

**Sexual Exploitation of Children in Solomon Islands  
Submission**

for the Universal Periodic Review of the human rights situation in Solomon Islands

Submitted by  
**ECPAT International**

Bangkok, Thailand on 15<sup>th</sup> October 2020

to the **Human Rights Council**  
38<sup>th</sup> session (January 2020)  
UPR third cycle 2017 – 2021



ECPAT International  
Special consultative status

Executive Director: Mr. Robbert van den Berg  
Address: 328/1 Phayathai Road, Ratchathewi,  
Bangkok 10400, Thailand  
Phone: +66 2 215 3388  
Email: [info@ecpat.org](mailto:info@ecpat.org)  
Website: [www.ecpat.org](http://www.ecpat.org)

*ECPAT International is a global network of civil society organisations working for the eradication of all forms of sexual exploitation of children. For the past 29 years, ECPAT has acted as the international watchdog, monitoring States' response to sexual exploitation of children, and advocating for robust international measures to protect children from sexual exploitation. ECPAT International currently has 121 network members operating in 103 countries.*

1. The present submission is based on desk based research as well as a brief summary of the findings of a recent research conducted by ECPAT International and is aimed at offering a snapshot of the context of sexual exploitation of children (SEC) in the Pacific and key issues affecting children's vulnerability, ability to access support services, and frontline worker's ability to provide support to them.<sup>1</sup>
2. The scope of this briefing is limited to SEC and its different manifestations, including exploitation of children in prostitution,<sup>2</sup> online child sexual exploitation (OCSE), child sexual abuse materials (CSAM),<sup>3</sup> trafficking of children for sexual purposes and sexual exploitation of children in the context of travel and tourism (SECTT)<sup>4</sup> and child, early and forced marriage (CEFM).
3. In June 2019, ECPAT undertook a survey of 84 welfare workers in seven Pacific countries, including responses from sixteen Solomon Islands welfare workers. The sexual exploitation of children in the Pacific region has received very limited attention and very little primary data is available. While exploratory and limited, the results for the survey provided immensely important data on the possible extent and level of awareness of the problem. Data presented here is related to the full sample (from all 7 Pacific countries) but often aligned with trends seen globally.
4. Overwhelmingly perpetrators were male (90%) though up to 32% of facilitators of abuse were women.<sup>5</sup> Typically (70%), the perpetrators were from the family or 'circle of trust' of the child; "Most children were victims of rape by relatives and people known as friends of the victims' family." As many as 32% of the total cases that workers were seeing involved boys as victims.<sup>6</sup>
5. Stigmatisation and the taboo nature of sex were major barriers, that while not specific to the region, may be exacerbated by social and cultural norms. Unwillingness to discuss the issue also represented vulnerabilities for children and 67% of respondents identified that general public awareness about SEC was "poor".<sup>7</sup>
6. The need for governments to urgently fund support services and scale up police training and resourcing to respond was consistent across all countries in which surveys were undertaken.<sup>8</sup>

#### *Brief context of the sexual exploitation of children in Solomon Islands*

7. A 2015 study by Save the Children on the dynamics of child sexual exploitation in Solomon Islands identified that children who were being used as nightclub, motel and casino workers in Honiara, the capital city, were being offered to clients for sexual services as part of their employment.<sup>9</sup> However, the lack of recent research and information relating to the exploitation of children in prostitution makes it difficult to provide an accurate, up to date picture of the magnitude of the problem within the country today.
8. As of 2018, there were around 73.8 mobile cellular subscriptions per 100 inhabitants<sup>10</sup> and, as of 2017, 11.9% of people using the Internet<sup>11</sup> within Solomon Islands. Although there is a distinct lack of research and understanding of the scale of online child sexual exploitation within the country, it is clear that the increasing use of mobile phones and the proliferation of Internet access, although

conducive to innovation and development, present potential and growing new vulnerabilities to the sexual exploitation of children in the online environment. The misuse of available technologies offers perpetrators new ways to groom and exploit children. In addition, the anonymity of the Internet facilitates the exchange and dissemination of child sexual abuse materials.<sup>12</sup>

