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Solomon Islands* **

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** In accordance with United Nations terminology, references to Taiwan in the present document should read Taiwan Province of China.

I. Methodology and consultation

1. The Universal Periodic Review (UPR) is a new United Nations (UN) mechanism, which is purposely created by the UN General Assembly in 2006, under which all UN Member States will be reviewed in relation to their human rights situation. In 2007 the UN Human Rights Council placed Solomon Islands to present its State report during its eleventh session in May 2011.

2. In 2009 the United Nations and Treaties (UNT) branch within the Solomon Islands' Ministry of Foreign Affairs and External Trade was tasked to coordinate the drafting of the Solomon Islands UPR report. The Assistant Secretary for the UNT branch coordinated an inter-government-ministry group of focal persons, which constitutes Solomon Islands UPR national working group. Since then, the UNT in collaboration with other Government ministries in joint preparation for Solomon Islands UPR report submission coordinated the following workshops and seminars held in Honiara (national capital), particularly to enhance domestic human rights capacity building and awareness:

a) Human rights training for senior police trainers in collaboration with the Solomon Islands Police Academy and the Commonwealth Secretariat, London (14–18 Sept 2009);

b) Workshop on 'Persons with Disability Protection Rights Bill' for Solomon Islands in partnership with the Ministry of Health and Medical Services, People with Disability of Solomon Islands, the Pacific Islands Forum (PIF), and ESCAP-Pacific Operations Centre (19–21 Aug 2009);

c) Workshop on what constitute a national action plan on human rights for Government and NGO officials in partnership with the Commonwealth Secretariat, London (26-27 Jan 2010);

d) National Seminar for Solomon Islands government legal officers on the International Criminal Court, Rome Statute and international crimes in collaboration with the International Committee of the Red Cross (Sydney, Australia) and the Ministry of Justice and Legal Affairs (17–18 Feb 2010);

e) The Solomon Islands Government (SIG) and Stakeholders training on the UN Human Rights Council UPR was held on 23–27 August 2010. It was conducted for both SIG officials, and Non-government organisations (NGOs) jointly by the Secretariat of the Pacific Community's Regional Rights Resource Team (SPC/RRRT), the Regional office for the Pacific of the UN-Office of the High Commissioner for Human Rights (UN-OHCHR), and the Pacific Islands Forum (PIF), all based in Fiji. Its sessions include providing hands-on training for NGOs and SIG officials separately regarding their respective reports. On 9–10 September 2010, Solomon Islands participated in the Pacific Regional Briefing, UPR coordinated by the UN-OHCHR Regional office for the Pacific in Fiji. A final consultation between SIG and NGOs regarding their respective submissions was held on 3 November 2010 at the Ministry of Foreign Affairs and External Trade.

II. Background and information on Solomon Islands and frameworks

A. Overview

3. From 1877 until 1893, when Solomon Islands was proclaimed a British Protectorate, the islands were within the loose jurisdiction of the British High Commissioner in Fiji.

During the Second World War (WWII) in the Pacific (1942–1945), the Solomon Islands was the location for some of the most intense battles of WWII, one of which is the ‘Battle of Guadalcanal.’ The Solomon Islands were given self-government in 1976 and eventually attained independence on 7 July 1978.

4. Geographically, the Solomon Islands is an archipelago of 922 islands and low lying coral atolls, that together form a total land mass of 28,369 sq. km sparsely scattered over a total sea area of 1,632,964 sq. km. It stretches over some 1,667 km in a southeast direction between Papua New Guinea and Vanuatu, and North-East of Australia. The islands have sea borders with Papua New Guinea, Australia, New Caledonia, Vanuatu, Fiji, Kiribati, Tuvalu, and Nauru. Solomon Islands has ten provinces, and most of the people live on the six larger islands, the most populous being Malaita and Guadalcanal, where the capital, Honiara is located. With this geographical spread comes the governing challenge to effectively deliver public service to the populace.

5. Recently, between 1999 and 2000, the Solomon Islands experienced ethnic conflict. The Townsville Peace Agreement was signed on 15 October 2000 between the two ethnic warring groups; however a protracted period of lawlessness followed within Honiara and its surroundings between 2000 and 2003. Consequently, in July 2003, the Government requested assistance from Australia, New Zealand and other Pacific Island countries through the Pacific Islands Forum. This assistance arrived was effected on 24 July 2003 in the form of the Regional Assistance Mission to the Solomon Islands (RAMSI). Since 2003, RAMSI has focused its efforts on restoring law and order, re-establishing the machinery of government and improving economic governance.

B. System of Government

6. The Solomon Islands is a constitutional monarchy, and has a parliamentary democracy modeled on the Westminster system. Her Majesty Queen Elizabeth II is the Head of State and is represented by the Governor General. The Governor General is elected by Parliament (in a secret ballot) for a term of five years. An elected Governor General cannot serve more than two terms in office. The Solomon Islands Parliament is a unicameral Parliament of fifty (50) constituencies which return one Member of Parliament each, elected through a first-past-the-post electoral system. A Parliament term is 4 years. The head of Government is the Prime Minister who is elected by Parliament, and oversees a Cabinet of twenty members. The Ministers head twenty three government ministries and are assisted by Permanent Secretaries.

C. Constitution and legal system

7. Section 2 of the Constitution provides that ‘This Constitution is the supreme law of Solomon Islands and if any other law is inconsistent with this Constitution, that other law shall, to the extent of the inconsistency, be void.’ The Constitution provides for the establishment of the Legislature, Judiciary, the Executive. Similarly, it provides for the appointments of constitutional offices such as the Governor General, the Prime Minister, Cabinet, the Attorney General, Director of Public Prosecutions, Ombudsman and the establishment of institutions such as the High Court, the Court of Appeal, the Leadership Code Commission and so forth

8. The Court system in the Solomon Islands consists of the Local Courts, the Customary Land Appeals Court, the Magistrates Court, High Court and Court of Appeal. The Magistrates Court’s powers are as provided under the Magistrates Court Act. Appeals from the Magistrate’s Court on points of fact and law can be made to the High Court. The

Magistrates Court is limited in terms of the amount of fines and the sentence that it can impose. The High Court has original jurisdiction to hear civil and criminal matters. Any appeal made to the Court of Appeal is on point of law only.

D. Language

9. The *lingua franca* is Solomon Islands *pidgin* which is generally spoken by everyone. In addition, there are approximately 120 indigenous languages that Solomon Islands different tribal and ethnic groupings speak. The English language is used for official communication.

