

RESEARCH BRIEF: THE PACIFIC

OVERVIEW OF RESTRICTIONS TO CIVIC FREEDOMS IN 8 COUNTRIES



Pacific Islands leaders hold an influential summit in the Solomons on September 10, with nations split over China's growing role in the region and alleged meddling in the meeting. Ben STRANG / AFP

INTRODUCTION

Countries in the Pacific continue to have broadly positive civic space conditions. [CIVICUS Monitor ratings](#) show civic space is fully open in seven countries – Kiribati, Marshall Islands, Micronesia, New Zealand, Palau, Samoa and Tuvalu – and narrowed in five – Australia, Fiji, Solomon Islands, Tonga and Vanuatu. Only two countries, Nauru and Papua New Guinea (PNG), have obstructed civic space, indicating the existence of serious restrictions on civic freedoms.

This brief focuses on civic space in eight Pacific Island countries: Fiji, Kiribati, Nauru, PNG, Samoa, Solomon Islands, Tonga and Vanuatu. It focuses on respect for and limitations on freedoms of association, expression and peaceful assembly, which are fundamental for the exercise of civic freedoms.

These rights are protected in most of the national constitutions of the eight countries. However, there are some continued concerns and areas for improvement. At least four countries – Kiribati, Nauru, Solomon Islands and Tonga – have yet to ratify the International Covenant on Civil and Political Rights (ICCPR), which imposes obligations on states to respect and protect civic freedoms.

Four countries – Kiribati, Nauru, Solomon Islands and Vanuatu – do not have national human rights institutions (NHRI). In two other countries – PNG and Tonga – the Office of the Ombudsman plays a role in monitoring and responding to human rights issues, but calls remain for an independent NHRI to be established in accordance with the [Paris Principles](#). These principles set out the minimum standards NHRIs must meet to be considered credible and operate effectively.

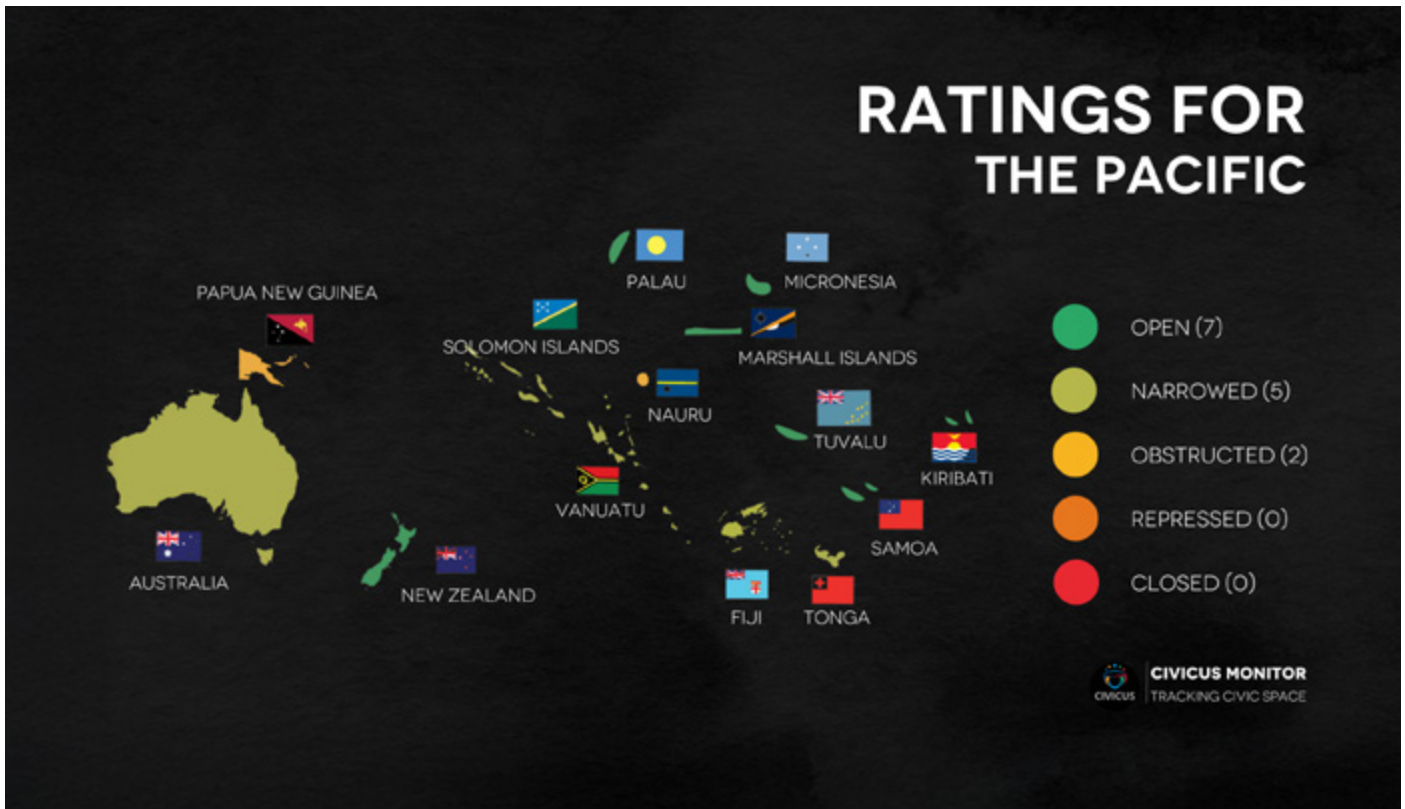
Press freedom remains a concern in a number of countries, including Nauru, PNG, Samoa and Solomon Islands. There have been incidents of harassment, intimidation and dismissal of journalists in retaliation for their work. There have also been cases of censorship, denial of access or exclusion of journalists from government events and the denial of visas to foreign journalists. In several countries, including Fiji, Kiribati, Nauru, PNG and Samoa, there are no freedom of information laws, making it extremely difficult for journalists and the public to access official information.