9. In 2015, Save the Children identified that most logging camps in the country were sites to which children were domestically trafficked in order to be sexually exploited.<sup>13</sup> They estimated that each camp had around 6-12 girls aged 11-16 for these purposes.<sup>14</sup> Furthermore, children trafficked into logging communities for labour purposes often became 'house girls', who, although not technically married, were often seen as synonymous with wives. The sexual exploitation of these girls was often condoned as foreign logging workers provided financial aid to the girl's families.<sup>15</sup> Further, in 2019, the media reported on the case of an Australian man who had been working in the Solomon Islands as a Christian missionary and has since been arrested for sexually abusing girls under 15.<sup>16</sup>
10. According to the most recently available government statistics, the travel and tourism industry in Solomon Islands grew by 42% between 2015 and 2018.<sup>17</sup> The importance of this sector is emphasised by statistics from the World Travel and Tourism Council which indicate that, in 2019, travel and tourism amounted to 10.5% of the country's total GDP.<sup>18</sup> However, engagement from the travel and tourism sector in combatting SEC has been weak, with only two companies, both with limited operations within Solomon Islands, having become members of the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism which aims to protect children from sexual abuse in travel and tourism.<sup>19</sup> Currently there are no companies based in Solomon Islands that are members of The Code.
11. Child, early and forced marriage remains an important issue in Solomon Islands, with UNICEF highlighting that between 2012 and 2018, amongst women aged 20-24, 6% were married before turning 15 and 21% were married before 18.<sup>20</sup> Further, within the same timescale, 4% of men aged 20-24 were married before turning 18.<sup>21</sup>
12. Girls Not Brides have identified that traditional customs within Melanesia, Polynesian and Micronesian communities may lead to child marriage as a method of ensuring that land ownership remains within the family.<sup>22</sup> Further, Save the Children indicated in a 2015 study that foreigners working in the logging industry had also been marrying children within Solomon Islands.<sup>23</sup> These workers were seen as a prosperous option and so families encouraged children to marry in an attempt to alleviate the hardships of poverty.<sup>24</sup>

#### *Omissions in the legislative framework on prohibition of sexual exploitation*

13. In terms of international obligations, Solomon Islands has failed to ratify a number of crucial instruments aimed at protecting children from sexual exploitation. Despite signing the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography in 2009, Solomon Islands is yet to ratify or accede to the treaty. Further, the country has yet to sign or ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons,

Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

14. With the passing of the Immigration Act 2012<sup>25</sup> and Penal Code (Sexual Offences) Amendment Act 2016,<sup>26</sup> Solomon Islands has aligned its national legislation with international standards in terms of protecting children from exploitation in prostitution and from being trafficked for sexual purposes. However, important omissions persist within the legislation that may leave children vulnerable to being sexually exploited.
15. In particular, there are no provisions under Solomon Islands law that define or criminalise forms of online child sexual exploitation other than CSAM, such as live streaming of sexual abuse material, online grooming, online sexual extortion or unsolicited sexting. Further, the law criminalising CSAM and associated conducts<sup>27</sup> does not explicitly refer to offences committed in the online environment. Another omission in the law relating to CSAM is the lack of an exemption clause concerning sexting between minors. The lack of such a clause may result in children becoming offenders for engaging in consensual sexting between peers or creating CSAM in an abusive or exploitive situation. It is clear that this would not be in the best interests of the child.
16. Although the legislation contains comprehensive coverage of child trafficking offences, both within<sup>28</sup> and outside of the country,<sup>29</sup> there is no standalone provision that explicitly prohibits the sale of children.
17. There is no legal framework in Solomon Islands that criminalises or offers children protection from SECTT.
18. Under the Islanders Marriage Act children aged 15 and over may marry with the consent of a parent, guardian or judge.<sup>30</sup> It is important that the law be amended so as to ensure that marriage before the age of 18 is strictly prohibited without exception. Lastly, there are no provisions under the Solomon Island legislation that criminalises forced marriage.

