

SOLOMON ISLANDS 2016 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Solomon Islands is a constitutional multiparty parliamentary democracy. Observers considered the 2014 parliamentary election generally free and fair, although there were incidents of vote buying. Parliament elected Manasseh Sogavare as prime minister, and he formed a coalition government.

Civilian authorities maintained effective control over the security forces.

Violence and discrimination against women remained the most significant human rights problem in the country.

Other human rights problems during the year included lengthy pretrial detention and government corruption.

The government took steps to prosecute officials who committed abuses.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings

There were no reports the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, and there were no confirmed reports government officials employed them. A few detainees alleged mistreatment by police during interrogation, but the allegations were difficult to evaluate because of a lack of substantiating evidence.

Prison and Detention Center Conditions

Prison and detention center conditions generally met international standards.

Physical Conditions: There was a reported death of one person held in pretrial detention. Police have not released the results of the postmortem examination or investigation.

Administration: Authorities permitted prisoners and detainees to submit complaints and request investigations of credible allegations of inhuman conditions. The respective prison commanders screened the complaints and requests. The Professional Standards Unit of the Correctional Service and the Office of the Ombudsman investigated credible allegations of inhuman conditions and documented the results in a publicly accessible manner. The government, through the judiciary and Office of the Ombudsman, investigated and monitored prison conditions.

Independent Monitoring: The government permitted monitoring by independent human rights observers, and such visits occurred during the year. The International Committee of the Red Cross covered costs for family visits to long-term prisoners from other provinces held in Honiara.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

Civilian authorities maintained effective control over the Royal Solomon Islands Police (RSIP), and the government has effective mechanisms to investigate and punish police corruption. There were no reports of impunity involving the security forces during the year. A commissioner (normally a foreign resident), who reports to the minister of police, heads the RSIP force of 1,353 members, including 266 women. The RSIP is beginning the process of rearmament in preparation for the withdrawal of the Regional Assistance Mission to Solomon Islands (RAMSI) forces in 2017. Only three units within the force would be armed: the airport police, a dignitary protection unit, and the Police Response Team, which responds to civil unrest. The RSIP has been conducting community consultations and public campaigns to discuss the need for limited rearmament and the controls that would be in place.

A unit of 97 RAMSI Participating Police Force (PPF) officers supported the RSIP. The RAMSI/PPF officers retained executive powers, but generally did not do frontline policing. They acted in advisory roles within the police force and continued to exercise the armed response aspect of policing when necessary. The PPF continued to focus on working in partnership with the RSIP to build the capacity of its officers and to assist with logistical challenges. The RAMSI/PPF was the only armed security force in the country following withdrawal of the RAMSI military contingent in 2013, although they provide training and support to rearm the RSIP. The RAMSI/PPF ended its presence in Gizo in April as part of its staged withdrawal. Australia consulted closely with the government to design a new policing, justice, and governance programs in preparation for the departure of RAMSI.

The RSIP continued to lack capacity to conduct investigations and prepare reports despite increased recruitment of investigators. The police service has an inspection unit to monitor police discipline and performance. Officials who violate civil liberties are subject to fines and jail sentences.

Arrest Procedures and Treatment of Detainees

Only a magistrate or judge may issue warrants, although police have power to arrest without a warrant if they have reasonable belief a person committed a crime. The law requires detainees be brought promptly before a judge. Authorities respected this right. Delays sometimes arose after the preliminary hearing, but authorities brought detainees to court as soon as possible following arrest, especially if they were held without bail.

Police generally informed detainees promptly of the charges against them. The Public Solicitor's Office provided legal assistance to indigent defendants, and detainees had prompt access to family members and counsel. There was a functioning system of bail for nonserious cases, and police and courts frequently granted bail.

