



**Samoa's Compliance with the International Covenant on Civil and Political Rights
Suggested List of Issues Prior to Reporting Relating to the Death Penalty**

Submitted by The Advocates for Human Rights

a non-governmental organization in special consultative status with ECOSOC since 1996
and

The World Coalition Against the Death Penalty

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The Advocates for Human Rights (The Advocates) is a volunteer-based nongovernmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. Established in 1983, The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publications. In 1991, The Advocates adopted a formal commitment to oppose the death penalty worldwide and organized a death penalty project to provide pro bono assistance on post-conviction appeals, as well as education and advocacy to end capital punishment. The Advocates currently holds a seat on the Steering Committee of the World Coalition against the Death Penalty.

The World Coalition Against the Death Penalty (WCADP), an alliance of more than 150 NGOs, bar associations, local authorities, and unions, was created in Rome on 13 May 2002. The aim of the World Coalition is to strengthen the international dimension of the fight against the death penalty. Its ultimate objective is to obtain the universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition.

1. Samoa abolished the death penalty in 2004 through the Crimes (Abolition of Death Penalty) Amendment Act, No. 7. Samoa acceded to the International Covenant on Civil and Political Rights (ICCPR) in 2008.

Samoa should ratify the Second Optional Protocol to the ICCPR (OP2)

2. Samoa's 2023 Common Core Document makes no mention of the death penalty beyond mentioning that it was abolished under domestic law in 2004.¹ It does not mention whether Samoa intends to ratify or accede to OP2.
3. In its third-cycle Universal Periodic Review in 2022, Samoa received 6 recommendations to ratify or accede to OP2.² Soon after the interactive dialogue, Samoa accepted the recommendations.³ On December 17, 2024, Samoa again voted in favor of the UN General Assembly resolution calling for a global moratorium on the death penalty.⁴ Samoa has supported the resolution in every vote since 2007.⁵
4. Samoa remains an abolitionist state as the death penalty has not been reintroduced, and no recorded executions have taken place since 2004. Nonetheless, Samoa has neither signed nor ratified the OP2.⁶
5. **Suggested question:**
 - **What steps has Samoa taken to move toward ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, without reservations?**

¹ *Common core document forming part of the reports of States parties: Samoa* (9 June 2023), UN Doc. HRI/CORE/WSM/2023, ¶ 39.

² Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Samoa* (6 Jan. 2022), UN Doc. A/HRC/49/7, ¶ 106.4 (“Consider the ratification of international instruments to which the country is not yet party, in particular, . . . the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty” (Argentina)); *id.* ¶ 106.19 (“Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty” (France)); *id.* ¶ 106.20 (“Abolish the death penalty and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty” (Finland, Portugal)); *id.* ¶ 106.21 (“Fully abolish the death penalty by ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights” (Iceland)); *id.* ¶ 106.22 (“Strengthen awareness-raising campaigns on the death penalty and public debates on the subject from a human rights perspective, including in its parliament, with a view to ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, as soon as possible” (Uruguay)).

³ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Samoa* (6 Jan. 2022), UN Doc. A/HRC/49/7, ¶ 106 (“The recommendations formulated during the interactive dialogue/listed below have been examined by Samoa and enjoy the support of Samoa”).

⁴ World Coalition Against the Death Penalty, *Two thirds of the United Nations General Assembly vote in favor of the 10th resolution for a moratorium on the death penalty*, Dec. 20, 2024, <https://worldcoalition.org/2024/12/20/two-thirds-of-the-United-Nations-General-Assembly-vote-in-favor-of-the-10th-resolution-for-a-moratorium-on-the-death-penalty/>.

⁵ International Commission Against the Death Penalty, Voting Records, <https://icomdp.org/unga/> (last visited Jan. 6, 2025).

⁶ UN Treaty Body Database, *Ratification Status for Samoa*, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=149&Lang=EN.