



Human Rights Council
Working Group on the Universal Periodic Review
Thirty-eighth session
3–14 May 2021

Compilation on Solomon Islands

Report of the Office of the United Nations High Commissioner for Human Rights*

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies^{1, 2}

2. The Committee on the Rights of the Child recommended that Solomon Islands consider ratifying the core human rights instruments, to which it is not yet a party.³ It also recommended that Solomon Islands ratify the Optional Protocols to the Convention on the Rights of the Child.⁴

3. The United Nations country team recommended that Solomon Islands implement the recommendation accepted during the previous universal periodic review cycle to ratify the Convention on the Rights of Persons with Disabilities and the optional protocol thereto, as well as the three optional protocols to the Convention on the Rights of the Child. It also recommended that Solomon Islands consider ratifying the International Covenant on Civil and Political Rights; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Rome Statute of the International Criminal Court.⁵

4. The United Nations country team recommended that Solomon Islands ratify the United Nations Convention against Transnational Organized Crime and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the Convention.⁶

5. The United Nations country team recommended that Solomon Islands implement the recommendation made during the previous universal periodic review cycle to ratify the

* Agreement was reached to publish the present report after the standard publication date owing to circumstances beyond the submitter's control.



Indigenous and Tribal Peoples Convention, 1989 (No. 169) and the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization (ILO). The country team also recommended that Solomon Islands consider ratifying the Maritime Labour Convention (2006), the ILO Protocol to the Forced Labour Convention, 1930 (No. 29) and the ILO Protocol of 2002 to the Occupational Safety and Health Convention, 1981. The country team further recommended that Solomon Islands consider ratifying the following ILO conventions: the Employment Service Convention, 1948 (No. 88); the Social Security (Minimum Standards) Convention, 1952 (No. 102) (Part VI) or the Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980] (No. 121); the Employment Policy Convention, 1964 (No. 122); the Labour Inspection (Agriculture) Convention, 1969 (No. 129); the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144); Occupational Safety and Health Convention, 1981 (No. 155); the Labour Statistics Convention, 1985 (No. 160); the Occupational Health Services Convention, 1985 (No. 161); the Asbestos Convention, 1986 (No. 162); the Safety and Health in Construction Convention, 1988 (No. 167); the Chemicals Convention, 1990 (No. 170); the Prevention of Major Industrial Accidents Convention, 1993 (No. 174); the Safety and Health in Mines Convention, 1995 (No. 176); the Private Employment Agencies Convention, 1997 (No. 181); and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187).⁷

6. The United Nations country team recommended that Solomon Islands take steps to clear the overdue reports to the Committee on the Elimination of Racial Discrimination, the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Discrimination against Women, and seek technical assistance from OHCHR.⁸

7. The Committee on the Rights of the Child recommended that Solomon Islands cooperate, among others, with regional organizations such as the Pacific Community and the Pacific Islands Forum.⁹

III. National human rights framework¹⁰

8. The United Nations country team recommended that Solomon Islands ensure that the definition of non-discrimination in the draft Federal Constitution is comprehensive, prohibiting both direct and indirect discrimination, and is in line with international human rights standards, including Committee on the Elimination of Discrimination against Women. It also recommended that Solomon Islands consider removing the reference in the draft Federal Constitution to sexual orientation as an excluded ground for non-discrimination.¹¹

9. The Committee on the Rights of the Child expressed concern that the Child and Family Welfare Act had not been given a commencement date and that some child-related laws still had to be harmonized with the Convention on the Rights of the Child, in particular the Islanders' Marriage Act and the Labour Act. It recommended that Solomon Islands strengthen its efforts to implement recent legislation, in particular the 2017 Child and Family Welfare Act, and bring other existing legislation fully into conformity with the Convention, in particular the Islanders' Marriage Act, the Labour Act, the Education Act and the Penal Code.¹²

10. The same Committee expressed concern that the 2010–2015 National Children's Policy and the National Youth Policy had both expired in 2015. It recommended that Solomon Islands adopt renewed policies based on the evaluation of the expired policies, and allocate appropriate human, technical and financial resources for their implementation.¹³ It also recommended that Solomon Islands provide the National Advisory and Action Committee on Children with the human, technical and financial resources necessary for its effective operation.¹⁴

