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Universal periodic review

Report of the Working Group on the Universal Periodic Review*

Samoa

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its thirty-ninth session from 1 to 12 November 2021. The review of Samoa was held at the 3rd meeting, on 2 November 2021. The delegation of Samoa was headed by the Prime Minister and Minister of Foreign Affairs and Trade, Fiame Naomi Mata'afa. At its 12th meeting, held on 9 November 2021, the Working Group adopted the report on Samoa.
2. On 12 January 2021, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Samoa: Brazil, Denmark and Uzbekistan.
3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Samoa:
 - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a);¹
 - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b);²
 - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c).³
4. A list of questions prepared in advance by Canada, Germany, Liechtenstein, Panama, Slovenia and the United Kingdom of Great Britain and Northern Ireland was transmitted to Samoa through the troika. These questions are available on the website of the universal periodic review.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The Prime Minister and Minister of Foreign Affairs and Trade introduced the national report of Samoa to the Working Group on the Universal Periodic Review.
6. The delegation recalled that Samoa was a small island developing State and that the Government's aspiration was to ensure that all Samoans lived good quality lives, that the country's culture was protected, its Christian values respected, the natural environment secured from further deterioration and individual rights upheld. That was underpinned by the State's unique communal *fa'a Samoa* (Samoan way of life, culture and traditions), according to which the people took collective responsibility for each other, for their *aiga* (extended family), their villages and their country.
7. The Samoan culture, Christian values and the rule of law were vital to Samoans' efforts to promote and fulfil all human rights and fundamental freedoms in the country.
8. The Constitution remained the supreme law of the land and set out the fundamental rights and freedoms recognized by Samoa. The State was blessed with a generally peaceful and safe society with an active media community. Parliamentary elections were considered open and fair. Order and security were supported by the *matai* (chief) and traditional village systems that worked closely with an unarmed police force. Samoa continued to pursue a human rights-based approach to sustainable development.
9. The development and resolve of Samoa as a nation continued to be tested. Climate change posed a persistent existential threat. The measles epidemic in 2019 had claimed many young lives and had been devastating for Samoa. The border closures imposed in an effort to

¹ [A/HRC/WG.6/39/WSM/1](#).

² [A/HRC/WG.6/39/WSM/2](#).

³ [A/HRC/WG.6/39/WSM/3](#).

limit the circulation of the coronavirus disease (COVID-19) had reversed hard-fought development gains. Nevertheless, the country remained COVID free.

10. More recently, the events that had occurred following the 2021 elections had divided the country and tested all key pillars of society. While that period had been difficult for Samoa, it had been a key milestone in the country's ongoing journey as a mature democracy. The rule of law had been upheld as a result of the State's democratic traditions and its independent judiciary. That had allowed for a peaceful transition to the new Government, led by Fiamē Naomi Mata'afa, the country's first female Prime Minister.

11. Since its first and second universal periodic reviews in 2011 and 2016, Samoa had continued to invest in improving its implementation of the recommendations. It had established the National Mechanism for the Implementation, Reporting and Follow-up Taskforce, ensuring coordinated and continuous implementation of those recommendations. It had improved data collection and alignment with other reporting processes.

12. The Government's strengthened engagement with stakeholders had garnered positive feedback. The dedicated interactive dialogues that had taken place and the follow-up responses from the Government, in particular given the centrality of a rights-based approach on issues raised by the United Nations, the Office of the Ombudsman (the national human rights institution) and non-governmental stakeholders, had been a successful feature of the current review.

13. The national report focused on the implementation of the 129 recommendations received in 2016. A matrix identifying key actions had been developed and shared. More than 90 per cent of the recommendations from the previous cycle had been either fully or partially implemented and action on implementation had been integrated into national action on the Sustainable Development Goals and national development plans. Moreover, some of the more difficult issues that had been raised in the recommendations that had been noted had already been discussed.

14. The human rights framework of Samoa had been progressively strengthened through changes in legislation, improved institutions and policies, as well as dedicated awareness-raising and training. Samoa had ratified six of the nine core human rights instruments and remained committed to ratifying the remaining three. Furthermore, Samoa maintained a standing invitation to all the special procedure mandate holders; it was currently awaiting the visit of one mandate holder, when the borders reopened. A plan to submit overdue reports to the treaty bodies was also in place.

15. Nonetheless, more remained to be achieved and there were no easy solutions to some of the ongoing challenges, including on domestic and gender-based violence, climate change and recovery from the health crises.

16. Progress had been made in terms of education, which was compulsory and free of charge in public schools, with universal access to primary education. In addition, the number of children with disabilities who were enrolled in schools had increased. Access to clean water, sanitation, roads and electricity was almost universal and there was no extreme hunger in the country. People had better access to public health services and facilities and the number of women who died in childbirth had decreased. Villages were introducing by-laws to punish perpetrators of violence. There were now more women than men in top management in the public sector. Building resilience to disasters and climate change was fully integrated across all sectors and at the community level and the infrastructure was more climate resilient and inclusive. For Samoa, building resilience to climate change was a matter of survival.

17. The new Government had recently passed its first budget focusing on recovery, building resilience and shared prosperity for all the people of Samoa. The level of investment in social protection had increased and funds had been committed to enforcing the Community Law Centre Act.

18. Strengthening health services was a main priority. About 70 per cent of the eligible population had been fully vaccinated against COVID-19. The vaccination roll-out for children aged between 12 and 17 years old had begun.

19. Empowering communities and stimulating business innovation and growth were key to the country's post COVID-19 recovery. Increasing the use of technology could support the economic empowerment of women, young people and persons with disabilities.

20. *Fa'afafine* and *fa'afatama* were unique to Samoan society. The Samoa Fa'afafine Association continued to work closely with the Government in key sectors such as health and businesses, and the engagement had been strengthened as the Association had become an important dialogue partner in the universal periodic review process. In sharing their priorities with the Government, *fa'afafine* and *fa'afatama* persons had called for an in-depth understanding by the Human Rights Council of specific indigenous identities like *fa'afafine* and *fa'afatama*, but not just through the lesbian, gay, bisexual, transgender, questioning and intersex lenses.

21. While there had been much progress, not all Samoans had benefited from it equally and many challenges remained. The universal periodic review was a platform that the Government had used to assess progress and identify gaps requiring attention. Therefore, the new and emerging issues identified in the national report would be key for the forthcoming four to five years.

