



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women

### Concluding observations on the combined initial, second and third periodic reports of Solomon Islands\*

1. The Committee considered the first to third periodic reports of Solomon Islands (CEDAW/C/SLB/1-3) at its 1263<sup>rd</sup> and 1264<sup>th</sup> meetings, on 31 October 2014 (see CEDAW/C/SR.1263 and 1264). The Committee's list of issues and questions are contained in CEDAW/C/SLB/Q/1-3 and the responses of Solomon Islands are contained in CEDAW/C/SLB/Q/1-3/Add.3

#### A. Introduction

2. The Committee appreciates that the State party submitted its initial to third combined periodic reports. It also appreciates the State party's written replies to the list of issues and questions. It welcomes the constructive dialogue that took place between the delegation and the Committee, and further clarifications provided in response to the questions posed orally by the Committee during the dialogue. It regrets, however, that the combined report was submitted to the Committee only in January 2013, although the State party acceded to the Convention in 2002.

3. The Committee commends the State party's delegation which was headed by Ms. Ethel Sigimanu Permanent Secretary of the Ministry of Women, Youth, Children and Family Affairs. The delegation also included representatives from the Ministry of Justice and Legal Affairs, the Ministry of Education and Human Resources Development, the Ministry of Health and Medical Services, and the Permanent Mission of Solomon Islands to the United Nations at Geneva.

#### B. Positive Aspects

4. The Committee welcomes the legislative measures adopted by the State party to implement the Convention, in particular the adoption of:

- (a) The Family violence Act (2014), which criminalizes domestic violence; and
- (b) The Correctional Services Act 2007 and the Police Act 2013 and Regulations, which allow women to work in all areas of the correctional services and the Police Forces.

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\* Adopted by the Committee at its fifty-ninth session (20 October – 7 November 2014).

5. The Committee also welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting equality of women and men, such as the adoption of the following:

- (a) The Scholarship Policy (2014) providing scholarship opportunities for girls and boys;
- (b) The National Strategy on Economic Empowerment of Women and Girls (2014);
- (c) The establishment, in 2013, of the Solomon Islands National Advisory Committee on CEDAW (SINACC) to oversee the implementation of the Convention in Solomon Islands;
- (d) The National Development Strategy 2011 – 2020;
- (e) The National Health Strategy 2011-2015;
- (f) The National Policy on the Elimination of Violence against Women (EVAW), in 2010; and
- (g) The National Policy on Gender Equality and Women's Development (GEWD), in 2010.

### **C. Principle areas of concern and recommendations**

#### **Parliament**

6. **The Committee stresses the crucial role of the legislative branch of Government in ensuring the full implementation of the Convention (see the statement by the Committee on its relationship with parliamentarians, adopted at the forty-fifth session, in 2010). It invites the Parliament, in line with its mandate, to take necessary steps regarding the implementation of the present concluding observations between now and the next reporting period under the Convention.**

#### **Visibility of the Convention, and its Optional Protocol and implementation of the Committees' Concluding Observations**

7. The Committee notes the information provided by the State party regarding training and awareness raising programmes on the Convention. It is nevertheless concerned that these initiatives are not of a continuous nature, and may not reach women living in remote rural areas. The Committee is also concerned about the lack of information on activities to raise awareness about the Optional Protocol to the Convention, although it welcomes the intention of the State party to revise the National Policy on Gender Equality and Women Development with a view to incorporating the Committee's concluding observations.

8. **The Committee calls upon the State party to widely disseminate the Convention and the Optional Protocol among women and in society, including by using new information and communication technologies to reach women living in remote areas. It also recommends that the State party ensure that the Convention, the Optional Protocol and the Committee's General Recommendations, in addition to the views adopted on individual communications, are made an integral part of the professional training for judges, prosecutors, lawyers, the police, as well as for civil servants and Members of Parliament. The Committee further recommends that the State party adopt an action plan to implement the Committee's Concluding Observations through the revision of the National Policy on Gender Equality and Women Development Policy.**

### Constitutional framework and discriminatory laws

9. The Committee notes that the Constitution does not contain a constitutional guarantee of substantive equality between women and men. It also notes with concern that a new draft Federal Constitution maintains article 15 (5) (c)-(e) of the current Constitution providing for exceptions for discrimination that is based on customary law, in areas such as adoption, marriage, divorce, burial, devolution of property on death, tenure, resumption and acquisition of land.