11. The Committee on the Rights of the Child expressed concern that there was no time frame for the establishment of a specific mechanism for monitoring children's rights that had the mandate to receive, investigate and address complaints by children in a child-sensitive manner. In that regard, it recommended that Solomon Islands designate or establish expeditiously a specific mechanism for monitoring children's rights that had the mandate to receive, investigate and address complaints by children in a child-sensitive manner; and seek

technical cooperation from, among others, the United Nations Children’s Fund, OHCHR and the United Nations Development Programme.¹⁵

12. The United Nations country team noted that the establishment of a national human rights institution that was compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) was proposed in the draft Federal Constitution to promote, monitor and adjudicate human rights cases and matters. The Cabinet had also proposed that existing institutions, such as the Office of the Ombudsman and the Leadership Code Commission, could have a greater mandate to address human rights issues.¹⁶ The country team recommended that Solomon Islands take concrete steps to establish a national human rights institution that was compliant with the Paris Principles without further delay, and seek technical assistance from the United Nations, including OHCHR.¹⁷

13. The United Nations country team noted that Solomon Islands’ Anti-Corruption Act 2018 provided for the establishment of the Independent Commission against Corruption, which would have the power to prevent, investigate and prosecute corruption offences. It recommended that Solomon Islands allocate adequate human, financial and technical resources to ensure the effective implementation of the National Anti-Corruption Strategy as well as the effective and independent functioning of the Anti-Corruption Committee.¹⁸

14. The Committee on the Rights of the Child recommended that Solomon Islands establish a national mechanism for reporting and follow-up, as a standing government structure that is mandated to coordinate and prepare reports to and engage with international and regional human rights mechanisms and to coordinate and track national follow-up and implementation of the treaty obligations, and recommendations and decisions emanating from those mechanisms. The Committee emphasized that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the national human rights institution and civil society.¹⁹ The United Nations country team made similar recommendations.²⁰

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination²¹

15. The United Nations country team noted that sexual relations between consenting adults of the same sex remained criminalized and was punishable by up to 14 years of imprisonment under the Penal Code. It recommended that Solomon Islands decriminalize sexual relations between consenting adults of the same sex. It also recommended that the country undertake awareness-raising campaigns to combat stigma against lesbian, gay, bisexual, transgender and intersex persons by emphasizing that every human being has equal value and rights to live in dignity, regardless of sexual orientation and gender identity, in line with Sustainable Development Goal 16, on promoting just, peaceful and inclusive societies.²²

2. Development, the environment, and business and human rights²³

16. The Committee on the Rights of the Child recommended that Solomon Islands include climate change adaptation and disaster risk reduction in the school curriculum and establish school-based programmes such as early warning systems, and develop a comprehensive disaster-sensitive social protection system and ensure that the special vulnerabilities and needs of children, and their views, were taken into account. The Committee also recommended that Solomon Islands improve data and assessments to have an evidence base for risk reduction and preparedness, particularly for the distinct needs and priorities of children with disabilities, and review emergency protocols to include assistance and other support to children with disabilities during emergencies and natural disasters. It further recommended that Solomon Islands increase children’s awareness and preparedness for

climate change and natural disasters and increase physical safety and resilience of school infrastructure; and ensure access to schools that were being, or were likely to be, affected by severe weather events, especially for those in remote or rural communities, and consider alternative methods of teaching.²⁴

17. The United Nations country team noted that logging activities continued to make up about 60 per cent of the country's exports, leading to environmental degradation and a negative human rights impact, including water pollution. Logging companies had also been criticized for failing to consult affected communities or to undertake an environmental impact assessment prior to commencing operations.²⁵ The country team recommended that Solomon Islands take urgent steps to ensure that a comprehensive and independent environmental and human rights impact assessment was undertaken and that communities were consulted prior to any business operations, particularly in the forest and mining industries; adopt effective policies, legislation and regulations to prevent, investigate, punish and redress human rights violations caused by business activities; and ensure that the Guiding Principles on Business and Human Rights were fully respected in practice by all corporations operating in Solomon Islands.²⁶

B. Civil and political rights

1. Right to life, liberty and security of person

18. The Committee on the Rights of the Child noted that corporal punishment was prohibited in schools only by a policy, and it expressed serious concern that the Penal Code still recognized the right of any parent, teacher or other person having lawful control over a child to administer "reasonable punishment" and that the corporal punishment of children was still used.²⁷

