

UNIVERSAL PERIODIC REVIEW – HUMAN RIGHTS COUNCIL
UNICEF INPUTS – Solomon Islands

I. Background and Framework

A. Constitutional and legislative framework

1. The Solomon Islands Government ratified CRC in 1995 and CEDAW with its optional protocol in 2002. The Constitution does not enable automatic enforcement upon ratification. CRC is seen as an alien and western idea which does not sit with the operation of customary law. There are difficulties in the protection of children's rights due to existing gaps in legislation.¹
2. Legislative reform efforts to improve protection of children began before the ratification of CRC through the establishment of National Advisory Committee on Children (NACC). Despite the lack of legislative amendments and a legislation protecting the rights of children, the convention has been referred to by courts in their deliberation and judgments.²
3. NACC comprising of Government and stakeholders became the central focal point for dealing with children's issues. Two options were taken by NACC in undertaking legislative reform: (a) to develop a Child Rights Bill and a Child Protection Bill; (b) to review laws to ensure compatibility with CRC. NACC is currently reviewing whether to pursue one, the other or both options given the advantages and disadvantages.³
4. While the NACC recognizes the importance of the Law Reform Commission (LRC), at present the Commission has a total of 10 references dating back to 1995. LRC is currently reviewing the Penal Code and the Criminal Procedure Code which may take several years.⁴

C. Policy measures

5. A National Policy on Children 2010-2015 was developed between the Solomon Islands National Advisory Committee for Children and the Ministry of Women, Youth and Children's Affairs. The Policy was endorsed by Cabinet in June 2010.
6. A National Youth Policy 2010-2015 was developed between the Youth Development Division of the Ministry of Women, Youth and Children's Affairs as a result of wide stakeholder and provincial consultations with youth. The Policy was endorsed by Cabinet and ministerial and other stakeholders have discussed the mainstreaming of this policy at a National Youth Summit in November 2010.
7. A National Gender Equality Policy was developed between the Women's Development Division of the Ministry of Women, Youth and Children's Affairs. The Policy has been endorsed by Cabinet and ministerial and other stakeholders have discussed the mainstreaming of this policy in October 2010.

II. Promotion and protection of human rights on the ground

A. Implementation of international human rights obligations

1. Equality and non discrimination

8. Throughout the Solomon Islands, women are generally regarded as having lower status than men and have little say in family decision making.⁵ Despite the importance of women's economic contribution, there is still a tendency for families to prioritise sending boys to school before girls, even when it is recognised that the boys may not be able to find work.⁶
9. There is a vast difference between Honiara and every other place in terms of services, quality and quantity of facilities, communications, other urban services and size. Those near an urban area or in an accessible coastal area might be well served with facilities and communications, while those in remote places in the interior or on isolated stretches of coast may have almost nothing⁷.
10. Honiara has large populations from all areas of Solomon Islands as well as a large ethnic Chinese population who dominate all forms of business and trade. The majority Malaitan population within Honiara sets Honiara apart from other centres. The so called 'Tensions' of the late 1990s and early 2000s grew out of this imbalance between Malaitans and Gwale on what was traditionally Gwale land. Urbanization study conducted by UNICEF Pacific (2010) has shown that a residual tension remains within Honiara and according to many informants, is kept in check only by the presence of the RAMSI⁸ intervention.⁹
11. For many people in Solomon Islands the stress caused by The Tensions manifests in subtle ways, such as apathy, inertia, lack of motivation, low self-esteem and apparent inefficiency. It should never be assumed that they are simply personal deficiencies. Various donors including UNICEF have supported trauma counselling workshops and related activities since the end of The Tensions¹⁰.
12. Solomon Islands also has many 'islands' of peri-urbanisation surrounding logging camps. Although these camps are not permanent, the communities which gather around them exhibit many of the same negative social aspects associated with the settlement areas around Honiara. Because of their remoteness these areas do not have even limited access to the services that squatters in Honiara have¹¹.
13. There appears to be very little support by government and international donors for, and coordination of, specific urban child targeted work. The work that is being implemented is, according to a number of informants, uncoordinated and often in isolation to, and in ignorance of other often related efforts by other organisations¹².
14. Need for Research, Monitoring and Evaluation to deal with urbanization issues impacting on children and youth¹³.

