

## *EXECUTIVE SUMMARY*

It is thirteen years since Solomon Islands emerged from a five year long civil conflict which resulted in over 200 deaths, the displacement of more than 30,000 people, significant destruction of infrastructure, a total collapse of law and order and the breakdown of democratic government. Since 2003, Solomon Islands has been working towards achieving peace and reconciliation, including through faltering attempts at constitutional reform.

Yet as this report identifies, many of the underlying inequalities which precipitated the conflict remain. Moreover, it finds that these inequalities are rooted in traditions which emphasise and exacerbate difference.

Patriarchal attitudes and gender stereotypes are pervasive in Solomon Islands, typified by the “bigman” culture whereby communities look to a strong male figure to provide leadership. This and other inherently sexist notions create a society in which gender discriminatory laws and social norms go largely unchallenged. The result is that women are almost invisible in public life and are unable to participate on an equal basis with men in any area of life regulated by law.

The report also finds that the traditional wantok system of community kinship and organisation, while positive in some respects, emphasises difference and fosters division. In particular, the report highlights the concerns of Solomon Islanders that corruption and nepotism by those in positions of power can lead to discrimination on the basis of wantok. It also finds that, while there is no consistent pattern of disadvantage affecting particular islands, the country’s limited economic resources and the difficulties of providing and maintaining infrastructure across a large number of islands result in significant disparities in access to employment, education, health-care and basic services, which in turn can foster resentment.

In respect of other grounds of discrimination, this report again finds that traditional cultural attitudes are a key driver. Persons with disabilities are seen not as human beings of equal worth but at best as objects of charity and at worst as “cursed”. Homosexuality is stigmatised, with the effect that lesbian, gay and bisexual people are rarely open about their sexuality. Fear of HIV results in denial of access to basic services, including health services.

These and other patterns of discrimination persist in the context of a weak legal and policy framework, in which a limited non-discrimination provision offers the only legal safeguard against discrimination.

However, the report also highlights the opportunity which the people of Solomon Islands have, in the form of a national consultation on a draft constitution. Thus, the report concludes that this is the moment for Solomon Islanders to unite to challenge the traditions which have fostered division. Now is the time to stand up and fight for a constitution and for laws which guarantee equal participation for all.

## **Part 1: Introduction**

### ***Purpose and Structure***

The purpose of this report is to highlight and analyse discrimination and inequality in Solomon Islands and to recommend steps aimed at combating discrimination and promoting equality. The report brings together, for the first time, evidence of the lived experience of discrimination and inequalities of many different forms, with an analysis of the laws, policies, practices and institutions established to address them.

The report comprises four parts. **Part 1** sets out its purpose and structure, the conceptual framework which has guided the work, and the research methodology. It also provides basic information about Solomon Islands, its history and the current political and economic situation. **Part 2** discusses the principal patterns of discrimination and inequality affecting different groups in Solomon Islands. **Part 3** analyses the legal and policy framework as it relates to non-discrimination and equality. **Part 4** contains conclusions and recommendations, drawn from an analysis of both the patterns of discrimination and inequality examined in Part 2 and the gaps, weaknesses and inconsistencies in the legal and policy framework identified in Part 3.

### ***Conceptual Framework and Research Methodology***

The conceptual framework of this report is the **unified human rights framework on equality**, which emphasises the integral role of equality in the enjoyment of all human rights, and seeks to overcome fragmentation in

the field of equality law and policies. The unified human rights framework on equality is a holistic approach which recognises both the uniqueness of each type of inequality and the overarching aspects of different inequalities. The unified framework brings together:

- a) types of inequalities based on different grounds, such as race, gender, religion, nationality, disability, sexual orientation and gender identity, among others;
- b) types of inequalities in different areas of civil, political, social, cultural and economic life, including employment, education, and provision of goods and services, among others; and
- c) status inequalities and socio-economic inequalities.

The unified human rights framework on equality is expressed in the Declaration of Principles on Equality, a document of international best practice, adopted in 2008, signed initially by 128 and subsequently by thousands of experts and activists on equality and human rights from all over the world.

This report is the result of a five year partnership with the Secretariat of the Pacific Community – Solomon Islands Country Office (SPC-SI) and the Secretariat of the Pacific Community Regional Rights Resource Team (SPC-RRRT). Since 2010, the Equal Rights Trust has been working in Solomon Islands, in partnership with SPC-SI and SPC-RRRT, on two projects designed to empower civil society to combat discrimination and inequality in Solomon Islands.

