



GOVERNMENT OF SAMOA

APPENDICES: SAMOA SIXTH PERIODIC CEDAW REPORT

Appendix 1: ABBREVIATIONS:

ACC	Accident Compensation Corporation
AFP	Australian Federal Police
APF	Asia Pacific Forum
APTC	Australia-Pacific Technical College
BSP	Bank of the South Pacific
BTI	Breakthrough Initiative
CAS	Care Advisory Service
CC	Community Conversations
CDCRM	Community Disaster and Climate Risk Management
CDS	Community Development Strategy
CRC	Convention on the Rights of Children
CRPD	Convention on the Rights of Persons with Disabilities
CSAM	Child Sex Abuse Material
CSO	Civil Society Organizations
CSW	Commission on Status of Women
DAC	Drugs and Alcohols Court
DBS	Development Bank Of Samoa
DFAT	Department of Foreign Affairs and Trade
DFW	Division for Women
DMO	Disaster Management Office
DRM	Disaster Risk Management
FGC	Family Group Conference
FLO	Faataua le Ola
FSA	Family Safety Act
GANHRI	Global Alliance of National Human Rights Institution
GBV	Gender Based Violence
GoS	Government of Samoa
ICCPR	International Covenant on Civil and Political Rights
IEC	Information, Education and Communication
ILO	International Labor Organization
IPPWS	Increasing Political Participation of Women in Samoa
LERA	Labor and Employment Regulations Act

MAVAG	Men Against Violence Advocacy Group
MCIL	Ministry of Commerce, Industry and Labor
MESC	Ministry of Education, Sports and Culture
MFAT	Ministry of Foreign Affairs and Trade
MOH	Ministry of Health
MOP	Ministry of Police
MOWA	Ministry of Women Affairs Amendment Act
MP	Member of Parliament
MWCS	Ministry of Women, Community and Social Development
MWTI	Ministry of Works, Transport and Infrastructure
NCW	National Council of Women
NGO	Non-Governmental Organizations
NHRI	National Human Rights Institution
NMRF	National Mechanism for Reporting and Follow up
NOLA	Nuanua O Le Alofa
NUS	National University of Samoa
NWM	National Women Machinery
NYA	National Youth Awards
OEC	Office of the Electoral Commissioner
PIC	Pacific Island Countries
PPDV	Pacific Prevention of Domestic Violence Project
PSC	Public Service Commission
PSET	Post School Education and Training
PTA	Parents and Teachers Association
PWD	Persons With Disabilities
RRRT	Regional Rights Resource Team
SASNOC	Samoa Association of Sports and National Olympic Committee
SBEC	Small Business Enterprise Corporation
SBI	Small Business Incubator
SBS	Samoa Bureau of Statistics
SDG	Sustainable Development Goals
SDHS	Samoa Domestic Health Survey
SDS	Strategy for the Development of Samoa
SFHA	Samoa Family Health Association
SIDS	Small Island Developing States
SLRC	Samoa Law Reform Commission
SMERF	Samoa Monitoring Evaluation Reporting Framework
SNPF	Samoa National Provident Fund
SOR	Sex Offender Register
SPC	Secretariat of the Pacific Community
SPCS	Samoa Prisons and Correctional Services
SPS	Samoa Public Service
SQA	Samoa Qualifications Authority
SRH	Sexual Reproductive Health
STI	Sexually Transmitted Infections
SUNGO	Samoa Umbrella of Non Governmental Organizations

SVSG	Samoa Victim Support Group
SWSD	Samoa Women Shaping Development Program
TBA	Traditional Birth Attendant
TLDP	Transformational Leadership Development Program
TLM	Traditional Learning Method
TNA	Training Needs Analysis
TOR	Terms of Reference
UNCEDAW	UN Convention on the Elimination of Discrimination Against Women
UNDP	United Nations Development Program
UNESCAP	United Nations Economic and Social Commission for Asia and the Pacific
UNICEF	United Nations International Children's Emergency Fund
USP	University of the South Pacific
VR	Village Representatives
VWR	Village Women Representatives
WAC	Women's Advisory Committee
WAMM	Women Affairs Ministerial Meeting
WINLA	Women In Leadership Advocacy Group
YEP	Youth Employment Program

