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ATROCITY CRIMES RISK ASSESSMENT SERIES

SOLOMON ISLANDS

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Photo acknowledgement: Malaita is in the east of the Solomon Islands. Wikimedia Commons: DFAT



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INTRODUCTION

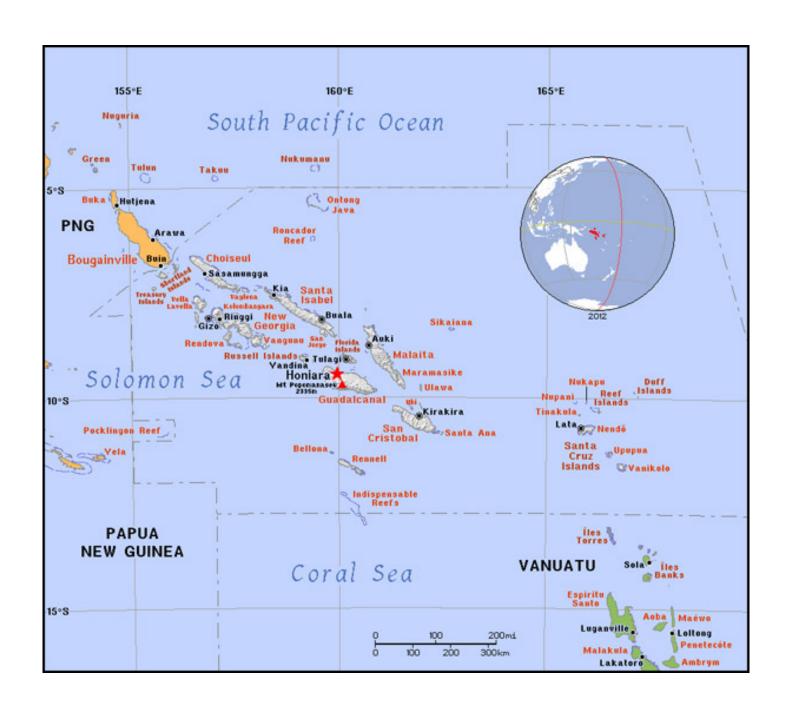
The following risk assessment for the Solomon Islands uses the Framework of Analysis for Mass Atrocity Crimes (the Framework) developed by the United Nations Special Advisers on the Prevention of Genocide and on the Responsibility to Protect in 2014.¹ The Framework serves as a tool to assess the risk of present and future atrocity crimes in the selected area by evaluating Risk Factors and Indicators present in a given state and at a specific point, and the risk of a worsening of these. This report only includes those risk factors currently relevant to the situation in the Solomon Islands. The absence of certain Risk Factors or Indicators does not indicate that they are any less important, only that the issues are of minimal concern at the current stage. There is often overlap between separate Risk Factors and Indicators, and the presence or absence of Risks Factors does not guarantee that atrocity crimes will or will not occur.

Risk Factors, Indicators, and numerical references used throughout this risk assessment correspond with those set out in the Framework.

This report finds that **the risk of atrocity crimes in the Solomon Islands is low** but could increase if key Indicators are left unaddressed. In 1998-2003 the country experienced armed ethnic conflict ('the Tensions'). Casualties were relatively low but forced displacements, intentional targeting of women and children, and the government's inability to respond threatened to turn the Solomon Islands into a 'failed State'. The conflict ended with the arrival of the Regional Assistance Mission to the Solomon Islands (RAMSI), tasked to re-establish law and order and assist with the long-term state-building process. RAMSI officially ended in 2017, after successfully establishing several mitigating factors in place to prevent and respond to a reignition of tensions. However, a number of risk factors remain unaddressed. Particularly concerning is the economic, political and social instability (Risk Factor 1); the prevalence of violence against women and children (Risk Factor 2); the weakness of state structure and rampant corruption (Risk Factor 3), and; the many potential atrocity crime triggers present (Risk Factor 8). No 'Specific Risk Factors' as outlined by the Framework appear to be present, yet the international community must continue to review the situation as it develops.

The report concludes with recommendations to the government of the Solomon Islands, civil society, and the wider international community. The recommendations are primarily focussed on addressing the Solomon Islands' economic situation, weak political infrastructure, problems with sexual- and gender-based violence (SGBV), and the country's capacity for responding to and recovering from natural disasters.

MAP SOLOMON ISLANDS



Map acknowledgment Vidiani

THE FRAMEWORK OF ANALYSIS

The Framework of Analysis comprises fourteen Risk Factors. Each Factor is associated with 6 to 18 Indicators, which can be used to more precisely identify and analyse the risks of atrocity crimes. Risk Factors are separated into two categories: Common Risk Factors, which are conditions that increase the risk of atrocity crimes occurring; and Specific Risk Factors, which are divided into the risks associated with genocide, crimes against humanity, and war crimes. The fourth atrocity crime, ethnic cleansing, is incorporated into the other atrocity crimes.

A greater number of Risk Factors and Indicators suggest an increased risk of atrocity crimes. Importantly, not all Risk Factors need to be present to represent a significant risk. The Risk Factors and Indicators are not ranked by importance and should be considered in a broader context, considering the state's politics, history, and culture. In the case of the Solomon Islands, this means appreciating the significance of the absence of national identity, in favour of smaller local identity groups based on the perceptions and promotion of ethnic differences. Provinces and communities compete over land and resources, rather than considering wider national interests. This results in poor governmental handling of revenue, uneven economic development, and endemic corruption. These issues are exacerbated by the current manner in which the important and influential logging industry is (or is not) regulated.

In some cases, the Risk Factors assessed in this report relate to events that occurred in the past. How such events were dealt with can help identify which Risk Factors are more likely to emerge in the future.

		COMMON RISK FACTORS
Risk Factor	1	Situations of armed conflict or other forms of instability
Risk Factor	2	Record of serious violations of international human rights and humanitarian
Risk Factor	3	Weakness of State structures
Risk Factor	4	Motives or incentives
Risk Factor	5	Capacity to commit atrocity crimes
Risk Factor	6	Absence of mitigating factors
Risk Factor	7	Enabling circumstances or preparatory action
Risk Factor	8	Triggering factors
		SPECIFIC RISK FACTORS
Genocide		
Risk Factor	9	Inter group tensions or patterns of discrimination against protected groups
Risk Factor	10	Signs of an intent to destroy in whole or in part a protected group
Crimes agair	st hur	manity
Risk Factor	11	Signs of a widespread or systematic attack against any civilian population
Risk Factor	12	Signs of a plan or policy to attack any civilian population
War Crimes		1
Risk Factor	13	Serious threats to those protected under international humanitarian law
Risk Factor	14	Serious threats to humanitarian or peacekeeping operations

Each of these Risk Factors are accompanied by 6-18 more specific Indicators, which can be used to more precisely identify and analyse the risks of atrocity crimes. These Indicators and further information on the full UN Framework of Analysis for Atrocity Crimes ¹can be found by visiting the UN website at www.un.org.

