

Solomon Islands



Population: 609,794 (July 2010 est.)

Population Growth Rate: 2.315% (2010 est.)

Birth Rate: 26.87 births/1,000 population (2010 est.)

Life Expectancy: total population: 73.94 years; male: 71.37 years; female: 76.63 years (2010 est.)

Literacy Rate: NA

Net Migration Rate: NA

Unemployment Rate: NA

Gross Domestic Product per Capita: \$2,600 (2009 est.)

Religions: Church of Melanesia 32.8%, Roman Catholic 19%, South Seas Evangelical 17%, Seventh-Day Adventist 11.2%, United Church 10.3%, Christian Fellowship Church 2.4%, other Christian 4.4%, other 2.4%, unspecified 0.3%, none 0.2% (1999 Census)

Languages: Melanesian pidgin in much of the country is *lingua franca*; English (official; but spoken by only 1%–2% of the population); 120 indigenous languages

Ethnic Groups: Melanesian 94.5%, Polynesian 3%, Micronesian 1.2%, other 1.1%, unspecified 0.2% (1999 Census)

Capital: Honiara¹

Trafficking Routes

Tourists reportedly travel to the South Pacific to engage in the commercial sexual exploitation of children. In addition, there have been reports of child trafficking from the poor logging and fishing areas of the country.² Common reports also suggest that women and children are being brought into these logging and fishing areas under the guise of “domestic labor,” and instead being used as sex slaves.

In 2008, there were reports that the Solomon Islands had become a destination country for a large-scale prostitution ring lead by an Asian-based mafia.³ Women were said to have been brought in from mainland China by way of neighboring Papua New Guinea to serve as prostitutes, mostly within and around logging camps.⁴

¹ CIA, *World Factbook – Solomon Islands* (last updated 10 February 2009), available at: <https://www.cia.gov/library/publications/the-world-factbook/geos/BP.html> (Last visited: July 14, 2009)

² Alfred Sasako *Lure of Logging Creates Another Headache* ISLAND BUSINESS, available at: http://www.islandsbusiness.com/islands_business/index_dynamic/containerNameToReplace=MiddleMiddle/focusModuleID=18500/overrideSkinName=issueArticle-full.tpl

³ Windybank *The Illegal Pacific, Part 1: Organised Crime*, THE CENTRE FOR INDEPENDENT STUDIES, http://www.cis.org.au/policy/winter08/windybank_winter08.html (last visited Feb 3rd, 2010).

⁴ *Id.*

Factors That Contribute to the Trafficking Infrastructure

A report conducted by the Christian Care Centre (CCC) [E: edit ok?] listed several contributing factors to the problem of commercial sexual exploitation of children. These factors include the presence of foreign logging companies throughout the country,⁵ lack of awareness among local populations,⁶ and the common cultural practice of little or no monitoring of children by adults.⁷

Economic factors often play a big role in prostitution activities. Alick Sam, the acting industrial relations officer for the Solomon Islands National Teachers Association (SINTA), noted that “when families have no money to adequately look after these additional rural children, these young and sometimes naïve rural girls become easy victims to these prostitution activities in desperate bid to support themselves.”⁸

Forms of Trafficking

Commercial sexual exploitation of children in the Solomon Islands is common around the various foreign logging camps.⁹ There are many reports of Malaysian loggers engaging in sexual acts with, and even marrying, 13- and 14-year-old local girls.¹⁰

Long-standing customs and traditions in the Solomon Islands still play a part in the daily lives of residents. For example, the practice of a “bride price” was traditionally used as way to build relationships between families, as well as to ensure the well-being of the bride. Unfortunately, today these institutions are often distorted. Under the guise of “bride price,” families have begun selling young girls into arranged marriages.¹¹

Government Responses

The Constitution of the Solomon Islands states that “no person shall be held in slavery or servitude.”¹² Additionally, it prevents any person from being required to perform forced labor.¹³

The penal code¹⁴ prohibits rape,¹⁵ which is punishable with life imprisonment,¹⁶ while anyone convicted of attempted rape can be imprisoned for up to seven years.¹⁷ Anyone who

⁵ *Sexual Exploitation of Children in the Solomon Islands: A Report Focusing on the Presence of the Logging Industry in a Remote Region*, Tania Herbert of the Christian Care Centre, Church of Melanesia, Solomon Islands, July 2007, page 30, available at: <http://www.melanesiangeo.org/resources/Solomons%20Child%20Exploitation.pdf> (Last visited: July 14, 2009).