10. The Committee notes the establishment of the Law Reform Commission which has the mandate to review and amend national legislation. However, the Committee notes with concern:

(a) The lack of a definition of discrimination against women in line with article 1 of the Convention, covering both direct and indirect discrimination by private and public actors;

(b) The absence of specific anti-discrimination legislation, aimed at recognising all forms of discrimination against women, including multiple and intersecting discrimination, establishing mechanisms to promote equality and ensuring remedies to victims of discrimination;

(c) Discriminatory provisions in the Penal Code and the Criminal Procedure Code; the Islanders Divorce Act; the Affiliation, Separation and Maintenance Act; the Labour Act; and the Citizenship Law; and

(d) The long delay in the adoption of necessary legislative reforms despite the recognition of the discriminatory nature and effect of the existing legal framework.

11. **The Committee recommends that the State party:**

**(a) Adopt a comprehensive definition of discrimination against women, and the principle of gender equality, in accordance with articles 1 and 2 of the Convention;**

**(b) Accelerate the process of adopting the new Federal Constitution and include in it provisions on equality between women with men, the prohibition of direct and indirect discrimination against women and multiple and intersecting discrimination in both the public and private spheres as well as sanctions, in line with articles 1 and 2 of the Convention and the Committee's General Recommendation No. 28 (2010) The Core Obligations of States Parties under Article 2 of the Convention on the Elimination of All Forms of Discrimination against Women;**

**(c) Include a clause in the draft Federal Constitution to repeal all legislation that is incompatible with the principle of equality and non-discrimination, as enshrined in the Convention, including provisions in the customary law;**

**(d) Adopt a clear timeframe and deadlines in relation to the law reform process in particular, the amendments to the Penal Code and the Criminal Procedure Code; the Islanders Divorce Act; the Affiliation, Separation and Maintenance Act; the Labour Act; and the Citizenship Law; and**

**(e) Allocate adequate human and financial resources and equipment to the Law Reform Commission.**

### Access to Justice

12. The Committee notes the existence of a plural legal system in the State party, namely the co-existence of customary law and the formal justice system. The Committee is concerned about:

(a) The lack of effective remedies and redress available to women in both the traditional justice and the formal justice system;

(b) Structural barriers to women's access to the formal justice system, in particular the lack of human and financial resources allocated to the judiciary at the provincial level and of legal practitioners who provide legal aid to women, as well as the high costs for seeking redress in the High Court;

(c) The limited capacity of the police to deal with complaints from women about violations of their rights in a gender-sensitive manner; and

(d) The lack of information about the mandate of the Solomon Islands Ombudsman to receive and deal with complaints about violations of women's human rights.

**13. The Committee recommends that the State party:**

**(a) Establish specific remedies to provide redress for women in both the formal and the traditional justice systems, and sensitize the public on the importance of addressing violations of women's rights through judicial remedies;**

**(b) Develop a strategy with clear timeframes to ensure that traditional justice mechanisms comply with the human rights standards set forth in the Convention when addressing complaints by women. The strategy should include capacity building and training programmes on the Convention and on women's human rights for traditional justice authorities;**

**(c) Strengthen the justice system, including by enhancing its human, financial and technical resources, deploy judges and legal practitioners to the provinces, and ensure the provision of free legal aid to women without sufficient means to claim their rights;**

**(d) Implement capacity building programmes for judges, prosecutors, lawyers and the police on gender equality and raise awareness to eliminate stereotyping and stigmatization faced by women who claim their rights;**

**(e) Enhance women's awareness of their rights and the means to enforce them, including by strengthening cooperation with civil society organizations, in particular community-based women's associations;**

**(f) Take measures to ensure that the Ombudsman Office or another entity has a mandate to receive and address complaints by women about discrimination.**

**Women, peace and security**

14. The Committee notes with concern that women were not formally involved in the peace negotiations and agreements to end the ethnic tensions that took place from 1998 to 2003, despite their contribution to peacebuilding at the community level. It is also concerned that the National Action Plan for Women, Peace and Security is yet to be adopted.

