



ASIA-PACIFIC RIGHTS AND JUSTICE INITIATIVE

Case Studies on Access to Justice by the Poor and Disadvantaged

Provision of human rights information for the empowerment of the disadvantaged to overcome abuse and access to appropriate services, Solomon Islands

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CATEGORISATION OF LESSON

Provision of human rights information for the empowerment of the disadvantaged to overcome abuse and access to appropriate services.

BACKGROUND

In the Solomon Islands, human rights are not widely understood. Isolation, cultural and religious practices and values, low literacy rates and poor access to services means that many disadvantaged groups such as people with disabilities, especially children with disabilities continue to suffer from discrimination and are constantly emotionally and physically abused. The plight of the child in this case study is not unique. In a patriarchal society males with disabilities are regarded as inferior. The consequences are marginalization and denial of opportunities even from one's own family.

Leni is twelve and lives in Manakwai Village. Manakwai is on the northern part of Malaita Province in the Solomon Islands. The village has no electricity or tap water and the only access road to the nearest town, 10 miles away, is badly potholed and overgrown with clumps of grass. There is a village school and Church, both of which are poorly maintained due to lack of money. Although a health centre is only about a kilometre away from Manakwai, there are no drugs, no doctor and one nurse who only works whenever she wants to. The situation at the health centre is the result of the Solomon Islands government's failed economic situation due to the armed conflict and social unrest that the country experienced some years back.

Like most Solomon Island families, Leni comes from a family where his father is the head. His father makes all the decisions and exercises authority over everyone else. This is an accepted normal way of life. In the village only the men meet to make important decisions, such as those related to village projects. The "Big Man", chief gives directives and everyone else is expected to help. Children are expected to help as well if they are old enough – especially if they are close to the age when they are to become men. Sometimes Reuben wonders if he will ever become a man some day.

Leni is different and rarely mixes with boys his own age. He is often teased because of his awkward gait caused by having a leg shorter than the other. As a result he is a frequent victim of pranks by the boys in his village. Even the girls laughed at him sometimes – this is the most humiliating part. Leni tries to be brave and laughs off these indignities. Leni does not go to school either, which sets him apart from other children his age. How he wished he could go to school too and learn new things such as speaking in English.

Each day Leni gets up early to collect coconut fronds for firewood. He has to walk along a narrow, rugged and rocky track pushing a wheelbarrow. The coconut plantation is quite a long way from the village and it is hard work pushing a wheelbarrow laden with coconut fronds. Sometimes collecting coconut fronds was a struggle because they were mostly found at the far end of the plantation. Leni remembers the first time he had to do this, which was 2 years ago. He also remembers complaining to his father about how hard it was, but was sternly told that it was his duty and he should bear the responsibility like a man. Leni knew that his mother and sister were sympathetic, but they dared not come to his defense for fear of angering his father, more.

Leni looked forward to Sundays, when he did not have to gather fire-wood. However, it meant that he had to make 2 trips on Saturdays. In Church the priest would read passages from the Bible and talked about the need for children to respect and obey their parents and how one would be rewarded in heaven for suffering

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in this life. Thereafter, it was pointless to complain and Leni dutifully accepted this responsibility each day, like a man.

One day a woman from Honiara arrived to speak to the leaders. There was quite a lot of excitement because the village rarely had visitors. Leni chose to shy away from the commotion and went about his daily task. Later that evening while Leni was heading home after a bath in the creek he met his Uncle Mani, who had been to the meeting with the woman. According to Thomas, the woman is a human rights trainer with the National Council of Women and he related to Leni what he had heard about children's rights, etc. She was trained by a group in Fiji called the Regional Rights Resource Team (RRRT), a programme of the UNDP that promotes human rights in the Pacific.

Strategy used to address the problem

Given the context and complexities of the Solomon Islands RRRT had chosen to take a multi-tier approach to promoting human rights. RRRT worked with policymakers (macro level), enforcement agents (meso level) and community groups & individuals (micro level). This case study is an example of a meso level intervention that led to redress for Leni. RRRT trained NGOs and community leaders to promote understanding of human rights. They do this through workshops and other advocacy activities. Margaret Sandy is a community paralegal trained by RRRT and her interest in human rights is grounded in her long connection to the women's movement in the Solomon Islands.