COMMON RISK FACTORS

RISK FACTOR 1: SITUATIONS OF ARMED CONFLICT OR THER FORMS OF INSTABILITY

Risk Factor 1: "Situations that place a state under stress and generate an environment conducive to atrocity crimes." Atrocity crimes usually take place against a background of conflict. From 1998 to 2003, the Solomon Islands experienced a period of ethnic violence, known as the Tensions. The armed conflict was limited to the country's largest island, Guadalcanal, where the traditional residents of the island, the Gaules, grew resentful of the increasing influence settlers had on the island. Resentment escalated into armed conflict when militant Gaules began targeting domestic migrants, particularly from the island of Malaita. In response, Malaitan militias were formed and violent clashes erupted. The conflict worsened, members of the Royal Solomon Islands Police Force (RSIPF) became implicated in the fighting, and in 2003 the Solomon Islands was on the brink of becoming a failed State. In July 2003, following a request from the Solomon Islands' government, the Australian-led Regional Assistance Mission to Solomon Islands (RAMSI) arrived. RAMSI re-established law and order and assisted in strengthening state institutions, needed for long-term stability and security. Within weeks the violence had subsided, most militias had disarmed, and thousands of guns had been confiscated. The Solomon Islands is not presently considered to be in a state of armed conflict (Indicator 1.1).

However, other situations can put a state under such levels of stress that violence and subsequently atrocity crimes are more likely to occur. Several of these other Indicators under Risk Factor 1 can be identified in the Solomon Islands. Climate change, rising sea levels and reoccurring natural disasters are clear and present dangers to human security (Indicator 1.3); the political system is poorly designed and riddled with corruption (Indicator 1.4) and the economy is one of the least developed in the world and heavily dependent on export of tropical timber to the Chinese market (Indicator 1.7/8/9). Furthermore frustrations over increased Chinese influence, corruption and extreme levels of youth unemployment are perpetual sources of social instability (Indicator 1.11).

Natural disasters and epidemics

Indicator 1.3: "Humanitarian crisis or emergency caused by natural disasters or epidemics." Natural disasters and climate change represent serious dangers to the Solomon Islands. The Solomon Islands consists of nearly 1000 islands located on the Pacific Ring of Fire and is ranked in the top 10 countries with the greatest exposure and vulnerability to natural disasters. In the last decade, the Solomon Islands has been hit by cyclones, high tides, floods, earthquakes, volcanic eruptions, landslides, droughts, and tsunamis. From 2007 to 2019, the country experienced 23 severe earthquakes ranging from 6.2 to 8.1 on the Richter scale. Earthquakes of this magnitude have the potential to trigger volcanic eruptions, tsunamis and subsequent floods, meaning that the Solomon Islands often faces more than one natural disaster at the time. Concerningly, experts predict that climate change will amplify the intensity of many of the natural disasters that ravage the Solomon Islands.

Climate change is also causing a dangerous rise in sea levels. The Solomon Islands has experienced a 7-10 millimetre rise in sea levels per year since 1993 – three times the global average. Five uninhabited islands have already been claimed by rising sea levels and numerous villages are losing land.¹³ The loss of land exacerbates vulnerability to other natural disasters, as illustrated on the island of Auki where a large strips of beach, which previously acted as buffer for rising tides during storms, are now underwater.¹⁴ The dramatic rise in sea levels is projected to continue, threatening to engulf more islands in coming decades and potentially displace thousands of people.¹⁵ Rising sea levels also cause saltwater intrusion into freshwater reserves and soil, severely hampering local food production and threatening long-term food and water security.¹⁶

The Solomon Islands was fast to react to the threat of Covid-19, declaring a State of Emergency just two weeks after the World Health Organisation declared Covid-19 a global pandemic. On the 3rd of October 2020, the Solomon Islands recorded its first case of COVID-19, who was a student repatriated from the Philippines. The current infection number in the Solomon Islands stands at 19 confirmed cases and 0 deaths as of April 2021, most of whom were repatriated citizens from the Philippines or based in the UK.¹⁷ In March of 2021, the country received 24,000 doses of the AstraZeneca vaccine as part of the COVAX partnership.¹⁸ It bolstered this stockpile with a shipment of the Chinese Sinopharm vaccine in April.¹⁹ The government's quick response to the pandemic, and its access to multiple vaccines, has provided it with an effective capacity to respond to

RISK FACTOR 1: SITUATIONS OF ARMED CONFLICT OTHER FORMS OF INSTABILITY

COVID-19.

However, the Solomon Islands is plagued by reoccurring outbreaks of transmissible diseases such as measles, dengue fever, tuberculosis, and hepatitis B, particularly during the rainy season when disease vectors are more prevalent.²⁰ Transmissible diseases cause 22 percent of deaths nationwide and put serious strains on local health care systems.²¹ Poor sanitation means that during the rainy season or following tropical cyclones, septic tanks and sewage systems are flooded, contaminating drinking water and leading to large problems with diarrhoeal diseases.²²

The already devastating effects of large natural disasters and the risk of disease outbreaks are often further exacerbated by the State's lacking financial capacity; the limited capabilities of local health care systems, and; inaccessibility to affected areas due to poor infrastructure and the challenging geography of the country. Inadequate infrastructure makes it difficult to reach remotes villages in need of assistance. As a result, access to government resources and international aid is limited when disasters do strike, resulting in an elevated risk of a humanitarian crisis.²³

Political instability

Indicator 1.4: "Political instability caused by abrupt or irregular regime change or transfer of power." Political instability is a structural issue for the Solomon Islands. A rushed independence process resulted in poorly designed institutions of Statehood that lack legitimacy compared to traditional forms of local governance. The political system hinges not on ideology, but on a political economy of favours, and is characterised by weak political parties and frequent votes of no confidence.²⁴

Historically, the Constitution of the Solomon Islands has made no special provision for political parties and there is a general lack of strong national political organisations. This has meant that politicians often wait to organise into "parties" until after having been elected.²⁵ These parties are typically loose knit and lack formal structure or ideology. Political allegiance is often based on the shared interests of wantoks, tribes, or islands and as a result, governments and party politics are often based on a series of unstable political coalitions that are easily abandoned. Reforms that stress the importance of political parties are often seen as foreign.²⁶

