

SAMOA 2019 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for the right to choose, practice, and change one's religion, and it defines the country as a Christian nation. By August cases against all 39 pastors from the Congregational Christian Church of Samoa (CCCS), who had been charged for not filing their tax returns or paying taxes, were dismissed or withdrawn. The Ministry for Revenue stated it would pursue the matter through the Office of the Attorney General and would file charges against the pastors in the future. The case stemmed from a 2018 change in the tax law that required clergy to begin paying income taxes from which they were previously exempt. There were continued anecdotal reports that village leaders resisted attempts by new religious groups to establish themselves in village communities, forbade individuals to belong to churches outside their village, and did not permit individuals to refrain from participating in worship services.

There was reportedly strong societal pressure at the village and local levels to participate in church services and other activities, and in some cases to give large proportions of household income to support church leaders and projects.

The Charge d'Affaires met with the commissioner of police to stress the importance of religious freedom and tolerance and to offer assistance to identify possible threats to religious groups in the country. The Charge attended numerous prayer events throughout the country during the year, including a parliamentary prayer breakfast and national prayers for the measles crisis. U.S. embassy officials maintained contact with various religious groups, including the Muslim community in the wake of the Christchurch, New Zealand tragedy.

Section I. Religious Demography

The U.S. government estimates the total population at 203,000 (midyear 2019 estimate). According to the 2016 national census, Congregational Christians constitute 29 percent of the population; Roman Catholics, 18.8 percent; members of The Church of Jesus Christ of Latter-day Saints, 16.9 percent; Methodists, 12.4 percent; members of the Assemblies of God, 6.8 percent; and Seventh-day Adventists, 4.4 percent. Groups together constituting less than 12 percent of the population include Jehovah's Witnesses, Congregational Church of Jesus, Church of the Nazarene, nondenominational Protestants, Baptists, Worship Centre, Peace Chapel, Samoa Evangelism, Elim Church, Anglicans, Baha'is, and small numbers

of Hindus, Buddhists, Muslims, and Jews, primarily in Apia. Less than 1 percent stated no religion or did not select a religion.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution provides for the right to choose, practice, and change one's religion. This right may be subject to "reasonable restrictions" by law in the interests of national security or public order, health, or morals, or protecting the rights of others. Legal protections cover discrimination or persecution by private citizens as well as government officials. The preamble to the constitution describes the country as "an independent State based on Christian principles and Samoan custom and traditions." In 2017 the parliament added the following clause to the first article of the constitution: "Samoa is a Christian nation founded on God the Father, the Son and the Holy Spirit."

The government does not require religious groups to register, but groups have the option to register as a charitable trust with the Ministry of Commerce, Industry, and Labor. Registration is free, with a simple application. Becoming a charitable trust entitles groups to receive tax exemptions and legal status. Unregistered religious groups may not formally buy property or pay employees. Individuals or groups may establish a place of worship on community or private land. Groups wishing to establish a place of worship on communal land may face significant obstacles obtaining the customary approvals from the extended family with claims to said land and the village council.

The constitution provides that no one may be forced to take religious instruction in a religion other than his or her own and gives each religious group the right to establish its own schools. The government enforces an education policy making Christian instruction compulsory in public primary schools and optional in public secondary schools. There is no opt-out provision. Most children of other religions attend private schools.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

An amended income tax law, passed in 2017 and including the taxing of ministers of religion, became effective in 2018. At least 39 CCCS pastors were charged for

not filing their tax returns and paying taxes. The cases were dismissed by the district courts or withdrawn by the Ministry for Revenue in July and August. According to media reports, the Office of the Attorney General, with assistance from the ministry, will file charges in the future against the pastors. According to a press statement from the ministry, the CCCS was the only denomination that opposed the tax law.

Reportedly, *matai* councils, the traditional governing body of villages, frequently continued to resist attempts to introduce new religious groups into their communities on the ground of “maintaining harmony within the village” – a duty prescribed in legislation. Sources stated that it was also common in many villages throughout the country for leaders to forbid individuals to belong to churches outside of the village or to exercise their right not to worship. Villagers in violation of such rules faced fines, banishment from the village, or both.

Traditionally, villages have tended to have one primary Christian church. Village chiefs often have chosen the religious denomination of their extended families. Sources stated, however, that many larger villages have had multiple churches serving different denominations and coexisting peacefully.

Ten or more chaplains continued to be available to prisoners on a rotational basis, covering the majority of Christian denominations in the country. Prisoners of non-Christian faiths have access to counselors from their religion.

Public ceremonies typically began with a Christian prayer.

Section III. Status of Societal Respect for Religious Freedom

Compared to previous years, there were few reports during the year of disparaging remarks made by members of the public towards non-Christian religions.

As reported by media and in letters to the editor, there was a high level of religious observance and continued strong societal pressure at village and local levels to participate in church services and other activities, in addition to supporting church leaders and projects financially. In some denominations, financial contributions often totaled more than 30 percent of family income. This issue continued to gain media attention, in outlets such as the *Samoa Observer* newspaper, as members of society occasionally spoke out about pressure on families to give large amounts of their income to churches. The *2018 Public Inquiry into Domestic Violence* by the National Human Rights Institute/Office of the Ombudsman stated several times

that “financial pressures associated with church contributions and family obligations are unique underlying causes of family violence in Samoa.” Some individuals expressed concern that church leaders abused their privileged status among the congregation and village.

Public opinion reported on social media continued to be divided on the issue of taxing pastors. Those against taxing pastors believed as representatives of God, they should not be taxed; others felt the pastors should accept the responsibility of paying taxes as the other pastors who agreed to do so and the rest of the working population.

Section IV. U.S. Government Policy and Engagement

The Charge d’Affaires met with the commissioner of police to stress the importance of religious freedom and tolerance and to offer to help determine possible threats to religious groups in the country. The Charge attended numerous prayer events throughout the country during the year, including a parliamentary prayer breakfast, and national prayers for the measles crisis.

Embassy officials maintained contact with various religious groups, including all major Christian denominations and members of the Baha’i Faith. The Charge attended many nondenominational prayer events during the year and engaged in conversations regarding religion and religious freedom in the country.

After the attacks on Muslims in neighboring New Zealand, embassy officials interacted with the local Islamic community. On separate occasions, the Ambassador and Charge met with the local imam to discuss the tragedy, safety concerns, and the state of religious freedom in the country.