

**Universal Periodic Review**  
**(25<sup>th</sup> session, April-May 2016)**  
**Contribution of UNESCO to Compilation of UN information**  
**(to Part I. A. and to Part III - F, J, K, and P)**

**Samoa**

**I. BACKGROUND AND FRAMEWORK**

**Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO**

I.1. Table:

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education (1960)	Not state party to this Convention	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education. (1989)	Not state party to this Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	28/08/2001	N/A	N/A	Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	13/11/2013	N/A	N/A	Right to take part in cultural life
Convention on the Protection and Promotion of the	N/A		N/A	Right to take part in cultural life

Diversity of Cultural Expressions (2005)				
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## **II. INPUT TO PART III. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS, TAKING INTO ACCOUNT APPLICABLE INTERNATIONAL HUMANITARIAN LAW TO ITEMS F, J, K, AND P**

### **Right to education**

#### **1. NORMATIVE FRAMEWORK**

##### **1.1. Constitutional Framework**

1. The **1962 Constitution of Samoa**, as amended on 25 February 2005<sup>1</sup>, does not recognize the right to education. Nonetheless **Article 12** of the Constitution guarantees rights regarding religious instruction stating that:
  - “ (1) No person attending any educational institution shall be required to receive religious instruction or take part in any religious ceremony or attend religious worship, if that instruction, ceremony or worship relates to a religion other than his own.
  - (2) Every religious community or denomination shall have the right to establish and maintain educational institutions of its own choice and to provide therein religious instruction for pupils of that community or denomination.
  - (3) Nothing in clause (2) shall prevent the State from making any law requiring the inspection of educational institutions and the maintenance therein of standards in keeping with the general educational level in Samoa.”
  
2. **Article 15** states
  - “ (1) All persons are equal before the law and entitled to equal protection under the law.
  - (2) Except as expressly authorized under the provisions of this Constitution, no law and no executive or administrative action of the State shall, either expressly or in its practical application, subject any person or persons to any disability or restriction or confer on any person or persons any privilege or advantage on grounds only of descent, sex, language, religion, political or other opinion, social origin, place of birth, family status, or any of them. [...]”

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<sup>1</sup> <http://www.unesco.org/education/edurights/media/docs/c26a389a78b0da676310ab764625303d43302069.pdf>  
<http://www.samoa.ws/parliament/documents/constit/ENGLISH%20CONSTITUTION1.pdf>, Accessed on 22/04/2015

## 1.2. Legislative Framework

3. The **Education Act No. 9 of 2009**<sup>2</sup> aims at “regulat[ing] and mak[ing] provision for **school education and early childhood education** in Samoa and repeal[ing] the Education Ordinance 1959”<sup>3</sup>.
4. According to **Article 4**:
  - “(1) [...] a carer of a compulsory school-aged child must enrol the child as a student in a school appropriate to the child’s educational needs.
  - (2) In any legal proceeding the carer bears the onus of proving that the child is enrolled at a school in accordance with this Act.
  - (3) If a child’s 5th birthday falls prior to or on the 1st day of June in a given school year, the child must be enrolled to commence school at the start of that school year.
  - (4) If a child’s 5th birthday falls after the 1st day of June in a given school year, the child must be enrolled to commence school at the start of the following school year.
  - (5) Subject to section 5, a child must remain enrolled at a school until the child completes the work of Year 8 of school or attains the age of 14 years, whichever occurs sooner. [...]
  - (10) Any person who contravenes the provisions of this section commits an offence and shall be liable to a fine not exceeding 50 penalty units.”
5. Nevertheless **Article 5** provides for the possibility of “[...] an exemption from the requirement to enrol the child as a student at school”.
6. **Children with special needs** are being taken care of according to **Article 19 (1)**: “The Chief Executive Officer may take any action the Chief Executive Officer considers appropriate to establish that a compulsory school-aged child with special needs is receiving appropriate education.”
7. The Act prohibits **corporal punishment** (Article 23). It regulates private school (Part IV) and **early childhood education centres** (Part XI).
8. In 2015, the Parliament drafted the Teachers Bill 2015<sup>4</sup>.

