



COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW (2000-2008)¹: SOLOMON ISLANDS

THE EFFECTIVE ABOLITION OF CHILD LABOUR (CL)

REPORTING	Fulfillment of Government's reporting obligations	YES, under the 2006 and the 2008 Annual Reviews (ARs).	
	Involvement of Employers' and Workers' organizations in the reporting process	YES, according to Government: Involvement of the employers' organizations (the Solomon Islands Chamber of Commerce and Industry (SICCI); the Solomon Islands Chinese Association (SICA); the Solomon Islands Indigenous Business Association (SIIBA); the Solomon Islands Women in Business Association (SIWIB); the Association of Solomon Islands Manufacturers (ASIM); the Solomon Forestry Association (SFA)) and workers' organizations (the Solomon Islands Council of Trade Unions (SICTU); the Solomon Islands Public Employees Union (SIPEU); the Solomon Islands National Union of Workers (SINUW); and the Solomon Islands National Teachers' Association (SINTA) by means of consultation and communication of a copy of Government's reports.	
OBSERVATIONS BY THE SOCIAL PARTNERS	Employers' organizations	2008 AR: Observations by the SICCI. 2006 AR: Observations by SICCI, SICA, SIIBA, SIWIB, ASIM and SFA.	
	Workers' organizations	2008 AR: Observations by the SICTU (SINUW) and its 10 affiliates. 2006 AR: Observations by SICTU, SIPEU, SINUW and SINTA.	
EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT	Ratification	Ratification status	Solomon Islands has ratified neither the Minimum Age Convention, 1973 (No.138) (C.138) nor the Worst Forms of Child Labour Convention, 1999 (No. 182) (C.182). However, Solomon Islands ratified in 1995 the United Nations Convention on the Right on the Child (CRC).
		Ratification intention	YES, for both C.138 and C.182. 2008 AR: According to the Government: as a result of ILO technical assistance in 2005 the Cabinet approved on 17 May 2007 the ratification of C.138 and C.182 and other ILO fundamental Conventions in consultation with employer's and worker's organizations The Government intends now to bring national legislation into compliance with the ILO fundamental Conventions in consultation with the social partners and in cooperation with the ILO.

¹ Country baselines under the ILO Declaration Annual Review are based on the following elements to the extent they are available: information provided by the Government under the Declaration Annual Review, observations by employers' and workers' organizations, case studies prepared under the auspices of the country and the ILO, and observations/recommendations by the ILO Declaration Expert-Advisers and by the ILO Governing Body. For any further information on the realization of this principle and right in a given country, in relation with a ratified Convention, please see: www.ilo.org/ilolex

