

*In 2014, Solomon Islands made a moderate advancement in efforts to eliminate the worst forms of child labor. The Government enacted the Immigration Act, which prohibits transnational human trafficking and establishes specific penalties for the trafficking of children. Multiagency inspection teams also made site visits to logging camps and fishing areas throughout the country to inspect for human trafficking violations. With technical assistance from the ILO, the Government participated in a Child Labor and Trafficking Forum and a rapid assessment workshop to identify and develop strategies to address the worst forms of child labor in the country. However, children in Solomon Islands are engaged in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of human trafficking. Education is 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.*



## I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Solomon Islands are engaged in the worst forms of child labor, including in commercial sexual exploitation sometimes as a result of human trafficking. (1-3) 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, 2015.(4)

Data were unavailable from Understanding Children's Work Project's analysis, 2015.(5)

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	Harvesting and collecting palm oil fruits on plantations* and sea cucumbers* (1, 6)
Industry	Alluvial mining* (1) Construction on roads and buildings, including making bricks* (1)
Services	Domestic work,* including in logging camps and on fishing boats (1, 3) Scavenging for cans and metal in garbage dumpsites, streets, and streams* (1) Commercial sexual exploitation sometimes as a result of trafficking (1-3, 7, 8)
Categorical Worst Forms of Child Labor†	Used in the production of pornography* (3) Used in illicit activities, including in the trafficking of drugs* (1, 8) Forced domestic work,* including in logging camps and on fishing boats (1-3, 9)

\* 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.

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In 2014, the Government requested that the ILO conduct a 2-day rapid assessment and strategies workshop to identify the worst forms of child labor in Solomon Islands.<sup>(1)</sup> Despite this effort to improve data collection on the types of work carried out by children, the Government continues to lack comprehensive data on the prevalence and nature of child labor in the country.




Research indicates that both boys and girls are engaged in commercial sexual exploitation associated with the logging; tourism; and fishing industries in areas near logging camps, near or aboard commercial fishing vessels, and in the capital city of Honiara.<sup>(1-3, 7)</sup> There are reports that some family members put their minor children up for “informal adoption” in order to pay off debts or offer them in marriage to loggers and miners; subsequently, the children may be forced into domestic work or commercial sexual exploitation.<sup>(1, 2)</sup>

The Government’s Free Fee Basic Education (FFBE) Policy provides free education for children in grades one through nine, but it may not be sufficient to cover the true cost of attendance for all children. The Policy permits school administrators to request additional contributions from families such as cash, labor, and fundraising on behalf of the school.<sup>(1, 10)</sup> Additional school fees, uniform costs, book fees, and transportation needs may still prevent some children, particularly girls, from attending school.<sup>(1, 11)</sup>

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

Solomon Islands has ratified some key international conventions concerning child labor (Table 3).

**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 established 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	Article 46 of the Labor Act (12)
Minimum Age for Hazardous Work	Yes	15	Article 47 of the Labor Act (12)
Prohibition of Hazardous Occupations or Activities for Children	Yes		Articles 47–49 of the Labor Act (12)
Prohibition of Forced Labor	Yes		Article 6 of the Constitution; Articles 256 of the Penal Code (13, 14)
Prohibition of Child Trafficking	Yes		Part 7 of the Immigration Act (15)
Prohibition of Commercial Sexual Exploitation of Children	Yes		Articles 144, 149–150, and 173–174 of the 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 standing military (16)

The Government has not ratified two conventions relevant to the worst forms of 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 Labor Act permits children as young as age 12 to work.<sup>(12)</sup> This is not consistent with international standards, which require a minimum age no lower than 15 for admission to employment. In addition, legislation governing the hazardous occupations and activities prohibited for children does not fully comply with international standards. According to the Labor Act, 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.<sup>(12)</sup> Male children between the ages of 16 and 18 may be permitted to work in mines, on ships, or during the night in industrial undertakings with a medical certificate or with specific written permission from the Commissioner of Labor.<sup>(12)</sup> Despite these provisions, Solomon Islands does not have a comprehensive law protecting all children under age 18 from involvement in hazardous work. While the law defines the hazardous activities prohibited for children in the industrial sector, it does not define the hazardous activities in the agricultural or service sectors in a manner that is specific enough to facilitate the enforcement of child labor laws and the removal of children from these hazardous activities.<sup>(17)</sup> 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.<sup>(17)</sup> While forced labor is prohibited, the law does not establish specific penalties for a forced labor conviction.<sup>(14)</sup>