22. The Government would continue to ensure strong and decisive leadership and to strengthen a whole-of-society approach. Samoa was committed to ensuring that the mounting challenges were faced, while still promoting the respect, protection and fulfilment of all human rights and fundamental freedoms in Samoa.

B. Interactive dialogue and responses by the State under review

23. During the interactive dialogue, 54 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

24. Montenegro encouraged Samoa to seek technical support from the OHCHR regional office for the Pacific in submitting its overdue reports to treaty bodies. Montenegro commended the enactment of policies to address climate change and called on Samoa to integrate a rights-based approach in those policies. Montenegro acknowledged the Government's commitment to further develop policies and ensure a whole-of-society approach to addressing violence against women and children.

25. Nepal expressed appreciation for the ratification by Samoa of the Convention on the Rights of Persons with Disabilities and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Nepal commended the introduction of the Community Development Sector Plan 2021–2026 and took note of the first National Security Policy, in which domestic and gender-based violence and health security had been identified as key national security concerns.

26. The Netherlands welcomed the efforts that had been made in Samoa to advance human rights and equality within legislative and policy frameworks and encouraged the Government to further commit to ensuring gender equality at all levels. The Netherlands expressed concern about the prohibition of consensual same-sex relations.

27. New Zealand commended Samoa for becoming a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of Persons with Disabilities and the three Optional Protocols to the Convention on the Rights of the Child, as well as on having successfully upheld the rule of law, freedom of assembly and freedom of expression throughout a complicated post-election period.

28. Pakistan expressed its appreciation for the steps Samoa had taken to strengthen the Office of the Ombudsman, protect the rights of children, promote gender equality and combat violence against women and girls. Pakistan encouraged Samoa to continue with efforts to improve people's well-being and provide a conducive environment for the enjoyment of human rights and achieve sustained socioeconomic development.

29. Portugal noted the establishment of the National Mechanism for the Implementation, Reporting and Follow-up Taskforce by Cabinet decision in 2016. It welcomed the ratification

by Samoa of the Convention on the Rights of Persons with Disabilities and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

30. The Philippines acknowledged the constructive approach taken by Samoa to the universal periodic review process, and the progress made since the previous review. It also acknowledged the measures taken to mainstream a human rights-based approach in development planning and in the implementation of the Sustainable Development Goals.

31. Senegal welcomed the development by Samoa of national policies that constituted the keystone of its efforts to implement the international human rights instruments to which it was a party. Senegal also welcomed the establishment of the Community Development Sector Plan 2021–2026, which promoted family and community safety, particularly in matters of sexual violence, and ensured the resilience of communities to disasters and climate change.

32. Spain acknowledged the efforts of Samoa to uphold human rights, in particular its ratification of the Convention on the Rights of Persons with Disabilities in 2016 and its accession to the Convention against Torture in 2019 and to the three Optional Protocols to the Convention on the Rights of the Child in 2016. Spain also noted the progress made in terms of women's political and institutional representation.

33. Timor-Leste welcomed the ratification by Samoa of international human rights instruments and its establishment of a national mechanism for reporting and follow-up on the implementation of its human rights obligations and the Sustainable Development Goals. As a fellow small island developing State vulnerable to climate change, Timor-Leste commended Samoa for its adoption of the Samoa Climate Change Policy 2020 and the Samoa 2040 policy document.

34. Tunisia highlighted the role of key domestic institutions in the promotion and protection of human rights and their cooperation with United Nations human rights mechanisms. Tunisia welcomed the important national policies Samoa had put in place on gender equality, the rights of women and girls, domestic violence, persons with disabilities, child protection, economic development, disaster response and climate change.

35. Turkey highlighted the fact that Samoa had implemented most of the recommendations it had made during the previous review cycles, including by becoming a party to three of the main international human rights treaties. Noting that Samoa had recently completed its parliamentary election process and that the new Government had taken office, Turkey expressed the hope that the country would pursue its legislative and implementation efforts to further improve the human rights situation in the country.

36. Ukraine appreciated the progress achieved by Samoa in implementing the recommendations from the previous review cycle. Ukraine welcomed the fact that Samoa had become a party to several core international human rights instruments, including the Convention on the Rights of Persons with Disabilities and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, both of which Ukraine had recommended it ratify during the previous review.

37. The United Kingdom of Great Britain and Northern Ireland welcomed the work of Samoa on media freedom, including with partner agencies of the United Nations Educational, Scientific and Cultural Organization and the Journalists Association of Western Samoa, and encouraged the Government to consider joining the Media Freedom Coalition. It commended Samoa on its broader human rights efforts, such as the establishment of the National Mechanism for the Implementation, Reporting and Follow-up Taskforce and the ratification of international human rights instruments.

38. The United States of America commended Samoa on its commitment to advance the protection of human rights.

39. Uruguay welcomed the efforts made by Samoa since the second review cycle, in particular its ratification or accession to several international human rights instruments, such as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of Persons with Disabilities.

40. In response to questions on the core international human rights instruments, the delegation of Samoa recalled that it had become a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of Persons with Disabilities, all three Optional Protocols to the Convention on the Rights of the Child and the United Nations Convention against Corruption. Samoa remained committed to becoming a party to the other core international human rights instruments and continued to conduct national dialogues to discuss prioritization and the financial and human resource implications of doing so and of effectively meeting those new international obligations.

41. Samoa had completed draft versions of all its reports to treaty bodies that were currently overdue. A plan was in place to finalize all the reports by the first quarter of 2022, with the support of international organizations.

42. Samoa had recently launched inclusive governance, family safety and gender equality policies to ensure inclusion, equality and non-discrimination.

43. Inclusiveness and the empowerment of all vulnerable groups was an integral part of all efforts being made in Samoa to mitigate and adapt to climate change. Those efforts included taking a human rights-based approach by ensuring extensive engagement with all stakeholders in the key sectors affected by climate change, paying particular attention to vulnerable groups. There was currently a Gender in Disaster Risk Management Policy in place and 94 Community/Village Disaster and Climate Management Response Plans and 41 Community Integrated Management Plans, which were key to building resilience.

44. Samoa highlighted the measures it had taken to strengthen the human rights framework, including its legislative, policy and institutional initiatives to better respond to gender-based violence and violence against children. It had also increased the awareness-raising campaigns and relevant training it conducted. Domestic violence and gender-based violence remained priority issues; the Government was committed to addressing them by taking a whole-of-society approach.

