

# Solomon Islands

## MINIMAL ADVANCEMENT

In 2013, Solomon Islands made a minimal advancement in efforts to eliminate the worst forms of child labor. On April 22, 2013, the Government ratified ILO C. 138. During the reporting period, the Government certified an anti-human trafficking law, but it will not take effect until it has been gazetted. Education is still not compulsory, and laws do not adequately protect all children from hazardous work and commercial sexual exploitation. In addition, the Government has not established a body to coordinate efforts to combat child labor, and resources for enforcement are lacking. Children in Solomon Islands continue to engage in the worst forms of child labor, including commercial sexual exploitation, particularly in association with the fishing and logging industries.



### I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Some children in Solomon Islands are engaged in the worst forms of child labor, primarily commercial sexual exploitation.(1, 2) Table 1 provides key indicators on children’s work and education in Solomon Islands. Data on some of these key indicators are not available from the sources used in this report.

**Table 1. Statistics on Children’s Work and Education**

Children	Age	Percent
Working (% and population)	5-14 yrs.	Unavailable
Attending School (%)	5-14 yrs.	Unavailable
Combining Work and School (%)	7-14 yrs.	Unavailable
Primary Completion Rate (%)		85.4

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2014.(3)

Source for all other data: Understanding Children’s Work Project’s analysis, 2013.(4)

Based on a review of available information, Table 2 provides an overview of children’s work by sector and activity.

**Table 2. Overview of Children’s Work by Sector and Activity**

Sector/Industry	Activity
Agriculture	Working in plantations, activities unknown* (5)
Services	Domestic service, including in logging camps and on fishing boats* (2, 6, 7)
Categorical Worst Forms of Child Labor‡	Commercial sexual exploitation sometimes as a result of trafficking (1, 2, 6-9)
	Used in the production of pornography* (6, 7)
	Forced domestic service, including in logging camps and on fishing boats* (2, 6, 7)

\* Evidence of this activity is limited and/or the extent of the problem is unknown.




‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Both boys and girls are engaged in commercial sexual exploitation associated with the logging, tourism, and fishing industries in areas near logging camps, on fishing boats, and in the capital city of Honiara.(1, 2, 6, 9) In particular, girls are trafficked within Solomon Islands and sent to logging camps for the purpose of commercial sexual exploitation.(2) There are reports that some children are brought by their parents to foreign and local fishing ships for commercial sexual exploitation with fishermen.(2, 9) It also has been reported that parents offer their minor children in marriage to loggers and miners; subsequently, the children may be forced into domestic service or commercial sexual exploitation.(2)

## II. LEGAL FRAMEWORK ON THE WORST FORMS OF CHILD LABOR

Solomon Islands has ratified some key international conventions concerning child labor (Table 3). On April 23, 2013, the Government ratified ILO C. 138, which came into force April 22, 2014.(10)

**Table 3. Ratification of International Conventions on Child Labor**

	Convention	Ratification
	ILO C. 138, Minimum Age	✓
	ILO C. 182, Worst Forms of Child Labor	✓
	UN CRC	✓
	UN CRC Optional Protocol on Armed Conflict	
	UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography	
	Palermo Protocol on Trafficking in Persons	

The Government has not ratified two conventions relevant to child labor known to occur in Solomon Islands, namely, the UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, and the Palermo Protocol on Trafficking in Persons.

The Government has established relevant laws and regulations related to child labor, including its worst forms (Table 4).

**Table 4. Laws and Regulations Related to Child Labor**

Standard	Yes/No	Age	Related Legislation
Minimum Age for Work	Yes	12	Labor Act (11)
Minimum Age for Hazardous Work	Yes	15	Labor Act (11)
List of Hazardous Occupations Prohibited for Children	No		
Prohibition of Forced Labor	Yes		Constitution (12)
Prohibition of Child Trafficking	Yes		Immigration Act 2012 (13)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Penal Code (14)
Prohibition of Using Children in Illicit Activities	No		
Minimum Age for Compulsory Military Recruitment	N/A*		
Minimum Age for Voluntary Military Service	N/A*		
Compulsory Education Age	No		
Free Public Education	No		

\* No conscription or no standing military.