19. The same Committee urged Solomon Islands to: prohibit explicitly in law corporal punishment in all settings, and repeal the right to administer "reasonable punishment" to children; strengthen teacher training on alternative, non-violent forms of discipline, and ensure that it was part of pre- and in-service training programmes; provide programmes for parents and all professionals that work with and for children to encourage the use of alternative, non-violent forms of discipline; enforce effectively the prohibition against corporal punishment and provide children, especially in schools, with a complaints mechanism so that they could safely and confidentially report teachers and others that continued to use corporal punishment; and strengthen awareness-raising programmes, trainings and other activities to promote attitudinal change with regard to corporal punishment, particularly in schools, in the family setting and at the community level.²⁸

2. Administration of justice, including impunity, and the rule of law²⁹

20. The United Nations country team noted that a 2019 survey on access to justice, conducted by the United Nations Development Programme, revealed that the centralization of the administration of justice reduced access to justice for people living in more remote areas, and that the police presence was inadequate and not dispersed sufficiently throughout the country. It also noted that the survey revealed a lack of connection between traditional and village authorities and the formal justice system, which prevented the proper handling of more serious or complex cases, including awareness of and information on options for appealing wrongly decided cases.³⁰ The country team noted that the survey also indicated that the local court system was overly centralized, too expensive and underutilized. Persons with disabilities reported greater dissatisfaction with the provision of justice services. A lack of legal awareness and access to information hampered the ability of individuals to seek justice for cases that could not be effectively handled by the traditional system.³¹

21. The United Nations country team recommended that Solomon Islands: continue to seek technical assistance from the United Nations to ensure that the formal justice system was accessible to all, especially in rural areas and by vulnerable groups, including women, lesbian, gay, bisexual, transgender and intersex persons, persons with disabilities and elderly persons, and ensure the availability of accessible and high-quality legal aid. The country team also recommended that Solomon Islands implement measures to decentralize justice

administration to people living in remote areas in the provinces; ensure the proper handling of serious or complex cases by the formal justice system in accordance with international human rights standards; implement a plan on legal information and outreach within the justice sector, including a referral network linked to existing initiatives, such as the SAFENET expansion and community policing committees; and undertake research to identify practical measures that could be adopted to ensure that services to access the formal justice system were more accessible and appropriate for persons with disabilities.³²

3. Fundamental freedoms and the right to participate in public and political life³³

22. The United Nations Educational, Scientific and Cultural Organization (UNESCO) noted that there was no freedom of information legislation in Solomon Islands.³⁴ The United Nations country team noted that it was generally difficult or impossible for individuals to access information, including information about themselves, through any government department or service.³⁵

23. UNESCO noted that in 2018, the Parliament of Solomon Islands passed the Whistleblowers Protection Act, which protects persons that disclose information in the public interest.³⁶

24. UNESCO recommended that Solomon Islands decriminalize defamation and place it within a civil code in accordance with international standards.³⁷

4. Prohibition of all forms of slavery³⁸

25. The United Nations country team noted that the 2016 Penal Code (amendment) (Sexual offences) Act introduced criminal liability for internal trafficking in persons and exploitation, including all forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude and the removal of organs.³⁹ It noted the establishment of the Anti-Human Trafficking Advisory Committee, the training of law enforcement officials and the strengthening of legislation to combat trafficking.⁴⁰

26. The United Nations country team noted that gaps in legislation left children vulnerable to commercial sexual exploitation. The law did not criminally prohibit the exploitation of children between 15 and 17 years of age for prostitution. The law also did not criminally prohibit the use, procurement or offering of a child for the production of pornography or pornographic performances. While the law criminalized the production, distribution and possession of pornography, it did not contain additional penalties for child pornography. Moreover, laws did not prohibit the use of children in illicit activities, such as in the production of and trafficking in drugs.⁴¹

27. The Committee on the Rights of the Child expressed serious concern about: the sale of girls to foreign workers in the natural resource sector for the purposes of sex and marriage; the fact that the sexual exploitation of children, such as the procuring of boys aged 15 to 17 years, or the offering of children aged 15 to 17 years for prostitution, was not criminalized; and the fact that the use, procurement or offering of a child for the production of pornography or pornographic performances was not criminalized.⁴² It urged Solomon Islands to: criminalize and strictly prosecute the sale of girls to foreign workers for sex and marriage; criminalize the procuring of boys aged 15 to 17 years and the offering of children aged 15 to 17 years for prostitution; and criminalize the use, procurement or offering of a child for the production of pornography or pornographic performances.⁴³

28. The United Nations country team recommended that Solomon Islands undertake training for the entire justice sector on the application of the Penal Code (amendment) (Sexual offences) Act, including provisions related to child exploitation and trafficking, and develop stand-alone legislation to combat all forms of trafficking in persons.⁴⁴