**15. The Committee calls upon the State party to adopt the National Action Plan for Women, Peace and Security and give due consideration to the contributions of women in the maintenance of peace, in line with the Committee's General Recommendation No. 30 (2013) on Women in Conflict Prevention, Conflict and Post-conflict Situations. It also calls on the Government to take into consideration the full spectrum of the Security Council's women, peace and security agenda as reflected in Security Council Resolutions 1820 (2008), 1888 (2009), 1889 (2009) and 2122 (2013). The Committee also recommends that the State party implement measures within the scope of the "Pacific Regional Action Plan Women, Peace and Security", and engage in regional processes in the Pacific region.**

### **Violence against women during conflict situations and their access to justice**

16. The Committee observes that during the period of the ethnic tensions from 1998 to 2003, women faced multiple violations of their human rights, including sexual violence and psychological trauma. It takes note of the information provided during the dialogue concerning the appointment of a judge to review cases related to the ethnic tensions. However, the Committee is concerned about the lack of information on access to justice and reparations for women victims of violence during the ethnic tensions as well as the absence of prosecutions and convictions of perpetrators. It is also concerned that the report of the Truth and Reconciliation Commission has not been formally adopted or published, delaying the implementation of its recommendations.

**17. The Committee recommends that the State party provide effective remedies for women victims of violence during the ethnic tensions taking into account international principles and standards of administration of justice and reparations. It also recommends that the State party provide adequate human, financial and technical resources, to the Supreme Court in order to address cases of violence against women during the ethnic tensions. The Committee urges the State party to formally adopt and publish the findings of the Truth and Reconciliation Commission, and adopt a framework for the implementation of its recommendations.**

### **National machinery for the advancement of women**

18. The Committee notes the establishment of the Ministry of Women, Youth, Child and Family and its Women's Development Division working on policy development and implementation. It also notes the appointment of gender focal points in all Ministries and at the provincial level, as well as the involvement of women's organizations in the implementation of gender policies and strategies to eliminate violence against women. However, the Committee is concerned about:

(a) The lack of human and sufficient budgetary allocation to the national machinery for the advancement of women, particularly at the provincial level;

(b) The absence of specific strategies on the advancement and protection of women at the provincial level;

(c) The lack of coordination mechanisms for the different bodies comprising the national machinery for the advancement of women; and

(d) The absence of a monitoring and evaluation system to oversee the implementation of the National Policy on Gender Equality and Women's Development (GEWD) and the National Policy on the Elimination of Violence against Women (EVAW).

**19. The Committee recommends that the State party:**

**(a) Allocate sufficient and sustainable budget and adequate staff with the necessary technical skills to the Women's Development Division at the national, provincial and local levels, and ensure that it has a clear mandate to coordinate the implementation of public policies;**

**(b) Design strategies to address the situation of women in the provinces, and continue strengthening the participation of women's civil society organizations in the design and implementation of public policies with the aim of reaching women living in remote areas;**

**(c) Strengthen coordination between the Ministry of Women, Youth, Child and Family, the gender focal points and other gender mechanisms in the public administration and national, provincial and local levels, and ensure that these mechanisms can address the challenges faced by women arising from the geographic situation of the State party; and**

**(d) Adopt a monitoring and evaluation framework for all public policies and strategies for the advancement of women with measurable indicators, and release, without delay, the results of the gender assessment that has been completed on the five key areas in the National Policy on Gender Equality and Women's Development.**

#### **Temporary special measures**

20. The Committee takes note of the information provided during the dialogue concerning the adoption of a scholarship programme in the education sector and the allocation of at least 50% of grants to girls. However, it notes with concern the absence of a strategy to implement temporary special measures to achieve substantive equality of women and men in the State party in all areas of the Convention. The Committee also notes the lack of understanding of the nature and scope of temporary special measures in accordance with article 4 (1) of the Convention. It is further concerned that the policy initiative submitted to Parliament in 2009 on temporary special measures was not approved, and that the initiatives to allocate seats for women in Parliament have continuously been rejected.

**21. In line with the Committee's General Recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party:**

**(a) Strengthen the role of the taskforce to discuss temporary special measures as part of a necessary strategy to accelerate the achievement of substantive equality of women and men, in all areas where women are underrepresented or disadvantaged, such as political and public life, education, employment and economic life and to address disadvantages and inequalities faced by groups of women, such as women in rural and remote areas, women with disabilities, older women, single mothers and adolescent mothers;**

**(b) Adopt concrete, result-oriented measures, such as quotas and timetables, preferential treatment, and outreach and support programmes for women and strategies to promote substantive equality of women and men; and**

**(c) Disseminate information to all branches of the Government on the nature and scope of temporary special measures with a view to familiarize them with the concept of temporary special measures, and encourage and support their application.**

#### **Stereotypes and harmful practices**

22. The Committee observes that stereotypes and harmful practices constitute a serious challenge for the equality of women and men due to the prevailing patriarchal society which subordinates women to men, overemphasizes women's roles as mothers and housewives and neglects their active participation in decision-making and other aspects of public life. The Committee regrets that girls are subjected to child marriages and bride selling under customary laws and that corporal punishment of children is a continuing practice which affects girls.

