



IN BRIEF



# GENDER EQUALITY BRIEF FOR SAMOA

## Women's Human Rights

Under Article 15 of [Samoa's Constitution](#), all persons are equal and entitled to equal protection under the law, and no law or executive or administrative action shall discriminate either directly or indirectly on the basis of descent, sex, language, religion, political or other opinion, social origin, place of birth, or family status. Article 15 explicitly states that provisions for the protection of advancement of women and other vulnerable groups are not prohibited under this Article.

Samoa has a [pluralistic legal system](#), in which custom is recognised as a source of law, and has also been codified in formal law, including the Village Fono Act (1990), which gives village councils authority over a range of issues.

Citizenship and immigration legislation treats women and men equally. Amendments to the National Citizenship Act in 2004 ensure that both men and women have [equal rights with regard to obtaining nationality](#) and transmitting nationality to their offspring. Previously, foreign men who married Samoan women [did not have the same citizenship rights](#) as foreign women who married Samoan men, however the National Citizenship Act 2004 ensures equality between men and women in the transmission of nationality through marriage.

The [Administration Act of 1975](#) stipulates that land assets are inheritable under gender-neutral circumstances. While this legislation provides a solid basis for participatory mechanisms addressing land rights (such as the Community Based Fisheries Management Plan), without further regulation these participatory mechanisms [risk being governed only by customary practices](#). Women are under-represented within village councils (*fono*), and the [CEDAW Committee has expressed concern](#) that customary practices in some villages still prohibit women from holding the title of *matai* (chief) and restrict women's ability to participate in village *fono*. Indigenous women marrying outside their home village (*nofotane*) [may also be excluded from decision-making](#) within their homes and communities.

Titleholders of land are overwhelmingly men. Thus, they decide and administer how land is inherited within the family. This has the potential for women to be discriminated against in the process. Moreover, the lack of inheritance rights for spouses means that individuals who move to their partners' residence and village – who are likely to be women – are vulnerable, particularly after the death of their partner, where they [may be evicted from home or village at the behest of the family matai, as they possess no rights to land](#).

Indigenous views of land and inheritance rights are based on ancestral and local heritage. Therefore, '*affines*', people who are married into a family, are [in some circumstances not entitled to the family rights and inheritances of their spouses and may be seen as outsiders](#). Female *affines* are '*nofotane*', and male are '*faiava*'. Whilst they can be treated with great respect within their spousal villages and communities, *affines* are sometimes mistreated, excluded from decision-making processes and [vulnerable to domestic violence](#). In comparison, '*Aua luma*', [women residing in their birth village](#), are seen as having the right to make decisions for the community as their father's daughters and brother's sisters. Despite these limitations, [traditionally Samoan women are considered to hold a prestigious role and status within their families](#), as they are considered '*tamasa*' (sacred offspring). This belief is further strengthened in the concept of '*feagaiga*', which is a sacred covenant of respect held between brother and sister whereby the brother gives special honour to his sister.

The [National Policy on Gender Equality and Rights of Women and Girls 2021-2031](#) identifies "increased access to law and justice for women and girls, especially those facing multiple and intersecting barriers and forms of discrimination as a key priority area".

The minimum legal age of consent in Samoa is 16, according to Section 59 of the [2013 Crimes Act](#). Violating this provision could result in imprisonment of up to ten

years. Sexual conduct with a young person between the age of 12 and 16 is not an offence if the young person is married to the other party. Under the Crimes Act, rape is an offence that can only be committed by a man against a woman.

Under the [1961 Marriage Ordinance Act](#), the minimum age of marriage is 18 for men and 16 for women. Consent is required from a parent or guardian for any man under 21 or woman under 19. In Samoa's [2019-2020 Multiple Indicator Cluster Survey](#) (MICS), 7% of women and 2% of men aged 15-24 years reported that they were married before the age of 18.

### Legal Marriage Age in Samoa

Internationally accepted age:



Average marriage age in Samoa:



Source: [UNDP](#)

There are [four cultural genders](#) in Samoa: female, male, *fa'afafine* (in the manner of women), and *fa'atama* (in the manner of men). Despite being culturally recognised identities, *fa'afafine* and *fa'atama* do not get recognition in policies and legislation, and face discrimination and obstacles in their social and legal recognition. The Constitution does not explicitly list gender identity or expression as protected characteristics. Samoa is, however, a signatory of the UN Human Rights Council's 2011 [Joint Statement on Ending Acts of Violence and Related Human Rights Violations Based on Sexual Orientation and Gender Identity](#). The 2016 Sentencing Act [increased the penalties for crimes motivated by hostility based on gender identity or sexual orientation](#). The 2013 Crimes Act repealed previous legislation that criminalised 'indecent acts' between males, although sodomy is still criminalised under the Act.

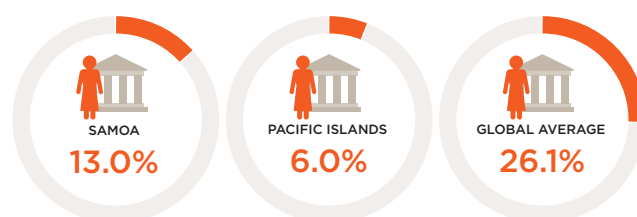
## Governance and Participation in Public Life

Samoa has a [unicameral national Legislative Assembly](#), in which 51 members are elected from single-member constituencies in a first-past-the-post system. Elections are held every five years with universal suffrage and a minimum voting age of 21 years. Prior to electoral system reform in 2019, the Legislative Assembly consisted of 49 members.

Samoa is one of only three Pacific Island countries to implement some form of Temporary Special Measures (TSMs) to increase women's political representation. The [Constitution Amendment Act of 2013](#) introduced a 10% quota for female representation in the national Legislative Assembly, whereby the highest polling unsuccessful female candidates take up additional seats in the Assembly if the gender quota is not met through election results. The Legislative Assembly can therefore be comprised of up to 57 members.

In the [most recent general elections in April 2021](#), five women were directly elected. Women therefore held 9.8% of seats in the Legislative Assembly following the election. 11.1% of the candidates standing for election were women.

### Female Representation in National Parliament in Samoa



Source: [Inter-Parliamentary Union June 2022](#)

The gender quota for female representation in legislature was at the [centre of a constitutional crisis in 2021](#).