Appendix 2: LEGISLATIVE MEASURES

- The Constitutional Amendment Act 2013 introduced a 10% quota of women Parliamentarians, proposing for a floating five seats reserved for women. If less than five women are elected, the amendment is activated and five seats are added to the Parliament. Therefore, in its efforts to achieve the quota, AUD5000, 000.00 was allocated from the SWSD to the UNDP for the implementation of the Increasing Political Participation of Women in Samoa (IPPWS).
- The new *Crimes Act 2013* broadens the definition of rape as sexual violation. Sexual violation is defined as the act of a male raping a female or the act of a person having unlawful sexual connection with another person. Sexual connection refers to a connection occasioned by the penetration of the genitalia or the anus of any person by any part of the body of any person, or any object held or manipulated by any other person, also means a connection between the mouth or tongue of any person any part of the genitalia or anus of any other person. If convicted, the person is liable for an imprisonment term of not exceeding 14 years.¹
- Samoa is currently working towards finalizing its Child Care and Protection Bill 2016 which domesticates CRC to ensure compliance with the rights of the girl child. The purpose of the Bill is to ensure Samoa's legislative compliance with the CRC on the protection of the rights of a child, taking into account the best interests of a child. The Bill creates a new role for the MWCSD in terms of the protection of children and the Ministry will be responsible with regulating licenses for care giver providers.
- "The Crimes Ordinance 1963 was replaced by the Crimes Act 2013 and the provisions concerning abortion repealed and replaced accordingly. The current law provides that procuring an abortion is illegal, except in the case of a pregnancy of not more than 20 weeks where a medical practitioner is of the opinion that continuing the pregnancy will result in serious danger to the life, or to the physical or mental health, of the woman or girl. Any person procuring a miscarriage, or woman procuring her own miscarriage, or a person who supplies any drug, noxious thing or instrument intended for unlawfully procuring a miscarriage, is guilty of an offence and liable to imprisonment for up to 7 years. The penalty was reduced from 14 years under the Crimes Ordinance 1961 to 7 years under the current law"².
The issue of abortion was widely discussed by the SLRC in collaboration with the MWCSD and sector partners during the consultations for the CEDAW Legislative Compliance Review and majority of those consulted opposed opening up the laws to allow for abortions even for cases of rape and incest due to Samoa's strong Christian and cultural beliefs.
- The new Criminal Procedure Act 2016 and Evidence Act 2015. Police under the Criminal Procedure Act 2016 have the power to enter premises without a warrant to arrest an offender or prevent an offence likely to cause immediate or serious injury to another person such as domestic violence.³
- The Evidence Act 2015 introduces a provision which now permits hearsay evidence to be admissible in court where the circumstances relating to the statement assure its reliability,

¹ Crimes Act 2013, Part VII, Section 49

² Samoa Law Reform Commission (SLRC), *Convention on the Elimination of Discrimination against Women Final Report 17/16* (August 2016)

³ *ibid*

and the maker of the statement is unavailable.⁴ This will greatly assist in domestic violence cases where the victim is afraid to testify or has died.

Appendix 3: VICTIMS' AGE AND GENDER 2007-2015

VICTIMS' AGE & GENDER 2007-2015				
Age	Female	Male	Total	Percent
1 - 10 yrs	17	14	31	0.94%
11 - 20 yrs	141	39	180	5.45%
21 - 30 yrs	1041	154	1195	36.20%
31 - 40 yrs	760	182	942	28.54%
41 - 50 yrs	315	173	488	14.78%
51 - 60 yrs	186	110	296	8.97%
61 - 70 yrs	68	48	116	3.51%
71 - 80 yrs	12	34	46	1.39%
81yrs+	3	4	7	0.21%
TOTAL	2543	758	3301	100.00%

