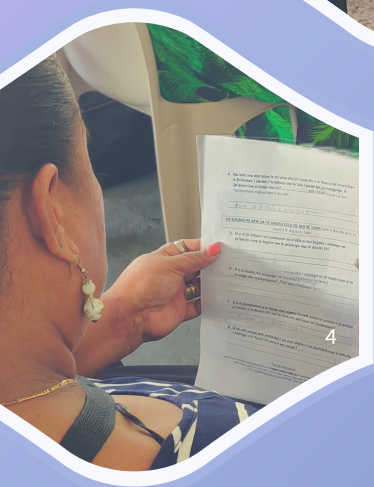


KOVITI-19 MA AIĀ TATAU A TAGATA SOIFUA: I SAMOA

Līpoti o le Tulaga o Aiā Tatau a Tagata Soifua



IUNI 2022

© Ofisa Komesina o Sulufaiga Ofisa Tu Totonu mo Aiā Tatau a Tagata Soifua i Samoa 2021

Ua taofia aia uma e pationo i lenei Līpoti. E mafai ona e kopiina, sii mai pe lolomi le anotusi o lenei lomiga mo lou lava faaaogaina, ma e mafai ona e faaofia ai vaega mai ai i au lava pepa, folasaga, blogs, upegatafa'ilagi ma meafaitino e aoao atu ai, pe afai e faailoa (acknowledge) le Ofisa o le Komesina o Sulufaiga/NHRI Samoa ma puna ma puletaofia. O talosaga uma mo le fa'aoga lautele po'o fa'apisinisi ma aia tatau fa'aliliu e tatau ona tu'uina atu i info@ombudsman.gov.ws.

Iuni 2022

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KOVITI-19 MA AIĀ TATAU A TAGATA SOIFUA: I SAMOA

Līpoti o le Tulaga o Aiā Tatau a Tagata Soifua



Iuni 2022

FA'AGĀSOLOGA MO LE FA'ATALANOAINA I LE PALEMENE O LĪPOTI O LE TULAGA O AIĀ TATAU A TAGATA SOIFUA

LA'ASAGA 1:

E fa'atino e le Ofisa se iloiloga o le tulaga o aiā tatau a tagata soifua i Sāmoa mo le tausaga ua tuana'i ma tu'uina atu le līpoti i le Fofoga Fetalai o le Fono Aoao Faitulafono (Tulafono o le Komesina o Sulufaiga f 40(1)).

E fefa'asoa'i le Ofisa ma i latou e iai o latou sao (tagata lautele, matāgaluega a le Mālō, Fa'alāpotopotoga Tuma'oti m.f.).

LA'ASAGA 2:

Tau'a'aoina e le Fofoga Fetalai le Lipoti ma tu'uina atu i le Komiti o Tulafono Tumau, Faiga Palota, Talosaga ma Tofiga Faale-Faavae mo le iloiloina e tusa ai ma Tulafono Tumau (Tulafono Tumau (TT) 51) ma le (Tulafono o le Komesina o Sulufaiga f 40(2)).

LA'ASAGA 3:

E iloilo e le Komiti le līpoti e tusa ai ma Tulafono Tumau ma poloa'iina matāgaluega talafeagai a le Mālō e o'o atu i luma o le Komiti e tali i ni matā'upu o lāgā i le līpoti (TT 54) ma le (Tulafono o le Komesina o Sulufaiga f 40(3)(a)).

LA'ASAGA 4:

E saunia e le Komiti Fa'apalemene lana līpoti ma fautuaga ma tu'uina atu i le Fono Aoao Faitulafono mo se tali mai a le Mālō. E ao fo'i i le Komiti ona logoina le Minisitā e patino i ai se matā'upu, mo se fa'amatalaga (TT54(4)).

LA'ASAGA 5:

E tu'uina atu e le Failautusi le Līpoti a le Komiti i le Mālō (e ala atu i ofisa talafeagai) mo se tali. O le tali e fa'asaga tonu i fautuaga a le Komiti, ma fa'amautū mai ai le finagalo o le Mālō i so'o se matā'upu ua lāgā (TT 55(1-2)).

E lē se matāfaioi a le Ofisa le tali atu i ana fautuaga ma o lea e lē tatau ai ona toe tu'uina mai le līpoti mo se tali atu a le Ofisa. O le tali e maua mai i le Mālō, e ala i ona ofisa talafeagai.

LA'ASAGA 6

O le taulimaina o Tali a le Mālō, ona tufatufaina atu lea e le Failutusi o ia tali i sui usufono uma a o le'i talanoaina i se fonotaga a le Komiti o le Fono Aoao Atoa (TT 55(3)). 'Āfai e iai se matā'upu e fia lāgā e se sui e uiga i Tali a le Mālō, e tu'uina atu lea matā'upu e le Failautusi i le Minisitā talafeagai, ina ia tali atu ai i felafolafoa'iga i totonu o le Komiti o le Fono Aoao Atoa (TT 55(4)).

LA'ASAGA 7:

E tu'uina atu e le Ta'ita'ifono le fesili, "Ina ia faautagia le lipoti". E lē iai se teuteuga po o se felafolafoa'iga i luga o le fesili (TT 128) ma le (Tulafono o le Komesina o Sulufaiga f 40(3)(b)).

LA'ASAGA 8:

E mātā'itū e le Ofisa po ua fa'atino fautuaga e le Mālō.



OMBUDSMAN
— NHRI SAMOA

FA'ATINOGA:

'āfai o se fautuaga e uiga i le fa'aleleia o le mauaina o 'au'aunaga tau soifua mālōlōina, o le matāgaluega aupito talafeagai mo le fa'atinoga o lea fautuaga, o le Matāgaluega o le Soifua Mālōlōina; 'āfai o se fautuaga e uiga i le fa'aleleia o le mauaina o le suāvai e afio'aga mamao ma le taulaga, o le ofisa talafeagai mo le fa'atinoga o lea fautuaga o le Pūlega o le Suāvai. E iai fo'i fautuaga e fa'atatau i Fa'alāpotopotoga Tuma'oti fa'apea le Ofisa nei.

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UPU TOMUA

O se fiafiaga tele ia te a’u ou te tu’uina atu ai le līpoti lenei a le Ofisa o le Komesina o Sulufa’iga a Sāmoa, o le Ofisa fo’i lea a le atunu’u mo Aiā Tatau a Tagata Soifua (Ofisa). O le Līpoti o le Tulaga o Aiā Tatau a Tagata Soifua 2022, *KOVITI-19 ma Aiā Tatau a Tagata Soifua i Sāmoa*, o lonaualu ai lenei o līpoti a le Ofisa e pei ona fa’atulafonoina i lalo o le fuai’upu 40 o le *Tulafono o le Komesina o Sulufaiga (Ombudsman) 2013*.

Ua silia nei i le lua tausaga talu ona pesi le fa’ama’i o le KOVITI-19 ma ua mata’utia ma ogaoga ona taunu’uga i aiā tatau a tagata soifua. Ua motusia mafutaga a ‘āiga ma ē pele ua māliliu ona o le fa’ama’i, telē le āfāina o pisinisi, fa’aopoopoina le aofa’i o tagata ua leai ni galuega, ma ua fa’atapula’aina le sa’olotoga o tagata e fegāsoloa’i. Ua tula’i mai ai fo’i popōlega ona ua āfāina aiā tatau a tamaiti i a’oa’oga, fa’apea le aiā tatau i le soifua mālōlōina, ua feagai pea ma le fa’afitāuli o le matuā ‘uti’uti ma le tau fa’asoasoa o puna’oa e tali atu ai i mana’oga tau soifua mālōlōina.

Peita’i, ‘olo’o tāua pea le nafa o talitonuga fa’avae tau aiā tatau a tagata soifua i le fa’afetaia’iga o le fa’aailoga tagata ma le lē tutusa o fa’amanuiaga, ina ia aofia tagata uma i le tāofiga o lenei fa’ama’i, ma le fa’afo’isia o le malosī ma isi tulaga ua āfāina ona o le KOVITI-19.

Ua vā’ilī’ilī i le Līpoti a’afiaga o aiā tatau ma sa’olotoga o tagata i Sāmoa, ‘aemaise lava tagata aupito ma’ale’ale le tulaga o le soifua, ona o le KOVITI-19 ma fa’atinoga a le Mālō e fa’afetaia’i ai lenei fa’ama’i mata’utia. Mai lea vā’ilī’ilīga, ua tula’i mai ai ni fautuaga mo le Mālō talu ai, o le Mālō e pa’ū i ai le uluulu o le lā’au mo aiā tatau a tagata soifua, ina ia mautinoa e ōgatasi ana fa’atinoga mo le KOVITI-19 ma lo tatou Fa’avae, tulafono a le atunu’u ma faiga fa’avae mo le puipuiga o aiā tatau a tagata soifua, fa’apea ana matāfaioi fa’avāomālō tau aiā tatau a tagata soifua.¹

E fa’apea fo’i ona iai tiute tau’ave o isi vaega e aofia ai fa’alāpotopotoga a tagata lautele, le ‘aufaipisinisi, ala o fa’asalalauga, Fono a Nu’u ma tagata uma o le atunu’u. E tatau ona galulue fa’atasi nei vaega uma ma le Mālō, ina ia mautinoa e ‘ausia ni taunu’uga lelei mo tagata uma mai a’afiaga o lenei fa’ama’i mata’utia.

E momoli atu la’u fa’amālō ma le fa’afetai i le Mālō mo galuega ua fa’atinoina e o’o mai i lenei taimi i taumafaiga e fa’ato’ilalo lenei lu’i maoa’e, ina ia mautinoa le saogalēmū ma le soifua manuia o tagata uma o Sāmoa mai lenei fa’ama’i.

Ina ia fesoasoani ātili i le tali atu i le KOVITI-19, ou te matuā fautuaina le Mālō ina ia talia fautuaga ua tu’uina atu i lenei Līpoti. O nei fautuaga e fausia mai i iloiloga ma folasaga na tu’uina mai i le Ofisa ma ua fa’avae i talitonuga fa’avae o aiā tatau a tagata soifua. **O le maua’a o le tali atu i le fa’ama’i ma auala o fa’atinoga e fa’avae i aiā tatau a tagata soifua, ‘ole’ā lē gata ina fesoasoani e puipua le soifua mālōlōina o tagata lautele ma aiā tatau a tagata soifua i taimi o lenei fa’ama’i, ae ‘ole’ā fa’apea ona**

¹ Samoa is a party to 6 of the 9 core international human rights conventions including the International Covenant on Civil and Political Rights (ICCPR), Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Convention on the Rights of the Child (CRC), Convention on the Rights of Persons with Disabilities (CRPD), International Convention for the Protection of All Persons from Enforced Disappearance (CPED), and Convention Against Torture, Degrading and Inhumane Treatment (UNCAT). It has yet to ratify the International Covenant on Economic, Social and Cultural Rights (ICESCR), International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW), International Convention on the Elimination of Racial Discrimination (CERD).

maua ai se avanoa tūtasi e fa’amanuiaina ai tagata uma, e aofia ai vaega e ma’ale’ale le tulaga o le soifua e lē gata i le taimi nei, ae fa’apea fo’i i le āga’i atu i le lumana’i.

Ou te fa’afetaia le sao o pā’aga galulue uma fa’apea le atunu’u lautele i le tu’uina mai o manatu ma fautuaga ua fesoasoani ia i vā’ili’iliga ma fautuaga a le Ofisa e tu’uina atu i le Palemene. E iai le fa’amoemoe ‘ole’ā aogā le Līpoti, ma ia avea o se fesoasoani i le Mālō ma o tatou tagata, ina ia fa’aaauau pea le ‘apo’apoina ma le puipuiga o a tatou aiā tatau ma o tatou sa’olotoga, i le feagai ai ma le fa’ama’i o le KOVITI-19.



Luamanuvao Katalaina Sapolu

KOMESINA O SULUFA’IGA

‘OTO’OTOGA

Ua tu’uina atu i le Līpoti se vā’ili’iliga o taunu’uga o le KOVITI-19 i aiā tatau a tagata i Sāmoa, aemaise lava i latou e aupito mā’ale’ale le tulaga o le soifua, e aofia ai – tagata e iai a’afiaga tumau o le soifua, tamaiti ma tagata talavou, tagata ua matua le soifua ma tagata e iai gasegase tumau (e aofia ai i latou e iai i le HIV), tinā ma tama’ita’i ma teine (e aofia ai tinā ma’itaga), tagata i nofoaga o le to’ese, ‘aufaigaluega ta’imua, ma ‘āiga e la’itiiti tupe maua. O nei aiā tatau e aofia ai aiā tatau tau tamāo’āiga, agafeso’ota’i ma fa’aleaganu’u, fa’apea aiā tatau tau i le vā ma isi tagata ma upufai o mālō. O leni vā’ili’iliga e fa’avae i sālililiga ua mae’a fa’atinoina i le KOVITI-19, fa’apea manatu fa’aalia mai pā’aga galulue ma le atunu’u lautele i fefa’asoa’iga ma nu’u ma afio’aga, ‘ātoa ai ma tali na maua mai i ni pepa o fesili na tufaina atu.

Ua vā’ili’ili fo’i e le Līpoti fa’atinoga a le Mālō e tali atu ai i le fa’ama’i, fa’apea nafa o tagata ‘ese’ese e mafai ona iai so latou sao i le tali atu a Sāmoa i le KOVITI-19, mai se va’aiga tau talitonuga fa’avae ma tulaga mana’omia o aiā tatau a tagata soifua.

Mulimuli ane, ua tu’uina atu e le Līpoti ni fautuaga, fa’amatalaga e aogā i fa’atinoga, ma ni ta’iala mo le fa’aaogāina o se auala e fa’avae i aiā tatau a tagata soifua, mo se fa’autaga a le Palemene ma le Mālō, i nei taimi o tāofiofiga ma tapula’a ona o le KOVITI-19. O le naunauta’iga, ina ia mautinoa le fa’aaauu pea o le lagolagoina ma le puipuiga o aiā tatau ma sa’olotoga o tagata uma o Sāmoa, e lē gata i le taimi nei, ae i le lumana’i pe ‘āfai e toe tula’i mai se isi fa’ama’i po o se tulaga o fa’alavelave e āfāina ai le soifua mālōlōina o tagata lautele.