Neither of the two main political parties were able to secure a majority following the April 2021 elections, and the election of female candidates in line with the gender quota could determine which party held the majority. The Constitutional Amendment gender quota and its implications for the 2021 election were extensively debated; the [Amendment](#), written in 2013 when the Legislative Assembly consisted of 49 members, states

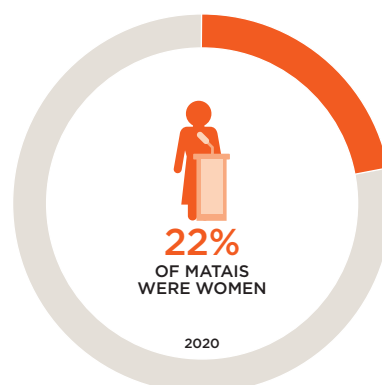
that women should consist of a minimum of 10% of the Legislative Assembly 'which for the avoidance of doubt is presently five'. Debate occurred as to whether five or six women were required to meet the Constitutional Amendment gender quota given that the Legislative Assembly now consisted of 51 members. Following decisions by the Supreme Court and the Court of Appeal, it was ruled that six women were required in the national legislature in order to meet the quota.

The Honourable Fiamē Naomi Mata'afa, who previously served as the first female Deputy Prime Minister from 2016-2021, was officially [declared as the first female Prime Minister of Samoa](#) in July 2021. Election petitions in 2021 led to the resignation of a number of elected candidates, and by-elections were subsequently held in November 2021. As of June 2022, the national Legislative Assembly consists of [seven female members and 47 male members \(13% female representation\)](#).

[Three of 12 cabinet ministers are women](#) as of March 2022: these are the Prime Minister, the Minister of Finance, and the Minister of Justice and Courts Administration.

Only citizens who hold *matai* titles can contest national elections. In 2020, [22% of registered matais were women](#). As of 2015, [women were not allowed to hold the title of matai in 21 villages and sub-villages](#). In addition to requiring a *matai* title, candidates must obtain signed validation from the representative of the village council (*Sui o Nu'u*) before registration as an electoral candidate can be recognised.

## Female Representation in Traditional Leadership Roles in Samoa



Source: [Ministry of Foreign Affairs and Trade](#)

Despite the introduction of TSMs and the participation of women in the highest levels of political leadership, there are persistent barriers to women's political representation and inclusion, and social norms can limit the extent to which women can participate in decision-making. When women do hold leadership roles in local government, unspoken cultural biases may limit their impact. For example, a 2015 survey found that in [35.4% of the traditional villages and sub-villages surveyed, women matai 'chose' not to participate in village council meetings](#).

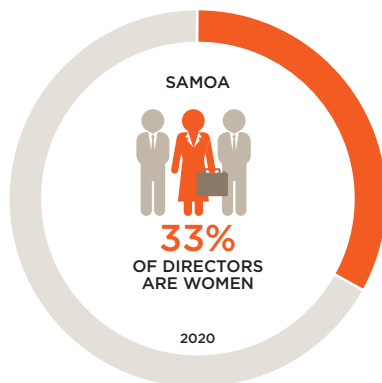
Local governance is undertaken by village councils (*fono*) who are supported by other village level committees, such as the women's village committees. Although [some women are currently reportedly sitting on village councils](#), there is a lack of transparency on their numbers in both village and church councils, which ultimately hold a significant decision-making power in local communities. Representatives of the village councils also work closely with government on community development. As of 2020, [44% of village representatives were women](#).

In the 240 traditional villages and sub-villages sampled in a [2015 report](#), 167 had one village-wide women's committee and 66 villages had more than one women's committees, and only seven traditional villages had no active women's committee. According to the [Ministry of Women's Affairs Amendment 2021](#), a village women's committee must comprise of at least 15 women of a village, and is responsible for the implementation of village developments, including primary health care and public health related matters, agricultural development programs, cultural and economic development activities,

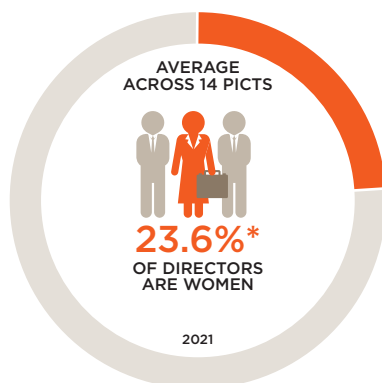
and supporting advocacy and awareness programs for maintaining peace and harmony within the villages.

The Ministry of Public Enterprises [reported](#) in 2019 that 43 out of 181 Directors (23.7%) on the boards of public bodies were women, while 22% of applications for directorships were from women. According to a 2021 [analysis](#) of the boards of 24 Samoan organisations, women held 33% of Director positions, including 26% of Director roles on the boards of state-owned enterprises. Women also held 19% of Board Chair positions, including 8% of Board Chair positions for state-owned enterprises. By sector, women were most highly represented as Directors on the boards of organisations in the tourism (57%), finance (31%) and utilities (31%) sectors.

### Women on Boards in Samoa



Source: [Pacific Private Sector Development Initiative](#)



Source: [Pacific Private Sector Development Initiative](#)

\* Average calculated as the mean value across countries with available data.

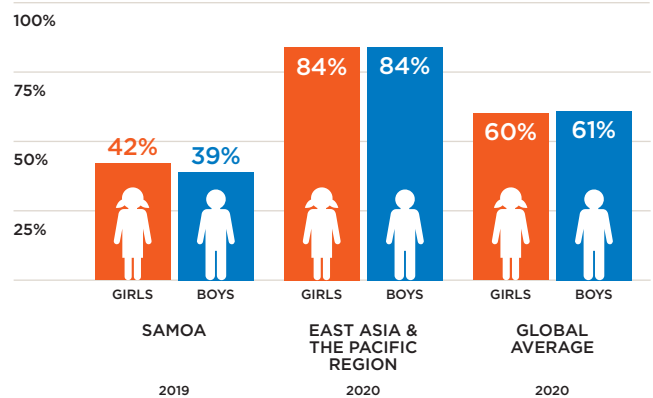
As of 2022, the current serving Attorney General is a woman, Su'a Hellene Wallwork. An estimated [22% of the judiciary were women in 2019](#). In the 2019-2020 financial year, [199 of the 702 employees of the Ministry of Police Prisons and Corrections \(28.3%\) were women](#).

## Education

Under the [Education Amendment Act 2019](#), the compulsory age of education is 4 to 16. According to Samoa's [2019-2020 MICS](#), the literacy rate among the population aged 15 and older was 98.3% for women and 96.2% for men in 2020.