Multiple countries continue to have criminal defamation laws, including Samoa, Tonga and Vanuatu, creating a chilling environment for the media and those who would like to express themselves or criticise governments. In recent years, cybercrime laws have also been used in countries including Fiji, PNG and Samoa to criminalise online expression.

Such laws are inconsistent with the consensus that has grown in recent years among the international community in support of the decriminalisation of defamation. In [General Comment 34](#), the United Nations (UN) Human Rights Committee urged states to decriminalise defamation and called on those retaining criminal defamation provisions to ensure they do not carry the threat of imprisonment.

While the right to peaceful assembly is generally respected, laws in several countries, including Fiji, PNG and Solomon Islands, remain restrictive and require prior authorisation or permits from local authorities or police to hold protests. This is inconsistent with international law and standards, which require organisers to only notify police before a protest and not seek permission.

The brief provides an overview of the state of civic space in eight Pacific Islands countries and makes recommendations to improve respect for civic space.



ABOUT THE CIVICUS MONITOR

The CIVICUS Monitor, an online platform that tracks threats to civil society in countries across the globe, rates civic space – the space for civil society.

The data provides the basis for civic space ratings, which are based on up-to-date information and indicators on the state of freedom of association, peaceful assembly and expression. Countries can be rated as:



FIJI

Civic space in Fiji is rated as [narrowed](#) by the CIVICUS Monitor. Fiji has [ratified](#) the ICCPR and its [2013 Constitution](#) guarantees freedom of expression under article 17, freedom of assembly under article 18 and freedom of association under article 19. The Fiji Human Rights and Anti-Discrimination Commission operates as the NHRI. UN member states made [recommendations](#) at the Human Rights Council Universal Periodic Review (UPR) in January 2025 for the government to ensure the body's mandate, financing and independence are strengthened to regain the highest accreditation status under the Paris Principles.

Freedom of association is generally respected. Most civil society organisations (CSOs) are [registered](#) under the 1945 Fiji Charitable Trusts Act. The law requires that CSOs be formed only for 'religious, educational, literary, scientific, or charitable purposes' to be incorporated as charitable trusts. [In practice](#), most CSOs are able to register and operate with minimum government interference. According to CSOs, since a [change of government](#) in December 2022, space has [opened up](#) for them to register and undertake their activities.

While CSOs often play a crucial role in election preparations and promoting political participation, Fiji's electoral law [effectively bars](#) CSOs from engaging in broadly defined election-related activities. Article 115 of the 2014 Electoral Act states that any CSO that receives foreign funding may not 'engage in, participate in or conduct any campaign, including organising debates, public forums, meetings, interviews, panel discussions, or publishing any material that is related to the election'.

In its [Concluding Observations](#) in July 2025, the Committee on the Elimination of Discrimination against Women raised concerns about the protection of women human rights defenders (WHRDs) in Fiji. The Committee stated that laws that impact on WHRDs, women journalists and whistleblowers include the 1969 Public Order Act, 2009 Crimes Act and 2022 Electoral Amendment Act. The Committee also found that WHRDs in Fiji often face gender-based violence online.

LGBTQI+ groups are protected under the constitution but face discrimination through limitations in legislation and in society. The 2025 UPR made [recommendations](#) to develop comprehensive policies to eradicate all forms of discrimination and violence against LGBTQI+ people.

There have been positive developments on freedom of expression and press freedom in recent years. In April 2023, parliament [voted](#) to repeal the Media Industry Development Act, which was enacted in 2010 and gave authorities wide powers of investigation over journalists and media outlets. In October 2023, the government [announced](#) the revival of the Fiji Media Council, an independent body promoting self-regulation and upholding high standards of ethical and responsible journalism in the media industry. This was [hailed](#) as a boost for freedom of expression.