5. Right to privacy and family life

29. The Committee on the Rights of the Child expressed serious concern that the minimum age for marriage was still set at 15 under the Islanders Marriage Act. It urged Solomon Islands to revise the Islanders Marriage Act promptly to ensure that the minimum

age for marriage was established at 18 for girls and boys, and to take all measures necessary to eliminate child marriages.⁴⁵

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work

30. The Committee of Experts on the Application of Conventions and Recommendations (ILO) noted in 2019 that the provisions of the Trade Union Act, the Trade Disputes Act and the Essential Service Act were not in conformity with the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98) of ILO, including the lack of applicability of legislation to all workers irrespective of the nature of their contract, and the inadequacy of measures to ensure that the fine imposed upon an employer who discriminated against a worker at the recruitment stage for reasons of union membership or activities was dissuasive.⁴⁶

31. The United Nations country team noted that women in Solomon Islands remained underrepresented in formal employment. Women comprised 46 per cent of the formal labour market and 36 per cent of employees in public service. Discriminatory provisions in the Labour Act 1960 restricted women's employment rights.⁴⁷ The country team recommended that Solomon Islands guarantee the right to equal remuneration for men and women for work of equal value in law and in practice.⁴⁸

32. The United Nations country team noted that sexual harassment in the workplace was addressed in the Public Service through the Code of Conduct, but there was currently no legislation that addressed sexual harassment in the public or private sectors. Victims of sexual assault in the workplace could seek recourse through the Penal Code. The Public Service Act was amended to include a sexual harassment policy, but this did not apply to the private sector.⁴⁹ It recommended that Solomon Islands consider including in the labour legislation a clear definition of "sexual harassment" and a prohibition of such harassment in the workplace, encompassing both quid pro quo and hostile environment sexual harassment, supported by an appropriate complaints mechanism.⁵⁰

2. Right to health⁵¹

33. The United Nations country team noted that in 2016, the National Reproductive and Child Health Strategic Plan for the period 2016–2020 was adopted. Owing to the coronavirus disease (COVID-19) pandemic, the implementation for the plan had been extended until 2020 with an updated National Health Strategy and Reproductive, Maternal, Newborn, Child and Adolescent Health Corporate Plan to be formulated by early 2021.⁵²

34. The United Nations country team noted that the prevalence of unintended teenage pregnancies was 77 per 1,000 women between 15 and 19 years of age. To prevent unintended pregnancies, gender-based violence and sexually transmitted infections, priority needed to be placed on the provision of age-appropriate information, education, and quality services that were adolescent-friendly, comprehensive and timely.⁵³

35. The United Nations country team recommended that Solomon Islands take all necessary measures to ensure the availability, accessibility and quality of health services in rural areas; ensure equitable allocation of resources and adequate support and supervision of lower levels of care, and implement the integrated health service delivery packages; ensure the provision of adolescent-friendly comprehensive, quality and timely sexual and reproductive health services to support informed choices about sexuality and reproductive matters that protect them from unintended pregnancies, gender-based violence and sexually transmitted infections; and increase access for young people, including those with disabilities, to comprehensive sexuality education, consistent with the evolving capacities of adolescents.⁵⁴

3. Right to education⁵⁵

36. The Committee on the Rights of the Child recommended that Solomon Islands: make primary education compulsory; put in place accelerated programmes and facilitate access to non-formal education programmes for children of school age who were out of school; address the barriers to education related to the hidden cost of education, particularly in rural areas, and provide sufficient budget to the education sector; identify the factors that contributed to low enrolment rates at secondary level, particularly among girls, and take effective measures to increase enrolment and access of children to the secondary school level; address the high number of dropouts and student absenteeism, particularly among girls, due to pregnancy, child marriage, poor sanitary conditions, poverty and lack of space in senior secondary institutions; translate textbooks into local languages of the country; adopt effective measures to improve the quality of, and access of children to, education on the outer islands and in rural communities, and provide sufficient boarding facilities for students, girls in particular; ensure that pregnant teenagers and adolescent mothers were supported and assisted in continuing their education; provide sufficient resources to improve school infrastructure, address teacher absenteeism and increase the number of certified teachers; and provide resources to improve the quality and number of early childhood education centres.⁵⁶