During the year the Australian government provided 15 legal advisers under the Solomon Islands Justice Program. Three worked with correctional services, and 12 worked in the Ministry of Justice and Legal Affairs, including in the Office of the Director of Public Prosecutions. They included a chief magistrate, a High Court judge, lawyers, and training and finance advisers. Advisers helped develop the capacity of government lawyers and contributed to reducing the backlog of cases.

Pretrial Detention: Delays in adjudication of the large number of cases before the courts resulted in lengthy pretrial detention for some detainees. Pretrial detainees comprised 50 percent of the prisoner population. The average length of time held in pretrial detention was approximately two years.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: Persons arrested or detained were entitled to challenge in court the legal basis of their detention and obtain prompt release if found unlawfully detained.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government generally respected judicial independence.

Trial Procedures

The law provides for the right to a fair, public trial, and an independent judiciary generally enforced this right. Nonetheless, prisoners were not afforded timely trials due to a judicial backlog that resulted in long delays in bringing cases to trial.

Trial procedures normally operated in accordance with British common law, with a presumption of innocence and the right to be informed promptly and in detail of the charges. Detainees had access to attorneys of their choice and the right to be present at their own trial, access government-held evidence, prepare a defense, confront witnesses, present witnesses and evidence, refrain from self-incrimination, and appeal convictions. The law extends these rights to all citizens. Judges conduct trials and render verdicts. The courts provided an attorney at public expense for indigent defendants facing serious criminal charges as necessary from the moment charged through all appeals.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

The constitution provides that any person whose rights or freedoms were contravened may apply directly to the High Court for redress. The High Court has taken a leading role in applying human rights principles in rulings.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution prohibits such actions, and there were no reports the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties, Including:**a. Freedom of Speech and Press**

The constitution provides for freedom of speech and press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of speech and press.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal authority. The internet was available and widely used in urban areas, although 78 percent of the country's population lived in rural areas. Despite some improvements in access in rural areas, most rural dwellers did not have internet access. According to the International Telecommunication Union, 10 percent of the population had access to the internet in 2015.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

The constitution provides for freedom of assembly and association, and the government generally respected these rights. Demonstrators must obtain permits, which the government generally granted.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the Office of the United Nations High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Internally Displaced Persons

In March 2015 Cyclone Pam struck the east of the country and damaged or destroyed 1,500 homes. Most of the victims rebuilt semipermanent homes or relocated to homes of relatives. Unlike in previous years, there were no new internally displaced persons due to cyclones.

Protection of Refugees

Access to Asylum: The law does not provide for granting asylum or refugee status, and the government has not established a system for providing protection to refugees. The government did not grant refugee status or asylum during the year.

Section 3. Freedom to Participate in the Political Process

The constitution provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot based on universal suffrage.

Elections and Political Participation

Recent Elections: Observers regarded the 2014 national parliamentary election as generally free and fair, although there was evidence of vote buying. The elections were the first the government held following the withdrawal of the RAMSI military peacekeeping component. The government, with significant donor support, conducted biometric voter registration to clean electoral rolls. While the new rolls eliminated the risk of multiple voting, the Commonwealth Observer Group reported that members of parliament used rural constituency development

funds to buy political support. The post-election formation of the government was also marked by allegations foreign and national business interests offered corrupt payments to elected members of parliament. Following the election parliament elected Manasseh Sogavare as prime minister. An investigation into an alleged politically motivated shooting during the formation of the coalition government in 2014 led to five persons being charged, although four were freed on bail.

Political Parties and Political Participation: Political parties operated without restriction, but they were institutionally weak, with frequent shifts in political coalitions and unstable parliamentary majorities. In 2014 parliament passed a Political Parties Integrity Law to formalize and strengthen political parties. The High Court subsequently upheld the legality of the law. The law faced its first application in October 2015 when several members of parliament left the coalition government without formally withdrawing from their parties through the Political Parties Registry. The registrar warned the members of parliament they faced potential suspension but took no disciplinary action. A parliamentary committee was reviewing the Political Parties Integrity Law and the Electoral Act to look for ways to increase political stability.