The Labor Act permits children as young as age 12 to work.(11) This is not consistent with international standards, which require a minimum age no lower than 14 for admission to employment. Children under age 15 are prohibited from working in the industrial sector or on ships, and children under age 16 are prohibited from working in underground mines.(11) Further, children between ages 16 and 18 are prohibited from working in mines or on ships without a medical certificate, and are prohibited from working at night without specific written permission from the Commissioner of Labor.(11) Despite these provisions, Solomon Islands does not have a comprehensive law protecting children under age 18 from hazardous work, or a comprehensive list of hazardous occupations and activities from which children are prohibited.(1) In addition, according to the Commissioner of Labor, the existing penalties and fines for employing children in hazardous conditions are too insignificant to serve as deterrents.(1)

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While forced labor is prohibited, the law does not establish any penalty for a forced labor conviction.<sup>(7)</sup> The Immigration Act, passed in 2012, prohibits and punishes all forms of trafficking in persons and provides specific legal protections against the trafficking of children.<sup>(13)</sup> During the reporting period, the law was certified, but it will not take effect until it has been gazetted.<sup>(15, 16)</sup> No implementing regulations accompany the legislation.<sup>(1, 2, 13)</sup> Laws do not specifically prohibit the use of children in illicit activities, such as drug trafficking.<sup>(1, 14)</sup> Prostitution laws do not cover boys between the ages of 15 and 18 and, therefore, leave them without legal protection.<sup>(7, 14)</sup>

Education in Solomon Islands is not compulsory.<sup>(17)</sup> Although the Government has a policy of free basic education, research found no evidence that this right is enshrined in law. In 2013, the Government continued to implement the Free Fee Basic Education (FFBE) Policy, which covers the basic costs to operate schools, but permits school administrators to request additional contributions from families such as cash, labor, and fundraising on behalf of the school.<sup>(7, 8, 18, 19)</sup> This policy may not be sufficient to cover the true cost of attendance at all schools. Additional school fees, uniform costs, book fees, and transportation needs may still prevent some children, particularly girls, from attending school.<sup>(7, 16, 18, 19)</sup>

### III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

**Table 5. Agencies Responsible for Child Labor Law Enforcement**

Organization/Agency	Role
Ministry of Commerce, Industry, Labor, and Immigration (MOCILI)	Enforce child labor laws. The Department of Immigration within MOCILI is the lead agency on issues of human trafficking. <sup>(1, 15)</sup>
Royal Solomon Islands Police	Enforce criminal laws against the worst forms of child labor. <sup>(7)</sup> Work in partnership with the Australian-led Regional Assistance Mission to Solomon Islands on human trafficking and commercial sexual exploitation cases. <sup>(1)</sup>

Criminal law enforcement agencies in Solomon Islands took actions to combat child labor, including its worst forms. However, research found no evidence that labor law enforcement agencies took such actions. Sources, including the Government, note that inadequate capacity and resources have prevented meaningful enforcement of the laws.<sup>(7, 15, 18)</sup>

#### *Labor Law Enforcement*

The Government reported that MOCILI lacks the capacity to enforce child labor laws.<sup>(7, 15)</sup> Research did not uncover the number of inspectors responsible for child labor law enforcement, nor the level of funding allocated for this purpose. MOCILI does not collect data on the number of inspections, violations found, or penalties assessed with regard to child labor.<sup>(7)</sup>

#### *Criminal Law Enforcement*

Research found no data on the number of investigators responsible for the enforcement of criminal laws against the 34 worst forms of child labor, nor on the number of investigations, prosecutions, or convictions.<sup>(7)</sup> There were conflicting reports on the number of trafficking cases identified, and research did not determine whether any of these cases involved children.<sup>(15)</sup> In 2013, with the support of the American Bar Association Rule of Law Initiative, the Department of Immigration held an interagency training on human trafficking in Solomon Islands.<sup>(15)</sup>

### IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

**Table 6. Mechanisms to Coordinate Government Efforts on Child Labor**

Coordinating Body	Role & Description
National Advisory Committee on Children	Advise the Cabinet on issues affecting children, coordinate the implementation of the UN CRC, and develop advocacy materials to promote the rights of children.(20)
Trafficking in Persons Advisory Committee	Ad-hoc committee created by the Government in 2012. Members include MOCILI and NGO representatives.(15)

Research found no evidence of a body to coordinate overall child labor efforts. In 2013, TIPAC met three times.(15) Research found no information as to whether the National Advisory Council was active.

## V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Solomon Islands has established policies related to child labor, including its worst forms (Table 7).

**Table 7. Policies Related to Child Labor**

Policy	Description
National Children's Policy/National Action Plan for 2010-2015	Commits the Government to substantially improving services and the legal framework for child protection over a 5-year period.(20) Objectives of the policy include ratifying the UN CRC Optional Protocols, raising the minimum age for employment to 18, achieving universal primary education, registering all births by 2015, and creating a mechanism for the coordination and enforcement of child protection laws and policies.(20) During the reporting period, the Government did not ratify the UN CRC Optional Protocols or raise the minimum age for work.
Free Fee Basic Education (FFBE) Policy	Aims to increase educational access by subsidizing school fees for grades one through nine.(18) The policy covers the operational costs for children to attend school, but allows for school management to request additional contributions from families such as cash, labor, and fundraising on behalf of the school.(7, 8, 18, 19, 21) In 2013, the Government continued to implement FFBE.(16)

The National Plan does not specify relevant agencies in its intended coordination mechanism, and it is unclear whether relevant agencies are participating in this coordinating mechanism for enforcement.(20) The FFBE may not sufficiently cover all costs for schools, depending on their location; additional school fees, uniform costs, book fees, and transportation needs may still prevent some children from attending school.(18, 19) Attendance and dropout rates indicate that girls in Solomon Islands are less likely than boys to finish school.(18, 22)

## VI. SOCIAL PROGRAMS TO ADDRESS THE WORST FORMS OF CHILD LABOR

Research found no evidence of programs that include the goal of eliminating or preventing child labor, including its worst forms.

## VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Solomon Islands (Table 8).

**Table 8. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms**

Area	Suggested Action	Year(s) Suggested
Laws	Increase the minimum age for employment and hazardous work to 14 and 18, respectively, and institute a comprehensive list of hazardous occupations and activities from which children are prohibited.	2009 – 2013
	Strengthen penalties for violating child labor laws and establish penalties for forced labor.	2009 – 2013
	Adopt laws to forbid the use, procuring, or offering of a child for illicit activities, such as the production and trafficking of drugs and the production of pornography.	2011 – 2013
	Establish a compulsory age for education that is consistent with the minimum age for employment to meet international standards.	2009 – 2013
	Amend laws to prohibit the prostitution of boys under age 18.	2009 – 2013
	Enact the Immigration Act of 2012 to punish all forms of trafficking in persons, including the trafficking of children.	2012 – 2013

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**Table 8. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)**

Area	Suggested Action	Year(s) Suggested
Enforcement	Make information on inspections and investigations regarding the worst forms of child labor publicly available.	2009 – 2013
	Ensure that relevant agencies participate in the coordination mechanism for enforcement outlined in the National Plan of Action for 2010–2015.	2010 – 2013
Coordination	Establish a coordinating mechanism to combat the worst forms of child labor.	2010 – 2013
Government Policies	Continue to take steps toward the goals outlined in the National Children’s Policy, including ratifying the UN CRC Optional Protocols and raising the minimum age for work.	2013
Social Programs	Conduct research on child labor in Solomon Islands to inform policy and program design.	2013
	Initiate programs to address the worst forms of child labor, particularly the commercial sexual exploitation of children.	2011 – 2013

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