorities, those living in remote islands, children born out of wedlock and disabled children. Argentina made recommendations.

60. Maldives acknowledged the consultation process engaged by Solomon Islands, a fellow member of the Alliance of Small Island States, to prepare its national report for the review. It stated that the Working Group should understand the challenges in the promotion and protection of human rights faced by the country because of its small size and capacity constraints. It recognized the commitment of Solomon Islands to human rights and progress achieved in a range of areas covering civil and political rights, and economic, social and cultural rights. It made recommendations.

61. Mexico recognized efforts made to address the past, in particular the establishment of the Truth and Reconciliation Commission. It expressed appreciation of the recognition by the Government of challenges faced in areas such as youth unemployment, violence within the family, gender equality and access to education, as well as efforts to ratify international human rights conventions. Mexico asked for greater details on what type of international technical cooperation would be needed to prevent and eliminate sexual exploitation and abuse, in particular of women. It made recommendations.

62. Spain welcomed the establishment of the Truth and Reconciliation Commission in 2009. It asked how it reconciled the treatment received by Mr. Lusibaea with the work of the Truth and Reconciliation Commission. It also requested information on measures taken by the Government to guarantee gender equality in political life and other domains. It made recommendations.

63. Trinidad and Tobago recognized the many challenges faced by the country and commended Solomon Islands for the work undertaken to incorporate into domestic law the rights of people with disabilities, child protection and the Convention on Elimination of all Forms of Discrimination against Women. It also congratulated the Government for acknowledging slow progress in areas such as law reform, the rights of women and children, and domestic violence, affirming that the situation was the result of resource capacity constraints rather than a lack of commitment. It made recommendations.

64. The United Kingdom of Great Britain and Northern Ireland hoped that the Government of Solomon Islands would take the opportunity offered by the review to demonstrate that it was genuine in its desire to move on from the tensions and was serious in its attempts to rebuild the country. It recognized the challenges faced by Solomon Islands and welcomed the announcement of a standing invitation to the special procedures. It hoped the Government would seek technical assistance and cultivate the involvement of civil society in the follow up to the review. It asked whether the Government would consider raising the minimum ages regarding child labour and criminal responsibility. It made recommendations.

65. In response to questions raised by countries on the issue of age of criminal responsibility, the delegation noted that the Penal Code provides for a current minimum age of criminal responsibility of 8 years old. A child under the age of 12 was not criminally responsible for an act or omission unless he or she had the capacity to know that he or she ought not to do an act or an omission. The minimum age of criminal responsibility was currently being considered by the Law Reform Commission, under its mandate to review the Penal Code and the Criminal Procedures Code.

66. Costa Rica acknowledged the social progress achieved by Solomon Islands in the area of education and health. It considered that to further improve the situation it would be important to grant special attention to girls' access to education. It was concerned by human rights constraints provoked by external factors such as climate change. It recalled, in that regard, Human Rights Council resolution 16/11 and invited Solomon Islands to present its contribution and comments to OHCHR. It made recommendations.

67. Morocco noted that the national report indicates progress made in spite of difficulties linked to high unemployment and poverty and climate change. It commended

the country for measures adopted to amend the Constitution, strengthen the rule of law and the independence of the judiciary, as well as support civil society. Morocco made recommendations.

68. New Zealand stated that it had been working with Solomon Islands to achieve its goal of providing basic education for all and eliminating gender disparity in education. It commended the country for impressive progress made in achieving universal basic education and for having allocated high levels of the budget for that purpose. It expressed concern about the situation of women, noting the absence of women in Parliament and the violence against women. It noted improvement in prison conditions and commended the country for having signed the Convention on the Rights of Persons with Disabilities. It made recommendations.

69. China took note of efforts by Solomon Islands to, inter alia, improve the level of education and health services in the country. It noted with concern that there was widespread discrimination against women across the country and severe poverty and a lack of effective guarantee for economic, social and cultural rights of the people. China expressed the hope that Solomon Islands would pay attention to economic and social development and that effective measures would be taken to achieve gender equality, poverty elimination and other Millennium Development Goals. China rejected the reference to “Republic of China” and “Taiwan” in the national report of Solomon Islands. It emphasized that, in accordance with General Assembly resolution 2758, the Peoples’ Republic of China was the only legitimate representative of the entire country, of which Taiwan was an integral part.