O i’uga ‘autū o le Līpoti e aofia ai vaega nei:



Fa’atinoga a le Mālō ma aiā tatau a tagata soifua: Sa telē le a’afiaga o aiā tatau, ona o tāofiofiga o aiā tatau ma sa’olotoga e le Mālō e aofia ai le saolotoga e fealua’i ai, auai atu i aoaoga ma galuega ma isi – Taga’i I le **Vaega 3**. E matuā tāua le fa’aaauu e le Mālō i tulaga mana’omia ma talafeagai, ia fa’aitiitia a’afiaga ona o ana fa’ai’uga.



E feso’ota’i ma fefa’alagolagoa’i aiā tatau a tagata soifua: Ua toe fa’amautū i i’uga o sālililiga a le Ofisa le māmalamama’aga, e feso’ota’i ma fefa’alagolagoa’i aiā tatau uma a tagata soifua, i auala e tāua mo le soifua o le tagata. Mo se fa’ata’ita’iga, o le ‘ave’esea o galuega a tagata ua i’u ina faigatā ātili ai le mauaina o taumafa. O le lē lelei o avanoa e maua ai ‘au’aunaga tau initaneti, e āfāina ai le aiā tatau a tamaiti i a’oa’oga m.m.f.



Sa’olotoga e fegāsoloa’i: Na fa’amati’e e le fa’ama’i le tāua o le sa’olotoga e fegāsoloa’i. Na matuā a’afia le sa’olotoga o tagata tāito’atasi e fegāsoloa’i ona o tāofiofiga ma vavao, ma a’afia ai isi aiā tatau e pei o le aiā tatau i galuega, ‘auai i a’oa’oga, ma le mauaina o tausiga tau soifua mālōlōina – Taga’i I le **Vaega 3(1)(b)**.



Mauaina o fa’amatalaga: E ui ina sa iai auala fa’atino ‘ese’ese ina ia mautinoa e maua e tagata lautele fa’amatalaga e feso’ota’i ma le tali atu a Sāmoa i le KOVITI-19, na iai lava le fenumia’i ma tulaga o le fesuisuia’i o fa’amatalaga na fa’asalalauina talu ai le lē lelei o le fa’amāpopooina e vaega o le Mālō – Taga’i I le **Vaega 3(1)(d)**.



Aiā tatau i tekonolosi ‘eletroni ma aiā tatau i a’oa’oga: E telē le a’afiaga o le aiā tatau a tamaiti i a’oa’oga ona o le tūpunia o ā’oga. E ui ina se’e atu le to’atele i le fa’aaogāina o a’oa’oga e ala atu i le initaneti, e to’atele tamaiti e le’i mauaina nei a’oa’oga, aemaise lava i afio’aga tau mamao ma le taulaga ma ‘āiga e vaivai le tamāo’āiga, ona o le lē maua o feso’ota’iga tau initaneti ma le lē lava o meafaigaluega mana’omia. O tulaga fa’apenei e mafai ona fa’aopoopo ātili ai le lē tutusa o fa’amanuiaga e maua e tagata – Taga’i I le **Vaega 3(2)(c)**.



A’afiaga o le tamāo’āiga: E telē le a’afiaga o le tamāo’āiga ona o le KOVITI-19 ma fa’atinoga a le Mālō e tali atu i ai e pei o le fa’asā o femalagaa’iga, sā ma faatonuga e nonofo ai I le fale – e to’atele tagata na lē toe iai ni galuega, fa’apea pisinisi ua āfāina ma o’o atu ina toetoe lava tūpunia, e ui i fesoasoani na maua mai i le Mālō – Taga’i I le **Vaega 3(3)(a)**.



Si’itia le tau o oloa ma le soifuaga: E telē le a’afiaga o aiga aemaise latou e le’o lava le fa’asoa ma I latou ua leai ni galuega ona o le si’itia o le tau o oloa ma le soifuaga. O le faaauau ai pea o nei siitaga, o le aafia ai le mautū o taumafa talafeagai ma aiā tatau I taumafa – Taga’i I le **Vaega 3(2)(e)**.



Fa’afitāuli o le soifuaga lautele: Ua tula’i mai fo’i i taimi o le fa’ama’i le si’itia o fa’afitāuli o le soifuaga lautele e aofia ai sāuāga fa’avae i itūpā ua a’afia ai tinā ma tama’itai, soligātulafono e pei o le gaoi, ma le fa’aailoga tagata ma le fa’asi’ugutua o tagata ua maua i le fa’ama’i – Taga’i I le **Vaega 3(3)(b)**.



Tui puipui: O ni lu’i ‘autū nei i le sōloga lelei o taumafaiga a le Mālō e fa’asolo le faiga o tui puipui. O le fa’alotolotua (ona o le lē lava o fa’amatalaga fa’asoaia atu o le aogā lelei o tui puipui) fa’apea tagata e tete’e i tui puipui – Taga’i I le **Vaega 3(2)(a)**.



Fa’amatalaga taufa’asesē ma fa’amatalaga sesē tau soifua mālōlōina o tagata lautele: E iai fa’amatalaga taufa’asesē ma fa’amatalaga sesē na fa’asalalauina i le initaneti, aemaise lava e uiga i le aogā o tui puipui. Na fai nei fa’amatalaga ma fa’atōsina i tagata ma na ‘avea o se lu’i na fa’alavelaveina ai taumafaiga a le Mālō i le fa’agāsologa o le faiga o tui puipui – Taga’i I le **Vaega 3(1)(d)(iv)**.



Vaega e ma’ale’ale le tulaga o le soifua: O tagata na aupito lagona le mamafa o taunu’uga o fa’atinoga a le Mālō e tali atu i le KOVITI-19, o i latou ia e ma’ale’ale le tulaga o le soifua. O ‘āiga e maualalo le tulaga o tupe maua, o i latou ia na aupito āfāina ina ua fa’alētonu le tamāo’āiga. Na feagai tinā ma tama’ita’i ma teine (e aofia ai tinā ma’itaga) ma fa’afitāuli o le mauaina o a latou aiā tatau ma ‘au’aunaga tau soifuaga fanau manuia. Na fa’apea fo’i ona āfāina i sāuāga fa’avae i itūpā. Na feagai fo’i tagata ua matua le soifua ma tagata e iai a’afiaga tumau o le soifua ma lu’i ona ua a’afia lo latou tausiga ma fesoasoani sa masani ai, ona ua fa’atapula’aina le fegāsoloa’i o tagata. E maoa’e fo’i le a’afiaga o tagata i nofoaga o le to’ese ma i latou e ‘ese o latou lagona mai manatu masani e uiga i itūpā – Taga’i I le **Vaega 3(4)**.



Fuafuaga ma le fa’amāoopoopoina: E ui ina silia i le 2 tausaga le avanoa na maua e le Mālō e fa’aaogā ai mea tutupu i isi atunu’u i ana tāpenaga, o le lē lelei o fuafuaga (fa’apea fa’afitāuli tau puna’oa), na o’o ai i taunu’uga sa tatau ona mafai ona ‘alofia, ‘aemaise lava i le itū tau fefa’asoa’iga o fa’amatalaga

ma le fa'atinoga o su'ega (testing) o tagata lautele i nu'u ma afio'aga – Tagai I le **Vaega 3(1)(d)(i)** ma le **Vaega 4**.

'Auai: E ui ina fa'atāua e le Matāgaluega o le Soifua Mālōlōina i lana Fuafuaga Aoa mo Fa'ama'i Pipisi ua Salalau 2020/21 – 2024/25 le 'auai o tagata mai la'asaga 'ese'ese o le atunu'u, mai le la'asaga o upufai o mālō se'ia o'o atu lava i nu'u ma afio'aga, i le puipuiga ma tāofiga o fa'ama'i, e telē le fa'alētonu o fa'atinoga, ma e le'i taitai 'āto'atoa feso'ota'iga ma le 'auai o vaega tuma'oti 'olo'o tu'uina atu 'au'aunaga tau soifua mālōlōina, vaega e ma'ale'ale le tulaga, ma vaega e iloiloina fa'atinoga ma tu'uina atu ni fa'amatalaga ma fautuaga, 'aemaise lava i le taimi e le'i sao mai i tua i nu'u ma afio'aga le fa'ama'i – Tagai I le **Vaega 4**.

Galulue felagolagoma'i: Ua fa'amati'e e le fa'ama'i le tulaga moni, e lē mafai ona fa'atino to'atasi e le itūpaepae o le soifua mālōlōina se tali atu i se fa'alavelave mātuiā e pei o le KOVITI-19. E mana'omia le galulue fa'atasi o vaega uma o le atunu'u, ina ia mautinoa e aofia tagata uma, ma maua taunu'uga lelei atu mo tagata uma – Tagai I le **Vaega 2(4)**.

Matāfaioi a tagata ta'ito'atasi ma le saogalēmū o tagata lautele: o se tasi o lu'i tele na feagai ma le Mālō, o tagata ia e le'i usita'ia Poloa'iga o Fa'alavelave Fa'afuase'i. O ia āmioga na tula'i mai ai se popōlega tele mo le saogalēmū ma le soifua mālōlōina o tagata uma.



Fautuaga

Tulaga o fa'alavelave fa'afuase'i ma le puipuiga o aiā tatau a tagata soifua

- 1) Ia fa'amautinoa e le Mālō, e mo na'o se vaitaimi lē tumau e fa'aaogā ai fa'atinoga mo fa'alavelave fa'afuase'i, e fuafua fa'atatau lelei ma e aupito itiiti a'afiaga mo tagata, ina ia 'ausia fa'amoemoega tau soifua mālōlōina o tagata lautele, ma ia iai ni auala o le puipuiga e pei o aiaiga e toe iloilo ai, ina ia mautinoa le toe fo'i i tulafono māsani i se taimi lava ua te'a ai le tulaga o fa'alavelave fa'afuase'i.

Fa'atinoga a le Mālō ma le āmana'ia o aiā tatau a tagata soifua

- 2) Ia mautinoa e le Mālō e aofia tagata uma, e maua e tagata uma fa'amanuiaga, ma e 'auai tagata uma i lana tali atu i le KOVITI-19, ina ia mautinoa e leai se tasi e tu'ulāfoa'iina.
- 3) O le fa'amamaluina o tulafono ma faiga fa'avae o tui puipui ma fa'amāoniga o tui puipui, e tatau i le Mālō ma ofisa ona fa'atino la'asaga ia mautinoa ai e lē fa'ailoga tagata ma/pe so'ona tulituliloaina ni tagata ta'ito'atasi. E lē gata i lea, e tatau ona iai ni fetu'una'iga talafeagai e ala i le faia o ni tu'usaunoaga mo tagata e lē mafai ona fai tui puipui ona o se tulaga tau soifua mālōlōina e iai puipuiga, e pei o se a'afiaga tumau o le soifua po o se tulaga tau soifua mālōlōina. E tatau ona fa'aeteete ia pāleni ia, fa'atusatusa i le aiā tatau faitele i le soifua mālōlōina ma le saogalēmū.
- 4) Ia mautinoa e le Mālō e mautū ma māopoopo ana fa'agāsologa mo le faiga o tagata i nofoaga o le fa'anofosea ma ia matuā fa'amamaluina ia fa'agāsologa, ina ia mautinoa le saogalēmū o tagata uma.

- 5) E tatau ona faigōfie ona maua ma fa'atino mo tagata uma su'ega ina ia vave ona iloa po ua maua i le fa'ama'i. E tatau ona taga'i i le fa'aaogāina o itū'āiga su'ega 'ese'ese e aofia ai auala e lē mana'omia ai le momono o meafaitino i pūisu.

Manino ma le mafai ona tali atu

- 6) Ia mautinoa e le Mālō e fa'ailoa i le atunu'u tupe ua fa'aaogāina mo fa'alavelave fa'afuase'i, e lē gata i tupe mai lana ia lava tala fa'ata'au o tupe, a ia fa'apea fo'i fesoasoani mai fafo. E lē gata 'ole'ā mautinoa ai le manino ma le mafai ona tali atu, a o se fa'ailoga fo'i lea o pūlega lelei.
- 7) Ia mautinoa e le Mālō e fa'aauau le 'apo'apoina o le tausisia o le tulafono, e ala i le mulimulita'ia o fa'agāsologa e pei ona fa'ata'atia i le Fuai'upu 108 o le Fa'avae, i fa'atinoga mo tagata e tāofia ona ua solia tulafono o poloa'iga o fa'alavelave fa'afuase'i.

Fa'afetaia'iga o lu'i

- 8) Ia mautinoa e le Mālō, e matuā taga'i i lu'i na feagai ai, aemaise lava i le itū i lagona o le vāivai ma le mālōlōina o māfaufau o le 'aufaigaluega, fa'apea le fa'amamaluina o tulafono o poloa'iga o fa'alavelave fa'afuase'i, ina ia mautinoa e fa'aitiitia nei fa'afitāuli i ni taimi e toe tula'i mai ai ni fa'alavelave fa'afuase'i o le soifua mālōlōina o tagata lautele i le lumana'i.

Aiā tatau i le ola

- 9) Ia fa'amautinoa e le Mālō e āmana'ia, puipuia ma mafai ona fa'atino aiā tatau fa'avae, e aofia ai le aiā tatau i le ola ma le aiā tatau i le soifua mālōlōina, e o'o lava i taimi o fa'alavelavae fa'afuase'i e pei o se fa'alavelave tau le soifua mālōlōina o tagata lautele. E ōgatasi lea ma matāfaioi a Sāmoa i lalo o le Feagaiga Fa'avāomālō i Aiā Tatau i le Vā ma isi Tagata ma Aiā Tatau tau Upufai o mālō, fa'apea isi feagaiga o aiā tatau a tagata soifua ua 'auai atu i ai Sāmoa.

Sa'olotoga o le fegāsoloa'i ma le sa'olotoga o fa'alāpotopotoga ma fa'apotopotoga

- 10) E fautuaina le Mālō ina ia fa'amautinoa i le lumana'i, e matua mana'omia mo le fa'amoemoe ua fa'atino ai, e fuafua fa'ata'au lelei ma e lē fa'ailoga tagata le fa'atapula'aina o le sa'olotoga o fa'apotopotoga ma fa'alāpotopotoga, aemaise lava le sa'olotoga e fegāsoloa'i.