Source: Ministry of Police

Appendix 4: OFFENDERS' AGE AND GENDER 2007-2015

OFFENDERS' AGE & GENDER 2007-2015				
Age	Female	Male	Total	Percentage
1 - 10yrs	7	27	34	1.02%
11 - 20yrs	40	70	110	3.28%
21 - 30yrs	209	1071	1280	38.22%
31 - 40 yrs	183	935	1118	33.38%
41 - 50yrs	75	411	486	14.51%
51 - 60yrs	63	166	229	6.84%
61 - 70 yrs	13	60	73	2.18%
71 - 80 yrs	3	8	11	0.33%
81yrs+	0	8	8	0.24%
Total	593	2756	3349	100.00%

Source: Ministry of Police

⁴ ibid

Appendix 5: NUMBERS OF TRADITIONAL AND NON-TRADITIONAL VILLAGES THAT ALLOW WOMEN TO BE GIVEN A SAOFAI FOR A MATAI TITLE

Numbers of traditional and non-traditional villages that allow women to be given a saofai for a matai title

Villages	# of villages that allow women to be given a saofai for a matai title	# of villages that do not allow women to be given a saofai for a matai title	Missing cases	Total
Non-traditional villages	4	11	20	35 (12.73%)
Traditional Villages	194	34	12	240 (87.27%)
Total	198 (72.00%)	45 (16.36%)	32 (11.64%)	275 (100%)

Source: Centre for Samoan Studies, National University of Samoa, 2015

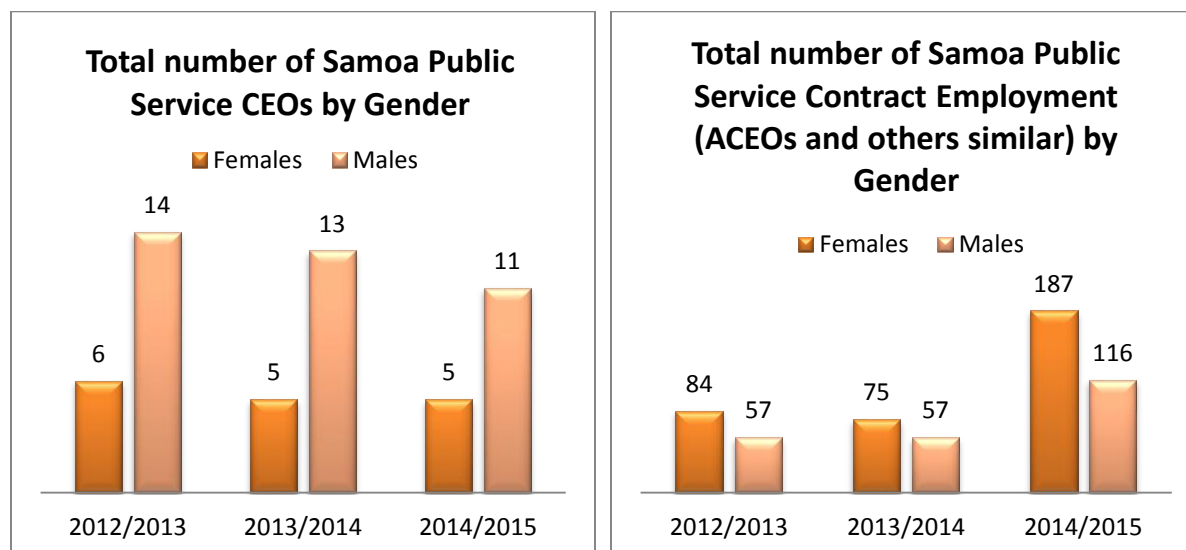
Appendix 6: NUMBERS OF TRADITIONAL AND NON-TRADITIONAL VILLAGES IN WHICH WOMEN CAN/CANNOT PARTICIPATE IN VILLAGE COUNCIL MEETINGS

