



Stakeholder Report for the United Nations Universal Periodic Review of Solomon Islands

Submitted by

Parliamentarians for Global Action (PGA)

**For the 36th Session of the Working Group on the Universal
Periodic Review (Third Cycle)**

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Parliamentarians for Global Action (PGA) is the largest non-governmental, cross-party, international network of individual legislators with approximately 1,200 members in 134 parliaments worldwide. PGA mobilizes parliamentarians as champions committed to promoting the rule of law, democracy, human security, inclusion, and gender equality. By using a peer-to-peer methodology and country-specific strategies, PGA educates, sensitizes, and builds the technical capacity of parliamentarians to take concrete initiatives and legislative actions to achieve results on PGA's campaign objectives. PGA supports individual parliamentarians in their national contexts and parliaments and then leverages that capacity with international networking to support democracy, human rights, and peace. The organization's vision is to contribute to creating a rules-based international order for a more equitable, safe, and democratic world. PGA is in general consultative status with the Economic and Social Council of the United Nations with headquarters in New York; its office in The Hague, Netherlands, fosters cooperation with The Hague-based International Organizations, including the International Criminal Court.

Introduction

1. With this submission, Parliamentarians for Global Action (PGA) wishes to promote the ratification/ accession and implementation of the Rome Statute of the International Criminal Court (ICC) and other key instrument on international criminal justice in Solomon Islands and raise awareness of key activities it has undertaken to this effect in Solomon Islands. PGA believes that the ratification and implementation of the Rome Statute is an essential step to strengthen the rule of law, seek justice for victims, and, most importantly, end impunity for the commission of grave international crimes.
2. According to PGA's knowledge, in 2007, the government of Solomon Islands had considered proceeding to the ratification and requested technical assistance to this effect. However, it has not taken any concrete step in this direction. Therefore, PGA provides the following recommendations and actions to encourage Solomon Islands to take the appropriate measures to adopt these essential instruments.

I. Legal Framework

3. Solomon Islands signed the Rome Statute on 03 December 1998, but it has not ratified it;
4. Solomon Islands has not signed or ratified the 1948 Convention on the Prevention and Punishment of the Crime of Genocide;
5. Solomon Islands has not signed or acceded to the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity;
6. Solomon Islands has not signed or acceded to the Agreement on Privileges and Immunities of the International Criminal Court;
7. Solomon Islands signed a Bilateral Non-Surrender Agreement with the US on 19 September 2003;
8. While Solomon Islands has implemented the provisions on the crime of genocide and grave breaches of Geneva Conventions, it has not implemented the provisions on crimes against humanity, other serious violations of the laws and customs applicable in international armed conflict, and has not implemented any war crime in the case of an armed conflict not of an international character.

II. 2011 and 2016 Universal Period Review

9. During the 1st Cycle, it accepted the recommendation to ratify the Rome Statuteⁱ (Ecuador, made also by the International Centre for Transitional Justice (ICTJ))ⁱⁱ.
10. During the 2nd Cycle, the Solomon Islands only 'noted' such recommendationsⁱⁱⁱ (made by Canada, Cyprus, Estonia, Ghana and New Zealand).

III. PGA's Activities

11. In May 2019, PGA organized the Pacific Islands Roundtable on the ratification and implementation of the Rome Statute of the International Criminal Court (ICC) in Vanuatu. The representative of Solomon Islands who participated at the event indicated the Solomon Islands' support and respect towards the ICC as the only court with the mandate of trying

the crimes of genocide, crimes against humanity and war crimes. He expressed an opinion that the majority of the Cabinet members is in favour of the ratification.^{iv}

IV. Recommendations

12. Ratify and implement the Rome Statute. Such step will not only equip the domestic legislation with tools to address grave human rights violations, but it will also serve to express solidarity with victims of mass atrocity crimes. In addition, it will make a powerful foreign policy statement reaffirming the country's commitment to the respect of human rights and international justice;
13. Ratify the Convention on the Prevention and Punishment of the Crime of Genocide to demonstrate Solomon Islands' commitment to the most fundamental principles of the United Nations and provide a basis for action by the State to prevent the crime of genocide;
14. Ratify the Agreement on Privileges and Immunities of the International Criminal Court; *and*
15. Accede to the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity

Endnotes

ⁱ Responses to Recommendations & Voluntary Pledges: Solomon Islands (06 January 2012), https://www.upr-info.org/sites/default/files/document/solomon_islands/session_11_-_may_2011/recommendationstosolomonislands2011.pdf

ⁱⁱ UN Human Rights Council, Summary : [Universal Periodic Review] : Solomon Islands / prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1, 16 February 2011, A/HRC/WG.6/11/SLB/3, available at: <https://www.refworld.org/docid/4da2d1e72.html>, para. 1.

ⁱⁱⁱ Responses to Recommendations & Voluntary Pledges: Solomon Islands (01 September 2016), https://www.upr-info.org/sites/default/files/document/solomon_islands/session_24_-_january_2016/recommendations_and_pledges_solomon_islands_2016.pdf

^{iv} Parliamentarians for Global Action, *Summary of the interventions at the Pacific Islands Roundtable on the ratification and implementation of the Rome Statute of the International Criminal Court (ICC)*, available at: <https://www.pgaction.org/pdf/2019-05-31-Summary-of-the-interventions.pdf>