

## UNIVERSAL PERIODIC REVIEW OF SOLOMON ISLANDS

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Submission by Franciscans International; Society of Saint Francis, Province of Solomon Islands (SSF); The Community of the Sisters of the Church (CSC); Third Order of the Society of St Francis, Pacific Province, Solomon Islands Regions (TSSF); Dominicans for Justice and Peace (Order of Preachers); Dominican Network in the Solomon Islands.

FPIC – MINING AND LOGGING LEGAL FRAMEWORK

R2HE - IMPACTS OF CLIMATE CHANGE

RIGHTS OF WOMEN AND CHILDREN

### The principle of free, prior and informed consent (FPIC) and the legal framework on Logging and Mining

#### Logging

- Applicable Legal Framework:
  - Forest Resources and Timber Utilisation Act (1969)<sup>i</sup> and the Environment Act (1998)<sup>ii</sup>.
  - Legal reforms addressing some of these issues (i.e. Forest Acts 1999<sup>iii</sup> and Forests Bill 2004<sup>iv</sup>) have to date not been passed in Parliament<sup>v</sup>.
- FPIC Gaps and Shortcomings:
  - Direct company–landowner negotiations with minimal State oversight, undermining collective consent.
  - Non-inclusive decision-making: consultations limited to a few male landowners or chiefs; women<sup>vi</sup>, youth and local communities excluded.
  - No effective access to remedy: only signatories may challenge agreements; legal costs prohibit community action; the State cannot sanction violations on customary land.
  - Communities receive limited information on impacts or benefits (i.e. the ability to sell products to loggers, employment opportunities).
  - Environmental impact assessments are weak; often conducted without a site visit. Instances where the same assessment is submitted for multiple projects.

#### Mining

- Applicable Legal Framework:
  - Mines and Minerals Act 1990<sup>vii</sup>.
  - The amended Mineral Resources Bill 2025 is currently before Parliament and expected to be considered when sittings resume in 2026<sup>viii</sup>.
- FPIC Gaps and Shortcomings:
  - Mining operations continue despite acknowledged legal gaps and calls for a moratorium pending reform.
  - Lack of prior and inclusive consultation before licensing; consultations, when held, are limited to chiefs or elders.
  - Mineral Resources Bill drafted with minimal community consultation, including by removing the requirement for landowner representation on mineral boards and expanding government decision-making power.

### The right to a clean, healthy and sustainable environment (R2HE) and the impacts of climate change

- Lack of clean air:
  - Air quality deteriorates in communities near logging and mining sites due to dust, smoke, heavy vehicle traffic, and constant noise.
- Lack of safe and sufficient water:
  - Polluted rivers, streams, wells, and drinking water sources through sedimentation, oil spills, toxic runoff, and ineffective waste management.<sup>ix</sup>

### Recommendations

1. **Immediately adopt** the latest iteration of the **Forestry bill** currently pending with the Attorney General's Office since 2020 to replace the Forest Resources and Timber Utilisation Act of 1969.
2. Ensure the **Forestry bill safeguards the land rights of local communities** through equitable benefit-sharing arrangements, inclusive and participatory landowner representation in negotiations, and **Free, Prior and Informed consent provisions**.
3. Build and **strengthen the capacity** of the Ministry of Environment, Climate Change, Disaster Management and Meteorology so that it can conduct robust and **effective environmental impact assessments**, including through site visits by independent experts and consistent monitoring throughout the lifespan of logging and mining operations.

1. **Adopt the Mineral Resources Bill 2025** currently pending before Parliament.
2. Ensure **Mineral Resources Bill 2025 safeguards the land rights of local communities** through equitable benefit-sharing arrangements, inclusive and participatory landowner representation in negotiations, including on the Minerals Board, and Free, Prior and Informed consent provisions.