There are however concerns about [other](#) laws that could be misused to silence free expression. The government has yet to repeal sedition provisions in the [2009 Crimes Act](#), including section 66 on seditious intention and section 67 on sedition offences, which carries a maximum seven-year sentence and has been used in the past to target critics.

[Concerns](#) also remain around the [2018 Online Safety Act](#), which could be used to restrict online expression. It established an Online Safety Commission to receive and investigate complaints on online abuse and harassment and provide redress. CSOs have raised [strong concerns](#) about the law, including its lack of guiding principles to define and determine the scope of powers and the discretion of the Commission when receiving, assessing and investigating complaints. CSOs have stated the law would create an atmosphere of censorship and could be misused to criminalise legitimate speech.

On freedom of information, an [Information Act](#) enabling people to access information held by public agencies was passed in 2018 but has never come into effect. At the time of writing, an [Access to Information Bill](#) is before parliament but has yet to be passed.



Protests in solidarity with Palestine and other regions in the Pacific (Photo Credit: Facebook/ Fijians for Palestine Solidarity Network)

The right to peaceful assembly has been restricted in recent years. Under the [Public Order \(Amendment\) Act 2014](#), the government can refuse permits for any public meeting or march deemed to prejudice the maintenance of peace or good order. This is inconsistent with international human rights law and standards and has often been misused by the authorities to restrict or block peaceful gatherings and demonstrations.

The authorities allow some peaceful protests to take place. However, police denied permits for Palestine solidarity protests on several occasions, including one organised by students in [November 2023](#) and one organised by the NGO Coalition on Human Rights in Fiji in [October 2024](#).

In August 2025, police denied a [permit](#) for a march to call for the repeal of the constitution, organised by lawyer and former parliamentarian Niko Nawaikula through his group, SWN Advocacy, on grounds of national security concerns.

Police have also [intimidated](#) peaceful protesters. For example, in May 2024, a truckload of police officers, including two patrol cars, turned up at a protest at the premises of the Fiji Women's Crisis Centre against human rights violations in Gaza and West Papua, in an apparent effort to intimidate protesters. Gatherings and vigils had been organised regularly each Thursday.

Activists and protesters faced [restrictions](#) in holding a march in Suva, the capital, to mark the conclusion of 16 Days of Activism against Gender-based Violence on International Human Rights Day, 10 December 2024. A permit for the march was only granted following the [intervention](#) of Minister Lynda Tabuya. Additionally, police [removed people](#) carrying banners or wearing shirts in support of the people in Palestine, Kanaky / New Caledonia and West Papua.

KIRIBATI

The CIVICUS Monitor rates Kiribati's civic space as [open](#). The government has however yet to ratify the ICCPR despite [recommendations](#) to the government by UN member states during the country's most recent UPR in April 2025. Section 3 of the 1979 [constitution](#) guarantees the right of citizens to freedoms of association, conscience, expression and peaceful assembly.

Kiribati still does not have a NHRI. It has a [human rights task force](#), coordinated by the [Ministry of Justice and the Ministry of Women, Youth Sports and Social Affairs](#). Its role is to coordinate and facilitate engagement with UN human rights mechanisms and fulfil the country's human rights obligations. No timeline has been established for the formal establishment of a NHRI.

Freedom of association is generally respected. Civil society is active and has [made significant strides](#) in promoting community development, environmental protection and social justice. CSOs focus on a range of topics including climate change, the focus of the [Kiribati Climate Action Network](#), and [women and children's rights](#) (KiriCAN).

While consensual same-sex sexual activity between adults continues to be [criminalised](#), carrying a 15-year prison sentence, organisations that advocate for LGBTIQ+ rights, such as the [Boutokaan Inaomataia ao Mauriia Binabinaine Association](#), can operate without restrictions.

There have been concerns in recent years about judicial independence. High Court Judge David Lambourne left Kiribati in 2024 after being suspended by a tribunal, following a dispute with the government.

Australian-born Lambourne, who had lived in Kiribati with his family for over 20 years, is married to Tessie Lambourne, leader of the opposition party. He is [believed](#) to have been targeted because the government was trying to force his wife out of politics. The UN Special Rapporteur on the Independence of Judges and Lawyers [said](#) the proceedings ‘violated international standards’ and were ‘marred by procedural irregularities and delays’.



Journalist in Kiribati
(Photo Credit: Pacific Media Centre)

Freedom of expression is protected under section 3(b) of the constitution and generally respected by the government. However, there are media freedom concerns. ‘The State of the Media: Kiribati’, [published](#) by ABC International Development (ABCID) in March 2025, reported that local media face challenges related to independent reporting and fulfilling their duty to act in the public interest due to government interference imposed through regulations. Government bodies monitor contents of daily news bulletins to ensure they align with the government’s official messages.