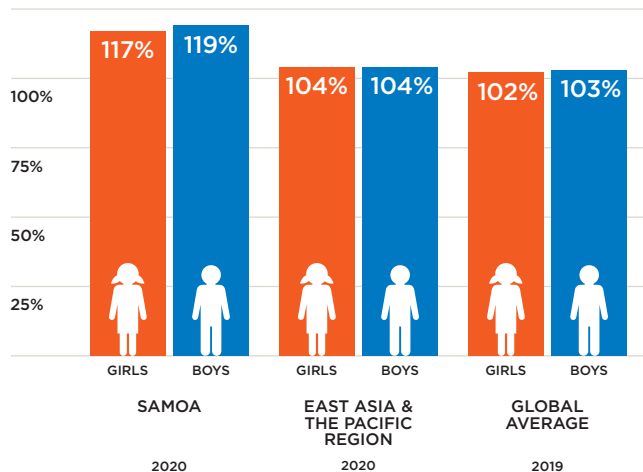
Prior to the introduction of the Education Amendment Act 2019, [early childhood education was not compulsory](#) in Samoa. According to [data from the Ministry of Education, Sports and Culture](#), 51.1% of children enrolled in early childhood education in 2020 were female. According to data from the [UNESCO Institute for Statistics \(UIS\)](#), the Gross Enrolment Ratio (GER) for early childhood education was 41.7% for girls and 39.4% for boys in 2019. The early childhood Net Enrolment Rate (NER) was 30.8% for girls and 29.5% for boys.

### Early Childhood Education Gross Enrolment Rates in Samoa



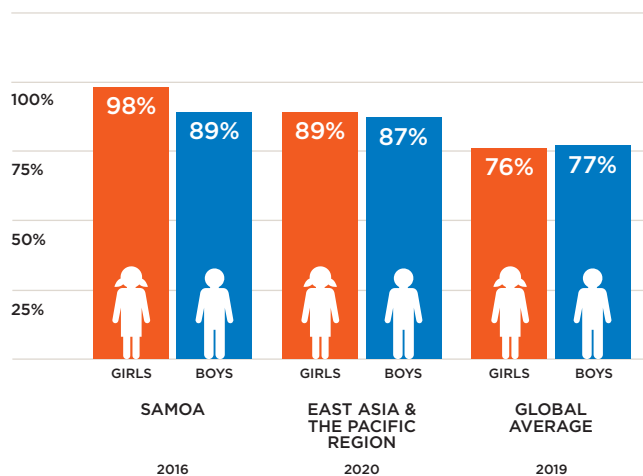
Source: [UNESCO Institute for Statistics](#)

### Primary Gross Enrolment Rates in Samoa



Source: [UNESCO Institute for Statistics](#)

### Secondary Gross Enrolment Rates in Samoa



Source: [UNESCO Institute for Statistics](#)

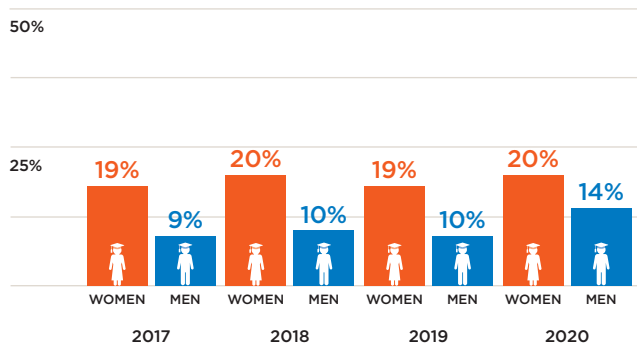
The [GER for primary education](#) in 2020 was 117.1% for girls and 118.6% for boys. At the primary education level in 2020, girls (20.2%) were marginally more likely than boys (19.4%) to be [enrolled at mission or private schools](#) instead of government schools.

In data from [UIS](#), the effective transition rate from primary to lower secondary general education was 97.1% for girls and 98.2% for boys in 2019. In the most recent data on secondary education enrolment rates, the GER was 98.0% for girls and 88.8% for boys in 2016. The NER for secondary education was 89.7% for girls and 81.6% for boys. There is a noticeable issue of girls and boys dropping out of education when they reach age 15, when attendance is no longer compulsory. At the time of the

[2016 Census](#), the proportion of students not attending school in the age 6-24 group was 28% among males and 25% among females. In the 15-25 age group, 61% of males and 56% of females were not in school. The trend in dropouts may correspond to cultural mores, where men and boys are expected to continue in the same profession/trade as their fathers and become the head of household, whereas women and girls are expected to continue their education to secure their and their families' futures. In 2016, [80% of out-of-school children in Samoa resided in rural areas](#).

The [GER for tertiary education](#) was 20.3% for women and 14.4% for men in 2020. In 2020, [61% of graduates from the National University of Samoa](#) were female. Women comprised 48% of Technical Vocational Educational and Training Graduates from the National University of Samoa in 2020. In the [2016 Census](#), women and girls outnumbered men and boys in completion of secondary and tertiary education: 13.1% for women and 10.5% of men had completed Grade 13 as their highest level of education, while 15.1% of women and 13.2% of men had completed higher education. For adults aged 24 and over, 3.4% of women and 3.2% of men had obtained a degree; 0.5% of both men and women had obtained a post-graduate degree; 0.6% of women and 0.8% of men had obtained a master's degree; and 0.1% of women and 0.2% of men had obtained a PhD. For young adults aged 15-35 years, 58.0% of those possessing a degree, post-graduate degree, master's degree, or PhD were women.

### Tertiary Education Gross Enrolment Rates in Samoa



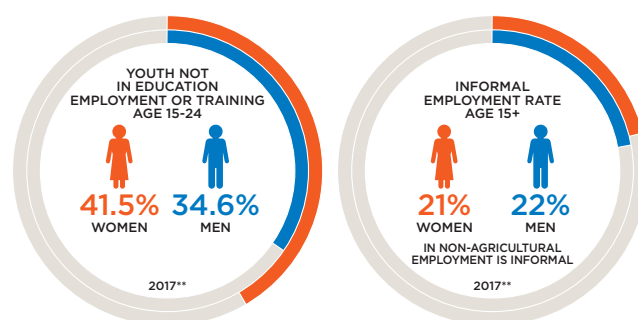
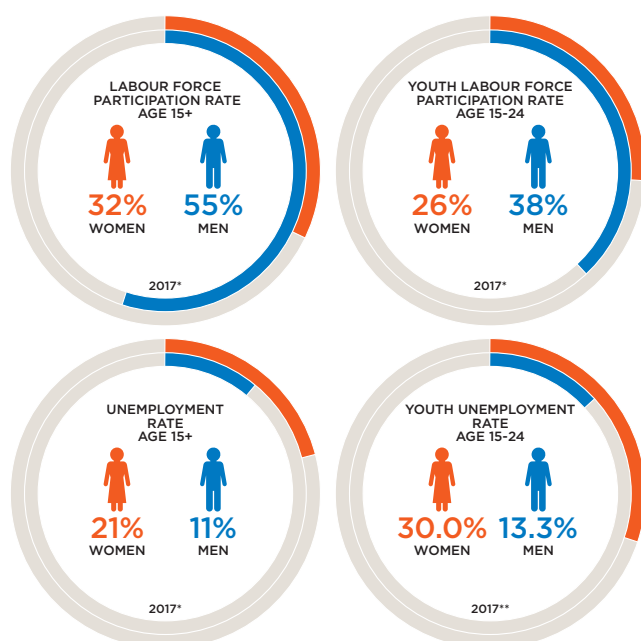
Source: [UNESCO Institute for Statistics](#)