2. Right to life, liberty and security of the person

15. Domestic violence is widespread in Solomon Islands, with both women and children at risk of physical, emotional and sexual abuse¹⁴. Violence and abuse of children are associated with poverty to some extent, but are principally endemic

practices that exist simply because they are not prevented. These practices are sustained by lack of law enforcement.¹⁵

16. A number of informants referred to ‘the gangs’ in many settlement areas. These are said to be made up of disaffected ‘ex-combatants’ from the Tensions who were promised much by their leaders at the time of the fighting and have not had their expectations met nor promises fulfilled. They are also said to have no respect for authority, traditional or otherwise, them-selves having experienced a degree of power and are now reluctant relinquish that power as they have no education or employment related skills other than their physical presence and muscle. This large group of disaffected young people resulting from the Tensions ranges in age from mid-teens to early thirties. It is now ten years on from when these young men were ‘child soldiers’ and young combatants. The recently commenced Peace and Reconciliation process may provide an opportunity for some of the tension relating to this unresolved situation to be relieved. The RAMSI intervention presence in Solomon Islands is mostly concentrated in Honiara¹⁶.
17. The cost of food in the urban areas (markets and stores) has also increased according to informants. Although the world food crisis and the global economic crisis may also have contributed to food price rises, most informants claim that the rises are a direct result of the distorting effect on prices brought about as a result of the RAMSI intervention¹⁷.
18. 37% women reported being abused when they were under the age of 15, and the overall rate of abuse is higher in urban areas¹⁸.

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

19. There are few wage employment opportunities in either white collar or any other type of employment. Young people who have already left school but have no work experience are severely disadvantaged if they have to compete with more experienced workers. Females are more likely to be unable to find paid work¹⁹.

5. Right to social security and to an adequate standard of living

20. 22,220 people in Honiara, out of which 8,166 children under 15 years were unable to afford basic minimum standard of living. In rural areas, it is estimated that the 83,000 people of which 31,734 children are unable to afford basic minimum standard of living. Additionally around 18,500 rural population including 8,070 children and 3,885 people in Honiara including 1450 children lives just above the basic poverty line, whose expenditure is no more than 10 % above the rural and Honiara BNPL respectively. Depth and severity of poverty is greatest in Honiara, followed by rural areas.²⁰
21. Sentinel site monitoring conducted early 2010 targeting on the vulnerable population in urban Honiara squatter settlement, Gizo in Western Province and Buala in Isabel Province indicated that 55% of vulnerable population surveyed does not have sufficient food budget and 66% worried about the food shortage. Increased price of food and goods are reported to be the main reason particularly in the rural area.²¹

22. National Provident Fund (NPF) are the most common type of social security system but NPF's only cover workers in the formal employment sector, meaning that the majority of workers employed in the informal economy are not covered. As the majority of workers in the formal employment sector are men, this means there is a large gender disparity in who has access to NPFs. Among those in the formal employment, only 10% of workforce is covered by maternity benefits and 23% of workforce has retirement coverage.²²
23. There are an unknown number of homeless children and young people living on the streets of Honiara. As these children have no regular parental care and there is no source of state care their only source of assistance is church organizations and NGOs, which are generally seriously under-funded.²³ Most children, however, receive no support.²⁴

6. Right to education and to participate in the cultural life of the community

24. School fee at primary level has been abolished from 2010. However, many children particularly from vulnerable households remain at home or do not attend regularly due to un-affordability of schooling due to other school levies and other essential expenses include uniforms, books, and transport. Sentinel site monitoring reports that about the half of children who are surveyed did not attend school full-time for the last term during 2009/2010. Girls are reported to miss school more often than last year.
25. Those who were most vulnerable were the first who were pushed to child labour. Though the number reported was small, there were cases of child labour particularly among girls in Buala in Isabel Province. 9.4% girls (under 16 years) in urban settlement in Honiara reported to be looking for work. Communities surveyed also reported increase in Commercial Sexual Exploitation (CSEC) due to increased difficulty in meeting daily expenditures.²⁵

III. Achievements, best practices, challenges and constraints

26. The Ministry of Women, Youth and Children's Affairs, together with the Ministry of Education and Human Resource Development undertook a national survey in 10 provinces to seek children's perspectives on how the Convention on the Rights of the Child has affected their lives, as a key component of the National Periodic CRC Report. While the data is yet to be analysed, the activity demonstrates accountability, responsiveness and important principles of good governance.

IV. Capacity-building and technical assistance

27. UNICEF Pacific worked in partnership with Solomon Islands Government and regional partners to (1) increase childhood immunization coverage, focusing on low-performing provinces; (2) ensure that evidence-based maternal and child health plans and programmes were strengthened; (3) support community-based hygiene improvement and water safety plans that lead to a reduction in childhood diarrhoea and other water-related diseases; and (4) continue recovery and