The [report](#) also highlights that the constitution does not expressly guarantee the right to information. There is no current legislation that provides for freedom of information, although a Freedom of Information Bill was drafted in 2020. No further developments have taken place at the time of writing. Kiribati is [a state party](#) to the UN Convention against Corruption, which promotes transparency, facilitates public access to official information and publishes information on corruption. However, it remains a challenge to access government information due to lengthy and slow processes attributed to bureaucratic hurdles and limited responses.

The constitution’s section 3 provides for freedom of peaceful assembly and this freedom is generally respected. However, there is no legislation that regulates this right. Section 39(1) of the [Police Powers and Duties Act 2008](#) provides that a police officer may use reasonable necessary force in the execution of their duties.

NAURU

The CIVICUS Monitor rates Nauru’s civic space as [obstructed](#). Nauru’s latest [UPR](#) took place on 27 January 2021. The next is scheduled for January 2026. During the 2021 UPR, the UN country team [recommended](#) that Nauru ratifies the core international human rights treaties, including the ICCPR, which the state has yet to do. It also recommended Nauru establish a NHRI in line with the Paris Principles, following a scoping study on the establishment of a NHRI that was undertaken in 2017. However, no progress has been noted at the time of writing. The [1968 Constitution](#) guarantees the right of citizens to freedoms of assembly, association, conscience and expression under sections 3(b), 12 and 13.

Freedom of association is generally respected. However, the constitution states that this right can be limited or restricted by any law in the interest of defence, health, morality, public interest and order. The Registration of Associations Act 2020 governs the registration and operations of CSOs.

Press freedom and freedom of information are an issue of concern. All [journalists](#) in Nauru are employees of the Nauru Media Bureau, a government-run media organisation. They are classified as public servants and take an oath of allegiance to the government. Consequently, there is no media independence, and content is rarely critical of the government and public figures. Nauru has also yet to pass an access to information law.

Media freedom is further curtailed by the [challenges](#) foreign journalists face to enter and work in Nauru as visa applications are expensive. Currently, the visa application fee is AUD 8,000 (approx. US\$5,200) for international media personnel intending to visit Nauru for media-related work. The fee is non-refundable if the application is unsuccessful. [According](#) to a 2025 ABCID study, foreign journalists have been refused

visas to report in Nauru. It is believed this is to prevent reporting on [asylum seekers](#) sent from Australia, in an arrangement that has existed since 2013. In February 2020, the [International Criminal Court](#) found that detention conditions of refugees in Nauru may constitute a breach of international law.



Refugee detention centre on Nauru (Photo Credit: ASRC)

A [June 2024 report](#) by Asylum Seeker Resource Centre, an Australia-based CSO, highlighted the communication restrictions and limitations faced by asylum seekers, making it difficult for them to share information on their status with others, including support agencies and advocacy agencies. Humanitarian websites are blocked on shared computers and refugees are only given limited phone credit to make outgoing calls.

Section 13(1) of the constitution recognises the right to peaceful assembly. However, this right is subject to limitations in the interests of defence

and public health, morality, order and safety, or for protecting the rights and freedoms of other persons. Under section 24A of the [2015 Nauru Police Force \(Amendment\) Act](#), which governs procedures for public assemblies, an application for a permit must be made to the Commissioner of Police seven days prior to any procession or assembly in a public place that involves over three people. A permit can be denied if the Commissioner believes the assembly will affect public order. A police officer has the authority to stop or detain any person or organisation who assembles without a permit. This is [inconsistent](#) with international law and standards, which are clear that states should not impose authorisation requirements and should merely put in place notification processes.

Section 244(1) of the [Crimes Act 2016](#) states that it is an offence if a person and two others or more are present together, constituting an assembly, and if the conduct of the assembly causes a reasonable person to fear it would result in the use of unlawful violence against people or property or provoke others to use unlawful violence against people or property. This offence is penalised with a one-year prison sentence. Additionally, under section 42A (1) of the Crimes Act 2016, a police officer can arrest any person who takes part in an unlawful assembly.

PAPUA NEW GUINEA

Civic space in PNG is rated as [obstructed](#) by the CIVICUS Monitor. PNG is a [state party](#) to the ICCPR. Article 46 of the [1975 Constitution](#) guarantees freedom of expression and article 47 guarantees freedoms of assembly and association.

The [Ombudsman Commission of PNG](#) operates as an oversight body but has very limited scope of work in relation to human rights and focuses primarily on complaints about the administrative actions of governmental bodies and agencies. Recommendations made during PNG's latest [UPR session](#) in 2021 called for the establishment of an independent NHRI in accordance with the Paris Principles. The government [responded](#) by stating that it is working towards the establishment of a National Human Rights Commission.

The Associations Incorporation Act 1966 [regulates](#) the formation of CSOs. Under this act, a CSO can become an incorporated association if it fulfils certain criteria, such as promoting an objective that is 'useful to the community' and being not for profit. The Registrar of Companies, under the Investment Promotion Authority, is responsible for registering incorporated associations. CSOs that operate in PNG included groups focused on environmental causes and human rights, as well as some that provide social services.