E. Population

10. At the 23 November 2009 national Census, the population of Solomon Islands was 515,870. This marked an increase of 106,828 persons from the population size of 409,042 that was recorded in the 1999 Census - a 26 percent increase. The annual growth rate since 1999 is 2.3 percent, which is lower than that recorded for the period between 1986 and 1999, which is 2.8 percent. The female population (251,418 in 2009) increased slightly faster by 2.4 percent per year in the period between the 1999 and 2009 Censuses in comparison to the male population (264,452 in 2009) with a growth rate of 2.2 percent for the same period. The population's ethnicity makeup as of November 2009 is: Melanesians: 491, 470; Polynesians: 15, 909; Micronesians: 6445; Chinese: 654; Europeans: 721; and others: 671.

F. Basic Needs Poverty line (BNPL)

11. According to the *Solomon Islands analysis of the 2005-2006 household income and expenditure survey* (SPC/ADB/UNDP July 2008) on the estimation of basic needs poverty lines, and the incidence and characteristics of poverty in Solomon Islands, the Basic Needs Poverty Line (BNPL), which includes an allowance for essential non-food expenditure has been estimated at a national average expenditure of SBD265.77 per household (SBD47.37 per capita adult equivalent (pcae) per week), and SBD998.32 per week for a Honiara (national capital) household (SBD139.04 pcae. per week). For the Provincial urban households, the corresponding basic needs poverty line was SBD465.41 (equivalent to SBD79.11 pcae) per week and for rural households SBD225.02 (SBD39.59 pcae) per week.

G. Human Development Index (HDI)

12. The UNDP Human Development Report (2010), ranks Solomon Islands 123rd out of 168 UN members. It has a HDI of 0.494 and a non-income HID value of 0.550. Life expectancy is at 67 years and cross income per capita at \$2172 (purchasing power parity US dollars). Comparatively, the Solomon Islands was ranked the third lowest among all Pacific island nations in the United Nations Human Development Index 2009 ranking, with notable variations in human development levels in the nine provinces and Honiara (the capital city).

H. Human Poverty Index (HPI)

13. Solomon Islands were ranked as having medium human development with a HPI of 80 with a value of 21.8 according to the 'UNDP Human Development Indices: A statistical

update 2009.’ The probability of not surviving to age 40 as a percentage of the cohort is 11.6 percent for the period 2005-2010. According to ADB, Solomon Islands is one of the least developed among ADB’s Pacific developing member countries (PDMCs) and measured by the most recent United Nations Human Development Index and Human Poverty Index, Solomon Islands ranked below all but one PDMC. According to the *Solomon Islands analysis of the 2005-2006 household income and expenditure survey (July 2008)*, however, there is the recognition that ‘poverty in the Solomon Islands context does not mean hunger or destitution, but rather struggling to meet daily or weekly living expenses, particularly those that require cash payments.’

I. Gross Domestic Product (GDP)

14. During the ethnic social unrest period between 1999 and 2002, the Solomon Islands economy as measured by GDP declined, on average, by 6.6 percent. With the restoration of law and order following the arrival of the Regional Assistance Mission to Solomon Islands (RAMSI) in 2003, the economy witnessed positive growths from thereon. For instance, the 2003 to 2008 period marked positive growth; the economy grew annually by 7.4 percent, with the highest growth of 10.7 percent, in real GDP recorded for 2008. The real GDP for 2009 is \$392 million, and evidently the global economic crisis, which started in late 2008, has had an adverse impact on the local economy in 2009 with the real GDP falling by 1.2 percent. The Solomon Islands standard of living, as measured by the GDP per capita, reversed the downward trend seen during the period prior 2003 so that the period 2003 to 2009 GDP per capita grew annually by 12.5 percent, implying, in nominal terms, an improvement in the standard of living.

J. Legislative and policy measures

15. Sections 1-18 of the Solomon Islands Constitution provide for the protection of the fundamental rights and freedoms of the individual.

16. The enforcement of these protective provisions is provided under section 18 of the Constitution which also provides that the High Court has original jurisdiction to hear and determine any application made by any person who alleges contravention of their rights and freedoms; and to determine any question arising in the case of any person which is referred to it by any subordinate court.

17. In *John Kwakwala Makasi v. The Commander of the Participating Police Force under RAMSI and Attorney-General (HC CC 59/2005)* Makasi (the Applicant) sought redress for alleged: (a)contravention of his personal liberty under section 5(1) of the Constitution; (b)unlawful arrest and/or detention under section 5(2) of the Constitution; (c)undue delay to take him to court under section 5(3) of the Constitution; (d)inhuman and degrading treatment of him under section 7 of the Constitution; (e)unlawful entry, search and damage to his property under section 9(1) of the Constitution; (f)contravention of his freedom of movement under section 14(1) and (2) of the Constitution. The High Court found against the Applicant, however the case demonstrates that citizens, including those on remand, can use the Courts to raise questions relating to their fundamental rights as provided under the Constitution.

18. Section 96 of the Constitution provides for the establishment of the office of the Ombudsman, as a public office. The functions of the Ombudsman include enquiring into the conduct of any person appointed to the public service (members of the Public Service, the police force, the Corrections service, the government of Honiara city, provincial governments, and such other offices, commissions, corporate bodies or public agencies as

may be prescribed by Parliament) excluding the Governor General or his/her personal staff or the Director of Public Prosecutions or any person acting in accordance with his instructions. The Ombudsman's Office is open to any Solomon Islands citizen who has any questions relating to how the public offices and public officers make decisions.

19. The *Policy Strategic Framework 2008-2010* identifies six major priority policy objectives for the Solomon Islands Government. The sixth is 'the Protection of Civil Rights.' The Prime Minister's Office prioritizes the human rights approach as: 'People's rights are [must be] protected and upheld by constitutional office holders whose roles it is [are] to ensure integrity, good governance, law, order and justice and well functioning integrity institutions. The Ministry of Women, Youth and Children's Affairs considers the promotion of the rights of young women, young people and children vital and encapsulates this as a policy objective in the following terms: 'to uphold and promote the rights of women, young people and children through effective partnership and strong commitment, thereby creating equal opportunities for all to advance the wellbeing of the nation.' It is also a current policy goal to commission the Law Reform Commission to work on strengthening the traditional local courts in relations to human rights and constitutional guarantees. Part of the current government's policy goals is to be a party to specific human rights instruments, and has delivered on this on 23 September 2008, and 24 September 2009 (see below). The current Government continues to uphold these policy principles.