D. Rights of specific persons or groups

1. Women⁵⁷

37. The United Nations country team stated that despite Solomon Islands having supported the recommendation to ensure that laws related to acquisition, transmission, conservation and loss of nationality were in line with the principle of non-discrimination during the previous universal periodic review cycle, no measures had been taken since that review to ensure equality between men and women with regard to the right to nationality.⁵⁸ It recommended that Solomon Islands ensure that women and men have equal rights to acquire and transmit nationality in law and in practice, and amend the Citizenship Act to ensure that women and men are treated equally with regard to consequences of marriage to non-citizens on nationality and the ability to apply for citizenship for adopted children.⁵⁹

38. The United Nations country team noted that prevalence rates of gender-based violence in Solomon Islands were almost twice the global average. It also noted that, since measures for the prevention of the spread of COVID-19 had limited movement and encouraged home isolation, the number of women seeking domestic violence support services had increased.⁶⁰ It recommended that Solomon Islands: ensure continuous training for police officers to ensure that they understood their role and obligations under the Family Protection Act; ensure strengthened health system response to and prevention of gender-based violence; and provide financial resources and expand crisis centres to all provinces of Solomon Islands to respond to survivors of violence.⁶¹

39. The United Nations country team noted that in the 2019 election, only 4 of the 13 political parties had endorsed more than the required 10 per cent of women candidates under the 2014 Political Parties Act. However, more women had become affiliated with political parties: 65 per cent of women contested as members of political parties in 2019, as opposed to 24 per cent in 2010.⁶² The country team recommended that Solomon Islands take further steps to increase the participation of women in the legislature, the executive and the judiciary, particularly at decision-making levels, including by adopting and implementing temporary special measures.⁶³

2. Children⁶⁴

40. The Committee on the Rights of the Child expressed concern that there were no child-specific allocations for children with disabilities and for children's health and that the budget was heavily dependent on foreign assistance, which might undermine the sustainability of child-related social sectors. The Committee recommended that Solomon Islands, in planning its future budgets, increase allocated budgetary resources specifically for children to the maximum extent possible in accordance with article 4 of the Convention and take measures to reduce reliance on foreign assistance and donor strategies.⁶⁵

41. The same Committee recommended that Solomon Islands strengthen its efforts to develop a comprehensive system of disaggregated data collection incorporating all the areas covered by the Convention and covering all children, with specific emphasis on those who were in need of special protection, including children with disabilities and those on the outer islands, and that it provide appropriate human, technical and financial resources. It recommended that Solomon Islands seek technical assistance from the United Nations Children's Fund.⁶⁶

42. The Committee on the Rights of the Child recommended that Solomon Islands strengthen the role of the Committee on Children and implement cross-sectoral initiatives at the national level. The Committee also recommended that the Solomon Islands strengthen community awareness programmes, including campaigns and efforts to ensure that the provisions and principles of the Convention were widely recognized and understood in local languages, and that children, parents, communities and church leaders play a key role in such initiatives. It further recommended that Solomon Islands engage with communities and parents in discussions on children's rights, particularly on issues such as gender discrimination, child marriage and child labour.⁶⁷

43. The same Committee recommended that Solomon Islands take more active measures to end all forms of discrimination against children, with special attention to discrimination against girls, particularly in relation to education and access to basic services for children living in rural areas, and to children with disabilities.⁶⁸

44. The Committee on the Rights of the Child recommended that Solomon Islands ensure that children's views were given due consideration in the family, in the community, at schools and in all relevant administrative and judicial proceedings concerning them, both through awareness-raising at the national and community levels on the participation of children in matters that affect them and through the training of professionals.⁶⁹

45. The same Committee urged Solomon Islands to: decentralize civil registration functions to the provincial level to make a birth registration available outside the capital and hospital facilities; strengthen the use of mobile birth registration teams to cover remote communities; and strengthen efforts to implement early birth registration procedures and issuance of birth certificates with a special focus on birth registration at the community level. The Committee also recommended that Solomon Islands remove penalties for late registration; launch extensive awareness-raising programmes about the importance of birth registration and the birth registration process; and ensure accuracy of registration details for children born to unmarried parents and to adolescent mothers.⁷⁰

