



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of Solomon Islands and welcome the constructive engagement of the Government of Solomon Islands during the 38th session of the UPR Working Group in May 2021.

As the final outcome report on the review of Solomon Islands was recently adopted by the Human Rights Council at its 48th session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Solomon Islands – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and recommendations made by 59 delegations and the presentation made and responses provided by the delegation of Solomon Islands. I have also considered the actions taken by the Government of Solomon Islands to implement the 89 recommendations fully supported as well as those that were partially accepted during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I welcome the commitment of your Government to ratifying the Convention on the Rights of Persons with Disabilities, the Optional Protocols to the Convention on the Rights of the Child, as well as the UN Convention Against Transnational Organized Crime, and to establish a national human rights institution. I also note that your Government has strengthened efforts to address climate change through the formulation and implementation of the national climate change policy. To mitigate the effects of climate change, I encourage the Government to ensure that laws and policies are effectively enforced to address excessive logging activities in recent years, which have reportedly led to negative impacts on the environment and the enjoyment of human rights.

I welcome efforts to combat violence against women and children, including through the adoption of the Family Protection Act 2014, Penal Code (Amendment) (Sexual Offences) Act 2016 and Child and Family Welfare Act 2017, and I am encouraged that the SAFENET Referral network to provide support to victims of violence is now available in four out of nine provinces. I encourage the Government of Solomon Islands to continue strengthening measures to address violence against women and children given the high rates of violence and to ensure that victims of such violence have access to adequate protection measures as well as access to justice to bring perpetrators to account.

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H.E. Mr. Jeremiah MANELE
Minister for Foreign Affairs and External Trade
Solomon Islands

I encourage Solomon Islands to establish an independent national human rights institution without delay, providing it with powers of investigation into human rights violations as well as with a mandate for capacity building for state officials and other stakeholders, protection of human rights defenders and promotion of key human rights issues.

I also encourage Solomon Islands to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate preparations for the fourth cycle of the UPR. My advice to all Member States is to develop and implement national action plans in close consultation and cooperation with all stakeholders, in particular all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

I encourage Solomon Islands to establish a national mechanism for comprehensive reporting and follow-up to recommendations received from all international and regional human rights mechanisms and to treaty obligations, linking them to the Sustainable Development Goals. To this end, I strongly recommend the use of the OHCHR practical guide on this topic, which is available at: http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf

Please note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting States with the implementation of the recommendations, following the review. One important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage the Government of Solomon Islands to consider submitting a mid-term report on follow-up to the third cycle of the review by 2023.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

I note your Governments' outreach for support by the international community and the UN in addressing some of these human rights priorities. My Regional Office in the Pacific and OHCHR headquarters stand ready to support you in this regard.

Please accept, Excellency, the assurances of my highest consideration.



Michelle Bachelet
High Commissioner for Human Rights

cc: H.E. Mr. Colin BECK
Permanent Secretary of the Ministry of Foreign Affairs and External Trade, Solomon Islands

Mr. Sanaka SAMARASINHA
Resident Coordinator, UN Multi-Country Office Fiji, Republic of Fiji

Ms. Heike ALEFSEN
Regional Representative of the United Nations High Commissioner for Human Rights
OHCHR Regional Office for the Pacific, Republic of Fiji

Annex

Scope of international obligations and cooperation with international human rights mechanisms and bodies

- Ratifying the International Covenant on Civil and Political Rights and its optional protocols, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocols to the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.
- Submitting overdue reports to the relevant treaty bodies.

National human rights framework

- Taking concrete steps to establish a national human rights institution in accordance with the Paris Principles.
- Establishing a permanent national mechanism for implementation, reporting and follow-up of recommendations on human rights through technical assistance and cooperation for this purpose within the framework of Sustainable Development Goals.

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

A. Cross-cutting issues

Equality and non-discrimination

- Adopting progressive anti-discrimination law reforms to guarantee comprehensive protection against discrimination in accordance with international human rights law, norms and standards.
- Decriminalizing consensual sexual relations between adults of the same sex and introducing legislation prohibiting discrimination against people of diverse sexual orientations and gender identities.
- Taking concrete measures to tackle stigma and discrimination against persons affected by leprosy and their families.