Elections in the Solomon Islands are difficult to predict. On average, approximately 50 percent of parliamentary members lose their seats. Election campaigns are often chaotic events where politicians attempt to buy votes with promises of local development or future gifts.²⁷ Consequently, elected politicians tend to pursue their own constituents' (very local) interests above those of the nation.²⁸ The tense atmosphere peaks on the eve of Election Day, traditionally known as the "Devil's Night," infamous for having candidates and supporters engage in widespread scare tactics and vote-buying.²⁹ Notably, a shift in policy requiring many of the inhabitants of Honiara to vote in rural districts and a large security presence helped ensure post-election protests and riots did not escalate further.³⁰

Youths under 24 make up 60 percent of the population, and 70 percent is under 30 years old.³¹ However, a combination of disadvantageous political structures and cultural norms have meant that youths, particularly young women and members of marginalised groups, do not have proportionate influence on the political system. As described, the political system in the Solomon Islands is characterised by the practice of politicians engaging in gift giving to obtain constituents' support. This puts young and poor people at a serious disadvantage, as Members of Parliament tend to be rather well-resourced and will have a greater capacity to provide voters with direct material benefits than the youth challenging them.³² Members of Parliament and local politicians have been known to prioritise supporters when distributing government funds, meaning that being on poor terms with the local politician might result in loss of funding. These MP-allocated funds are one of the largest sources of community revenue in many remote areas.³³

There is a lack of public space for youth to express and develop their views, as cultural norms mean youth will rarely speak to publicly challenge elders. Established politicians usually have larger groups of intimidating supporters, which may deter marginalised people from engaging with the political system, for fear of violence or ridicule.³⁴ Young women risk facing 'double marginalization' as politics and leadership are traditionally seen as a male domain.³⁵

RISK FACTOR 1: SITUATIONS OF ARMED CONFLICT OTHER FORMS OF INSTABILITY

Economic instability

Indicator 1.8: "Economic instability caused by a severe crisis in the national economy". Indicator 1.9: "Economic instability caused by acute poverty, mass unemployment or deep horizontal inequalities." Despite the islands being rich in timber and mineral resources such as lead, zinc, nickel, and gold, the Solomon Islands has a small and vulnerable economy. The country is ranked 207 out of 228 on Gross Domestic Product per capita by the United States Central Intelligence Agency (CIA). For the last two years, economic growth has been overtaken by inflation. According to World Data Lab, 29 percent of Solomon Islanders live in extreme poverty. In a 2018 perception survey, Solomon Islanders identified access to economic opportunities and employment as the most important factor to ensure peace in the Solomon Islands.

Economic inequality is relatively low in the Solomon Islands. However, poverty is more common in rural areas where much of the population works outside the formal economy in farming, fishing, and artisanal forestry. There are no accurate official unemployment rates for the country. However, unemployment is reported to be widespread, particularly for young people as reports suggest that up to 70 percent of people under 24 do not have a regular income.³⁹ Frustrated youths have been reported as driving violent riots and attacks on Chinese minorities and their property (see **Indicator 1.11**).⁴⁰

Due to political instability, changing governments have lacked the cohesion, stability and political focus needed to develop and implement a long-term national economic strategy. As a result, the Solomon Islands' economy remains heavily dependent on foreign aid and the logging industry.⁴¹ Tropical timber accounted for 68.2 percent of the Solomon Islands' total exports in 2019, with 66.8 percent of exports going to China.⁴² The high dependence on one industry and one market means that a decline in Chinese demand for timber could have a significant impact on the economy of the Solomon Islands.

The Solomon Islands is cutting down its tropical forests at 19 times the sustainable rate. Conservative estimates are that forests could be depleted by 2036.⁴³ However, the dependence on logging has allowed logging companies to obtain significant political influence, leaving the Solomon Islands' forests exposed to (often illegal) over-exploitation.⁴⁴ The law dictates that a logging company seeking to establish new exploitation projects must obtain permission from local communities before initiating its operations.⁴⁵ These agreements establish which areas the logging company is permitted to operate in and how the local community is to be compensated. However, logging companies operate outside of their concession boundaries, effectively stealing timber, and renege on development project clauses.⁴⁶ Continued over-exploitation risks leaving the country vulnerable to future "economic instability caused by the scarcity of resources" (Indicator 1.7), community displacement, and future land disputes.

Logging companies have played a key role in creating endemic corruption in the Solomon Islands. Evidence suggests that companies systematically bribe local leaders, politicians and authorities (see **Indicator 3.5**). Several reports have documented fraud and corruption throughout the forestry sector. Logging companies are known to repeatedly report loss-making operations for tax-purposes and to undervalue their earnings to avoid paying royalties.⁴⁷ According to Global Witness, export tax exemptions granted to logging companies in 2004 amounted to a loss in State revenue of up to 11 percent of the country's GDP.⁴⁸

The dependence on export of tropical timber may lessen in the future if plans to restore the Gold Ridge mine go ahead. The mine is hoped to enhance the economy significantly. At its peak, it had contributed up to 30 percent of Solomon's GDP, before being flooded in 2014.⁴⁹ The project is funded by one of China's largest State-owned companies, which will build and control power and port facilities, roads, railways, and bridges related to the project. The large Chinese investments have raised concerns that the Solomon Islands risk falling victim to Chinese 'debt-trap diplomacy'.⁵⁰

The full economic impact of the Covid-19 pandemic is still to be seen, yet the manufacturing index saw a 15 percent drop in the first quarter of 2020. In the same period, tourism fell by 36 percent before reaching zero following border closures in late March. Monthly exports have decreased approximately 20 percent and the Solomon Islands experienced a deficit of \$176 million on the fiscal balance in April. Many businesses plan to lay off staff, increasing the importance of the informal economy to sustain the population. However, the shock of the pandemic has also hit the informal economy. Three of the largest informal markets

RISK FACTOR 1: SITUATIONS OF ARMED CONFLICT OTHER FORMS OF INSTABILITY

have closed, and all informal food and betel nut markets have been banned in Honiara.52

Social instability

Indicator 1.11: "Social instability caused by exclusion or tensions based on identity issues, their perception or extremist forms." The Solomon Islands is a very ethnically homogenous nation, but customs and culture vary widely between its nine provinces. The country has a long history of ethnic conflicts rooted in these differences and as described, the Tensions was instigated as an ethnic conflict between Malatians and Guales. The Solomon Islands has been at peace for over a decade now following the arrival of RAMSI. Tensions between different Melanesian ethnicities (making up 97 percent of the population) have decreased significantly.