70. Ecuador welcomed Solomon Islands Government’s efforts to eliminate child malnutrition and maternal mortality and progress in the area of universal education. It made recommendations.

71. Indonesia recognized that Solomon Islands was still confronted by a number of challenges which continued to impede progress on human rights and national development. It noted progress achieved in providing access to universal primary education through the Free-Fee Basic Education Policy, which permitted the country to bring within reach the attainment of millennium development goal 2. It was concerned by the fact that gender inequality remained an issue, but appreciated the frankness of the Government in conceding that more needed to be done to ensure the promotion and protection of the rights of women at all levels. Indonesia made recommendations.

72. Slovakia commended Solomon Islands for measures adopted with a view to ensuring gender equality in its domestic law and took note with appreciation of the adoption of national policy plans on children and youth and the Government’s initiative to consider establishing a national human rights institution. It noted concerns regarding child labour, lack of birth registration and the low minimum age of criminal responsibility. While commending the country for providing free education, Slovakia expressed concern about the high level of children not being enrolled due to infrastructure shortages and the fact that education was not compulsory. Slovakia made recommendations.

73. The Philippines commended the Government for having ratified or signed a number of human rights instruments despite the challenges the country faced. It encouraged the international community to increase its assistance and support for Solomon Islands, especially in the field of poverty eradication and education. It requested information on plans and cooperation projects aimed at improving the quality of education and on specific programmes seeking to address the equitable access to education of children with disabilities. It also asked how the delegation wished the Human Rights Council to address the human costs of climate change. It made recommendations.

74. On the issue of education, the delegation acknowledged that because of gender disparities, women in Solomon Islands were generally regarded as having lower status than men. It was also common in the country that females were attending school at lower rate than boys, particularly in middle to higher levels of the education system. Solomon Islands had set that in the education work programme as a priority in achieving equal access to education. The two core objectives of the programme were: 100 per cent enrolment and gender balance. The programme also acknowledged the accessibility for students with disabilities and it was working towards ensuring that education services were available to all children. The delegation took the opportunity to thank New Zealand for assisting Solomon Islands in its efforts to provide free education to all children from primary school to the junior secondary school. It also thanked the United Kingdom and the European Union for their support for the schools' infrastructures.

75. On the question raised by the Philippines on climate change, the delegation thanked the United Kingdom and the European Union for the climate change adaptation and mitigation funds established to assist them in their climate change challenges.

76. With regard to the issue of birth registration, the delegation acknowledged that the United Nations Children's Fund (UNICEF) child protection baseline study carried out in 2008 estimated very low birth registration in Solomon Islands. The National Children's Policy and Action Plan catered for the promotion of registration of all births to create a protective environment for children. Current developments included the followings: the Government was planning to look at legislative reform in 2011 to support an effective birth registration system. In 2010, the Government piloted a revision of birth registration procedures in three selected locations. UNICEF was currently supporting the strengthening of the operational capacity of the central civil birth registration office and expanding mobile network coverage. The Government, in partnership with UNICEF, was looking at assisting with birth registration via mobile phone. Awareness-raising campaigns were also carried out.

77. Referring to the issue of ratifications of human rights conventions, the Ministry of Foreign Affairs and External Trade was working on the issue with the Attorney-General's Chamber. Consultations would start mid-June to establish a national treaties advisory committee that would cover human rights committees and International Labour Organization (ILO) conventions. The dualist legal system requires domestication of international treaties and conventions in order for them to become part of national law. Solomon Islands could not just go ahead with ratification without giving it serious consideration and hence endorsement by Government, through the Cabinet. The Government was looking at the matter in stages, in order to address those issues.

78. In concluding, the delegation indicated that the Government was working hard to ensure that the issues raised could be rectified as they went along. It thanked all delegations for the questions raised and noted that, in spite of the many challenges that Solomon Islands was facing, it was determined and committed to address those issues in the country. Much had been done but more needed to be done.

