

# **SAMOA 2020 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 stated its intention to pursue cases through the Office of the Attorney General against at least 40 pastors from the Congregational Christian Church of Samoa (CCCS) who were previously charged with not filing their tax returns or paying taxes, despite their cases having been dismissed or withdrawn in 2019. The cases stemmed from a 2018 change in the tax law that required clergy to begin paying income taxes from which they were previously exempt.

In June, the pastor of a small Christian denomination gave televised sermons on the country's largest broadcaster calling other Christian denominations "anti-Christ followers." The Prime Minister, government officials, religious leaders, and the general public criticized the sermons as provocative and derogatory. 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 CCCS's TV2 station, for example, was used primarily by the main opposition party to convey its messages in the lead-up to the 2021 general election.

The Charge d'Affaires met with the commissioner of police to stress the importance of religious freedom, tolerance, and treating all members of society with respect. The Charge and the Ombudsman, the country's highest-ranking official responsible for human rights and religious freedom, discussed the state of religious freedom in the country.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 204,000 (midyear 2020 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 (Church of Jesus Christ), 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 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 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 but must obtain approval from the extended family with 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. The government enforces an education policy that makes 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

The government stated its intention to pursue cases against at least 40 pastors from the CCCS who were previously charged with not filing their tax returns or paying taxes in 2017 and 2018. An amended income tax law, passed in 2017 and including the taxing of ministers of religion, became effective in 2018. The cases were dismissed by district courts or withdrawn by the Ministry of Customs and Revenue in July and August 2019. The Ministry of Customs and Revenue stated it would pursue the matter through the Office of the Attorney General and would file charges against the pastors in the future.

In December, parliament passed amendments that reformed the Land and Titles Court and exempted its decisions from Supreme Court review. In an opinion piece submitted to the *Samoa Observer* in June, Elder Sapele Faalogo Junior, a local leader of the Church of Jesus Christ, wrote that the then-proposed amendments would negatively affect religious freedom in the country if passed. He said they would allow the Land and Titles Court to make decisions on whether to give permission for the construction of new churches without the religious group having a right of appeal. Others indicated, however, that the amendments concerned issues such as land title and taxation and were not aimed specifically at impacting the rights of religious groups.

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.

Ten or more 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

There were no reports during the year of disparaging remarks made by members of the public towards non-Christian religions, in contrast to the previous years. In June, TV1, the country's largest broadcaster and partially owned by the government, broadcast sermons by the leader of a small Christian denomination in

which he called other Christian denominations “anti-Christ followers.” Prime Minister Tuilaepa Sailele Malielegaoi, members of the government, religious leaders, and the general public criticized the sermons as provocative and derogatory, and the government instructed the television station to remove the offending content.

As reported by media and in letters to the editor, 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. In some denominations, financial contributions often totaled more than 30 percent of family income. Some individuals interviewed by local media expressed concern that church leaders abused their privileged status among the congregation and village.

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 main opposition party to convey its messages in the lead-up to the 2021 general elections.

#### **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, tolerance, and treating all members of society with respect. In a separate meeting with the Ombudsman, the Charge reiterated the importance of religious freedom, in accordance with human rights principles.