However, the Solomon Islands is experiencing increased prejudice against its small ethnic Chinese population. In 2006, mass riots broke out in Honiara after allegations that the newly elected Prime Minister, Snyder Rini, accepted bribes from Chinese businessmen.⁵⁵ The riots resulted in the destruction of 90 percent of Honiara's Chinatown and instances of violence against people of Chinese ethnicity.⁵⁶ Following the 2019 elections, anti-Chinese sentiment re-emerged and rioters made their way towards Honiara's Chinatown, before being stopped by police and security personnel.⁵⁷ Prejudice towards people of Chinese ethnicity may be exacerbated in the future due to China's growing influence in the Solomon Islands, and the expected influx of Chinese workers related to the restoration of the Gold Ridge mine.

Another source of social instability is youth's lack of access to education, health services and employment. The high rate of youth unemployment (see **Indicator 1.8**) has meant that many youths, regardless of education level, lack a sense of purpose and value in society, which has been identified as an underlying cause for abuse of alcohol and narcotics and anti-social behaviour. Frustration over corruption, poor governance, increased foreign control of the economic sector, and lack of political influence further exacerbates the risk of youths committing crime and violence. 99

RISK FACTOR 2: RECORD OF SERIOUS VIOLATIONS OF INTERNATIONAL HUMAN RIGHTS AND HUMANITARIAN LAW

Risk Factor 2: "Past or current serious violations of international human rights and humanitarian law, particularly if assuming an early pattern of conduct, and including those amounting to atrocity crimes, that have not been prevented, punished or adequately addressed and, as a result, create a risk of further violations." History has shown that atrocity crimes typically are preceded by less widespread or systematic violations of human rights and humanitarian law, and societies that have experienced violations can be prone to further atrocity crimes. Such violations are often linked to patterns of discrimination or exclusion based on real or perceived protected characteristics. The Solomon Islands is currently experiencing serious violations of human rights, as a result of endemic levels of SGBV against women, children and the LGBT+ community. 60

Risk Factor 5 is also relevant when past incidents have not been adequately addressed. The Solomon Islands has taken concrete steps to address the crimes committed during the Tensions and reconcile the populations, including establishing a Truth and Reconciliation Commission (TRC).⁶¹ The TRC commenced in 2010 and initially experienced immense support from victims and civil society. However, frustrations arose after changing governments illegally withheld the TRC's Final Report and failed to implement its recommendations (see **Indicator 4.9**). As a result, many grievances remain largely unaddressed.⁶²

Serious violations of international human rights

Indicator 2.1: "Past or present serious restrictions to or violations of international human rights and humanitarian law, particularly if assuming an early pattern of conduct and if targeting protected groups, populations or individuals". Gender inequality is a serious issue in the Solomon Islands. The country has a strong patriarchal culture, including a perception of male ownership over women. ⁶³ The Solomon Islands is troubled with widespread occurrences of SGBV, primarily in the form of domestic violence and sexual abuse. Governments seem to have tolerated these crimes, or at least have failed to allocate adequate resources to address them (Indicators 2.3 and 2.4). ⁶⁴ Women, children, and the LGBT+ community are typical victims, particularly around logging camps, at hotels, and in entertainment venues. ⁶⁵ The CIA has flagged the Solomon Islands as

RISK FACTOR 2: RECORD OF SERIOUS VIOLATIONS OF INTERNATIONAL HUMAN RIGHTS AND HUMANITARIAN LAW

both a source and destination country for sex trafficking and forced labour. In fishing communities, it is not uncommon for girls to be taken and sold to Asian fishing boats in exchange for fish.⁶⁶

SGBV against women is a significant issue in the Solomon Islands. Approximately 90 percent of women have experienced some form of violence from a romantic partner. Of this figure, 45 percent have experienced physical violence and 55 percent have experienced sexual violence.⁶⁷ Laws have been put in place to criminalise sexual and domestic violence, including against children, but it is rare for victims of sexual or domestic violence to press charges. A lack of public awareness and law enforcement are two reasons for this, yet pressure from male relatives; fear of reprisals; feelings of shame, and; cultural taboos on discussion of such matters may also explain the lack of victims reporting SGBV to the authorities.⁶⁸ Furthermore, a 2013 World Health Organization report found that around 73 percent of women in the Solomon Islands believe "that violence against women can sometimes be justified."⁶⁹ The practice of bride payments remains widespread, leaving women vulnerable to abuse and strengthening the cultural perception of male ownership over women. Most women experience being restricted to traditional gender roles and are prevented from pursuing careers or participate in political life.⁷⁰ As a result, sexual and physical abuse of both women and children remain a significant problem in the Solomon Islands.

LGBT+ persons face discrimination in the Solomon Islands.⁷¹ Since the 1880s, homosexuality has been considered a crime and homophobia is deeply entrenched in society.⁷² These laws are largely unenforced, but their existence remains a concern and leaves the LGBT+ community vulnerable to social stigma, discrimination and violence.⁷³ Concerningly, a number of missionaries from conservative African churches promote anti-LGBT+ initiatives in the Solomon Islands.⁷⁴

Past acts of war crimes

Indicator 2.2: "Past acts of genocide, crimes against humanity, war crimes or their incitement."⁷⁵ During the Tensions, the Solomon Islands experienced a wave of serious violations of international humanitarian law committed by militias, members of the Royal Solomon Islands Police Force (RSIPF), and civilians. Victims were often non-combatants, deliberately targeted on the basis of their ethnicity and as part of a war strategy designed to humiliate the enemy. There has been more than 5,700 accounts of human rights violations, including extrajudicial killings; torture; intentional targeting of civilians; rape and other types of sexual abuse as a war tactic; hostage-taking and the use of human-shields; illegal deprivation of liberty; and, forced dispossession of property. Sexual abuse has reportedly been used as a form of retribution towards women perceived to collaborate with enemies and as part of compensation paid to militias. Women have reported being forced into sexual slavery. These violations may constitute war crimes when committed in context of armed conflict.