Teenage pregnancy is an issue of a particular concern in Samoa, as noted in the [Concluding Observations](#) of the CEDAW Committee in 2018. The high rate of teenage pregnancy is related to limited access to sexual and reproductive health services and information, and the low use of contraceptive methods. Teenage mothers [often drop out of education and do not return](#). Children born from teenage mothers are also likely to suffer residual inequities such as lower school attainment and higher dropout rates. The Samoan government has [attempted to curb the dropout rates of pregnant girls and teenage mothers](#) by implementing the 2017 National Safe Schools Policy, which aims to tackle discrimination against pregnant girls and provides legal protections from expulsion. More data is necessary to assess whether any practical change has been achieved thus far.

Globally, girls' access to education and learning outcomes have been [disproportionately affected by the COVID-19 pandemic](#). Further research is required in order to understand the long-term impact that the pandemic will have on the education of girls and women in Samoa.

## Women's Economic Empowerment

### Economic Empowerment Indicators in Samoa



\* Source: [World Bank](#)

\*\* Source: [Pacific Community \(SPC\)](#)

The labour force participation rate was 31.5% for women and 55.0% for men in the [most recent national data](#) from 2017. The youth labour force participation rate was 26.2% for women and 38.1% for men age 15-24 in 2017. The unemployment rate in 2017 was 21.3% for women and 10.6% for men. Among youth aged 15-24, the unemployment rate was 30.0% for women and 13.3% for men. 41.5% of female youth and 34.6% of male youth were not in education, employment or training. According to the [2019-2020 MICS](#), 21.6% of women and 53.7% of men aged 15-49 were reported to be currently in employment.

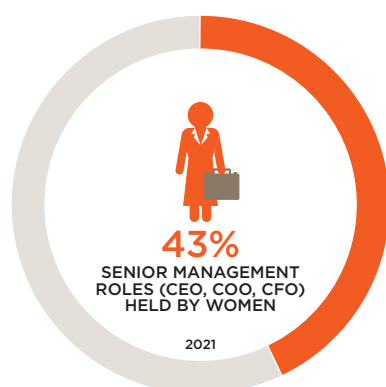
In 2017, an estimated [20.6% of female and 21.7% of male non-agricultural employment was informal](#). In March 2021, [women comprised 43.1% of employees in the formal sector](#). Despite the lower representation of women in the formal sector, women in the formal sector earned more than men on average: the quarterly average wages for the March quarter of 2021 was \$6,135 for women and \$5,607 for men.

Samoa is dependent on the informal economy. As a consequence, the true size of the economy, and women's participation within it are difficult to measure accurately. The majority of the population [rely on subsistence agriculture and coastal fishing](#). Women collect many species of shellfish, but [typically use only basic tools, equipment, and techniques](#) in comparison to their male counterparts. Women's involvement in subsistence agriculture and limited access to cash also [leaves them vulnerable as Samoa transitions to a monetised economy](#).

The [top three industries for formal employment in March 2021](#) were public administration (31.2% of female formal employment, 20.8% of male formal employment), commerce (14.7% female, 16.3% male) and other services (12.2% female and 10.5% male). Women outnumbered

men in public administration, finance services, health, and education industries. Women tend to work in office-based roles, while men are more likely to be in labour-intensive and trade occupations. Despite women's presence within office and clerical roles, they are [still underrepresented in managerial occupations](#). In the [2018 Household Income and Expenditure Survey](#), 37.5% of managers were women. In 2021, [women held an estimated 43% of senior management positions in Samoa](#), including Chief Executive Officer (CEO), Chief Operating Officer (COO), and Chief Financial Officer (CFO) roles. Women were most likely to work as CEOs in state-owned enterprises (31%). By sector, the highest proportion of female CEOs was found in the utilities (67%) and finance (33%) sectors.

### Women in Senior Management in Samoa



Source: [Pacific Private Sector Development Initiative](#)

Samoa women have been [identified as being 'time-poor'](#) due to challenges balancing economic roles alongside domestic and communal commitments. Typically, women spend more time than men undertaking unpaid care work and domestic work. There is a lack of recent data on the time spent by women and men on unpaid care work in Samoa. The Food and Agricultural Organization's 2019 [Country Gender Assessment of Agriculture and the Rural Sector in Samoa](#) identified three main gender inequalities: Samoan women are likely to identify as 'unemployed' when, in reality, they engage in unpaid agricultural work; Samoan women are less likely to be reported as farmers in statistics and institutional reports; and Samoan women are not represented in agricultural decision-making, in general.

Samoa has been a member of the [International Labour Organization](#) (ILO) since 2005 and has signed all eight of the ILO's Fundamental Conventions including the Equal Remuneration Convention and the Discrimination (Employment and Occupation) Convention. The provision of maternity leave is inconsistent across private and public sectors. Under the [Labour and Employment Relations Act 2013](#), women who have been in employment for at least 12 months are entitled to six weeks of maternity leave at two-thirds pay, while men are entitled to five days paid paternity leave. In the public sector, [women are entitled to 12 weeks with full pay](#). Both sectors fall short of the International Labour Organization's [Maternity Protection Convention 2000](#), which mandates maternity leave at 14 weeks at a minimum. Samoa has not ratified this convention.

The [Labour and Employment Relations Act 2013](#) prohibits discrimination in employment and hiring on the basis of a number of characteristics including sex, gender, sexual orientation, marital status, pregnancy, family responsibilities, HIV status, and disability. The definition of misconduct in the 2013 Act includes sexual or other physical, verbal or mental harassment of fellow employees or the employer.

