

SAMOA 2021 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. The Ministry of Customs and Revenue announced its intention to halt enforcement of a 2017 law that required clergy to begin paying income taxes, from which they were previously exempt. Some nongovernmental organizations and leaders from minority religious groups reiterated concerns about amendments passed by parliament in 2020 that reformed the Land and Titles Court structure, which has jurisdiction over customary land and title disputes, and exempted its decisions from Supreme Court and Court of Appeal review. The leaders said this could eliminate the ability of civil and criminal courts to address potential violations of religious rights and freedom.

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. Some local denominations continued to own and operate their own television stations, which were available to other religious groups and nonreligious organizations for broadcasting their organizations' messages. The Congregational Christian Church of Samoa's (CCCS) TV2 station, for example, was used primarily by the former opposition to convey its messages in the lead-up to and following the 2021 general election.

U.S. embassy officials discussed the state of religious freedom with the ombudsman, the country's highest-ranking official responsible for human rights and religious freedom. Embassy officials also met with representatives of various religious groups to discuss religious freedom and the role of religion in society.

Section I. Religious Demography

The U.S. government estimates the total population at 205,000 (midyear 2021). 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, morals, or protecting the rights and freedom 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, 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 or incorporated society with the Ministry of Commerce, Industry, and Labor. Registration is free. Becoming a registered entity 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 but must obtain approval from the extended family that has claims to the land, as well as from the village council.

The ombudsman is the country's highest-ranking official responsible for human rights and religious freedom.

The constitution provides that no one may be forced to take instruction in a religion other than his or her own and gives each religious group the right to establish its own schools. There is no religious curriculum in public schools. Most children of non-Christian religions attend private schools.

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

Government Practices

In November, the Ministry of Customs and Revenue issued a public notice announcing its intention to halt enforcement of an amended income tax law, passed in 2017 and effective in 2018, that required ministers of religion to pay income taxes. Cases previously brought by the government against at least 40 pastors from the CCCS for not filing tax returns or paying taxes were dismissed by district courts or withdrawn by the Ministry of Customs and Revenue in July and August 2019. By year's end, no new charges against pastors had been filed.

During the year, some nongovernmental organizations and leaders from minority religious groups reiterated concerns expressed during consideration of amendments passed by parliament in 2020 that reformed the Land and Titles Court – which hears customary land and titles disputes – and exempted its decisions from Supreme Court and Court of Appeal review. These religious leaders stated that the amendments could negatively affect religious freedom by eliminating the ability of civil and criminal courts to intervene in potential violations of religious rights and freedom. There were no allegations of such violations during the year.

Villages tended to have one primary Christian church. Village chiefs traditionally chose which church, based on the denomination of their extended families. Sources stated, however, that many larger villages, such as Vaitele and Vailima, had multiple churches serving different denominations and coexisting peacefully.

Chaplains representing the majority of Christian denominations in the country continued to be available to prisoners on a rotational basis. Prisoners of non-Christian faiths had access to counselors from their religion.

Public ceremonies typically began with a Christian prayer.

Section III. Status of Societal Respect for Religious Freedom

Community leaders reported that there was strong societal pressure at the village and local levels to participate in church services and other activities in addition to supporting church leaders and projects financially. Social media posts suggested that financial contributions often totaled more than a third of family income.

Some local denominations continued to own and operate their own television stations, which were available to other religious groups and nonreligious organizations for broadcasting the organizations' messages. The CCCS's TV2 station, for example, was used primarily by the former opposition to convey its

messages in the lead-up to and following the opposition's victory in the 2021 general elections.

Section IV. U.S. Government Policy and Engagement

In October, an embassy official discussed the state of religious freedom with the ombudsman, the country's highest-ranking official responsible for human rights and religious freedom, including the effect of amended legislation related to the Land and Titles Court. An embassy official also met with representatives of various religious groups to discuss religious freedom and the role of religion in society.