There are ongoing concerns about restrictions on media freedom and harassment and intimidation of journalists. The government [adopted](#) a [National Media Policy](#) in November 2024. Journalists are [concerned](#) the policy could lead to more government control over PNG's relatively free media. Among concerns is the

establishment of a commission that would oversee the media industry, a licensing mechanism for media outlets and a stipulation that journalists who create content that is against the country's development objectives will face reprisals.

In September 2022, the Prime Minister's Department and the National Executive Council [announced](#) increased screening of foreign journalists and new requirements foreign journalists must fulfil before they are allowed to enter the country. Foreign journalists must now seek permits from several offices such as the Department of Foreign Affairs, PNG Immigration and Citizenship Authority, PNG National Filming Institute and the Prime Minister's Department.

Recent press freedom violations include restrictions on accessing information and dismissals of journalists in reprisal for their reporting. Harlyne Joku, a journalist from BenarNews, was [excluded](#) from a media briefing with Indonesia's President-elect Prabowo Subianto and PNG's Prime Minister James Marape in the capital, Port Moresby, in August 2024. She was later told by a foreign ministry staff member that she had been removed from the list of approved journalists at the direction of Indonesian officials.

Culligan Tanda, a prominent radio host from FM100 talkback, part of state-owned media company Telikom PNG Limited, was suspended and subsequently dismissed after interviewing an opposition figure. Tanda featuring opposition Member of Parliament Allan Bird on his show. Tanda was reportedly [suspended](#) without pay in April 2025 before being fired.

In December 2016, the PNG government passed the [Cybercrime Act](#), which it has used to silence criticism, creating a chilling effect. Activists, journalists and opposition members have [criticised](#) the law for its implications for freedom of expression and political discourse. The law defines cybercrime as 'offences committed using electronic devices, systems and/or networks'. The Act covers a wide range of illegal online activities including defamatory publication. Online defamation carries a maximum penalty of up to 25 years' imprisonment or a fine of up to one million Kina (approx. US\$260,000).



ACT NOW Campaign Manager Eddie Tanago
(Photo Credit: Inside PNG)

On 9 December 2024, police arrested and [charged](#) human rights defender and [ACT NOW](#) Campaign Manager Eddie Tanago under section 21(2) of the Cybercrime Act 2016 for allegedly publishing defamatory remarks on social media about the Managing Director of the PNG Forest Authority. Tanago was taken to the Boroko Police Station Holding cell before being released on bail later that day.

Gender activist and journalist Hennah Joku was detained and charged with defamation under the Cybercrime Act in November 2024 after she [posted online](#) about the trial of her former partner who had assaulted her.

In March 2025, PNG was hit by an unexpected digital blackout as access to Facebook was abruptly [blocked](#) for a day. The move, described by Police Minister Peter Tsiamalili Jr. as a 'test', was allegedly [conducted](#) to assess the government's ability to regulate social media to address 'national security threats'. Tsiamalili said this was done under the framework of the [Counter-Terrorism Act 2024](#). Transparency International PNG [condemned](#) the disruption, saying it 'represents a dangerous erosion of fundamental citizen rights'. The government imposed the shutdown in the same week as a potential parliamentary vote of no confidence in the government, indicating an intent to stifle public discourse.

The right to freedom of assembly is generally respected. The Peace and Good Order Act 1991 [regulates](#) the holding of public gatherings, meetings and processions. Those planning to hold a protest are required to apply to a provincial committee made up of the provincial authorities and police, who consider and

issue permits. The committee must meet as soon as is practicable and, unless it is satisfied on reasonable grounds that the procession or meeting is likely to be prejudicial to the maintenance of peace and public order, shall issue the permit. However, [according](#) to local activists, many are not aware of these processes and there is a need for clear laws and regulations that protect the right to freedom of peaceful assembly

Some assembly restrictions have been documented. In July 2024, during a protest against the eviction of informal settlers from the Bush Wara area of Port Moresby, six men were [arrested](#) for burning the national flag. They were charged with unlawful assembly under the Criminal Code Act and ‘improper use of the national flag’ under the National Identity Act.

There is no freedom of information legislation despite guarantees in article 51 of the constitution.

[According](#) to civil society groups, government information is extremely difficult to access and there is a culture of secrecy. Further, there is a lack of clarity on what information is publicly accessible.

SAMOA

The CIVICUS Monitor rates Samoa’s civic space as [open](#). The government [ratified](#) the ICCPR in 2008. Article 13(1) of the [1960 Constitution](#) guarantees freedom of association, movement, peaceful assembly without arms, residence in Samoa and speech. The [Office of the Ombudsman](#) is the NHRI and carries out activities to promote and protect human rights, including investigating misconduct of law enforcement agencies and officials.

While the constitution protects freedom of association, it can be [limited](#) in the interests of national security and public health, morals and order. In June 2024, the Initiative on Empowerment of Civil Society in Democratic Samoa, funded by the European Union, was [launched](#) in the capital, Apia, with the objective of strengthening the role of CSOs, including community-based organisations, in supporting citizens in exercising their rights and engagement with policymakers.