In the context of the COVID-19 pandemic, [both women and men in Samoa have experienced decreases in hours or have lost their jobs](#). In the informal sector, 84% of men and 8% of women reported in April 2020 that they lost their job since the spread of COVID-19, while 11% of men and 77% of women reported that they had worked fewer hours. Women in the formal sector were more likely to be affected, with 91% of women and 6% of men stating that they had worked less hours since the start of the pandemic. 63% of women and 28% of men reported that their employment income had reduced; 65% of women and 21% of men reported that their income from own farming or fishing had reduced; and 68% of women and 50% of men reported that their income from other family business had reduced. Women were more likely to report an increase in support from government and charities, but were also more likely to report a decrease in support from family and friends.



## Health/Sexual and Reproductive Health

The [life expectancy](#) in Samoa was 75.5 years for women and 71.3 years for men in 2019. In 2019, the [mortality rate attributed to cardiovascular disease, cancer, diabetes, and chronic respiratory disease](#) was 29.2% for women and 33.1% for men.

Risk factors for non-communicable diseases include physical inactivity, poor diet, tobacco use, and harmful use of alcohol. According to Samoa's [most recent STEPS survey](#), 26.5% of women and 13.8% of men aged 18-64 had low levels of physical activity in 2013. In 2013, among both men and women, 91.6% of adults ate less than five servings of fruits and vegetables a day. 90.4% of women and 79.8% of men aged 18-64 were overweight, while 68.6% of women and 44.8% of men were obese. Tobacco and alcohol use are higher among men than women: in the [2019-2020 MICS survey](#), 12.5% of women and 35.4% of men reported smoking tobacco in the month prior to the survey, while 4.6% of women and 32.6% of men reported drinking at least one alcoholic drink in the month prior to the survey.

There has been [success in eliminating some communicable illnesses](#) for example poliomyelitis, tetanus, and diphtheria through targeted immunisation campaigns. Some communicable diseases such as tuberculosis, dengue fever, chikungunya, typhoid, pneumonia and skin infections continue to be widespread. In 2019, [191,219 people required interventions against neglected tropical diseases](#) in Samoa.

The total fertility rate was 4.7 births per woman, according to the [2019-2020 MICS survey](#). The adolescent fertility rate was 55 per 1,000 population aged 15-19, and 7.4% of women aged 20-24 in 2020 had had a live birth before age 18. In the two years prior to the 2019-2020 MICS survey, 88.9% of births had been attended by skilled health personnel. The [maternal mortality ratio](#) was estimated to be 43.0 per 100,000 live births in 2017. The infant mortality rate was estimated to be 15 per 1,000 live births in the 2019-2020 MICS survey, and the under-5 mortality rate was estimated to be 20 per 1,000 live births.

### Adolescent Fertility Rate in Samoa

Sustainable Development Goal target: reduce adolescent fertility rate to	Samoa:
<b>less than 13 live births per 1,000</b>	<b>55 live births per 1,000</b>
women aged 15-19 by 2030	2020

Source: [2019-2020 MICS](#)

### Maternal Mortality Ratio in Samoa

Sustainable Development Goal target: reduce maternal mortality ratio to	Samoa:
<b>less than 70 per 100,000 live births</b>	<b>43 per 100,000 live births</b>
by 2030	2017

Source: [World Bank](#)

### Under-5 Mortality Rate in Samoa

Sustainable Development Goal target: reduce under-5 mortality rate to	Samoa:
<b>less than 25 live births per 1,000</b>	<b>20 live births per 1,000</b>
by 2030	2017

Source: [2019-2020 MICS](#)

In the 2019-2020 MICS survey, 16.6% of married and in-union women aged 15-49 years were using a method of contraception, with 15.9% of married or in-union women using a modern method of contraception. Contraceptive use was found to be higher among urban women (17.7%) than rural women (16.4%). Women aged 30-34 had the highest use rate of modern methods of contraception (18.1%), compared to 14.2% for 25-29 year olds and 6.3% for 20-24 year olds. Among married and in-union women in 2019-2020, 29.4% had their family planning needs met with modern methods, while 38.9% had unmet needs for family planning. Unmet needs for family planning was higher among rural women (39.9%) than urban women (33.9%).

The age ranges with the highest unmet need for family planning were 15-19 year olds (54.9%) and 20-24 year olds (51.8%).

Among young people aged 15-24 who reported having sex with a non-marital, non-cohabiting partner in the 12 months prior to the 2019-2020 MICS survey, 10.3% of women and 14.0% of men reported that a condom was used the last time they had sex. The [most recent data](#), from 2018, suggests that sexually transmitted infection (STI) cases are rising in Samoa, especially among young people aged 15-24. Chlamydia is the most prevalent STI, with a 23.7% positive rate in 2018. Sex-disaggregated data on STI rates is not available, although chlamydia is known to be more prevalent among men than women. There have been problems with testing coverage: it was only in 2018 that chlamydia testing was reincorporated into antenatal care assessments, leading to higher positive rates.

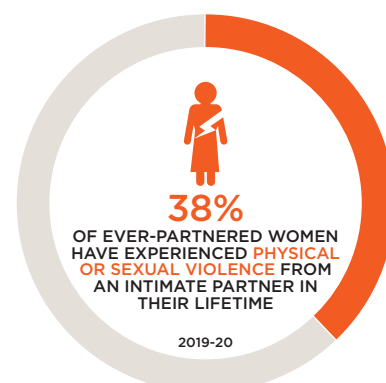
HIV prevalence within Samoa is low: between 1990 and 2018 there were [24 identified cases of HIV](#), six of which were women. Since 2018 the Samoa Fa'afafine Association and Samoa Family Health Association have expanded health services, particularly HIV testing, to *fa'afafine*, sex workers, as well as men who have sex with men. According to the [2019-2020 MICS survey](#), 9.0% of women and 6.3% of men could demonstrate comprehensive knowledge about HIV. Among those aged between 15 and 24, 6.1% of women and 5.1% of men could demonstrate comprehensive knowledge about the disease.

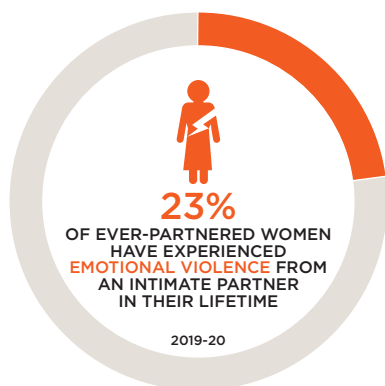
The [National Policy on Gender Equality and the Rights of Women and Girls 2021-2031](#) states commitments to “strengthen collection and disaggregation of health data by sex and gender, including data on *fa'afafine* and *fa'atama*”.

