

SOLOMON ISLANDS 2014 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Solomon Islands is a constitutional multi-party parliamentary democracy. Observers considered the 2010 parliamentary elections generally free and fair, although there were incidents of vote buying. In 2011 Danny Philip resigned as prime minister, and the parliament elected Gordon Darcy Lilo. Lilo lost his bid for re-election in the November 19 national elections, which were also considered free and fair. Authorities maintained effective control over the security forces.

Tensions between persons from different islands, while greatly reduced from past years, persisted. Violence and discrimination against women were prevalent.

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 or Unlawful Deprivation of Life

There were no reports that 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 that government officials employed them. There were a few detainee allegations of mistreatment by police during questioning, but the charges 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, and the government permitted visits by independent human rights observers.

Physical Conditions: The country's prisons had bed capacity for 533 inmates. Building upgrades closed three of the six prisons. As of September there were 223 convicted prisoners and 100 pretrial detainees. Of these, 19 were juveniles, five of whom were convicted prisoners. There were two female prisoners during the year. Authorities held adult male and juvenile prisoners in separate prisons. There were no deaths in detention centers during the year, potable water was easily accessible, and food was adequate.

Administration: There was manual recordkeeping that appeared adequate. The largest prison, Rove Central Correctional Center in the capital Honiara, was the only prison that had a data center to update its prisoner records. Authorities allowed prisoners reasonable access to visitors and religious observance. Authorities also 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. Although the Office of the Ombudsman has authority to investigate complaints of inhuman prison conditions, it does not have specific legal authority to consider on its own initiative such matters as alternatives to incarceration for nonviolent offenses or the improvement of pretrial detention, bail, and recordkeeping procedures.

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 (ICRC) 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 corruption. There were no reports of impunity involving the security forces during the year. A commissioner (normally an expatriate), who reports to the minister of police, heads the RSIP force of 1,124 members, including 177 women. The RSIP force is unarmed and had no access to weapons or other means of coercive force.

A unit of 153 Regional Assistance Mission to Solomon Islands (RAMSI) Participating Police Force (PPF) officers supported the RSIP force. 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. During the year the PPF continued to focus on working in partnership with the RSIP to build the capacity of its officers to assist with logistical challenges. The RAMSI/PPF was the only armed security force in the country after the withdrawal of the RAMSI military contingent in 2013. In April 2013 Juanita Matanga, a 23-year veteran of the RSIP, became the first woman to lead the force when she was appointed acting police commissioner. In August the government swore in Frank Prendergast, an Australian, as permanent police commissioner.

The RSIP continued to be weak in investigation and reporting despite increased recruitment of investigators. The police service has an inspection unit to monitor police discipline and performance. Officials found to have violated civil liberties are subject to fines and jail sentences.

Arrest Procedures and Treatment of Detainees

The law requires detainees be brought promptly before a judge. Authorities respected this right. Delays sometimes arose after the preliminary hearing, but detainees were brought to court as soon as possible after arrest, especially in cases where arrestees are held in detention and not freed on bail. Police can grant bail in non-serious matters and frequently did so. Warrants can only be issued by a magistrate or judge, although police have power to arrest without a warrant if they have reasonable belief a person committed a crime.

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.

During the year RAMSI had 33 legal advisors from Australia, New Zealand, and the Pacific islands: Ten worked with correctional services, and 23 worked in the justice sector, including the Office of the Director of Public Prosecutions and the Public Solicitor's Office. The advisors helped to build the expertise of the government's 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 made up 30 percent of the prisoner population. The average length of time held was two years.

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 trial, and an independent judiciary generally enforced this right.

Trial procedures normally operated in accordance with British common law, with a presumption of innocence. Detainees had access to attorneys of their choice and the right to 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. There are no juries. The courts provided an attorney at public expense for indigent defendants facing serious criminal charges.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters. Local courts and magistrates' courts have civil jurisdiction. The constitution provides that any

person whose rights or freedoms have been contravened may apply directly to the High Court for redress.

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

The constitution prohibits such actions, and the government generally respected these prohibitions in practice.

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

There were no government restrictions on access to the internet or credible reports that the government monitored e-mail or internet chat rooms without legal authority. The internet was available and widely used in urban areas. There were some improvements in access to rural areas. According to 2012 International Telecommunication Union Statistics, 7 percent of the population had internet access.

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 UN 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 April flooding due to Cyclone Ita in Guadalcanal Province killed more than 23 persons, temporarily displaced more than 10,000 individuals, and left many more homeless. The government coordinated with donors and NGOs to provide food and medical assistance. On May 16, frustration over perceived slow relief delivery resulted in civil unrest that was peacefully contained. As of August most displaced persons were relocated to semi-permanent residences.

Protection of Refugees

Access to Asylum: The country is party to international conventions regarding refugee protections, but its laws do not provide for the granting of 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. Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution provides citizens the ability to change their government through free and fair elections, which they exercised through elections based on universal suffrage.