Throughout these projects, the Equal Rights Trust and its partners have undertaken research on discrimination and inequality through interviews, roundtables, focus groups and consultations with those facing discrimination in Solomon Islands and with organisations which work with these groups, as well as through reviewing publications and data produced by others. All of this work has contributed to the development of this report.

We have also reviewed existing literature on discrimination and inequality on different grounds, and analysed and assessed the country's legal and policy framework related to equality. Moreover, prior to publication, this report was the subject of an extensive consultation, in which its findings and conclusions were exposed to scrutiny by experts and stakeholders from civil society, government, academia and the media. We believe that as a result, the report's findings and conclusions have been significantly strengthened.

## ***Country Context, History, Government and Politics***

Solomon Islands, situated to the east of Papua New Guinea and the northeast of Australia, consists of approximately 997 islands. It is among the smallest countries in the world with a total area of 30,407 km<sup>2</sup>.

According to the 2009 census, Solomon Islands has a population of approximately 550,000; but a recent projection in a report by the Solomon Islands National Statistics Office indicates that the current population may be closer to 750,000 people. The capital city, Honiara, located on the largest of the islands, Guadalcanal, has a population of approximately 65,000. The overwhelming majority of the Solomon Islands' population is Melanesian, constituting approximately 95.3% of the population. There are also a number of small ethnic minority populations including Polynesians (3.1%) and Micronesians (1.2%). However, Solomon Islanders strongly self-identify on the basis of *wantok*, groups defined by shared linguistic and cultural heritage, and by their island of origin.

Though the official language of Solomon Islands is English, only around 1%-2% of the population speak it. Instead, the most commonly spoken language is Solomons Pijin. According to the 2009 census, Solomon Islands is "characterised by a rich linguistic diversity". In a 2013 Draft Constitution, it was stipulated that both English and Pijin should be official languages of Solomon Islands, with other languages to be "used where appropriate".

In 2014, the World Bank estimated the Solomon Island's GDP at approximately \$1.16 billion (in current US\$), placing the country in the lower middle income group. In the same year, the Human Development Index value for Solomon Islands was 0.506, placing it 156<sup>th</sup> out of the 188 countries ranked. As these figures indicate, Solomon Islands is a relatively poor country and this is reflected in the structures of employment, education and healthcare. For example, the country suffers from high unemployment and according to the 2009 census, while 63% of the population aged 12 and over was economically active, only 24% was in conventional employment.

Solomon Islands became self-governing in 1976 and achieved independence from Britain two years later with the Solomon Islands Act 1978. In October 1978, only three months after independence, a group of Guadalcanal people aggrieved by immigration from the island of Malaita formed a movement to demand the establishment of a "state government" for the province of Gua-

dalcanal. Over time, the failure to find a solution to the various demands of the Guadalcanal people and to underlying ethnic tensions resulted in the creation of an armed group in 1998, initially called the Guadalcanal Revolutionary Army, and later, the Isatabu Freedom Movement (IFM).

This armed group violently harassed Malaitan settlers forcing up to 30,000 people in and around Honiara to flee to other parts of the country. As the government was unable to stop the violence and foster any effective peace talks, in 2000, the Malaita Eagle Force (MEF), a rival militia group, was formed in response to the IFM. On 5 June 2000, the MEF raided a police armoury in Honiara, seized the capital and overthrew the national government. Soon after, a new government was elected. In October 2000, the national government, the MEF, the IFM and the various provincial governments signed the Townsville Peace Agreement, brokered by Australia and New Zealand. Nevertheless, even after the Townsville Peace Agreement, lawlessness and violence in Honiara and the surrounding area continued until 2003. This entire period of violence and civil unrest is known as “the Tensions”.

In 2007, Derek Sikua was elected Prime Minister. In 2009, under his leadership, a Truth and Reconciliation Commission, on the example of the one established in post-apartheid South Africa, was established. The Commission registered 5721 human rights violations, 200 deaths, 212 cases of abduction, 95 cases of illegal detention, 1413 cases of torture and ill-treatment, 63 statements about sexual violence, 1882 testimonies of forcibly displaced families, and 1856 cases of property violation. The Commission also revealed that “the Tensions” led to serious limitations in the provision of essential services, such as health and education, in the affected areas of Solomon Islands.