## Ending Violence against Women and Girls

The most recent data on the prevalence of violence against women and girls in Samoa was collected in the [2019-2020 MICS survey](#). Among ever-married women aged 15-49, 29.9% reported that they had experienced physical violence from an intimate partner in their lifetime, while 17.9% reported that they had experienced this violence in the 12 months prior to the survey. 19.3% of ever-married women reported that they had experienced sexual violence from an intimate partner in their lifetime, with 15.5% of women reporting that they had experienced this violence in the 12 months prior to the survey. In total, 37.5% of women had experienced either physical or sexual violence from an intimate partner in their lifetime, according to the 2019-2020 MICS survey.

### Lifetime Prevalence of Intimate Partner Violence in Samoa





Source: [2019-2020 MICS](#)

23.3% of ever-married women reported that they had experienced emotional violence from an intimate partner in their lifetime, with 16.7% reporting that they had experienced this violence in the 12 months prior to the survey. The most common forms of emotional violence were humiliation, followed by insults and threats. Overall, 42.5% of ever-married women had experienced some form of physical, sexual or emotional violence from an intimate partner in their lifetime.

In 2019-2020, 78.1% of ever-married women reported that their husband had displayed controlling behaviours, most commonly by *insisting on knowing where she is at all times* (71.3%); *frequently accusing her of being unfaithful* (28.9%); *being jealous or angry if she talks to other men* (28.1%); and *not allowing her to join any social functions* (26.1%). Controlling behaviours were more likely to be reported by rural women (78.9%) than urban women (74.1%).

An estimated 40.2% of women aged 15-49 reported in 2019-2020 that they had experienced physical violence from a non-partner since age 15. The most common perpetrators were parents (66.3% mother/step-mother, 53.5% father/step-father). Approximately 9.7% of women reported that they had experienced sexual violence from a non-partner in their lifetime. The most common perpetrators of sexual violence were strangers (22.6%) and former husbands or partners (18.0%).

The 2019-2020 MICS survey collected data on attitudes towards domestic violence from both women and men.

35.1% of women and 26.0% of men stated that they believed a husband was justified in beating his wife in at least one circumstance. The most common justifications for violence were *if she neglects the children* (25.5% of women agreed) and *if she goes out without telling him* (22.1% of women agreed).

The acceptance and normalization of violence against women and girls can lead to increased shame and stigma and discourage survivors from reporting their experience and seeking safety and support. In 2019-2020, 40.2% of women who had ever experienced physical or sexual violence stated that they had sought help to stop the violence; 6.3% stated that they had never sought help but had told someone about the violence; and 51.5% stated that they had never told anyone about the violence. Among women who sought help for physical or sexual violence, 75.2% went to their own family, while 8.6% sought help from the police.

Domestic violence and other forms of violence against women and girls are prosecuted under the Crimes Act of 2013. The [Family Safety Act](#) of 2013 further defines family violence; provides protections for children under age 18 to apply for a protection order without the consent of a parent or legal guardian; and institutes a “No Drop Policy” for all cases.

The [National Public Inquiry into Family Violence in Samoa](#), commissioned by the National Human Rights Institution, was a landmark public dialogue and platform in Samoa to speak about family violence. The dialogue added momentum to existing conversations on the core values and principles of *fa’asamoa* – the Samoan culture or way of life – which defines the man’s role as decision-maker and the woman’s role as ‘advisor’. The family violence prevention and protection systems outlined in the Inquiry report place emphasis on the *fa’asamoa* principles of *fa’aaloalo* (mutual respect) and *vā tapuia* (sacred bond). [Nowhere in the written or oral Samoan tradition justifies beating of women](#) or other members in the family.

Key recommendations from the inquiry led to initiatives such as the 2017 ‘Safer Families, Stronger Communities Policy and Strategy and Plan of Action’. In 2020, the

Ministry of Women, Community and Social Development (MWCSO) launched the [Samoa Inter-Agency Essential Services Guide for Responding to Gender-Based Violence and Child Protection](#) – Samoa’s first national standard operating procedure for quality delivery of services for survivors of gender-based violence.

In the context of the COVID-19 pandemic, administrative records from the early months of the pandemic show that response agencies within Samoa had [increased demand for protection and counselling services](#). The Samoa Victims Support Group casework database from 2019-2020 shows an increase in the number of domestic violence calls. There were 48 calls from March to May of 2019 compared to 71 calls from March to May of 2020.

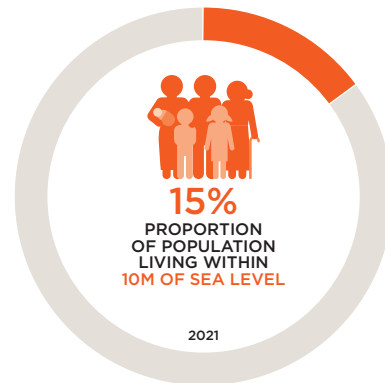
## Gender and Protection in Humanitarian Action

Samoa is ranked 109th in the 2021 [World Risk Report](#) on disaster risk, and has the lowest disaster exposure among countries in the Oceania region. Samoa was classified as having a ‘high’ lack of coping capacities for disasters, as well as a ‘medium’ vulnerability, susceptibility, and lack of adaptive capacities. In Samoa, [61% of the population live within 1km of the coast](#), and 78% of the population live within 30km of one of the country’s two volcanoes. The maximum height above sea level is 1,857m. Samoa is assessed to have a ‘high’ likelihood of tsunamis and cyclones, and a ‘medium’ likelihood of coastal flooding and earthquakes. There is a ‘low’ likelihood of landslides and volcanic activity. The average annual losses due to disasters was calculated to be 5.4% of GDP in 2020.

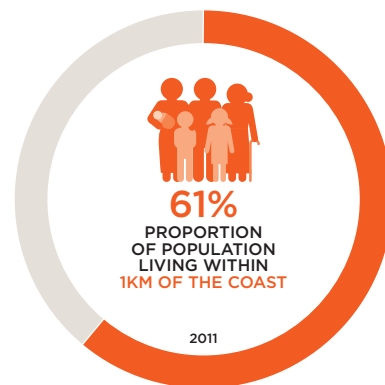
### Climate and Disaster Profile of Samoa



Source: [Pacific Community \(SPC\)](#)

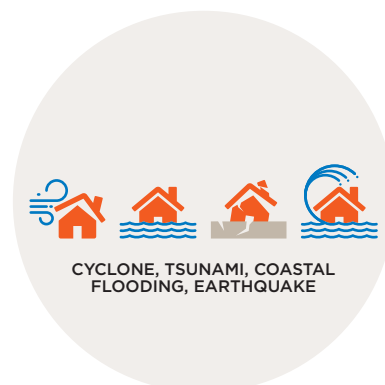


Source: [Pacific Community \(SPC\)](#)



Source: [Pacific Community \(SPC\)](#)

### Main Climate-Related Hazards



Source: [Australian Aid](#)

Samoa is heavily affected by direct losses and fatalities during extreme weather events, ranked 71st most affected globally between 1999 and 2018. Samoa was not included in the 2021 Global Climate Risk Index. [Future climate projections](#) predict that Samoa will experience less frequent but more intense cyclones, more extreme rain events, and continued rising sea levels and temperatures. Ocean acidification and the risk of coral bleaching are also predicted to increase.

