

**Mandates of the Special Rapporteur on freedom of religion or belief; the Special Rapporteur in the field of cultural rights and the Special Rapporteur on minority issues**

Ref.: OL WSM 1/2026  
(Please use this reference in your reply)

13 April 2026

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on freedom of religion or belief; Special Rapporteur in the field of cultural rights and Special Rapporteur on minority issues, pursuant to Human Rights Council resolutions 58/5, 55/5 and 52/5.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **a proclamation by the Head of State, which would impose mandatory religious observance, and proposals to ban non-Christian religions in Samoa**. Such measures would appear to be inconsistent with Samoa's obligations under international human rights law, including the International Covenant on Civil and Political Rights.

According to the information received:

On 11 January 2026, the Samoan Head of State (*O le Mao o le Malo*) Tuimaleali'ifano Va'aleto'a Eti Sualauvi II issued a proclamation mandating weekly Wednesday prayers and fasting across government ministries, corporations, and statutory bodies, alongside a national period of prayers and fasting until 16 January 2026. The proclamation reportedly stated that "the period starting on 11 January, [...] to 16 January, 2026, shall be observed as a time of prayers and fasting in Samoa. Prayers and fasting shall continue every week on Wednesdays by government ministries, corporations and statutory offices, commencing with combined fasting in the morning and to close with a prayer service in the evening at this house, the government prayer house" and also included a ban on construction and similar works on Sundays. The proclamation reportedly drew its authority from the 1962 Samoan Constitution which describes Samoa as a State based on "Christian principles" and which, since a 2017 amendment, declares Samoa a "Christian nation" under its article 1(3).

The proclamation follows reported statements on 24 December 2025 by the Prime Minister that the Government was considering measures to prohibit non-Christian religions in Samoa. On the same day, the Prime Minister reportedly invited the National Council of Churches in Samoa to advise the Government on the "future of non-Christian beliefs in Samoa." In doing so, the Prime Minister reportedly raised concerns about "pagan religions" entering the country and related the issue to broader regional and global conflicts. He further referenced the 2017 constitutional amendment declaring Samoa a "Christian nation" and, while recognising constitutional guarantees of freedom of religion (articles 11 and 12 of the Constitution), indicated that a referendum or constitutional amendment may be considered.

We express concern that the above-mentioned proclamation, as well as the proposed further legislative and potentially constitutional measures, could result in restrictions on human rights incompatible with Samoa's obligations under international human rights law, including the International Covenant on Civil and Political Rights (ICCPR) to which Samoa acceded on 15 February 2008.

In particular, the reported proclamation would appear to be contrary to article 18 of the ICCPR, which protects freedom of thought, conscience and religion; article 26, which guarantees equal protection of the law without discrimination on grounds of religion or belief, and article 27 which guarantees the rights of ethnic, religious or linguistic minorities to, inter alia, profess or practice their own religion or belief and cultural practices, as well as article 15 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), which protect the right of everyone to take part in cultural life. We are concerned that the proclamation, which would appear to impose a duty to observe particular religious practices on those who do not hold the related beliefs, would violate the freedom of religion or belief and the rights to equality and non-discrimination, as well as the rights of minorities to profess their own religion or belief and to maintain and transmit their own cultural practices.

Article 18 of the ICCPR upholds that: (a) everyone has the right to freedom of thought, conscience and religion; this right includes freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his or her religion or belief in worship, observance, practice and teaching; (b) no one is to be subject to coercion which would impair his or her freedom to have or to adopt a religion or belief of his or her choice; (c) freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others; and (d) States parties to the Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions (A/HRC/52/38, para. 24).

As asserted by the Human Rights Committee in its general comment No. 22 (CCPR/C/21/Rev.1/Add.4), article 18 of the ICCPR "protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief". The Human Rights Committee "views with concern any tendency to discriminate against any religion or belief for any reason" and insists on the guarantee of equality and non-discrimination for all. Article 18(2) bars coercion that "would impair the right to have or adopt a religion or belief, including the use of threat of [...] sanctions to compel believers or non-believers to adhere to their religious beliefs". Irrespective of the majority religion or belief affiliation, or the State's treatment of a set of beliefs "as official ideology in constitutions, statutes, proclamations of ruling parties, etc., or in actual practice", the Human Rights Committee insists that this shall not result in "any impairment of the enjoyment of any of the rights under the Covenant, ... nor in any discrimination against adherents to other religions or non-believers".

In this regard, attention is respectfully drawn to the Human Rights Committee's request for information concerning "measures taken to protect the rights of religious minorities, including non-Christians, and to ensure that individuals are free to choose or change their religion and are not unduly restricted in the manifestation of their

religion, subsequent to the 2017 amendment of the Constitution” in its List of Issues Prior to Reporting on the first review of Samoa under the ICCPR (CCPR/C/WSM/QPR/1 para. 21).

Whereas shared calendar days of rest and celebrations, including for religious holidays or practices, can be recognized by a government for administrative reasons and as a common cultural practice, it should not imply any obligation for people to adhere to the religious belief that inspired it. Conversely, people who share other religious beliefs should have a right to participate in cultural life and the freedom to maintain, transmit and exercise their belief and the practices that they imply, in accordance with article 27 of the ICCPR and article 15 of the ICESCR.

Since 2011, the Human Rights Council and the General Assembly of the United Nations have adopted annual resolutions on combating intolerance, negative stereotypes, stigmatization, discrimination, incitement to violence, and violence against persons based on religion or belief. Rather than perpetuating such stereotypes, public officials are urged to play their vital role in countering such stereotypes and stigma when raised by others. “State officials, diplomats, public figures, including parliamentarians, along with religious authorities and civil society organizations, have a vital role to play in ensuring that advocates of hatred are met with a robust response, bolstering assurance among religious or belief minorities that their standing as free and equal citizens will be defended” (A/HRC/55/47, para. 39).

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned observations.
2. Please explain how the proclamation mentioned above are compatible with international human rights standards regarding the right to freedom of thought, conscience and religion, and the enjoyment of all human rights by all on an equal basis, including as guaranteed by the International Covenant on Civil and Political Rights.
3. Please provide information on measures which your Excellency’s Government has taken, or is planning to take, to ensure compliance of the law with Samoa’s obligations under international human rights law to respect cultural and religious diversity and protect minorities from stereotypes and stigma.
4. Please provide information on measures undertaken to facilitate a meaningful dialogue on the proclamation and the proposed legislative and constitutional changes, with all stakeholders, including religious or belief groups and religious or belief minorities, particularly non-Christians, in the country in order to continually assess and ensure that the amendments do not result in any impairment or restriction of any of their rights and uphold trust and peaceful coexistence amongst all elements of society.

This communication, as a comment on pending or recently adopted legislation, regulations or policies, and any response received from your Excellency's Government will be made public via the communications reporting [website](#) after 48 hours. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

Please accept, Excellency, the assurances of our highest consideration.

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Special Rapporteur on freedom of religion or belief

Alexandra Xanthaki  
Special Rapporteur in the field of cultural rights

Nicolas Levrat  
Special Rapporteur on minority issues