45. Samoa had established an Inter-agency Essential Services Guide, which provided referral pathways for the Government's partners and for victims of violence. National efforts to prevent and end all forms of violence were being pursued, including through the allocation of specific funds in the national budget. Villages had also introduced by-laws to punish perpetrators of violence.

46. Samoa, as the Chair of the Sexual and Gender-based Violence Working Group of the Pacific Islands Law Officers' Network, had adopted initiatives to assist and protect vulnerable victims and witnesses of sexual and gender-based violence. They had included the adoption in 2020 of model provisions for amending specific legislation on evidence or codes of criminal procedure to incorporate special measures for vulnerable witnesses of sexual and gender-based violence.

47. Given the importance of non-discrimination on the basis of gender, sexual preference and respect for personal privacy, offences relating to sodomy were not actively enforced with regard to consensual sexual acts between adults. Since the Samoa Law Reform Commission consultation on the Crimes Ordinance 1961 had been carried out, some amendments had been made to ensure that offences were gender neutral. There was also now improved and open dialogue with relevant stakeholders.

48. The Child Care and Protection Bill was at the final review stage. Samoa remained committed to prioritizing its passage through the legislature.

49. The death penalty had been abolished in Samoa.

50. The Child Labour Taskforce, led by the Ministry of Commerce, Industry and Labour, now came under the Samoan National Tripartite Forum to ensure oversight and more regular meetings between the main implementing agencies that were addressing child labour. Key activities had been scheduled, including surveys to update data and a national forum to strategize approaches to address the issue of child street vendors. The task force would be the focal point for coordinating the various mandates to ensure that the welfare of children was prioritized.

51. Serbia appreciated the efforts made by the authorities of Samoa to implement the recommendations made during the previous review cycle. Serbia particularly welcomed the measures taken to provide adequate standards of living, including for the most vulnerable sectors of Samoan society.

52. Slovenia noted the adoption of the Samoa Climate Change Policy 2020 and the Samoa 2040 policy document. Nevertheless, it was concerned about the particular vulnerability of small island developing States to climate change. While welcoming measures in the field of education, Slovenia encouraged Samoa to step up the adoption of an inclusive school curriculum and school-based programmes in the field of environmental protection.

53. Uzbekistan highlighted the improvements Samoa had made in its legislation concerning the rights of women and children, and the fact that it had become a party to most of the core international human rights instruments, including the Convention on the Rights of Persons with Disabilities, in accordance with the recommendations it had accepted during the previous review cycle.

54. Vanuatu commended Samoa for achieving 60 per cent of renewable energy for the country in 2018. As a fellow small island developing State, Vanuatu noted the significance of that step for the implementation of the long-term Samoa 2040 strategy for a sustainable environment and economy, thus protecting the rights of its people against the effects of climate change.

55. The Bolivarian Republic of Venezuela highlighted the progress Samoa had made in terms of sustainable development and progress on social matters, despite the devastating effects of climate change and the recent crises caused by the measles epidemic and the COVID-19 pandemic. The Bolivarian Republic of Venezuela called on the international community to provide Samoa with the cooperation and assistance it required to fully honour its human rights commitments.

56. Algeria welcomed the fact that Samoa had become a party to the Convention on the Rights of Persons with Disabilities and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

57. Argentina noted with appreciation the fact that Samoa had become a party to the three Optional Protocols to the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the United Nations Convention against Corruption.

58. Armenia welcomed the ratification by Samoa of a number of core international human rights instruments and its adoption of policies on combating violence against women and girls, on child protection and on the rights of persons with disabilities. Armenia also welcomed the fact that the Samoan Office of the Ombudsman had been granted A status by the Global Alliance of National Human Rights Institutions.

59. Australia welcomed the ratification by Samoa of the Convention on the Rights of Persons with Disabilities and the steps it had taken towards safeguarding the rights of persons with disabilities. Australia also welcomed the efforts of Samoa to implement the recommendations contained in the national State of Human Rights Report: 2015. It urged Samoa to uphold the rights of lesbian, gay, bisexual, transgender and intersex persons and to continue working to reduce gender-based violence.

60. The Bahamas commended Samoa for the establishment of a national mechanism for implementation, reporting and follow-up. It also welcomed the critical legal reform Samoa had undertaken, which contributed to compliance with international treaty obligations and the principles of relevant international law, and the development of a number of national policies and sectoral plans, including in relation to gender equality, persons with disabilities, childcare and promoting communities' resilience to disasters and climate change.

61. Brazil welcomed the fact that Samoa had become a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of Persons with Disabilities and the three Optional Protocols to the Convention on the Rights of the Child. It also commended Samoa for guaranteeing a peaceful transition

of power, during which Fiamē Naomi Mata'afa had taken office as the country's first female Prime Minister.

62. Bulgaria welcomed the fact that Samoa had become a party to numerous international human rights treaties. Noting that the Office of the Ombudsman of Samoa had been granted A status, having been found to be in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), Bulgaria encouraged the Government to implement the recommendations made by that Office. It welcomed the involvement of Samoa in the Spotlight Initiative, a joint endeavour of the European Union and the United Nations to eliminate violence against women and girls, and the efforts of Samoa to change mindsets about women and their place in society.

63. Canada commended Samoa for acceding to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and for providing training to enhance the knowledge and skills of law enforcement officials with regard to international best practices for the implementation of the Convention.

64. Chile highlighted the National Policy on Gender Equality and the Rights of Women and Girls and the National Policy on Family Safety, which focused on the elimination of violence, especially against women and girls. Chile also highlighted the steps Samoa had taken to harmonize its domestic legislation with international standards on child labour, through the Family Laws Review Project and the new National Policy on Child Care and Protection (2020–2030).

65. China appreciated the fact that Samoa attached great importance to strengthening the education and health-care systems, promoting gender equality, protecting the rights of vulnerable groups, including women, children and persons with disabilities, formulating and implementing national employment programmes and combating human trafficking.

66. Cuba recognized the efforts made by Samoa to implement the recommendations it had accepted during the previous review cycle, despite the great challenges it faced as a small island developing State and the impact of the health crises. Cuba congratulated Samoa on increasing its efforts to advance the protection of children, as well as the action it had taken to counter the regrettable effects of the measles epidemic.

67. Cyprus noted the progress Samoa had achieved since the previous review, including becoming a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of Persons with Disabilities and the three Optional Protocols to the Convention on the Rights of the Child. Cyprus commended Samoa for its continuous efforts to improve its disaster risk planning and response to address the impacts of climate change.

