



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Fifty-fourth session

11 February – 1 March 2013

List of issues and questions in the absence of initial and periodic reports

Solomon Islands

The pre-session working group decided, in accordance with the decision of the Committee at its thirty-eight session (14 May – 1 June 2007) and in the absence of the State party's initial report due in 2003, as well as its periodic reports, to proceed with the preparation of the present list of issues and questions.

General

1. Please explain why no initial and subsequent reports have been submitted to the Committee, as required by article 18 of the Convention. Please describe any efforts made to date in order to prepare the reports, in accordance with its willingness to submit such reports expressed during its examination under the universal periodical review mechanism in 2011 (A/HRC/18/8, para. 83). Has the State party considered requesting the assistance of the Office of the United Nations High Commissioner for Human Rights, the United Nations Entity for Gender Equality and the Empowerment of Women and other bodies of the United Nations system in order to prepare and submit the reports as soon as possible?

Women in post-conflict situations

2. Please provide information on the measures taken by the State party to ensure the equal participation and full involvement of women in the peace-building and reconstruction processes, in particular in the Land Commission that was established in 2008 and in the Truth and Reconciliation Commission which started its proceedings in 2010.

3. Please clarify how the 2000 and 2001 Amnesty Acts providing amnesty for offences committed during the conflict have been implemented, and indicate whether they cover acts of sexual violence against women and other forms of violence against women. Please also provide information on measures taken to effectively prosecute crimes of gender-based violence committed during the tensions, to ensure access to justice for women victims and to establish a reparation mechanism for them.

Legal status of the Convention and the legislative and institutional framework

4. Please provide information on the status of the Convention in the domestic legal order, including whether the provisions of the Convention prevail over constitutional and other legal provisions. Please indicate whether the Convention is directly applicable and also whether there are any cases where the Convention has been cited by the courts. Please indicate whether the State party has taken measures to disseminate and give visibility to the Convention.

5. Please provide information on the status of the 2011 draft of the Federal Constitution, including a timeframe for its adoption, and indicate if it embodies the principle of equality between women and men, as well as a definition of discrimination against women in line with article 1 of the Convention, which includes acts committed by public and private actors and encompasses direct and indirect discrimination. With the ongoing revision of the Constitution, please indicate if the State party intends to repeal article 15 paragraphs 5 (b) to (e) of the Constitution which discriminate against women in various areas of the Convention, in particular with respect to the acquisition of land. Please provide information on the steps which the State party has taken or intends to take to identify and amend all laws, including customary law, that are discriminatory against women and not in line with the Convention. Please explain whether there are any sanctions or penalties imposed for acts of discrimination against women and provide information on their nature and actual application. Referring to the legislative review being currently undertaken by the Law Reform Commission, please provide information on the status and content of the reform of the Penal Code and the Criminal Procedure Code, as well as the laws relating to marriage and divorce.

6. Please provide information on the measures in place that enhance women's access to justice, in particular those that encourage and assist women to use courts to claim their rights. Further, please provide information on efforts made to raise awareness and sensitize judges, lawyers and law enforcement officials with regard to the State party's obligations under the Convention. Please also provide information on cases solved through traditional dispute mechanisms. Please indicate if the State party envisages establishing a national human rights institution in line with the Paris Principles, as accepted by the State party during its universal periodic review in 2011 (A/HRC/18/8).

National machinery for the advancement of women

7. Please provide information on the human and financial resources allocated to the Women's Development Division within the Ministry of Women, Youth and Children's Affairs, as well as its mandate, functions and authority, and its involvement in policy-making and in the current legislative reform. Please also provide information on the status of the representatives of women's organizations within the National Council of Women.

Programmes and plans of action

8. Please provide information on the current status of the National Gender Equality and Women's Development Policy of 2010, and whether any indicators to measure and assess its impact have been established and on results achieved through its implementation.

Temporary special measures

9. In view of the legislative reform currently under way in the State party, please describe the efforts undertaken to accelerate the realization of women's substantive equality with men, including through the use of temporary special measures, in all areas covered by the Convention, in accordance with article 4 of the Convention and the Committee's General Recommendation No. 25.

Stereotypes and harmful practices

10. Please provide information on any legislative or policy measures and awareness-raising campaigns undertaken by the State party to change social and cultural patterns that lead to gender stereotyping in relation to the roles of women and men in the family, the community and the society at large. Please indicate which measures have been taken to prevent, address and prohibit the harmful practices of early marriages and the use of bride price, in particular in fishing and logging camps where young girls are sold in marriage.

Violence against women

11. Please provide detailed information outlining the goals, objectives and strategies of the National Policy on Eliminating Violence against Women (2010) and elaborate on the progress and activities developed to implement this Policy.

12. Please inform the Committee on steps taken to include domestic violence, marital rape and sexual harassment as specific criminal offenses in the reformed Penal Code.

13. Please provide updated and detailed information on the current situation and trends with respect to violence against women and girls, such as domestic violence, rape, including defilement, incest, marital rape, and other forms of sexual abuse. Please provide information on the number of prosecutions, convictions and sentences imposed in all cases of violence against women. Please indicate the measures taken to ensure that there is no impunity for acts of violence against women, particularly at community level, where the use of community dispute resolution processes is widespread.