Aiā tatau i fa'amatalaga, aiā tatau i tekonoosi 'eletoroni, sa'olotoga o auala o fa'asalalauga, ma fa'amatalaga tau fa'asesē tau soifua mālōlōina

- 11) Talu ai ua 'auai atu Sāmoa i le Feagaiga Fa'avāomālō i Aiā Tatau i le Vā ma isi Tagata ma Aiā Tatau tau Upufai o mālō, e fautuaina le Mālō ina ia tapu'e ātili auala o le fa'asoaina atu, ma le manino o fa'amatalaga, e aofia ai le mata'alia i le fa'ailoaina

atu o fa'amatalaga i le atunu'u ma le galulue vāvālalata ma auala o fa'asalalau, ina ia mautinoa e mauaina ma mafai ona faifaipea ona maua e tagata fa'amatalaga e sa'o, i taimi vave, alatutusa, au'ili'ili, ma fa'avae i fa'amatalaga fa'asaiesi, e uiga i lamatiaga mai le KOVITI-19 ma le aogā lelei o tui puipui 'olo'o maua fa'apea ni a'afiaga e ono tula'i mai, ina ia mālamalama tagata, ma fa'apea ona tali atu i le pesi o le fa'ama'i. E matuā tāua le alatutusa o fa'amatalaga mai le Mālō ma le 'aufa'asalalau, ina ia 'alofia fa'amatalaga sesē ma fa'amatalaga taufa'asesē, e tupu ai le māsaloalo ma le lē fa'atuatuaina e tagata lautele.

12) Ia fa'amautinoa e le Mālō e fa'atino ni auala e fō'ia ai le 'ese'esega 'olo'o iai nei i le vā o i latou 'olo'o maua, ma i latou e lē o mauaina 'au'aunaga tau initaneti ma meafaigaluega mana'omia (aemaise lava tamaiti ma tagata i nofoaga taumamao ma taulaga), ina ia mautinoa e fa'amanuiaina tagata uma i tekonoisi 'eletroni.

13) E ui ina talia e iai le aiā tatau a so'o se tagata i le sa'olotoga o le tautala, mo se fa'ata'ita'iga, i le matā'upu e feso'ota'i ma le aogā lelei o tui puipui ma ni a'afiaga e ono iai, e tāua le āmana'ia ma manatu i isi tagata, ina ia mautinoa o le fa'aaliga o se manatu, e lē i'u ina āfāina ai taumafaiga 'olo'o fa'atino ina ia 'ausia le manuia o tagata lautele, e pei o le puipuiga o le soifua mālōlōina mai a'afiaga ona o se fa'ama'i ua salalau.

Māta'itūina o le soifua mālōlōina o tagata lautele, aiā tatau i mea patino i le tagata, ma le malu o fa'amaumauga tau soifua mālōlōina

14) E tatau i pisinisi 'olo'o galulue e fesoasoani i le māta'itūina o gāoioiga, aemaise lava le sāliliga o tagata ua ono pēsia, ona iai ni fa'agāsologa ma ta'iala mo le malu o le teuina o fa'amatalaga ma le fa'afoega o le mama atu i tua o ni fa'amaumauga, e aofia ai ni fofō talafeagai, mo ni tagata e a'afia. E lē gata i lea, e tatau ona fa'atino se galuega i fa'afitāuli o le mauaina o tekonoisi mana'omia, ina ia aogā lelei ma fa'atuatuaina auala o le sāliliga o tagata ua ono pēsia, fa'apea le faiga o lipoti.

15) E tatau i le Mālō ma ana pūlega ona fa'amautinoa i taimi uma, e matuā malu le puipuiga o fa'amatalaga o tagata ta'ito'atasi i le aoina o fa'amatalaga mo le fa'afoega o le KOVITI-19. O nei fa'amatalaga o fa'amatalaga tapuia e tatau ona malu. E tatau ona iai ni puipuiga fa'aletulafono mo le fa'aaogāga talafeagai o fa'amatalaga tau soifua mālōlōina o tagata ta'ito'atasi ma e tatau ona aofia i faiga fa'avae, ma ia fa'atino faifaipea ma ia alatutusa ni a'oa'oga lautele ma au'ili'ili mo le 'aufaigaluega o le soifua mālōlōina e aofia i le fa'afoega ma le fa'aaogāga o nei fa'amaumauga.

Aiā tatau i le soifua mālōlōina

16) Ia fa'amautinoa e le Mālō le fa'aauuina pea o le fa'atinoga o la'asaga ma auala ina ia puipuia, togafitia ma tāofiofia fa'ama'i; tu'uina atu tausiga fa'asoifua mālōlōina mo le soifuga fanau manuia fa'apea tinā ma'itaga ma failele; fa'atino a'oa'oga mo tagata lautele ma ia maua e tagata lautele fa'amatalaga; ma tapu'e a'oa'oga i tomai o le 'aufaigaluega o le soifua mālōlōina, e aofia ai a'oa'oga e uiga i aiā tatau a tagata

soifua. E tatau fo’i ona taga’i i puna’oa ‘olo’o maua, ma ia mulimulita’i i talitonuga ta’iala o le mauaina o le aiā tatau i le soifua mālōlōina, e pei ona iai i lana *Fuafuaga Aoao o Tāpenaga ma le Tali atu i Fa’ama’i FY 2020/21 – FY2024/25*.

- 17) E fautuaina le Mālō e toe saga tapu’e ma fa’aauau pea le fa’agāsologa o ana polokalame fa’apitoa e una’i ai le soifua mālōlōina o tagata lautele ma tui puipui, i ni auala aogā lelei, e fa’aaogā ai auala ‘ese’ese o feso’ota’iga, e fa’afetaia’i ai lu’i o le fa’alotolotolua i le faiga o tui puipui, ma si’itia ai le mālamlamaga o tagata i tui puipui, e lē gata i tui mo le KOVITI-19, ae fa’apea isi tui puipui uma.

Mauaina o fa’amasinoga

- 18) Ina ia mautinoa e fa’aauau pea ona maua e tagata fa’amasinoga i taimi o iai tapula’a ma tāofiofiga, e fautuaina le Mālō ma fa’amasinoga, e taga’i i isi auala o le fofogaina o matā’upu ma le fa’atinoga o fa’amasinoga, e pei o le fa’aaogāina o feso’ota’iga i ata vito. ‘Ole’ā fesoasoani lea faiga e fō’ia ai ni isi fa’afitāuli e tula’i mai ona o le fa’atuai o le fofogaina o matā’upu.

Aiā tatau i a’oa’oga

- 19) E fautuaina le Mālō ina ia iai meafaigaluega talafeagai ma fa’atuatuaina, e fesoasoani i a’oa’oga e fa’aaogā ai le initaneti, ina ia mautinoa e maua e tamaiti uma avanoa e fa’aaogā ai tekonoosi ‘eletroni, ma fa’apea ona maua ai e tamaiti uma a’oa’oga e lelei le tulaga. E tatau fo’i ona fa’aaogā isi auala o le a’oa’oina. E lē gata i lea, e tatau ona maua e tamaiti le fesoasoani ma puna’oa ina ia mautinoa e mafai ona o latou maua a’oa’oga e fa’aaogā ai le initaneti, aemaise lava tamaiti e i nu’u ma afio’aga e taumamao ma le taulaga, fa’apea āiga e itiiti tupe maua. E tatau fo’i ona āmana’ia mana’oga o tamaiti e iai a’afiaga tumau, i taimi e fa’amālosia ai le nonofo i ‘āiga, talu ai, o le to’atele o nei tamaiti e fa’alagolago i a’oa’oga ma fesoasoani fesāga’i.

Aiā tatau i galuega

- 20) E fautuaina le Mālō ina ia fa’atino ni auala e tali ai a’afiaga o le tamāo’āiga ona o le KOVITI-19, aemaise lava mo tagata faigaluega e maualalo totoji, fa’apea tagata faigaluega i le vaega tūma’oti. E tatau fo’i i pisinisi ona taga’i i le tu’uina atu o ni fesoasoani mo tagata ua tatau ona fa’anofu’esea ona ua pēsia i le fa’ama’i, e ala i le totojiina o aso ma’i.

Mautū o taumafa talafeagai ma le aiā tatau i taumafa

- 21) E fautuaina le Mālō ma pisinisi ina ia fa’amautinoa e taga’i, ma fa’atino ni galuega i a’afiaga o le gāsologa o le ‘aumaia o ‘olua mai fafo, ina ia mautinoa e lava taumafa mo mana’oga o le atunu’u, aemaise i taimi o sā. E tatau fo’i ona taga’i i le ono si’itia

pea o le tau o taumafa ma le tau o le soifuaga, a o fa'aauau pea ona feagai le lalolagi ma fa'afitāuli e feso'ota'i ma le mauaina o 'olua ma 'au'aunaga.

Aiā tatau i le suāvai, fa'afoga o otaota lāfoa'i ma le tūmamā

- 22) E fautuaina le Mālō ina ia fa'amautinoa e maua pea e tagata suāvai e saogalēmū mo le taumafa, i taimi o le fa'ama'i, e aofia ai tagata ua ono lē mafai ona totogiina le suāvai.
- 23) E fautuaina le Mālō ina ia fa'amautinoa e maua le fesoasoani o ātina'e tetele mo le suāvai ma auala o le fa'afoga o suāvai lāfoa'i, ina ia mautinoa e fa'atino faiga talafeagai mo le suāvai, tūmamā ma le fa'afoga o otaota lāfoa'i i nu'u ma afio'aga, 'āiga ma nofoaga o tausiga fa'asoifua mālōlōina. E mana'omia le fa'aauau pea o polokalame fa'atupu silafia i le tūmamā, ma le galulue fa'atasi pea o le Mālō ma nu'u ma afio'aga ina ia mautinoa e talafeagai auala 'olo'o iai mo otaota lāfoa'i ma le tūmamā, e aofia ai auala saogalēmū mo le lāfoa'iina o otaota o mea e fa'aaogā mo le KOVITI-19.

Lagolago fa'amālosi'au ma fesoasoani fa'atōsina

- 24) E fautuaina le Mālō ina ia mautinoa e aofia tagata uma i ana lagolago fa'amālosi'au ma fesoasoani fa'atōsina, ina ia 'avea o se sini le mafai ona iai pea o galuega a tagata faigaluega, fa'apea le fausia o ni isi avanoa tau tamāo'āiga, aemaise lava mo pisinisi ma 'au'āiga ua ma'ale'ale le tulaga, ina ia mautinoa e mafai ona fa'aauau auala mo le tausiga o 'āiga. E tatau ona fa'atino ni fefa'asoa'āiga ma nei vaega, e uiga i ni auala e fa'afetaia'i ai a'afiaga o le tamāo'āiga, ina ia mautinoa e iai tini e fa'atatau tonu i ai se tali e fa'afetaia'i ai.

Fa'afetaia'iga o fa'afitāuli o le soifuaga lautele

- 25) E fautuaina le Mālō ina ia tu'uina atu fesoasoani mo le fa'aauauina ma le fa'atinoga 'āto'atoa o auala ma fa'atinoga e aofia ai le lagolagoina o 'au'aunaga mana'omia, ina ia fa'afetaia'i sāuāga fa'avae i itūpā.
- 26) E fautuaina le Mālō ina ia taga'i i itū uma i lana tali atu i a'afiaga o le aiā tatau i le soifua mālōlōina, ina ia aofia ai le mālōlōina o le māfaufau. E tatau ona fa'aauau le galulue fa'atasi ma fefa'asoa'i ma Fa'alāpotopotoga 'olo'o galulue i le mālōlōina o le māfaufau, ina ia mautinoa e maua leni fesoasoani e i latou uma e mana'omia, ma ia tulimata'i vaega e ma'aale'ale le tulaga, aemaise lava tinā ma tama'ita'i ma tamaiti.

Fa'afetaia'iga o le fa'ailoga tagata

- 27) E fautuaina le Mālō ina ia fa'aauau le mātā'itūina ma fa'atino la'asaga e tali atu ai i faiga fa'ailoga tagata, ma e mafai ona aofia ai ni a'oa'oga fa'atupu silafia. E tatau fo'i ona tāpena ni fa'atinoga mo ni tulaga e ono o'o i ai ni nu'u ma afio'aga ma vaega

e ma'ale'ale le tulaga ona o le si'itia o faiga fa'ailoga tagata ona o le tali atu a le Mālō i le KOVITI-19. E tatau fo'i i tagata ta'ito'atasi ona manatu i isi tagata ma fa'atino āmioga o le āmana'ia ma le agaalofa i isi tagata.

Tinā ma tama'ita'i ma teine e aofia ai tinā ma'itaga

28) E tatau i le Mālō ona 'avea le aiā tatau i 'au'aunaga tau soifuaga fanau manuia o se tasi o fa'amuamua o 'au'aunaga fa'avae tau soifua mālōlōina, ina ia fesoasoani i tinā ma tama'ita'i ma tinā ma'itaga. E tatau ona tu'uina atu le fesoasoani i tinā ma tama'ita'i, o i latou ia 'olo'o matuā to'atele i le vaega 'olo'o tausia tagata o 'āiga, fa'apea tinā ma tama'ita'i ua a'afia i sāuāga fa'avae i itūpā.

Tagata ua matua le soifua ma tagata e iai gasegase tumau e aofia ai i latou e iai le HIV

29) E fautuaina le Mālō ina ia mautinoa e talafeagai le tali atu i a'afiaga o tagata ua matua le soifua, e aofia ai le atuatuvaale o le māfaufau, e ala i fefa'asoa'iga ma lea vaega o tagata.

30) E fautuaina le Mālō ina ia fa'aaauu polokalame mo le silafia fa'apea fesoasoani mo mana'oga patino o i latou e iai gasegase tumau ma tu'uina atu i ai fa'amatalaga o māfua'aga e ala ai ona telē atu le lamatiaga mo i latou. E tatau fo'i ona mautinoa e fa'aaauu le mauaina e tagata e iai le HIV, o le fesoasoani latou te mana'omia.