**23. The Committee calls upon the State party to:**

**(a) Implement a strategy aimed at combating stereotypes through education and awareness-raising campaigns, with specific targets, aimed at women and men, girls and boys, focusing particular attention on the recognition of the value and dignity of women, their empowerment and participation in decision-making processes in the community and society at large. The strategy should engage the media and civil society organizations to combat negative stereotypes and discriminatory social attitudes towards women, in particular in rural areas;**

**(b) Urgently repeal customary laws which provide for child marriages and bride prices, and carry out campaigns on these practices as harmful practices contrary to the Convention, involving community leaders, in line with the Committee's General Recommendation No. 31/ General Comment No. 18 of the Committee on the Rights of the Child on harmful practices;**

**(c) Adopt the necessary steps to adequately integrate non-discrimination and equality of women and men in educational policies, in the national core curriculum and related documents, as well as in basic and continuing education for teachers and health-care professionals and other service providers; and**

**(d) Establish complaint mechanisms for women and girls victims of harmful practices and create precautionary measures to protect girls and boys from corporal punishment at home and in the community.**

#### **Violence against women**

24. The Committee notes that the State party has adopted a national policy to combat violence against women and that the Family Protection Act adopted in 2014 criminalizes physical, sexual, psychological and economic abuse. It is nevertheless alarmed by the widespread and extended forms of violence against women (see CEDAW/C/SLB/1-3 para. 74) and the high levels of social acceptance of such forms of violence. The Committee is further concerned about:

**(a) Women's reluctance to report cases of violence including domestic and sexual violence, due to fear of reprisals, stigmatization and inadequate response by the police, the lack of prosecutions and convictions, which may result in impunity for perpetrators of such violence;**

**(b) The use of community dispute settlement rather than criminal proceedings, and the use of financial compensation made to the victim's family rather than the victim herself; and**

**(c) The limited availability of services for women victims of violence, including medical treatment, psychological counselling, legal assistance, as well as shelters outside the capital.**

25. **The Committee recommends that the State party:**

**(a) Disseminate information which is clear and easy to understand, including for women with disabilities, on the criminalization of different forms of violence under the Family Protection Act among the general public, in particular women;**

**(b) Take measures to ensure that the police respond to and investigate complaints regarding violence against women, perpetrators are prosecuted and punished, and collect data on number of prosecutions and convictions, including at the provincial level;**

**(c) Actively discourage the use of mediation in cases of domestic violence and monitor compensation and settlements under customary mechanisms, and ensure that these do not violate the Convention;**

**(d) Strengthen the SAFENET referral system for women victims of violence, and establish shelters for women in all provinces and ensure their accessibility for all women, including women with disabilities; and**

**(e) Allocate financial resources and strengthen the technical capacity of civil society organizations, in particular women's organizations, to provide services and redress for women victims of violence.**

**Trafficking and exploitation of prostitution**

26. The Committee is concerned that although the State party is a source and destination country for trafficking in human beings for purposes of sexual exploitation and forced labour, it is not a party to the international treaties addressing this phenomenon and that its national legal framework has not been fully put in place. It is also concerned at the lack of data on trafficking and women in prostitution, about sexual exploitation of girls in logging areas and through pornography, the use of the bride price system to allow temporary marriages of girls to foreign workers, and the fact that sex tourism is not criminalized. The Committee is further concerned about the limited assistance available for women and girls victims of trafficking and the criminalization of women in prostitution, as well as the absence of reintegration programmes for women who wish to leave prostitution.

