



SOLOMON ISLANDS COUNTRY STATEMENT

HON. PETER SHANEL AGOVAKA

MINISTER OF FOREIGN AFFAIRS AND EXTERNAL TRADE

HEAD OF SOLOMON ISLANDS DELEGATION TO THE 18TH
SESSION OF THE HUMAN RIGHTS COUNCIL

Solomon Islands Response to the HRC-UPRWG 115 Recommendations
Wednesday 21st September 2011

Mr. President
Distinguished Members of the United Nations Human Rights Council
Ladies and Gentleman

Introduction

Mr. President let me convey to you warm greetings from the Government and people of Solomon Islands.

Allow me to also to take this opportunity to express my sincere gratitude for the assistance rendered to our process by TROIKA members Jordan, Mauritius, and the United States of America, the OHCHR Secretariat, Pacific regional agencies such as the Pacific Regional Rights Resource Team of the Secretariat of the Pacific Community and the Pacific Islands Forum Secretariat.

Consultation

Mr. President,

You will recall that during our Review Session in May, we informed you that we would need time to consult with our stakeholders to ensure that we accurately reflect their views on recommendations that Solomon Islands supports. I am pleased to report that such consultation was held with relevant government agencies and civil society to assess the recommendations and henceforth the content of our presentation to this session this afternoon.

The Recommendations

Mr President,

In total, 115 recommendations were put forward to the Solomon Islands during our Review Session, on the 4th May, 2011. As you will recall, we accepted 8 of the recommendations 79.1 - 79.8. We also further supported 49 recommendations (80.1 - 80.49), which Solomon Islands considers are already implemented or in the process of implementation.

In total, we initially supported 57 recommendations and took back 58 recommendations for further national consultations.

We now present to you our responses for the 58 recommendations.

Recommendations supported:

Solomon Islands, cognizant of this principle as a common good for humanity is deeply committed to the international human rights standard and principles set out in UN Conventions and Treaties. Recommendations 81.1 – 81.17, which relates to ratification/accession of international treaties and conventions, therefore enjoy our support.

We recognize that for international human rights standards and principles to become a reality for Solomon Islands, we need to incorporate and codify them into our domestic laws. We also recognize that the process of treaty reporting further provides guidelines for the implementation of human rights. Solomon Islands in this context, supports Recommendations 81.18, 81.33-81.35 and 81.38 on reporting to Conventions and Treaties, and the implementation of human rights.

Our Law Reform Commission has terms of references to review the Penal Code and the Criminal Procedure Code which will address many of the recommendations on areas of violence against women, sexual offences and sexual violence, rape, corporal punishment and criminal responsibility. The Commission also has a mandate to review the Islander's Marriage Act. As such we are already progressing towards strengthening our legal framework to promote and protect the rights of women and advance gender equality. We support the recommendations to promote and protect the rights of women: Recommendations 81.19, 81.23-81.29, 81.47 and 81.52.

Solomon Islands has ratified the Convention on the Rights of the Child, and with the support of civil society and international organizations has progressed to consider means by which the standards and principles in the Convention can be smoothly implemented. We therefore support Recommendations 81.39 – 81.41, 81.45, 81.48 and 81.56-81.58.

Solomon Islands fully recognizes the rights of persons with disabilities. However, we are also deeply conscious of resource constraints that could cause difficulties in implementing certain economic, social and cultural rights. We will, however seriously consider the following recommendations to promote and protect the rights of persons with disabilities: Recommendations 81.30-81.32.

As an island state that continues to experience the negative effects of climate change and Solomon Islands therefore supports Recommendations 81.34 and 81.36 which call for measures to respond to climate change.

Solomon Islands commits to further facilitate the peace process set out in the following recommendations - 81.42 and 81.43.

Solomon Islands support the recommendations to consider the promotion and protection of the following civil, political, economic, social and cultural rights. Recommendations 81.20, 81.22 and 81.37, 81.53-81.55 enjoy our support.

Solomon Islands support the recommendations on legislative and judicial reform: These are Recommendations 81.44 and 81.46.

Recommendations Partially Accepted:

Solomon Islands however, cannot fully accept Recommendation 81.21 calling for change to its property and inheritance legal frameworks at this time. We will consider amending the legal framework in regards to custody of children, but we are not yet ready to change our property and inheritance laws. Most of the perceived inconsistencies with internationally accepted standards of property ownership and inheritance are due largely to long defined customary laws, which view land ownership and inheritance very differently. To seek to change or amend the constitution to do away with such customary practices will require thorough nationwide consultation bearing in mind some of the associated issues touch on the very fundamental fabrics of our society.

Recommendations not supported:

While we acknowledge and recognize international human rights standards, I must say that in a Solomon Islands context it would be too early to discuss decriminalizing sexual relations between consenting adults of the same sex. Such an issue requires thorough national consultations to address christian doctrines and cultural perspectives on the issue. To this end, we do not support the Recommendations 81.49-81.51 on sexual relations between consenting adults of the same sex.

Conclusion

In closing, I must say that the UPR consultation has given us an unique opportunity to assume active dialogue between government and civil society. We value the views from our civil society groups and we wish to acknowledge their invaluable input. We will continue to work hard to enhance and sustain this important relationship. The UPR represents an important source of human rights expertise for the entire region; this is one of the big plus of the UPR process.

Mr President,

I am happy to report that at the regional level there exists strong support towards the UPR which will help in the implementation of the various Recommendations. The recent Forum Leaders summit in Auckland recognized the Universal Periodic Review (UPR) process and supported governments in this initiative, acknowledging the wide partnerships formed in the process.

Furthermore, Pacific Leaders have put in the forefront the issue of Sexual and Gender Based Violence with the recent establishment of a Forum Reference Group to Address Sexual and Gender Based Violence (SGBV) based on a 2009 commitment to eradicate SGBV and ensure all individuals have equal protection under the law and equal access to justice.

At the national level Solomon Islands has already begun discussions with regional agencies to look at carrying out a scoping study on the establishment of a Human Rights Institution, a first step to the eventual establishment of such an important institution in Solomon Islands.

Solomon Islands is honored to present its responses to the recommendations and rest assured that we will augur to continue to work hard with relevant stakeholders to address some of these challenges constructively.

Tagio Tumas.