On August 1, 2014, the Immigration Act and its implementing regulations came into force. The law contains provisions to prohibit and punish transnational trafficking in persons, with heightened penalties for the trafficking of children. However, it does not sufficiently address domestic human trafficking issues.<sup>(15, 18)</sup> Recognizing this deficiency, the Ministry of Justice and Legal Affairs reported that the Solomon Islands Cabinet has approved a draft Penal Code amendment that would complement the Immigration Act so it more comprehensively prohibits all forms of trafficking in persons.<sup>(18)</sup>

Gaps in legislation also leave some children vulnerable to commercial sexual exploitation. The Penal Code does not protect boys ages 15 to 18 from use in commercial sexual exploitation.<sup>(9, 14)</sup> While the law criminalizes the production, distribution, and possession of pornography, it does not specifically prohibit the use, procurement, or offering of a child for the production of pornography. Laws do not prohibit the use of children in illicit activities, such as drug trafficking.<sup>(14, 17)</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>(17, 19)</sup>
Royal Solomon Islands Police (RSIP)	Enforce criminal laws against the worst forms of child labor, including forced child labor, commercial sexual exploitation, and the use of children in illicit activities. <sup>(9)</sup> Work in partnership with the Australian-led Regional Assistance Mission to Solomon Islands on human trafficking and commercial sexual exploitation cases. <sup>(17)</sup>

Law enforcement agencies in Solomon Islands took actions to combat child labor, including its worst forms.

#### *Labor Law Enforcement*

Research did not find information on the number of inspectors responsible for child labor law enforcement, nor on the specific level of funding allocated for this purpose. Sources, including the Government, noted that inadequate resources and lack of technical capacity among enforcement agencies have prevented meaningful enforcement of labor laws.<sup>(9, 19)</sup> According to the Labor Act, labor inspectors have the authority to conduct unannounced inspections in any workplace.<sup>(12)</sup> However, the Ministry of Commerce, Industry, Labor, and Immigration (MOCILI) did not provide data on the number of inspections conducted, violations

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discovered, or penalties assessed with regard to child labor.(1) There is no evidence that a referral mechanism exists to ensure that children found in exploitative labor situations receive appropriate social services.

### *Criminal Law Enforcement*

In 2014, research did not find information on the specific number of investigators responsible for the enforcement of criminal laws related to the worst forms of child labor. According to the Immigration Division's Chief Immigration Officer for Enforcement, multiagency inspection teams, including the Royal Solomon Islands Police, conducted site visits in logging and fishing companies throughout the country to monitor for evidence of human trafficking. These investigations did not uncover any cases of trafficking in persons, and there were no prosecutions, convictions, or penalties issued for human trafficking offenses.(1) The Government lacks procedures to systematically identify and refer victims of the worst forms of child labor to social service providers.(18)

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

Although the Government has established a coordination mechanism on trafficking in persons, research found no evidence of mechanisms to coordinate its efforts to address child labor, including all its worst forms (Table 6).

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

Coordinating Body	Role & Description
Trafficking in Persons Advisory Committee	Coordinate efforts to address human trafficking across the government.(19) Comprises representatives from the Royal Solomon Islands Police Force, the Office of the Director of Public Prosecutions, and the Ministries of Labor, Foreign Affairs and Trade, Justice, Customs, Social Welfare, and Immigration, as well as various NGOs. Convened several times during the reporting period and was working to finalize Terms of Reference to formalize the Committee.(19, 20)

The Government of Solomon Islands has established the National Advisory Committee on Children to advise the Cabinet on general issues affecting children, coordinate the implementation of the UN CRC, and develop advocacy materials to promote the rights of children. Members of the Committee include the Social Welfare Division (SWD); the Ministry of Health and Medical Services (MHMS); the Ministry of Women, Youth and Children Affairs (MWYCA); and the Ministry of Education and Human Resource Development (MEHRD).(21) Research found that the Committee does not function as a coordinating mechanism to specifically address child labor issues.