### Recommendations

1. Build and strengthen the capacity of the Ministry of Environment, Climate Change, Disaster Management and Meteorology so that it can conduct robust and **effective environmental impact assessments**, including through site visits by independent experts and consistent monitoring

• Lack of access to healthy and sustainable food:

○ Destruction of crop gardens and soil contamination (Kolosori Nickel Mine)\*; hunted species displaced and decline of fish and shellfish downstream (Marovovo village) compounded by destruction of mangroves (Havuhua village); difficulty to fish due to destruction of the harbour and less cultivation of traditional foods, leading to processed diets (Havuhua village)<sup>xi</sup>; oil leaks from logging operations damaging plantations (Salakwe).

○ Invasive species (Rhinoceros beetle & giant African snails) brought in by machinery used for liming and logging are eating up food crops, threatening food security.

• Lack of toxic-free environment:

○ Communities report skin diseases after bathing in rivers and the ocean, and a lack of information or remediation despite known contamination.<sup>xii</sup>

• Lack healthy ecosystems and biodiversity:

○ Forests, mangroves, and marine ecosystems have been permanently altered or destroyed, leading to biodiversity loss and the disappearance of medicinal plants and wildlife.

• Lack of a safe climate and increased vulnerability to climate change impacts:

○ The absence of reforestation and ecosystem restoration exacerbates flooding, landslides, and long-term ecological damage.

○ As a low-lying Pacific nation with 90% of its population reliant on fisheries and subsistence farming, the Solomon Islands is particularly vulnerable to sea-level rise, ocean acidification and intensified storms, which trigger coastal erosion, saltwater intrusion and flooding.

○ Rising sea levels affect cultural rights through loss of cultural practices, burial and heritage sites, compounded by potential relocations.

throughout the lifespan of logging and mining operations.

2. Ensure businesses engaged in logging and mining operations respect human rights, including by instituting **mandatory human rights due diligence** to ensure that adverse human rights impacts, including abuses related to the right to food and the right to a clean, healthy and sustainable environment, are prevented, and that effective remedies are available when abuses occur.

3. Provide **restitution for communities** facing soil degradation due to logging and mining activities, as well as adequate training in new farming methods to ensure they can maintain a similar level of food harvest and standard of living.

4. Ensure that communities on the frontlines are provided with **solutions to mitigate and adapt to climate change impacts**, including by improving infrastructure to reduce flooding, enhancing early warning systems and restoring coral reefs, mangroves and forests through reforestation and sustainable forest management programmes.

5. Provide **sufficient human and financial resources** to the Ministry of Environment, Climate Change, Disaster Management and Meteorology, the Ministry of Forestry and Research, and the Ministry of Mines, Energy and Rural Electrification, and ensure that they **collaborate effectively** to guarantee that logging and mining activities are conducted in line with relevant national and international standards.

## Rights of Women and Children

• Women and Girls:

○ Coercion of girls into 'log marriages' with foreign workers, leading to gender-based violence, teenage pregnancies and marginalization. Across the country, 1 in 5 girls are married before the age of 18<sup>xiii</sup>

○ Informal and at times coerced employment of girls and young women for foreign workers leading to commercial sexual exploitation<sup>xiv</sup>

○ Employment of foreign workers increases alcohol abuse, leading to rise in domestic violence. Protection services, such as shelters for victims, rely largely on church-run shelters with limited government support.

○ Environmental degradation from logging and mining disproportionately increases safety risks for women and girls, who are responsible for food and water collection.

• Children:

○ Flash floods caused and worsened by logging activities endanger children and disrupt access to education. Deaths due to flash floods have been reported.

○ Children exposed to polluted rivers and coastal waters used for bathing and leisure activities suffer skin irritations and other health risks, linked to contamination from logging and mining operations.

## Recommendations

1. Amend the Islanders' Marriage Act 1945 to increase the **minimum age of marriage to 18 years**.

2. Establish a **complaint mechanism** at the provincial level for victims of gender-based violence, child sexual exploitation and human trafficking in the logging and mining industries.

3. Strengthen **institutional capacity to support victims** of gender-based violence, child sexual exploitation and human trafficking by **increasing human, technical and financial resources**, in particular through the provision of safe shelters, psychosocial support, counselling, medical care and rehabilitation services.

➤ Further analysis, evidence, and references are available in the Joint Stakeholders Submission –



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