



Covering events from January - December 2000

## SAMOA

### **Independent State of Samoa**

**Head of state:** Malietoa Tanumafili II

**Head of government:** Tuila'epa Sailele

Malielegaoi

**Capital:** Apia

**Population:** 0.17 million

**Official languages:** Samoan, English

**Death penalty:** retentionist

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**At least 54 villagers on Savai'i island were detained on account of their religious activities. Their imprisonment led to public debate about constitutional guarantees of freedom of religion. Death sentences against two former cabinet ministers convicted of assassinating another government minister were commuted.**

### **Prisoners of conscience**

Throughout the year, scores of Christian villagers on Savai'i island were arrested, imprisoned or banished for taking part in religious activities outside mainstream Christian churches.

- In May, Tuasivi District Court sentenced 42 people from Falealupo village to four weeks' imprisonment and another 12 villagers to two months' imprisonment for refusing to obey orders by the Land and Titles Court to stop their Bible classes and other religious activities. They were prisoners of conscience. In September, the Land and Titles Court upheld decisions by Falealupo village council to banish the prisoners and 144 other villagers from Falealupo and to prohibit them from forming a new church. Banishment is a recognized form of law enforcement in Samoa.

Following unsuccessful petitions to the village council, the banished group appealed to the Land and Titles Court against the orders. In October police reportedly forced the majority of the banished villagers to leave Falealupo, despite court instructions to suspend their eviction pending the appeal. About 60 members of the group were reportedly taken to the Tuasivi police station, apparently for questioning. Court officials in Apia then intervened to inform Tuasivi police and the Falealupo village council of a decision by the Land and Titles Court President that all banished villagers should remain in Falealupo pending appeal hearings due to take place in 2001.

- In September, at least three people from Papa Puleia village were

reportedly detained for two days by Tuasivi police in similar circumstances. They were charged with disobeying their village council's prohibition on their religious activities. The case was pending at the end of the year.

- In July the Supreme Court upheld constitutional guarantees of religious freedom in a similar case and ruled that the Land and Titles Court and the Saipipi village council had no authority to restrict religious freedom or to limit the number of churches at Saipipi. In response, the National Council of Churches declared its intention to seek amendments to the Constitution in order to allow village councils to limit the number of churches in their jurisdiction.

### **Death penalty**

In April, the Supreme Court sentenced to death former government ministers Leafa Vitale and Toi Aukuso Cain for their role in the assassination in July 1999 of Luagalau Levaula Kamu, another minister, at a reception celebrating the ruling Human Rights Protection Party. Leafa Vitale's eldest son, Alatise Vitale, gave evidence at the trial that his father and Toi Aukuso Cain had arranged the assassination and pleaded guilty to shooting dead Luagalau Levaula Kamu. His own death sentence had been commuted to life imprisonment in 1999 by Malietoa Tanumafili II. In May, Malietoa Tanumafili II visited Leafa Vitale and Toi Aukuso Cain in prison before also commuting their death sentences to life imprisonment.

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