⁶ *Id.*

⁷ *Id.*

⁸ *Prostitution Concerns School Principals*, SOLOMON TIMES, (Apr 25, 2008), available at: <http://www.solomontimes.com/news.aspx?nwID=1680>

⁹ Herbert *supra* note 5

¹⁰ *Id.*

¹¹ ECPAT, REGIONAL REPORT ON East Asia and the Pacific Regional Preparatory Meeting for the World Congress (2008), available at: [http://www.ecpat.net/worldcongressIII](http://www.ecpat.net/worldcongressIII/PDF/Publications/RegionalReport-EAP.pdf)

¹² Constitution of the Solomon Islands, 7 July 1978, Chapter II, Section 6 (1), http://www.pacii.org/sb/legis/consol_act/c1978167/ (Last visited: July 14, 2009).

¹³ Chapter II, Section 6 (2)

¹⁴ Penal Code [Solomon Islands], 30 October 1968, available at: http://www.pacii.org/sb/legis/consol_act/pc66/

¹⁵ Article 136 defines rape as “Any person who has unlawful sexual intercourse with a woman or girl, without her consent, or with her consent if the consent is obtained by force or by means of threats or intimidation of any kind, or

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abducts a woman with the intent to “marry, or have sexual intercourse ... or to cause her to be married or carnally known by any other person, takes her away, or detains her, against her will” is subject to imprisonment for seven years.¹⁸ Abduction of a girl under the age of 18 with the intent to have sexual intercourse is also prohibited.¹⁹

The penal code also prohibits the defilement of a girl under the age of 13; unlawful sexual intercourse with any girl under this age is punishable with life imprisonment.²⁰ Punishment for this same crime is reduced to imprisonment for five years if the girl is between the ages of 13 and 15.²¹ In neither case is consent by the victim a usable defense.²²

Procurement by citizens, of any female under the age of 18 for the purpose of sexual intercourse²³ or prostitution²⁴ is illegal, both in the Solomon Islands and elsewhere.[E: does this mean procuring outside the country?] Such an act is punishable by imprisonment of two years.²⁵ This punishment remains the same if the woman or girl is procured using threats or intimidation,²⁶ or by false pretenses or false representations.²⁷

The penal code also forbids a householder to permit the defilement of a girl on his premises. This crime is punishable by life in prison if the girl is under the age of 13,²⁸ and imprisonment of two years if she is under 15.²⁹

It is unlawful to detain any woman or girl against her will³⁰ in any premises or in a brothel, with the intent for her to have unlawful sexual intercourse.³¹ In addition, custodians or persons who let for hire or obtain possession of minors under the age of 15 are liable to imprisonment for two years. Under the penal code, it is illegal for any person to knowingly live on the earnings of a prostitute³² or solicit any person for immoral purposes.³³ Any person who keeps or manages a brothel is guilty of a misdemeanor.³⁴

by fear of bodily harm, or by means of false representations as to the nature of the act, or in the case of a married woman, by personating her husband, is guilty of the felony termed rape.”

¹⁶ *Supra* note 15 art. 137.

¹⁷ *Id.* art. 138.

¹⁸ *Id.* art. 139.

¹⁹ *Id.* art. 140.

²⁰ *Id.* art. 142(1).

²¹ *Id.* art. 143(1b).

²² *Id.* art. 142(3) and Article 143(3).

²³ *Id.* art. 144 (1)a.

²⁴ *Id.* art. 144 (1)b.

²⁵ *Id.* art. 144 (1)d.

²⁶ *Id.* art. 145a.

²⁷ *Id.* art. 145b.

²⁸ *Id.* art. 146.

²⁹ *Id.* art. 147.

³⁰ *Id.* art. 148 (2). stating When a woman or girl is in or upon any premises for the purpose of having unlawful sexual intercourse, or is in any brothel, a person shall be deemed to detain such woman or girl in or upon such premises or in such brothel if, with intent to compel or induce her to remain in or upon such premises or in such brothel, such person withholds from such woman or girl any wearing apparel or other property belonging to her, or where wearing apparel has been lent or otherwise supplied to such woman or girl by or by the directions of such person, such person threatens such woman or girl with legal proceedings if she takes away with her the wearing apparel so lent or supplied.

³¹ *Id.* art. 148 (1)a.

