

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

December 7th 2009
AI Index: ASA 43/003/2009

Solomon Islands: Time to end safe haven for crimes under international law

Today Amnesty International is publishing *Solomon Islands: End Impunity Through Universal Jurisdiction*, the first paper of the *No Safe Haven Series* covering a country in the Pacific and the first to analyze a common law legal system.

The paper evaluates whether Solomon Islands has met its obligations as a member of the international community to define crimes under international law as crimes under national law and to provide effective universal criminal and civil jurisdiction over those crimes. The paper also examines whether Solomon Islands is able to cooperate – subject to human rights safeguards - with other states in the extradition of those suspected of such crimes and in the exchange of information to assist other states which are investigating or prosecuting them.

Solomon Islands' courts can exercise universal criminal jurisdiction over grave breaches of the 1949 Geneva Conventions. However, Solomon Islands has failed to define the most heinous crimes, such as crimes against humanity, war crimes (other than grave breaches), torture, extrajudicial executions or enforced disappearances as crimes under national law. Amnesty International is deeply concerned that Solomon Islands is, therefore, currently a safe haven from prosecution in its courts for foreigners who are responsible for these crimes (committed abroad against other foreigners).

A second series of concerns pertains to extradition. Amnesty International regrets that the Solomon Islands is also a safe haven from extradition to *any* country for foreigners who are responsible for genocide, war crimes, torture, extrajudicial executions and enforced disappearances committed abroad, as none of these crimes are listed as extradition crimes. In addition, such persons cannot be arrested and surrendered to the International Criminal Court or any other international criminal court.

Furthermore, no legislation authorizes Solomon Islands to exercise universal civil jurisdiction, which means that it is unable to fulfil its obligations to provide full reparation for victims of crimes under international law.

Amnesty International is submitting this report to the Solomon Islands Law Reform Commission, urging it to take into account its detailed recommendations for law reform so that the country can fulfil its obligations under international law and rightly be at the frontline in the fight against impunity for the worst imaginable crimes.

Background

This paper is the sixth in a series on each of the 192 member states of the United Nations, designed to help lawyers, victims, and their families identify countries where people suspected of committing crimes under international law might be effectively prosecuted and required to provide full reparations through universal jurisdiction.

Each paper also provides clear recommendations on how the government concerned can bring its national law into line with international law. The series aims to ensure that no safe haven exists anywhere in the world for those responsible for crimes against the entire international community.

The paper, *Solomon Islands: End Impunity Through Universal Jurisdiction*, AI Index: ASA 43/002/2009, December 2009, is available at:

<http://www.amnesty.org/en/library/info/ASA43/002/2009/en>

Public Document

For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566 or email: press@amnesty.org

International Secretariat, Amnesty International, 1 Easton St., London WC1X 0DW, UK
www.amnesty.org