14. Please indicate whether steps have been taken to ensure that women and girl victims of violence, including sexual and domestic violence, are adequately protected and receive support and assistance such as access to shelters and rehabilitation services as well as remedies, such as protection orders, and compensation.

Trafficking and exploitation of prostitution

15. Please provide detailed information and data on the prevalence of trafficking in women and girls in the State party, including on reported sexual and labour exploitation faced by young girls in fishing and logging camps. Please indicate whether the State party is considering conducting research on the nature, extent, causes and consequences of trafficking with the aim of developing policies and strategies to combat this phenomenon.

16. Please indicate whether the State party intends to adopt a comprehensive law on trafficking which fully complies with article 6 of the Convention and whether it has established mechanisms for the investigation, prosecution and punishment of trafficking offenders and for the assistance and support of the victims.

17. Please provide information on the impact of the existing legislation on the protection of women and young girls from economic and sexual exploitation. Please also provide statistics, if available, on the number of women and young girls who are victims of exploitation of prostitution, particularly in urban areas.

Participation in political and public life

18. In light of the absence of women in parliament after the legislative elections held in August 2010 and the extremely low representation of women in Provincial Assemblies and at the Honiara City Council, please provide information on concrete measures taken or envisaged to ensure women's representation in parliament, including the use of temporary special measures. Please provide data on the participation of women at all levels of Government, including in decision-making positions, in the judiciary, as well as in the diplomatic service.

Nationality and citizenship

19. Please provide information on the current legislative provisions with regard to equality between women and men in the acquisition, change and retention of nationality and the acquisition of nationality by children at birth, and whether they are in line with the provisions of the Convention.

Education

20. Please provide detailed sex-disaggregated data on the enrolment rates at all levels of the education system, as well as dropout rates at the primary and secondary levels. Information before the Committee indicates that priority is given by families to male children with regard to education. Please provide information on actions taken to overcome stereotypical attitudes that discriminate against girls with regard to access to education. Please also include information on efforts made to raise awareness on the importance of girl's education, to ensure their equal access to education and to improve the enrolment and literacy rates of girls and young women, especially in rural areas, including by making basic education compulsory and by taking affirmative action. Please provide information on measures taken by the State party to reduce the high drop-out rates of girls, including in cases of early marriage and pregnancy. Please provide information on the results achieved by the implementation of the National Educational Action Plan (2010-2012) and the introduction in 2009 of the fee-free policy for the first seven years of schooling.

Employment

21. Does the State party intend to amend its Labour Act to include provisions to eliminate discrimination against women in employment, to prohibit sexual harassment in the work place and to enshrine the guarantee of equal pay for work of equal value in order to ensure substantive equality for women in employment? Please explain the differences in recruitment and employment practices between women and men, provide information on the vertical and horizontal occupational segregation and indicate the proportion of women working in the informal sector and agriculture.

Health

22. Please provide information on the status of the draft National Solomon Islands Reproductive Health Strategy 2011-2013, and on measures taken to implement the National Health Strategic Plan 2011-2015. Please provide information on awareness-raising measures concerning reproductive and sexual health and rights. Please indicate whether the State party has taken steps to include education on reproductive and sexual health and rights in school curricula, as accepted by the State party during its universal periodic review in 2011 (A/HRC/18/8)?

23. Please provide information on the contraceptive prevalence rate and the availability and accessibility of contraceptive methods, as well as family planning services. Please indicate what measures have been introduced to increase public awareness of the risk and effects of sexually transmitted diseases, particularly HIV/AIDS. Have any of these measures been aimed specifically at women and girls? Please provide information on the situation of abortion in the State party.

Rural women

24. Please provide information on any strategy or programme carried out by the State party to improve the situation of rural women and girls, including their access to health, education, employment, land, credit and their participation in decision-making. In

particular, please elaborate on rural women's access to programmes and plans related to the Rural Development Funds

Disadvantaged groups of women

25. Please provide information on the situation of women with disabilities and older women, in particular in rural areas, in relation to access to healthcare services, education and social protection measures. Please inform the Committee on the status of the draft Bill on Persons with Disabilities.

Marriage and family relations

26. In light of the coexistence of civil and customary law, please explain which laws govern family relations and whether women are treated equally with men under these laws. Please further indicate steps taken to adhere to the minimum legal age for marriage for women and men, as well as the measures envisaged to ensure that births and marriages are registered through a comprehensive and compulsory system. Please also provide information on provisions regarding child custody and property upon dissolution of marriage, inheritance rights, as well as detailed information on the matrilineal and patrilineal land holding systems and their impact on women's access to land.

Data collection and analysis

27. Please provide information on the status of data collection and analysis in the country in general and, in particular, with regard to the situation of women, disaggregated by age, sex, and rural and urban areas. Please indicate how the Government intends to improve the collection and analysis of such data pertaining to the areas of the Convention and the general recommendations of the Committee so as to support policymaking and programme development and to measure progress towards implementation of the Convention.

Amendment to article 20, paragraph 1

28. Please also indicate when the State party intends to accept the amendment to article 20, paragraph 1, of the Convention pertaining to the Committee's meeting time.