II. Conclusions and/or recommendations

79. **The recommendations formulated during the interactive dialogue and listed below have been examined and enjoy the support of Solomon Islands:**

79.1. **Take the necessary steps towards the establishment of a national human rights institution (NHRI), in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) (Canada);**

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- 79.2. Take early steps to establish a national human rights institution in full compliance with the Paris Principles (Ireland);
- 79.3. Establish a national human rights institution in accordance with the Paris Principles (Argentina);
- 79.4. Establish a national human rights institution in accordance with the Paris Principles (Spain);
- 79.5. Establish a national human rights institution with both advisory and investigative functions and in full compliance with the Paris Principles (United Kingdom);
- 79.6. Consider the establishment of a national human rights institution for the protection and promotion of human rights in accordance with the Paris Principles (Morocco);
- 79.7. Establish a national human rights institution, in line with the Paris Principles, which would constitute an important step forward (Indonesia);
- 79.8. Extend a standing invitation to special-procedure mandate holders as a way of informing and supporting human rights reforms (Maldives).
80. The recommendations formulated during the interactive dialogue and listed below have been examined and enjoy the support of Solomon Islands, which considers that they are already implemented or in the process of implementation:
- 80.1. Strengthen its efforts to modify or repeal existing laws and regulations that discriminate against women and girls (Thailand);
- 80.2. Amend domestic legislation so that the minimum age for marriage is set at 18 years (Ecuador);
- 80.3. Pass legislation to make spousal rape a crime and to ensure that laws are in place to specifically address domestic violence (United States);
- 80.4. Make sexual harassment illegal (United States);
- 80.5. Adopt legislation and raise public awareness to combat domestic violence (Brazil);
- 80.6. Enact specific legislation to criminalize all forms of violence against women (Norway);
- 80.7. Adopt legislation to address all forms of violence against women and modify existing laws that discriminate against women and girls (Canada);
- 80.8. Urgently set into force legislation that criminalizes all forms of violence against women, including in domestic settings (Slovenia);
- 80.9. Enact specific legislation to criminalize all forms of violence against women, including within households (United Kingdom);
- 80.10. Enact specific legislation which criminalizes all forms of violence against women, including within households (Indonesia);
- 80.11. Adopt, as an urgent priority, specific legislation to address violence against women; and provide enforcement officers with further training and support to ensure that such crimes are properly investigated and the law is enforced (New Zealand);

- 80.12. **Adopt and implement legislative and other effective measures to protect women and children from domestic violence and abuse in all forms (Trinidad and Tobago);**
- 80.13. **Take the necessary steps to codify in national laws obligations subscribed to in the Convention on the Rights of the Child (Canada);**
- 80.14. **Introduce national legislation to ensure that the rights of the child are fully protected, in line with the Convention on the Rights of the Child (Slovenia);**
- 80.15. **Adopt legislation to legally prohibit corporal punishment of children (Hungary);**
- 80.16. **Review the legislation on the minimum ages for criminal responsibility and for employment (Brazil);**
- 80.17. **Raise the minimum age of criminal responsibility to the internationally accepted age (Hungary);**
- 80.18. **Align the minimum age of criminal responsibility with accepted international norms on the matter and ensure that all children up to the age of 18 years can benefit from the protection of the juvenile justice system (France);**
- 80.19. **Raise the minimum age at which children can be held criminally responsible (Mexico);**
- 80.20. **Consider raising the minimum age of criminal responsibility (Chile);**
- 80.21. **Adopt legislative measures to bring the age of criminal responsibility into conformity with international standards (Costa Rica);**
- 80.22. **Raise the minimum age of criminal responsibility in compliance with international standards (Slovakia);**
- 80.23. **Raise the minimum age of criminal responsibility to bring it into conformity with international standards and provide children under 18 years with due protection from juvenile justice system (Ecuador);**
- 80.24. **Develop explicit legislation implementing the provisions of the Convention on the Elimination of All Forms of Discrimination against Women, and invite the Special Rapporteur on violence against women, its causes and consequences, to the country (Maldives);**
- 80.25. **Introduce measures to address the situation of gender discrimination and violence against women by modifying existing laws and regulations that discriminate against women (Hungary);**
- 80.26. **Undertake the necessary steps to change traditional customs and patriarchal practices that violate the human rights of girls and women (Norway);**
- 80.27. **Adopt and implement measures to protect women and children from domestic violence (Ecuador);**
- 80.28. **Redouble efforts for the prevention, sanction and eradication of all forms of violence against women and attain equality of rights between men and women in all spheres of life (Argentina);**
- 80.29. **Undertake the necessary measures to install the adequate legal and administrative framework to facilitate the reporting, investigation and prosecution of domestic violence cases (Norway);**