68. Denmark commended Samoa for its accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and for the inclusion of sexual and gender-based violence in the 2018 National Security Policy. Nevertheless, Denmark remained concerned about the continued prevalence of domestic and intimate partner violence, as well as the continued discrimination and stigmatization faced by persons based on their sexual orientation and gender identity.

69. The Dominican Republic recognized the efforts Samoa had made and the progress it had achieved in preparing its report on the impacts of climate change and its commitment to reducing carbon emissions.

70. Fiji welcomed the 2020 Climate Change Policy, the Community/Village Disaster and Climate Management Response Plans and the Community Integrated Management Plans. Fiji commended Samoa for its constructive engagement with the Convention Against Torture Initiative.

71. The delegation of Samoa reported that the Government had adopted a human rights-based approach to the implementation of the Sustainable Development Goals since the presentation of the country's first voluntary national report to the high-level political forum on sustainable development in 2016. Most States, especially small island developing States, were facing a dual crisis of climate change and COVID-19, which required them to pursue

that approach to sustainable development while ensuring adequate social protection measures. The draft social protection policy was currently being finalized. The extended family (*aiga*) and the village system remained important aspects of social protection in Samoa. However, the limited fiscal space in a small island developing State like Samoa made that approach challenging, notably with regard to the provision of comprehensive basic and essential services and social protection coverage. The new Government had passed its first budget, which focused on recovery, building resilience and shared prosperity for all the people of Samoa. It had increased investment in social protection.

72. Samoa stated that its authorities had identified mental health as a priority, as had been noted in its national report, and mental health was addressed in the Samoa Health Sector Plan 2020–2030. It was also a priority with regard to efforts to implement the Convention on the Rights of Persons with Disabilities. Linking such efforts to the sectoral plans was vital to ensure adequate resources for implementation. The lessons learned after the measles epidemic in 2019 had guided the implementation of the COVID-19 response of Samoa and were proving crucial to improving health care.

73. The national policy for persons with disabilities (2021–2031) had been launched and the development of a specific law on that issue was currently under discussion.

74. Proposed amendments to the Crimes Act would increase penalties and terms of imprisonment for perpetrators of transnational organized crime and crimes relating to migrant smuggling, people trafficking and sexual exploitation. The consideration of those proposals would provide an opportunity to further consider and develop policy changes to recognize domestic trafficking in persons. The multi-agency Transnational Crimes Unit, the National Security Policy and the Guidelines for the Management of the Transnational Crimes of Trafficking and Smuggling had contributed significantly to advancing the counter-trafficking agenda in Samoa.

75. Finland appreciated the engagement of Samoa in the universal periodic review process.

76. France welcomed the fact that Samoa had become a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the three Optional Protocols to the Convention on the Rights of the Child.

77. Georgia noted with satisfaction the fact that Samoa had become a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of Persons with Disabilities. It also welcomed the Samoa Climate Change Policy 2020 and the Samoa 2040 policy documents, which were aligned with international commitments relating to climate change. In that regard, Georgia noted the need to adopt a human rights-based approach.

78. Germany commended the Government of Samoa for the ratification of the Convention on the Rights of Persons with Disabilities and the accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the three Optional Protocols to the Convention on the Rights of the Child. Germany remained concerned about the prevalence of domestic violence perpetrated against women and girls and the pandemic-related increase in child labour.

79. Iceland welcomed the delegation of Samoa and its national report.

80. India noted the inherent vulnerabilities of Samoa to the impacts of climate change and appreciated its efforts to integrate the Sustainable Development Goals into the Strategy for the Development of Samoa. India commended the Government for the measures it had taken to improve the quality of life for all and to incorporate the needs of the most vulnerable across the four priority pillars and 14 sectoral plans. It also commended it on the ratification of the Convention on the Rights of Persons with Disabilities.

81. Indonesia welcomed the six national policies and the Community Development Sector Plan and encouraged their full implementation to support the realization of the obligations of Samoa under international human rights law. Indonesia commended Samoa on having become a party to the Convention on the Rights of Persons with Disabilities and the

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment since the second review cycle.

82. Iraq congratulated Samoa for its efforts to develop human rights legislation and bring national laws into line with the international commitments Samoa had made during the second review cycle. Iraq commended Samoa for its accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

83. Ireland expressed support for the efforts of Samoa to promote women's participation in public and political life, including through mandatory minimum quotas, and welcomed the increase in the number of women in senior roles. Nevertheless, Ireland remained concerned about the levels of domestic and gender-based violence against women and girls, and about violence against children, particularly the provision in law for the use of so-called reasonable force in schools.

84. Italy commended Samoa on its accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its ratification of the Convention on the Rights of Persons with Disabilities, as Italy had recommended in the second review cycle. Italy also welcomed the launch of national policies aimed at promoting and protecting the rights of women and girls, as well as the rights of the child.

85. Japan appreciated the positive steps Samoa had taken since the previous review cycle, notably the ratification of the Convention on the Rights of Persons with Disabilities in 2016 and the accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2019. Japan welcomed the progress made in the area of gender equality, such as the introduction of a minimum quota for the representation of women in the parliament.

86. Luxembourg congratulated Samoa for its accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2019 and to the three Optional Protocols to the Convention on the Rights of the Child in 2016.

87. Malawi noted that climate change affected small islands and least developed countries disproportionately, compared to their minimal contribution to harmful emissions. In that regard, Malawi applauded Samoa for adopting the Samoa Climate Change Policy 2020 to mitigate the impact of climate change, and the Samoa 2040 strategy to guide sustainable national development.

88. Malaysia was pleased to note that Samoa had established a web application called SADATA to track the implementation of its human rights obligations. Malaysia was encouraged by several key developments in the implementation of recommendations on measures to tackle discrimination against women, to eliminate violence against children and to promote the rights of persons with disabilities that had been made during the second review cycle. Malaysia appreciated the strong commitment of Samoa to tackle climate change.

89. Maldives commended Samoa for expanding the definition of security in its 2018 National Security Policy to cover not only border security and transnational crimes, but also climate change and human security. Maldives saw that approach as a positive step forward in mainstreaming climate resilience across all development sectors.

90. The Marshall Islands congratulated Samoa on its ratification of the Convention on the Rights of Persons with Disabilities in 2016 and its accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2019. The Marshall Islands welcomed the efforts of Samoa to mitigate the impacts of climate change through the adoption of the Samoa Climate Change Policy 2020 and was encouraged by its commitment to reaching 100 per cent of renewable energy by 2025.