### **Recommendations to the Government of Solomon Islands**

1. Conduct a nationwide assessment on all manifestations of the sexual exploitation of children to develop evidence-based policies and strategies;
2. Allocate enough funding to raise public awareness about all manifestations of sexual exploitation of children, including focus on breaking the stigma attached and encouraging victims to come forward;
3. Ratify key international instruments such as the OPSC and Palermo Protocol;
4. Adopt specific legal provisions that prohibit offences related to online child sexual exploitation, such as live streaming of child sexual abuse material, online grooming, sexual extortion and unsolicited sexting;
5. Adopt specific legal provisions that define and criminalise the sale of children;
6. Adopt specific legal provisions to criminalise the sexual exploitation of children in travel and tourism;
7. Establish 18 as the legal age of marriage without any possible exception;
8. Ensure that all instances of sexual exploitation of children within the logging community are adequately investigated and prosecuted and ensure that children are provided with the necessary protection to avoid their continued sexual exploitation associated with this industry.

9. Ensure that enough shelters for children victims of sexual exploitation are available, properly funded, staffed by well-trained personnel and able to offer integrated services (psychological, legal, medical, etc.);
10. Ensure that law enforcement agencies have the funds, resources and skills to identify, investigate and respond to sexual exploitation of children and are able to use adapted protocols when dealing with victims of these crimes.

<sup>1</sup> ECPAT International. (2019, June). [Perceptions of frontline welfare workers on the sexual exploitation of children in the Pacific](#), Bangkok: ECPAT.

<sup>2</sup> ECPAT prefers the term ‘*exploitation of children in prostitution*’ instead of ‘*child prostitution*’ in line with the recently widely adopted Terminology Guidelines. ECPAT International (2016), “[Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse, adopted by the Interagency Working Group in Luxembourg, 28 January 2016](#)”, Bangkok: ECPAT, 29.

<sup>3</sup> ECPAT prefers the term ‘child sexual exploitation material’ or ‘child sexual abuse material’ over the often in legal context still used ‘child pornography’ in line with the recently widely adopted Terminology Guidelines. *Ibid.*, 39.

<sup>4</sup> *Ibid.*, 54.

<sup>5</sup> ECPAT International. (2019, June). [Perceptions of frontline welfare workers on the sexual exploitation of children in the Pacific](#), Bangkok: ECPAT.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

<sup>8</sup> *Ibid.*

<sup>9</sup> Save the Children. (2015). [Dynamics of Child Trafficking and Commercial Sexual Exploitation of Children in Solomon Islands](#). 35.

<sup>10</sup> ITU. (n,d). [Mobile cellular subscriptions per 100 inhabitants](#).

<sup>11</sup> ITU. (n,d). [Individuals using the Internet](#).

<sup>12</sup> ECPAT International. (2018). [Trends in online child sexual abuse materials](#). Bangkok : ECPAT International.

<sup>13</sup> Save the Children. (2015). [Dynamics of Child Trafficking and Commercial Sexual Exploitation of Children in Solomon Islands](#). 35.

<sup>14</sup> *Ibid.*

<sup>15</sup> *Ibid.*, 47.

<sup>16</sup> ABC. (2019). [Australian missionary charged with nine counts of child sexual abuse in Solomon Islands](#).

<sup>17</sup> Government of Solomon Islands. (2019). [Visitor Arrivals Statistics](#). 9.

<sup>18</sup> World Travel and Tourism Council. (2020). [Solomon Islands Annual Research: Key Highlights](#).

<sup>19</sup> The Code. (n.d). [Members of the Code](#).

<sup>20</sup> UNICEF. (2019). [The State of the World’s Children 2019. Children, Food and Nutrition: Growing well in a changing world](#). UNICEF, New York. 234.

<sup>21</sup> *Ibid.*

<sup>22</sup> Girls Not Brides. (n,d). [Solomon Islands](#).

<sup>23</sup> Save the Children. (2015). [Dynamics of Child Trafficking and Commercial Sexual Exploitation of Children in Solomon Islands](#). 44.

<sup>24</sup> *Ibid.*

<sup>25</sup> Government of Solomon Islands. (2012). [Immigration Act](#).

<sup>26</sup> Government of Solomon Islands. (2016). [Penal Code \(Amendment\) \(Sexual Offences\) Act](#).

<sup>27</sup> Government of Solomon Islands. (2016). [Penal Code \(Amendment\) \(Sexual Offences\) Act](#). Section 144.

<sup>28</sup> *Ibid.*, Section 145.

<sup>29</sup> Government of Solomon Islands. (2012). [Immigration Act](#). Section 77.

<sup>30</sup> Government of Solomon Islands. (1996). [Islanders Marriage Act](#). Section 10.