The general human rights record of Solomon Islands is poor. In 2015, Freedom House rated Solomon Islands as only “partly free” with scores of 3 for civil liberties and 3 for political rights. Solomon Islands was, however, included on the Freedom House list of electoral democracies in 2015.

## **Part 2: Patterns of Discrimination**

Part 2 of the report discusses what the Equal Rights Trust’s research identified as the principal patterns of discrimination and inequality in Solomon Islands. It is based on original direct testimony collected from a wide range

of individuals, as well as interviews with experts, together with analysis of existing research undertaken by authoritative sources, such as international organisations, government bodies, non-governmental organisations and academics, news reports and statistical data. This part of the report does not seek to provide an exhaustive picture, but to provide an insight into what appear to be the most significant patterns of discrimination in the country.

In this part we present evidence of discrimination and inequality on grounds of gender, ethnicity, disability, sexual orientation, health status, economic status, and citizenship. In respect of each ground, the report discusses the ways in which people experience discrimination and inequality in a range of areas of life, including as a result of discriminatory laws, the action of state actors carrying out public functions, exposure to discriminatory violence, and discrimination and inequality in areas such as employment, education and access to goods and services.

With respect to discrimination on the basis of **gender**, section 2.1 of the report finds that discrimination against women in the Solomon Islands is extremely severe and widespread, affecting the ability of women to participate on an equal basis in many areas of life. The report finds that women experience discrimination and disadvantage resulting from the persistence of deep-rooted gender stereotypes, patriarchal attitudes and paternalistic policies, largely shaped by the model of conservative Christianity practiced by the overwhelming majority of the population.

In Solomon Islands there also exists a range of legal provisions which reflect this patriarchal ideology, discriminating directly against women, and found in the Penal Code, the Evidence Act, the Islander Divorce Act, the Affiliation, Separation and Maintenance Act, the Labour Act and the Citizenship Law. Furthermore, violence against women is highly prevalent and socially accepted in Solomon Islands, demonstrating the overwhelming influence of traditional sexist attitudes in society. Statistics highlighted in this report are startling: the levels of violence against women in Solomon Islands are among the highest in the Pacific region, with more than half of all women experiencing sexual violence by an intimate partner and 64% of women aged between 15 and 49 experiencing violence in the home. Patriarchal attitudes and traditional negative stereotypes have also limited women's participation in education, employment and political life, the cumulative impact being a society in which women do not participate on an equal basis with men in any area of life.

Section 2.2 examines discrimination on the basis of **ethnicity**. In Solomon Islands, a deeply complex system has developed over time of cultural and social group identification, reflecting the tendency of people in Solomon Islands to self-identity on the basis of place of origin and shared customs. This section of the report examines two significant patterns of such ethnic self-identification and highlights evidence of both discrimination and substantive inequality arising on the basis of both aspects of ethnicity.

The first pattern of ethnic self-identification is found at the geographical level and relates to Solomon Islanders' tendency to identify with others originating from a particular island. In this context, our field research found a number of examples of prejudice against people from certain islands. The report also identifies evidence of significant disparities between the different provinces in relation to access to basic services, many of which are essential to the enjoyment of social rights which the state is required to guarantee without discrimination. The second pattern of ethnic self-identification examined by the report is at the community level, in the form of the traditional *wantok* system. The report identifies evidence of state agents discriminating against those from other *wantoks*, or favouring members of their own *wantok*. Indeed, testimonies gathered for this report have demonstrated a clear pattern of perception and concern about state corruption based on the *wantok* system and consistent allegations of unfavourable treatment were made on the basis of *wantok*, in the areas of employment, education and delivery of services.

With respect to discrimination on the basis of **disability**, section 2.3 finds that while the Constitution does not prohibit discrimination on the basis of disability, a number of its provisions and provisions in other laws discriminate, or create the conditions for discrimination, against persons with disabilities, especially against persons with mental or intellectual disabilities. Our research has also found that significant stigma is attached to disability in Solomon Islands, which has a serious impact on the ability of persons with disabilities to participate in many areas of life on an equal basis with others and creates conditions for exclusion and discriminatory mistreatment, in both the private and public sphere. The report shows that there is a deep-rooted paternalistic ideology entrenched in Solomon Island society, and adopted by the state in practice, regarding disability. This approach, focussing on "welfare" rather than rights, as well as the lack of legal provisions for reasonable accommodation, limit the ability of persons with disabilities to participate equally in many areas of life.