There are concerns about freedom of expression and press freedom. Section 117A of the [2013 Crimes Act](#) criminalises defamation, with a penalty of a fine or three months’ imprisonment. This is a [cause for concern](#) for journalists because it restricts them from reporting freely, while citizens face the threat of being charged for criticising the government.

In 2023, a government minister [pressured](#) journalist Sialai Sarafina Sanerivi of the media outlet Samoa Observer to reveal her sources regarding a story she was investigating on a seized shipping vessel. Sanerivi was kept at the minister’s office for two hours. When Sanerivi refused to reveal her sources, the minister threatened her with detention.

In 2024, Samoan media were [made subject to](#) stringent media regulations ahead of the Commonwealth Heads of Government Meeting. The [guidelines](#), endorsed by the cabinet, prevented photographers and videographers taking pictures, put restrictions on journalists covering side events unless accredited to a specific pool and stopped reporters approaching delegates for interviews. The Journalists Association of Samoa [criticised](#) the measures.



Senior Samoan journalist Lagi Keresoma
(Photo Credit: In Depth Solomons)

In January 2025, the Samoa Alliance of Media Practitioners for Development [raised](#) concerns about the online harassment of journalists covering a political crisis in Samoa, with some facing death threats and threats against their families. In May 2025, Lagi Keresoma, a senior journalist and president of the Journalists Association of Samoa, was [charged](#) with one count of defamation under section 117A of the Crimes Act 2013 for an article she wrote regarding a case against a police officer.

There is no law on the right to information. However, the [launch](#) of the Beginning of Right to Information initiative in January 2024 at the University of the South Pacific Alafua Campus, attended by the Minister of Education and Culture, was a positive step.

The right to peaceful assembly is generally respected, but sections 42 and 43 of the 2013 Crimes Act criminalise 'unlawful assembly' and 'disorderly assembly'. In 2023, Samoans for Ceasefire held a peaceful march calling for a ceasefire in Palestine.

SOLOMON ISLANDS

Civic space in Solomon Islands is rated as narrowed by the CIVICUS Monitor. The government has yet to ratify the ICCPR despite [recommendations](#) by states to do so during the country's latest UPR in 2021. Article 13 of the [1978 Constitution](#) guarantees the right of citizens to freedoms of expression, speech and peaceful assembly, and the right to form associations and unions. There is still no NHRI, and [no clear timeline](#) has been set to formally establish one.

Freedom of association is generally respected. Civil society is [active](#), despite limited resources and funding challenges, and has made significant strides in promoting community development, environmental sustainability and social justice. However, government leaders have [expressed](#) hostility towards LGBTQI+ people.

There are ongoing concerns about the state of press freedom. In September 2023, the Media Association of Solomon Islands [raised](#) concerns after being excluded from a public event to celebrate International Day of Democracy in the capital, Honiara. In March 2025, an ABCID [study](#) on the state of the media in Solomon Islands highlighted that since the government [switched](#) from recognising Taiwan to China in 2019, there have been instances of locally produced stories on the Taiwanese presidential elections [leading](#) to inquiries by the Chinese and Solomon Islands governments expressing their concern on the views represented.

[Access](#) to credible information from government officials is still a hurdle and there is still no right to information law.

There have been reports of censorship. In July 2024, Facebook [blocked posts](#) published by an independent online news outlet for several hours after incorrectly labelling its content as spam. Meta [informed In-Depth Solomons](#), a member centre of the civil society [Organised Crime and Corruption Reporting Project](#), that over 125 posts had been removed from its official Facebook page. In-Depth Solomons had published three stories on Prime Minister Jeremiah Manele's return from China, which were all removed as well. It believes the content removal may have been the result of a coordinated campaign by critics of the newsroom to file mass false complaints to Facebook. Facebook has taken down some stories from two other independent media outlets in Solomon Islands: SBM Online and Tuvali News.

There are serious concerns about efforts by China to silence advocacy and criticism of its human rights record. In May 2025, China's Embassy in Solomon Islands allegedly forced a newly appointed minister to quit an international parliamentary group that seeks to build international pressure on China over human rights abuses, including in Hong Kong and Xinjiang. [According](#) to RNZ Pacific, Rural Development Minister Daniel Waneoroa announced he had left the [Inter-Parliamentary Alliance on China](#), whose members include politicians from over three dozen countries. China was reportedly angered by his membership of the group.

The [1956 Processions and Public Assemblies Act](#) governs the holding of peaceful assemblies. [permission](#) to hold a protest must be requested and approved by the Provincial Secretary and the Provincial Police Commander (PPC) before an event takes place. In the case of Honiara, the request must be received by the Honiara Council City Clerk and the PPC of Honiara City before any protest is allowed to take place. This is inconsistent with international law and standards, which only require protesters to notify the authorities.