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<sup>2</sup> <http://www.unesco.org/education/edurights/media/docs/08ae87096a295108b65da0341fa4e148ff0a4ef2.pdf>  
[http://www.samoa.ws/parliament/documents/acts/Education%20Act%202009%20-%20\(English\).pdf](http://www.samoa.ws/parliament/documents/acts/Education%20Act%202009%20-%20(English).pdf), Accessed on 22/04/2015

<sup>3</sup> Education Act No. 9 of 2009, p. 4, accessible at:

<http://www.unesco.org/education/edurights/media/docs/08ae87096a295108b65da0341fa4e148ff0a4ef2.pdf>, Accessed on 22/04/2015

<sup>4</sup> <http://www.parliament.gov.ws/new/wp-content/uploads//Bills/2015/3/Bill-Teachers-Bill-2015-Eng.pdf>, Accessed on 22/04/2015

### 1.3. Policy Framework

#### i) General information

9. “The Ministry of Education, Sports and Culture **Corporate Plan July 2012 – June 2015** is developed based on the achievements of the Ministry’s Strategic Policies and Plan (SPP) of July 2006 – June 2015.
10. This Corporate Plan continues on this strength and is based on the targets and priorities for education, sports and culture as specified by the Government of Sāmoa in its Strategy for the Development of Sāmoa 2012 – 2016 vision of Improved Quality of Life for All, on the theme “boosting productivity for sustainable development”, on the Key Outcome of “Improved Focus on Access to Education, Training and Learning Outcomes” (May2012); and the third phase of the MESC nine-year Strategic Policies and Plan (SPP) July 2006 – June 2015. This Corporate Plan will continue to be MESC’s instrument for implementation of the many initiatives in the MESC SPP and the newly developed Education Sector Pan 2012 – 2016.”<sup>5</sup>
11. “[...], the following goals have been set for this Corporate Plan:
  - To ensure the principles of equity, quality, efficiency, relevancy, sustainability, safety and discipline are reflected.
  - To provide an enriching curriculum that:
    - combines indigenous and global knowledge within a bilingual structure, and promotes an international standard of academic achievement;
    - is based on and develops existing knowledge, skills and attitudes; and,
    - develop an appreciation of the pursuit of knowledge for its own sake.
  - To promote the formation of active, interactive and creative pedagogies to:
    - ensure the systematic presentation of essential knowledge by means of a sound bilingual methodology;
    - develop the ability to analyze knowledge critically in a learning environment which encourages inquiry, debate and independent thought; and,
    - stimulate imagination and allow for individual expression.
  - To establish just and impartial assessment and evaluation methods which:
    - seek information which will benefit the student;
    - recognize and enhance the development nature of all learning; and,

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<sup>5</sup> Ministry of Education, Sports and Culture, Corporate Plan July 2012 – June 2015, p. 2, [http://www.mesc.gov.ws/pdf/CP%202012\\_2015%20Eng.pdf](http://www.mesc.gov.ws/pdf/CP%202012_2015%20Eng.pdf), <http://www.unesco.org/education/edurights/media/docs/23e9e888ec0466abbd5acf6202cbd988decd132e.pdf>, Accessed on 22/04/2015

- enable equitable access throughout the system.
  - To recruit, retain and develop an adequate supply of quality teachers and corporate personnel.
  - To nurture, promote, revive and preserve Sāmoan tangible and intangible heritage, language, artistic creativity, cultural values and practices.
  - To promote the development of sports through:
    - professional development and training;
    - health and physical activities; and,
    - upgrading sports fields in rural areas.”<sup>6</sup>
12. The overall aim of the **Strategic Policies and Plan 2006- 2015** is “[...] to produce policies and plans that will give strategic direction to Ministry of Education (MESC) for the period 2006-2015. It will build upon the strengths of the existing system and learn from lessons of past experiences to enhance the management capacity and service delivery of MESC to improve learning outcomes.”<sup>7</sup>
13. The “**SDS [Strategy for the Development of Samoa] 2012-2016** identifies the Strategic Areas for the Education Sector as follows:
- 1 Progress Quality teaching and learning at all levels;
  - 2 Access to relevant education and training opportunities at all levels;
  - 3 Strengthen linkages between education and training development to national goals;
  - 4 Improve coordination of planning and policy development at all levels; and
  - 5 Upgrade facilities and resources and sustain efficient management across the sector.”<sup>8</sup>
14. The **Education Sector Plan for 2013-2018**<sup>9</sup> was adopted in December 2013. “The vision of the sector plan is that all people in Samoa are educated and productively engaged. The mission of the agencies supporting the sector is: to promote the achievement of high