Victims of sexual violence have been reluctant to disclose their experiences and as a consequence the number of sexual violations committed during the Tensions has not been accurately assessed.⁸⁰ However, reports from Amnesty International suggest that between 1998 and 2003, 75 percent of the Solomon Island's women suffered "some direct personal trauma" such as rape; armed violence; threats of armed violence; and, the death of family members.⁸¹

Public Mistrust in the Police

Indicator 2.8: "Widespread mistrust in State institutions as a result of impunity." One of RAMSI's focus areas was rebuilding public trust in the Royal Solomon Islands Police Force following the Tensions. As part of the post-conflict rehabilitation process, efforts were made to address the crimes committed by all actors of the conflict. More than 6,300 arrests were made of various members of armed groups and the police. Significant resources were put into retraining all parts of the security framework. Despite these efforts, a United Nations survey from 2018 suggests that almost half of Solomon Islanders are unsatisfied with police protection of their community. Public trust in police varies from province to province. Notably, more than 70 percent of respondents in Makira-Ulawa report having low to very low trust in police, and more than half in Guadalca-

RISK FACTOR 3: WEAKNESS OF STATE STRUCTURES

nal and Malaita – the two provinces most impacted by the Tensions and RSIPF abuses committed during the conflict.⁸³ Women were twice as likely to report very low trust in police, indicating that women refrain from reporting crimes against them. This is particularly the case for incidents of SGBV, which carry societal taboos and victim stigmatisation.

Risk Factor 3: "Circumstances that negatively affect the capacity of a State to prevent or halt atrocity crimes." Weak State structures can magnify hazardous situations and diminish a State's ability to protect its population. Since the Tensions, the Solomon Islands has taken significant steps to strengthen State structures, including national legal frameworks and institutions, particularly those designed to address SGBV. However, the lack of financial capacity; underdeveloped infrastructure; a conservative patriarchal culture; a reluctance of victims to report domestic violence; and, widespread corruption, are concerning limitations on the Solomon Islands' ability to efficiently protect its population from atrocity crimes.

National legal framework

Indicator 3.1: "National legal framework that does not offer ample and effective protection, including through ratification and domestication of relevant international human rights and humanitarian law treaties." The Solomon Islands has ratified 'the International Convention on the Elimination of All Forms of Racial Discrimination', 'the International Covenant on Economic, Social and Cultural Rights' and 'the Convention on the Elimination of All Forms of Discrimination against Women' (CEAFDW). Having ratified the CEAFDW, the Solomon Islands is legally obliged to take steps to ensure equal opportunities for women generally; facilitate and promote changes to cultural and social practices that undermine gender equality; and, ensure women have equal opportunity in security and peace initiatives. In line with requirements, domestic violence and sexual abuse have been made illegal.

However, the country lacks laws protecting women from "milder" types of discrimination and abuse. Sexual harassment is a widespread problem, yet certain forms remain legal despite the negative impact it has on victims. Other notable legislative gaps in the protection of women include the continued criminalisation of abortion and the absence of laws mandating equal pay for equal work. The Solomon Islands should also strengthen the protection of women married to foreigners, and address the occurrence of female law enforcement officers falling victim to SGBV at home. Economic violence is not considered a criminal offence and inheritance laws are often the subject of customary law, where a widow may be denied her husband's assets on the basis of her gender.

The LGBT+ community is even less protected by the national legal framework. While generally not enforced, sodomy and "indecent practices between persons of the same sex" remain illegal with penalties of up to 14 years' imprisonment. The Solomon Islands has informed the United Nations that it will not move towards decriminalising same-sex sexual conduct and many view the country as a Christian country that should never consider legalising such conduct. There are no specific antidiscrimination laws based on sexual orientation or gender identity. Political attempts to address such discrimination have been met with fierce opposition.

The Solomon Islands is not party to 'the International Covenant on Civil and Political Rights'; 'the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment'; 'the Convention for the Protection of All Persons from Enforced Disappearance'; or, 'the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families'. ⁹³

Insufficient resources, representation and training

Indicator 3.2: "National institutions, particularly judicial, law enforcement and human rights institutions that lack sufficient resources, adequate representation or training." Since the end of the Tensions, the Solomon Islands has taken significant steps to establish structures, institutions and legal frameworks to address serious societal injustices, including SGBV. However, cultural taboos, lack of adequate resources, and underdeveloped infrastructure means many experience that they cannot access basic services or that the State cannot provide adequate services. This could occur due to a lack of training of civil servants or a lack of trust in State institutions.⁹⁴

Domestic violence is widespread and in many parts of society tolerated, particularly among men. Police offi-

RISK FACTOR 3: WEAKNESS OF STATE STRUCTURES

cers are primarily men and have historically not been adequately trained to deal with victims of SGBV. Victims report fearing reprisal, alienation, or being ignored if they were to report a sexual crime. Consequently, many victims refrain from doing so. To address the problem, campaigns have been launched to encourage women to apply for enrolment into police academies and a 'Sexual Assault Unit' has been established within the police. The unit specialises in investigating sexual crimes and supporting victims. It is mostly staffed by female officers, and police officers now receive training in how to work with victims of sexual crimes. Despite this, women attending police stations in relation to instances of violence are often told to come back later, discouraged or not provided with any information. The police force and other services also lack adequate training in handling and rights of victims with disabilities.

The rate of domestic violence cases that end with prosecution remains low. Underfunding has resulted in low judicial and police capacity, with more than two years' processing time for cases of this type. In the meantime, most victims will drop the charges, or the case will have been settled outside the formal justice system, ¹⁰⁰ through the local "kastom" system (see **Indicator 3.3**). Furthermore, cases that are heard in court rarely end in prosecution due to cultural biases against women. ¹⁰¹

In May 2016, the Government officially launched a National Policy to Eliminate Violence against Women and Girls, aimed at strengthening referral networks for survivors of domestic violence in rural areas and increasing public awareness of available support for victims. ¹⁰² By law, victims of domestic violence must have access to counselling; medical services; legal support; and, a safe place to stay within their community if they cannot return home. However, referral agencies are often underfunded and incapable of providing adequate assistance in a timely manner, particularly in remote rural areas. ¹⁰³

Another concern is the limited representation of institutions, access to justice and aid for people living in remote rural areas. More than 60 percent of the Solomon Islands population lives outside the main island of Guadalcanal.¹⁰⁴ Only 20 percent of the population has access to roads and very few of these are properly paved roads. ¹⁰⁵ Most roads are in or around the capital or logging camps, limiting rural communities' access to law enforcement, aid and other government resources generally. ¹⁰⁶ Online and offline communication technologies are unreliable as only urban centres have electricity and phones. ¹⁰⁷

Lack of an independent and impartial judiciary

Indicator 3.3: "A lack of an independent and impartial judiciary." The Solomon Islands has, with the help of RAMSI, established a domestic judiciary that is nominally independent from the executive branch of government. Structural issues must be addressed to ensure its continued independence. ** Essential components such as staffing, procurement, and budgets are often administered through government ministries. In light of the endemic levels of corruption in executive and legislative government bodies, this raises questions of the judiciary's ability to conduct fair and timely trials, particularly in cases where ministers have a vested interest. ** In the culture of corruption (see Indicator 3.5) exacerbates the risk of impunity for attempts to corrupt of the judiciary.

