

Solomon Islands

Mid-term

Implementation

Assessment



*Promoting and strengthening
the Universal Periodic Review*
<http://www.upr-info.org>

Introduction

1. Purpose of the follow-up programme

The second and subsequent cycles of the review should focus on, inter alia, the implementation of the accepted recommendations and the development of the human rights situation in the State under review.

A/HRC/RES/16/21, 12 April 2011 (Annex I C § 6)

The Universal Periodic Review (UPR) process takes place every four and one half years; however, some recommendations can be implemented immediately. In order to reduce this interval, we have created a follow-up process to evaluate the human rights situation two years after the examination at the UPR.

Broadly speaking, *UPR Info* seeks to ensure the respect of commitments made in the UPR, but also, more specifically, to give stakeholders the opportunity to share their opinion on the commitments. To this end, about two years after the review, *UPR Info* invites States, NGOs, and National Institutions for Human Rights (NHRI) to share their comments on the implementation (or lack thereof) of recommendations adopted at the Human Rights Council (HRC) plenary session.

For this purpose, *UPR Info* publishes a Mid-term Implementation Assessment (MIA) including responses from each stakeholder. The MIA is meant to show how all stakeholders are disposed to follow through on and to implement their commitments. States should implement the recommendations that they have accepted and civil society should monitor that implementation.

While the follow-up's importance has been highlighted by the HRC, no precise directives regarding the follow-up procedure have been set until now. Therefore, *UPR Info* is willing to share good practices as soon as possible and to strengthen the collaboration pattern between States and stakeholders. Unless the UPR's follow-up is seriously considered, the UPR mechanism as a whole could be adversely affected.

The methodology used by *UPR Info* to collect data and to calculate the index is described at the end of this document.

Geneva, 27 March 2014

Follow-up Outcomes

1. Sources and results

All data are available at the following address:

http://followup.upr-info.org/index/country/solomon_islands

We invite the reader to consult this webpage since all recommendations, all stakeholders' reports, as well as the unedited comments can be found at the same internet address.

9 stakeholders' reports were submitted for the UPR. 10 NGOs were contacted. 1 UN agencies was contacted. The Permanent Mission to the UN was contacted. There is no National Human Rights Institution (NHRI).

5 NGOs and NGO coalitions responded to our enquiry. The UN agency responded. The State under Review did not respond to our enquiry.

The following stakeholders took part in the report:

1. **UN Agency:** (1) United Nations High Commissioner for Refugees - Regional Office for Australia, New Zealand and the Pacific (UNHCR)
2. **NGOs:** (1) Coalition for Education Solomon Islands (COESI) (2) Development Services Exchange (DSE) (3) Earthjustice + Human Rights Advocates (EJ+HRA) (4) Global Initiative to End All Corporal Punishment of Children (GIEACPC) (5) People with Disabilities Solomon Islands (PWDSI)

IRI: 10 recommendations are not implemented, 5 recommendations are partially implemented, and 4 recommendations are fully implemented. No answer was received for 100 out of 121 recommendations and voluntary pledges.

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2. Index

Hereby the issues that the MIA covers:

rec. n°	Rec. State	Issue	IRI	page
47	Australia	Elections	fully impl.	page 5
13	Brazil	Rights of the Child,Women's rights	-	page 11
71	Canada	Disabilities,International instruments	partially impl.	page 10
62	Ecuador	International instruments	not impl.	page 9
88	Ecuador	Disabilities	not impl.	page 9
91	Ecuador	Environment	fully impl.	page 5
23	Hungary	Rights of the Child,Torture and other CID treatment	not impl.	page 11
32	Maldives	International instruments,Special procedures,Women's rights	not impl.	page 12
93	Maldives	Environment	fully impl.	page 7
114	Mexico	Right to education	partially impl.	page 8
70	Slovakia	Disabilities,Human rights education and training,International instruments	not impl.	page 10
73	Slovakia	International instruments	not impl.	page 10
115	Slovakia	Disabilities,Right to education	partially impl.	page 8
22	Slovenia	International instruments,Rights of the Child	-	page 11
39	Slovenia	Rights of the Child,Torture and other CID treatment	not impl.	page 11
117	Solomon Islands	Right to education	partially impl.	page 8
120	Solomon Islands	Rights of the Child,Treaty bodies,Women's rights	fully impl.	page 11
61	Spain	International instruments	not impl.	page 9
111	Spain	Right to water	not impl.	page 8
87	Thailand	Disabilities	partially impl.	page 9
89	United States	Disabilities	not impl.	page 9