K. International commitment to human rights

20. Solomon Islands became a member of the United Nations in 1978. It therefore considers the United National Charter and the United Nations Declaration of Human Rights as cornerstones of human rights. It has either ratified or is a signatory to the following human rights instruments:

- The Convention on the Elimination of All Forms of Racial Discrimination (17 May 1982);
- The International Covenant on Economic, Social and Cultural Rights (17 March 1982);
- The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (signatory: 24 Sept 2009);
- The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW -accession: 6 May 2002);
- The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women(accession: 6 May 2002);
- The Convention on The Rights of the Child (accession: 10 April 1995);
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (signatory: 24 Sept 2009);
- The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (signatory: 24 Sept 2009);
- The Convention on the Rights of Persons with Disabilities (signatory: 23 Sept 2008);
- The Optional Protocol to the Convention on the Rights of Persons with Disabilities (signatory: 24 Sept 2009);
- International humanitarian law: The Geneva Conventions I-IV, 1949 (accession on 6 July 1981) and to its 1977 Additional Protocol I and II on 19 September 1988.

21. Solomon Islands as a member of the UN continues to offer its support to human rights resolutions at the UN, has an effective partnership with the Human Rights Unit at the Commonwealth Secretariat regarding human rights capacity building, and as a member of the Pacific Islands Forum, it endorses the ongoing initiatives within the regional Pacific Plan that is concerned with strengthening the promotion and protection of human rights, including the ratification of international human rights instruments by Pacific island countries.

22. Solomon Islands has always been a supporter of human rights initiatives through the Regional office of the Pacific for UN-OHCHR (Fiji), UNDP –Pacific Operation Centre (Fiji), ICRC (Fiji and Australia), Asia Pacific Forum (Australia), Pacific Islands Forum Secretariat (Fiji) and SPC/RRRT (Fiji). Solomon Islands has accepted and been part of the UN-OHCHR preliminary review of existing trade policies in the Pacific in relations to trade and human rights from 10–13 August 2010. Solomon Islands has also recently invited the Independent Expert on the effects of foreign debt and other financial obligations on the full enjoyment of all human rights, particularly economic, social and cultural rights for a visit to the country on 14–15 February 2011 (pursuant to UN Human Rights Council Resolution 7/4).

III. Promotion and protection of human rights

A. The Constitution

23. Section 2 of the Constitution provides that “This Constitution is the supreme law of Solomon Islands and if any other law is inconsistent with this Constitution, that other law shall, to the extent of the inconsistency, be void.” Section 3 of the Constitution provides; that “every person in Solomon Islands is entitled to the fundamental rights and freedoms of the individual, that is to say, the right, whatever his race, place of origin, political opinions, colour, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest, to each and all of the following, namely”: (a) life, liberty, security of the person and the protection of the law; (b) freedom of conscience of expression and of assembly and association; and (c) protection for the privacy of his home and other property and from deprivation of property without compensation.”

24. The rights and freedoms as encapsulated under the Constitution are provided under the following sections:

- s4 – Protection of the right to life
- s5 – Protection of the right to personal liberty
- s6 – Protection from slavery and forced labour
- s7 – Protection from inhuman treatment
- s8 – Protection from deprivation of property
- s9 – Protection for the privacy of home and other property
- s10 – Provision to provide protection of law
- s11 – Protection of freedom of conscience
- s11 – Protection of freedom of religion
- s12 – Protection of freedom of expression
- s13 – Protection of freedom of assembly and association

- s14– Protection of freedom of movement
- s15 – Protection from discrimination on the grounds of race

25. Section 16 provides for periods of public emergency while section 17 provides for compensation for contravention of rights and freedoms. Section 18 provides that the High Court has original jurisdiction to hear and determine any application made by any person who alleges contravention of their rights and freedoms; and to determine any question arising in the case of any person who is referred to it by any subordinate court.

B. Judiciary and fair trial rights

26. The Solomon Islands Government respects the independency of the judiciary, and its decisions. The Court of Appeal, The High Court and Magistrate Courts in the country are independent and impartial and exercise the same in determining matters that come before them.

27. The Solomon Islands is committed to the rule of law and the administration of justice. The Constitution protects the rights to a fair trial. Section 10 (1) provides that:

a) If any person is charged with a criminal offence, then, unless the charge is withdrawn, that person shall be afforded a fair hearing within a reasonable time by an independent and impartial court established by law; and

b) Every person who is charged with a criminal offence: (i) shall be presumed to be innocent until he is proved or has pleaded guilty; (ii) shall be informed as soon as reasonably practicable, in detail and in a language that he understands, of the nature of the offence charged; (iii) shall be given adequate time and facilities for the preparation of his defence.

C. Voluntary commitments

1. Fee free basic education policy and community schools

28. The Solomon Islands Government (SIG) recognises that access to education is a human right. Since the beginning of 2009, the SIG has implemented the Free Fee Basic Education (FFBE) policy, purposely to address the difficulty which parents faced with paying ‘school fees’, an excuse often used for not sending children to schools in many instances by some parents, especially in the rural areas. The FFBE policy covers students attending Year 1 to Year 9, however only caters for the operational costs of the schools. This means that schools management can still ask parents for contributions (cash contribution, labour, and school fundraising).

29. In 2009, the cost per child for Year 1 to Year 6 (in both urban and rural schools) was \$320.00. In 2010, while the cost per child in rural primary schools was \$320.00, that for urban primary schools was increased to \$520.00. The latter calculation took into considering the cost of electricity and water. There are no increases in these amounts for 2011. In regards to Community High Schools (Year 7 to Year 9: day students), in 2009 when the FFBE policy was introduced, both rural and urban Community High Schools received \$800.00 per student. In 2010, rural Community High Schools were paid \$800.00 per student; while urban Community High Schools were paid \$1000.00 per student (electricity and water costs are included in this calculation). There are no increases in these amounts for 2011. In 2009 when the FFBE was introduced in secondary schools (Year 7–Year 9) with boarding facilities, each student was paid \$1640.00 per year, regardless of the

location of the school. In 2010 each student was paid \$2100.00 per year and there are no increases for 2011.

30. Since 2005, the SIG has implemented the Community High School initiative. These community secondary schools are being built closer to or within villages and communities, purposely to address the issue of gender balance, including that of accessibility to secondary education by girls. The SIG has recently increased its annual grants to public and church run primary and secondary schools after receiving feedbacks from school administrations in 2009. The SIG provides scholarships for teacher training (certificate and diploma programmes) at the Solomon Islands College of Higher Education (SICHE), the University of the South Pacific (Fiji), and also to various universities and colleges in Papua New Guinea. Solomon Islands acknowledge NZAID's funding towards its first year trial in 2009. Solomon Islands also acknowledges AusAID funding of SBD10 million towards school extensions and renovations in 2010.

