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Solomon Islands: The Truth and Reconciliation Commission cannot work in isolation

On the occasion of the launch of the Truth and Reconciliation Commission (TRC), Amnesty International urges the government of the Solomon Islands to ensure that the TRC's work is integrated with other efforts for truth, justice and reparations.

Archbishop Desmond Tutu, Nobel Peace Prize laureate and Chairman of the South African Truth and Reconciliation Commission, is visiting the Solomon Islands to help launch the TRC.

The TRC was created in order to help the country come to terms with the legacy of the 1998-2003 conflict, which resulted in killings, torture and internal displacement of the population.

According to the TRC Act, statements made before the Commission, as well as its findings and any other facts or information disclosed in relation to its work, cannot be used as evidence in any proceedings before a court of law.

Such a limitation is at odds with the mandate of the TRC, which includes "examining accountability or responsibility for human rights violations and abuses" as well as "addressing impunity". It is particularly unfortunate in light of the broad investigative powers that the TRC will enjoy, including the power to issue summonses and subpoenas.

The Act's limitations on the use of information gathered by the TRC could make it difficult in some instances for prosecutors to present evidence in criminal cases, as they would have to demonstrate that the evidence was not obtained as a result of statements given to the TRC. These limitations could in fact lead to impunity.

Although the TRC may have been established mainly to promote reconciliation, its role cannot be limited. Amnesty International believes that information collected by the TRC should be available to the investigation and prosecution authorities.

The TRC cannot work in isolation. Its work must be integrated with the ongoing efforts made by the authorities of Solomon Islands, together with the Regional Assistance Mission to Solomon Islands (RAMSI), to investigate and prosecute the human rights violations committed during the conflict.

Background

The Truth and Reconciliation Commission of the Solomon Islands is mandated to "promote national unity and reconciliation" by investigating human rights violations and abuses which occurred between January 1998 and 23 July 2003. It is composed of five members, three nationals of the Solomon Islands and two nationals of other countries.

The Truth and Reconciliation Commission Act was passed by the National Parliament of Solomon Islands on 28 August 2008.