FINDINGS AND CONCLUSIONS

It took Leni 3 days to gather enough courage to approach Margaret. Leni was initially shy and Margaret had to be encouraging and patient to gain his confidence. Margaret quickly realized that the boy was subjected to abuse, afflicted by his own family. The child needed help and soon.

Margaret thought about the situation and thought carefully on how to approach the matter.

Next day she went to see the parents of the boy and explained sensitively about how the situation was affecting the boy in a very negative manner. She explained the child's right to protection from abuse in all forms; the child's right to develop both physically and mentally. She explained that responsibility is a good thing to teach a child, but such responsibilities should not result in the suffering of a child because if they do, then they become abusers. Margaret also related child rights to the Bible. They were quite remorseful and willingly listened to Margaret's suggestions of addressing the problem.

She told them that there was an organization in Honiara that helps children with disabilities. She gave them the contact address and advised them on how to access the organization.

The change is that the little boy is now living with his Uncle in Honiara, attending the Solomon Islands Red Cross Handicapped Centre learning practical life skills such as woodwork and carpentry as well as doing some literacy lessons. The child's morale has also been boosted by the knowledge that there are other children like him and they are also an important part of their communities.

Challenges Faced

For Margaret the fact that she had to intervene in a private matter of a family was indeed a challenge. Fortunately she had undergone training on traditional Melanesia conflict resolution and reconciliation processes conducted by a Papua New Guinea non government organization called the Peace Melanesia Foundation. The religious and cultural implications of Margaret's action were the other challenges that

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Margaret faced when trying to address the child's situation. However because she was of the same denomination as the parents and well respected by their church, the parents had high regard for Margaret and were able to respect and believe all she was saying.

Strengths and Weaknesses of the strategies used to address those challenges

Strengths

The intervention by another family member to let the child know about his right from what this family member learnt at the human rights training is a major strength, for without this, the boy would never know about his entitlement to better treatment and nor would Margaret know of the existence of such a situation in the village

Margaret knew her stuff. She was not only a competent human rights trainer; she was also able to facilitate understanding and acceptance by the parents in relating human rights to custom and religion.

The fact that Margaret was of the same religious denomination as the boys' family, was able to relate human rights with Biblical principles and was a well respected person in their church circle were also major strengths.

Margaret's knowledge and skills in conflict resolution is certainly a great strength and the fact that she was able to provide a practical and realistic remedy to the boys negative situation which was to suggest the boy being sent to Honiara to attend the Red Cross Handicapped Centre.

Weaknesses

The omission of the boy from the discussion with the parents may be a weakness as it could be an opportunity for the boy to exercise his right to participate in a discussion about his life. It may also enable him to give his views on the recommended move for him from the village to Honiara.

There is no follow up mechanisms developed especially for what happens to this boy after completing his time with the Red Cross Handicapped Centre. In other words there is no mechanism to ensure sustainability of improvements of the boy's access to justice.

There was no strategy by which the informant could fall back onto in the case that the child did not make any move to see Margaret.

The fact that the human rights education was conducted for only one select group of the community makes it hard for people like the 12 year old to know about their rights.

Lessons on process

Non discrimination – a participant realized that child abuse is an issue that affects all children including children with disabilities and hence had the foresight of letting the 12 year old boy know about this.

Empowerment – the human rights education had empowered someone to actually spread the information he learnt to a person he felt needed to know the information in order to redress the negative situation in his life.

Operational lessons

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Cost efficiency and Ownership: The Child was quickly transported to Honiara to attend the Red Cross Handicapped Centre. The family network ('wantok 'system) has taken over the responsibility of the cost for the boys travel and education in Honiara.

RECOMMENDATIONS

It would have been more effective if participants were able to carry out practical awareness raising sessions to the wider community and at the end to form a human rights committee or group to address human rights abuses in the village