2. Free health service

31. Apart from private medical clinics which Solomon Islands can access to pay for medical treatment and counseling, The Solomon Islands Government (SIG) provides free health and medical services to its citizens. Each Province has a hospital, except for two provinces - Renbel and Guadalcanal provinces. The National Referral hospital, funded by the Republic of China (Taiwan)¹ is located in Honiara (national capital). In the Western Province, there is soon to be a new hospital (to be opened by May 2011) to change the old one, and which is funded by the Government of Japan. SIG also provides funding for three faith based hospitals: Helena Goldie (in the Western Province), Atoifi (Malaita Province) and the Good Samaritan (Guadalcanal Province). The SIG has benefited from specialised medical visits from Taiwan*, Australia, USA, Cuba, and the Seventh Day Adventist Church. Major donor partners include: Australia, Japan, World Bank, New Zealand, European Union, WHO, UNICEF, and Save the Children. From SIG's policy objective to have trained doctors for its hospitals, SIG signed an MOU with Cuba in 2005, under which there are currently 74 Solomon Islands students studying medicine in Cuba, and seven Cuban doctors serving in-country.

3. Ombudsman service

32. The Constitution (Chap IV, sections 96-99) provides for the establishment of the Ombudsman office, under the auspices of the Prime Minister's Office, and which any Solomon Islander can freely access regarding any questions relating to any SIG decisions or actions. Any Solomon Islands (SIs) resident can make a complaint about Public service ministries, offices including the Police and correctional services, Honiara City council, Provincial governments, and any statutory corporation and State Owned Enterprises (Solomon Islands Water authority, SIs Electricity authority, SIs Ports authority, Commodity Exporting market authority and their officers) to the Ombudsman for investigation. Some of its reports are sent to Parliament. Currently, the Ombudsman has presented to the Attorney General's Chamber amendments to Chapter IV of the Constitution to provide for a 'tribunal' to enforce its recommendations and a 'mediation provision' considering the important role that mediation plays in Solomon Islands cultures. In trying to ensure that its services are accessible to ordinary people, it has signed an MOU with the Solomon Islands Postal Corporation in February 2010, that provides for free aerogram which anyone can use to send their complains to the Ombudsman office. These are accessible in any postal office in the Solomon Islands. Additionally, it has started an initiative where it has in every Provinces and SIG offices a focal point for Ombudsman matters.

D. Public awareness of human rights

33. Solomon Islands do not have an authority devoted to human rights. However, there are a few NGOs which have always played a role in human rights awareness either independently or in collaboration with SIG. For example *Vois Blong Mere* which has always advocated for the implementation of UNSCR 1325 and 1820, and the Media Association of Solomon Islands (MASI) for media freedom and expression.

34. The Ministry of Women, Youth and Children Affairs (MWYCA) since 2007 plays the coordinating role for the White Ribbon Campaign. This campaign involves NGOs and the MWYCA advocacy against 'violence against women', and it starts from 25 November and ends on the 10 of December each year. The campaign always begins with a parade through the capital city. The Ministry has started taking over this role in 2007, has allocated a budget for this, and employs a person through the Gender-Based Violence & Child Abuse Project. Prior to 2007, it was only the NGO's who were organising the campaign.

35. The Ombudsman's office in 2010 has carried out community outreach awareness programmes in all the Provincial urban centres on the legal rights of persons to access their legal services freely. It focuses mainly on schools in the provincial urban centres. The awareness work will continue in 2011.

36. In December 2010, the first ever 'Law Week' was launched in Solomon Islands. For a whole week, the Ministry of Justice and Legal Affairs (AG's Chamber, Public Solicitors office, Director of Prosecutions, Police, Correctional Service, High Court, Law Reform Commission) and other offices within the legal fraternity including the ICRC, UNICEF provided displays to the public and conducted information sessions through open forums, debates, brochures, and information sharing including discussion on a number of issues including the type of work specific justice agencies do land rights, violence against women, the functions of the Courts and legal aid.

37. The Public Solicitor's Office established the Landowners Advocacy and Legal Support Unit (LALSU) in 2008. The aim is to provide free information and advice for customary landowners regarding their legal rights as landowners (right to sustainable development and a clear environment) over their forest resources in partnership with other NGOs. LALSU has carried out awareness of these legal rights in all the provincial urban centers in the 2009-2010 periods.

38. In 2010, the Law Reform Commission (LRC) as part of its ongoing program of community engagement which includes awareness raising activities, in relation to its projects to addressing sexual offences, sentencing, corruption offences and mental impairment, criminal responsibility and fitness to plead, and how the law should be reformed in these areas, it has produced seven 15 minute radio programs for broadcast on the Solomon Islands Broadcasting corporation, that gave information about LRC's current projects, and invited members of the public to give their view in relations to how the following human rights conventions are relevant to the reform of the Penal Code and the Criminal Procedure Code : The Convention on the Rights of the Child (CRC), The Optional Protocol to the CRC on Sale of Children, Child Prostitution and Child Pornography), The Convention for Eliminating all Discrimination Against Women (CEDAW), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Elimination of Racial Discrimination.

IV. Identification of challenges, constraints and achievement

A. Challenges

1. Third generational rights and climate change

39. The effects of climate change on Solomon Islanders as a people and their livelihood will be a challenge, particularly in reference to the realisation of other rights. It is a challenge whose future has started to emerge, considering the unusual weather patterns, sea level rise impact on Solomon Islands coastal communities in its provinces, artificial islands (on Malaita province), low lying islands and atolls in its provinces. Some of the rights which climate change will have an impact on are: right to development, right to a clean environment, health, water, shelter, culture, property, food, freedom from poverty, and so on. The sum of these shows that, all the other rights (economic, cultural, and social) and their enjoyment, couple with any attempts by the Solomon Islands Government (SIG) to ensure even their minimum realisation can succumb in an instant to climate change.

2. Women and children and gender

40. With a population where eighty (80) percent of it dwells in rural villages and hamlets, gender roles are being traditionally defined along '*kastom*' ('custom' in Solomon Islands *pidgin*), which have often cited as a factor that at times justifies the interpretation of human rights in relations to women and children. Notwithstanding this, there is some little progress being seen in the awareness shown by the public at large in recent years that, women's and children wellbeing are human rights issues. The challenge to ensure that women fully participate in national decision making and development, children's rights coupled with their security are fully protected in law remains. Additionally, issues as violence against women, women being discriminated against in work places, and by financial institutions when it comes to the subject of accessing loans are equally challenging too. Besides these, the subject to mainstreaming gender and gender equality into national policy formulation and development discourse remains contentious. Furthermore, it was raised during consultations for the UPR report, that women's economic empowerment for development should be addressed first, before women in leadership for development. The Solomon Islands government acknowledges these as challenges, more work needs to be done around its laws, and legal frameworks to guarantee their full protection and it will need the support of partners to addressing them. Some of the initiatives which have taken place regarding law reforms, and policies focusing mainly on women and children are indicative of the desire by the SIG to start addressing these areas.