Tamaiti ma tupulaga talavou

31) E fautuaina le Mālō ina ia fa'aaauu le fa'atinoga o ana matāfaioi e feso'ota'i ma fa'amanuiaga talafeagai mo tamaiti 'olo'o i ana faiga fa'avae, ma lalo o le Feagaiga mo le Puipuiga o Fa'amanuiaga Talafeagai mo le Ola o le Tamaitiiti, aemaise lava le itū i le puipuiga, 'auai, ma a'oa'oga.

Tagata i nofoaga o le to'ese

32) E fautuaina le Mālō ina ia āmana'ia ma fa'atino fautuaga o le Līpoti a le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua, o le Asiasiaga o le 2022: Iloiloga o le KOVITI-19, ina ia mautinoa e fa'aaauu pea le puipuiga o i latou 'olo'o nofosala i le to'ese.²

'Āiga e la'itiiti tupe maua ma tagata 'olo'o ola i tulaga o le mativa

33) E fautuaina le Mālō, ina ia taga'i toto'a i le tāpenaga ma le fausaga o ana faiga fa'avae o fesoasoani fa'amālosi'au/fa'atōsina, ma ia talafeagai lana tali atu i a'afiaga lē mafa'atusalia ua feagai ma 'āiga e la'itiiti tupe maua ma tagata 'olo'o ola i le mativa. O lea faiga 'ole'ā mautinoa ai auala e mautū ma mafai ona fa'aaauu, mo le tausiga o 'āiga, ma fa'aitiitia ai le mativa ma le fa'a'esea.

² See full list of recommendations in Annex 4.

Tagata e iai a'afiaga tumau o le soifua

34) E fautuaina le Mālō ina ia mautinoa le fa'aauuina pea o fa'atinoga mo le si'itia o le silafia o le atunu'u lautele, e fesoasoani i tagata e iai a'afiaga tumau o le soifua, i taimi o le KOVITI-19, ma le itū aupito tāua, o le tu'uina atu lea o fesoasoani mana'omia, e aofia ai fesoasoani tau tupe, ina ia mautinoa e mafai ona fa'atino lo latou tausiga. E fautuaina fo'i le iai o se sao o Tagata e iai A'afiaga Tumau o le Soifua, e ala i Fa'alāpotopotoga e 'avea ma o latou sui, i le fausaga o auala e tali atu ai i le fa'ama'i.

'Aufaigaluega ta'imua

35) E fautuaina le Mālō, ina ia ōgatasi ma lana ta'utinoga i lalo o lana *Fuafuaga Aoao o Tāpenaga ma le Tali atu i Fa'ama'i Pipisi ua Salalau i le Atunu'u ma Fa'ama'i Pipisi ua Salalau i le Lalolagi FY 2020/21 – FY2024/25*, e tataua ona tu'uina atu i le 'aufaigaluega ta'imua le fesoasoani tupe e mana'omia, fa'apea fesoasoani tau le māfaufau ma agafeso'ota'i, ina ia mautinoa e mafai ona fa'aauu e le 'aufaigaluega ta'imua 'au'aunaga tau soifua mālōlōina e aogā lelei mo le atunu'u.

Tagata e 'ese lagona mai manatu māsani e uiga i itūpā

36) E fautuaina le Mālō, i le galulue fa'atasi ai ma fa'alāpotopotoga a Fa'afāfine ma Fa'atama, fa'apea fa'alāpotopotoga a Tagata e 'ese o latou lagona mai manatu māsani e uiga i itūpā, ina ia mautinoa e tu'uina atu e le Mālō fesoasoani, ma fa'afetaia'i fa'afitāuli 'olo'o feagai ma tagata e 'ese o latou lagona mai manatu māsani e uiga i itūpā i Sāmoa, talu ai, ua fa'ateteleina nei fa'afitāuli ona o le KOVITI-19 ma fa'atinoga a le mālō e tali atu ai i le KOVITI-19.

Galulue fa'atasi

37) E fautuaina le Mālō ina ia mautinoa e mulimulita'i i ana fuafuaga e uiga i le feso'ota'i ma le vaega tūma'oti 'olo'o tu'uina atu 'au'aunaga o tausiga fa'asoifua mālōlōina, e lē gata ina ia fa'aaogā āto'atoa ai puna'oa ma ia aogā lelei le tausiga o tagata o le atunu'u, ae fa'apea fo'i ona fesoasoani i le 'aufaigaluega ua pagātia i le tele o galuega.

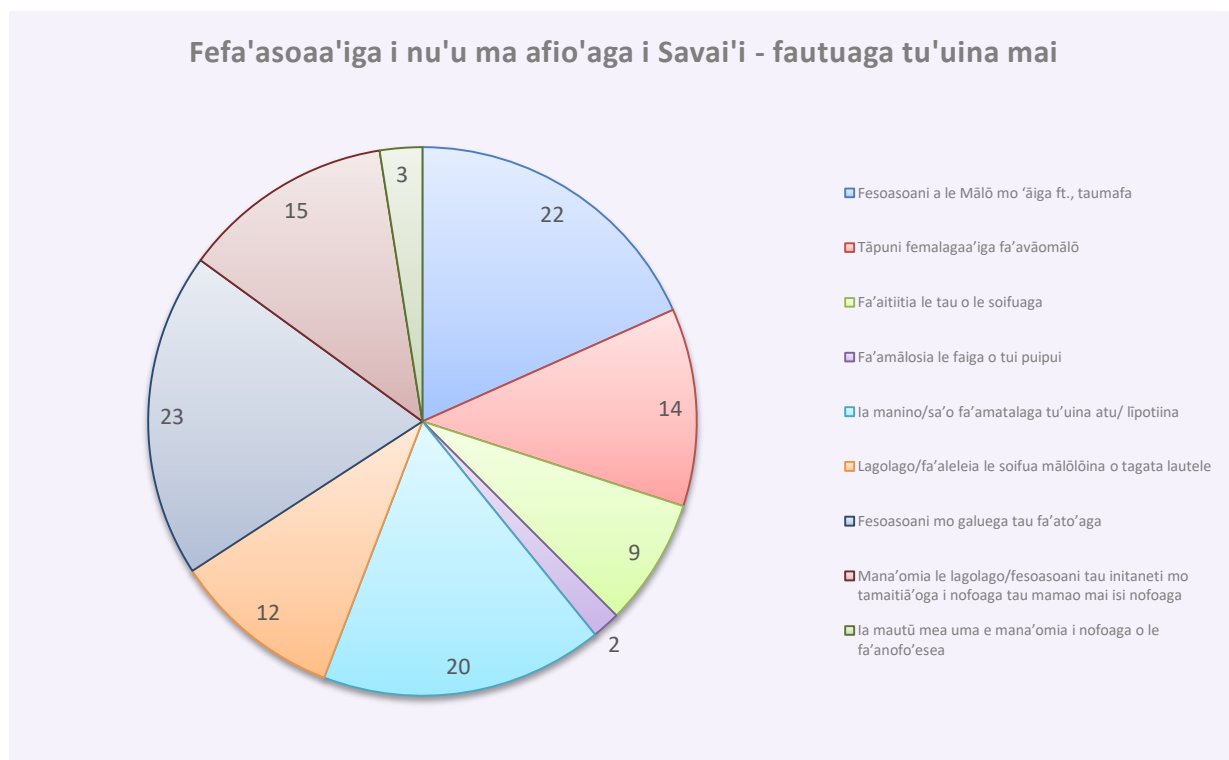
38) E fautuaina le Mālō ina ia feso'ota'i ma vaega e ma'ale'ale le tulaga, ina ia maua o latou manatu e uiga i matā'upu o a'afia ai o latou mana'oga, ma o ia manatu, e fesoasoani i le fausaga o auala e tali atu ai i le fa'ama'i. O lea faiga, 'ole'ā fesoasoani i le mautinoa e aofia ma āmana'ia tagata uma i faiga fa'avae a le atunu'u mo le KOVITI-19 ma fa'apea ona fa'asaga tonu i ai fa'atinoga.

39) E tataua i pisinisi ona fa'amautinoa e,

- a. fa'aauu le faiga tutusa o a latou tagata faigaluega ma e lē fa'ailoga tagata, mo se fa'ata'ita'iga, o fa'ai'uga e fa'amālōlō pe fa'amuta le fa'afaigaluegaina;

- b. mautinoa e iai auala fa'ata'atitia mo le mauaina e tagata lautele o 'au'aunaga e lē fa'ailoga tagata;
 - c. mautinoa e iai auala fa'ata'atitia mo le tali atu i faiga fa'ailoga tagata / faiga 'inosia e feagai ma le 'aufaigaluega mai tagata lautele.
- 40) E fautuaina le Mālō ina ia mautinoa le puipuiga ma le lagolagoina o Fa'alāpotopotoga a Tagata Lautele/ Fa'alāpotopotoga Tūma'oti, ina ia mafai ona fa'aauau pea la latou fesoasoani 'olo'o tu'uina atu, aemaise lava mo tagata e aupito ma'ale'ale le tulaga.
- 41) E fautuaina le Mālō ina ia fa'aauau le fa'aaogāina o ana so'otaga i nu'u ma afio'aga, ina ia sa'oloto ma sōloga lelei le fa'ao'oina atu o fa'amatalaga i nu'u ma afio'aga, e uiga i le soifua mālōlōina o tagata lautele, ma fa'apea fo'i ona fesoasoani i le fa'amamaluina o tulafono o Poloa'iga o Fa'alavelave Tutupu Fa'afuase'i, ma tau fa'amāmā ai le 'avega a le 'aufaigaluega 'olo'o fa'amamaluina tulafono.
- 42) E fa'apea fo'i ona iai le matāfaioi a tagata taito'atasi, nu'u ma afio'aga, ina ia mautinoa e āmana'ia ma fa'atāua isi tagata, ma ia lagolago i taumafaiga a le Mālō e fa'afetaia'i a'afiaga ua tūla'i mai ona o le fa'ama'i, e aofia ai le mulimulita'i i tulafono o Poloa'iga o Fa'alavelave Tutupu Fa'afuase'i, ma fa'aaogā avanoa ua tu'uina atu mo a'oa'oga a le fanau.
- 43) E fautuaina le Mālō ina ia mautinoa e feso'ota'i ma fefa'asoa'i ma ofisa e mātā'itūina fa'atinoga, e aofia ai le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua, i ni fautuaga ma ta'iala o talitonuga fa'avae o aiā tatau a tagata soifua e tatau ona āmana'ia ma aofia i faiga o fa'ai'uga ma fa'atinoga e tali atu i le KOVITI-19. O lea faiga 'ole'ā mautinoa ai le alatutusa ma le tausisia o matāfaioi tau aiā tatau a tagata soifua, i lalo o tulafono a le atunu'u, fa'apea tulafono fa'avāomālō, o aiā tatau a tagata soifua. E fa'apea fo'i ona tāua le lē nofoa'i o le Ofisa a Samoa mo Aiā Tatau a Tagata Soifua, a ia mata'alia i le fa'ailoa atu o ona manatu.
- 44) E fautuaina le Mālō ina ia fa'aauau le galulue felagolagoma'i ma ana pā'aga fa'avāomālō, e tali atu i a'afiaga ua tūla'i mai ona o le fa'ama'i, ina ia mautinoa e mafai ona fa'afo'isia le atunu'u i se tulaga lelei ma mausalī.

Ua fa'amati'e i kalafi 'olo'o mulimuli mai fautuaga na tu'uina mai e sui na 'auai i fefa'asoa'iga i nu'u ma afio'aga na fa'atino i le masina o Mati 2022 i Upolu ma Savai'i. O nei fautuaga/manatu ua aofia i fautuaga a le Ofisa e pei ona lisiina atu i luga.



O fautuaga mai fefa'asoa'iga i Savai'i na 'ausia le **fa'atulagaga e 15% ma luga a'e** e aofia ai:

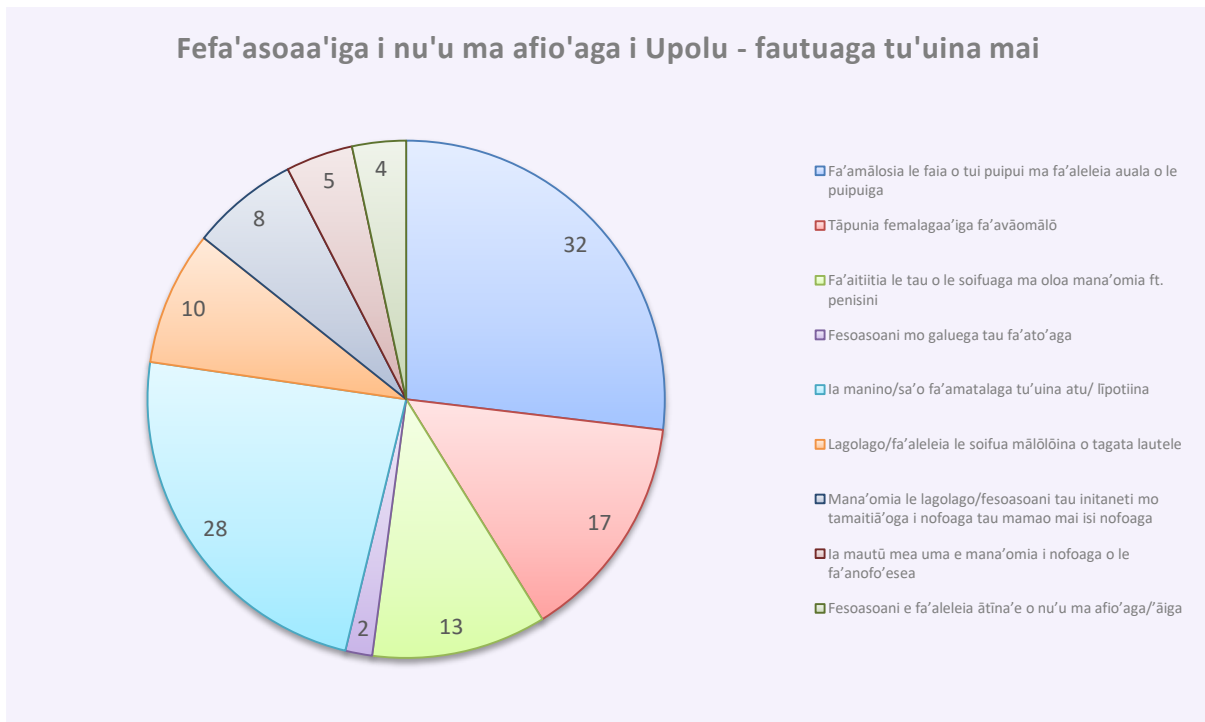
- Fesoasoani a le Mälö mo 'äiga ft., taumafa
- Ia manino/sa'o fa'amatalaga tu'uina atu/ lipotiina
- Fesoasoani mo galuega tau fa'ato'aga