3. Feedback on recommendations

CP Rights

Recommendation n°47: *Encourage further strengthening of the electoral system, particularly through improving the integrity of voter registration* (Recommended by Australia)

IRI: *fully implemented*

Development Services Exchange (DSE) response:

Solomon Islands has adopted a new and improved voter registration system called the Biometric Voter Registration. The system is expected to solve problems normally faced during voting such as double voting and or voting using other people's names. More awareness on this new system needs to be done prior to registration of voters, as the National General Election will be held at the last quarter of this year

People with Disabilities Solomon Islands (PWDSI) response:

The Solomon Islands Government has introduced the Bio-Metric System for voters registration. This is in preparation for the National Elections due this year.

ESC Rights

Recommendation n°91: *Adopt measures to mitigate climate change risks* (Recommended by Ecuador)

IRI: *fully implemented*

DSE response:

The Solomon Islands Government has formed a separate ministry for Environment Conservation and Climate Change, Disaster Management and Meteorology that addresses climate change mitigation. The Financial Budget for this ministry should be increased to cater for more climate change mitigation adaptation program in the community level and also its efforts to tackle global warming in the international level.

Earthjustice + Human Rights Advocates (EJ+HRA) response:

Despite its limited capacity to minimize the effects of climate change on its citizens, Solomon Islands has taken steps to enhance its technical capacity building to mitigate the impacts of climate change in cooperation with international community and relevant United Nations agencies and hence contributed to the protection of human rights from climate threats. Examples include:

- At UN climate negotiations in November 2013, Solomon Islands urged Annex I countries to take urgent, time-bound, and accelerated emissions reductions.

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- With funding from the European Union's Global Climate Change Alliance, Solomon Islands is working to implement programs that contribute to climate change adaptation and reduction of vulnerability of people and communities, enhance policy, and coordinate and implement its national climate change strategy in line with its National Adaptation Programme of Action (NAPA) and National Disaster Risk Management Plan (NDMRP).
- A Climate Change Working Group has been established under the leadership of Ministry of Environment as a forum for policy dialogue and donor coordination in the sector.
- Climate change has been mainstreamed into the National Development Strategy, the National Transport Plan, and the 2011 and 2012 budgets.
- Provincial and national consultations on the climate change policy have been held.
- The National Climate Change Policy was launched in mid-2012.

Nevertheless, no amount of effort on the part of Solomon Islands will fully protect the human rights of the people of Solomon Islands, as long as climate change continues to:

- threaten the physical security and health of coastal communities (most of the population) with increased temperatures, sea level rise and increasingly severe storms and cyclones resulting in tidal surges, lowland flooding, beach and mangrove erosion, and the spread of vector-borne diseases;
- threaten access to freshwater by increasing extremes of temperature and precipitation, increasing instances of drought, and by causing salt-water intrusion into groundwater due to lowland flooding and coastal erosion; and
- jeopardize food security by impeding the agricultural capacity of the islands and damaging ocean ecosystems such as reef fisheries on which the people of Solomon Islands rely for food.

These threats are negatively impacting the rights to food and water, the right to health, and the right to a healthy and sustainable environment for the people of Solomon Islands.