Development, the environment, and business and human rights

- Continuing to apply human rights principles in its response to the COVID-19 pandemic.
- Continuing efforts to combat climate change, including considering the development and implementation of relocation strategies for coastal communities affected by rising sea levels.
- Ensuring the conservation and protection of fragile habitats against deforestation and forest degradation and strengthening sustainable forest management practices to protect human rights related to a safe, clean, healthy and sustainable environment.

- Taking appropriate legislative and administrative measures to ensure that the use of exploitation of natural resources, in particular logging, do not adversely affect the enjoyment of economic, social and cultural rights of local communities.
- Protecting human rights against abuses and environmental degradation by logging companies and ensuring effective remedies against such abuses.

B. Civil and political rights

Right to life, liberty and security of person

- Establishing a moratorium on the death penalty.

Administration of justice, including impunity, and the rule of law

- Continuing to seek technical assistance from the United Nations and other development partners with a particular view to strengthening the access of vulnerable people and those in rural areas to the formal justice system.
- Conducting credible investigations into, and imposing and enforcing criminal penalties for, government corruption through operationalizing the 2018 Independent Commission against Corruption.

Fundamental freedoms

- Guaranteeing the right to freedom of expression and access to information.

Prohibition of all forms of slavery

- Developing, enacting and implementing comprehensive anti-human trafficking legislation and implementing fully the 2020–2025 national action plan on human trafficking.

C. Economic, social and cultural rights

Right to work and to just and favourable conditions of work

- Considering to include in the labour legislation a clear definition of sexual harassment.

Right to an adequate standard of living

- Continuing to strengthen social policies, with an emphasis on economic, social and cultural rights, to ensure the greatest possible well-being of its population.

Right to health

- Continuing to promote the national health strategy policy that focuses on improving health, universal health care coverage and access to health care services, especially in rural areas.
- Ensuring the provision of and access to age-appropriate information, education and adolescent-friendly comprehensive, quality and timely sexual and reproductive health services at both government and non-government led health facilities for adolescents and youth, including those with disabilities.



Right to education

- Continuing to take steps to improve access to education for all, including children with disabilities, by addressing barriers and providing sufficient budget for the education sector.
- Making primary education compulsory and making it equitable and accessible, and improving the capacity of educational institutions.

D. Rights of specific persons or groups

Women

- Ensuring that women have equal rights to acquire and transmit nationality in law and in practice and amending the Citizenship Act to ensure that women and men are treated equally.
- Continuing efforts to combat and eliminate violence against women and children, and considering the development and adoption of a national strategy to frame and advance these efforts.
- Continuing efforts to adopt the necessary measures to provide effective protection to victims of gender-based violence, sexual exploitation and domestic violence.
- Redoubling efforts to increase the representation of women in decision-making positions in legislative, executive and judicial institutions.

Children

- Incorporating the provisions of the Convention on the Rights of the Child in domestic legislation and increasing the efforts to prevent all forms of violence and abuse against children, including by criminalizing the sale of children and raising the minimum legal age for marriage to 18 years for both boys and girls.
- Addressing legislative gaps that leave children vulnerable, including criminalizing sexual exploitation of children, child sexual abuse materials, and the sale of girls to foreign workers for sex or marriage.
- Ending child, early and forced marriage by raising the minimum age for marriage from 15 to 18 years and adopting measures to discourage such practice.
- Taking the necessary measures to ensure that no child under the age of 18 is engaged in hazardous labour, including in the agriculture, logging, tourism and fishing industries.
- Explicitly prohibiting corporal punishment in all settings without exception.

Persons with disabilities

- Enacting laws to prohibit discrimination against persons with disabilities.
- Adopting a human rights-based approach to disability and setting up a comprehensive strategy for the inclusion of children with disabilities which also addresses the attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others.
- Ensuring that children with disabilities have access to inclusive education.



Indigenous peoples

- Ensuring prior and informed consultation with and obtaining consent of local and indigenous communities for all projects that may affect the enjoyment of their rights.