			<p>The SICCI expressed its support to the ratification of C.138 and C.182.</p> <p>According the SICTU: The Letter of Intent concerning the ratification of the remaining 7 remaining ILO fundamental Conventions was presented by the Government during the Celebration of the 30th years of ILO Presence in the Pacific in Suva (Fiji). The Government should thus finalize this ratification process in cooperation with the ILO.</p> <p>2006 AR: The Government indicated that it had the intention to ratify C.138 and C.182, and that it was initiating a labour law reform in association with the social partners and the ILO in order to ensure compliance national laws with the principle and right (PR). It also appreciated the employers' and workers' organizations' (ASIM, SFA, SICCI, SIIBA, SIWIB, SICA, SICTU, SINUW, SINTA and SIPEU) support for the ratification of all ILO fundamental Conventions not ratified by Solomon Islands. In this respect, it requested ILO technical assistance on the Declaration and standard-related issues and for capacity building in reporting.</p>
Recognition of the principle and right (prospect(s), means of action, basic legal provisions)	Constitution	NO	
	Policy, legislation and/or regulations	<ul style="list-style-type: none"> • Policy <p>2006 AR: According to the Government: There is a national policy/plan aimed at ensuring the effective abolition of child labour in Solomon Islands. The National Advisory Council on Children (NACC) is developing this policy under the CRC. In addition, a legislative reform is in process since 2000 through the formulation of the Protection of the Rights of the Child Bill, 2000 and the Rights of the Child Convention Bill, 2004. They will be soon subject to a wider national consultation that will involve employers' and workers' organizations. Meanwhile, the Ministry of Education has made entry from primary into secondary education automatic for all.</p> <ul style="list-style-type: none"> • Legislation <p>2008 AR: The Government has received the draft of the Industrial Relations Law elaborated in consultation with the social partners and the ILO. It intends to organize very soon a national tripartite workshop on labour law review in cooperation with the ILO. Regarding the Protection of the Rights of the Child Bill, the Government indicated that no further development had been made.</p> <p>2006 AR: The relevant legislation regarding this principle and right is found in the Labour Act (CAP 73), 1960 (as revised in 1998), Sections 46-63 and provides for minimum ages for admission to employment ranging from 12 (with exceptions) to 18 depending on the type of the work. Moreover, A Protection of the Rights of the Child Bill, 2000 will be soon subject to a wide national consultation.</p>	
	Basic legal provisions	(i) The Labour Act (CAP 73), 1960 (Sections 46-63), (ii) The Protection of the Rights of the Child Bill, 2000 (to be adopted).	
	Judicial decisions	NIL	
Exercise of the principle and right	Compulsory education	NO	

		Minimum age	<p>2006 AR: General minimum age for admission to employment or work: 15 years for both boys and girls, that does cover neither light work nor hazardous work (18, with several exceptions). Moreover, of the Labour Act (CAP 73), 1960 (Sections 46 and 54) provides for possibilities to work under the age of 12, under certain cover conditions.</p> <p>Hazardous work: not defined.</p>
		Worst forms of child labour	<p>No specific laws or regulations, however:</p> <p>2006 AR: The Government indicated that steps were being taken to modify existing legislation or introduce new legislation to address the elimination of any of the worst forms of child labour. According to Government: Worst forms of child labour such as, sale and/or trafficking, do not exist in Solomon Islands. However, it is not known whether debt bondage, serfdom, forced or compulsory labour and other forms of child labour are in existence. It is believed or suspected that prostitution, pornography (a one-off case only), illicit activities, in particular production and drug trafficking do exist amongst girls only. Moreover, it is also believed or suspected that forced recruitment for armed conflict existed during the period of conflicts between 2000 and 2003.</p>
	Exercise of the principle and right	Special attention to particular situations	NO
EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT		Information/Data collection and dissemination	<p>2006 AR: According to the Government: The Government occasionally undertakes surveys with regards to statistical information on the extent and/or nature of child work and the last one was carried out in 2004. A situation analysis on women, youth and children has been carried out in 2004, and the labour law reform process will take into account the need for special protection of children against the worst forms of child labour. Moreover, a survey on children's commercial exploitation and child sexual abuse has been completed in 2004 in cooperation with UNICEF. Finally, a global survey on violence against children is being finalized in cooperation with UNICEF and World Vision. The results are presented separately by sex, age, occupation, type of activity and number of working hours. However, these general surveys need to be developed in terms of analysis and data collection.</p> <p>In the last population census, held in 1999, the lowest age of persons for whom questions were asked about economic activity was 14 years.</p>
	Monitoring, enforcement and sanctions mechanisms		<p>2008 AR: According to the Government and the SCCI: a new Ministry for Women, Youth and Children Affairs was created in April 2007. This Ministry is currently putting together its national cooperate plan; a national workshop will be held in June 2008.</p> <p>2006 AR: According to the Government: the following measures are envisaged to enforce the minimum age for admission to employment and eliminate the worst forms of child labour: (i) legal reform and (ii) inspection/monitoring mechanisms.</p>
	Involvement of the social partners	YES	<p>2006 AR: According to the Government: A labour law reform is being initiated in association with the social partners.</p>
EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT	Promotional activities		<p>2008 AR: The SICCI stated that Labour Day celebrations are organized but more substantial promotional activities should be carried out.</p> <p>2006 AR: According to the Government: Various surveys have been carried in 2004: (i) a national situation analysis on women, youth and children; and (ii) a survey on children's commercial exploitation and child sexual abuse, in cooperation with UNICEF.</p>
	Special initiatives/Progress		<p>2008 AR: The Government provided financial assistance to the national celebration of Labour Day. Activities included awareness raising programmes on the Fundamental Principles and Rights at Work (FPRW), including radio broadcasting. Furthermore, a weekly radio programme on the FPRW is being organized.</p>