United Nations High Commissioner for Refugees - Regional Office for Australia, New Zealand and the Pacific (UNHCR) response:

Status of implementation for relevant recommendations

1. The Solomon Islands has not submitted any documentation to the OHCHR regarding the implementation of recommendations made as part of the country's 2011 UPR.
2. Solomon Islands have not yet acceded to the Convention relating to the Status of Stateless Persons or the Convention on the Reduction of Statelessness.
3. Solomon Islands signed the 1951 Convention and 1967 Optional Protocol on 12 April 1995

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Recommendation n°93: *Continue its admirable international efforts to tackle global warming, including by reminding developed countries and major emitting States of their obligation to help promote and protect human rights in Solomon Islands by reducing greenhouse gas emissions to safe levels* (Recommended by Maldives)

IRI: *fully implemented*

EJ+HRA response:

Despite its limited capacity to minimize the effects of climate change on its citizens, Solomon Islands has taken steps to enhance its technical capacity building to mitigate the impacts of climate change in cooperation with international community and relevant United Nations agencies and hence contributed to the protection of human rights from climate threats. Examples include:

- At UN climate negotiations in November 2013, Solomon Islands urged Annex I countries to take urgent, time-bound, and accelerated emissions reductions.
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Recommendation n°111: *Take the necessary measures to ensure a supply of water of good quality to all informal settlements including the provision of water tanks* (Recommended by Spain)

IRI: *not implemented*

DSE response:

Ownership of water resources needs clarification; Laws affecting/connected with water resources need to be harmonized; Develop water resources inclusively (involving landowners, Government and private sector), and based on meaningful and sustainable partnership

Recommendation n°114: *Increase efforts necessary to ensure that education for boys and girls is free, compulsory and accessible* (Recommended by Mexico)

IRI: *partially implemented*

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Recommendation n°115: *Provide for free, compulsory education, accessible to all, with particular care paid to disabled children by allocating sufficient financial and human resources to the education system* (Recommended by Slovakia)

IRI: *partially implemented*

PWDSI response:

This has yet to take place in Solomon Islands . At the moment, a free fee policy is in place, however, parents must pay other fees to the school. This means that many children will not attend school; this includes children with disabilities.

Recommendation n°117: *Fee free basic education policy and community schools.* (Recommended by Solomon Islands)

IRI: *partially implemented*

Coalition for Education Solomon Islands (COESI) response:

The Government is currently reviewing the "Education act" as a way forward in making sure that ,its commitments on CRC and international agendas such as Education for all goals (EFA) and MDG should be reflected in the current education act review. In reviewing the education act, the right to educate will then be legislated and thus will result in implementing the free fee policy and other policies with further political will. The Government is working towards making Community Education as one its priorities with integrating Post school literacy education as one of its key area of focus.

PWDSI response:

The Government has introduced a free fee policy, however, there are still fees parents must meet; this means that for poorer families, their children will not attend school.

Minorities

Recommendation n°87: *Step up efforts to promote and protect the rights of persons with disabilities by, inter alia, providing equal access to education, health and justice services for persons with disabilities, and engaging persons with disabilities or their representatives in the policymaking process* (Recommended by Thailand)

IRI: *partially implemented*

PWDSI response:

Our [Disabled Persons' Organization (DPO)] has been involved in consultations reviews of the penal codes. Our participation saw [Convention on the Rights of Persons with Disabilities] included in the final draft and launched on 05th March 2014

Recommendation n°88: *Adopt and implement public policies to protect peoples with disabilities and guarantee their equal access to decent housing, employment and health* (Recommended by Ecuador)

IRI: *not implemented*

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Recommendation n°89: *Develop and implement a plan to provide accommodation and assistance to those with disabilities* (Recommended by United States)

IRI: *not implemented*

PWDSI response:

[Solomon Islands Government (SIG)] yet to embark on [these] recommendation[s].

