


















Pacific countries with constitutions protecting human rights, incorporating the common law as part of their legal systems & English language laws¹

By [Dr Chris McGrath](#) as at 13 July 2023.

No	Country	Constitution with human rights	Common law	English laws & courts
1.	 American Samoa	✓	✓	✓
2.	 Cook Islands	✓	✓	✓
3.	 Fiji	✓	✓	✓
4.	 Federated States of Micronesia	✓	✓	✓
5.	 Kiribati	✓	✓	✓
6.	 Marshall Islands	✓	✓	✓
7.	 Nauru	✓	✓	✓
8.	 Niue	✗	✓	✓
9.	 Nouvelle Calédonie	✓	✗	✗
10.	 Palau	✓	✓	✓
11.	 Papua New Guinea	✓	✓	✓
12.	 Pitcairn Islands	✓	✓	✓
13.	 Samoa	✓	✓	✓
14.	 Solomon Islands	✓	✓	✓
15.	 Tokelau	✓	✗ ²	✓
16.	 Tonga	✓	✓	✓
17.	 Tuvalu	✓	✓	✓
18.	 Vanuatu	✓	✓ (mixed system combining English common law, French civil law and customary law)	✓ (English & French)

¹ Based on Paclii (<http://www.paclii.org/>). The Commonwealth of the Northern Mariana Islands (CNMI) and Guam, both self-governing territories of the USA, while included on Paclii, are excluded from this list as they are not countries. New Caledonia, a territory of France, has been included to contrast the English-based jurisdictions. Pitcairn Islands, while an overseas territory of the UK, is also included due to its written constitution.

In relation to laws of Pacific countries, see Jennifer Corrin & Vergil Narokobi, *Introduction to South Pacific Law* (5th ed, Intersentia, 2022); and Jennifer Corrin & Tony Angelo (eds), *Legal Systems of the Pacific* (Intersentia, 2022).

² In Tokelau: the “sources of law are, in descending order of priority, [the] Constitution, General Fono Rules [statutes made by the Parliament of Tokelau], Village Rules, the custom of Tokelau, and the general principles of international law” (: *Constitution of Tokelau 2006*, s 12(4)); and “There is no right to claim damages for other than property loss in any action at Tokelau law” (: *Crimes, Procedure and Evidence Rules 2003* (Tokelau), s 143; Corrin & Narokobi, n 2, p 319). Contract rules are codified in the *Contract Rules 2004* (Tokelau).



Location map