## 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 with National Action Plan (2010–2015)	Commits the Government to substantially improving services and the legal framework for child protection over a 5-year period.(21) 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.(21)
Free Fee Basic Education (FFBE) Policy*	Aims to increase educational access by subsidizing school fees for grades one through nine.(10)
National Youth Policy (2010–2015)*	Develops a strategic action plan to address six key issues related to the well-being of youth in Solomon Islands, including (1) career development, (2) participation in governance, (3) youth and well-being, (4) youth and peace building, (5) youth and sustainable development, and (6) youth mainstreaming.(1)
UNDAF for the Pacific Region (2013–2017)*	Promotes sustainable development and economic growth for vulnerable groups in 14 Pacific Island Countries and Territories: Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Palau, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu.(22) In Solomon Islands, aims to strengthen policy, legislation, and programs to protect children from exploitation and to improve access to education for children in remote areas.(23)

\* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

In 2014, research found no evidence that the Government made efforts to address the objectives related to child labor outlined in the National Children's Policy with National Action Plan. Although the Free Fee Basic Education (FFBE) Policy provides 9 years of free basic education, the Policy does not make education compulsory.<sup>(1, 10)</sup> The lack of standards in this area may increase the risk of children's involvement in child labor.

## VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

Research found no evidence of programs that include the goal of eliminating or preventing child labor, including its worst forms. In 2014, the Government participated in a Child Labor and Trafficking Forum aimed at identifying the types of work carried out by children and developing strategies to address the worst forms of child labor in Solomon Islands. The ILO reported that, based on the results of the workshop, key stakeholders discussed the need to develop social programs targeting child labor.<sup>(1)</sup>

## 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
Legal Framework	Ratify UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography and the Palermo Protocol on Trafficking in Persons.	2014
	Increase the minimum age for employment and hazardous work to 15 and 18, respectively, and ensure that hazardous occupations and activities are clearly defined and prohibited for children in all relevant sectors.	2009 – 2014
	Strengthen penalties for violating child labor laws and establish penalties for forced labor.	2009 – 2014
	Ensure that legal provisions are enacted to comprehensively prohibit domestic human trafficking.	2014
	Ensure that the law prohibits the commercial sexual exploitation of boys under age 18.	2009 – 2014
	Ensure that the law prohibits the use, procurement, and offering of a child for the production of pornography and for use in illicit activities.	2011 – 2014
Enforcement	Collect data on efforts to enforce child labor laws and make this information publicly available, including the number and training of labor inspectors and criminal investigators, the number and type of inspections carried out, the number of child labor law violations found, and the number of penalties and citations issued.	2009 – 2014
	Allocate funds to ensure that relevant agencies have the resources necessary to enforce laws relevant to the prevention and elimination of child labor, including its worst forms.	2009 – 2012, 2014
	Establish a referral mechanism between law enforcement agencies and social service providers to ensure that children engaged in child labor, including its worst forms, receive appropriate services.	2014
Coordination	Establish coordinating mechanisms to combat child labor, including its worst forms.	2010 – 2014
Government Policies	Integrate child labor elimination and prevention strategies into existing policies.	2014
	Implement the National Children's Policy with National Plan of Action for 2010–2015.	2014
	Ensure that policy establishes a compulsory education age that is no less than 15 years.	2009 – 2014
Social Programs	Conduct research on child labor in Solomon Islands to inform policy and program design.	2013 – 2014
	Establish programs to provide financial support for families with school-aged children who are unable to afford additional school expenses, including the cost of uniforms, textbooks, and transportation, and ensure that schools do not impose additional school fees on students for the mandated period of free education, as established by national policy.	2014
	Institute programs to address the worst forms of child labor in Solomon Islands.	2011 – 2014