91. Mauritius noted that, despite challenges such as natural disasters and the COVID-19 pandemic, Samoa had achieved progress, especially in providing universal access to primary education and amending legislation to enable compulsory education up to the age of 16. Mauritius commended Samoa for the establishment of the Sustainable Development Goals task force to coordinate the implementation of, follow-up to and reporting on those Goals.

92. Mexico welcomed the implementation of the National Policy on Gender Equality and the Rights of Women and Girls 2021–2031, the SADATA application to help track

implementation of human rights recommendations, and the ratification by Samoa in 2016 of the Convention on the Rights of Persons with Disabilities.

93. The delegation of Samoa addressed additional questions and observations raised during the interactive dialogue.

94. Pursuant to section 116 of the Crimes Act, procuring an abortion or miscarriage was unlawful unless the woman or girl had been pregnant for less than 20 weeks and the person performing the abortion was a registered medical practitioner who believed that continuing the pregnancy would result in serious danger to the life or physical or mental health of the woman or girl. That provisions did therefore recognize risks to the life of the pregnant woman or girl. Given the sensitivities involved in the Christian values of Samoa, the current laws were considered sufficient to address the physical and mental health risks that might be faced by victims of sexual offences.

95. The minimum legal age of marriage was now 18 for both men and women and consent was required for any man or woman under the age of 21 wishing to marry. Section 72 of the Immigration Act 2020 included amendments to the Marriage Ordinance 1961, notably to section 9 regarding the minimum age of marriage and section 10 regarding consent to the marriage of minors.

96. In Samoa, the judiciary was recognized as independent under the Constitution. A judge had guaranteed tenure until the mandatory retirement age of 68 years. A Chief Justice could not be removed from office except by the Head of State with the approval of not less than two thirds of the Legislative Assembly, on the grounds prescribed under article 67 of the Constitution. Separate legislation was being considered to provide the Judicial Service Commission with guidelines to assist in advising the Head of State. The best test of the independence of the judiciary had been the fact that the rule of law had been upheld through the democratic traditions and independent judiciary of Samoa, which had allowed for a peaceful transition of power to the new Government.

97. On the question of the adoption of legislative changes to address discrimination on the grounds of sexuality or disability, the delegation of Samoa noted that article 15 of the Constitution had been interpreted by the Supreme Court as having the same intent as that of article 14 of the Convention for the Protection of Human Rights and Fundamental Freedoms (the European Convention on Human Rights). That article provided that the enjoyment of the rights provided for in the Convention should be secured without discrimination on any ground.

98. The limited human and financial resources and capacities available to the Office of the Ombudsman (the national human rights institution) was an ongoing concern for a small island developing State like Samoa. The Government continued to assess other means of providing the institution with support through partnerships and other forms of collaboration. Nevertheless, those constraints had not hampered the successful delivery of the institution's mandate.

99. Women in rural areas had access to health care, including in district hospitals, in which staff numbers had increased. The delegation noted that Samoa had provided information in the national report regarding sexual reproductive health, including with regard to sexually transmitted diseases and sexually transmitted infections, and the right to education. Relevant civil society organizations and government partners were working to ensure that the family life education curriculum was in line with international technical guidance on sexuality education.

100. The question of developing a national action plan on business and human rights would be considered in due course, based on relevance and national dialogues on the issue.

101. The Prime Minister thanked all the Member States for their constructive feedback, and the members of the troika and the secretariat for their assistance, as well as the countries that had sent questions in advance.

102. Samoa acknowledged the technical and financial assistance provided by the international community to implement its human rights commitments.

103. Samoa highlighted the fact that its approach to human rights was not static; it was informed by continuing debate at the domestic and international levels.

104. Sharing its reflections on the universal periodic review process, Samoa recommended improving the format in order to allow for proper contextualization of the issues. Virtual presentations enabled more people to be involved in the process and strengthened ownership.

105. The delegation noted the benefits and contributions of the universal periodic review to the country's ongoing development and growth as a nation and indicated that the recommendations would form a part of its human rights road map for the next four to five years. There were no simple solutions to some of the issues raised. Nevertheless, a whole-of-society approach with a whole-of-government response could make all the difference.

II. Conclusions and/or recommendations

106. **The recommendations formulated during the interactive dialogue/listed below have been examined by Samoa and enjoy the support of Samoa:**

106.1 **Continue to implement effective measures to further promote and protect human rights in the country, including by acceding to international conventions and covenants in this area (Uzbekistan);**

106.2 **Advance steps towards the ratification of core human rights treaties (Georgia);**

106.3 **Accede to further international human rights treaties (Turkey);**

106.4 **Consider the ratification of international instruments to which the country is not yet party, in particular, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Argentina);**

106.5 **Persevere in the commitment to ratify the international human rights instruments to which Samoa is not yet party, namely the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination (Brazil);**

106.6 **Join further core human rights treaties to ensure more effective protection of human rights, including the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination (Germany);**

106.7 **Increase efforts to swiftly ratify the main international human rights instruments, especially the International Convention on the Elimination of All Forms of Racial Discrimination and the International Covenant on Economic, Social and Cultural Rights (Italy);**

106.8 **Take the necessary measures to ratify the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and enhance national capacities for the ratification, including through technical assistance cooperation with international partners (Indonesia);**

106.9 **Accede to the remaining core human rights treaties, including the International Convention on the Elimination of All Forms of Racial Discrimination and the International Covenant on Economic, Social and Cultural Rights and incorporate them into domestic law (Ukraine);**