O fautuaga i le **fa'atulagaga e 10-14%** e aofia ai:

- Fa'aaau le tāpunia o femalagaa'iga fa'avāomälö
- Lagolago/fa'aleleia le soifua mälölöina o tagata lautele
- Mana'omia le lagolago/fesoasoani tau initaneti mo tamaiti'oga i nofoaga tau mamao mai isi nofoaga

O fautuaga e i **lalo ifo o le 9% le fa'atulagaga** e aofia ai:

- Fa'aitiitia le tau o le soifuaga
- Fa'amālosia le faiga o tui puipui
- Ia mautū mea uma e mana'omia i nofoaga o le fa'anofu'esea



O fautuaga o fefa'asoa'iga i Upolu na 'ausia le **fa'atulagaga e 20% ma maualuga atu** e aofia ai:

- Fa'amālosia le faia o tui puipui ma fa'aleleia auala o le puipuiga
- Ia manino/sa'o fa'amatalaga tu'uina atu/ lipotiina

O fautuaga i le **fa'atulagaga e 10-19%** e aofia ai:

- Fa'aaau le tāpunia o femalagaa'iga fa'avāomālō
- Fa'aititia le tau o le soifuaga ma oloa mana'omia ft. penisini

O fautuaga e **9% ma maualalo ifo le fa'atulagaga** e aofia ai:

- Fesoasoani mo galuega tau fa'ato'aga
- Lagolago/fa'aleleia le soifua mālōlōina o tagata lautele
- Mana'omia le lagolago/fesoasoani tau initaneti mo tamaiti'oga i nofoaga tau mamao mai isi nofoaga
- Ia mautū mea uma e mana'omia i nofoaga o le fa'anofu'esea
- Fesoasoani e fa'aleleia ātina'e o nu'u ma afio'aga/'āiga

FA'ATOMUAGA

Talu ona tula'i mai ma salalau i le lalolagi le fa'ama'i o le KOVITI-19, e tele ola ua māumau ma 'olo'o si'itia pea i luga le aofa'i o tagata e tāofia i falema'i ma tagata māliliu i aso ta'itasi.³ Ua 'avea fo'i lenei fa'ama'i o se lu'i maoa'e fou mo le soifua mālōlōina o tagata lautele, fa'apea galuega, 'oloa ma 'au'aunaga, a'oa'oga, ma le ōlaga o aso ta'itasi e pei ona sa māsani ai.

Mai lava i le 'āmataga o le pesi o le fa'ama'i o le KOVITI-19 i le 2020, na vave le tali atu a le Mālō o Sāmoa i le fa'atinoga o auala e fa'afetaia'i ai, ma o le tele o ia auala, o se ulua'i taimi lea ua fa'atinoina ai, mo le saogalēmū o le atunu'u, e aofia ai le tāpunia o tuā'oi po o femālagaa'iga fa'avāomālō, fa'apea le fa'atapula'aina o le fegāsoloa'i ma isi fa'atinoga i totonu o le atunu'u.

O Mati 2020, na fa'asalalauina ai e le Ao o le Mālō se Poloa'iga o Fa'alavelave Fa'afuase'i, e tusa ai ma le Fa'avae.⁴ O le Poloa'iga, na fa'ata'atitia ai tapula'a i gāoioiga māsani o aso ta'itasi, i le fa'amoemoe e tāofia le salalau o le fa'ama'i, ma le itū aupito tāua, o le fa'asaoina lea o le ola o tagata. E o'o mai ia luni 2022, 'olo'o iai pea Sāmoa i le tulaga o fa'alavelave fa'afuase'i ma 'olo'o iai pea fa'atinoga 'ese'ese mo le fa'afoega o le fa'ama'i.⁵

E ui ina mana'omia Poloa'iga o Fa'alavelave Fa'afuase'i mo le soifua mālōlōina o tagata lautele, na fa'apea fo'i ona tula'i mai faitioga e uiga i itū o le fuafua fa'atatau lelei ma le talafeagai. E fa'apea isi faitioga, ua lē ōgatasi fa'atinoga a le Mālō ma aiā tatau fa'avae. Mo se fa'ata'ita'iga, o tapula'a o le fegāsoloa'i na a'afia ai le sa'olotoga e fegāsoloa'i ma le aiā tatau a tamaiti i a'oa'oga ona o le tāpunia o ā'oga. Na fa'aalia fo'i popōlega o le 'aufaipisinisi ona ua āfāina pisinisi i le fa'atapula'a o le fegāsoloa'i ma le fa'aitiitia o itūlā e tatala ai pisinisi. Na fa'apea fo'i ona fa'aleo popōlega o tagata sa i nofoaga o le fa'anofo'esea i itū tau soifua mālōlōina ma le saogalēmū. Na fa'aalia fo'i atugaluga o isi, 'aemaise lava mātua ma tagata e va'aia tamaiti i lalo o le tulafono, e uiga i le fa'amālosia ona fa'aali pepa tui ma le lē lava o fa'amatalaga e uiga i le aogā lelei o tui puipui.

O le tali atu i nei popōlega, ua fa'amālosi'au mai pea fa'alāpotopotoga fa'avāomālō tau aiā tatau a tagata soifua i Mālō ta'itasi, ina ia fa'amautinoa e fa'aauau ona 'avea aiā tatau a tagata soifua o se vaega tūtotonu o taumafaiga e fa'afetaia'i le fa'ama'i. E manatu le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua, o le tulaga fo'i lea e tatau i lo tatou Mālō ona una'i i taimi uma.⁶

Lautele ma vaivaiga

Ina ia sā'ilī'ili ātili i matā'upu ua tā'ua i luga, ua taumafai le līpoti a le Ofisa o le tulaga o aiā tatau a tagata soifua i Sāmoa 2022 e:

- iloilo ma fua taunu'uga o le KOVITI-19 ma fa'atinoga a le Mālō i aiā tatau ma sa'olotoga o tagata i Sāmoa, e aofia ai le taga'i i vaega e ma'ale'ale le tulaga o le soifua, fa'apea a'afiaga o pisinisi ma 'au'aunaga;

³ See World Health Organisation (WHO) COVID 19 dashboard providing updated statistics on COVID-19 of deaths and hospitalizations around the world here: <https://covid19.who.int/>.

⁴ *Constitution of the Independent State of Samoa 1960*, Article 105.

⁵ See **Part 2(3)** of the Report regarding the 'Government's COVID-19 response measures'.

⁶ The Government has placed emphasis on ensuring the protection of individual rights to decision making as stipulated under various legislations and in conjunction with the Constitution of the Government of Samoa – see Key Strategic Outcome 3 on security and trusted governance of *Pathway for the Development of Samoa FY2021/22-FY 2025/26*, <https://www.mof.gov.ws/wp-content/uploads/2022/02/Pathway-for-the-Development-of-Samoa.pdf>.

- vā'ililili le tausisia e fa'atinoga a le Mālō, o tulaga mana'omia tau aiā tatau a tagata soifua;
- fa'atalanoa itū 'ese'ese o fa'atinoga aupito lelei tau aiā tatau a tagata soifua, e fesoasoani i le Mālō i le fausaga o ni fa'atinoga mo le taimi nei fa'apea le lumana'i, i lana tali atu i ni isi fa'ama'i ma/po o ni isi tulaga o fa'alavelave tau soifua mālōlōina o tagata lautele; ma
- tu'uina atu fautuaga e uiga i itū e tatau ona fa'aleleia ina ia mautinoa e 'apo'apoina ma malupuipua i taimi uma aiā tatau a tagata soifua o Sāmoa i taimi o fa'alavelave fa'afuase'i e pei o fa'ama'i.

E iai ni fa'afitāuli na feagai ma le Ofisa i le tāpenaga o lenei līpoti. O le fa'afitāuli muamua, o le lē lava lea o tupe fa'atatauina ma le 'aufaigaluega e mafai ai ona lautele atu fefa'asoa'iga ma le atunu'u. O le fa'atapula'aina foi o le fegāsoloa'i ma le tāpunia o ā'oga na faigatā ai ona fa'atino fa'amoemoega mo fefa'asoa'iga, aemaise lava ma tamaitiā'oga. O tulaga ia na fa'aaogāina ai e le Ofisa feso'ota'iga i le initaneti e maua ai fa'amatalaga ma fa'amaumauga. O le isi fa'afitāuli, o le lē mauaina mai lea o fa'amatalaga na talosagaina fa'apea ni tali i fesili na tu'uina atu i ofisa 'autū e aofia ai le Matāgaluega o le Soifua Mālōlōina.

Auala na fa'aaogā

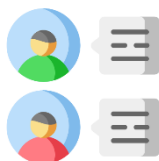
Na fa'aaogā e le Ofisa ni auala 'ese'ese i le aoina o fa'amaumauga ma fa'amatalaga mo lana vā'ililiga ma le faiga o fautuaga. O nei auala na aofia ai:



Iloiloga o fa'amatalaga ua iai: Ina ia iloa ma mālmalama ātili i fa'amatalaga o le KOVITI-19, ma auala ua fa'aaogā e le Mālō e tali atu i ai, fa'apea taunu'uga o ia auala i aiā tatau a tagata soifua o le atunu'u. Na mafai fo'i i le iloiloga ona aoina e le Ofisa fa'amatalaga e uiga i taunu'uga o le KOVITI-19 i isi atunu'u, auala aupito lelei mo le fa'afuaga o le KOVITI-19 ma le lagolagoina o aiā tatau a tagata soifua, fa'apea tulaga mana'omia o aiā tatau a tagata soifua e feso'ota'i ma le tali atu i tulaga o fa'alavelave fa'afuase'i tau soifua mālōlōina o tagata lautele.



Folasaga tusitusia: Na vala'aulia le mamalu o le atunu'u e tu'uina mai ni folasaga tusitusia. Na tatala le avanoa i le masina o Setema 2021 se'ia o'o i le fa'ai'uga o Mati 2022. O lea vala'aulia na fa'asalalauina i ala o feso'ota'iga i le initaneti a le Ofisa i – lana 'upega tafā'ilagi, Facebook, ma le twitter. Na fa'apea fo'i ona fa'asalalauina i se fa'asalalaua aloa'ia a le Ofisa i ala o fa'asalalaua.⁷ E lē gata i lea, na 'auina atu īmeli i pā'aga galulue a le Ofisa e aofia ai Fa'alāpotopotoga a Tagata Lautele, Fa'alāpotopotoga Tūma'oti ma le 'aufaipisinisi.



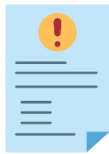
Pepa o fesili: Ina ia mālmalama ātili i fa'afitāuli o le a'afiaga o sa'olotoga ma aiā tatau a tagata soifua ta'ito'atasi ma vaega o tagata e aofia ai pisinisi ona o le KOVITI-19, na sāunia e le Ofisa ma fa'asalalauina se pepa o fesili/su'esu'ega ia Setema 2021 mo manatu fa'aalia o le atunu'u. E tolu pepa 'ese'ese o fesili na tāpena – o le tasi mo tagata lautele (e aofia ai pisinisi, tagata ta'ito'atasi, fa'alāpotopotoga a tagata lautele ma fa'alāpotopotoga tūma'oti), tasi mo

⁷ NHRI Samoa, "Submissions for COVID-19 and human rights report 2022 still open", *Press Statement* (3 February 2022) https://ombudsman.gov.ws/wp-content/uploads/2022/02/PRESS-STATEMENT_-submissions-for-SHRR-2022-still-open.pdf.

fefa’asoa’iga i nu’u ma afio’aga, ma le pepa o fesili na fa’apitoa mo tamaiti. Taga’i i le **Vaega o Pepa Fa’aopoopo** mo pepa o fesili – Pepa Fa’aopoopo 2, 3, ma le 4.

Fefa’asoa’iga i nu’u ma afio’aga: na fa’atinoina i itūmālō o Faasaleleaga Nu. 1 (Savai’i)⁸ ma Lefaga (Upolu)⁹. Na vaevaeina sui ‘auai i vaega i ni vaega patino o ali’i, tama’ita’i ma tupulaga talavou e tali pepa o fesili ma fa’atalatalanoa matā’upu e tāua mo i latou. O lenei fuafuaga na faia ina ia mautinoa e sa’oloto le fa’aaliga o manatu, aemaise lava mo tinā ma tama’ita’i ma tupulaga talavou. E tusa e 186 le aofa’i o tagata na ‘auai i fefa’asoa’iga i nu’u ma afio’aga i Savai’i ma Upolu. O lea aofa’i e fa’aopoopo i tagata ta’ito’atasi, tamaiti, fa’alāpotopotoga a tagata lautele, fa’alāpotopotoga tūma’oti na tu’uina mai tali i pepa o fesili, fa’apea folasaga tusitusia mai pisinisi.

Fa’aseā: Na tu’uina mai fo’i i le Ofisa ni fa’aseā mai le mamalu o le atunu’u e uiga i fa’afitāuli na o latou feagai ona o le KOVITI-19 ma fa’atinoga a le Mālō i lana tali atu, ma a’afiaga o a latou aiā tatau ma sa’olotoga. E ui o nei fa’aseā e lē o ni tali mai i le vala’au a le Ofisa mo ni folasaga mo le Līpoti, na maua mai ai ni fa’amatalaga aogā mo le vā’ililiga a le Ofisa.¹⁰



O le aotelega, e 6 fa’aseā (o le tele, e uiga i taunu’uga o fa’atinoga a le Mālō i a latou aiā tatau), 21 folasaga tusitusia mai tagata ta’ito’atasi (e aofia ai le 1 mai se tagata talavou), 2 folasaga tu’ufa’atasia e ni sui o le ‘aufaipisinisi¹¹, ma folasaga e 11 mai Fa’alāpotopotoga a tagata lautele/Fa’alāpotopotoga tūma’oti.¹² Ua fa’aatina atu i le kalafi ua tu’uina atu i lalo.