27. **The Committee recommends that the State party:**

**(a) Ratify the United Nations Convention against Transnational Organized Crime and the protocols supplementing the Convention, in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol), and seek the cooperation of States in the region and source countries to prevent and combat trafficking in women and girls and their exploitation in prostitution;**

**(b) Strengthen the mandate and work of the Trafficking in Persons Advisory Committee set up under the Ministry of Commerce, Industries, Labour and Immigration, by establishing a programme of action and a clear mandate in designing strategies and programmes to prevent trafficking in human beings, and address its effects;**

**(c) Ensure that the revision of the Penal Code includes amendments to criminalize sex tourism and other forms of sexual exploitation of women and girls, including the use of girls in pornography;**

**(d) Adopt measures to provide assistance to victims of trafficking and sexual exploitation, including by strengthening the capacity of the referral centres to ensure that victims of trafficking are also assisted in a gender-sensitive manner;**

**(e) Implement measures aimed at preventing exploitation of prostitution of women and girls, giving particular attention to exploitation of prostitution in logging areas and in areas where large-scale projects are being developed and ensure the prosecution and punishment of perpetrators; and**

**(f) Carry out programmes to promote the reintegration of women and girls in prostitution, including by providing alternative income-generating opportunities.**

**Participation in political and public life**

28. The Committee considers that the forthcoming Parliamentary elections provide an opportunity to revert the historic under-representation of women in political life. In this context, it notes the "Election Preparation Strategy" launched by the State party to support candidatures from women. The Committee is nevertheless concerned about the stark underrepresentation of women in decision-making positions in all areas and at all levels, particularly in Parliament (with only one woman MP), in senior positions in the Government and in the foreign service, as well as about the absence of women judges and prosecutors. It is also concerned by the lack of legislative provisions in the Constitution or any other act that provides a minimum quota of women in Parliament as well as the lack of family and community support to ensure that women are able to participate in political and public life. The Committee further notes with concern that the 10% minimum quota in the Political Parties Integrity Act for women's representation on electoral lists is very low and lacks an enforcement mechanism.



29. **The Committee recommends that the State party:**

(a) **Adopt, as a matter of priority, proactive policy measures such as targeted training, capacity building, and gender-sensitive recruitment and adopt temporary special measures to increase the number of women in appointed senior and management positions in the judiciary, the executive branch of the Government, in the public and in the foreign service in line with the Committee's General Recommendation No. 25 (2004) on temporary special measures;**

(b) **Consider enacting legislation on at least 30% of reserved seats for women in Parliament and encourage the creation of a special parliamentary committee on equality of women and men;**

(c) **Provide training for women, including on leadership and management campaigning and constituency building to prepare them as candidates and for positions in the different areas of public administration;**

(d) **Conduct awareness raising activities for politicians, community leaders and the general public on the importance of women's full and equal participation in leadership and decision-making; and**

(e) **Consider increasing the minimum quota in the Political Parties Integrity Act for women's representation on electoral lists of political parties to at least 30%, establish a mechanism to effectively monitor the implementation of such legislation, and consider the adoption of sanctions for political parties which do not comply with the quota.**

#### **Nationality**

30. The Committee expresses its concern about the numerous discriminatory provisions in the Citizens Act of 1978, and notes that the State party is well aware of them as it has described them in details in its Report in particular:

(a) The acquisition and loss of nationality according to marital status only for women, and the risk of statelessness for women who opt for the nationality of their foreign husbands as well as for foreign women married to a State party's national, who should renounce their nationality;

(b) That foreign women may apply for nationality after two years of marriage only with the consent of their husband;

(c) That only male spouses may transmit their nationality to jointly adopted children; and

(d) That only male spouses may apply on behalf of their children for acquisition of nationality through naturalisation.

**31. The Committee urges the State party to repeal without delay all the discriminatory provisions of the Citizens Act of 1978 concerning the acquisition, transmission, retention and loss of nationality, and in particular ensure that both mothers and fathers are able to transmit their nationality to their children, in compliance with article 9 of the Convention.**

#### **Education**

32. The Committee notes with concern:

(a) The inadequate education infrastructure affecting girls in particular, including the lack of basic sanitary facilities, separate latrines for girls, the long distances girls walk to school thereby exposing them to increased risks of violence, the lack of dormitories for girls in rural areas, and where they exist, are run without adequate security;

(b) The absence of compulsory primary education, the indirect costs of schooling at the primary and secondary levels, such as costs for transport, books, stationery, and school imposed charges, disproportionately affect girls given that parents with limited means often give priority to schooling of boys;

(c) The fact that the literacy rate among women is 79.2% compared to 88.9% for men;

(d) Gender segregation at the tertiary level and women's and girls' continued traditional choices at rural training centres where they focus on cooking and sewing;

(e) The high drop-out rates among girls, in particular at the secondary level of education; and

(f) The high number of early pregnancies among adolescent girls, and dismissals of pregnant girls from school and the absence of re-entry policies for them after giving birth.