Most courts are located in urban areas and are often inaccessible to those living in remote areas. ¹¹⁰ Instead, people are left with the local "kastom" system, which is based on the authority of chiefs or other unofficial authorities in the community. ¹¹¹ The reliance of the informal kastom system is problematised by its vulnerability to corruption. As logging companies bribe community authorities, the legitimacy of the system is undermined and leaves rural communities without access to legitimate justice institutions. ¹¹²

High levels of corruption

Indicator 3.5: "High levels of corruption or poor governance." Corruption and poor governance in the Solomon Islands is endemic and evidence suggests the problem is worsening.¹¹³ Corruption erodes the public's trust in State institutions, harms the economy, reduces human security, and has spurred violent riots. In the Solomon Islands, the two most common sources of corruption are distinct, yet have a compounding effect upon one another.

The first is 'clientelism', broadly defined as a contingent exchange wherein voters provide electoral support for

RISK FACTOR 3: WEAKNESS OF STATE STRUCTURES

candidates in return for material benefits. Voters primarily vote for candidates they believe will provide them or their local community with most direct material benefits. The political system of the Solomon Islands is characterised by deep-rooted clientelism. As a result, politicians hoping to achieve re-election must demonstrate a capability to deliver goods or assistance to their supporters, rather than concentrating on legislation or national policies. Widespread clientelism has meant that government contracts are often awarded based on personal or community ties rather than a competitive tender, and civil servants are often appointed based on their connections rather than merits. 116

The problem of clientelism is exacerbated by the Community Development Funds system, wherein Members of Parliament are allocated a portion of government funds to spend in their communities. These funds are poorly regulated and parliamentarians often use them to buy votes, either with cash or with other direct material benefits.

The second and most significant source of corruption comes from the extractive industries. Almost every institution, body or process that regulates the logging industry has been corrupted. As described under Indicator 1.8, logging companies must obtain approval before commencing operations, and meet their contractual obligations throughout the operation. Systems have been implemented to ensure that companies abide by the laws, yet these are almost entirely powerless and logging companies often violate their contracts. The approval process for land concessions is often paid for by logging companies and community members and leaders are bribed. This undermines the approval process; exacerbates the high risk of logging companies bribing their way out of conducting environmental impact assessments; and, de-legitimises the kastom system, upon which many remote rural areas rely on for justice. Transparency International has warned that similar corruption could occur in the mining industry, if reintroduced.

Covid-19 and the ban on informal food markets may have increased community-level corruption, with betel nut sellers violating the ban and bribing police officers to avoid being fined or having their products seized. 123

RISK FACTOR 4: MOTIVES AND INCENTIVES

To combat corruption, in 2018 the Government passed an Anti-Corruption Bill, including a provision establishing an Independent Commission Against Corruption to investigate accusations of corruption. However, the Bill has been criticised for not applying retrospectively; containing weak provisions on unjust enrichment; and, including a clause allowing defendants to use local custom or cultural practices as a defence against corruption allegations.¹²⁴

Risk Factor 4: "Reasons, aims or drivers that justify the use of violence against protected groups, populations or individuals, including by actors outside of State borders." No single specific motive or incentive will automatically lead to atrocity crimes but could influence certain actors to resort to atrocity crimes to achieve their objectives. In the Solomon Islands, one concern is the lack of proper reconciliation and response to grievances for crimes committed during the Tensions. Social traumas experienced during the Tensions and a continued sense of social injustice could transform into a desire for revenge and reignite ethnic tensions.

Social trauma

Indicator 4.9: "Social trauma caused by past instances of violence not adequately addressed and that produced feelings of loss, displacement, injustice and a possible desire for revenge." In general, the Solomon Islands has moved on well from the Tensions and the serious violations of human rights that occurred. With the help of RAMSI, militias were disarmed, perpetrators persecuted, and law and order re-established. To address feelings of loss, injustice and other social trauma, a TRC was commissioned in 2008. The TRC commenced in 2010 and has been praised for its cooperation with and involvement of local communities, particularly rural communities that otherwise lack access to State institutions. In February 2012, the TRC presented the Prime Minister with its Final Report, identifying root causes of the violence, and recommending policies aimed at reconciling communities and strengthening resilience mechanisms to prevent future conflict. However, the Final Report has not been tabled in Parliament, most recommendations have not

RISK FACTOR 4: MOTIVES AND INCENTIVES

been implemented, and the report has been unlawfully withheld from the public by every Prime Minister.¹²⁹ Justifications have varied from a lack of financial capacity, to an alleged incompatibility of local cultures with the recommendation of strengthening national unity.¹³⁰ However, the main obstacle for Government acceptance of the Final Report may be the naming of powerful individuals that facilitated, incited, or participated in violence during the Tensions.¹³¹

Government inaction, including the lack of financial commitment and withholding of the Final Report, has left many Solomon Islanders with a perception of the TRC as "unfinished business" and a source of frustration and disappointment. ¹³² Furthermore, the recommendations were intended to address the root causes of the violence, and the Government's reluctance to implement them could allow the issues to fester.

Another source of concern is that women and girls in the Solomon Islands have not been adequately included in the peace process, or security and peace initiatives. RAMSI has been criticised for not adequately prioritising gender considerations, promoting gender equality, or valuing the capacity of women in conflict resolution, making women feeling marginalised in the peacebuilding process. Women were generally limited to roles as observers and supporters in formal reconciliation ceremonies, even when facilitated by RAMSI. Projects focussed on women generally received less funding than those focussed on men, including projects to promote participation in gender-specific hearings during the TRC.

Women have been limited in their influence on the terms of settlements, official agreements and recovery plans. The lack of female input led to the omission of a gender perspective in key decisions, and directly influenced the unequal development and recovery of Solomon Island society. For instance, the Disarmament Agreement did not explicitly exempt SGBV from the amnesty provisions, jeopardising female security and recovery by contributing to a culture of impunity for such crimes. After the arrival of RAMSI, more than 6,300 arrests were made of various members of armed groups and the police, on suspicion of participation in crimes committed during the conflict. There has been no prosecution of sexual crimes committed during the Tensions. Most victims, particularly displaced women from rural areas, have not received compensation for such crimes. This has prompted the United Nations to express concerns over the lack of justice and reconciliation provided to women. The second control of sexual crimes are concerns over the lack of justice and reconciliation provided to women.