Former Malaita province premier Daniel Suidani (Photo Credit: ABC)

Outspoken former Malaita province premier Daniel Suidani and his then political advisor Celsus Talifilu were [arrested and charged](#) in October 2024 in relation to unlawful assemblies and protests in 2021. Both have been released on bail. Their [trial](#) began in 2025.

The [protests](#) were carried out by the Malaita for Democracy movement against the government's decision to switch its recognition to China. The two [face](#) two counts of unlawful assembly, contrary to sections 21 and 74 of the Penal Code.

From 2019 until his removal as premier in a motion of no confidence in 2023, Suidani openly criticised the government for cutting ties with Taiwan and establishing bilateral relations with China. He also [objected](#) to the national government signing a [controversial security pact with China](#) in 2022. Suidani [believes](#) the charges brought against him are politically motivated.

TONGA

The CIVICUS Monitor rates Tonga's civic space as [narrowed](#). The government has yet to ratify the ICCPR despite [recommendations](#) by states to do so during its latest [UPR](#) in 2023. The [1875 Constitution](#) guarantees citizens the rights to freedoms of expression and press under article 7 and the right to peaceful assembly under article 8. There are no specific clauses that relate to freedom of association. The NHRI in Tonga is the [Office of the Ombudsman](#). However, recommendations were made during the 2023 UPR session to establish an [independent](#) NHRI compliant with the Paris Principles.

Freedom of association is generally respected. The [Civil Society Forum of Tonga](#), established in 2000, is a national umbrella organisation of CSOs. It works to maximise impact and aid effectiveness in key thematic areas of disability, energy, gender, livelihoods, older people and youth.

However, concerns have been [raised](#) that LGBTQI+ groups are not afforded equal rights and face stigmatisation. Sodomy is a criminal offence in Tonga under sections 136 and 137 of the 2015 Criminal Offences Act, with a sentence of 10 years' imprisonment. In 2021, LGBTQI+ activist Polikalepo Kefu was [killed](#), resulting in calls for better protection and repeal of discriminatory laws.

There are continuing concerns about the state of press freedom despite constitutional protections. ABCID's 2025 [report](#) on the 'State of the Media in Tonga' stated that media freedom is restricted under current legislation. [Concerns](#) exist about the Electronic Communications Abuse Offences Act 2020 and the Communications Act 2015, which contains broad and vague provisions that could be used to restrict freedoms of expression and opinion. Its hefty fines and penalties may [restrict](#) freedom of expression and prevent journalists reporting on public issues.



Tongan parliamentarian Samiu Vaipulu (Photo Credit: Facebook/US embassy Suva)

There are also concerns about defamation laws. In July 2025, Member of Parliament Sāmiu Vaipulu [filed](#) a defamation suit against Toulā Town Officer Kavamone To'ia over allegations made on Facebook that he had embezzled public money meant for constituency development. There is concern the case may constitute a [Strategic Lawsuit Against Public Participation \(SLAPP\)](#), a form of lawsuit that aims to tie up critics in expensive trials on often baseless legal claims to intimidate and silence them.

Tonga does not have a specific law to the right to information. However, the government has made attempts to improve access to information. In January 2024, a series of [dialogues](#) on the right to information were held between the government and various stakeholders, including the business community, civil society,

public institutions and young people. Discussions focused on the importance of the right to information in improving accountability and transparency.

The right to peaceful assembly is protected under the constitution and generally respected but there is no specific law governing the exercise of this right. There have been no recent reports of breaches of this right.

VANUATU

The CIVICUS Monitor rates Vanuatu's civic space as [narrowed](#). Vanuatu has [ratified](#) the core human rights treaties including the ICCPR. The [1980 Constitution](#) guarantees freedom of expression under section 5(1)(g) and freedom of assembly and association under section 5(1)(h). These rights are afforded to all people without discrimination on the grounds of language, place of origin, political opinions, race, religious or traditional beliefs and sex.

Vanuatu's most recent [UPR](#) was held in May 2025. During the review, states recommended that Vanuatu establish an NHRI compliant with the Paris Principles. The UN Special Rapporteur on the promotion and protection of human rights in the context of climate change, Elisa Morgera, [made](#) the same recommendation during her visit to Vanuatu in November and December 2024.

Vanuatu has an active civil society that is able to undertake its activities without any major restrictions. The Vanuatu Association of Non-Governmental Organisations [has](#) around over 230 member organisations, including community-based organisations as well as national and international CSOs working on a range of issues.

While the constitution guarantees freedom of association for all individuals regardless of sex, LGBTQI+ people continue to [experience](#) discrimination due to a lack of protection policies. Although same-sex relationships are not criminalised, discrimination based on sexual orientation, gender identity and sex characteristics remains widespread.

The VPride Foundation, a community-based organisation that aims to advocate, educate and mobilise support for LGBTQI+ people and sex workers, was [vilified](#) by the President of the Malvatumauri Council of Chiefs, Chief Paul Robert Ravun, in February 2024.

