**Solomon Islands**

*The purpose of the Housing Rights and Human Rights Brief is to provide a succinct overview of housing rights and human settlements-related human rights within a specific country. It is designed for project designers to familiarize themselves with the human rights situation in the country that they are working in. The ‘Housing Rights and Human Rights Brief’ is not intended to be a comprehensive analysis of all human rights, yet to provide an overview of housing rights and other human settlements-related human rights within the national and the UN Delivering as One contexts. Further, this Brief is not intended to cover the entire legislative and regulatory framework of the country concerned.*

*The Brief outlines specific articles of the Constitution, national and local legislation, and other human settlements-related policies and acts. It further explains specific international legal commitments, with particular emphasis on the key conventions that the country has signed and/or ratified. UN reviews and recommendations, particularly the Universal Periodic Review process, are also outlined. The final section provides information on previous UN-Habitat projects in the country and links for further information and elaboration.*

Table of Contents

|  |  |
| --- | --- |
| Chapter | Page |
| Summary |  2 |
| National Legal Framework relating to Human Rights in Urban Contexts | 3 |
| Government Structures and Institutional Setup | 3 |
| International Conventions | 4 |
| UN Reviews (UN Country Team, Special Rapporteur Reports, UNDAF and other Delivering as One initiatives, including Human Rights Up Front) | 5 |
| Universal Periodic Review (UPR) and Human Rights Council | 5 |
| UN-Habitat Engagement at Project Level | 6 |
| Further Information | 7 |

**Revision History**

|  |  |  |
| --- | --- | --- |
| Revision | Date | Author |
|  *1* |  *-* | *SN*  |
|  *2* | *18/01/16*  | *SN* |
| *3* | *08/02/2016* | *SG* |

**Summary**

The Solomon Islands is governed by its 1978 Constitution which provides for fundamental human rights and freedoms, among them the protection of one’s home and other property.

The government of Solomon Islands has developed a National Development Strategy which contains provisions on alleviating the housing conditions for its people. The relevant ministry for the implementation of the strategies and the subsequent realization of the right to adequate housing is the Ministry of Lands, Housing and Surveys.

Solomon Islands has also ratified many of the major human rights conventions. Among the conventions signed and ratified by the country include the International Covenant for Economic, Social and Cultural Rights (ICESCR), which provides for the right to adequate housing as a component of the right to an adequate standard of living.

UN-Habitat is supporting Solomon Islands in implementing the right to adequate housing and related rights. The agency is also helping the country meet its obligations under the Pacific Urban Agenda through projects such as the Participatory Slum Upgrading Programme (PSUP) and the Cities and Climate Change Initiative (CCCI).

**Legal Framework**

***Constitution****[[1]](#footnote-1)*

Solomon Islands is governed under its 1978 Constitution. The Constitution of Solomon Islands provides for fundamental human rights and freedoms, among them the protection of one’s home and other property:

‘Fundamental rights and freedoms of the individual

3. (c) protection for the privacy of his home and other property and from deprivation of property without compensation’

‘Protection for privacy of home and other property

9. (1) Except with his own consent, no person shall be subjected to the search of his person or his property or the entry by others on his premises.’

**Government**

***Political System***

Solomon Islands is a parliamentary representative democracy with a constitutional monarch. Being part of the Commonwealth, Queen Elizabeth II is Head of State, and the Prime Minister Head of Government.

***Ministry of Lands, Housing and Surveys***

The relevant institution in the implementation of the right to adequate housing is the Ministry of Lands, Housing and Surveys.

National Development Strategy (2011-2020)[[2]](#footnote-2)

The Policy takes cognizance of the fact that rapid population growth in Solomon Islands impacts on the social and economic conditions of its citizens, including housing. The policy also considers the fact that the country faces serious problems with rapid and unplanned urban expansion which harms its population through housing pressure, urban squalor among other risks.

 Strategies:

Develop housing programmes, supported by Constituency Development Funds, to address the needs of restoration and construction of housing for key public service providers, including teachers, medical and justice staff; and to address the high cost and shortage of affordable housing in provincial communities.

**Judiciary**

No relevant decisions on housing could be sourced.