Women and girls have not proportionately benefitted from ongoing development in the Solomon Islands.¹³⁷ To promote gender equality and empower Solomon Island women, the government launched a National Action Plan (NAP) on Women, Peace and Security (WPS) for 2017-2021; the first of its kind in the Pacific region.¹³⁸ The plan is intended to support the TRC and CEAFDW recommendations related to women and girls, while addressing the four core elements of WPS: 1) **Participation** and influence of women on equal terms

RISK FACTOR 5: CAPACITY TO COMMIT ATROCITY CRIMES

with men in peace and security processes and services; 2) **Protection** of the rights of women and girls during and after conflicts; 3) **Prevention** of conflicts and violence against women and girls; and, 4) **Recovery and Reconciliation**, including recognising the different experiences of conflict women and girls may have, and the particular capacities and needs women and girls may have when rebuilding and healing after conflict. The NAP could be a positive sign that gender equality may be prioritised, and things may improve for women and girls in the Solomon Islands.

Risk Factor 5: "Conditions that indicate the ability of relevant actors to commit atrocity crimes." Atrocity crimes are not easy to commit. Actors intending to commit such crimes must have substantial resources at their disposal and enjoy support. In the Solomon Islands, it is unlikely that any actor has the practical capacity and requisite intention to commit widespread atrocity crimes. RAMSI helped to disarm the militias and no actors have the capacity to transport and distribute personnel and weapons, or the financial resources required to commit large scale violations of international humanitarian law.

RISK FACTOR 5: CAPACITY TO COMMIT ATROCITY CRIMES

Capacity to recruit large numbers of supporters

Indicator 5.3: "Capacity to encourage or recruit large numbers of supporters from populations or groups, and the availability of the means to mobilize them." During the Tensions, militias based primarily on ethnic groups, like the Malaita Eagle Force and Isatabu Freedom Movement, were able to quickly recruit large numbers of supporters and fighters. Subsequently, RAMSI retrained police forces, State institutions have been strengthened, and ethnic tensions significantly reduced. However, many Solomon Islanders still lack or oppose the idea of national unity or a national identity, and often base their identity on kin, clan or tribes. Community leaders or 'Big Men' hold much authority and would have the capacity to recruit large numbers of

RISK FACTOR 6: ABSENCE OF MITIGATING FACTORS

supporters, particularly if a triggering event had ignited tensions.

Adding to the concern is the large problem of thousands of employed and frustrated youths, particularly in Honiara. Unemployed youths were the main participants in ethnic riots in 2006, targeting Chinese minorities and their property. The city has been described as a "tinderbox" that easily could be ignited by political events.¹⁴²

Risk Factor 6: "Absence of elements that, if present, could contribute to preventing or to lessening the impact of serious acts of violence against protected groups, populations or individuals." Atrocity crimes result from a convergence of elements, but the absence of mitigating factors can leave a State vulnerable to the development and escalation of tensions, crises or conflicts. One of the reasons for the low risk of atrocity crimes occurring in the Solomon Islands is that the country has established strong resilience mechanisms. Much has been done to prevent any future crisis from escalating into armed conflict, namely nation-wide disarmament; strengthening of the national police; increased accountability of police officers; and, the establishment of a bilateral security treaty with Australia for rapid deployment of security personnel in case of emergencies. According to Freedom House, political rights and civil liberties are generally respected. Despite the high illiteracy rate, a strong and independent press exists in the Solomon Islands. 144

RISK FACTOR 8: TRIGGERING FACTORS

The Solomon Islands has friendly relations with the wider international community. It is member of a number of international organisations, including the United Nations, and is an active participate in several of its organs. The Solomon Islands is a member of the Pacific Islands Forum. Its willingness to engage with the regional community is demonstrated by the invitation of the RAMSI mission, which ended the Tensions and strengthened fundamental State institutions. During the latest election in 2019, Australian security personnel were invited to ensure that the peace was kept.¹⁴⁵

Risk Factor 8: "Events of circumstances that, even if seemingly unrelated to atrocity crimes, may seriously exacerbate existing conditions or may spark their onset." There is no evidence of potential perpetrators with a clear plan and capacity to commit atrocity crimes, nor is there long-lasting tensions or a serious crisis on the verge of escalation. However, unpredictable events can cause a sudden deterioration and trigger the perpetration of atrocity crimes, even if they appear to be unrelated to more direct or structural Risk Factors. The potential spill-over of a possible armed conflict in Bougainville; abrupt regime changes; overexploitation of natural resources and sudden changes to the economy; and natural disasters, all have the potential to create an environment enabling atrocity crimes. Pollution and rising sea levels are increasing the issue of climate change-related displacement and threatens to undermine the livelihoods of local communities and the practice of cultural traditions tied to ancestral lands.

Spill-over of armed conflicts or serious tensions in Bougainville, Papua New Guinea (PNG) Indicator 8.2: "Spill-over of armed conflicts or serious tensions in neighbouring countries." Despite being part of PNG, the island of Bougainville is geographically part of the Solomon Islands Archipelago. 147 In 1989, civil war broke out in Bougainville. The armed conflict was sparked by grievances over the Panguna mine but

RISK FACTOR 8: TRIGGERING FACTORS

fuelled by a local hope for secession. In 2001, following the death and displacement of more than 20,000 people, a Peace Agreement was signed, including a provision for a future independence referendum. After multiple postponements the referendum was held in December 2019, seeing approximately 97 percent of the population voting in favour of independence. However, the Parliament in PNG still has "final decision making authority" over the results and the aftermath of the Bougainville Independence Referendum remains to be seen. Should the conflict reignite, there is a risk of a spill-over into the Solomon Islands.

Abrupt regime changes or transfers of power

Indicator 8.4: "Abrupt regime change, transfer of power, or changes in the political power of groups." Governments often comprise unstable coalitions. Votes of no-confidence are frequent and corruption is endemic (see Indicator 1.4 and 3.5). Elections have previously sparked riots and there is a risk that they will again, particularly if they involve an abrupt regime change or if reliable accusations of corruption are made against key Members of Parliament, as in 2006. The Government is aware of the risk of post-election conflict and requested help from Australia to ensure a peaceful election process in 2019. Plans are in place for the Solomon Islands to continue to consult with Australia, New Zealand and the Pacific Islands Forum in developing its security forces. 152

Sudden changes to the economy

Indicator 8.9: "Sudden changes that affect the economy or the workforce, including as a result of financial crises, natural disasters or epidemics." The Solomon Islands is at high risk of being hit by natural disasters in many forms (see Indicator 1.3). Natural disasters have, among other things, the potential to devastate the economy, exacerbate the potential for disease outbreaks, and deteriorate general living conditions. The country's reliance on the export of tropical timber primarily to the Chinese market also leaves the Solomon Islands vulnerable to sudden economic changes. A reduction in Chinese demand for tropical timber could devastate the Solomon Islands economy and exacerbate problems with poverty; unemployment; social instability; and, indirectly lead to spikes in domestic violence.