Humanitarian and climate disasters in Samoa have the potential to accentuate a variety of existing gender inequalities. Samoa's vulnerability to natural disasters is in part due to its [dependence on a rural economy](#), in which women play a significant role. During disasters, women and girls experience: an increased workload, decreased family food security, unequal access to information for disaster response, damage to the agricultural plots and fields that they manage, and an increased risk of sexual and gender-based violence. Women who are displaced by disasters in Samoa are at [higher risk of gender-based violence](#) than those who stay in their communities. Relocation of rural Samoans has been identified as a key driver of gender-based violence in Samoa in the wake of the 2009 tsunami and 2012 Cyclone Evan.

[reduced transport frequency, and increased freight costs.](#)

It was reported that farmers were being directly affected with a reduction in exports.

Samoa's [Disaster Risk Management Plan 2017-2020](#) recognises that women, children, the elderly, and people with disabilities are often most affected by disasters. The Plan advocates gender-sensitive policymaking, monitoring, and evaluation, and the integration of gender in the vulnerability, risk and capacity assessments. As noted in the Plan, women are largely excluded from formal planning and decision-making in the context of disasters. Under the [Samoa Climate Change Policy 2020](#), a key strategy for achieving an effective governance framework for climate change action is the inclusion of vulnerable groups, such as women, children, the elderly, and people with disabilities, in climate change planning. The current proportion of women involved in climate change policy and disaster preparedness and response is not known. The *Community* sector, led by the Ministry of Women, Community and Social Development, is [tasked with ensuring that the needs of vulnerable groups are addressed](#) in disaster risk management prevention, preparedness, and recovery. A Disaster Response and Recovery Policy and Plan is currently underway. This document will be both gender- and protection-sensitive.

According to the [INFORM COVID-19 Risk Index](#), Samoa's risk level is low when the potential humanitarian impacts of COVID-19 are assessed in combination with other pre-existing crisis risks. Nonetheless, the COVID-19 pandemic has been majorly disruptive in Samoa. Samoa's dependence on a limited number of suppliers [exacerbated issues surrounding distribution of goods,](#)

## Appendix 1: Country Background

Capital	Apia
Population	199,853 (2021)
GDP per capita (USD)	\$4,068 (2020)
Human Development Index	0.715. Ranked 111th out of 189 Countries and Territories (2020)
Type of Government	Samoa is a constitutional democracy. The <a href="#">Government of Samoa</a> has three branches: the Executive, Legislative, and Judicial. There is also a regional government composed of 11 districts, which further divide into 'Fonos', which are the Village Councils.
Women in Legislature	<a href="#">Seven out of 54 members of the national Legislative Assembly (13%) are women</a> as of June 2022.. <a href="#">The Constitution Amendment Act (2013)</a> introduced a minimum 10% quota for women in the national parliament.
Legal System	Samoa is a <a href="#">constitutional democratic republic</a> state mandated by the 1960 Constitution of the Independent State of Western Samoa. The constitutional system has both common and customary law, but, ultimately, the constitution remains supreme.
<a href="#">Ratified Human Rights Conventions</a>	<ul style="list-style-type: none"> <li>Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (Accession 1992) <ul style="list-style-type: none"> <li>Samoa has not accepted the Optional Protocol to CEDAW or the associated inquiry procedure.</li> </ul> </li> <li>Conventions on the Rights of the Child (CRC) (Signature 1990, Ratification 1994) <ul style="list-style-type: none"> <li>Samoa accepted the Optional Protocol to the CRC and the associated Inquiry procedure in 2016.</li> </ul> </li> <li>International Covenant on Civil and Political Rights (ICCPR) (Accession 2008) <ul style="list-style-type: none"> <li>Samoa has not signed the Second Optional Protocol to the ICCPR aiming to the abolition of the death penalty.</li> </ul> </li> <li>Convention for the Protection of All Persons from Enforced Disappearance (CED) (Signature 2007, Ratification 2012) <ul style="list-style-type: none"> <li>Samoa accepted the inquiry procedure to the CED in 2012. Samoa has not accepted the individual complaints procedure to the CED.</li> </ul> </li> <li>Convention on the Rights of Persons with Disabilities (CRPD) (Signature 2014, Ratification 2016) <ul style="list-style-type: none"> <li>Samoa has not accepted the Optional Protocol or the inquiry procedure to the CRPD.</li> </ul> </li> <li>Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT) (Accession 2019) <ul style="list-style-type: none"> <li>Samoa has not signed the Optional Protocol to the CAT.</li> </ul> </li> </ul> <p>Samoa has not signed the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), International Covenant on Economic, Social and Cultural Rights (CESCR), International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW).</p>
Urban vs. Rural Women (%)	<a href="#">19.6% of women lived in urban areas</a> in 2016.
Female-Headed Households (%)	<a href="#">20% of households were headed by women</a> in 2016.
Women in the Workforce	<ul style="list-style-type: none"> <li>The <a href="#">labour force participation rate</a> was 31.5% for women and 55.0% for men in 2017.</li> <li>The <a href="#">unemployment rate</a> in 2017 was 21.3% for women and 10.6% for men.</li> <li>In 2017, an estimated <a href="#">20.6% of female and 21.7% of male non-agricultural employment was informal</a>.</li> </ul>
Women CEOs	<p>According to the <a href="#">2018 Household Income and Expenditure Survey</a>, 37.5% of managers in Samoa were women in 2018.</p> <p>In 2021, <a href="#">women held an estimated 43% of senior management positions</a> in Samoa, including Chief Executive Officer, Chief Operating Officer, and Chief Financial Officer roles. Women were most likely to work as CEOs in state-owned enterprises (31%). By sector, the highest proportion of female CEOs was found in the utilities (67%) and finance (33%) sectors.</p>
Women on Boards	<p><a href="#">56.7% of senior executive roles in the public sector were held by women</a> in 2020.</p> <p><a href="#">43 out of 181 Directors (23.7%) on public boards</a> were women in 2019.</p> <p>An estimated <a href="#">33% of Directors in Samoa were women</a> in 2021, including 26% of the Directors on the boards of state-owned enterprises.</p>

## Appendix 1: Country Background (continued)

The Republic of Samoa is an independent Polynesian Pacific Island country consisting of ten islands, five of which are inhabited. The capital, Apia, is located on the largest island, Upolu. Samoa has a total land area of 2,830km<sup>2</sup> and an exclusive economic zone of 127,950km<sup>2</sup>.