**International Conventions[[3]](#footnote-3)**

The State has ratified many of the major human rights conventions, including the Covenant on Economic, Social and Cultural Rights, which includes the right to adequate housing as a component of the right to an adequate standard of living.

|  |  |  |  |
| --- | --- | --- | --- |
| Treaty Description | Treaty Name | Signature Date | Ratification Date, Accession(a), Succession(d) Date |
| Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment | CAT |   |   |
| International Covenant on Civil and Political Rights | CCPR |   |   |
| Convention on the Elimination of All Forms of Discrimination against Women | CEDAW |   | 06 May, 2002(a)   |
| International Convention on the Elimination of All Forms of Racial Discrimination | CERD |   | 17 Mar 1982 (d)  |
| International Covenant on Economic, Social and Cultural Rights | CESCR |   | 17Mar, 1982 (d) |
| International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families | CMW |   |  |
| Convention on the Rights of the Child | CRC |   |  10 Apr 1995 (a) |
| Convention on the Rights of Persons with Disabilities | CRPD |  23 Sep 2008 |   |
| Convention Relating to the Status of Refugees | Refugee Convention |  |  28 Feb 1995 (a) |
| Protocol Relating to the Status of Refugees | Protocol Relating to the Status of refugees |  |  12 Apr 1995 (a) |

 Solomon Islands has not signed:

* International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
* Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment
* International Covenant on Civil and Political Rights

**UN Agencies**

UN review mechanisms have recommended that Solomon Islands adopt and implement public policies to protect peoples with disabilities and guarantee their equal access to decent housing, employment and health.

***Universal Periodic Review (2011)[[4]](#footnote-4)***

*The Universal Periodic Review (UPR) is a unique process which involves a periodic review of the human rights records of all 193 UN Member States. The UPR is a significant innovation of the Human Rights Council which is based on equal treatment for all countries. It provides an opportunity for all States to declare what actions they have taken to improve the human rights situations in their countries and to overcome challenges to the enjoyment of human rights. The UPR also includes a sharing of best human rights practices around the globe. Currently, no other mechanism of this kind exists.*

Solomon Islands was last reviewed in May 2011.

‘Recommendation 81.31: Adopt and implement public policies to protect peoples with disabilities and guarantee their equal access to decent housing, employment and health.’

The next UPR will take place 21/05/2016.[[5]](#footnote-5)

***Report of the United Nations High Commissioner for Human Rights (2011)[[6]](#footnote-6)***

*The Report provides a comprehensive review of the Human Rights situation in a given country and is presented to the Human Rights Council.*

The Report did not mention anything relevant on the right to adequate housing.

***Committee on Economic, Social and Cultural Rights (2002)[[7]](#footnote-7)***

*The Committee specifically reviews states that have ratified the ICESCR on their compliance with the rights enshrined in it, including the Right to Adequate Housing.*

Solomon Islands was reviewed by the Committee in 2002 but no recommendations were made in relation to the right to adequate housing.

***United Nations Country Team (UNCT)***

*The UNCT ensures inter-agency coordination and decision-making at the country level. The main purpose of the Country Team is for individual agencies to plan and work together, as part of the Resident Coordinator system, to ensure the delivery of tangible results in support of the development agenda of the Government.*

Solomon Islands has no country team.

***United Nations Development Assistance Framework (UNDAF) (2013-2017)[[8]](#footnote-8)***

*The UNDAF is the strategic programme framework that describes the collective response of the UN system to national development priorities. The UNDAF forms the overall framework for the UNCT’s work between 2013 and 2017.*

Solomon Island’s UNDAF has nothing relating to the right to adequate housing.

**UN-Habitat[[9]](#footnote-9)**

UN-Habitat assists Solomon Islands in improving its urban management and planning practices, and enable new thinking and actions about how best to evolve cities, towns and peri-urban areas for the future. UN-Habitat provides training, expert advice, proven tools and methodologies for small-medium sized urban centres within alignment of national needs and demands as articulated in National Development Strategies. In the Pacific, this is framed in assisting countries meet their commitments to the Pacific Urban Agenda (Initiative 13.5, Pacific Plan).