The government has taken steps to create laws and policies to prohibit LGBTQI+ activities, including advocacy and funding of activities. In November 2024, the Ministry of Justice and Community Services [announced](#) a plan to appoint a new committee to draft a national policy banning LGBTQI+ advocacy and promotion. Elisa Morgera has [called](#) this draft policy discriminatory and a violation of international human rights obligations, warning it would exacerbate the exclusion of LGBTQI+ people in climate-related emergencies. In November 2024, Vanuatu's parliament [passed](#) an amendment to its Marriage Act to prohibit same-sex marriage.

Freedom of expression is constitutionally protected. However, there are concerns about defamation laws that could be used to silence expression and have a chilling effect on journalists.

Section 120 of the [1981 Penal Code](#) provides for criminal defamation and prohibits any person from speaking, writing and using gestures or other methods to maliciously expose any person alive or dead to public hatred, contempt or ridicule or otherwise cause harm to the reputation of that other person. This extends to any public platform including social and traditional media. The penalty for violation is three years' imprisonment. Section 121 prohibits use of abusive or threatening words and threatening gestures towards another person, also with a punishment of three years' imprisonment.

A [report](#) by the UN country team to the UPR in February 2024 highlighted the criminalisation of defamation under the Penal Code and recommended it be decriminalised in accordance with international standards. States also made [recommendations](#) during the UPR to repeal sections 120 and 121 of the Penal Code.

There are also concerns about section 10 of the [Cybercrime Act 2021](#), which defines cyber stalking as ‘an act to coerce, intimidate, harass, insult or annoy a person through computer systems or electronic devices’ and applies to individuals and body corporates. The penalty is a fine of up to VT1,000,000 (approx. US\$8,200) or imprisonment of up to three years, or both for individuals, and a fine of up to VT3,000,000 (approx. US\$24,600) for a body corporate. In 2022, four people were [charged](#) under the Cybercrime Act for posting comments on Facebook claiming politicians had breached COVID-19 quarantine protocols.



Media Association of Vanuatu (MAV) Executive meeting, July 2025 (Photo Credit: Facebook/ MAV)

An Information Commissioner has not been appointed under the Right to Information Act of 2016. In August 2025, the Media Association of Vanuatu [voiced](#) strong opposition to the government’s decision to [amend](#) the Right to Information Act to restrict public access to decisions made by the Council of Ministers, calling the move a step backwards for democracy and transparency.

Freedom of peaceful assembly is recognised under the constitution but section 68(1) of the Penal Code covers unlawful assembly, defined as the conduct as three or more people who are assembled and conduct themselves

in a matter that causes people nearby to reasonably fear that those assembled will commit a breach of the peace or cause others to commit a breach of the peace. Under section 69, the penalty for taking part in unlawful assembly is three years’ imprisonment.

Most [protests](#) documented in Vanuatu have been peaceful. In November 2023, groups of concerned citizens peacefully protested against political instability following the appointment of four prime ministers in three years. These peaceful protests led to parliament calling a [referendum](#).

RECOMMENDATIONS

Pacific Island countries highlighted in this document should:

- Ratify the ICCPR, take steps to ensure that all domestic legislation is consistent with the treaty and implement its provisions in policy and practice.
- Establish national human rights institutions to monitor human rights violations that are in accordance with the Paris Principles.
- Ensure human rights defenders are able to freely carry out their activities without fear of reprisals or undue hindrance, obstruction, or harassment of themselves or their families.
- Ensure that LGBTIQI+ organisations are able to register and operate without barriers or restrictions.
- Ensure the right to freedom of expression and media freedom by all bringing national legislation into line with international standards.
- Review or repeal all laws to ensure the legislation is consistent with the ICCPR and other international law and standards in the area of the right to freedom of expression.
- Repeal laws criminalising defamation online and offline.
- Refrain from using laws to curb freedom of expression or to arrest and detain people for their exercise of their freedom of expression.
- Ensure journalists and writers can work freely and without fear of retribution for expressing critical opinions or covering topics the government may find sensitive.
- Pass legislation on freedom of information and ensure such laws meet international law and standards.
- Amend laws in order to guarantee fully the right to freedom of peaceful assembly and remove restrictions other than those provided for under the framework of international human rights law and standards.
- Adopt best practices on the right to freedom of peaceful assembly, as put forward by the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association in his 2012 annual report, and by General Comment No. 37 on the right to peaceful assembly adopted by the UN Human Rights Committee in 2020. This includes procedures in which there is simple notification of assemblies being held, rather than explicit permission being needed to assemble.
- Halt all forms of harassment and intimidation of peaceful protesters and ensure that any law enforcement officials who undertake such actions are held accountable.
- Review and, if necessary, update existing human rights training for police and security forces, with the assistance of independent CSOs, to foster the more consistent application of international human rights standards.