- 80.30. Take measures to combat the problem of domestic violence and for those responsible of such acts be brought before the justice system for their acts (France);
- 80.31. End all forms of corporal punishment of children in all settings, including in the home and in schools, by enforcing its prohibition (Slovenia);
- 80.32. Enhance protection of children from abuse, including prostitution and child pornography (United States);
- 80.33. Adopt a national plan of action against sexual exploitation of children and against child labour. Raise the minimum age of criminal responsibility to internationally accepted standards and ensure that juvenile justice protection is accorded to all children up to the age of 18 years (Slovenia);
- 80.34. Formulate and implement a national action plan against the sexual exploitation of children (Trinidad and Tobago);
- 80.35. Increase public awareness measures aimed at discouraging sexual abuse and violence against women (New Zealand);
- 80.36. Undertake a study on the sexual exploitation of children and adopt a national plan of action against sexual exploitation of children (Germany);
- 80.37. Adopt all necessary measures, in accordance with article 7, paragraph 1, of the Convention on the Rights of the Child, to guarantee the registration of all girls and boys at birth in Solomon Islands; as well as for those persons who have not been registered at birth (Mexico);
- 80.38. Repeal all provisions that criminalize sexual activity between consenting adults in conformity with international obligations (Norway);
- 80.39. Encourage further strengthening of the electoral system, particularly through improving the integrity of voter registration (Australia);
- 80.40. Encourage a broader appreciation of the role, value and contribution of women in community and national development in Solomon Islands with a view to creating national awareness of political participation and representation by women, at all decision making levels, including the Parliament (Trinidad and Tobago);
- 80.41. Adopt proactive measures to promote women's access to decision-making positions, especially the National Parliament (Ecuador);
- 80.42. Promote greater participation and representation of women in public life, notably in the parliament and other national decision-making bodies (Indonesia);
- 80.43. Enhance efforts towards increasing women's participation in the public and political life of their country (New Zealand);
- 80.44. Implement public awareness and education programmes on sexuality aimed at adolescents that includes information on contraceptive health, family planning, sexual and reproductive health, sexually transmitted diseases and HIV/AIDS (Norway);
- 80.45. Seek, in cooperation with relevant international organizations and stakeholders, to include human rights education in school curricula, as appropriate (Philippines);

80.46. Put greater efforts to ensure that human rights awareness, including the issue of gender equality, is included in the school curricula (Indonesia);

80.47. Continue implementing programmes and measures to improve the enjoyment of the right to education and the right to health (Cuba);

80.48. Continue to work, with development partners, towards compulsory basic education for all children, building on the progress and reforms to date (New Zealand);

80.49. Continue efforts to reduce illiteracy by implementing measures to ensure girl's and women's access to all levels of education (Norway).

81. The recommendations formulated during the interactive dialogue and listed below will be examined by Solomon Islands, which will provide responses in due time, but no later than the eighteenth session of the Human Rights Council in September 2011. The response of Solomon Islands to these recommendations will be included in the outcome report adopted by the Human Rights Council at its eighteenth session in September 2011:

81.1. Consider acceding to other international instruments to which it is not yet party and reflect on the ways and means which would permit the country to incorporate these rights into its domestic law (Morocco);

81.2. Consider, in a progressive manner, the ratification of some international human rights instruments, particularly the International Covenant on Civil and Political Rights (Chile);

81.3. Consider the possibility of ratifying the International Covenant on Civil and Political Rights and its Optional Protocols; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol; the Optional Protocols to the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the Convention on the Rights of Persons with Disabilities and its Optional Protocol; and the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);