**33. The Committee recommends that the State party:**

**(a) Consider increasing the percentage of the budget allocated to education, to improve sanitation facilities at schools, by providing separate latrines for girls, increasing the number of dormitories for girls and providing affordable school transport, particularly in rural areas;**

**(b) Ensure security for girls in school premises, including dormitories, and investigate and prosecute allegations of sexual abuse and rape of school girls;**

**(c) Make primary education compulsory for all children and reduce indirect costs of schooling, such as costs for school transport and textbooks, as well as school-imposed charges, with a view to eliminating them;**

**(d) Compile and consider using good practices from other States parties in the Pacific region aimed at encouraging girls to choose non-traditional career paths;**

**(e) Adopt public policies and strategies aimed at enhancing the quality of education by addressing the training and motivation of teachers, ensuring that curricula respond to the demands of the labour market, by using information technologies;**

**(f) Intensify literacy campaigns for women and men, especially in rural areas;**

**(g) Strengthen efforts to retain girls in school, including pregnant girls, facilitate the return to school of young mothers after giving birth, by adopting the "Second Chance Education" policy currently under consideration and by providing adequate childcare facilities, and ensure that girls are not expelled from school on grounds of being pregnant, and by imposing appropriate sanctions on those responsible for such dismissals; and**

**(h) Continue developing and promoting age-appropriate education on sexual and reproductive health to address early pregnancies.**

### **Employment**

34. The Committee notes with concern the absence of measures to promote equal employment opportunities for women in the formal economy. It is also concerned about discriminatory provisions in the Labour Act that unduly restrict the rights of women to maternity leave and maternity benefits. It is further concerned by the absence of sex-disaggregated statistical data on the participation of women in the labour market.

35. **The Committee recommends that the State party:**

(a) **Strengthen its collaboration and seeks technical assistance from the International Labour Organization in order to improve women access to employment opportunities, on a basis of equality with men, in particular in the formal economy and in managerial positions;**

(b) **Eliminate discriminatory provisions in the area of employment by amending its Labour Act and ensure that the right to maternity leave and benefits is in accordance with the Convention; and**

(c) **Develop a system to compile sex-disaggregated data about women's participation in the labour market, including in managerial positions.**

#### **Health**

36. The Committee notes with concern:

(a) The extremely limited access of women and girls to healthcare especially the long distances women in remote locations have to walk to reach a health clinic, high transportation costs, lack of drugs and supplies, lack of trained personnel, and lack of obstetric health services for women, including pre- and post-natal services, in particular in rural and remote areas;

(b) The inadequate sexual and reproductive health services, including family planning services, low prevalence rate of use of modern contraceptive methods due to traditional stereotypes, misconceptions, and social taboos around sexual activity before marriage and lack of information;

(c) Low community awareness of the linkages between safe drinking water, proper sanitation and hygienic practices leading to high rates of diarrhoea, intestinal worm infestation, high prevalence of stunting and under-weight among children;

(d) The high number of teenagers affected by sexually transmitted infections;

(e) The criminalization of abortion, including in cases of rape, incest and severe foetal impairment forcing women to resort to unsafe abortions; and

(f) The absence of sex-disaggregated data about women's mental health status and the lack of measures to address physical and psychological trauma of women victims of violence.

37. **In line with General Recommendation No. 24 (1999) on women and health, the Committee recommends that the State party:**

(a) **Adopt measures to ensure that obstetric health services for women, including pre- and post-natal services, are provided in all the country, including remote zones through partnerships to develop adequate facilities and acquire equipment and train health care professionals;**

(b) **Ensure free access to modern contraceptive methods for women as part of the policy on free health care and provide age appropriate information and education on sexual and reproductive health to address misconceptions, stereotypes and stigma;**

(c) **Take measures to improve access to safe water and proper sanitation in order to reduce the high rate of water-borne diseases;**

(d) **Carry out information campaigns and free counselling at the community level for women and girls about their sexual and reproductive health and rights, including responsible sexual behaviour, prevention of early pregnancies and sexually transmitted diseases.**

(e) Amend its legislation to decriminalize abortion in cases of rape, incest, risk to the health of the mother and severe foetal impairment, in line with the Committee's jurisprudence, and provide women with quality post-abortion care; and

(f) Design a monitoring mechanism to report about mental health of women and girls, and use its results to develop mental health programmes and services.