- 106.10 Consider ratifying the International Convention on the Elimination of All Forms of Racial Discrimination and the International Covenant on Economic, Social and Cultural Rights (Nepal);
- 106.11 Consider ratifying the International Convention on the Elimination of All Forms of Racial Discrimination (India);
- 106.12 Ratify the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia) (Malawi) (Finland) (France) (Luxembourg);
- 106.13 Consider ratifying the International Covenant on Economic, Social and Cultural Rights and introducing its provisions into the national legislation (Bulgaria);
- 106.14 Consider ratifying the International Covenant on Economic, Social and Cultural Rights (Iraq);
- 106.15 Ratify the International Covenant on Economic, Social and Cultural Rights (Finland) (Luxembourg) (Malawi);
- 106.16 Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Luxembourg) (Vanuatu);
- 106.17 Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and proceed with its further development (Spain);
- 106.18 Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women without delay and develop protocols to address violence against women (Iceland);
- 106.19 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (France);
- 106.20 Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Finland) (Portugal);
- 106.21 Fully abolish the death penalty by ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Iceland);
- 106.22 Strengthen awareness-raising campaigns on the death penalty and public debates on the subject from a human rights perspective, including in its parliament, with a view to ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, as soon as possible (Uruguay);
- 106.23 Submit its overdue reports to the Human Rights Committee and the Committee on Enforced Disappearances (Ukraine);
- 106.24 Request technical support from the Office of the United Nations High Commissioner for Human Rights to advance in the ratification of the main international human rights instruments to which the country is not yet party, and ensure the incorporation into its national legal system of the obligations deriving from ratified human rights treaties (Uruguay);
- 106.25 Continue to harmonize national legislation in accordance with its international commitments (Algeria);
- 106.26 Increase efforts to incorporate the principles of core human rights treaties that are ratified by the country into domestic laws (Maldives);
- 106.27 Apply comprehensive laws and policies, as well as effective practical measures to fully implement the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of Persons with Disabilities (Cyprus);

- 106.28 **Continue to cooperate with OHCHR, in particular in identifying and developing capacity-building and technical assistance programmes (Algeria);**
- 106.29 **Continue to work and interact with the Office of the United Nations High Commissioner for Human Rights and the mechanisms of the Human Rights Council in order to build national capacities to promote human rights in Samoa (Iraq);**
- 106.30 **Take measures to ensure that the Office of the Ombudsman is adequately resourced to carry out its functions effectively in accordance with the Paris Principles (India);**
- 106.31 **Continue to pursue the recommendations outlined in the State of Human Rights Report: 2015, particularly those related to women, children, persons with disabilities and prisoners (Australia);**
- 106.32 **Take the necessary steps to combat discrimination and violence against women and children, and on the basis of sexual orientation and gender identity (Fiji);**
- 106.33 **Continue with efforts to operationalize the national development plan and make progress towards achieving the Sustainable Development Goals (Pakistan);**
- 106.34 **Review its environmental policies, legislation and regulations and mainstream a human rights-based approach to climate change adaptation, mitigation and disaster risk reduction (Slovenia);**
- 106.35 **Seek international assistance and support in mitigating the adverse impacts of climate change and the COVID-19 pandemic (Pakistan);**
- 106.36 **Ensure that all climate change policies consider the needs of women, children, persons with disabilities and other vulnerable groups and that they can participate in the decisions affecting them (Bulgaria);**
- 106.37 **Continue efforts to adapt to and mitigate climate change and ensure that policies and actions on these matters have a human rights approach (Chile);**
- 106.38 **Continue to consolidate national policies and programmes aimed at meeting Sustainable Development Goal 13 and the 2030 Agenda that allow for greater and more efficient adaptation of the population to the effects of climate change (Dominican Republic);**
- 106.39 **Ensure the meaningful participation of women, children, persons with disabilities and local communities in the development and implementation of climate change and disaster risk reduction frameworks (Fiji);**
- 106.40 **Implement human rights-based approaches in its environmental, climate change and disaster risk reduction policies, legislation and regulations allowing the comprehensive protection and enjoyment of human rights against the adverse impacts of climate change (Marshall Islands);**
- 106.41 **Continue to enhance the involvement of vulnerable groups and affected stakeholders in climate change adaptation and mitigation efforts (Philippines);**
- 106.42 **Strengthen the environmental and social policy legislation in order to protect human rights in the context of measures to adapt to climate change and mitigate its challenges (Senegal);**
- 106.43 **Ensure that a human rights-based approach is fully incorporated in the national plans aiming to address natural disasters, including the needs of vulnerable persons, such as women, children and persons with disabilities (Cyprus);**

- 106.44 **Establish a comprehensive policy of disaster risk reduction to protect people from extreme events caused by climate change and seek international assistance to implement a 100 per cent renewable energy goal by 2025 (Vanuatu);**
- 106.45 **Guarantee the independence of the judicial system (France);**
- 106.46 **Ensure the independence of the judiciary, including by inviting the Special Rapporteur on the independence of judges and lawyers (Germany);**
- 106.47 **Continue efforts to strengthen human rights training and training programmes for law enforcement officials (Tunisia);**
- 106.48 **Enhance legislative mechanisms and enforcement to prevent, disrupt and severely punish human trafficking for sexual and labour exploitation (Malawi);**
- 106.49 **Take all necessary measures to guarantee the rights of all workers, in particular freedom of association and collective agreement, in accordance with the fundamental principles of the International Labour Organization (ILO) and the ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98) (Mexico);**
- 106.50 **Maintain the priority given to the development of social protection systems and access to affordable basic services, with an emphasis on the protection of vulnerable populations and sectors (Cuba);**
- 106.51 **Establish a countrywide State-sponsored social welfare system to provide social protection guarantees to all persons in the country, including those working in the informal sector and those living in rural areas (Luxembourg);**
- 106.52 **Continue to promote sustainable economic and social development, and improve people's living standards so as to provide a solid foundation for people to enjoy various human rights (China);**
- 106.53 **Continue to consolidate its sound human rights policies, especially in the area of economic, social and cultural rights, with the aim of continuing to increase the quality of life of its people (Bolivarian Republic of Venezuela);**
- 106.54 **Continue efforts to ensure the well-being of its population, particularly women, children and persons with disabilities, especially the implementation of the Strategy for the Development of Samoa 2021–2025 (Cuba);**
- 106.55 **Further develop health services and better protect people's right to health (China);**
- 106.56 **Implement legislative reforms related to the right to health that guarantee universal access to health services (Dominican Republic);**
- 106.57 **Further improve health care, especially for women in rural areas (Serbia);**
- 106.58 **Take adequate measures to improve access to health care, particularly for women in rural areas (India);**
- 106.59 **Continue efforts to improve access to health care, particularly in rural areas (Georgia);**
- 106.60 **Improve its policy and implementation in ensuring that all citizens, in particular the elderly, women, children, people with disabilities and persons living in rural areas, have access to essential health services (Timor-Leste);**
- 106.61 **Improve measures to reduce the prevalence of non-communicable diseases, including through health education, awareness and services (Indonesia);**

