



info sheet Human Rights

HUMAN RIGHTS MANDATE OF THE OFFICE

In 2013, the Office of the Ombudsman also became the National Human Rights Institution of Samoa (NHRI Samoa). This was a result of Ombudsman (Komesina O Sulufaiga) Act 2013 which extended the mandate of the Office to include human rights as part of the functions of the Ombudsman.

Objective: “To promote and protect human rights and freedoms in Samoa as the National Human Rights Institution.”

NHRI Samoa functions to bridge the “protection gap” between the rights of individuals and responsibilities of the State (Samoa Government). Part 4 (sections 33-40) of the Ombudsman Act 2013 provides for the human rights function of the Office which include:

- Monitoring Samoa’s performance in meeting its international human rights commitments through its State of Human Rights Reports and Places of Detention Inspections Report;
- Review of existing and proposed legislation to ensure consistency with human rights law;
- Providing advice to the Samoan Government so that it can meet its international and domestic human rights commitments;
- Conducting visits to all public and some private places of voluntary and involuntary confinement or detention;
- Undertaking human rights education awareness and trainings programs for all sections of the Samoan community;
- Engaging with the international human rights community to raise pressing issues and advocate for recommendations that can be made to the Samoan Government;
- Participation in judicial proceedings as a friend of the court or as a party, where human rights issues arise (currently inactive);
- Receiving, investigating and resolving complaints of human rights violations (currently inactive);
- Providing information to the international human rights system, such as the Human Rights Council and other human rights treaty monitoring bodies through shadow reporting and submissions;

NHRI Samoa also has the power to initiate national public inquiries especially when the Office becomes aware of a widespread, systemic or entrenched situation or practice that violate human rights (section 34). For instance, in 2016 the Office launched a national public inquiry into Family Violence in Samoa with its Report published in 2018.

In promoting and protecting human rights in Samoa, NHRI Samoa is assisted by a group of knowledgeable individuals (reflective of diverse constituent groups in Samoan society) to ensure individuals are fairly heard and represented (section 39).

All of these functions and areas are carried out and achieved through the celebration and protection of Samoan culture, dignity and respect ingrained in Fa’a Samoa.