

## COMPARATIVE TABLE OF RIGHTS PROVISIONS

Compiled by Rosemary Gordon\*

1	2	3	4	5	6	7	8	9	10	11	12
Covenant	Western Samoa	Cook Islands	Solomon Islands	Tonga	Kiribati	Tuvalu	Fiji	Papua New Guinea	Vanuatu	Niue	Draft Pacific Charter
6.1	5	64(1)(a)	3(a); 4		3(a); 4	11(1)(a); 16	4(a); 5	Basic Rt.(a); 35	5(1)(a)		4
6.4	110	76B	45	37	50	80	99	151	36		
7	7	65(1)(b)	7		7	19	8	BR(c); 36	5(1)(e)		5
8.1			3(a); 6(1)	1; 2	3(a); 6(1)	11(1)(b); 18(1),(2)	4(a); 7(1)	BR(a); 32; 42	5(1)(e)		5
8.2			3(a); 6(1)	1; 2	3(a); 6(1)	18(1),(2)	4(a); 7(1)	BR(a); 32; 42	5(1)(e)		5
8.3	8(1),(2)		6(2),(3)		6(2),(3)	18(1),(2)	7(2),(3)	BR(c); 43	5(1)(e)		
9.1	6(1)	64(1)(a); 65(1)(a)	3(a); 5(1)	1; 10; 14	3(a); 5(1)	11(1)(b); 17(1),(2)	4(a); 6(1)	BR(a); 32; 42(1)	5(1)(b),(c)		6
9.2	6(3)	65(1)(c)(i)	5(2)	11	5(2)	17(3)	6(2)	42(2)(a)	see 5(2)(c) though relates to charges not arrest		6
9.3	6(4)	65(1)(c)(iii)	5(3)		5(3)	17(4)	6(3),(4)	42(3)	see 5(2)(a) though relates to charges not arrest		6
9.4		65(1)(c)(iii)		9							
10.1											
11								37(17)			5



24.1												18A
24.2												
24.3												
25a			although generally sec 8							BR(b); 50(1)		13.1
25b										BR(b); 50(1)		13.1
25c										BR(b) and sec 50(1)		13.2
26	15(1)(2)	64(1)(b) and generally 64	15 3	4	15 3	27; 11	16 4	55 4	5(1)(k); 5(1)			2; 3; 19
27												14A

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Notes

- 1 The Comparative Table has been compiled by selecting from the International Covenant on Civil and Political Rights provisions framed as human rights (or construed as human rights provisions). Omitted are:
  - (i) Provisions not framed or construed as human rights.
  - (ii) Compensation provisions.
- 2 The selected provisions, and their related clauses, are listed in column 1.
- 3 Equivalent rights provisions from the Constitutions of 10 Pacific jurisdictions are listed in columns 2 to 11.
- 4 Equivalent rights provisions from the Draft Pacific Charter are noted in column 12.