International Instruments

Recommendation n°61: *Sign and ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, the International Covenant on Civil and Political Rights and its two Optional Protocols, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the International Convention for the Protection of All Persons from Enforced Disappearance, ratify the Convention on the Rights of Persons with Disabilities and the two Optional Protocols to the Convention on the Rights of the Child* (Recommended by Spain)

IRI: *not implemented*

PWDSI response:

Solomon Islands Government (SIG) is not a signatory to the CAT. SIG is a signatory to the ICESCR &ICERD. Solomon islands is a signatory to the CRPD and its optional protocol

Recommendation n°62: *Sign or ratify the following international human rights instruments: the Optional Protocols to the Convention on the Rights of the Child, the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness, the Optional Protocol to the Convention on the Rights of*

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Persons with Disabilities, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Prevention and Punishment of the Crime of Genocide, the Rome Statute of the International Criminal Court, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (Recommended by Ecuador)

IRI: *not implemented*

UNHCR response:

Status of implementation for relevant recommendations

1. [...]
2. Solomon Islands have not yet acceded to the Convention relating to the Status of Stateless Persons or the Convention on the Reduction of Statelessness.
3. [...]

Recommendation n°70: Ratify the Convention on the Rights of Persons with Disabilities and develop public awareness campaigns about the rights and participation of such persons (Recommended by Slovakia)

IRI: *not implemented*

DSE response:

More public awareness on the Convention on the Rights of Persons with Disabilities the relevant Government institutions (Community Based Rehabilitation Department of the Ministry of Health) working in partnership with Disabled Peoples Organisations and other relevant CSO). Ratify the Convention, and address disability issues including accessibility issues and right to education.

PWDSI response:

Solomon Islands Government (SIG) has yet to ratify and develop campaigns about rights of persons with disabilities

Recommendation n°71: Give serious consideration to ratifying the Convention on the Rights of Persons with Disabilities and enact law or national policy to ensure the protection and care of persons with physical, sensory, intellectual, or mental disabilities (Recommended by Canada)

IRI: *partially implemented*

PWDSI response:

According to the Minister of Health, during the Forum Leaders Meeting in Port Moresby in 2012 stated that Solomon Islands Government (SIG) would ratify in 2014. This has yet to be confirmed by the Government.

Recommendation n°73: Ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Recommended by Slovakia)

IRI: *not implemented*

UNHCR response:

Status of implementation for relevant recommendations

1. [...]

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2. Solomon Islands have not yet acceded to the Convention relating to the Status of Stateless Persons or the Convention on the Reduction of Statelessness.
3. Solomon Islands signed the 1951 Convention and 1967 Optional Protocol on 12 April 1995

Recommendation n°120: *Solomon Islands is also committed to submitting its periodic reports to the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child* (Recommended by Solomon Islands)

IRI: *fully implemented*

PWDSI response:

The Solomon Islands Government submitted its CEDAW Report in 2013

Women & Children

Recommendation n°13: *Adopt legislation and raise public awareness to combat domestic violence* (Recommended by Brazil)

IRI: -

DSE response:

More public awareness [is needed] on adopted legislations on domestic violence to rural communities where 80% of the population is [living]. Engage community based organisations, and NGOs to conduct public awareness in rural communities. Conduct national surveys to measure impact and outcomes awareness activities and rate of domestic violence to update the current national report on domestic violence.

Recommendation n°22: *Introduce national legislation to ensure that the rights of the child are fully protected, in line with the Convention on the Rights of the Child* (Recommended by Slovenia)

IRI: -

PWDSI response:

Solomon Islands Government has a National Child Policy housed in Ministry of Women, Youth, Children and Family Affairs.

Recommendation n°23: *Adopt legislation to legally prohibit corporal punishment of children* (Recommended by Hungary)

IRI: *not implemented*

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Recommendation n°39: *End all forms of corporal punishment of children in all settings, including in the home and in schools, by enforcing its prohibition* (Recommended by Slovenia)

IRI: *not implemented*

Global Initiative to End All Corporal Punishment of Children (GIEACPC) response:

At present in the Solomon Islands, corporal punishment is lawful in the home, alternative care settings, day care and schools under the "right of any parents,

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teacher, or other person, having the lawful control of a child or young person to administer reasonable punishment to him". A Family Protection Bill has been prepared which provides a key opportunity to implement the Government's acceptance of the recommendation by enacting prohibition of corporal punishment - a home cannot be free from violence while children may be hit and hurt with impunity - but we have been unable to obtain a copy of the full text. [...]