- reconstruction in the areas affected by the 2007 earthquake and tsunami and provide health, nutrition and sanitation in emergency areas.²⁶
28. UNICEF working in close collaboration with WHO and JICA, provided technical and financial support to Solomon Islands to undertake integrated measles campaign. This included measles vaccination, vitamin A supplementation, deworming, birth registration and demonstration of hand-washing (the latter two for the first time).
 29. UNICEF Pacific became signatory to a multilateral sector agreement-Education Sector Partnership Agreement (SWAp) formulated under the leadership of the governments of Solomon Islands. A priority of this partnership has been the implementation of policies to reduce parental financial contributions to primary education as a means of increasing access of all children to schooling. Fee Free Education policy came into effect in 2009 under this framework.²⁷ UNICEF manages a three year Reconstruction and Rehabilitation Programme in the Solomon Islands and the completion of 108 schools in Western and Choiseul Provinces.²⁸ UNICEF also supported SIG in the finalization a language in education policy after much provincial consultation. The policy echoes the importance of mother tongue instruction for the younger grades, as advocated by UNICEF over the course of policy formulation.²⁹
 30. UNICEF together with UN and regional agencies initiated real-time social impact monitoring in 2009 in response to the global economic crisis to identify the most vulnerable children and women in Solomon Island. The first round of survey was completed in Honiara squatter settlement (Forest Valley, Koa Hill, Kobito/Borderline), Buala in Isabel Province and Gizo (Titiana 1, 2) in Western Province.³⁰
 31. UNICEF supported Ministries of Women, Youth and Children's Affairs, Civil Registry Departments, Judiciaries, Police and NGOs to build a protective environment for children free from violence, abuse and exploitation in aligning national laws and regulations with child protection principles and good practices. Child protection baseline recommendations for legislative reform will be used to carry out legal reform, draft new laws and amend existing ones where children and young people are consulted.³¹
 32. "Communication for Social Change Plans" developed through a consultative process with partners in Solomon Islands provides a detailed plan outlining approaches and tactics that will be undertaken to systematically address the findings of the baseline research through communication and social mobilization for social change. Multi-year plans were also developed guiding the capacity-strengthening support for the judiciary and police in Solomon Islands.³²
 33. UNICEF Pacific supports the Government in the development and implementation of legislation and public policies to conform to the CRC obligations. It helps with child-centred monitoring and evaluation and also assists the government in CRC Reporting.

34. UNICEF Pacific has supported the Government map out where most at risk populations are, and to understand factors which increase their risks and vulnerability to HIV infection and in providing selected high impact interventions for a low prevalence HIV epidemic, including the integration of Prevention of Mother-to-Child Transmission of HIV (PMTCT) services in maternal and child health services, and prevention initiatives for most at risk and especially vulnerable adolescents and youth.³³

¹ UNICEF Pacific (2008) *Legislative Reform and Convention on the Rights of the Child in the Pacific, Sub regional meeting*, page 9

² *Ibid.*

³ *Ibid.*

⁴ *Ibid.* page 10

⁵ UNICEF Pacific (2005) *Solomon Islands, A Situation Analysis of Children, Women and Youth*. Suva: UNICEF Pacific. Page 39, Page 40

⁶ *Ibid.* 5, page 43

⁷ *Ibid.* 5, page 10

⁸ The Regional Assistance Mission to Solomon Islands is an Australian led multinational (Pacific Forum) intervention in Solomon Islands at the invitation of the Solomon Island government.

⁹ UNICEF Pacific (2010) *Urbanization and Children in the Pacific*, Suva: UNICEF Pacific

¹⁰ *Ibid.* 5, page 7

¹¹ *Ibid.* 9

¹² *Ibid.* 9, page 42

¹³ *Ibid.* 9, page 43

¹⁴ *Ibid.* 5, page 41

¹⁵ *Ibid.* 5, page 54

¹⁶ *Ibid.* 9

¹⁷ *Ibid.* 9

¹⁸ Secretariat of the Pacific Community (2009) *Solomon Islands Family Health and Safety Study: a study on the violence against women and children*. Ministry of Women, Youth and Children's Affairs, National Statistics Office, Ministry of Finance and Treasury, National Reform & Planning, Solomon Islands. Page 87

¹⁹ *Ibid.* 5, page 35-36

²⁰ UNDP (2010) *Analysis of poverty in Solomon Islands 2005/06 HIES*

²¹ UNICEF (2010) *Voices of Vulnerable in the Pacific-Summary note*, page 7

²² UNICEF (2009) *Protecting Pacific Island Children and Women during Economic and Food Crisis*, July

²³ *Ibid.* 5, page 32

²⁴ UNICEF and Solomon Islands Governments (2003) *Draft update of the initial CRC report*, Solomon Islands, Honiara: UNICEF

²⁵ *Ibid.* 21, page 9

²⁶ UNICEF (2010) *Looking Back Moving Forward*, page 29

²⁷ *Ibid.* 26, page x

²⁸ *Ibid.* 26, page 5

²⁹ *Ibid.* 26, page 18

³⁰ *Ibid.* 21, page 9

³¹ *Ibid.* 26, page 26

³² *Ibid.* 26, page 3

³³ *Ibid.* 26 page 23