³² *Id.* art. 153 (1)a.

³³ *Id.* art. 153 (1)b.

³⁴ *Id.* art. 155.

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Under part XXVI of the penal code, “any person who conveys any person beyond the limits of Solomon Islands without the consent of that person, or of some person legally authorized to consent on behalf of that person, is said to kidnap that person.”³⁵ Furthermore, “any person who by force compels, or by any deceitful means induces, any person to go from any place, is said to abduct that person.”³⁶ Kidnapping or abducting a person in order to subject that person to grievous harm, for example, slavery is punishable by imprisonment for 10 years.³⁷ Despite legal provisions characterising the presence of human trafficking, the Solomon Islands does not have any legislation specifically defining human trafficking.

One largely publicized case involved Julian Moti, a Fiji-born Australian citizen, wanted by the Australian government on charges involving sexual misconduct with a 13-year-old Tahitian girl in 1997.³⁸ In June 2007, the Prime Minister of the Solomon Islands appointed Moti Attorney General, despite strong opposition from the Australian, Papua New Guinean, and Vanuatu governments.³⁹

Nongovernmental and International Organizations Responses

As the only organization assisting refugee women and children who are victims of violence or abuse in the Solomon Islands, the Christian Care Centre CCC has played an active role in helping vulnerable women and children throughout the country.⁴⁰ In addition to taking in abused and abandoned women and children, CCC facilitates workshops to educate men and women against the traditional acceptance of domestic violence.⁴¹ In 2004, and again in 2007, the CCC conducted a study on the sexual abuse of children throughout the country.⁴² The study confirmed a high rate of child abuse within communities linked to foreign logging.⁴³ These studies noted that child prostitution in exchange for money or goods was the most prominent type of exploitation, with children being sold into marriages also a significant problem.⁴⁴

In April 2008, SINTA announced plans to launch a counseling program, in order to curb students’ involvement in prostitution.⁴⁵ The purpose of this program is to encourage teachers and parents to work together to find a solution to child prostitution.⁴⁶ Components of the program include workshops focusing on counseling and sexual health issues.⁴⁷

³⁵ *Id.* art. 248 (a).

³⁶ *Id.* art. 248 (b).

³⁷ *Id.* art. 251.

³⁸ *Lawyer, Politician or Sex Criminal?*, THE NEW ZEALAND HERALD, (June 30, 2007), available at: http://www.nzherald.co.nz/world/news/article.cfm?c_id=2&objectid=10454538

³⁹ *Id.*

⁴⁰ Christian Care Centre, <http://www.abmission.org/programs/overseas/solomonislands/christiancarecentre> (last visited July 14, 2009)

⁴¹ *Id.*

⁴² Herbert *supra* note 7

⁴³ *Id.*

⁴⁴ Christian Care Centre *supra* note 44

⁴⁵ *SINTA to Launch Counselling Programme in Schools*, SOLOMON TIMES ONLINE (Apr 19, 2008), <http://www.solomontimes.com/news.aspx?nwID=1652>

⁴⁶ *Id.*

⁴⁷ *Prostitution Concerns School Principals*, SOLOMON TIMES (Apr 25, 2008), <http://www.solomontimes.com/news.aspx?nwID=1680>

Multilateral Initiatives

The Solomon Islands hosted the region's biggest maritime surveillance operation, Operation Kurukuru 2008.⁴⁸ Operation Kurukuru's purpose was to bring countries from the region together to detect and resolve illegal sea activities, such as unregulated fishing, as well as human and drug smuggling. Participating countries included Australia, New Zealand, France, and the United States.⁴⁹

In 2008, the Australian High Commission announced that it would be supporting the Social Welfare Division and the Ministry of Health and Medical Services of the Solomon Islands, in order to raise awareness of human rights issues within the logging communities.⁵⁰ The Social Welfare Division received AUD 45,000 specifically for the purpose of addressing the commercial sexual exploitation of children within the Solomon Islands.⁵¹

⁴⁸ 'Operation Kurukuru 08'-Biggest in the Region, SOLOMON TIMES ONLINE (Sept 15, 2008), <http://www.solomontimes.com/news.aspx?nwID=2576>

⁴⁹ *Id.*

⁵⁰ *Australia Promotes Human Rights in Solomon Islands*, SOLOMON TIMES ONLINE (19 Mar 2008), <http://www.solomontimes.com/news.aspx?nwID=1494>

⁵¹ *Id.*