Participation of Women and Minorities: No laws limit participation of women and minorities in the political process; however, traditional male dominance limited the role of women in government. There was one woman in the 50-member parliament and two female permanent secretaries. There were no female judges on the High Court. Government measures to increase the number of women in politics, including the Political Parties Integrity Law, had so far not delivered the desired result. Civil society groups such as the Young Women's Parliamentary Group continued to advocate for more leadership positions for women.

There was one minority (non-Melanesian) member of parliament.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials; however, the government did not implement the law effectively, and officials often engaged in corrupt practices with impunity. There were reports of government corruption during the year. Prime Minister Sogavare led efforts to engage with the private sector and civil society to formulate a National Anti-Corruption Strategy.

The Public Accounts Committee (PAC) is a permanent parliamentary committee established by the constitution with a mandate to examine and report to parliament

on public accounts and national property. In September 2015 the National Parliament joined a network of other Pacific islands parliaments to strengthen its ability to hold government accountable through the PAC.

Corruption: Corruption was a pervasive problem in the government, especially in the forestry and fishing sectors. Transparency International's 2013 Global Corruption Barometer reported that one in three public servants had sought a bribe in exchange for a service. In October authorities arrested and charged a senior government official with several counts of official corruption after a joint RSIP and Ministry of Finance taskforce discovered he misappropriated state money in the tender process.

Police corruption was not a serious problem during the year. Some observers criticized the police for being more loyal to their respective ethnic group or extended family (wantok), than to the country as a whole.

Financial Disclosure: Public officials were subject to financial disclosure laws under the leadership code of conduct. The Office of the Leadership Code Commission (LCC) investigates misconduct involving members of parliament or senior civil servants. If the LCC finds conclusive evidence of misconduct, it sends the matter to the Department of Public Prosecution, which may proceed with legal charges. The LCC chair and two part-time commissioners constitute a tribunal with power to screen certain cases of misconduct and apply fines of up to Solomon Islands Dollars (SBD) 5,000 (\$625) for members of parliament or senior civil servants. In April 2015 the LCC chairperson said the LCC lacked adequate funds to carry out its mandate. The Office of the Ombudsman is responsible for investigating public complaints of government maladministration.

Public Access to Information: No law provides for public access to government information.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views.

Government Human Rights Bodies: The constitution provides for an ombudsperson with power to subpoena and investigate complaints of official abuse, mistreatment, or unfair treatment. Although the Office of the Ombudsman has potentially far-ranging powers and operated without governmental or political party interference, a lack of resources limited its effectiveness.

In 2012 the government officially disbanded the Truth and Reconciliation Commission, formed in 2008 to assess the causes and impact of violence during the ethnic crisis. The action occurred after the commission submitted a report on its findings and recommendations to the prime minister. In 2013 the editor of the report, frustrated by the government's delay in publishing it, released an unauthorized digital version to the public. Many believed the government's delay was due to concern the report would reignite ethnic tension and possible compensation claims. Prime Minister Sogavare said his government would implement findings from the truth and reconciliation report and released a budget with funding for reconciliation programs.

The government launched its Solomon Islands Peacebuilding Policy in 2015, and during the year endorsed a UN Peacebuilding Program that aims to establish sustainable peace after the tensions. In July the government staged a national healing and apology event in which parties involved in the ethnic tensions came together as a public sign of reconciliation.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: The law criminalizes rape, including spousal rape, with a maximum penalty of life imprisonment. Domestic violence is a crime under the law, with a maximum penalty of three years in prison and a fine of SBD 30,000 (\$3,735). In May parliament passed amendments to the sexual offense provisions in the penal code, introducing harsher penalties for sexual offenses. The amendments also criminalize some forms of internal human trafficking; spousal rape; and sex or attempted sex with a person with a known "significant disability," which is defined as an "intellectual, mental or physical condition or impairment" (or combination of two or more such "conditions or impairments") that significantly impairs the person's capacity to understand the nature of the sexual contact or to communicate decisions about sexual contact.