		<p>2006 AR: According to the Government: (i) the Government intends to ratify C.138 and C.182; and (iii) the Government is currently initiating a labour law reform in association with the social partners and the ILO in order to ensure compliance of national laws with the provisions of C. 138 and C.182.</p>	
<p>CHALLENGES IN REALIZING THE PRINCIPLE AND RIGHT</p>	<p>According to the social partners</p>	<p>Employers' organizations</p>	<p>2008 AR: The SICCI indicated that the Government lacked capacity in the monitoring and enforcement of the law.</p> <p>2006 AR: According to the employers' organizations, the main difficulties encountered in realizing the PR in Solomon Islands are as follows:</p> <p>SFA: Free, compulsory and quality education need to be guaranteed and enforced to enable adequate recognition of the PR in the Solomon Islands. The main obstacles that have been encountered in the realization of the principle of the effective abolition of child labour are as follows: (i) lack of free and compulsory education; (ii) lack of social dialogue; (iii) inadequate labour laws; (iv) lack of public awareness; and (v) some cases of child prostitution and the phenomenon is growing;</p> <p>SICA: Compulsory education and poverty reduction need to be realized in order to avoid child labour in the Solomon Islands. The main obstacles that have been encountered in the realization of this principle and right are as follows: (i) poverty, (ii) lack of adequate legislation; (iii) lack of information and data; (iii) lack of public awareness raising; (iv) some cases of child prostitution; and (v) lack of ILO support and technical cooperation programmes;</p> <p>SIWIB: Compulsory education and poverty reduction need to be realized in order to avoid child labour in the Solomon Islands. The main obstacles that have been encountered in the realization of the principle of the effective abolition of child labour are as follows: (i) lack of compulsory education; (ii) poverty; (iii) lack of income generation programmes to alleviate poverty; (iv) lack of public awareness and support on the PR; and (iv) Primary and high school children, mostly girls are involved in child prostitution, drug and crime activities. Unfortunately, this scourge is moving to a large scale in the country;</p> <p>SICCI: Poverty needs to be reduced in order to avoid child labour Solomon Islands. The main obstacles that have been encountered in the realization of the principle of the effective abolition of child labour are as follows: (i) poverty; (ii) lack of adequate basic education and skill development; (iii) lack of adequate legislation; (iv) lack of information and data (v) lack of public awareness on the PR; (vi) some cases of child prostitution; and (vii) lack of ILO support and technical cooperation programmes to alleviate poverty in Solomon Islands;</p> <p>ASIM: The PR is not recognized in Solomon Islands because of unemployment and its effects. The main obstacles that have been encountered in the realization of the principle of the effective abolition of child labour are as follows: (i) high rate of unemployment; (ii) lack of employment creation incentives and financial assistance; and (iii) prostitution, which also growing among girls;</p> <p>SIIBA: The PR is not realized in the Solomon Islands because of poverty and lack of free and compulsory education and inadequate laws. The main obstacles that have been encountered in the realization of the principle of the effective abolition of child labour are as follows: (i) poverty; (ii) inadequate enforcement of legislation; lack of expertise of the Labour Division; (iii) lack of information and data collection; and (iv) lack of ILO support and technical cooperation programmes.</p>