#### **Rural women**

38. While noting that the State party's poverty reduction strategy has a strong focus on rural women who make up 81 percent of women in the State party, the Committee is nevertheless concerned about:

(a) Rural women's limited access to education, health care, safe drinking water, adequate sanitation, employment, social security, formal credit and loans, and the formal justice system;

(b) The absence of substantive measures and long-term policies to promote the economic empowerment of rural women by creating income-generating opportunities and through capacity building and training necessary to develop rural women's entrepreneurial skills;

(c) Women's exclusion from participation in decision-making processes related to rural policies at the provincial level;

(d) Rural women's limited access to land ownership and control;

(e) The adverse impact on women's control over land of large-scale development projects and logging and mining activities, as well as their limited share in the profits and income generated by land that has been appropriated/leased for this purpose.

39. **The Committee recommends that the State party:**

(a) **Adopt indicators for monitoring the progress achieved in enhancing rural women's access to education, health care, safe drinking water, adequate sanitation, employment, social security, formal credit and loans, and the formal justice system;**

(b) **Strengthen its programmes to provide income-generating opportunities for rural women, including through credit and loans with long-term and low-interest reimbursement schemes and by developing rural women's entrepreneurial skills;**

(c) **Adopt legislation and long-term policies focused on rural development with specific lines of actions and indicators reflecting their impact on women, and ensure that women engaged in informal trade have access to social security;**

(d) **Raise awareness to promote the participation of rural women in decision-making processes related to rural policies at the provincial level, and ensure that training and grants for income-generating projects implemented by the Ministry of Agriculture reach rural women, including young women, in all provinces;**

(e) **Facilitate rural women's access to land ownership and strengthen community-based associations representing rural women's economic interests;**

(f) **Establish a legal framework to ensure that large-scale development projects do not undermine rural women's rights to land ownership and agricultural activities; and**

(g) **Ensure gender equality in the distribution of income and profit generated from land appropriated/leased for the purpose of large scale commercial projects.**

### **Impact of climate change and natural disasters on women**

40. The Committee is concerned that the impact of climate change, the rise in the sea level, and other weather-related disasters affect rural women disproportionately in the State party.

41. **The Committee recommends that the State party include an explicit gender-perspective in national policies and its action plan on climate change and disaster response and risk reduction, targeting women not only as victims but also as active participants in the formulation and implementation of such policies.**

### **Women with disabilities**

42. The Committee is concerned about the lack of public policies and measures to protect the rights of women and girls with disabilities, including their rights to inclusive education, health care, employment, housing and safe drinking water, sanitation, as well as the absence of mechanisms to protect women with disabilities from multiple and intersecting forms of discrimination.

43. **The Committee calls on the State party to adopt comprehensive policies and programmes to protect the rights of women and girls with disabilities, ensuring their right to inclusive education and their equal access to employment, health care, housing, safe drinking water, sanitation and other services, and promote their autonomy and accessible community services. It also calls on the State party to develop partnerships with civil society and community based organizations and international stakeholders to identify women and girls with disabilities in the State party who are facing discrimination based on their disability and other grounds, as well as isolation, confinement and different forms of physical and psychological violence.**

### **Marriage and family relations**

44. The Committee notes with concern discriminatory provisions in the Islanders Marriage Act, the Affiliation, Separation and Maintenance Act, the Islanders Divorce Act and in customary laws. In particular, the Committee is concerned about:

(a) The extremely low minimum age for marriage of 15 years for both boys and girls under the Islanders Marriage Act and the absence of a minimum age for marriage under customary law;

(b) The fact that marriages are normally authorized by the father only, unless in exceptional cases such as death or situations of “unsound mind” of the father;

(c) The lack of mandatory registration of marriages under customary marriage law and the continued existence of bigamy;

(d) The absence of legal safeguards to ensure that women enter into marriage only with their free and full consent;

(e) The continued existence of bride price practices despite relevant awareness raising programmes;

(f) The provision in the Islanders Divorce Act that a husband may seek damages from any person on grounds of adultery when filing a divorce or judicial separation claim;

(g) The fact that women’s inheritance rights are regulated by customary law, which impedes women’s access to property; and

(h) The delay, since 1995, of the adoption of the proposals of the Law Reform Commission to amend the Islanders Marriage Act, the Affiliation, Separation and Maintenance Act, and the Islanders Divorce Act.