Violence against women, including rape and domestic abuse, remained a serious problem but was underreported. Among the reasons cited for failure to report abuse were pressure from male relatives, fear of reprisals, feelings of shame, and cultural taboos on discussion of such matters.

A 2011 World Health Organization report revealed that more than half of women in the country had experienced sexual violence by an intimate partner, and 64 percent of women between 15 and 49 years regularly experienced violence in the home. The 2013 Solomon Islands Demographic and Health Survey found that 65 percent of women and 69 percent of men believed partner violence was justifiable.

Police made efforts to charge offenders for domestic violence and assault against women. As part of the police curriculum, officers receive specialized training on how to work with rape victims. They were also trained in the implementation of the 2014 Family Protection Act. Police have a Sexual Assault Unit, staffed mostly by female officers, to provide support to victims and investigate charges.

In reported cases of domestic abuse, victims often dropped charges before a court appearance, or settled cases out of court. In cases in which charges were filed, the time between the charging of an individual and the subsequent court hearing could be as long as two years. The magistrates' courts dealt with physical abuse of women as with any other assault, but prosecutions were rare due to low judicial and police capacity and to cultural bias against women.

In 2015 the government endorsed a new National Gender Equality and Women in Development Policy and a National Eliminating Violence Against Women Policy. The government merged these two policies, and the National Taskforce on Eliminating Violence Against Women is responsible for implementation. The taskforce focuses on improving support and referral services for women who are victims of violence, an area that is severely deficient.

Nongovernmental organizations (NGOs) conducted awareness campaigns on family violence during the year. The Family Support Center and a church-run facility for abused women provided counseling and other support services for women. The Family Support Center did not have an in-house lawyer and depended heavily on the Public Solicitor's Office for legal assistance for its clients.

Other Harmful Traditional Practices: Customary bride-price payments continued to increase and contributed to the perception of male ownership of women. A 2009 study by the South Pacific Commission found approximately 60 percent of

women whose marriage involved payment of a bride price experienced violence from their husband, and the figure rose to approximately 81 percent of women whose bride price was not fully paid.

Sexual Harassment: Sexual harassment is not illegal and was a widespread problem.

Reproductive Rights: Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of their children, manage their reproductive health, and have the information and means to do so, free from discrimination, coercion, and violence. Contraception and adequate prenatal, obstetric, and postnatal care were accessible at all government hospitals and rural health clinics, and all nurses had training to provide family planning services. According to the United Nations Population Fund (UNFPA), an estimated 27 percent of women of reproductive age used modern contraceptive methods and a reported 57 percent of births were unplanned. The UNFPA estimated maternal mortality was 120 maternal deaths per 100,000 live births. In 2015 skilled health personnel attended approximately 90 percent of births.

Discrimination: While the law accords women equal legal rights, including the right to own property, most women were limited to customary family roles that prevented them from taking more active roles in economic and political life. No laws mandate equal pay for equal work (see section 7.d.). The Solomon Islands National Council of Women and other NGOs attempted to make women more aware of their legal rights, including voting rights, through seminars, workshops, and other activities.

Children

Birth Registration: Children acquire citizenship through their parents. The laws do not allow dual citizenship for adults, and persons who acquire dual citizenship at birth must decide by age 18 years which citizenship to retain. The creation of an electronic registration system in 2015 helped bridge infrastructure that delayed the registration of births. Delays did not result in denial of public services to children.

Education: Education was neither free nor compulsory. The government continued to implement the Free Fee Basic Education (FFBE) Policy, which covers the operational costs for children to attend school but allows school management to request additional contributions from families such as cash, labor, and school fundraising. The FFBE Policy is intended to increase educational access by

subsidizing school fees for grades one through nine. This policy rarely covers all costs for schools, depending on their location. Additional school fees, uniform costs, book fees, and transportation needs prevented some children from attending school. According to the Ministry of Education's Performance Assessment Framework, more boys (51 percent) enrolled in early childhood education than did girls (49 percent) in 2013. According to 2013 data from the Asian Development Bank (ADB), 75 percent of boys who entered primary school reached the last grade, whereas only 69 percent of girls did. High school attendance rates were also higher for boys. According to the ADB, gender imbalance in education improved from earlier years.