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<sup>6</sup> Ministry of Education, Sports and Culture, Corporate Plan July 2012 – June 2015, p. 6,

[http://www.mesc.gov.ws/pdf/CP%202012\\_2015%20Eng.pdf](http://www.mesc.gov.ws/pdf/CP%202012_2015%20Eng.pdf),

<http://www.unesco.org/education/edurights/media/docs/23e9e888ec0466abbd5acf6202cbd988decd132e.pdf>, Accessed on 22/04/2015

<sup>7</sup> Strategic Policies and Plan 2006- 2015, p. 8, accessible at:

[http://planipolis.iiep.unesco.org/upload/Samoa/Samoa\\_Strategic\\_Policies\\_and\\_Plan.pdf](http://planipolis.iiep.unesco.org/upload/Samoa/Samoa_Strategic_Policies_and_Plan.pdf), Accessed on 22/04/2015

<sup>8</sup> 2013-2018 Samoa Education Sector Plan [ESP 2013-2018], December 2013, p. 10, accessible at:

<http://www.unesco.org/education/edurights/media/docs/5fbba2ddbc0bd904eddbfb1c3aa3efb9e2d73f99.pdf>, Accessed on 22/04/2015

<sup>9</sup> 2013-2018 Samoa Education Sector Plan [ESP 2013-2018], December 2013, p. 10, accessible at:

<http://www.unesco.org/education/edurights/media/docs/5fbba2ddbc0bd904eddbfb1c3aa3efb9e2d73f99.pdf>, Accessed on 22/04/2015

quality education and training to meet the national, economic, social, and cultural goals of Samoa”<sup>10</sup> The ESP has 5 goals:

- **“GOAL 1:** Enhanced quality of education at all levels
- **GOAL 2:** Enhanced educational access and opportunities at all levels
- **GOAL 3:** Enhanced relevance of education and training at all levels
- **GOAL 4:** Improved sector coordination of research, policy and planning development
- **GOAL 5:** Establish sustainable and efficient management of all education resources”<sup>11</sup>

## ii) Inclusive Education

15. “In 2005, MESC drafted **the Samoa – Special Needs Policy** with the commitment to provide appropriate programmes for students with special needs or at risk because of economic circumstances. The Special Needs Policy which addresses an approach to inclusive education states that: “where possible, all students’ needs should be met in normal schools”.
16. **MESC’s SPP for 2006 – 2015** has a dedicated component to the development of inclusive education. The vision for Inclusive Education is “a national education system supporting sustainable quality inclusive education and sports for all persons with special needs”.
17. The key policy statements are as follows:
  - Facilitate the enrolment and participation of children with disabilities. Special attention will be given to girls and women with disabilities.
  - Develop sound knowledge and best practice for inclusive education
  - Work in collaboration with NGOs and the MOH to ensure the future sustainability of early intervention for children with disabilities
  - Capacity building for SNEAC will be encouraged
  - Ongoing support for SNE teachers
18. MESC will support public awareness programmes on inclusive education and people with disabilities
19. In collaboration with the Ministry of Works, Transport and Infrastructure national guidelines for appropriate accessible educational and public facilities will be enforced.

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<sup>10</sup> 2013-2018 Samoa Education Sector Plan [ESP 2013-2018], December 2013, p. 7, accessible at: <http://www.unesco.org/education/edurights/media/docs/5fbba2ddbc0bd904eddbfb1c3aa3efb9e2d73f99.pdf>, Accessed on 22/04/2015

<sup>11</sup> 2013-2018 Samoa Education Sector Plan [ESP 2013-2018], December 2013, p. 29, accessible at: <http://www.unesco.org/education/edurights/media/docs/5fbba2ddbc0bd904eddbfb1c3aa3efb9e2d73f99.pdf>, Accessed on 22/04/2015

20. Document, record and adopt appropriate models of good practice for educational and sporting provision.”<sup>12</sup>

### iii) Teachers

21. “A programme to upgrade Science teachers in Samoa was launched by Prime Minister, Tuilaepa Sa’ilele Malielegaoi at the University of the South Pacific (U.S.P) in June this year.

- [**Science Teachers' Accelerated Programme (STAP)**] as it is called, the programme is a partnership between the Ministry of Education, Sports and Culture (MESC) and the U.S.P
- A group of 60 teachers have been selected for the programme.
- The government is providing 60 scholarships to support <sup>13</sup> the teachers, including government and mission schools.
- The programme aims to upgrade skills of existing teachers as well as building capacity especially in the pure sciences and mathematics.”