46. The Committee on the Rights of the Child expressed serious concerns about: the reportedly high level of abuse of children, including domestic violence and sexual abuse, and the reported sexual exploitation of girls in the logging and tourism industry; inadequate resources to enforce the laws designated to protect children from all forms of abuse; inadequate structures in place to support child victims of violence and abuse, such as shelters, counselling, rehabilitation and reintegration procedures for child victims of crimes, or special procedures for child witnesses involved in court proceedings; and the shortage of specialized personnel in the Social Welfare Division.⁷¹ The Committee urged Solomon Islands to: allocate sufficient resources for the effective implementation of laws that protect children from violence; investigate all claims of sexual exploitation of children and prosecute the perpetrators of such acts and encourage community-based programmes aimed at preventing and tackling domestic violence, child abuse and sexual exploitation; undertake awareness-raising campaigns on the prevention of child sexual abuse in travel and tourism and disseminate widely the charter of honour for tourism and the World Tourism Organization Global Code of Ethics for Tourism among travel agents and in the tourism industry; take all measures necessary to ensure children are encouraged to report cases of domestic violence, particularly child sexual abuse, to the relevant authorities; ensure that child victims of violence and abuse have access to appropriate shelters and counselling, psychological, recovery and reintegration services; introduce special procedures for child victims and witnesses involved in court proceedings; and provide all measures necessary to ensure adequate human, technical and financial resources, particularly specialized personnel, for dealing with cases of violence, sexual abuse and exploitation of children, to the Social Welfare Division.⁷²

47. The same Committee expressed concerns about the absence of a comprehensive alternative care policy or minimum standards for regulating the alternative care of children, the lack of a monitoring mechanism for children who are living with the extended family and the inadequate number of safe homes for children.⁷³ It recommended that Solomon Islands: develop an alternative care policy and minimum standards for regulating the alternative care of children; develop monitoring mechanisms and resources for children living with the extended family; establish a system of foster care, safe homes for children and social welfare services for children deprived of their family environments; provide all social welfare services necessary and support to families and alternative care providers; establish quality standards for all available forms of alternative care options and take children's views into consideration in any decision about alternative care; and ensure periodic review of the placement of children in alternative care and monitor the quality of care therein, including by providing accessible channels for reporting, monitoring and remedying the maltreatment of children.⁷⁴

48. The Committee on the Rights of the Child urged Solomon Islands to: develop regulations and guidelines for all stakeholders in matters of adoption; establish a unit to oversee formal adoption processes, and provide it with adequate resources; increase awareness of formal adoption at the community level and promote, and encourage formal domestic adoption; and consider ratifying the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.⁷⁵

49. The same Committee recommended that Solomon Islands: take measures to reduce infant, under-5 and child mortality due to preventable diseases, such as malaria and diarrhoea; continue to provide resources for the Expanded Programme on Immunization, scale-up investment in immunization in rural areas and the outer islands and provide sufficient investment in suitable technologies and human resource capacities for immunization services; continue to take measures to certify all hospitals as baby-friendly and implement fully the International Code of Marketing of Breast-milk Substitutes; and strengthen efforts to improve access to basic health-care services for all children, particularly in rural and remote areas, and provide more resources to mobile clinics.⁷⁶ It expressed concern about the inadequate resources of and poor conditions at the National Psychiatric Unit, the lack of rehabilitation services for the mental health of children and the insufficient number of personnel specialized in children with mental health issues.⁷⁷

50. The Committee on the Rights of the Child recommended that Solomon Islands: adopt a comprehensive sexual and reproductive health policy for adolescents that paid attention to all aspects of prevention, including sexually transmitted infections and early pregnancies; decriminalize abortion in all cases and ensure access to safe abortion and post-abortion care services, irrespective of whether abortion was legal or not, and ensure that the views of the girl were always heard and respected in abortion decisions; ensure that sexual and reproductive health education was part of the mandatory school curriculum targeting adolescent girls and boys; improve adolescents' access to reproductive health-care and related services and increase support to reproductive health and family planning services, especially in rural areas; provide sufficient resources for the implementation of the National Strategic Plan (2016–2020) for HIV and sexually transmitted infections to promote multi-sectoral response to the prevention of HIV and sexually transmitted infections; and develop a policy and plan of action on alcohol use, smoking and drug abuse by children and adolescents, provide children and adolescents with accurate and objective information and life-skills education on preventing substance abuse – including tobacco and alcohol – and develop accessible and youth-friendly drug dependence treatment and harm reduction services.⁷⁸

51. The same Committee urged Solomon Islands to: develop and adopt a policy on child labour and a hazardous labour list; take the measures necessary to ensure that no child under 18 years of age engaged in hazardous labour, including in the agriculture, logging, tourism and fishing industries, and put in place social programmes that targeted the elimination or prevention of child labour; strengthen the labour inspection system and provide it with sufficient resources; and establish child-specific complaint mechanisms that could receive, monitor and investigate reports of cases of child exploitation and raise children's awareness about the issues.⁷⁹