Child Abuse: The law grants children the same general rights and protections as adults, with some exceptions. Laws do not specifically prohibit the use of children in illicit activities such as drug trafficking.

The government did not provide sufficient resources to enforce laws designed to protect children from sexual abuse, child labor, and neglect (see section 7.c.). The 2014 Family Protection Act, which criminalizes domestic violence including violence against children, lacked public awareness and enforcement. Child sexual and physical abuse remained significant problems. Nonetheless, the traditional extended-family system generally respected and protected children in accordance with a family's financial resources and access to services. Virtually no children were homeless or abandoned.

Early and Forced Marriage: Both boys and girls may legally marry at 15 years, and the law permits marriage at 14 years with parental and village consent. Marriage at such young ages was not common.

Other Harmful Traditional Practices: Customary bride-price payments continued to increase and contributed to the perception of ownership of women and their children by the family of the husband.

Sexual Exploitation of Children: The minimum age for consensual sex is 15 years. The maximum penalty for sexual relations with a girl younger than 13 years is life imprisonment, and for sexual relations with a girl between 13 and 15 years, the penalty is five years' imprisonment. Consent is not a permissible defense under either of these provisions; however, in the latter case, reasonable belief the victim was 15 years or older is a permissible defense. Selling or hiring minors younger than 15 years and girls younger than 18 years for prostitution is punishable as a

criminal offense. Prostitution laws do not cover boys between 15 and 18 years and therefore leaves them without legal protection.

Child pornography is illegal and carries a maximum penalty of 10 years' imprisonment. The penal code criminalizes the production and possession of obscene material if the purpose is to distribute or publicly exhibit the material. Amendments to the penal code passed in May criminalize commercial sexual exploitation of children and participation in or use, distribution, and storing of sexually exploitative materials with children, and some forms of internal child trafficking. Within the country girls and boys were exploited in prostitution and sexual servitude.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at travel.state.gov/content/childabduction/en/legal/compliance.html.

Anti-Semitism

The Jewish community was very small, and there were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

No law or national policy prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities, and no legislation mandates access to buildings, information, or communications for such individuals. The Health National Strategic Policy, which parliament endorsed, includes a section on protecting the rights of persons with disabilities, although the Ministry of Home Affairs is primarily responsible for protecting the rights of persons with disabilities. Very few buildings were accessible to persons with disabilities. The government relied upon the extended family and NGOs to provide services and support to persons with disabilities. The country had one educational facility, supported almost entirely by the International Committee of the Red Cross, for children with disabilities. During the year concerned citizens in Western Province

operated a school for students with hearing disabilities. The school operated on in-kind donations. Children with disabilities could attend mainstream schools, but inadequate facilities and other resource constraints often made it impractical. A center for persons with disabilities in Honiara assisted persons with disabilities in finding employment, although with high unemployment nationwide and no laws requiring reasonable accommodations in the workplace, most persons with disabilities, particularly those in rural areas, did not find work outside the family structure.

The government relied upon families to meet the needs of persons with mental disabilities, and there were very limited government facilities or services for such persons. The Kilufi Hospital in Malaita operated a 10-bed ward for the treatment of psychiatric patients. A psychiatrist resident in Honiara ran a clinic at the National Referral Hospital.