Numbers of traditional and non-traditional villages in which women can/cannot participate in village council meetings

Villages	# of villages that allow women matai to participate in village council meeting	# of villages that do not allow women matai to participate in village council meeting	Missing cases	Total
Non-traditional villages	10	7	18	35 (12.73%)
Traditional villages	189	41	10	240 (87.27%)
Total	199 (72.36%)	48 (17.45%)	28 (10.18%)	275 (100%)

Source: Centre for Samoan Studies, National University of Samoa, 2015

Appendix 7: TOTAL NUMBER OF SAMOA PUBLIC SERVICE CEOS & CONTRACT EMPLOYMENT BY GENDER



Source: Public Service Commission SPS Human Resource Management Monitoring and Evaluation Report FY 2012-2013, 2013-2014, 2014-2015

Appendix 8: NET ENROLMENT RATE IN PRIMARY EDUCATION 2012-2016

Year	Enrolment of official primary school age group			Net Enrolment Rate		
	Male	Female	Total	Male	Female	Total
2012	18,596	17,911	36,507	98%	101%	99%
2013	19,385	18,080	37,465	101%	101%	101%
2014	19,168	18,176	37,344	100%	100%	99%
2015	19,830	18,635	38,465	101%	101%	100%
2016	20,194	19,087	39,281	101%	101%	100%

Source: Educational Statistical Digest Samoa, 2016

Appendix 9: NET ENROLMENT RATE IN SECONDARY EDUCATION 2012-2016

Year	Enrolment of official secondary school age group			Net Enrolment Rate		
	Male	Female	Total	Male	Female	Total
2012	7,081	7,624	14,705	64%	76%	70%
2013	7,014	7,599	14,613	63%	75%	69%
2014	7,122	7,978	15,100	64%	78%	71%
2015	7,002	7,662	14,664	62%	75%	68%
2016	7,055	7,528	14,583	63%	73%	68%

Source: Educational Statistical Digest Samoa, 2016

Appendix 10: DROPOUT RATES (%) BY GENDER, 2010-2015

Year	Gender	Year Levels											
		1-2	2-3	3-4	4-5	5-6	6-7	7-8	8-9	9-10	10-11	11-12	12-13
2010-2011	Male	16	5	1	4	5	5	5	14	17	18	16	29
	Female	14	5	1	4	3	6	1	10	6	11	13	25
2011-2012	Male	7	1	1	5	2	1	2	13	13	11	7	28
	Female	9	1	0	1	2	3	0*	10	9	17	7	27
2012-2013	Male	3	0*	0*	0*	0*	0*	0*	9	9	15	15	36
	Female	3	0	0*	1	2	2	0*	10	2	9	0*	31
2013-2014	Male	10	1	2	4	3	4	3	6	11	22	7	34
	Female	10	1	0*	2	2	1	2	4	0	18	0*	25
2014-2015	Male	10	0*	0*	0*	1	1	1	7	13	21	13	36
	Female	6	0*	2	1	2	1	1	4	6	17	0*	32

Source: Education Statistical Digest 2015, MESCS

*Note: dropout rates, marked with * indicate that these were negative rates and are being converted to zero (0). Negative rates indicate more students enrolled in a given Year Level than those promoted to the given Year Level due to a number of transfers, new or repeating students in a given Year Level.*

Appendix 11: OVERSEAS SCHOLARSHIP AWARDS 2013-2016

Year/course	Females	Males	Total
2013 Commerce	18	9	27
Science	33	23	56
Art	24	7	31
Total	75	39	114
2014 Commerce	20	8	28
Science	29	49	78
Art	20	4	24
Total	69	61	130
2015 Commerce	15	9	24
Science	37	42	79
Art	23	7	30
Total	75	58	133
2016 Commerce	8	4	12
Science	31	27	58
Art	16	5	21
Total	55	36	91

(Source; Ministry of Foreign Affairs- Division for Scholarship)