22. “7.8 As part of the ESP II the **Samoa National Teacher Development Framework** was launched in September 2011 and provides a policy framework for teacher management, professional standards and development as well as conditions of work and salary negotiations. Implementation of the NTDF enables teacher appraisal processes, to diagnose teacher development needs and to monitor teacher practice in schools for best practice and to evaluate the impact on student learning. There were 2361 teachers at Primary and Secondary Schools levels in Samoa with 1682 teachers in government schools, 512 in mission schools and 167 in private schools. The majority of teachers are female (69.4%) compared with male (30.96%). Within the context of the teaching profession it has been identified that there is a need to assess the role of gender in teaching and learning, given the SPELL assessment results for the period 2004 to 2010 denotes a significant gender gap in boy and girl student achievement in English and Numeracy. The NTDF also highlighted the need for all teachers without teaching qualifications to obtain a teaching qualification. The Student-teacher ratio for primary

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<sup>12</sup> Education for All Mid-Decade Assessment Report Samoa, 2007, p. 60, accessible at: [http://www.mesc.gov.ws/pdf/efa\\_web.pdf](http://www.mesc.gov.ws/pdf/efa_web.pdf), Accessed on 22/04/2015

<sup>13</sup> Ministry of Education, Sports and Culture, Science Teachers' Accelerated Programme (S.T.A.P), [http://www.mesc.gov.ws/index.php?option=com\\_content&view=article&id=354:stap2014&catid=65:latest-news&Itemid=222](http://www.mesc.gov.ws/index.php?option=com_content&view=article&id=354:stap2014&catid=65:latest-news&Itemid=222), Accessed on 22/04/2015

education is 30:1, whereas for secondary is 20:1. The table below reflects an improvement in the percentage of government primary schools that meet the student-teacher ratio. Unfortunately, government secondary schools show a decrease in the percentage of schools that meet the student-teacher ratio due to an increase in the number of student enrolment while teacher numbers is increasing at a much slower pace, a challenge that the Ministry of Education is working towards addressing.”<sup>14</sup>

23. “7.9 Programs undertaken by MESC to improve the quality of teaching service include: managing training to upgrade content knowledge; training in pedagogy; training by subject clusters; centralized and school-based professional development training; school-based monitoring of the quality of teaching and learning; and teacher performance appraisal. Teacher shortage is addressed by the Alternative Teacher Training Program, of which the first and second cohorts were awarded Diplomas in Education in 2011 and 2012.”<sup>15</sup>

#### iv) Quality education

##### v) Curriculum

24. “7.10 The integration of computer and communications technology into education is still in its initial stages and implemented through a variety of projects such as School Net. The **Samoa School Net and Community Access project** is an initiative of the Government of Samoa and is funded by the ADB. The initiative is now in its early stages in piloting an appropriate model for introducing ICT into schools and communities. It is proposed that a fully equipped Learning Centre with computers, photocopier, camera, DVD, printer, internet facility, fax facility, multimedia projector will be located in schools for the use of students and teachers during school hours, and for the respective school community as a business venture to cater for their community members after hours.”<sup>16</sup>

##### vi) Other (as appropriate)

25. “GIEACPC response:

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<sup>14</sup> State reports submitted to the Committee on the Rights of the Child, 2013, p. 58, [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/countries.aspx?CountryCode=WSM&Lang=EN](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/countries.aspx?CountryCode=WSM&Lang=EN), Accessed on 22/04/2015

<sup>15</sup> State reports submitted to the Committee on the Rights of the Child, 2013, p. 58, [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/countries.aspx?CountryCode=WSM&Lang=EN](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/countries.aspx?CountryCode=WSM&Lang=EN), Accessed on 22/04/2015

<sup>16</sup> State reports submitted to the Committee on the Rights of the Child, 2013, pp. 58-59, [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/countries.aspx?CountryCode=WSM&Lang=EN](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/countries.aspx?CountryCode=WSM&Lang=EN), Accessed on 22/04/2015