UN-Habitat remains the key urban advocate in the Solomon Islands and maximizes opportunities for continued awareness building of both national and development partners surrounding the benefits of improved management of urban growth. An immediate outcome has been for continued support for the development of the SUMP, a national framework to coordinate the urgent need to address the challenges that the rapid rate of urbanization brings, in particular, adequate housing.

UN-Habitat is supporting Solomon Islands through various projects:

* Total value of UN-Habitat investments (2008-2015): 300, 000 USD
* Total number of UN-Habitat projects (2008-2015): 3
* Main donors: DAFT, World Bank, New Zealand, UNDP,  European Commission and the Africa, Caribbean and Pacific Secretariat
* Implementing partners: Ministry of Lands, Housing and Survey, Honiara City Council

UN-Habitat projects in Solomon Islands include:

The Participatory Slum Upgrading Programme

The project has provided initiative for strengthening relationships between national and sub-national government with the MLHS securing SI$3 million to support efforts for urban profiling, regularization of temporary occupation licenses and improved planning practices.

In terms of its climate and risk management projects, UN Habitat’s role has been one of capacity building, technical input and knowledge management. A key achievement in 2013 was the use of the Honiara Vulnerability Assessment as a primary document to develop a city disaster preparedness manual and highlight cost effective community action planning to increase adaptation and resilience goals in the Council’s Strategic Action Plan.

Cities and Climate Change Initiative (CCCI)

Regional Knowledge Management: Strengthening Pacific Urban Agenda Implementation

**Further Information**

* Constitution of Solomon Islands: [http://www.parliament.gov.sb/files/business&procedure/constitution.htm](http://www.parliament.gov.pg/images/misc/PNG-CONSTITUTION.pdf)
* National Development Strategy: <http://www.adb.org/sites/default/files/linked-documents/cobp-sol-2015-2017-sd.pdf>
* OHCHR Convention Ratification Status: <http://indicators.ohchr.org/>
* Universal Periodic Review:<http://www.ohchr.org/EN/HRBodies/UPR/PAGES/SBSession11.aspx>
* Report of the United Nations High Commissioner for Human: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/108/30/PDF/G1110830.pdf?OpenElement>
* CESCR: [http://www.refworld.org/publisher,CESCR,CONCOBSERVATIONS,SLB,3efb6c334,0.html](http://www.refworld.org/publisher%2CCESCR%2CCONCOBSERVATIONS%2CSLB%2C3efb6c334%2C0.html)
* UNCT: <https://undg.org/home/country-teams/alphabetical-list-a-z/>
* UNDAF: <http://pacific.one.un.org/images/stories/2013/UNDAF_Summary_Report.pdf>
* UN-Habitat Solomon Islands Summary: <http://unhabitat.org/solomon-islands/>
* UN-OHCHR: <http://www.ohchr.org/EN/Pages/WelcomePage.aspx>
* UN-Habitat: <http://unhabitat.org/>
* Universal Periodic Review: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx>
* Special Rapporteur on Adequate Housing: <http://www.ohchr.org/EN/Issues/Housing/Pages/HousingIndex.aspx>

1. http://www.parliament.gov.sb/files/business&procedure/constitution.htm [↑](#footnote-ref-1)
2. <http://www.adb.org/sites/default/files/linked-documents/cobp-sol-2015-2017-sd.pdf> [↑](#footnote-ref-2)
3. http://indicators.ohchr.org/ [↑](#footnote-ref-3)
4. <http://www.ohchr.org/EN/HRBodies/UPR/PAGES/SBSession11.aspx> [↑](#footnote-ref-4)
5. http://www.upr-info.org/en/review/Solomon-Islands [↑](#footnote-ref-5)
6. <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/108/30/PDF/G1110830.pdf?OpenElement> [↑](#footnote-ref-6)
7. [http://www.refworld.org/publisher,CESCR,CONCOBSERVATIONS,SLB,3efb6c334,0.html](http://www.refworld.org/publisher%2CCESCR%2CCONCOBSERVATIONS%2CSLB%2C3efb6c334%2C0.html) [↑](#footnote-ref-7)
8. http://pacific.one.un.org/images/stories/2013/UNDAF\_Summary\_Report.pdf [↑](#footnote-ref-8)
9. <http://unhabitat.org/solomon-islands/> [↑](#footnote-ref-9)