3. Education

41. Solomon Islands recognise the huge challenge to provide quality education that is both accessible and affordable by, and for its fast growing population. Since 2005, the Government's Community High School initiative has contributed to the management of such a challenge, especially towards addressing the issues of gender balance and accessibility to secondary education by girls. However, the challenge remains taunting against its fast growing youth population. The Ministry of Education and Human Resources Development has also since 2005 begun implementing the Curriculum Review and Reform Programme (CRRP). The first phase began in 2005 and ended in 2009, while the second phase began in 2010. The CRRP's goals are both to integrate subject syllabuses, and to establish a continuous learning pathway from Year 1 to year 9.

42. The need to have human rights as a subject to be studied in both primary and secondary schools remains, and equally challenging is the Government's goal to putting in

place curriculum and schools for children with special needs. Solomon Islands have only a single school for children with special needs and situated in the capital, Honiara. At the Juvenile Corrective centre at Rove, the need for education comes in the context that, there are no mechanisms to provide continuing education for juveniles and the Government sees this as an issue, in which it would like assistance towards solving.

4. Domestication of international human rights conventions and reporting

43. Solomon Islands have started discussions regarding its ability to be a party to the Convention against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment, and its Optional Protocol. Solomon Islands is not a party to the following: The International Convention for the Protection of All Persons from Enforced Disappearance; The International Covenant on Civil and Political Rights; The Optional Protocol to the International Covenant on Civil and Political Rights; The Second Optional Protocol to the International Covenant on Civil and Political Rights.

44. Solomon Islands have a dualist legal system, and domestication of international instruments remains a challenge, however, it currently has the following:

- Rights of People with Disabilities Draft Bill;
- Child Protection Draft Bill;
- CEDAW draft Bill discussions;
- Anti-trafficking laws capacity building and drafting (SIG- American Bar Association partnership).

45. Solomon Islands acknowledge that reporting on all international instruments including the human rights instruments of which it is a Party remains a challenge.

5. Health

46. SIG has a National Health Plan 2006-2010 with a focus on programmes, and that for 2010 to 2015 period has a focus on strengthening of the health system. The latter should be finalised by February 2011.

47. Many health indicators for Solomon Islands are average. These include the availability and performance of health facilities, and access to clean drinking water. Additionally, a major shortage in trained medical personnel further complicates these health challenges. Such a situation is exacerbated by the findings that only 30 percent of the population live within 3 kilometres from a nearest health clinic, while 70 percent live within 3 kilometres. Since the majority of Solomon Islanders live in villages, which are dispersed across numerous islands, this makes it very difficult to provide cost effective health services to the isolated areas and outer islands.

48. The current fact that Disability is being accommodated under the Community Based Rehabilitation programme at the Ministry of Health and Medical Services could pose a human rights challenge. Therefore, Solomon Islands Government recognises that taking a human rights approach to Disability present the best way to addressing Disability. Such rethinking is important in light of the fact that Solomon Islands is now a signatory to the the Convention on the Rights of Persons with Disabilities (signatory: 23 Sept 2008) and its Optional Protocol (signatory: 24 Sept 2009).

6. Settlers and mobility rights and land

49. Issues as migrants, people movement, land rights, and indigenous rights, have become contentious recently when read as human rights. Additionally, the high mobility between the islands has been encouraged by economic development in only a few

provinces. The nexus between them has been the underlying cause for the ethnic conflict between 1999 and 2000 on Guadalcanal, although in the Constitution, Chapter II, section 14, provided for the freedom of movement: ‘No person shall be deprived of his freedom of movement, and for the purposes of this section, the said freedom means the right to move freely throughout Solomon Islands, the right to reside in any part of Solomon Islands, the right to enter Solomon Islands and immunity from expulsion from Solomon Islands.’ During national consultations organised for this UPR report, some indigenous people expressed that the Constitution merely endorses the right to move, not the right to settle on land that is customarily owned.

50. Thus, the Solomon Islands Government (SIG) through the Ministry of Foreign Affairs and external Trade has started discussions early in 2011 with two communities displaced by the *Tsunami* in April 2007 in the Western Province of the country. The communities are: *Titiana* and *Niu Manra*. These are communities of i-Kiribati and Tuvaluan origins and thus the issues of migrant land rights as against indigenous rights, right to shelter, and property have become matters for strong debates, and the SIG sees this as a challenge which it will need assistance to start addressing. They are a result of a resettlement scheme which was carried out in stages in 1954, 1955, 1957, 1963 and 1964, by The British, purposely to provide new homes for the people of Hull and Gardner Islands in the Phoenix group, where poor soils and low rainfall had caused famines.

7. Labour

51. The eight fundamental ILO conventions are relevant to Solomon Islands, and to a large extent are adequately provided for in the Constitution and other subsidiary national legislations. The challenge, however, lies in both the requirement for national consultation which could involve the Provincial authorities, and the long process from ratification of conventions to when they become part of domestic laws and regulations.

52. The Labour Division of the Ministry of Commerce, Employment and Industries does not have data on how many people in the formal workforce are with disability, nor information regarding them being discriminated against when it comes to recruitment, promotions and during work. Most of the complaints being submitted to the Labour Division are from persons who claim compensation from their employers for accidents incurred in work places.

53. In regards to freedom of assembly, the Constitution in Chapter IV, section 13 provides that, no person shall be hindered in the enjoyment of his freedom of assembly and association, that is to say, his right to assemble freely and associate with other persons and in particular to form or belong to trade unions or other associations for the protection of his interests. The two workers unions in Solomon Islands are: Solomon Islands Public Employees Union (for public servants), and the Solomon Islands National union of workers (for private sector workers).

8. Development challenges

- Health service delivery to remote areas;
- Shortage of medical doctors;
- Population growth;
- Job creation;
- Urbanisation;
- Mobility and indigenous rights;
- Food security;

- Land, development and conflicts;
- Human resource development;
- Non-traditional security issues;
- Youth and women's difficulty in accessing financial assistance offered by banks;
- Health: a growing disease burden.

B. Constraints

1. Accessibility to legal assistance and justice

54. Solomon Islands geography present the major reason why ordinary people in the villages find it difficult to accessing legal aid provided by the Public Solicitor's office. The Public Solicitors office has establishments only in two provincial urban centres, with its main office in the capital, Honiara. It has plans to have officers stationed in all the provincial urban centres; however, a current freeze on new recruitments by the Solomon Islands Public Service has made such plans not yet possible. Thus only Western and Malaita Provinces have legal officers present. Other compounding factors to this constraint include: the cost for travelling to the provincial centres and Honiara, and village awareness, let along the fact that this has to be carried out in any of the different languages (Solomon Islanders speak about 120 languages) that the villagers speak.