Recommendation n°32: *Develop explicit legislation implementing the provisions of the Convention on the Elimination of All Forms of Discrimination against Women, and invite the Special Rapporteur on violence against women, its causes and consequences, to the country (Recommended by Maldives)*

IRI: *not implemented*

PWDSI response:

Solomon Islands Government (SIG) has developed its Gender Equality and Women Empowerment policy; from this policy, an Elimination of Violence Against Women policy has been developed and currently implemented

Methodology

A. First contact

Although the methodology has to consider the specificities of each country, we applied the same procedure for data collection on all of the States:

1. We contacted the Permanent Mission to the UN either in Geneva (when one exists) or in New York;
2. We contacted all NGOs which took part in the process. Whenever NGOs were part of coalitions, each NGO was contacted individually;
3. The National Institution for Human Rights was contacted whenever one existed.
4. UN Agencies which sent information for the UPR were contacted.

We posted our requests to the States and NHRI and, also, sent emails to NGOs and UN Agencies.

The purpose of the UPR is to discuss issues and share concrete suggestions to improve human rights on the ground. Therefore, stakeholders whose objective is not to improve the human rights situation were not contacted and those stakeholders' submissions were not taken into account.

However, since the UPR is meant to be a process which aims at sharing best practices among States and stakeholders, we take into account positive feedback from the latter.

B. Processing recommendations and voluntary pledges

The stakeholders that we contact are encouraged to use an Excel sheet that we provide. The Excel sheet includes all of the recommendations received and voluntary pledges taken by the State reviewed.

Each submission is processed, whether the stakeholder has or has not used the Excel sheet. In the latter case, the submission is split among recommendations to which we think it belongs. Since such a task is more prone to misinterpretation, we strongly encourage stakeholders to use the Excel sheet.

If the stakeholder does not clearly mention whether the recommendation was "fully implemented" or that it was "not implemented", UPR Info usually considers the recommendation as "partially implemented", unless the implementation level is obvious.

UPR Info retains the right to edit comments that are considered to not directly address the recommendation in question, when comments are too lengthy or when

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comments are defamatory or inappropriate. While we do not mention the recommendations that were not addressed, they can be accessed, unedited, on the follow-up webpage.

C. Implementation Recommendation Index (IRI)

UPR Info developed an index showing the implementation level achieved by the State for both recommendations received and voluntary pledges taken at the UPR.

*The **Implementation Recommendation Index (IRI)** is an individual recommendation index. Its purpose is to show an average of stakeholders' responses.*

The IRI is meant to take into account the possibility of stakeholders disputing the implementation of a recommendation. Whenever a stakeholder claims nothing has been implemented at all, the index score is 0. On the contrary, whenever a stakeholder claims a recommendation has been fully implemented, the IRI score is 1. An average is calculated to fully reflect the many sources of information. If the State under Review claims that the recommendation has been fully implemented, and a stakeholder says it has been partially implemented, the score is 0.75.

Then, the score is transformed into an implementation level, according to the table below:

Percentage:	Implementation level:
0 – 0.32	Not implemented
0.33 – 0.65	Partially implemented
0.66 – 1	Fully implemented

Example: On one side, a stakeholder comments on a recommendation requesting the establishment of a National Human Rights Institute (NHRI). On the other side, the State under review claims to have partially set up the NHRI. As a result of this, the recommendation will be given an *IRI* score of 0.25 and will, thus, be considered as "not implemented".

Disclaimer

The comments made by the authors (stakeholders) are theirs alone, and do not necessarily reflect the views and opinions at UPR Info. Every attempt has been made to ensure that information provided on this page is accurate and not abusive. UPR Info cannot be held responsible for information provided in this document.

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