- In Samoa, corporal punishment of children is unlawful in the penal system and in schools, but in other settings - the home, alternative care settings and day care - it is lawful under "the right of any parent, teacher, or other person having the lawful control or charge of a child to administer reasonable punishment to such child" in the Infants Ordinance 1961. Despite the Government's acceptance of the UPR recommendations to prohibit corporal punishment, law reform in 2013 did not achieve this. Neither the Crimes Act 2013 nor the Family Safety Act 2013 repealed the right "to administer reasonable punishment" in the Infants Ordinance. A draft Child Care and Protection Bill is under discussion which would repeal the section of the Infants Ordinance which includes the right "to administer punishment" but does not explicit prohibit corporal punishment; it is not clear if the intention of the law reform is to prohibit all forms of corporal punishment, without exception, including in the home."<sup>17</sup>

## 2. COOPERATION

26. Samoa is **not party** to the 1960 UNESCO Convention against Discrimination in Education.
27. Samoa did **not report** to UNESCO on the measures taken for the implementation of the 1960 UNESCO Recommendation against Discrimination in Education within the framework of the:
  - **Sixth Consultation** of Member States (covering the period 1994-1999),
  - **Seventh Consultation** of Member States (covering the period 2000-2005),
  - **Eighth Consultation** of Member States (covering the period 2006-2011).
28. Samoa did **not report** to UNESCO on the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms within the framework of the:
  - **Fourth Consultation** of Member States (covering the period 2005-2008),
  - **Fifth Consultation** of Member States (covering the period 2009-2012).
29. Samoa did **not report** to UNESCO on the measures taken for the implementation of the 1976 UNESCO Recommendation on the Development of Adult Education within the framework of the:
  - **First Consultation** of Member States (1993),
  - **Second Consultation** of Member States (2011).

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<sup>17</sup> UPR-info, Samoa Mid-tem Implementation Assessment, p. 14, [http://www.upr-info.org/sites/default/files/document/samoa/session\\_11\\_-\\_may\\_2011/mia-samoa.pdf](http://www.upr-info.org/sites/default/files/document/samoa/session_11_-_may_2011/mia-samoa.pdf), Accessed on 22/04/2015

30. Samoa is **not party** to the 1989 UNESCO Convention on Technical and Vocational Education.

### **Freedom of opinion and expression**

#### **1. CONSTITUTIONAL AND LEGISLATIVE FRAMEWORK**

31. Freedom of speech and expression has constitutional protection in Samoa (Article 13).<sup>18</sup>

32. The Samoan government passed a new Crimes Act in 2013, abolishing criminal libel.<sup>19</sup>

33. There is no freedom of information legislation in Samoa.

#### **2. MEDIA SELF-REGULATION**

34. The Samoan Media Council Bill from 2014 is to establish the Media Council and introduce the Code of Ethics. Third reading of the Media Bill is yet to be announced. The planned Media Council will be tasked to provide for the self-regulation of media, including an application and enforcement of the code.

35. Samoa is a member of The Pacific Islands News Association (PINA)<sup>20</sup> and the Pacific Media Association (PasiMA)<sup>21</sup>, which provides support and training to media professionals.

#### **3. SAFETY OF JOURNALISTS**

36. UNESCO recorded no killing of journalists in Samoa so far. Journalists operate in a safe environment.

#### **37. RECOMMENDATIONS**

#### **Right to education**

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<sup>18</sup> <http://www.samoagovt.ws/wp-content/uploads/2014/07/Constitution-of-the-Independent-State-of-Samoa-1960.pdf>

<sup>19</sup> [http://www.parliament.gov.ws/new/wp-content/uploads//01.Acts/Acts%202013/Crimes\\_Act\\_2013\\_-\\_Eng.pdf](http://www.parliament.gov.ws/new/wp-content/uploads//01.Acts/Acts%202013/Crimes_Act_2013_-_Eng.pdf)