2. Law reform and capacity

55. Solomon Islands laws were written even before the country gained independence in July 1978, and thus the Government the importance for legislative reforms, particularly the Penal Code and Criminal code, and while the Law Review Commission has started working on reviewing the former in relations to rape and sexual assault, unfortunately, its work is limited by legal capacity, especially legal drafting expertise, and financial resources.

C. Achievements

1. Ratification of Human Rights instruments

56. For a small island state, having ratified the following is an achievement and it looks forward to working with other partners in terms of drawing up policies and drafting suitable and sustainable legislation that will give effect to these international instruments in local legislation:

- The Convention on the Elimination of All Forms of Racial Discrimination (succession: 17 May 1982);
- The International Covenant on Economic, Social and Cultural Rights (succession: 17 March 1982);
- The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (signatory : 24 Sept 2009);
- The Convention on the Elimination of All Forms of Discrimination Against Women (accession: 6 May 2002);
- The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women (accession: 6 May 2002);
- The Convention on The Rights of the Child (accession: 10 April 1995);

- The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (signatory: 24 Sept 2009);
- The Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (signatory: 24 Sept 2009);
- The Convention on the Rights of Persons with Disabilities (signatory: 23 Sept 2008);
- The Optional Protocol to the Convention on the Rights of Persons with Disabilities (signatory: 24 Sept 2009);
- International humanitarian law: The Geneva Conventions I-IV, 1949 (accession on 6 July 1981) and to its 1977 Additional Protocol I and II on 19 September 1988.

2. Climate Change policy

57. The consequences of climate change have a direct impact on all the other third generational rights. Thus Solomon Islands has just completed its *Solomon Islands National Climate Change Policy, 2011-2015* with a five year implementation framework. It should be launched in February 2011. Its policy goal is to strengthen and maintain the capacity of the government and people of Solomon Islands to address climate change as a sustainable development issue, in particular to adapt to its effects and to contribute to mitigating its causes.

58. Its guiding principles are: Compliance with the national constitution and legislative framework; Role of science and traditional knowledge; Use of precautionary principle and no regrets approach; Recognising and protecting the rights of indigenous people; Promote and ensure gender equity and the involvement of youth; and ensure stakeholder participation and collaboration.

59. The policy development work is funded by the Global Environmental Fund through the Pacific Adaptation to Climate Change, a regional project implemented through UNDP and South Pacific Regional Environmental programme (SPREP), and executed by the Ministry of Environment, Climate Change, Disaster Management and Meteorology (MECDM). The policy will be guided and monitored by the National Climate Change Country Team and the MECDM as its Secretariat, and implementation coordinator.

3. Law reform

60. The function of the Law Reform Commission (LRC) is to make recommendations for reform of the law in accordance with the references given to the LRC by the Minister for Justice and Legal Affairs. It has received a number of references from the Minister for Justice and Legal Affairs, and is currently working on the review of the Penal Code and Criminal Procedure Code, and a review of the law that applies to land below high water and low water mark. Other references that have been made to the LRC include a reference to review the law regarding marriage and divorce.

61. The Penal Code contains many of the major crimes that apply in Solomon Islands including murder, rape, child sexual abuse offences and personal harm offences (such as assault, unlawful wounding and causing grievous harm). It also contains rules regarding criminal responsibility (minimum age for criminal responsibility, insanity, defences to criminal charges). The Penal Code and the Criminal Procedure Code have provisions about how courts can impose punishment (sentencing) as well as the rules that govern the process of prosecuting criminal offences. The review is significant and is likely to take some years.

62. In 2008 the LRC commenced work on the reference by releasing an 'Issues Paper' on the Penal Code. The 'Issues Paper' included a preliminary analysis of criminal

responsibility and most of the offences that took into account the international human rights obligations of Solomon Islands. Following this, the Law Reform Commission (LRC) undertook community consultation in all the provinces as well as Honiara.

63. The review of the Penal Code (PC) and Criminal Procedure Code (CPC) is broken down into different projects which will allow the LRC to make interim reports to the Minister for Justice and Legal Affairs. The LRC is currently working on projects to address sexual offences, sentencing, corruption offences and mental impairment, criminal responsibility and fitness to plead. The outcome for each project will be recommendations for reform of the PC and CPC. Depending on resources the recommendations may take the form of draft legislation.

64. In regards to Law Reform and implementing human rights treaties, LRC is currently working to the following as they are relevant to the reform of the Penal Code and the Criminal Procedure Code : The Convention on the Rights of the Child (CRC) (including the Optional Protocol to the CRC on Sale of Children, Child Prostitution and Child Pornography), the Convention for Eliminating all Discrimination Against Women (CEDAW), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Elimination of Racial Discrimination (CERD).

65. As part of its research for the reform of the Penal Code (PC) and Criminal Penal Code (CPC), the LRC has prepared a document that analyses the PC and CPC in terms of the requirements of these Conventions. A number of regional publications produced by international non government organisations (such as Translating CEDAW into Law published by UNIFEM and UNDP Pacific Centre) provide useful information for achieving legislative compliance with international human rights treaties. The LRC analysis also takes into account comments made by committees where Solomon Islands has made an initial or periodic report on implementing a human rights convention. For example, in 2003 the Committee on the Rights of the Child made a recommendation for Solomon Islands to increase the age of criminal responsibility, and the age of consent for marriage.

66. The current project addressing sexual offences is taking into account a number of important human rights standards including the best interests of the child (article 3 of the CRC), the need to protect children from all forms of violence (article 19 of the CRC), the obligation to eliminate all forms of discrimination against women (article 2 of CEDAW) and the need to take appropriate measures to modify the social and cultural patterns of conduct of men and women to achieve the elimination of prejudices and customary and other practices based on the idea of the inferiority or superiority of either of the sexes (article 5 of CEDAW).

67. CEDAW and ICESCR are relevant to the review of the law that applies to land below high water mark and low water mark. Under the current law this area of land can be customary land. The LRC continues its consultations on: rights of ownership and use with respect to customary land, commercial development and why women are not included in decision making, land trusts, and if women do receive an equitable share of benefits from development.

4. Women and National policy

68. Solomon Islands acknowledges that much is still required to ensure the full domestic realisation of the rights of women in development, security, empowerment, leadership and gender equality, but measures are being taken to sequentially address these subjects in partnership with donors and international organisations. This commitment was captured best by the Solomon Islands Prime Minister in 2010, Dr. Derek Sikua, in the forward to the *National Policy on Eliminating Violence against Women* (2010): “the Solomon Islands

government has chosen to begin to address violence against women so that our children will experience less of it in order that our grand children might see none of it.”