52. The Committee on the Rights of the Child urged Solomon Islands to bring its juvenile justice system fully into line with the Convention and other relevant standards. It recommended that Solomon Islands: adopt without delay the Youth Justice Bill and ensure that children under the age of 18 were accorded with the safeguards provided in the Penal Code; raise the minimum age of criminal responsibility in accordance with the acceptable international standards; increase efforts to ensure that all children in conflict with the law were dealt with by specialized juvenile courts and judges, ensure they received appropriate training and provide them with adequate human, technical and financial resources; promote non-judicial measures in the case of children in conflict with the law, such as diversion, mediation and counselling and, wherever possible, use non-custodial measures at sentencing, such as probation and community service; ensure that detention was used only as a measure of last resort and for the shortest possible period of time and that it was reviewed on a regular basis with a view to its withdrawal; ensure the separate detention of children from adults, and that all legal safeguards for children in such cases were protected and respected; and provide sufficient financial, human and technical resources for full implementation of the inter-agency protocols for children in conflict with the law.⁸⁰

3. Persons with disabilities⁸¹

53. The United Nations country team stated that persons with disabilities constituted one of the most marginalized communities in Solomon Islands. While there were provisions for the inclusion for persons with disabilities in development, in reality the lack of infrastructure, subsidies, opportunities and services constituted significant barriers for persons with disabilities. In urban areas, there were no disability-friendly roads, buildings and amenities, or employment opportunities. The situation was even more dire in rural areas.⁸²

54. The United Nations country team noted that women with disabilities experienced higher levels of violence and lower levels of access to sexual and reproductive health rights. Issues of accessibility, acceptability and quality were evidenced by a lack of disability-inclusive communication, and by attitudes and practices that relegated women with disabilities as being asexual and as having no or limited competence to exercise bodily autonomy.⁸³

55. The Committee on the Rights of the Child urged Solomon Islands to adopt a human rights-based approach to disability and to set up a comprehensive strategy for the inclusion of children with disabilities. The Committee also urged the country to: strengthen the legislative framework by adopting comprehensive legislation for the protection and promotion of the rights of children with disabilities and adopt without delay the National Disability and Inclusive Education Policy and Plan of Action; develop and support community campaigns and programmes to address discrimination and stigmatization against children with disabilities, and create awareness of early detection and interventions; provide for a sufficient number of specialist teachers and professionals who offered individual support in all schools, and ensure that such professionals were adequately trained so that children with different types and levels of disabilities could enjoy their right to quality, inclusive education effectively, including through international cooperation; improve access to all public buildings, spaces, service delivery and transportation in all areas, especially in rural communities; and increase financial, human and technical resources for and expand community-based rehabilitation, early identification and referral programmes for children with disabilities, and provide the necessary human, technical and financial support to service providers and families of children with disabilities.⁸⁴

Notes

¹ Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Solomon Islands will be available at www.ohchr.org/EN/HRBodies/UPR/Pages/SBIndex.aspx.

² For relevant recommendations, see A/HRC/32/14, paras. 99.1–99.5, 99.8–99.9 and 100.1–100.39.

³ CRC/C/SLB/CO/2-3, para. 53.

⁴ *Ibid.*, para. 52.