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### REFERENCES

1. U.S. Embassy- Port Moresby. *reporting*, December 28, 2014.
2. U.S. Department of State. "Solomon Islands," in *Trafficking in Person's Report-2013*. Washington, DC; June 20, 2014; <http://www.state.gov/j/tip/rls/tiprpt/countries/2014/226814.htm>.
3. U.S. Department of State. "Solomon Islands," in *Country Reports on Human Rights- 2013*. Washington, DC; February 27, 2014; <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dldid=220230>.
4. UNESCO Institute for Statistics. *Gross intake ratio to the last grade of primary. Total*. [accessed January 16, 2015] <http://www.uis.unesco.org/Pages/default.aspx?SPSLanguage=EN>. Data provided is the gross intake ratio to the last grade of primary school. This measure is a proxy measure for primary completion. For more information, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
5. UCW. *Analysis of Child Economic Activity and School Attendance Statistics from National Household or Child Labor Surveys*. Analysis received January 16, 2015. Reliable statistical data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics on children's work in general are reported in this chart, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.
6. ILO Committee of Experts. *Individual Direct Request concerning Forced Labour Convention, 1930 (No. 29) Solomon Islands (ratification: 1985) Published: 2014*; accessed November 7, 2014; [http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0:0::NO:13100:P13100\\_COMMENT\\_ID:3149406](http://www.ilo.org/dyn/normlex/en/?p=1000:13100:0:0::NO:13100:P13100_COMMENT_ID:3149406).
7. Marau, D. "Sr Doreen's Story: The Untold Stories of Human Trafficking," *Solomon Star*, Honiara, August 9, 2011. <http://www.solomonstarnews.com/news/national/11705-sr-doreens-story-the-untold-stories-of-human-trafficking>; previously online.
8. Osifelo, E. "Alarming Rate in Child Labour, Trafficking," *Solomon Star*, Honiara, November 29, 2014; *National News*. <http://www.solomonstarnews.com/news/national/5124-alarming-rate-in-child-labour-trafficking>.
9. U.S. Embassy- Port Moresby. *reporting*, January 16, 2014.
10. Office of the United Nations High Commissioner for Human Rights. *Solomon Islands: Child Rights References in the Universal Periodic Review*. UPR Report. Geneva, CRIN; May 4, 2011. <http://www.crin.org/resources/infodetail.asp?id=25544>.
11. U.S. Embassy Port Moresby official. E-mail communication to USDOL official. May 20, 2014.
12. Government of Solomon Islands. *Labour Act (Chapter 73)*, enacted 1996. <http://www.pacii.org>
13. Government of Solomon Islands. *Constitution of Solomon Islands*, enacted July 7, 1978. [http://www.pacii.org/sb/legis/consol\\_act/c1978167/](http://www.pacii.org/sb/legis/consol_act/c1978167/)
14. Government of Solomon Islands. *Penal Code (Chapter 26)*, enacted 1996. [http://www.pacii.org/sb/legis/consol\\_act/pc66/](http://www.pacii.org/sb/legis/consol_act/pc66/)
15. Government of Solomon Islands. *Immigration Act 2012*, No.3 of 2012, enacted March 9, 2012. [http://www.pacii.org/sb/legis/num\\_act/ia2012138/](http://www.pacii.org/sb/legis/num_act/ia2012138/).
16. Child Soldiers International. *Louder Than Words: An agenda for action to end state use of child soldiers*. London; September 2012. [http://www.child-soldiers.org/global\\_report\\_reader.php?id=562](http://www.child-soldiers.org/global_report_reader.php?id=562).
17. U.S. Embassy- Port Moresby. *reporting*, March 16, 2011.
18. U.S. Embassy- Port Moresby. *reporting*, February 4, 2015.
19. U.S. Embassy- Port Moresby. *reporting*, January 21, 2014.
20. U.S. Embassy- Port Moresby. *reporting*, November 25, 2014.
21. Government of Solomon Islands. *National Children's Policy with National Plan of Action*. previously online. Honiara; April 15, 2010.
22. United Nations Pacific. *United Nations Development Assistance Framework (UNDAF) For the Pacific Region 2013-2017*. Suva; 2013. [http://pacific.one.un.org/images/stories/2013/UNDAF\\_Summary\\_Report.pdf](http://pacific.one.un.org/images/stories/2013/UNDAF_Summary_Report.pdf).
23. United Nations Pacific. *Solomon Islands: UNDAF Results Matrix 2013-2017*; 2013. [http://www.pacific.one.un.org/images/stories/2013/sol\\_crm.pdf](http://www.pacific.one.un.org/images/stories/2013/sol_crm.pdf).