National/Racial/Ethnic Minorities

The country has more than 27 major islands with approximately 70 language groups. Many islanders saw themselves first as members of a clan, next as inhabitants of their natal island, and only third as citizens of their nation. Tensions and resentment between the Guadalcanalese and the Malaitans on Guadalcanal culminated in violence beginning in 1998. The presence of RAMSI greatly reduced ethnic tension between the two groups, and reconciliation ceremonies organized during the year led to further easing of tensions. Underlying problems between the two groups remained, however, including issues related to jobs and land rights.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

“Sodomy” is illegal, as are “indecent practices between persons of the same sex.” The maximum penalty for the former is 14 years’ imprisonment and for the latter five years. There were no reports of arrests or prosecutions directed at lesbian, gay, bisexual, transgender, or intersex persons under these provisions during the year, and authorities generally did not enforce these laws. There were no reports of violence or discrimination against persons based on sexual orientation or gender identity, although stigma may hinder some from reporting.

HIV and AIDS Social Stigma

There was societal discrimination toward persons with HIV/AIDS, but there were no specific reports of disownment by families as reported in the past and no reports of violence targeting persons with HIV/AIDS.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law, including related regulations and statutory instruments, provides for the right of workers to form or join unions, conduct legal strikes, and bargain collectively. The law protects workers against antiunion activity but does not specifically provide for reinstatement. The law states that, subject to the provisions of the Trade Unions Act, nothing contained in any law shall prohibit any employee from being or becoming a member of any trade union or subject him to any penalty due to his membership with a trade union. The law permits strikes in both the public and private sectors. A notice to the government 28 days prior to a strike is required for strikes to be legal. The government prohibits strikes by civil servants in essential services, but there are procedures in place to provide these workers due process and protect their rights. The government defines essential services to include but not be limited to the health, public security, aviation, marine, immigration, and disaster relief sectors. The law does not protect the rights of workers in the informal sector or in organizing and collective bargaining.

The government effectively enforced the law. The penalty is a fine of SBD 200 (\$25) or imprisonment for six months. The penalty for antiunion discrimination was not effective, because employers could afford to pay the fine and easily replace workers. The small fines also served as a deterrent for employees to strike.

Collective bargaining agreements determined wages and conditions of employment. Disputes between labor and management not settled between the two sides were referred to the Trade Disputes Panel (TDP) for arbitration, either before or during a strike. While the TDP deliberates, employees have protection from arbitrary dismissal or lockout. The three-member TDP, composed of a chairperson appointed by the judiciary, a labor representative, and a business representative, is independent and neutral. The TDP's decisions are binding on the parties. Administrative and judicial procedures were not subject to lengthy delays or appeals.

Workers exercised their right to associate freely and bargain collectively, although employers did not always respect these rights. Since only a small percentage of the

workforce had formal employment, employers could easily replace workers if disputes were not resolved quickly.

In March the Workers Union of Solomon Islands represented 17 workers who believed the Solomon Islands Port Authority wrongfully terminated them. The union won the case, and the employer reinstated the workers.

b. Prohibition of Forced or Compulsory Labor

The constitution prohibits all forms of forced or compulsory labor, except as part of a court sentence or order; however, the law contains no penalties for violators. The government did not effectively enforce the law. The immigration act prohibits transnational forced labor and the May amendment to the penal code prohibits internal forced labor and prescribes a maximum penalty of 20 years' imprisonment (or 25 years if the victim is a child). There were no consistent methodologies or techniques to enforce the law. The government typically relied on labor inspectors to report on any instances of forced or compulsory labor during regularly scheduled routine inspections, but there were not enough inspectors or resources to enforce the laws effectively. In 2015 the immigration division led multiagency monitoring and investigating operations at logging companies and, through these efforts identified two suspected cases of forced labor, although it did not initiate any prosecutions. There were reports of adults forced to work in logging camps and aboard fishing vessels and of children in domestic servitude or service industries.

Also see the Department's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law forbids labor by children younger than 12 years, except light agricultural or domestic work performed in the company of parents, or other labor approved by the commissioner of labor. The law bars children younger than 15 years from work in industry or on ships, except aboard training ships for educational purposes. Those younger than 16 years may not work underground in mines. Boys between 16 and 18 years may work in mines or at night in any industry with specific written permission from the commissioner of labor. The law does not limit the number of hours a child can work.

