

# **SAMOA 2018 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. There was a dispute between the government and the largest church over a new tax on the income of ministers of religion. In June, however, parliament adopted a law that amended the taxation of pastors to exempt income they receive as donations from funerals, weddings, and other traditional occasions. Media reported, as of November, authorities charged eight pastors of the Christian Congregational Church for not filing their tax returns. The minister of revenue subsequently charged additional pastors, making a total of at least 16 charged by the end of the year. The cases of all the pastors were adjourned until February 2019.

There were continued 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 abstain 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. A national report on the prevalence of domestic violence cited church monetary obligations as a contributing factor to hardship and family violence.

The U.S. embassy maintained contact with various religious groups.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 201,000 (July 2018 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. Religious groups may be established on community land or on land owned by their leader.

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.

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

### Government Practices

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. Observers continued to report that in many villages throughout the country, leaders forbade 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. 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.

An amended income tax law, passed in 2017 and including the taxing of ministers of religion, became effective January 1. The Christian Congregational Church refused to abide by this law. The government was reportedly seeking to collect unpaid taxes from personal bank accounts and assets of pastors. In June, however, parliament adopted a new bill that amended the taxation of pastors to exempt income they receive as donations from funerals, weddings, and other traditional occasions; nonetheless, pastors continued to oppose the tax. The Christian Congregational Church reportedly approved of the change. Media reported, as of November, authorities charged eight pastors of the Christian Congregational Church for not filing their tax returns. The minister of revenue subsequently charged additional pastors, making a total of at least 16 by the end of the year, and said, “We have given church ministers eleven months, and those who continue to defy the law will face the consequences.” The cases of all the pastors were adjourned until February 2019.

According to media, the report of the National Inquiry into Domestic Violence released during the year placed some blame on churches for their lack of effort to curb such incidents. According to press reports, in December at a forum to discuss the report, the chairman of the Samoan National Council of Churches said increasing domestic violence was a result of individuals violating God’s law and called for the government to work with the churches to formulate a national day of repentance.

Public ceremonies typically began with a Christian prayer. The prime minister, while discussing family violence, said citizens should “demonstrate [their] dedication to the Fa’asamoa [the ways of Samoa] and Christian values upon which this country [was] founded.”

### **Section III. Status of Societal Respect for Religious Freedom**

Prominent societal leaders repeatedly stated in public that the country was Christian. Public discussion of religious issues sometimes included negative

references to non-Christian religions. For example, on August 8, one citizen posted online: “your ‘unChristian beliefs’ are not that much welcome now that our current Parliamentary leaders had made it clear in our Nation’s Constitution.”

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 support church leaders and projects financially. In some denominations, financial contributions often totaled more than 30 percent of family income. This issue gained periodic 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. There was a continued increase throughout the year in public expression in print and social media citing church commitments, and in particular financial commitments, as one of the major sources of hardship for citizens in the country and abroad. 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. In November one youth leader reportedly told a synod of Catholic bishops in Rome that in Samoa reporting on “clerical abuse and widespread corruption” amounted to “professional and cultural suicide.”

Public opinion reportedly was divided on the issue of whether or not to tax pastors.

#### **Section IV. U.S. Government Policy and Engagement**

The embassy maintained contact with various religious groups, including all major Christian denominations and members of the Baha’i Faith.