Fa’aseā & Folasaga mai tagata ta’ito’atasi, pisinisi ma Fa’alāpotopotoga



⁸ Villages represented: Salelavalu, Lalomalava, Vaisaulu, Safua, Salelologa, Iva, Vaiafai, Sakalafai, Samata-uta.

⁹ Villages represented: Savaia, Matautu-Lefaga, Tafagamanu, Gagaifo, Safa’atoa, Faleseela, Tanumalala, Matafa’a.

¹⁰ Note: Complainant’s information are treated with the highest regard to confidentiality. References in the Report to any of the content of these complaints will be anonymized to protect the privacy of complainants.

¹¹ Submissions from the business community were compiled together by two key agencies that work with private businesses – Samoa Chamber of Commerce (SCC) and the Samoa Business Hub (SBH).

¹² The CSOs/NGOs consulted included: Samoa Family Health Association (SFHA), Faataua le Ola (FLO), Samoa Victim Support Group (SVSG), Samoa Umbrella for Non-governmental Organisations (SUNGO), Loto Taumafai Incorporated Society, Samoa Education Network (SEN), Pasefika Mana Social Services Trust, Nuanua o le Alofa (NOLA), Brown Girl Woke, Goshen Mental Health Trust, Samoa Faafafine Association Incorporated (SFA).

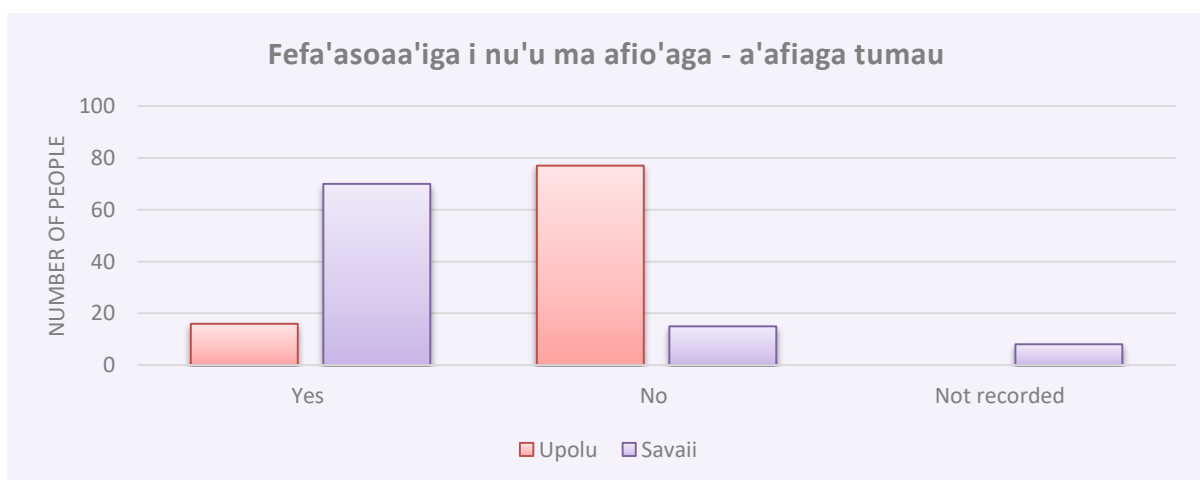
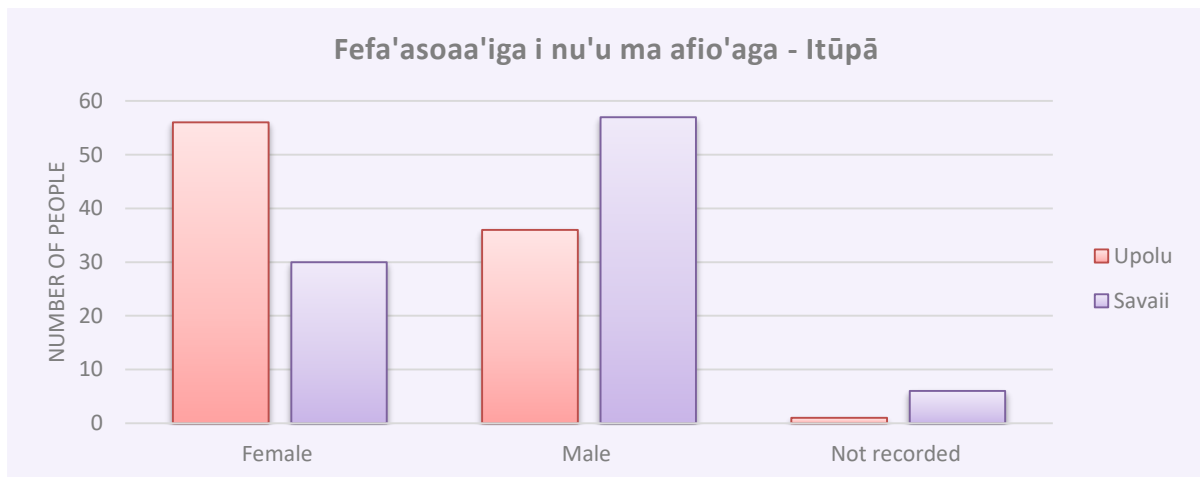
Na fa’apea fo’i ona fa’atino fefa’asoa’iga ma le Mālō e ala i le Ta’ita’ifono o le Ofisa Tūtotonu mo Fa’alavelave Mātuiā ma Fa’alavelave Fa’afuase’i. Talu ai le fa’atapula’aina o le fegāsoloa’i ma le tāpunia o ā’oga, e le’i mafai ona fesāga’i le Ofisa ma tamaiti. Peita’i, na tu’uina atu se pepa o fesili mo tamaiti i ala o feso’ota’iga i le initaneti.

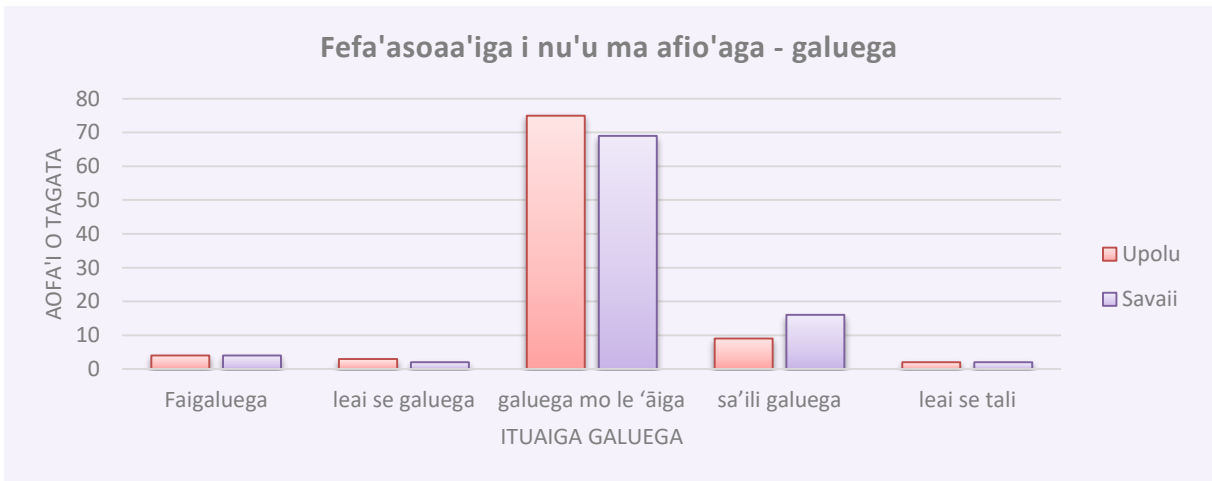
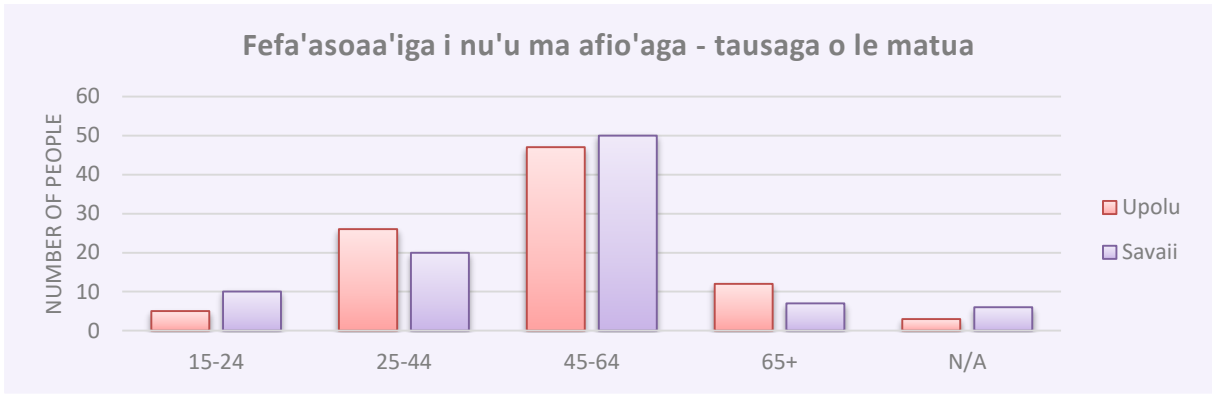
E 186 ali’i, tama’ita’i, tagata talavou ma tagata e iai a’afiaga tumau o le soifua na ‘auai i fefa’asoa’iga i nu’u ma afio’aga. E 92 ali’i, 87 tama’ita’i. E tāua le fa’amauina, na tu’uina atu fo’i le avanoa i pepa resitala e fa’ailoa mai ai pe fa’afāfine po o isi lagona tau itūpā.

O le itū tau a’afiaga tumau o le soifua, e 86 sui na ‘auai na fa’ailoa mai e iai se a’afiaga tumau – po o le fa’alētonu o le va’ai po o se isi a’afiga o le soifua. Na tu’uina atu fesoasoani talafeagai mo nei sui, e pei o le fesoasoani i le fa’amauina o a latou tali, ina ia mautinoa e ‘āto’atoa lo latou ‘auai.

O le to’atele o i latou na ‘auai i fefa’asoa’iga (97), e i le vaega o le 45-64 tausaga le matua. E 46 i latou i le vaega e 25-44 tausaga le matua, 19 le vaega e 65+ tausaga ma le 10 i le vaega e 15-24 tausaga. E to’aiva e le’i fa’amauina o latou tausaga.

O le tulaga o le fa’afaigaluegaina, o le to’atele na fa’ailoa mai e galulue i fa’ato’aga a o latou ‘āiga. O lonalua o vaega, o i latou ia na fa’ailoa mai ‘olo’o sa’ili galuega talu ai ua leai a latou galuega sa iai ona o le fa’ama’i.





Fa'atulagaga o le līpoti

Ua fa'atulaga le līpoti i le Fa'atomuaga, vaega 'autū e 5, l'uga ma Puna'oa.

FA'ATOMUAGA – ua tu'uina atu ai le tala'aga, naunauta'iga ma auala na fa'aaoga i le tāpenaga o le līpoti.

VAEGA 1: KOVITI-19 – VĀ'ILILIGA O LE TULAGA – ua tu'uina atu ai fa'amatalaga e uiga i le KOVITI-19 ma le tulaga o tagata a'afia ma tagata ua māliliu ai i le lalolagi fa'apea Sāmoa.

VAEGA 2: FA'ATINOGA A LE MĀLŌ & ANA MATĀFAIOI TAU AIĀ TATAU A TAGATA SOIFUA – ua talanoaina ai matāfaioi a le Mālō, tau aiā tatau a tagata soifua, i lalo o le Fa'avae ma tulafono tau aiā tatau a tagata soifua, fa'apea fa'atinoga a le Mālō e tali atu ai i le fa'ama'i.

VAEGA 3: A'AFIAGA O AIĀ TATAU A TAGATA SOIFUA ONA O LE KOVITI-19 & FA'ATINOGA A LE MĀLŌ – ua talanoaina ma sālilīlī ātili ai i taunu'uga o le KOVITI-19 ma fa'atinoga a le Mālō, i aiā tatau ma sa'olotoga o tagata Sāmoa uma, e aofia ai manatu fa'aalia mai le atunu'u lautele.

VAEGA 4: GALULUE FA'ATASI – ua talanoaina ai le nafa o tagata ma vaega 'ese'ese e fesoasoani i le tali atu a le Mālō i le KOVITI-19.

VAEGA 5: PĀLENI O AIĀ TATAU A TAGATA SOIFUA I LE SI’OSI’OMAGA O LE KOVITI-19 – FA’AAOGĀINA O SE VA’AIGA TAU AIĀ TATAU A TAGATA SOIFUA – ua talanoaina ai ma tu’uina atu talitonuga fa’avae o aiā tatau a tagata soifua e mafai, ma e tatau i le Mālō ona āmana’ia, e fa’avae ai lana tali atu i le KOVITI-19. Ua tu’uina atu fo’i se iloiloga pu’upu’u o le tausisia o nei talitonuga fa’avae, e pei ona talanoaina i Vaega 2, 3 ma le 4.

I’UGA – ua tu’uina atu ai se aotelega o le līpoti ma se auala mo le āga’i atu i le lumana’i.

PUNA’OA: TA’IALA MA LISI – ua tu’uina atu ai ta’iala ma lisi e mafai ona fesoasoani i le Mālō ina ia ‘avea aiā tatau a tagata soifua o se vaega ‘autū o ana fa’atinoga e tali atu ai i le koviti-19

PEPA FA’AOPOPO – ua tu’uina atu ai pepa o fesili na fa’aaogāina e aoina mai ai manatu o le atunu’u lautele, tamaiti, ma nu’u ma afio’aga.