- 106.62 **Strengthen gender-sensitive health campaigns focused on the prevention of infectious diseases and step up efforts to expand access to primary health-care services (Canada);**
- 106.63 **Improve access to health care, including sexual reproductive health services, particularly for women in rural areas (Malaysia);**
- 106.64 **Revise the existing family life education curriculum to align it with the international technical guidance on sexuality education (Iceland);**
- 106.65 **Adopt a comprehensive sexual and reproductive health policy and comprehensive sexuality education for adolescents covering all aspects of prevention, including the prevention of sexually transmitted infections and early pregnancies, and eliminate the age limit for testing for HIV and other sexually transmitted infections (Luxembourg);**
- 106.66 **Strengthen measures to reduce maternal mortality including by improving antenatal care and providing quality training for health-care workers (Malaysia);**
- 106.67 **Continue to strengthen policies for access to quality and universal public education (Dominican Republic);**
- 106.68 **Dismantle barriers related to the hidden costs of education, in particular in rural areas, and provide an adequate budget to the education sector (Bahamas);**
- 106.69 **Adopt a coherent strategy to ensure universal access to education, especially with regard to students with special educational needs (Mauritius);**
- 106.70 **Address gender inequality by removing cultural, economic, institutional or other barriers preventing women from enjoying equal opportunities (Ukraine);**
- 106.71 **Adopt and enforce measures to ensure equal participation, representation and remuneration of women in political processes at all levels, from local to national (Netherlands);**
- 106.72 **Improve and fully implement policies and programmes to increase women's participation in decision-making, public life and employment at all levels (Indonesia);**
- 106.73 **Take steps to further enhance the participation of women in the political and public spheres (Philippines);**
- 106.74 **Implement measures to increase women's participation in entrepreneurship (Mauritius);**
- 106.75 **Continue efforts to eliminate all forms of discrimination and violence against women and support gender equality (Tunisia);**
- 106.76 **Develop comprehensive legislation on gender-based violence against women (Ukraine);**
- 106.77 **Consider taking additional measures to prevent and stop domestic violence against women and girls, as well as promoting equal opportunities for women in the workplace (Brazil);**
- 106.78 **Continue efforts to end domestic violence and address gender inequalities by fully implementing all recommendations made at the end of the 2018 public inquiry into family violence in Samoa (Canada);**
- 106.79 **Maintain the commitment to end all forms of violence and discrimination against women and girls, including violent threats, intimidation, harassment and abuse, both verbal and physical (Chile);**
- 106.80 **Adopt measures to eradicate violence against women and girls and persons in vulnerable situations who have been marginalized, by preventing and**

investigating related crimes and applying stricter sentences to perpetrators (Cyprus);

106.81 Continue towards comprehensive measures to prevent and address domestic violence (Georgia);

106.82 Prioritize efforts to tackle violence against women and girls (New Zealand);

106.83 Develop comprehensive legislation against gender-based violence against women (Luxembourg);

106.84 Develop comprehensive legislation on gender-based violence against women (Malaysia);

106.85 Effectively implement the Family Safety Act of 2013, especially with regard to the pressing issue of domestic and sexual violence against women and girls due to the pandemic (Germany);

106.86 Take action to prevent and respond to gender-based violence against women and girls by continuing to effectively implement the District Development Plan from 2017 and the findings from the Ministry of Women, Community and Social Development awareness programme in January 2021 on gender-based violence and alcohol abuse (United Kingdom of Great Britain and Northern Ireland);

106.87 Establish a national referral system for victims and survivors of violence, in line with the Inter-agency Essential Services Guide for Responding to Gender-Based Violence and for Child Protection (Denmark);

106.88 Raise the population's awareness of domestic violence, while including Samoan customs and the role of women as guardians of the community (Germany);

106.89 Initiate a comprehensive national strategy to work towards the eradication of domestic and gender-based violence, and ensure adequate resources are allocated (Ireland);

106.90 Increase funding for quality support services for victims of gender-based violence (Montenegro);

106.91 Take concrete steps to raise awareness, prevent as well as penalize gender-based violence, especially to protect women and children (Malawi);

106.92 Enforce measures to increase awareness of gender-based violence, especially against women and children, and penalize infractions adequately (Vanuatu);

106.93 Take further measures to protect women and children against all forms of violence and discrimination (Italy);

106.94 Further strengthen mechanisms to protect women and children from all forms of violence (Philippines);

106.95 Strengthen the legal and policy frameworks to address the high incidence of domestic, family and gender-based violence, including by tackling root causes, providing community support services for victims, and ensuring perpetrators are brought to justice (Bahamas);

106.96 Develop comprehensive legislation and strengthen community-based programmes aimed at preventing and tackling domestic violence, child abuse, sexual exploitation and neglect, and to address gender-based violence (Timor-Leste);

106.97 Continue conducting community-based programmes aimed at preventing and tackling domestic violence, child abuse and sexual exploitation (Nepal);

- 106.98 **Strengthen existing legal frameworks and enforcement of laws addressing sexual and gender-based violence, including the investigation and prosecution of perpetrators of sexual exploitation of children (United States of America);**
- 106.99 **Take further actions towards eliminating gender-based violence and violence against children, including by adequately funding shelter and support services and actively progressing the passage and implementation of the Child Care and Protection Bill (Australia);**
- 106.100 **Continue efforts to combat the abuse and exploitation of children, and prevent their exposure to violence and abuse, including sexual assaults (Tunisia);**
- 106.101 **Maintain its efforts and take further steps to effectively address domestic violence, including violence against children (Bulgaria);**
- 106.102 **Intensify efforts to fully eradicate corporal punishment against children in educational settings (Marshall Islands);**
- 106.103 **Establish the minimum legal age for marriage as 18 years of age both for women and men (France);**
- 106.104 **Finalize the process of adopting the Child Care and Protection Bill and allocate sufficient human and financial resources to ensure its effective implementation (Senegal);**
- 106.105 **Continue to strengthen efforts to further promote the rights of children, including implementation of the Samoa National Child Care and Protection Policy 2020–2030 (Japan);**
- 106.106 **Enforce existing legislation prohibiting child labour and exploitation (Portugal);**
- 106.107 **Take further steps to implement existing legislation to eradicate child labour and guarantee the right to education of all children (Ireland);**
- 106.108 **Continue efforts to promote the rights of persons with disabilities and their access to public places (Algeria);**
- 106.109 **Analyse the possibility of drafting specific laws on disability, using a human rights-based approach, which guarantee equal rights and the inclusion of persons with disabilities in all aspects of life (Argentina);**
- 106.110 **Take additional measures to improve access to justice for persons with disabilities through the implementation of accommodation within the justice process (Marshall Islands);**
- 106.111 **Ensure that all persons with disabilities have access to adequate health care (Turkey);**
- 106.112 **Improve the access of persons with disabilities to health services and support and strengthen the work of health professionals and organizations dedicated to persons with disabilities (Mexico).**
107. **The recommendations formulated during the interactive dialogue/listed below have been examined by Samoa and have been noted by Samoa:**
- 107.1 **Consider ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Chile);**
- 107.2 **Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark);**
- 107.3 **Ratify the Protocol of 2014 to the ILO Forced Labour Convention, 1930 (No.29) before its next review (United Kingdom of Great Britain and Northern Ireland);**