The commissioner of labor is responsible for enforcing child labor laws, but the resources devoted to investigating child labor cases were not adequate to investigate and protect against violations. The ministry responsible for combatting child labor does not collect data on the number of inspections, violations, or penalties assessed. The law does not specify penalties for violations, significantly weakening effective enforcement.

In view of the low wages and high unemployment, there was little incentive to employ child labor in the formal wage economy; however, there were reports of children working as domestic servants, cooks, and performing other tasks in logging camps, where conditions often were poor. In some cases these conditions could amount to forced labor (see section 7.b.). There were also reports of commercial sexual exploitation of children (see section 6, Children).

Also see the U.S. Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect to Employment or Occupation

No laws regarding employment and occupation prohibit discrimination based on race, color, sex, religion, political opinion, national origin, social origin, disability, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, age, or language. Discrimination in employment and occupation occurred with respect to women, disability, language, sexual orientation and gender identity, and HIV-positive status (see section 6).

Women experienced discrimination especially in the attainment of managerial positions. Employed women were predominantly engaged in low-paying and low-skilled jobs. A 2013 government report presented evidence of a significant gender gap in senior positions, using public service as an example. According to the report, women continued to dominate the lower administrative level on the public service workforce with very few women in senior management positions. A shortage of jobs compounded the limited entry and opportunities of women in the workforce. A new program funded by the International Finance Corporation worked with businesses for four years to provide tools to recruit, retain, and promote women throughout domestic companies in cooperation with the Ministry of Women, Youth, and Children's Affairs.

e. Acceptable Conditions of Work

The minimum wage was SBD 4 (\$0.50) per hour for all workers except those in the fishing and agricultural sectors, who received SBD 3.50 (\$0.45). The official estimate for the extreme poverty level in the country was SBD 9.74 (\$1.20) per day. The proportion of the population living below the food poverty line was 4.4 percent. The government undertook a review of the minimum wage, and consequently proposed raising the general minimum wage to SBD 7 (\$0.85). The law regulates premium pay, sick leave, the right to paid vacations, and other conditions of service. The standard workweek is 45 hours and is limited to six days per week. There are provisions for maternity leave and premium pay for overtime and holiday work. The law prohibits excessive compulsory overtime.

Occupation safety and health laws require employers to provide a safe working environment and forbid retribution against any employee who seeks protection under labor regulations. These laws are current and appropriate for main industries, as well as in line with International Labor Organization standards. Laws on working conditions and safety standards apply equally to foreign workers and citizens. Some workers could not remove themselves from situations that endangered their health or safety, particularly in the fishing and logging industries without jeopardy to their employment.

An active labor movement and an independent judiciary helped provide effective enforcement of labor laws in major state and private enterprises. The commissioner of labor, the public prosecutor, and police are responsible for enforcing labor laws; however, they usually reacted to complaints rather than routinely monitored adherence to the law. The government's minimal human and financial resources limited its ability to enforce the law in smaller establishments, the informal economy, and the subsistence sector. The 18 labor inspectors were insufficient to monitor labor practices, particularly in extractive sectors outside of the capital. The law does not specify penalties for violations, significantly weakening effective enforcement.

Authorities did not effectively enforce the health and safety law provisions, and there were numerous violations of the occupational safety and health laws during the year. This was largely due to a shortage of funding and inspectors on the part of the Labor Division to conduct routine inspections on job sites. In 2012, the latest data available, the Labor Division recorded 243 work-related accidents, including 12 fatalities; 11 workers in the logging industry were killed on the job, while one worker in the manufacturing sector was killed. Accidents were largely due to negligence or failure to adhere to safety practices by employees and

employers. Workers in the logging, construction, and manufacturing industries were subject to hazardous and exploitative working conditions.