		<p>Workers' organizations</p>	<p>2008 AR: The SICTU and SINUW mentioned the same challenges raised under the 2006 AR.</p> <p>2006 AR: According to the workers' organizations, the main difficulties encountered in realizing the PR in Solomon Islands are as follows:</p> <p>SIPEU: (i) Free and compulsory education needs to be guaranteed and enforced to enable adequate recognition of this PR in Solomon Islands. The main obstacles that have been encountered in realizing the PR in Solomon Islands are as follows: (i) lack of free and compulsory education; (ii) inadequate legislation; (iii) lack of information and data; (iv) lack of capacity of Government and employers' and workers' organizations; (v) lack of social dialogue; (vi) some cases of child prostitution and involvement in drug and crime activities; (vii) and lack of ratification of C.138 and C.182;</p> <p>SINTA: Free and compulsory education needs to be guaranteed and enforced to enable adequate recognition of this PR in Solomon Islands and SINTA supports the ratification of the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182) by the Solomon Islands. The main obstacles that have been encountered in realizing the PR in Solomon Islands are as follows: (i) lack of free and compulsory education; (ii) lack of income generation programmes to alleviate poverty; (iv) lack of public awareness and support on the PR; and (v) primary and high school children, mostly girls are involved in child prostitution, drug and crime activities. Unfortunately, this scourge is moving to a large scale in the country;</p> <p>SICTU and SINUW: Free and compulsory education needs to be guaranteed and enforced to allow adequate recognition of this PR in Solomon Islands. The main obstacles that have been encountered in the realization of the principle of the effective abolition of child labour are as follows: (i) lack of free and compulsory education; (ii) poverty; (iii) inadequate legislation; (iii) lack of information and data; (iv) lack of compulsory education; (v) poverty; (vi) lack of income generation programmes to alleviate poverty in Solomon Islands; (vii) lack of public awareness and support on the PR; and (viii) child prostitution and involvement in drug and crime activities. This phenomenon is growing to a large scale.</p>
	<p>According to the Government</p>		<p>2008 AR: The Government reiterated the same challenges mentioned under the 2006 AR. It added that the Labour Division lacked capacity to carry out its monitoring role to operate and report effectively to the ILO.</p> <p>2006 AR: The main obstacles that have been encountered in the realization of the principle of the effective abolition of child labour are as follows: (i) High poverty rate; (ii) lack of compulsory schooling age; (iii) lack of awareness of the issue of child labour and its effects on the victims, the families and the country in general; and (iv) inadequate legislation on minimum age for admission to employment or work.</p>
<p>TECHNICAL COOPERATION</p>	<p>Request</p>		<p>2008 AR: According to the Government: the requests made under the 2006 AR remain valid. The Government and the SICCI again requested ILO assistance to carry out a country assessment to be validated by a national tripartite workshop on the FPRW. This would allow the Government and employers' and workers' organizations to draw a national plan of action to better realize the FPRW in Solomon Islands.</p> <p>2006 AR: According to the Government: There is a need for ILO technical cooperation to facilitate the realization of the principle and right in Solomon Islands, in particular in the following areas, in order of priority: (1) Legal reform; policy advice; capacity building of responsible government institutions; data collection and analysis; strengthening capacity of employers' and workers'; employment creation, skills training and income generation organizations; awareness raising, legal literacy and advocacy; inter-institutional coordination; special programme for the elimination of the worst forms of child labour; (2) Social protection systems; sharing of experiences across countries/regions; cross-border cooperation mechanisms; (3) Training of other officials (police, judiciary, social workers, teachers). These priorities may be satisfied through the preparation (survey and validation seminar) and launch of a national IPEC Programme for the Solomon Islands</p>

