

Access to Justice in Post-RAMSI Solomon Islands Part I: Common Conflicts and Disputes

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Solomon Islands' law and justice sector has received substantial donor support in the two decades since the end of the civil unrest known as the Tensions. Building capacity and coordination across key agencies was an integral part of the Regional Assistance Mission to Solomon Islands (RAMSI). International development partners acknowledge the importance of [access to justice](#) for successful peacebuilding. The [Australian government](#) views its commitment to the Solomon Islands justice sector as a '30-year plus engagement'. Since RAMSI's departure in June 2017, there has been considerable interest in evaluating progress and addressing ongoing challenges in this area.

This is the first in a series of three In Briefs drawing on findings from the *Solomon Islands Access to Justice Survey* commissioned by the Solomon Islands government and supported by the Australian government and the United Nations Development Programme (UNDP 2019a). The findings presented in this series are from the national survey reported in the *Survey Summary Report* (UNDP 2019b). The survey was designed around closed-response questions with preset response options — including a free-text response — that were developed, tested and validated in Solomon Islands prior to their application. Interested readers should consult the main [study reports](#).

This In Brief examines the types of disputes commonly reported, who experienced them and their impacts. The following In Briefs in this series examine perceptions of access to justice and pathways to dispute resolution.

Disputes and conflicts in Solomon Islands

The conflict known locally as the Tensions (1998–2003) has been the subject of extensive research into the forms and drivers of disputes, as well as into local (non-state) approaches to managing them in different parts of Solomon Islands. A notable example was the World Bank study *Justice Delivered Locally* that examined local experiences of, and responses to, conflict and disputes in five rural provinces (Allen et al. 2013). It found four main types of disputation prevalent in rural areas: social order problems, predominantly arising from

substance abuse; development and land-related disputes; problems arising from non-government organisation, donor and government projects; and marital disputes and domestic violence. These findings were echoed in the 2013 People's Survey (the last annual survey of community perceptions under RAMSI), which identified 'alcohol/drugs/kwaso (illegally home-brewed alcohol)' as the most common cause of community conflict (91%), followed by 'arguments/infidelity/domestic disputes' (49%) and 'land disputes' (33%) (ANU Judge 2013:100). A UNDP peacebuilding survey of 2503 people across eight provinces conducted immediately after RAMSI's withdrawal reported that 76% of respondents said they knew of a dispute that had occurred in the last 12 months, with the most common contributing factor identified as alcohol and other substance abuse (72%), followed by issues around land (50%) and logging (20%) (UNDP 2018:26). Although the Solomon Islands' Tensions was broadly categorised as an ethnic conflict, none of these studies identified ethnic or provincial tensions as a common source of local disputes or conflict.

An important observation from these studies is that, rather than being mutually exclusive, the identified causes of local disputes and grievances are often interlinked and reinforcing in practice. For example, land disputes may surface during heavy drinking bouts and, in turn, are often triggers for additional offences, including serious acts of interpersonal violence (Allen et al. 2013). The 2019 UNDP study focused on in this In Brief, in addition to being the first major review of perceptions of access to justice in Solomon Islands in the immediate post-RAMSI period, sought to reveal the factors underlying disputes commonly experienced by survey respondents.

Incidence and impact of disputes and conflicts

In the study, just under one in five respondents (18%) indicated they had been involved in at least one dispute over the last two years, while four in five (82%) had not (similar to figures in the 2013 People's Survey). The most common types of disputes respondents had been involved in were identified as land disputes (29%), family/child support disputes (28%), fights/assaults (17%), domestic violence (15%) and drug abuse

(7.2%). Disputes related to family/child support (27%) and land (25%) were identified as having the greatest impact on the lives of those involved, followed by domestic violence (13%) and fights/assaults (12%). These findings are broadly consistent with those from previous surveys. Alcohol was removed as a distinct response from the 2019 study because it is often a trigger of a dispute rather than the underlying factor.

Who is involved and impacted, according to dispute type

While there was no significant difference in the number of people involved in disputes according to gender, the study revealed clear differences in the types of disputes experienced by women and men. Men were more likely to be involved in land disputes (43.7% compared to 13.3%), while women were more likely to be involved with family/child support disputes (45.3% compared to 12.2%) and domestic violence (24.7% compared to 5.7%). This gendered breakdown was consistent with the disputes that had the greatest impact on respondents' lives, with men identifying land disputes (39.6% compared to 9.3%) and women more likely to identify family/child support disputes (42.1% compared to 12.1%) and domestic violence (21.7% compared to 4.4%).

Highlighting the gendered nature of disputation, these findings demonstrate the continuing predominance of men in respect of land matters. They also indicate how women's experiences of disputes and violence are centred around the domains of the family and intimate relationships.

Types of disputes also differed by whether respondents were from urban or rural areas. Overall, urban dwellers were more likely to have been involved in a dispute than rural dwellers (20% compared to 15%). In terms of types of disputes, urban dwellers were more likely to be involved in land disputes (40% compared to 30%), while also being more likely to say the dispute had the greatest impact on their life. This finding aligns with [other research](#) highlighting the growing complexity and contestability of urban land tenure in Solomon Islands.

Seeking legal information or assistance

The study examined the extent to which Solomon Islanders sought information or assistance regarding legal matters. Over four in five (84%) respondents indicated they had not looked for such information in the past. Of the 16% who had, the most common legal information sought broadly aligned with the most common kinds of disputes experienced: land disputes (30%), domestic violence (18%), family/child support disputes (17%) and fights or assaults (15%). Men were more likely to have looked for information or assistance than women (18% compared to 13%). The kind of information people sought followed the previously noted gendered differences in the types of disputes experienced by men and women. Of those

who sought legal information about a dispute, men were more likely than women to have done so in relation to land disputes (39% compared to 18%), while women were significantly more likely than men to have sought information about domestic violence (32% compared to 6%) and family/child support disputes (23% compared to 12%).

Implications

The 2019 UNDP study enhances our knowledge of local perceptions and understandings of disputes in Solomon Islands in the period immediately following the 14-year regional assistance mission. Its findings demonstrate broad continuities with previous studies, including the World Bank's *Justice Delivered Locally* study, the 2013 People's Survey and the 2018 UNDP peacebuilding survey. While there was understandable anxiety in some quarters about the potential impact of RAMSI's 2017 withdrawal on security and stability given the country's still fragile post-conflict setting, the transition went remarkably smoothly. In identifying the main types of disputes experienced by Solomon Islanders as those relating to land and domestic matters, such as family disputes, child support and domestic violence, the study demonstrates the persistence of more parochial and enduring forms of local disputation, while suggesting that those relating directly to ethnic and provincial tensions appear to have largely receded.

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Author notes

Tom Sloan is CEO of Sustineo P/L, Sinclair Dinnen is with ANU's DPA and Mark Rowe is an independent consultant.

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