81.4. Sign and ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol; the International Covenant on Civil and Political Rights and its two Optional Protocols; the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; the International Convention for the Protection of All Persons from Enforced Disappearance; ratify the Convention on the Rights of Persons with Disabilities and the two Optional Protocols to the Convention on the Rights of the Child (Spain);

81.5. Sign or ratify the following international human rights instruments: the Optional Protocols to the Convention on the Rights of the Child; the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness; the Optional Protocol to the Convention on the Rights of Persons with Disabilities; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Prevention and Punishment of the Crime of Genocide; the Rome Statute of the International Criminal Court; and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (Ecuador);

- 81.6. Sign and ratify, as soon and possible, the International Covenant on Civil and Political Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Brazil);
- 81.7. Strengthen its international commitments by acceding to international conventions for the promotion and protection of human rights to which it is not yet party, and in particular the International Covenant on Civil and Political Rights (France);
- 81.8. Ratify those conventions to which it is not yet party, in particular the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (Maldives);
- 81.9. Ratify the International Covenant on Civil and Political Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Costa Rica);
- 81.10. Become party to the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment and its Optional Protocol (New Zealand);
- 81.11. Ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (United Kingdom);
- 81.12. Ratify and implement the Convention of the Rights of Persons with Disabilities (New Zealand);
- 81.13. Ratify the Convention on the Rights of Persons with Disabilities and develop public awareness campaigns about the rights and participation of such persons (Slovakia);
- 81.14. Give serious consideration to ratifying the Convention on the Rights of Persons with Disabilities and enact law or national policy to ensure the protection and care of persons with physical, sensory, intellectual, or mental disabilities (Canada);
- 81.15. Ratify the Convention on the Right of Persons with Disabilities and ensure that the rights of such persons are protected in law and in practice (Slovenia);
- 81.16. Ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Slovakia);
- 81.17. Ratify ILO Convention No. 182 (1999) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Slovakia);
- 81.18. Ensure that international human rights instruments' obligations are incorporated into domestic laws (Indonesia);
- 81.19. Pass a law to criminalize all forms of human trafficking and ratify the Protocol to Prevent Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (United States);
- 81.20. Enact legislation providing for public access to Government information (Canada);

- 81.21. Amend the legal framework to guarantee equal personal status of women as well as equal rights in relation to property, inheritance and custody of children (United Kingdom);
- 81.22. Establish a minimum age for employment in compliance with international norms (France);
- 81.23. Continue efforts to promote and protect the rights of women, children, and young persons and persons with disabilities;
- 81.24. Build on its achievements and national policies to further promote the rights of women (Philippines);
- 81.25. Implement fully its Gender Equity and Women's Development Policy and the National Policy on Eliminating Violence against Women, and convene a first meeting of the oversight mechanism – the National Steering Committee – at the earliest opportunity (Australia);
- 81.26. Continue to implement the National Gender Equality and Women's Development Policy, particularly the chapter on violence against women (Chile);
- 81.27. Implement promptly the National Gender Equality and Women's Development Policy (United Kingdom);
- 81.28. Consider the formulation and implementation of public policies aimed at ensuring women's enjoyment of their human rights in the area of equality (Costa Rica);
- 81.29. Implement a national policy for gender equality and take steps to ensure greater representation of women in decision-making (Spain);
- 81.30. Step up efforts to promote and protect the rights of persons with disabilities by, inter alia, providing equal access to education, health and justice services for persons with disabilities, and engaging persons with disabilities or their representatives in the policymaking process (Thailand);
- 81.31. Adopt and implement public policies to protect peoples with disabilities and guarantee their equal access to decent housing, employment and health (Ecuador);
- 81.32. Develop and implement a plan to provide accommodation and assistance to those with disabilities (United States);
- 81.33. Seek further technical assistance from OHCHR and other relevant agencies in order to promote human rights education and capacity-building, especially for public sector employees as well as for its preparation for reporting under international instruments (Thailand);
- 81.34. Adopt measures to mitigate climate change risks (Ecuador);
- 81.35. Work with OHCHR to prepare a common core document as a way to streamline and reduce the burden of treaty-reporting (Maldives);
- 81.36. Continue its admirable international efforts to tackle global warming, including by reminding developed countries and major emitting States of their obligation to help promote and protect human rights in Solomon Islands by reducing greenhouse gas emissions to safe levels (Maldives);
- 81.37. Continue on the path to development and democracy (Morocco);