		<p>All employers' and workers' organizations supported the Government's request for ILO technical cooperation, including the launch of an ILO Declaration Programme to facilitate the promotion and realization of the fundamental principles and rights at work in Solomon Islands.</p> <p>According to the employers' organizations, the ILO technical cooperation would be necessary to assist in the realization of the PR in Solomon Islands in the following areas:</p> <p>SFA: (i) public awareness raising on the PR; and (ii) strengthening of social dialogue.</p> <p>SICA: (i) income generation programmes to alleviate poverty; (ii) labour law reform; (iii) public awareness raising on the PR; and (iv) information and data collection.</p> <p>SIWIB: (i) income generation programmes to alleviate poverty; (ii) legal reform; (iii) information and data; (iv) public awareness raising on the PR and the negative aspects of child labour and its worst forms, in particular child prostitution and involvement in drug activities;</p> <p>SICCI: (i) legal reform; and (ii) strengthening of the Government and the employers' and workers' organizations capacities in enforcing laws and realizing the PR; and (iii) ILO support and technical cooperation programmes to alleviate poverty in Solomon Islands;</p> <p>ASIM: (i) ILO technical cooperation to generate employment incentives;</p> <p>SIIBA: (i) legal reform; (ii) information and data collection on child labour; (iii) strengthening of the national social welfare system; and (iv) strengthening of the capacity of employers' and workers' organizations to fight against child labour;</p> <p>SIPEU: (i) information and data collection; (ii) capacity building of employers' and workers' organizations on the PR; (iii) strengthening of social dialogue; and (vi) awareness-raising of the public on the PR and the negative aspects of child labour and its worst forms.</p> <p>SINTA: (i) support to the Government and teachers' unions on education for all to eliminate poverty; (ii) information and data collection; (iii) income generation programmes; (iv) capacity building of employers' and workers' organizations on the PR; (v) strengthening of social dialogue; and (vi) awareness-raising of the public on the PR and the negative aspects of child labour and its worst forms.</p> <p>SICTU and SINUW: (i) income generation programmes; (ii) capacity building of employers' and workers' organizations on the PR; and awareness-raising of the public on the PR and the negative aspects of child labour and its worst forms.</p>
	Offer	<p>ILO (including labour law reform and assistance in reporting under the 2006 AR), UNESCO, UNICEF, UNDP, INTERPOL, the Government of Australia (AusAID), the Government of New Zealand (New Zealand Overseas Development Assistance, NZODA), and NGOs (Save the Children, World Vision and the Solomon Islands Christina Association, SICA).</p>

<p>EXPERT-ADVISERS' OBSERVATIONS/ RECOMMENDATIONS</p>	<p>2008 AR: The ILO Declaration Expert-Advisers (IDEAs) observed that the Annual Review had made it possible to highlight and follow up country situations that required greater attention, and that some countries such as new member States, in particular in the South Pacific (as well as China and the Gulf States) had made important efforts during this process. However, according to them, more needed to be done. The IDEAs also considered that universal ratification of the child labour Conventions was not a distant dream but an achievable goal, in view of the number of States, including Solomon Islands, having expressed their intention to ratify C.138 and/or C. 182 (Cf. Paragraphs 12 and 56 of the 2008 Annual Review Introduction – ILO: GB.301/3).</p> <p>2007 AR: The IDEAs were concerned at the failure to report by Solomon Islands (and three other countries). They encouraged it to continue their efforts to report (Cf. Paragraph 51 of the 2007 Annual Review Introduction – ILO: GB.298/3).</p> <p>2006 AR: The IDEAs noted that the close relationship between free, available and adequate schooling and decreasing child labour was also evident from the reports and from other information available. In this connection, they expressed concern that in Solomon Islands and two other reporting countries there was no compulsory schooling (Cf. Paragraph 58 of the 2006 Annual Review Introduction – ILO: GB.295/5).</p>
<p>GOVERNING BODY OBSERVATIONS/ RECOMMENDATIONS</p>	<p>NIL</p>