Elections and Political Participation

Recent Elections: Observers regarded the 2010 national parliamentary elections as generally free and fair, although there was evidence of vote buying. The report of the Commonwealth Observer Group stated that individuals spoke explicitly to

them about the distribution of gifts and money by political parties and candidates to influence voter behavior. Following the elections parliament elected Danny Philip as prime minister. Philip resigned in 2011, and parliament elected Gordon Darcy Lilo as prime minister.

Political Parties and Political Participation: Political parties could operate without restriction, but they were institutionally weak, with frequent shifts in political coalitions and unstable parliamentary majorities. On May 27, parliament passed a Political Parties Integrity Law to formalize and strengthen political parties.

Participation of Women and Minorities: 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.

There was one minority (non-Melanesian) person serving in 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.

Corruption: In July 2013 Transparency International's Global Corruption Barometer reported that one in three public servants had sought a bribe in exchange for a service.

Police corruption was not a serious problem during the year. Some observers criticized the police as more loyal to their respective ethnic group, or wantok (extended family), 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 matters of misconduct involving members of parliament (MPs) 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 chairman and two part-time commissioners constitute a tribunal that has the power to screen certain cases of misconduct and apply fines of up to Solomon Island \$5,000 Solomon Island Dollar

(\$696) for MPs or senior civil servants. 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. The government generally was responsive to inquiries from the media during the year.

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 Guadalcanal Peace Building and Reconciliation Committee, formed in 2007 to plan the reconciliation and peace process on Guadalcanal, continued to work with the Malaita Peace and Reconciliation Committee in consultation with the government to conduct reconciliation among those affected by the five-year ethnic crisis.

The constitution provides for an ombudsman with the power to subpoena and investigate complaints of official abuse, mistreatment, or unfair treatment. While the Ombudsman's Office has potentially far-ranging powers and operated without governmental or political party interference during the year, it was limited by a lack of resources.

In 2012 the government officially disbanded the Truth and Reconciliation Commission, formed in 2008 to assess the causes and impact of the violence during the 1998 to 2003 ethnic crisis. The action occurred after the commission handed over a report on its findings and recommendations to the prime minister. In April 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 that the report would reignite ethnic tension. By year's end the prime minister had not presented the report to the cabinet nor tabled it in parliament.

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

The constitution provides that no person--regardless of race, place of origin, color, or disability--shall be treated in a discriminatory manner with respect to access to public places. The constitution further prohibits any laws that would have discriminatory effects and provides that no person should be treated in a discriminatory manner by anyone acting in an official capacity. Despite constitutional and legal protections, women remained the victims of discrimination in the male-dominated society. Unemployment remained high, and there were limited job opportunities for persons with disabilities.

Women

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

The maximum penalty for rape is life imprisonment. Spousal rape is not a crime. As part of the police curriculum, officers received specialized training on how to work with rape victims. Police have a Sexual Assault Unit, staffed mostly by female officers, to combat the problem.

On August 28, the parliament passed a Family Protection Act criminalizing domestic violence with punishment including three years' jail time and/or up to \$4,150 SBD (\$564) in fines. Although statistics were unavailable, incidents of domestic violence appeared to be common, and police confirmed that they received domestic violence complaints every week. In 2012 citizens filed 245 complaints with the Family Violence Unit.

In the cases of reported domestic abuse, victims often dropped charges before a court appearance, or cases were settled 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.

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.

In March 2013 the Australian Agency for International Development (AusAid) published international research suggesting that 67 percent of women and girls had either been victims of domestic violence or sexual abuse. Also in March 2013, with funding from AusAid, the government signed a Memorandum of Understanding (MOU) with civil society organizations and NGOs to build a network called SAFENET to provide services to rehabilitate victims of domestic violence and sexual abuse. Signatories to the MOU included the Ministry of Police and National Security, the Ministry of Justice and Legal Affairs (Public Solicitors Office), the Ministry of Health and Medical Services, the Family Support Centre (FSC), and the Christian Care Centre (CCC) of the Anglican Church of Melanesia.

Female Genital Mutilation/Cutting (FGM/C): No law specifically prohibits FGM/C, and there were no reports of the practice.

Other Harmful Traditional Practices: Customary bride-price payments continued to increase and contributed to the perception of ownership over women.

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, and to have the information and means to do so, and the right to attain the highest standard of reproductive health, 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 were trained to provide family planning services. According to indicators published by the Population Reference Bureau, an estimated 35 percent of married women ages 15-49 used some form of contraception, and an estimated 27 percent used modern contraceptive methods. The UN Population Fund estimated 93 maternal deaths per 100,000 live births. Skilled health personnel attended an estimated 70 percent of births. Women and men had equal access to diagnosis and treatment of sexually transmitted infections, including HIV.

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 responsibility in economic and political life. No laws mandate equal pay for equal work (see section 7.d.). A shortage of

jobs also inhibited the entry of women into the workforce. Employed women were predominantly engaged in low-paying and low-skilled jobs. 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. The Women's Development Division within the Ministry of Women, Youth, and Children's Affairs also addressed women's issues.

Children

Birth Registration: Citizenship is acquired through one's parents. The laws do not allow dual citizenship for adults, and persons who acquire dual citizenship at birth must decide by age 18 which citizenship to retain. Births frequently were not registered immediately due to lack of infrastructure, but the delays did not result in denial of public services to children.