<sup>20</sup> <http://www.pina.com.fj/>

<sup>21</sup> <http://pacific-media.org/>

38. **Recommendations made within the framework of the first cycle of the Working Group on the Universal Periodic Review, considered on (please check the date on the following web site: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx>)**
39. 73. The following recommendations formulated during the interactive dialogue have been examined by Samoa and enjoy its support:
- i. 73.36. Continue implementing programmes and measures aimed at ensuring universal health care and quality education services for all its population (Cuba);
  - ii. 73.37. Significantly promote sexual education, in particular oriented towards adolescent girls and boys, paying special attention to the prevention of early pregnancy and to the control of sexually transmitted diseases and HIV/AIDS (Mexico);
  - iii. 73.38. Redouble efforts to promote universal education and ensure compliance with legislation on compulsory education (New Zealand);
  - iv. 73.39. Take further measures to ensure that all children enjoy their right to a free and compulsory primary education (Morocco);
  - v. 73.40. Seek to enhance its programmes on human rights education and training in schools and for public officials, in cooperation with the international community (Philippines);
40. 74. The following recommendations enjoy the support of Samoa, which considers that they are already implemented or in the process of implementation:
- i. 74.12 Provide members of its police force with training on human rights and improve inmate conditions in detention facilities (Canada);
  - ii. 74.21. Ban corporal punishment as a disciplinary measure in schools and in homes, and conduct awareness campaigns so as to reduce the scope of such action (Norway);
  - iii. 74.25 Improve equal access to justice, including legal assistance and information and education about legal and human rights, to those who cannot afford private representation (Canada);

41. 75. The following recommendations will be examined by Samoa, which will provide responses in due time, but no later than the eighteenth session of the Human Rights Council in September 2011. The response of Samoa to these recommendations will be included in the outcome report adopted by the Council at its eighteenth session:

- i. 75.35 Ensure that the Professional Standards Unit of the Police complete its investigations in a timely fashion, and that it expand police training to address concerns about abuse by police (United States);

42. “Recommendation 75.35

- i. 25. The Police Professional Standards Unit was established four years ago and there is room for improvement. Complaints from members of the public against members of the police force are now being dealt with in an efficient and timely manner. There is also a Police Adviser from the Australian Federal Police who is currently working with the unit under the Samoa/ Australia Police Project. The Unit would welcome any further training to strengthen its capability in this important area.”<sup>22</sup>

43. Analysis:

Samoa adopted policies in order to improve the focus on access to education, quality of education for all and inclusive education through the Corporate Plan July 2012-2015 (based on the development of the Ministry of Education, Sports and Culture Strategic Policies and Plan 2006-2015, and the Strategy for the Development of Samoa 2012-2016 which resulted in the Education Sector Plan for 2013-2018). Corporal punishment in school is prohibited in Samoa (Education Act n°9 2009) and a discussion is being conducted in order to banish these practices in all settings. Steps have been taken to promote special education for disabled persons with a special attention to girls and women with disabilities (Strategic Policies and Plan 2006-2015), nevertheless, no additional measures have been taken yet regarding the issue of gender equality in education and patriarchal attitudes in general to the extent of available information as well as providing human right education.

44. Specific Recommendations:

- 1. Samoa should be strongly encouraged to ratify the UNESCO Convention against Discrimination in Education.

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<sup>22</sup> Report of the Working Group on the Universal Periodic Review, Samoa, Addendum, Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review, 21 September 2011, p. 6, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/WSSession11.aspx>, Accessed on 27/03/2015

2. Samoa should be strongly encouraged to submit state reports for the periodic consultations of UNESCO's education related standard-setting instruments.
3. Samoa could be encouraged to continue implementing strategic plans focusing on access to education for all and free primary education and integrate non-discriminatory principles in order to enhance quality of education at all levels
4. Samoa could be encouraged to put in place a comprehensive strategy aiming to intensify its programmes on human rights education and training in schools and for public officials.
5. Samoa should be encouraged to prohibit corporal punishment in all settings

### **Cultural rights**

45. Samoa is encouraged to ratify the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005). UNESCO's cultural conventions promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Samoa is encouraged to facilitate the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.
46. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972) and the Convention for the Safeguarding of the Intangible Cultural Heritage (2003), Samoa is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Samoa is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

### **Freedom of opinion and expression**

47. Samoa is encouraged to introduce freedom of information law that is in accordance with international standards.<sup>23</sup>
48. Samoa is recommended to further strengthen self-regulatory mechanisms for the media.

**Freedom of scientific research and  
the right to benefit from scientific progress and its applications**

49. Samoa, in the framework of the 2015-2017 consultations related to the revision and monitoring of the Recommendation on the Status of Scientific Researchers is encouraged to report to UNESCO on any legislative or other steps undertaken by it with the aim to implement this international standard-setting instrument, adopted by UNESCO in 1974.

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<sup>23</sup> See for example, General Comments No 34. of the International Covenant on Civil and Political Rights (ICCPR), 2006 Recommendation of the 87<sup>th</sup> Session Human Rights Committee, the recommendations of the UN Special Rapporteurs on the Right to Freedom of Opinion and Expression, and Resolution 1577 (2007) of the Parliamentary Assembly of the Council of Europe.