45. The Committee urges the State party to give priority to amending the Islanders Marriage Act, the Affiliation, Separation and Maintenance Act, as well as the Islanders Divorce Act, and to prohibit any customary practices that discriminate against women in family relations. In particular, the Committee recommends that the State party:

(a) Raise the minimum age of marriage to 18 years for girls and boys and apply it also to customary marriages and ensure that in exceptional cases of marriage below the age of 18 the same age limit is set for girls and boys, at 16 years of age, and that court authorization is required in all such cases, in accordance with the Joint General Recommendation/General Comment No. 31 of the Committee and No. 18 of the Committee on the Rights of the Child on harmful practices;

(b) Ensure the mandatory registration of all marriages and the enforcement of the prohibition of bigamy;

(c) Establish legal safeguards to ensure that women enter into marriage only with their free and full consent;

(d) Prohibit the practice of payment of bride prices and adequately punish parents and legal guardians engaging in this practice;

(e) Ensure that legislation recognizes women's right to inheritance and women's access to property on an equal basis with men; and

(f) Expedite the adoption of the proposal of the Law Reform Commission to amend the Islanders Marriage Act, the Affiliation, Separation and Maintenance Act, as well as the Islanders Divorce Act, and adopt a unified family law guaranteeing equal rights to women and men in family relations and during and upon dissolution of a marriage, in line with the article 16 of the Convention and the Committee's General Recommendation No. 29 (2013).

#### **Data collection and analysis**

46. The Committee notes that the Solomon Islands Family Health and Safety Study allowed the State party to identify violence and to formulate public policies. It also notes the plans to establish a Gender Management Information System in the scope of the Gender Equality and Women Development Policy. Nonetheless, the Committee is concerned about the general lack of available updated data disaggregated by sex in all areas covered by the Convention, and in particular with regard to the situation of rural women, women in education, employment and women with disabilities.

47. The Committee calls upon the State party to implement systems of collection, analysis and dissemination of comprehensive data disaggregated by sex, age, race, ethnicity, geographic location and socioeconomic background, and for persons with disabilities, and the use of measurable indicators to assess trends in the situation of women and progress towards the realization of women's substantive equality in all areas covered by the Convention. In this regard, it draws the State party's attention to the Committee's General Recommendation No. 9 (1989), on statistical data concerning the situation of women, and encourages the State party to develop gender-sensitive indicators that could be used in the formulation, implementation, monitoring, evaluation and, when necessary, review of women's and gender equality policies.

#### **Amendment to article 20, paragraph 1, of the Convention**

48. The Committee encourages the State party to accept, as soon as possible, the amendment to article 20, paragraph 1, of the Convention concerning the meeting time of the Committee.

### **Beijing Declaration and Platform for Action**

49. **The Committee calls upon the State party to utilize the Beijing Declaration and Platform for Action, in its efforts to implement the provisions of the Convention.**

### **Millennium Development Goals and the post-2015 development framework**

50. **The Committee calls for the integration of a gender perspective, in accordance with the provisions of the Convention, into all efforts aimed at the achievement of the Millennium Development Goals and into the post-2015 development framework.**

### **Dissemination**

51. **The Committee recalls the obligation of the State party to systematically and continuously implement the provisions of the Convention. It urges the State party to give priority attention to the implementation of the present concluding observations and recommendations between now and the submission of the next periodic report. The Committee therefore requests the timely dissemination of the concluding observations, in the official language(s) of the State party, to the relevant state institutions at all levels (national, regional, local), in particular to the Government, the ministries, the Parliament and to the judiciary, to enable their full implementation. It encourages the State party to collaborate with all stakeholders concerned, such as employers' associations, trade unions, human rights and women's organisations, universities and research institutions, media, etc. It further recommends that its concluding observations be disseminated in an appropriate form at the local community level, to enable their implementation. In addition, the Committee requests the State party to continue to disseminate the Convention, its Optional Protocol and jurisprudence, and the Committee's General Recommendations to all stakeholders.**

### **Technical Assistance**

52. **The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in this respect.**

### **Ratification of other treaties**

53. **The Committee notes that the adherence of the State party to the nine major international human rights instruments<sup>1</sup> would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to consider ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities, to which it is not yet a party.**

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<sup>1</sup> The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.

**Follow-up to concluding observations**

54. The Committee requests the State party to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 11(b), 25 (b) and 33 (g), (h) above.

**Preparation of the next report**

55. The Committee invites the State party to submit its fourth periodic report in November 2018.

56. The Committee requests the State party to follow the “Harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents” (HRI/MC/2006/3 and Corr.1).

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