- 107.4 **Ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Canada);**
- 107.5 **Ratify the Convention on the Prevention and Punishment of the Crime of Genocide, as previously recommended (Armenia);**
- 107.6 **Strengthen Samoa's commitment to the principle of non-discrimination, including through the adoption of legislation aimed at prohibiting discrimination based on sexual orientation and gender identity (Uruguay);**
- 107.7 **Review and strengthen anti-discrimination laws relating to same-sex relations between consenting adults, sexual orientation and gender (New Zealand);**
- 107.8 **Decriminalize consensual sexual relations between men and strengthen protections from societal violence and discrimination for lesbian, gay, bisexual, transgender, queer and intersex persons (United States of America);**
- 107.9 **Decriminalize consensual sexual relations between adults of the same sex and expand its anti-discrimination legislation to include a prohibition of discrimination on the basis of sexual orientation and gender identity (Iceland);**
- 107.10 **Decriminalize consensual adult same-sex relations (Italy);**
- 107.11 **Decriminalize consensual sexual relations between persons of the same sex and adopt legislation that prohibits discrimination based on sexual orientation and gender identity (Mexico);**
- 107.12 **Decriminalize sexual relations between consenting adults of the same sex and take concrete measures to combat stigma and discrimination against lesbian, gay, bisexual, transgender and intersex persons (Portugal);**
- 107.13 **Repeal laws that criminalize consensual same-sex sexual activity for adults and strengthen anti-discrimination laws to ensure people are not discriminated against based on their sexual orientation or gender identity (Germany);**
- 107.14 **Repeal all laws criminalizing sexual relations between consenting adults of the same sex (France);**
- 107.15 **Repeal provisions that may be applied to criminalize sexual activity between consenting adults of the same sex (Canada);**
- 107.16 **Evaluate decriminalizing consensual sexual relations between adults of the same sex and carry out awareness-raising campaigns to combat the stigma suffered by LGBTIQI+ persons (Argentina);**
- 107.17 **Repeal laws criminalizing private sexual activities between consenting adults, including sections 67, 68 and 71 of the Crimes Act, and take steps to protect lesbian, gay, bisexual, transgender and intersex persons from discrimination (Australia);**
- 107.18 **Repeal all provisions in the Crimes Act that criminalize and punish relations between persons of the same sex and adopt the necessary measures to combat the stigma suffered by LGBTIQI+ persons, which puts their physical and moral integrity at risk (Spain);**
- 107.19 **Decriminalize consensual same-sex sexual conduct by repealing sections 67, 68 and 71 of the Crimes Act (Netherlands);**
- 107.20 **Decriminalize same-sex relations between consenting adults by repealing sections 67, 68 and 71 of the Crimes Act (Denmark);**
- 107.21 **Develop a national action plan in line with the Guiding Principles on Business and Human Rights, with the aim of promoting respect for human rights in the context of business activities (Japan);**

107.22 **Raise the age of criminal responsibility from 10 to 18 years, in accordance with accepted international standards (Luxembourg);**

107.23 **Raise the minimum age of criminal responsibility to 18 years, in accordance with the provisions of the Convention on the Rights of the Child (Maldives);**

107.24 **Strengthen the legal and policy frameworks to address trafficking in persons, including by providing legal recognition of domestic trafficking and lifting age restrictions on protection from sex and labour exploitation (Bahamas);**

107.25 **Enact legislation and implement policies that prioritize the health needs of trans persons, including for the prevention and treatment of HIV and sexually transmitted infections and gender-affirmative care, and conduct awareness-raising on sexual orientation and gender identity for service providers to ensure confidentiality, empathy and respect in health-care settings (Iceland);**

107.26 **Decriminalize the voluntary interruption of pregnancy in cases of rape, incest, serious malformation of the fetus and risks to the health or life of the pregnant woman (Mexico);**

107.27 **Completely decriminalize abortion and guarantee the right to abortion (France);**

107.28 **Increase funding for quality support services for victims of gender-based violence and establish a community legal-aid centre to improve women's access to justice, especially in rural areas, in line with the recommendations of the Committee on the Elimination of Discrimination against Women (Spain);**

107.29 **Make further efforts to combat violence and exploitation of children, and raise the age of criminal responsibility of children (Armenia);**

107.30 **Explicitly prohibit corporal punishment of children in all settings and circumstances (Ireland);**

107.31 **Prioritize the adoption of the Child Care and Protection Bill, ensuring that it explicitly prohibits all forms of corporal punishment in all settings, without any exception (Montenegro);**

107.32 **Amend existing laws to prohibit all of the worst forms of child labour and align with ILO standards on child labour and minimum age for employment (United States of America);**

107.33 **Review the Mental Health Act of 2007 to ensure it fully complies with the Convention on the Rights of Persons with Disabilities, and ensure it is enforced by providing adequate resources and training (United Kingdom of Great Britain and Northern Ireland).**

108. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

Composition of the delegation

The delegation of Samoa was headed by the Hon. Fiame Naomi Mata'afa, Prime Minister and Minister of Foreign Affairs and Trade, and composed of the following members:

- Ms. Peseta Noumea Simi, Delegate and Moderator Chief Executive Officer, Ministry of Foreign Affairs and Trade;
- Ms. Moliei Simi-Vaai, Delegate, Chief Executive Officer, Ministry of Justice and Courts Administration;
- Ms. Su'a Hellene Wallwork, Delegate, Attorney General, Office of the Attorney General;
- Ms. Fitiao Susan Faoagali, Delegate, Assistant Chief Executive Officer, Ministry of Women, Community and Social Development.

The representatives of the National Mechanism for Implementation, Reporting and Follow-up Taskforce also supported the delegation; and representatives from the United Nations, the national human rights institution, non-governmental and civil society organizations joined the Samoan delegation as observers.