69. It was in 1998 that the first Solomon Islands national policy for women was adopted. In May 2002, Solomon Islands ratified CEDAW, and established in the Ministry of Women, Youth and Children Affairs (MWYCA) 2005. In 2009, the MWYCA reviewed the national policy for women (1998) and recommended that a multi-sectoral approach should be encouraged. This resulted in a change in name to the *National Policy on Gender Equality and Women's Development 2010-2012*, purposely to better embrace a broad based approach to women's contribution to development and communities. It's a recognition that was also clearly acknowledged in the Solomon Islands Government Medium term development strategy, 2008-2010.

70. In 2009, the *Solomon Islands Family Health and Safety Study; a study on violence against women and children* report was completed in partnership with SPC, UNFPA, UNICEF, AusAID, Solomon Islands National Statistics office and MWYCA as the national coordinator. The study shows a high prevalence of violence against women that the MWYCA came up with the *National Policy on Gender equality and Women's Development* (2010) with its six policy priority outcomes: i) Improved and equitable health and education for girls, boys, women and men; ii) Improved economic status of women; ii) Equal participation of women and men in the decision making and leadership; iv) Elimination of violence against women; v) Increased capacity for gender mainstreaming; vi) Effective monitoring and evaluation of policy outcomes. The MWYCA subsequently expounded on policy outcome iv) to come up with the *National Policy on Eliminating Violence against Women* (2010) as a subsidiary policy to the *National Policy on Gender equality and Women's Development 2010-2015*. It will be implemented through a national eliminating violence against women (EVAW) task force that reports to the national committee on Gender Equality and Women's Development, and comprising of representatives from representatives of violence against women (VAW) support agencies – police, health and medical services, education, VAW refugees and treatment agencies, and so on. The task force will be guided by a three-year multi-sectoral national action plan which will be reviewed after the first two years.

71. Solomon Islands MWYCA in partnership with UNIFEM has launched in November 2010 its completed *Protecting Women's Human Rights in Solomon Islands Law* toolkit – it identifies CEDAW's respective articles; provides an indicator question for its compliance in Solomon Islands laws; identifies the issue in particular CEDAW article; refers to Solomon Islands legislation which identify the issue; explain the importance of the legislation (or its lack); proposes legislative changes; and identifies policies – a first in the Pacific islands region. Solomon Islands will submit its first CEDAW report in 2012.

5. Children

72. Solomon Islands currently have a *National Children Policy with National Plan of Action* published in April 2010. Its outcomes and directions are informed by the UNICEF-AusAID funded study on children in the Solomon Islands title: *Protect me with Love and Care, A Baseline Report for the Solomon Islands 2008* (published in 2010). It has five strategic plan of action-outcomes for children in Solomon Islands: a) protection; b) development; c) survival; d) participation; and d) planning. In retrospect, after Solomon Islands participation at the World summit for children in 1990, the Solomon Islands Government (SIG) established its National Advisory Committee on Children (NACC) in 1992. Its purpose is to advise Cabinet on issues relating to children. Consequently, Solomon Islands became a Party to the UN Convention on the Rights of the Child (CRC) in 1995. It was NACC which prepared and submitted Solomon Islands report in May 2003 to the UN Committee on the Rights of the Child (UNCRC). It also provided coordination to

the *National Children Policy with National Plan of Action framework* which began with a review of the draft Policy and Plan of Action by all stakeholders in 2007. It importantly took into consideration observations made by the UNCRC regarding Solomon Islands CRC 2003 report.

6. Youth development

73. The first National Youth Policy was adopted in 2000. Its review by the Ministry of Women, Youth and Children Affairs (MWYCA) occurred in 2007, which resulted in the *Solomon Islands National Youth Policy 2010-2015*. The period between 2000 to 2010 saw the following: Youth budget allocated increased; CEDAW ratified in 2002; Youth officers been recruited for national and importantly Provincial offices; an increase in the number of NGOs youth programmes; the capacity of Honiara city council's youth division increases; the initiation of Solomon Islands national Youth Award; Youth policies and Action plans formulated for each Provinces; inauguration of the first Youth Parliament in 2008; and the formation of the National Youth stakeholders committee (NYSC) with support from the MWYCA.

7. Education reform

74. Since 2005, the Ministry of Education and Human Resources development has begun implementing the Curriculum Review and Reform Programme (CRRP). The first phase ended in 2009, while the second phase began in 2010. Its goals are to integrate subject syllabuses and to establish a continuous learning pathway from Year 1 to year 9. In the current review, the Social Science text book for Year 8 will be completed by the end of 2011, and should be ready for use in secondary schools by 2012. The text book has three chapter on human rights: a) 'Rules, Laws and Judiciary' – the role of courts and laws in the protection of Human Rights and the basic freedoms that Solomon Islands citizens have as enshrined in the constitution; b) Gender inequality – how gender equality should be encouraged in Solomon Islands societies; c) Women and Leadership – the changing role of women and barriers that women faced within society.

8. Royal Solomon Islands Police

75. The Solomon Islands Government (SIG) acknowledges that the arrival of RAMSI in 2003 has immensely improved the integrity, leadership and organizational administration of the Royal Solomon Islands Police Force (RSIPF). RAMSI has helped maintained peace and stability in the country. The Ministry of Police, and National Security and its Correctional Services continues to implement SIG policies on security and the maintaining law and order. Progress is evident from: improved community perception of living in a safe and peaceful environment; public confidence in the Royal Solomon Islands Police Force; and the Correctional Services upgraded infrastructure to meet UN requirements.

76. At the Solomon Islands Police Academy, it has a Human Rights package, with different modules, and which is being taught to new recruits, serving officers and supervisors alike. These include: a) Being a professional Police officer (module 1), b) Addressing community needs (module 6), c) Offences against persons (module 18), c) Family violence (module 19), and d) Cell and custody procedures (module 24). In addition to these modules, there is the Assistant investigators course on 'Fundamental Rights and Freedom', and the major investigation and integrity course delivered as a workshop on fair-trial and anti-corruption.

77. The Correctional Services Act 2007 makes provisions for the establishment and administration of correctional services and centres, including appointment of officers, and importantly various rights of the prisoners (sections 18 and 172). In regards to juveniles, the Correctional Service has the *Administration of Juvenile Justice in the Solomon Islands*

manual of operation 2006, mandated by the Solomon Islands Juvenile Act (Chapter 14) which provides for the establishment of a separate juvenile centre, and which draws its rules specifically from the *United Nations Rules for the Protection of Juveniles deprived of their Liberty*, *United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules)*, and *United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines)*. The main Correctional center at Rove is being annually inspected by the ICRC (Fiji).