O totonu o Vaega ta’itasi, ua fa’aaogāina ai ni auala ‘ese’ese e fesoasoani i le ‘aufaitau ina ia mālamlama i uiga o tiute tau’ave o le Mālō i taimi o fa’alavelave fa’afuase’i ma talitonuga fa’avae tau aiā tatau a tagata soifua e feso’ota’i. Ua fa’apea fo’i ona fa’ailoa atu ai manatu fa’aalia o tagata lautele i fefa’asoa’iga ma folasaga tusitusia, e uiga i a’afiaga o aiā tatau a tagata i Sāmoa ona o le KOVITI-19 ma fa’atinoga tali atu a le Mālō. O nei auala e aofia ai:



Fa’amatalaga si’i sa’o: O fa’amatalaga ia e si’i sa’o mai folasaga tusitusia, tusitusiga i ala o fa’asalalauga, līpoti, m.m.f. e fa’amālamalama ātili ai taunu’uga o le KOVITI-19 ma fa’atinoga a le Mālō i aiā tatau a tagata soifua, ma ni fofō e mafai ona fa’atino.



Fa’amatalaga fa’amālamalama: O fa’amatalaga fa’amālamalama ua tu’uina atu ai talamoni ma fa’amālamalama o ni matā’upu patino mo le ātina’ega o le silafia o le ‘aufaitau.



Puna’oa: ‘Olo’o i totonu o le Līpoti fa’apea le Vaega o Puna’oa i le fa’ai’uga o le Līpoti “Puna’oa” ua tu’uina atu ai ni ta’iala mo vaega uma o le mālō e uiga i talitonuga fa’avae e tatau ona fausia ai fa’atinoga a le Mālō i le tali atu i le KOVITI-19. O nei ta’iala e aogā mo le fausaga o faiga fa’avae, tulafono, tulafono fa’atonutonu, fa’atinoga tau soifua mālōlōina o tagata lautele ma fa’atinoga tau fa’alavelave tutupu fa’afuase’i e feso’ota’i ma le tali atu i le fa’ama’i o le KOVITI-19.¹³

¹³ The Government of Samoa is encouraged to consult the Report in conjunction with the United Nations Office of the Human Rights Commissioner for Human Rights [Emergency Measures and COVID-19 Guidance Note](#), which sets out proposed actions and considerations for governments to undertake and implement that are broadly consistent with a human rights-based approach in responding and

Fautuaga i totonu o le līpoti

E fa'asaga tonu fautuaga o le līpoti i le Mālō, auā o le Mālō e pa'ū i ai le uluulu o le lā'au o matāfaioi tau aiā tatau a tagata soifua, ina ia fa'atino galuega i vaega 'olo'o mana'omia ai le mata'alia ina ia mautinoa e aogā lelei ana fa'atinoga, a ia lē fa'avae i se faiga e fa'ata'ita'i pe sa'o pe sesē. I le ma lea, o le matāfaioi a le Mālō le puipuiga o aiā tatau a tagata soifua i Sāmoa e lē gata i taimi nei o le KOVITI-19, ae fa'apea i le lumana'i i le toe tula'i mai o se isi fa'alavelave e lamatia ai le soifua mālōlōina o tagata lautele.

E iai fo'i fautuaga ua tu'uina atu i le Ofisa nei, le vaega tūma'oti, fa'alāpotopotoga a tagata lautele ma vaega i nu'u ma afio'aga, o i latou uma ia e iai o latou nafa e galulue fa'atasi ma le Mālō, e fa'afetaia'i a'afiaga ona o le fa'ama'i.

VAEGA 1: KOVITI-19 – VĀ'ILI'ILIGA O LE TULAGA

1. KOVITI-19 i le lalolagi

Na ulua'i aliali a'e le KOVITI-19 i le masina o Tesema 2019 i le Taulaga o Wuhan City, Saina. O le aso 30 Ianuari 2020, na fa'asilasila ai e le Fa'alāpotopotoga o le Soifua Mālōlōina o le Lalolagi (WHO) le koronavairasi o se fa'alavelave tau le soifua mālōlōina o tagata lautele, o se popōlega fa'avāomālō – o le la'asaga aupito maua luga lea o lapata'iga a le WHO. O le taimi lenā, ua 98 tagata ua a'afia ae leai se tasi ua maliu i atunu'u e 18 e 'ese ai ma Saina.¹⁴

FA'AMATALAGA FA'AMĀLAMALAMA: O LE Ā LE KOVITI-19?

O le KOVITI-19 o se ma'i pipisi e māfua mai i le siama po o le vairasi e ta'ua o le SARS-CoV-2. O le to'atele o tagata e pēsia i le vairasi e fa'alogoina āuga vaivai pe feoloolo o le a'afia o le mānava ma e toe fa'afo'isia le mālosi e aunoa ma se togafitiga fa'apitoa. Peita'i, e iai tagata e matuā āfāina ma mana'omia togafitiga fa'afoma'i. O tagata ua matua le soifua ma tagata e iai isi gasegase e pei o ma'i o le fatu ma ālātoto, ma'i suka, ma'i o ālā'ea (respiratory disease) po o le kanesa, e telē le avanoa e matuā tigaina ai. E mafai ona pēsia so'o se tagata, so'o se matua i le KOVITI-19 ma matuā tigaina pe maliu ai fo'i.

O le manatu o le WHO, o le auala aupito sili e tāofia pe fa'atelegese ai le pipisi o le fa'ama'i, o le mālamlama lelei lea i le fa'ama'i ma auala e pipisi ai. Ia puipui oe ma isi tagata mai le pīsia e ala i le taumamao ma isi tagata i se vā e lē i lalo ifo o le mita e tasi, fai tali fofoga e fetau lelei, ma tō'aga e fufulu mamā lima pe fa'aaogā se vailā'au mo lima. Fai ou tui puipui pe 'āfai ua o'o mai le fa'asologa ma ia tausisia ta'iala e tu'uina mai.

E mafai ona salalau le siama mai le gutu po o le isu i ni pōtoi nini'i pe 'ā tale, mafatua, tautala, pese pe mānava se tagata ma'i. E 'ese'ese le lāpopo'a o nei pōtoi nini'i, mai le lāpopo'a e pei o ni matāua

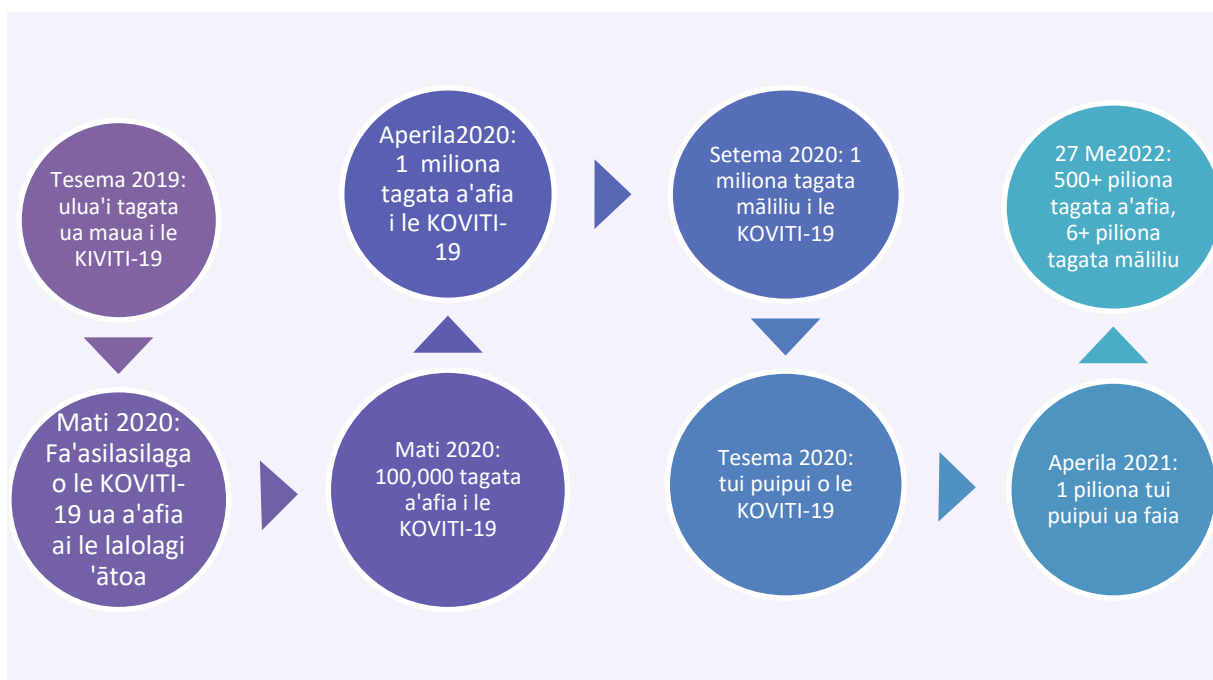
managing the COVID-19 pandemic – See OHCHR, *COVID-19 Guidance*, <https://www.ohchr.org/EN/NewsEvents/Pages/COVID19Guidance.aspx>.

¹⁴ WHO Regional Office for Europe, "Coronavirus disease (COVID-19) pandemic", <https://www.euro.who.int/en/health-topics/health-emergencies/coronavirus-covid-19/novel-coronavirus-2019-ncov>, accessed 2 February 2022.

e o’o atu i le matuā nini’i lava. E tāua le tausisia o āmioga talafeagai o le tūmamā, e pei o le tale i le tulilima, ma fa’anofosea i le fale pe ‘āfai ua e lagona ua e ma’i.

Maua mai i le: https://www.who.int/health-topics/coronavirus#tab=tab_1. Mo ni isi fa’amatalaga e uiga i le KOVITI-19 e aofia ai ta’iala mo tagata lautele ma mālō, taga’i i le: <https://www.who.int/emergencies/diseases/novel-coronavirus-2019>

O le aso 11 o Mati 2020, o le fa’atupula’ia o tagata a’afia i fafo atu o Saina na fa’asilasila ai e le WHO ua o’o atu le fa’ama’i i le tulaga o se fa’ama’i ua aofia ai le lalolagi (pandemic). O le taimi lenā ua silia i le 118,000 tagata a’afia ua lipotiina mai i atunu’u e 114, ma ua 4291 tagata ua fa’amauina ua māliliu i le fa’ama’i.¹⁵ O le ogātotonu o Mati i le 2020, ua ‘avea Europa ma ‘ogātotonu o le pesi o le fa’ama’i ma na lipotiina mai ai le silia o le 40% o le aofa’i o tagata fa’amāonia i le taimi lea ua maua i le fa’ama’i. E o’o mai i le aso 28 o Aperila 2020, o le 63% o tagata māliliu mai le fa’ama’i, na fa’amauina i lea lava vaega o le lalolagi. E o’o mai ia Tesema 2021, ua silia i le 278 miliona tagata ua a’afia ma toeitiiti lava ‘ātoa le 5.4 miliona tagata ua māliliu i le lalolagi ‘ātoa¹⁶; ma na fa’amauina i le aso 27 o Me 2022, ua silia i le 500 piliona tagata ua pēsia i le KOVITI-19 ma ua silia i le 6 piliona tagata ua māliliu.¹⁷



Maua mai: Sarah Moore, “History of COVID-19”, NEWS Medical Life Sciences, <https://www.news-medical.net/health/History-of-COVID-19.aspx> and, Caroline Kantis, Samantha Kiernan, Jason Socrates Bardi, Lillian Posner, “UPDATED: Timeline of the Coronavirus”, Think Global Health <https://www.thinkglobalhealth.org/article/updated-timeline-coronavirus>.

2. KOVITI-19 i Sāmoa

O le ulua’i tagata i Sāmoa na iloa ua maua i le fa’ama’i o se tagata i nofoaga o le fa’anofosea na fa’amauina i le masina o Novema 2020. E to’alua isi tagata na fa’amauina fo’i i nofoaga o le

¹⁵ WHO Regional Office for Europe, “Coronavirus disease (COVID-19) pandemic”, <https://www.euro.who.int/en/health-topics/health-emergencies/coronavirus-covid-19/novel-coronavirus-2019-ncov>, accessed 2 February 2022.

¹⁶ WHO, “Weekly epidemiological update on COVID-19 - 28 December 2021”, *Emergency Situational Updates Edition 72*, 28 December 2021, <https://www.who.int/publications/m/item/weekly-epidemiological-update-on-covid-19---28-december-2021>, accessed 10 January 2022.

¹⁷ See live updates on case numbers and deaths globally on the WHO Coronavirus (COVID-19) Dashboard: <https://covid19.who.int/>.