The population was estimated to be 199,853 in 2021, with an average population density of 71 persons per square kilometre. The country's official languages are English and Samoan. The *Fa'asamoa*, meaning 'The Samoan Way', remains an integral and constitutive part of sociocultural fabric that influences parts of Samoan life, tradition, and politics.

## Appendix 2: Country Commitments on Gender

### International Commitments

Gender Commitments	Status	Actions
<a href="#">Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)</a>	Accession 1992 The <a href="#">most recent national reporting cycle</a> took place between 2017 and 2018.	<p>Samoa was the first Pacific Island nation to join the Convention for the Elimination of Discrimination Against Women (CEDAW), in 1992.</p> <p>A number of areas of progress were noted in the <a href="#">concluding observations of the most recent reporting cycle</a>, including significant legislative reforms, such as:</p> <ul style="list-style-type: none"> <li>• Constitutional Amendment Act 2013, providing a quota to increase the representation of women in Parliament;</li> <li>• Legislation to tackle domestic violence and violence against women and girls, such as the 2013 Crimes Act, the 2013 Family Safety Act, and the 2017 Sex Offender Registration Act;</li> <li>• Legislation to improve access to justice, such as the Community Law Centre Act of 2015 and the Family Court Act of 2014;</li> <li>• Legislation to prevent discrimination against women and girls, such as the Labour and Employment Relations Act of 2013, and the Personal Property Securities Act of 2013.</li> </ul> <p>Additional progress has been achieved through the development of targeted policies and plans, such as the District Development Plan of the Ministry of Women, Community and Social Development, which promotes the participation of women in village decision-making bodies and village development committees; and the National Safe Schools' Policy, which tackles discrimination against pregnant girls and protects them from being expelled from school.</p> <p>The principal areas of concern include the ongoing prohibition on women holding <i>matai</i> titles in some villages, the persistence of discriminatory gender stereotypes, and the lack of a comprehensive definition of discrimination within the Constitution that is in line with article 1 of CEDAW.</p>
<a href="#">The Beijing Declaration and Platform for Action</a>	Signed 1995 <a href="#">+25 year review</a> published in 2019.	<p>In Samoa's <a href="#">+25 year review</a>, key achievements noted under the Beijing Platform for Action included the introduction of a 10% quota in the national Legislative Assembly, and the record numbers of female candidates that contested the 2016 General Elections.</p> <p>Challenges faced since the previous review included a lack of emphasis on gender mainstreaming, prevailing misconceptions regarding the rights that women and children have, data collection and availability, and continued bans in some villages which prevent women from holding <i>matai</i> titles.</p>
<a href="#">Pacific Leaders' Gender Equality Declaration</a>	2012 <a href="#">Regional review</a> published in 2016.	<p>The 2016 <a href="#">regional review</a> noted progress in the representation of women in Parliament (from 4.1% in 2014 to 10.0% in 2016) and in senior management in the public sector (from 38% in 2014 to 44% in 2016). The number of domestic violence incident reports filed with the police increased from 422 in 2011 to 765 in 2015.</p>



## Appendix 2: Country Commitments on Gender (continued)

### National Commitments

Gender Commitments	Status	Actions
<a href="#">Family Safety Act 2013</a>	2013	<p>The 2013 Family Safety Act was introduced to provide increased protection for families and to improve the handling of domestic violence incidents and related matters.</p> <p>The Act employs a broad definition of domestic relationships to provide protection not only for married couples but also for couple who are co-habiting or co-parenting, as well people in the same family or household. Under the Act, domestic violence is defined to include physical, sexual and emotional violence in addition to intimidation, harassment, stalking, and any other controlling behaviour.</p> <p>The Act outlines the processes involved in obtaining protection orders, and details the duties of the police in relation to domestic violence incidents, including the duty to prosecute.</p>
<a href="#">National Policy on Gender Equality and the Rights of Women and Girls 2021-2031</a>	2021	<p>The 2021-2031 National Policy on Gender Equality and the Rights of Women and Girls builds upon the previous <a href="#">National Policy for Gender Equality 2016-2020</a>. The 2021-2031 Policy identifies seven key strategic policy priorities:</p> <ol style="list-style-type: none"> <li>1. Increased economic empowerment of all women and girls, especially women and girls facing multiple and intersecting barriers and forms of discrimination;</li> <li>2. Improved health outcomes for all women and girls, especially women and girls facing multiple and intersecting barriers and discrimination;</li> <li>3. Enhanced access, opportunities for life-long learning and educational outcomes for women and girls, especially those facing multiple and intersecting barriers and forms of discrimination;</li> <li>4. Improved gender balance in leadership, governance, and public life;</li> <li>5. Increased and improved safety and access to law and justice for women and girls, especially those facing multiple and intersecting barriers and forms of discrimination;</li> <li>6. Increased gender sensitivity and social inclusion in all infrastructure developments and governance including transport, energy, WASH, and communications;</li> <li>7. Increased visibility, contribution and engagement of women and girls in agriculture, climate change, natural resources management and disaster preparedness and response, especially those facing intersecting barriers and forms or discrimination.</li> <li>8. The Policy includes an implementation plan, which discusses governance and implementation arrangements, monitoring and evaluation frameworks, and implementing agencies and their roles.</li> </ol>
<a href="#">National Policy on Family Safety 2021-2031</a>	2021	<p>The Policy framework has three key strategy areas: prevention, early intervention, and response system. The four expected outcome areas of the Policy are:</p> <ol style="list-style-type: none"> <li>1. Reduced violence against women and children, persons with disabilities, elderly people, and other vulnerable populations;</li> <li>2. Communities to lead the response, prevention and awareness against family violence;</li> <li>3. A coordinated and efficient interagency response framework that is survivor centred and simple for workers and survivors to navigate;</li> <li>4. Relevant laws in place to punish perpetrators of family violence, and that these laws are enforced by all key agencies.</li> </ol> <p>The Policy includes an implementation plan guiding the responsibilities of key partners, as well as a monitoring and evaluation framework.</p>