Exploitation of natural resources

Indicator 8.10: "Discovery of a natural resource or launching of exploitation projects that have a serious impact on the livelihoods and sustainability of groups or civilian populations." A large Chinese State-owned company is funding the restoration of the Gold Ridge mine and the establishment of the infrastructure required to operate it. It is hoped the mine will bring a significant boost to the Solomon Island economy, yet concerns include that mining operations will bring about challenges similar to those in the logging industry. Logging companies have, among other things, over-exploited timber; been a significant source of corruption; violated contracts with local communities; and, damaged the local environments, all while generally avoiding disciplinary actions. Nothing suggests that new exploitation projects, particularly large-scale ones, will be subject to stricter regulation or approval processes. Local populations risk being exposed to serious negative impacts on their livelihoods, including damage to and pollution of the environment, food and supplies. Women and children are particularly vulnerable to negative changes to the livelihood of communities, with problems ranging from food and water insecurity to domestic violence and sexual abuse. 154

SPECIFIC RISK FACTORS

Risk Factor 9 to 14: Specific Risk Factors for genocide, crimes against humanity and war crimes. These are not currently applicable to the situation in the Solomon Islands. The Solomon Islands is not experiencing an armed conflict; there is no evidence of widespread intergroup tensions or intention to destroy parts of the civilian population; and, there is no serious threat to humanitarian peacekeeping operations. The risk of Specific Risk Factors occurring will always be present, however many issues facing the Solomon Islands fall under the Common Risk Category.

CONCLUSION

The Solomon Islands is at a low risk for atrocity crimes in the short term. The country has not experienced armed conflict since 2003 and ethnic tensions have significantly decreased since the end of the Tensions. The Solomon Islands participates actively in the international community and most mitigating factors are present. State institutions remain flawed but are strengthening, and steps have been taken to address the widespread occurrence of corruption and domestic violence.

However, in the medium and long-term, the repercussions from environmental degradation and economic decline could reignite old tensions or create new ones. Climate change, rising sea levels and reoccurring natural disasters are clear, present dangers to human security, economic and social stability in the Solomon Islands. The political system is poorly designed, corruption is widespread, and the country severely lacks national unity. The economy is small and dependent on export of tropical timber to the Chinese market, leaving the country vulnerable to sudden changes in demand or the Chinese economy. The reliance on the export of timber and toothless safeguard mechanisms has meant that overexploitation of the rainforests remain a constant issue and the risk of exhausting timber reserves grows each year. Increased Chinese influence, corruption and extreme youth unemployment is a continuous source of social instability.

The Final Report of the TRC has illegally been withheld from the public and most recommendations have not been implemented, resulting in inadequate reconciliation and response to grievances for crimes committed during the Tensions. Discrimination and SGBV, primarily domestic- and sexual- abuse targeted women, children and the LGBT+ community, remain a systemic problem in the Solomon Islands.

Concerningly, several potential triggers of the perpetration of atrocity crimes can be considered plausible for the Solomon Islands. There is a risk of abrupt changes in power, and a spill-over of a possible armed conflict in Bougainville; overexploitation of natural resources and sudden changes to the economy; and, natural disasters. Each has the potential to create an environment enabling the perpetration of atrocity crimes.

A number of recommendations are listed below for the Solomon Islands Government, civil society and the international community to further reduce the likelihood of atrocity crimes occurring in the Solomon Islands.

RECOMMENDATIONS

	RECOMMENDATIONS FOR THE GOVERNMENT OF SOLOMON ISLANDS		
1	Continue to take active steps to counter corruption and increase the accountability of officials. This should includ (but is not limited to) the proper regulation and monitoring of the logging and mining sectors.		
2	Improve infrastructure between islands and to rural areas to boost integration of the islands and help rural areas economically.		
3	Publish the findings of the Truth and Reconciliation Commission and use its findings to help relieve lingering rifts from the tensions.		
4	Consider the creation of a separately elected (by nation-wide popular vote), tenured executive with limited powers. This would allow the pluralistic nature of the Parliament to thrive without creating instability, while giving the executive branch of the Government a mandate that relates specifically to the national interest, rather than smaller constituencies.		
5	Invest in health, education, infrastructure, employment, and social services to tackle high levels of poverty, inequality and illiteracy, and low levels of human development.		
6	Implement all recommendations presented in the National Action Plan on Women, Peace and Security.		
7	Continue to work with regional partners and the United Nations to improve women's rights, specifically in regard to domestic violence and sexual and gender-based violence.		

RECOMMENDATIONS

Take further measures to strengthen the capacity and training of the judiciary and security services with regards to human rights, especially child protection, disability-inclusivity and sexual and gender-based violence. Improve support for women and facilitate their access to it. Victims of sexual and gender- based violence must have easy access to family protection centres, bias against women must be diminished in all levels of the justice system, and further funding should be allocated to women's support groups. Raise awareness of Women's Rights in the public and private spheres to combat perceptions of male ownership 10 over women and acceptance of sexual and gender-based violence. Empower women through increased economic opportunities and education. 11 Provide effective remedies to female victims of violence during the Tensions, including human, financial and 12 technical resources to the High Court while actively discouraging the use of mediation in cases of violence and monitoring compensation and settlements made outside the formal justice system. Continue to demonstrate international leadership on climate change. 13 Strengthen regional early warning systems for atrocity prevention. RECOMMENDATIONS FOR THE CIVIL SOCIETY OF SOLOMON ISLANDS Continue to advocate for legal accountability in relation to domestic violence and issues disproportionately affect-1 ing women and children. Raise awareness of women's rights. Contribute to the development of an early warning system for atrocity crimes. Promote free and fair election processes, and combat electoral violence and corruption. RECOMMENDATIONS FOR FOR THE INTERNATIONAL COMMUNITY The Pacific Islands Forum and its partners should continue to monitor the situation in the Solomon Islands and continue to offer assistance in rebuilding its institutions. Concerned countries should offer assistance in the event of stressors such as epidemics, natural disasters or economic downturns as outlined in Risk Factor 1. China should regulate and monitor tropical timber imports to ensure they are not harvested illegally. Regional partners should provide material resources and personnel to assist the Government in countering cor-The UN and other partners should provide financial and technical support to counter sexual and gender-based 5 violence. Governments should support and encourage local and international initiatives to mitigate the negative effects of climate change and rising sea levels. Donors should provide infrastructural development aid to assist in developing transportation and communication to remote areas. 7

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