- ⁵ United Nations country team submission, para. 1.
- ⁶ *Ibid.*, para. 33.
- ⁷ *Ibid.*, para. 3.
- ⁸ *Ibid.*, para. 4.
- ⁹ CRC/C/SLB/CO/2-3, para. 54.
- ¹⁰ For relevant recommendations, see A/HRC/32/14, paras. 99.7, 100.40, 100.44, 100.46–100.54 and 100.61.
- ¹¹ United Nations country team submission, para. 5.
- ¹² CRC/C/SLB/CO/2-3, paras. 5 and 6 (a)–(b).
- ¹³ *Ibid.*, paras. 7–8.
- ¹⁴ *Ibid.*, para. 10.
- ¹⁵ *Ibid.*, paras. 14 and 15 (a)–(b).
- ¹⁶ United Nations country team submission, para. 11.
- ¹⁷ *Ibid.*, para. 12.
- ¹⁸ *Ibid.*
- ¹⁹ CRC/C/SLB/CO/2-3, para. 56.
- ²⁰ United Nations country team submission, para. 4.
- ²¹ For relevant recommendations, see A/HRC/32/14, paras. 100.43, 100.45 and 101.1–101.6.
- ²² United Nations country team submission, para. 30.
- ²³ For relevant recommendations, see A/HRC/32/14, paras. 99.6, 99.48, 99.55, 100.43, 100.45, 100.76 and 100.78.
- ²⁴ CRC/C/SLB/CO/2-3, para. 43.
- ²⁵ United Nations country team submission, para. 53.
- ²⁶ *Ibid.*, para. 54.
- ²⁷ CRC/C/SLB/CO/2-3, para. 24.
- ²⁸ *Ibid.*, para. 25. See also the United Nations country team submission, para. 44.
- ²⁹ For relevant recommendations, see A/HRC/32/14, paras. 99.45–99.47 and 100.68.
- ³⁰ United Nations country team submission, para. 9.
- ³¹ *Ibid.*, para. 10.
- ³² *Ibid.*
- ³³ For the relevant recommendation, see A/HRC/32/14, para. 100.69.
- ³⁴ UNESCO submission, para. 5.
- ³⁵ United Nations country team submission, para. 34.
- ³⁶ UNESCO submission, para. 6.
- ³⁷ *Ibid.*, para. 10.
- ³⁸ For relevant recommendations, see A/HRC/32/14, paras. 100.44, 100.63 and 100.65–100.67.
- ³⁹ United Nations country team submission, para. 31.
- ⁴⁰ *Ibid.*, para. 32.
- ⁴¹ *Ibid.*, para. 43.
- ⁴² CRC/C/SLB/CO/2-3, para. 48.
- ⁴³ *Ibid.*, para. 49.
- ⁴⁴ United Nations country team submission, para. 33.
- ⁴⁵ CRC/C/SLB/CO/2-3, paras. 17–18.
- ⁴⁶ ILO Committee of Experts on the Application of Conventions and Recommendations. Available at: www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:4018785. See also the United Nations country team submission, para. 36.
- ⁴⁷ United Nations country team submission, para. 17.
- ⁴⁸ *Ibid.*, para. 20.
- ⁴⁹ *Ibid.*
- ⁵⁰ *Ibid.*
- ⁵¹ For relevant recommendations, see A/HRC/32/14, paras. 99.49–99.50.
- ⁵² United Nations country team submission, para. 38.
- ⁵³ *Ibid.*, para. 41.
- ⁵⁴ *Ibid.*
- ⁵⁵ For relevant recommendations, see A/HRC/32/14, paras. 99.51–99.55 and 100.70–100.71.
- ⁵⁶ CRC/C/SLB/CO/2-3, para. 45.
- ⁵⁷ For relevant recommendations, see A/HRC/32/14, paras. 99.16–99.43, 100.41–100.42, 100.62 and 100.64.
- ⁵⁸ United Nations country team submission, para. 21.
- ⁵⁹ *Ibid.*, para. 22.
- ⁶⁰ *Ibid.*, paras. 23 and 29.
- ⁶¹ *Ibid.*, para. 29.
- ⁶² *Ibid.*, para. 15.

- ⁶³ Ibid., para. 20.
- ⁶⁴ For relevant recommendations, see A/HRC/32/14, paras. 99.10–99.11, 99.13–99.15 and 100.56–100.60.
- ⁶⁵ CRC/C/SLB/CO/2-3, paras. 11–12.
- ⁶⁶ Ibid., para. 13.
- ⁶⁷ Ibid., para. 16.
- ⁶⁸ Ibid., para. 19.
- ⁶⁹ Ibid., para. 21.
- ⁷⁰ Ibid., para. 23.
- ⁷¹ Ibid., para. 26.
- ⁷² Ibid., para. 27.
- ⁷³ Ibid., para. 30.
- ⁷⁴ Ibid., para. 31.
- ⁷⁵ Ibid., para. 33.
- ⁷⁶ Ibid., para. 37.
- ⁷⁷ Ibid., para. 38.
- ⁷⁸ Ibid., para. 41.
- ⁷⁹ Ibid., para. 47.
- ⁸⁰ Ibid., para. 51. See also the United Nations country team submission, para. 42.
- ⁸¹ For relevant recommendations, see A/HRC/32/14, paras. 99.12 and 100.73–100.75.
- ⁸² United Nations country team submission, para. 49.
- ⁸³ Ibid., para. 51.
- ⁸⁴ CRC/C/SLB/CO/2-3, para. 35.
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