Section 2.4 of the report examines discrimination on the basis of **sexual orientation**, finding that lesbian, gay, bisexual and transgender persons in Solomon Islands experience severe and systematic discrimination and inequality. Most critically, Solomon Islands law directly discriminates against lesbians, gays and bisexual persons, through criminalising same-sex sexual activity. The Penal Code in Solomon Islands punishes “unnatural offences” (buggery) by up to fourteen years’ imprisonment and “gross indecency” between two persons of the same sex, whether male or female, by up to five years’ imprisonment. Though few lesbian, gay and bisexual people in Solomon Islands are open about their sexual orientation, making it challenging to gather evidence about discrimination in practice on grounds of sexual orientation, interviews and focus groups conducted in Solomon Islands for this report have demonstrated high levels of stigma and prejudice against people on the basis of their actual or perceived sexual orientation. These testimonies have indicated the existence of severe cases of harassment and discriminatory violence, and of discrimination in both employment and education.

Section 2.5 of the report, examining discrimination on the basis of **HIV status**, finds evidence of stigma and prejudice associated with HIV status and has shown that the small number of persons living with HIV in Solomon Islands experience discrimination in accessing healthcare as a result of such stigma. Indeed, the views expressed by respondents to the government’s Demographic and Health Survey raise serious concerns about the potential for direct discrimination in access to basic goods and services by people acting out of fear or prejudice. However, this report also highlights some positive steps that have been taken by the government, which has committed itself to introducing measures in order to tackle the spread of HIV and AIDS, including through the reduction of stigma and discrimination, which it recognises as a barrier to effective prevention and treatment.

Discrimination and inequality on the basis of **economic status** is examined in section 2.6. Research for this report shows that in Solomon Islands, poverty can act as a serious barrier to accessing basic services and thus to the enjoyment of many economic and social rights. For example, our research indicates that those living in poverty are limited in their ability to enjoy their right to health, with testimonies revealing that, for example, many people can’t afford the long journey to faraway health centres. The report also shows evidence of intersections between economic status and other grounds of discrimination;

discrimination and inequality on the basis of economic status can overlap with gender discrimination and ethnic discrimination, in a mutually reinforcing manner. Poverty is shown to be both a cause of discrimination and inequality and an aggravating factor for those experiencing discrimination on other grounds, increasing the vulnerability of such groups subject to discrimination on these grounds.

With respect to discrimination on the basis of **citizenship**, discussed in section 2.7, we find that there are a number of laws in Solomon Islands which exceed the permissible limits of state discretion in differentiating between citizens and non-citizens. International human rights law recognises a degree of state discretion in deciding whether and if so how to differentiate between citizens and non-citizens in certain areas of life, though states must act within the scope of permissible limitations. In the case of Solomon Islands, non-citizens experience a number of disadvantages as a result of discriminatory laws and broad limitations on the right to freedom of movement, which are unlikely to be so justified. Of greatest concern is the fact that the Constitution excludes the application of the right to non-discrimination to laws concerning “persons who are not citizens of Solomon Islands”. As none of the treaties to which Solomon Islands is party permit such a restriction on the right to non-discrimination to citizens alone, this constitutional provision is in clear violation of Solomon Islands’ international legal obligations.

### **Part 3: Legal and Policy Framework Related to Equality**

Part 3 of the report describes and analyses the legal and policy framework related to equality in Solomon Islands in order to assess its adequacy to address the patterns of inequality and discrimination highlighted in the preceding part. It examines both Solomon Island’s international legal obligations and the domestic legal and policy framework which protects the rights to equality and non-discrimination. In respect of domestic law, it predominantly examines the 1978 Constitution of Solomon Islands, the principal source of anti-discrimination protection in the country. Notably, however, Solomon Islands is currently in the process of constitutional reform. Therefore, part 3 also explores the constitutional reform process, by examining the various draft constitutions that have been published by the Constitutional Reform Unit, the national body tasked with drafting the new constitution. It also examines government policies which have an impact on inequality, before

turning to an assessment of the enforcement and implementation of existing laws and policies aimed at ensuring equality. Finally, this part reviews judicial practice related to discrimination.