Education: Education was free but not 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 voluntary 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 may not cover all costs for schools, depending on their location. Additional school fees, uniform costs, book fees, and transportation needs prevented some children from attending school. School attendance rates were lower for girls than for boys, and the dropout rate was higher for girls.

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. 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: Boys and girls may legally marry at age 15, and the law permits marriage at age 14 with parental and village consent. Marriage at such young ages did not appear to be common.

Female Genital Mutilation/Cutting (FGM/C): No law specifically prohibits FGM/C, and there were no reports of the practice.

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

Sexual Exploitation of Children: The minimum age for consensual sex is 15. The maximum penalty for sexual relations with a girl under age 13 is life imprisonment, and for sexual relations with a girl above age 12 but under age 15, the penalty is five years' imprisonment. Consent is not a permissible defense under either of these provisions; however, in the latter case, reasonable belief that the victim was 15 or older is a permissible defense. Selling or hiring minors under age 15 and girls under age 18 for prostitution is punishable as a criminal offense. The prostitution laws do not cover boys between the ages of 15 and 18 and therefore leave them without legal protection. Child pornography is illegal, with 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. It does not, however, specifically prohibit the use, procurement, or offering of a child for the production of pornography. There were reports of the use of children in the production of pornography and of children subjected to sexual servitude and forced prostitution.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

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 Ministry of Home Affairs is 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 ICRC, for children with disabilities. During the year concerned citizens in Western Province established a school for the hearing disabled. The school was funded by in-kind donations. Children with disabilities could attend mainstream schools, but inadequate facilities and other resource constraints often made it impractical. A disability center 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 of 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 see 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 the Peace and Reconciliation Ministry organized reconciliation ceremonies. Underlying problems between the two groups remained, 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, or transgender persons under these provisions during the year, and it appeared that these laws generally were not enforced. 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, and the government respected these rights. The Trade Unions Act protects workers against antiunion activity but does not specifically provide for reinstatement. It 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 penalty is a fine of \$200 SBD (\$27) or imprisonment for six months. The penalty was not effective, as employers could afford to pay the fine and easily replace workers. The small fines also served as a deterrent for employees to strike. While public-sector workers were able to organize, the law does not provide for organizing by workers in the informal sector.

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.

Collective bargaining agreements determined wages and conditions of employment. Disputes between labor and management not settled between the two sides are referred to the Trade Disputes Panel (TDP) for arbitration, either before or during a strike. While the TDP is deliberating, employees are protected 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 rights to associate freely and bargain collectively, although employers did not always respect these rights. The small percentage of the workforce in formal employment meant that employers had ample replacement workers if disputes were not resolved quickly.

In 2013 Russell Island Plantations Estates Limited (RIPEL) filed a case with the High Court requesting liquidation of the Solomon Islands National Union of Workers. After a union-backed strike in 2004, subsequently found illegal, the court ruled that the union owed RIPEL a debt of \$4.7 million SBD (\$654,000).

In 2013 after repeated discussions and strikes over salary arrears and conditions for teachers, the government allegedly forced the president of the Solomon Islands National Teachers' Association to step down. The government also threatened to penalize strike participants by deducting their final week's wages from salaries. The court ordered the teachers to return to work and the government not to cut their wages.

b. Prohibition of Forced or Compulsory Labor

The constitution prohibits forced or compulsory labor, except as part of a court sentence or order; however, the law contains no penalties for violators, and the law was not adequately enforced. There were no consistent methodologies or techniques to enforce the law. The government relied on labor inspectors to report on any instances of forced or compulsory labor during regularly scheduled routine inspections. There was a lack of inspectors and resources to enforce the laws effectively. There were reports of adults forced to work in logging camps and aboard fishing vessels, and, in limited cases, children in domestic servitude (see section 7.c.).

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 under age 12, except light agricultural or domestic work performed in the company of parents or other labor approved by the commissioner of labor. Children under age 15 are barred from work in industry or on ships, except aboard training ships for educational purposes. Those under age 18 may not work underground in mines, or at night in any industry, without 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 ensure and investigate 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.

Given 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. 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 regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV positive status or other communicable diseases, or social status.

Discrimination in employment and occupation occurred with respect to women, especially in the attainment of management positions. Discrimination in employment and occupation also is likely through social attitudes regarding disability, language, sexual orientation and gender identity and HIV status (see section 6).

e. Acceptable Conditions of Work

The minimum wage was \$4.00 SBD (\$0.55) per hour for all workers except those in the fishing and agricultural sectors, who received \$3.50 SBD (\$0.48). 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 for premium pay for overtime and holiday work. The law prohibits excessive compulsory overtime.

Safety and health laws appeared to be adequate. The Safety at Work Act requires employers to provide a safe working environment and forbids retribution against an employee who seeks protection under labor regulations. 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.

An active labor movement and an independent judiciary provided 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 monitoring adherence to the law. The government's minimal human and financial resources limited its ability to enforce the law in smaller establishments and the subsistence sector. The commissioner of labor is responsible for enforcement of these laws. The eighteen labor inspectors were insufficient to patrol 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 reporting 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.