- 81.38. Extend an open invitation to the human rights special procedures (Ecuador);
- 81.39. Conduct a comprehensive study on child abuse, including sexual abuse, and child labour, with a view to identifying enhanced protection measures and ensuring the provision of adequate resources for their implementation (Canada);
- 81.40. Redouble its efforts to eliminate child labour, and protect children who are vulnerable, especially children living and working in the streets (Ecuador);
- 81.41. Seek the assistance of ILO to combat child labour (Brazil);
- 81.42. Take all necessary measures so that the Truth and Reconciliation Commission can work efficiently, in particular by ensuring that it has the full cooperation of the authorities at all levels, and the necessary financial resources to carry out its mandate (France);
- 81.43. Meet its funding commitments to the Truth and Reconciliation Commission for the duration of its mandate (Australia);
- 81.44. Provide greater resources to its court system to reduce pretrial detention (United States);
- 81.45. Implement the recently adopted Human Rights Council resolution on children working and/or living on the street and give priority attention to the prevention of this phenomenon by addressing its diverse causes through economic, social, educational and empowerment strategies. These include proper birth registration, health care, education, awareness-raising and assistance to families (Hungary);
- 81.46. Give strong priority, as part of the process of judicial reform, to the work of the Law Reform Commission on strengthening the traditional local courts in relation to human rights and constitutional guarantees (Ireland);
- 81.47. Consider implementing the recently adopted United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), and seek necessary support from such relevant agencies as the United Nations Office on Drugs and Crime and OHCHR (Thailand);
- 81.48. Ensure that all children are registered at birth and make every effort to register all persons previously not registered (Slovakia);
- 81.49. Decriminalize sexual relations between consenting adults of the same sex and repeal all discriminatory provisions relative to lesbian, gay, bisexual and transgender people (France);
- 81.50. Decriminalize sexual activities between consenting adults of the same sex (Slovenia);
- 81.51. Reform, as a matter of urgency, the law that criminalizes sexual relations between adults of the same sex (Spain);
- 81.52. Remedy the low participation of women in public and political life and combat domestic violence (Morocco);
- 81.53. Intensify its efforts to allow better enjoyment of economic, social and cultural rights giving special attention to combating poverty and improving protection of vulnerable social groups, particularly women and children (Algeria);

81.54. **Take the necessary measures to ensure a supply of water of good quality to all informal settlements including the provision of water tanks (Spain);**

81.55. **Increase enforcement of its occupational and safety laws (United States);**

81.56. **Take measures so as to ensure that all children can enjoy their right to free and compulsory basic education, and establish a school programme on human rights education and training (Morocco);**

81.57. **Increase efforts necessary to ensure that education for boys and girls is free, compulsory and accessible (Mexico);**

81.58. **Provide for free, compulsory education, accessible to all, with particular care paid to disabled children by allocating sufficient financial and human resources to the education system (Slovakia).**

82. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

III. Voluntary pledges and commitments

83. Reference is made to the commitments made by Solomon Islands in paragraphs 28 and 51 above. Solomon Islands is also committed to submitting its periodic reports to the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child.

Annex

Composition of the delegation

The delegation of Solomon Islands was headed by H.E. Peter Shanel Agovaka, Minister for Foreign Affairs and External Trade and composed of the following members:

- Mr. George Hiele, Permanent Secretary, Ministry of Foreign Affairs and External Trade Alternate Head;
 - Mrs. Ethel Sigimanu, Permanent Secretary, Ministry of Women, Youth and Children's Affairs;
 - Mr. George Hoa'au, Assistant Secretary for the United Nations, Treaties and Americas branch, . Ministry of Foreign Affairs and External Trade;
 - Ms. Kathleen Kohata, Legal Officer, Solomon Islands Law Reform Commission;
 - Ms. Ruby Awa, Resource Trainer, the Pacific Regional Rights Resource Team of the Secretariat of the Pacific Community;
 - Mr Filipo Masaurua, Human Rights Adviser, Pacific Islands Forum Secretariat.
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