Section 3.1 of the report assesses Solomon Island's **participation in international instruments** relevant to equality. It finds that Solomon Islands has a mixed record of participation in international human rights and other legal treaties, having ratified only four of the nine core United Nations human rights treaties: the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the Convention on the Rights of the Child (CRC). The report also notes that at Solomon Islands' Universal Periodic Review by the Human Rights Council in 2011, several states made recommendations urging the country to sign and ratify the remaining international human rights instruments, all of which were accepted by Solomon Islands. However, despite this commitment, the state has not since ratified any more of the core treaties.

Further, the report finds that the extent to which Solomon Islands' ratification of the ICESCR, the ICERD, the CEDAW and the CRC has resulted in a full acceptance and co-operation with the obligations and relevant treaty body regimes has been inconsistent, and that Solomon Islands has a particularly bad record in relation to its reporting duties under the international human rights instruments. For example, while it succeeded to the ICERD in 1982, it has not submitted any of the reports required in accordance with the treaty's reporting procedure since its initial report in 1983.

In relation to the status of Solomon Islands' international obligations in domestic law, the Constitution makes no provision for the automatic incorporation of international law into the national legal framework. International treaties must be enacted in legislation to become part of domestic law. However, Solomon Islands remains obliged to comply with its international legal obligations, regardless of domestic laws and, furthermore, must pass national legislation to give effect to human rights guarantees, including the rights to equality and non-discrimination.

Section 3.2 analyses Solomon Islands' **domestic legal system**, though it is noted at the outset that there is a critical deficit of national law dealing with

matters of equality and non-discrimination in Solomon Islands. Indeed, aside from provisions laid out in the Constitution, the report finds that there is not even partial protection from discrimination in the law.

Regarding the **Constitution**, Chapter II (Fundamental Rights of the Individual) contains the most important provisions in relation to upholding equality and non-discrimination. Though there is no right to equality in the Constitution, it does provide a limited right to non-discrimination in section 15. However, the wording of section 15 is highly problematic, containing an incoherent assortment of discrimination principles, limitations to their scope and exceptions to their application.

Section 15 prohibits discrimination in three key areas: legislation; the acts of public officials and authorities; and the provision of certain services. Crucially, section 15(4) defines “discriminatory” in a way most reflective of the definition found in international law of direct discrimination only, yet also providing a formulation that differs from international law in significant ways. For example, a key inadequacy of the definition is that the list of grounds upon which discrimination is prohibited is closed, and limited to only six: race, place of origin, political opinion, colour, creed and sex. Overall, the gaps and far-reaching exceptions contained in section 15 substantially reduce its impact and, as a result, section 15 falls far short of what is required under Solomon Islands’ international obligations.

The report also examines the current constitutional reform process occurring in Solomon Islands. It briefly explores the key equality and non-discrimination provisions of the published drafts and the most recent 2014 Draft made available to the Equal Rights Trust. Looking at the development of the draft Constitution through the consultative process, the report shows that over time there has been both rise and fall in the levels of protection offered by provisions relating to matters of equality and non-discrimination. In the 2004 and 2009 Draft Constitutions, provisions not only included a newly worded right to non-discrimination but, crucially, a right to equality was inserted into the framework. The 2011 Draft Constitution marked a reversion back to provisions mirroring the current 1978 Constitution, removing the right to equality and reinstating the wording of section 15, in relation to discrimination.

Positively, the Bill of Rights in the most recent 2014 Draft, improves significantly on the current Constitution and on the previous drafts in relation

to the rights to equality and non-discrimination, reintroducing a right to equality and expanding its non-discrimination provision significantly. This is a promising development. However, as the report shows, the 2014 Draft is still not in full compliance with Solomon Islands' obligations in international law, and the rights of equality and non-discrimination would still not be fully guaranteed if this Draft were adopted.

Section 3.2.3 explores **specific anti-discrimination legislation in the national legal framework** of Solomon Islands. As noted earlier, the report found that there is no specific equality or anti-discrimination legislation in the country and very few pieces of legislation which relate to equality.