78. In the Correctional Services regulations 2007, the Centres will be: (a) Rove Central Correctional Centre, Honiara and Guadalcanal Province; (b) Auki Correctional Centre, Malaita Province; (c) Gizo Correctional Centre, Western Province; (d) Kira Kira Correctional Centre, Makira Province; (e) Lata Correctional Centre, Temotu Province; and (f) Teterere Correctional Centre, Guadalcanal Province. The holding capacity of each correctional centre is as follows: (a) Rove 396; (b) Auki 100; (c) Gizo 80; (d) Kira Kira 40; (e) Lata 40; and (f) Teterere 80. There are currently housing inmates well below their capacity. At the Rove Correctional Centre, it has a Health Centre, all inmates have access to legal aid and there are currently 26 life time inmates, 10 short time inmates, 4 juveniles and no female inmates (as of 26 Jan 2011). Christian denominations held prayers every weekend for inmates, while an Imam held prayers for those of the Muslim faith every Friday afternoons.

9. Health

79. The Solomon Islands Government has a *National HIV Policy and Multi-Sectoral Strategic Plan 2005-2010*. Its predecessor is the *Multi-Sectoral Strategic Plan on HIV/AIDS in Solomon Islands: 2001 to 2005* which was endorsed by Cabinet in March 2003. Both Plans are a result of consultations with a range of stakeholders.

80. The reporting of the first AIDS infected person in early 2004 in the Solomon Islands calls for the Government and all stakeholders to review the existing HIV policies and plans, but importantly to reactivate the National AIDS Council established in 1997, whose roles include: review, update and expand policy issues around HIV management and human rights; to support initial coordination of treatment and care and support teams; to develop local training particularly in the area of counseling; identify strategic points at a community level for counseling and to develop a referral system that supports confidentiality.

81. The National Aids Council's Chair is the Minister of Health and Medical Services, Co-Vice Chairperson-Permanent Secretary Ministry of Health and a Co-Vice Chairperson to be elected from the NGO representatives. Its other members are drawn from: the Undersecretary for Health Improvement, Parliamentarian Committee Representative, PLWHA, Youth representative(s) from NGO/CBO, Media Association, Legal Adviser (lawyer or human rights specialist), General Secretary of SICA – broad based Church leadership, Representative of the Private Sectors – Solomon Telekom, General Secretary National Council of Women Save the Children, Director of SIs Planned Parenthood Association, OXFAM-Solomon Islands, Commissioner (s) of Police and Prison Service, WHO and UNICEF Representative.

10. Freedom of expression

82. Section 12 of the Constitution provides protection of freedom of expression, and the populace are free to make opinions on any matter that concerns their wellbeing and livelihood. The country has a daily newspaper (The Solomon Star), three other weekly newspapers (Sunday Isles, National Express, Island Sun) and an online one – the Solomon Times. It has a single TV station (One News Television), the national broadcaster – Solomon Islands broadcasting corporation (SIBC), and three FM stations (Z FM, PAOA FM and Wantok FM). They are all members of the Media Association of Solomon Islands.

D. Key national priorities, commitments and initiatives

1. National priorities

83. The Solomon Islands Medium Term Development Strategy 2008-2010 lapsed in 2010, and hence, the SIG recognises the need to have a new National Development Strategy (NDS). The Ministry of Development Planning and Aid Coordination (MDPAC) is coordinating its formulation in close consultation with all stakeholders. The *Solomon Islands: National Development Strategy 2011-2015 draft* has been completed, and its overarching theme is: 'To Create a New, United and Vibrant Solomon Islands.' The overarching focus areas of the *Solomon Islands: National Development Strategy 2011-2015 draft* are: a) 'To provide social and economic opportunities and benefits to improve and enhance the lives of Solomon Islanders'; b) 'To manage the rate of population growth that will build and sustain the prosperity of the families and communities in the Solomon Islands'; and c) 'To maintain stability and peace.'

2. Government initiatives

84. The Solomon Islands Government recognises that human rights are entitlements by the function of the fact that a person is a human being, and that it has a role to play towards their realisations by its peoples'. To this end, the protection of these rights within its Constitution, couple with the implementation of national respective policies towards women, youths, children, gender equality, and so on, must be contextually practical to ensure that they are deliverable, and thus, the following constitute SIG initiatives:

The Policy Strategic Framework 2008-2010, Solomon Islands National Climate Change Policy 2011-2015, Administration of Juvenile Justice in the Solomon Islands manual of operation 2006, National HIV Policy and Multi-Sectoral Strategic Plan 2005-2010, National Policy on Eliminating Violence against Women (2010), National Policy on Gender equality and Women's Development (2010), National Policy on Gender equality and Women's Development 2010-2015, Protecting Women's Human Rights in Solomon Islands Law toolkit, National Children Policy with National Plan of Action (2010), Solomon Islands National Youth Policy 2010-2015; Rights of People with Disabilities Draft Bill, Child Protection Draft Bill.

3. Request

85. The Solomon Islands Government (SIG) requests the international community to consider assisting national policy plans and strategies towards addressing women economic empowerment, climate change, advocacy against violence against women and children, youth empowerment, legal aid, health, education and law reform initiatives in the following ways:

a) Assistance to build local legal capacity on international human rights law domestication through the Ministry of Justice and Legal Affairs and the Ministry of Foreign Affairs and External Trade;

b) Technical assistance to build local capacity towards the implementation of CRPD, CEDAW, and CRC through the Ministry of Women, Youth and Children Affairs and the Ministry of Health and Medical Services;

c) Technical and financial assistances to build local NGOs and Government capacity toward creating a national action plan for human rights;

d) Technical assistance towards providing continuing education for juveniles through the Ministry of Education and Human Resources Development and the Correctional Services;

- e) Financial and technical assistance to build local capacity for human rights education in schools, the Solomon Islands College of Higher Education, and curriculum reforms through the Ministry of Education and Human Resources Development;
- f) Technical assistance to assist the Government to establish schools for children with special needs;
- g) Technical assistance to build local capacity at the Police Academy on human rights education.

E. Acknowledgement

86. The Solomon Islands Government (SIG) acknowledges, that while the compilation of its State's UPR report is solely an undertaking by its officials, certainly it would not be possible without the specific UPR guidance provided through the national workshop for stakeholders organised by the Pacific regional office for UN-OHCHR, SPC/RRRT, and Pacific Islands Forum, 23–27 August 2010. A special word of appreciation goes to the Regional Assistance Mission to Solomon Islands for the work that it has been doing in the law and justice sector in the country since 2003. Equally important, SIG with deep appreciation acknowledge the support given to the Government by the ICRC, SPC/RRRT, UNFPA, UNICEF, UN-OHCHR, Donors and the Human Rights Unit of the Commonwealth Secretariat in relations to human rights policy formulation, research and awareness in the Solomon Islands. Finally, funding to enable the Government's delegation to present its State's report to the Human Rights Council in Geneva is provided by the Solomon Islands Government

Notes

- ¹ Note by the secretariat: In accordance with United Nations terminology, references to Taiwan in the presence document should read Taiwan Province of China.
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