Moreover, despite a number of draft laws touching on issues of discrimination on the basis of disability and HIV status currently being developed in Solomon Islands, the report finds that there is only one draft bill with a sufficient equality and non-discrimination focus to merit a full analysis. The Persons with Disability (Equal Opportunities, Protection of Rights and Full Participation) Bill 2006, provides that persons with disabilities should “enjoy, on an equal basis with other persons, rights in political, educational, economic, spiritual, cultural and social fields, in family life and all other aspects of life”. It also makes it an offence to “discriminate against, insult or harass a person with disabilities on the basis of their disabilities”. The bill provides detailed protections for people with disabilities in certain areas of life, including education, healthcare and employment. For example, Part V of the Bill prohibits discrimination on grounds of disability in many areas in the field of employment and requires employers to provide reasonable accommodation for employees with disabilities.

In section 3.2.4, we find that in relation to **non-discrimination provisions in other legal fields**, there are no non-discrimination provisions in any other pieces of legislation in Solomon Islands. However, the report does note that under section 48(1) of the Political Parties Integrity Act 2014, the state provides for a positive action measure, requiring political parties to ensure that at least 10% of all candidates it selects and endorses for an election are women. As it is clearly demonstrated in section 2.1 of the report, there is a severe underrepresentation of women in the political sphere in Solomon Islands and thus it is encouraging to see this attempt to address the issue.

Further, the report examines the Family Protection Act 2014 which, while not expressly including any reference to non-discrimination, is an important development from an equality perspective, as it seeks to prohibit all forms of domestic violence. This legislation is particularly positive given, as demonstrated in section 2.1, the widespread nature of violence against women in Solomon Islands, including domestic violence. Unfortunately, the Act does not construe domestic violence as a form of gender discrimination as recommended by the CEDAW Committee.

Section 3.3 examines **government policies** and finds that, in contrast to the conspicuous absence of national legislation related to equality and non-discrimination, the government of Solomon Islands has established several national policies which seek to address issues related to the protection from discrimination or advancement towards equality of certain groups, including women and persons with disabilities. However, despite this welcome progress, the report also notes that there is limited awareness of the existence national policies and, more crucially perhaps, there no clear evidence that they have had any impact on the position of the groups they purport to assist, as there is a distinct lack of regular reporting detailing the extent to which the policy measures have been implemented and goals achieved.

Finally, section 3.4 analyses **the implementation and enforcement of laws and policies related to equality**. The report concludes that the mechanisms and provisions put in place by Solomon Islands to guarantee victims of discrimination access to justice and appropriate remedies are poor and ineffective. Section 3.4.2 examines jurisprudence on equality and non-discrimination in Solomon Islands. We found that the judiciary has yet to develop jurisprudence on the rights to equality and non-discrimination. This is partly because of the lack of specific national law related to equality and partly because human rights protection is a recent development in Solomon Islands.

The report's overall conclusion is that the system of laws, policies and practices in place to prevent discrimination clearly occurring in Solomon Islands is manifestly inadequate. The country's national legislation and the scant judicial practice indicate insufficient regard for the human rights that Solomon Islands has agreed to uphold, and save for a small number of limited constitutional provisions, provides very weak protection from discrimination.

## Part 4: Conclusions and Recommendations

Part 4 of the report presents its **conclusions and makes recommendations** to the Solomon Islands' government. Section 4.1 sums up the conclusions of parts 2 and 3: that in Solomon Islands there are persistent and pervasive patterns of discrimination and inequality, coupled with a critically weak national legal framework of protection. This conclusion is supported both by the extensive evidence of discrimination on various grounds which is presented in part 2, and the assessment of the framework's enforcement and implementation in part 3. Thus, while Solomon Islands appears, in some limited ways, to be heading in the right direction, **there is substantially more to be done by the government to ensure that it fulfils its obligations to respect, protect and fulfil the rights to equality and non-discrimination.**

Section 4.2 of the report presents the Equal Rights Trust's recommendations, whose purpose is to strengthen protection from discrimination and to enable Solomon Islands to meet its obligations under international law to respect, protect and fulfil the rights to non-discrimination and equality. All recommendations are based on international law related to equality, and on the Declaration of Principles on Equality, a document of international best practice which consolidates the most essential elements of international law related to equality.

The report makes recommendations in ten areas:

- Implementation of the recommendations of the Truth and Reconciliation Commission
- Strengthening of international commitments related to equality
- Constitutional reform
- Repeal or amendment of national legislation
- Substantive law protecting the rights to equality and non-discrimination
- Enforcement
- Duty to gather and disseminate information
- Policies to respect and promote the rights to equality and non-discrimination
- Education on equality
- Prohibition of regressive interpretation, derogations and reservations