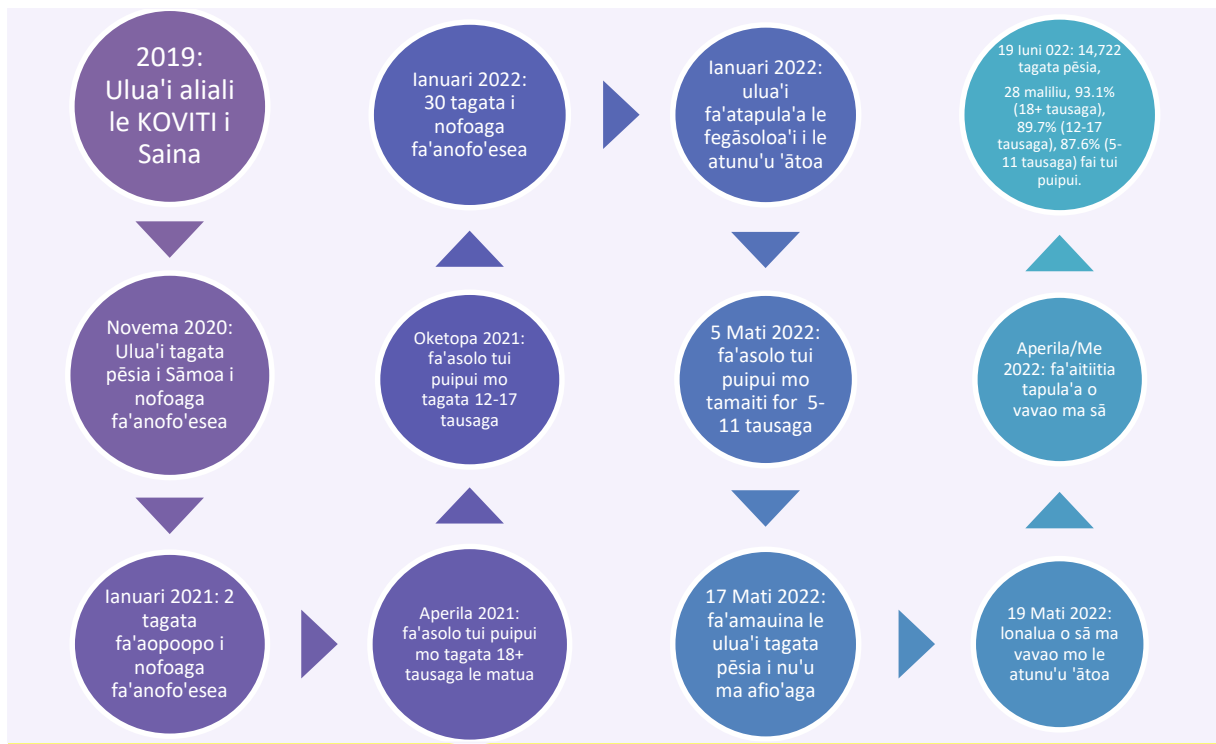
fa’anofo’esea i le masina o Ianuari 2021 ma si’itia ai le ao’fa’i o tagata pēsia i Sāmoa i le to’atolu se’ia o’o mai i le masina o Ianuari 2022. O Ianuari 2022, e silia i le 30 tagata pēsia na iloa i nofoaga o le fa’anofo’esea ma fa’atapula’a ai loa le fegāsoloa’i o le atunu’u ‘ātoa mo se vaitaimi e silia i le vaiaso.¹⁸

O le aso 17 o Aperila 2022, na iloa ai le ulua’i tagata i nu’u ma afio’aga i Sāmoa ua maua i le fa’ama’i, ma toe fa’atapula’a ai le fegāsoloa’i o le atunu’u ‘ātoa mo le 18 aso.¹⁹

E o’o mai i le aso 22 o Aperila 2022 ua 6,794 tagata i Sāmoa ua fa’amāonia ua pēsia i le KOVITI-19 ma ua 13 tagata ua māliliu. E o’o mai i le aso 15 o Mati 2022, e 304,893 le ao’fa’i o tui puipui ua fa’atinoina.

O le aso 19 luni e 2022, ua 14,722 le ao’fa’i o tagata i Sāmoa ua fa’amāonia ua maua i le KOVITI-19 talu ona tula’i mai le fa’ama’i, ma ua 28 tagata māliliu ona o māfua’aga e feso’ota’i ma le KOVITI-19.²⁰

Mo fa’amatalaga lata mai e uiga i le ao’fa’i o tagata ua pēsia i Sāmoa, taga’i i le itūlau o le Facebook a le Matāgaluega o le Soifua Mālōlōina i le <https://www.facebook.com/healthsamoa> ma le ‘upega tafā’ilagi <https://www.health.gov.ws/covid-19/> fa’apea le itūlau ia Sāmoa i le ‘upega tafā’ilagi a le WHO: <https://covid19.who.int/region/wpro/country/ws>



Maua mai: MOH Facebook page <https://www.facebook.com/healthsamoaand> website <https://www.health.gov.ws/covid-19/>.

E lē gata i le āfāina mai le pēsia ma tagata māliliu ona o lenei siama, ‘olo’o fa’aauau pea ona pagātia atunu’u o le lalolagi e aofia ai Sāmoa, ona o a’afiaga o le tamāo’āiga, le soifuaga lautele fa’apea aiā

¹⁸ The Associated Press, “Samoa goes into lockdown after 15 Australians test positive”, *ABC News* (23 January 2022), <https://abcnews.go.com/Health/wireStory/samoa-lockdown-15-australians-test-positive-82414658>.

¹⁹ See Hon. Prime Minister Press Conference 17 March 2022, <https://www.facebook.com/RadioSamoaPlus/videos/674420456939086/>. See also Matai'a Lanuola Tusani T - Ah Tong, “M.O.H. begins contact tracing following community transmission”, *Samoa Observer* (18 March 2022), <https://www.samoaoobserver.ws/category/samoa/97602>.

²⁰ See Government of Samoa, *COVID-19 Situational Report No. 353-359*, (19 June 2022), https://www.samoagovt.ws/wp-content/uploads/2022/06/COVID19-SitRep-353-359_190622_weekly-report_final-1.pdf. **NOTE:** To access the detailed situational analysis report, please visit the MOH website at <https://www.health.gov.ws/>.

tatau ma sa’olotoga o tagata ta’ito’atasi, aemaise lava vaega e ma’ale’ale le tulaga – ona o le fa’ama’i ma fa’atinoga a mālō e tali atu i ai. ‘Olo’o fa’amatalaina i le **Vaega 2** o le Līpoti fa’atinoga a le Mālō e tali atu ai i le KOVITI-19. O le **Vaega 3** o le Līpoti ua sālī’ili ātili ai i taunu’uga o le KOVITI-19 ma fa’atinoga a le Mālō, i aiā tatau ma sa’olotoga o tagata.

VAEGA 2: FA’ATINOGA A LE MĀLŌ & ANA MATĀFAIOI TAU AIĀ TATAU A TAGATA SOIFUA

1. Matāfaioi a le Mālō tau aiā tatau a tagata soifua

FA’AMATALAGA FA’AMĀLAMALAMA: MATĀFAIOI A LE MĀLŌ TAU AIĀ TATAU A TAGATA SOIFUA

E tatau i le Mālō ona:		
Āmana’ia <i>Tāofia</i> le fa’alavelaveina o le mauaina o fa’amanuiaga o le aiā tatau	Puipui <i>Tāofia</i> isi tagata mai le fa’alavelaveina o le mauaina o fa’amanuiaga o le aiā tatau	Taulau <i>Fa’atino</i> auala talafeagai ia ‘āto’atoa le mauaina o fa’amanuiaga o le aiā tatau

Maua mai i le: OHCHR, Factsheet 33, Frequently Asked Questions on Economic, Social and Cultural Rights, <https://www.refworld.org/docid/499176e62.html>

‘Olo’o folafolaina e le Fa’avae le mautinoa o aiā tatau fa’avae ma sa’olotoga o tagatānu’u e aofia ai le Aiā tatau i le ola (Fuai’upu 5), Aiā tatau e uiga i le sa’olotoga o le tautala, fa’apopotoga, fa’alāpotopotoga, fegāsoloa’i ma le nofomau (Fuai’upu 13), ma le Sa’olotoga mai tulafono fa’aailoga tagata (Fuai’upu 15).²¹ ‘Olo’o puipuia fo’i aiā tatau a tagata soifua i tulafono ma faiga fa’avae a le atunu’u.²² O le Ta’iala mo le Ātina’e o Sāmoa, Ta’iala ‘Autū 3, Saogalēmū ma le Fa’atuatuaina o Pulega Lelei ‘olo’o fa’apea mai, “Ole’ā taumafai le Mālō ina ia mautinoa le puipuia o aiā tatau a tagata ta’ito’atasi ‘auā fa’ai’uga fai ‘olo’o māioio i lalo o tulafono ‘ese’ese fa’atasi ai ma le Fa’avae o le Mālō o Sāmoa”²³.

‘Olo’o fa’atapula’a i le Fuai’upu 106 (3) o le Fa’avae o Sāmoa le fa’atinoga o nei aiā tatau pe ‘ā fa’atino Poloa’iga o Fa’alavelave Tutupu Fa’afuase’i ua tatau po o le fa’afaigōfieina ai o le tāofimauina o le saogalēmū o le atunu’u, le tausiga o le nofo filēmū o tagata, ‘ātoa ma mea e fia maua mai ma galuega

²¹ Other fundamental rights contained in the Constitution include: Right to personal liberty (Article 6), Freedom from inhuman treatment (Article 7), Freedom from forced labour (Article 8), Right to a fair trial (Article 9), Rights concerning criminal law (Article 10), Freedom of religion (Article 11), Rights concerning religious instruction (Article 12), Rights regarding property (Article 14).

²² Examples of legislations include the *Labour and Employment Relations Act 2013* provides for non-discrimination in the workplace, the *Education Act 2009* provides for the right to education for children of compulsory school-age, and the *Family Safety Act 2013* provides for the protection from family violence. Examples of policies supporting human rights include the [Child Care and Protection Policy 2020-2030](#) providing for protection of children from violence, [National Policy on Gender Equality and Rights of Women and Girls 2021-2031](#) which aims to realize gender equality and empower all women and girls of Samoa, and the [National Policy for Persons with Disabilities 2021-2031](#) advancing a human rights based approach in facilitating the inclusive development of persons with disabilities in Samoa.

²³ See *Pathway for the Development of Samoa FY2021/22-FY 2025/26*, <https://www.mof.gov.ws/wp-content/uploads/2022/02/Pathway-for-the-Development-of-Samoa.pdf>.

e tatau mo le soifuaga o tagata uma, ma le puipuiga malu o aiā ma le tausiga o le sōloga manuia o le atunu'u.

E tusa ai ma tulafono fa'avāomālō tau aiā tatau a tagata soifua, e mafai ona fa'atapula'a pe fa'ata'atia 'ese mo se taimi lē tumau ni aiā tatau patino i taimi o fa'alavelave fa'afuase'i e lamatia ai le saogalēmū o le atunu'u. O lona uiga, e mafai ona fa'aitiitia pe tāofiofia.²⁴ E tatau ona fa'asalalau aloa'ia le fa'alavelave fa'afuase'i ma e tatau ona tausia itū nei:²⁵

- ia matuā mana'omia mo le tulaga ua o'o i ai le atunu'u;
- ia 'aua ne'i fete'ena'i ma isi matāfaioi i lalo o tulafono fa'avāomālō;
- fa'atapula'a le taimi; ma
- 'aua le fa'ailoga tagata.

E iai aiā tatau e lē mafai ona fa'atapula'aina, e aofia ai le aiā tatau i le ola.

E ui ina mafai ona fa'atino e le Mālō auala (talafeagai ma le tulafono, e matuā mana'omia, fuafua fa'ata'ata lelei ma lē fa'ailoga tagata) e ono fa'atapula'aina ai ni aiā tatau a tagata soifua mo le puipuiga o le soifua mālōlōina o tagata lautele²⁶, e mana'omia le fa'atino e le Mālō o auala uma e mafai, ina ia mautinoa e āmana'ia, puipua ma taulau aiā tatau fa'avae.²⁷

O le 'āmataga o le fa'ama'i iā Mati 2020 na fa'asilasila aloa'ia ai i Sāmoa le tulaga o fa'alavelave fa'afuase'i, e pei ona faia i le tele o isi atunu'u o le lalolagi. E maoa'e fa'atinoga (e alagātatau i so'o se tulaga o fa'alavelave fa'afuase'i, ae tausia aiaiga e pei ona tu'uina atu i luga, e aofia ai le fuafua fa'ata'ata lelei ma ia tusa ma le tulafono) na fa'aaogā e tali atu ai i le fa'ama'i ma fa'ata'atia 'ese ai ni isi o matāfaioi a le mālō tau aiā tatau a tagata soifua. Ua tu'uina atu i vaega 'olo'o soso'o mai se fa'atalanoaga o le tulaga o le fa'asalalauina o tulaga o fa'alavelave fa'afuase'i i Sāmoa ma fa'atinoga na fa'aaogā e le Mālō e tali atu i le KOVITI-19.

2. Fa'aaliga o Fa'alavelave Fa'afuase'i ma Poloa'iga o Fa'alavelave Fa'afuase'i

O le aso 21 o Mati 2020 na fa'asilasila ai e le Ao o le Mālō le ulua'i Fa'aaliga o Fa'alavelave Fa'afuase'i mo Sāmoa ona o le fa'ama'i o le KOVITI-19, ma 'olo'o fa'aaauu pea lea Fa'aaliga e o'o mai i le taimi nei.

O le Fuai'upu 105 o le Fa'avae o Sāmoa 'olo'o tu'uina mai ai le mālosi'aga i le Ao o le Mālō e fa'asilasila se tulaga o fa'alavelave fa'afuase'i pe 'āfai ua lamatia le saogalēmū po o le tamāo'āiga o le atunu'u. E 30 aso le vaitaimi e fa'amamaluina ai lea Fa'aaliga o Fa'alavelave Fa'afuase'i ma e mafai ona fa'aaauu pe 'āfai e mana'omia.

²⁴ Human Rights Committee (HRC), *General Comment No. 24: State of Emergency Article 4 of the ICCPR*, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2F21%2FRev.1%2FAdd.11&Lang=en.

²⁵ United Nations, "COVID-19 and Human Rights We are all in this together", April 2020, <https://unsdg.un.org/sites/default/files/2020-04/COVID-19-and-Human-Rights.pdf>.

²⁶ HRC, *General Comment No. 24: State of Emergency Article 4 of the ICCPR*, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2F21%2FRev.1%2FAdd.11&Lang=en.

²⁷ In doing so, states must refrain from interfering with or limiting the enjoyment of human rights (respect), interfere in order to protect individuals and groups against human rights abuses by others (protect), and must take positive measures to facilitate the enjoyment of human rights such as the provision of basic needs such as food, water and health care (fulfil) – see UN Office of the High Commissioner for Human Rights (OHCHR), *Fact Sheet No. 33, Frequently Asked Questions on Economic, Social and Cultural Rights*, December 2008, No. 33, <https://www.refworld.org/docid/499176e2.html>.

O le Fuai’upu 106 (1) ‘olo’o tu’uina mai ai i le Ao o le Mālō le mālosi’aga e faia ai Poloa’iga o Fa’alavelave Fa’afuase’i (Poloa’iga) mai i lea taimi i lea taimi pe ‘āfai e mana’omia mo le tāofimauiina o le saogalēmū o le atunu’u. E mafai e Poloa’iga ona tu’uina atu le mālosi’aga po o ni aiaiga mo le tu’uina atu o mālosi’aga i ni pulega, tagata po o vaega o tagata e fa’ailoa mai i ia Poloa’iga, e fai ai tulafono fa’atonutonu, tulafono e puipui ai po o tulafono lāiti, mo so’o se fuafuaga e pei ona fa’atagaina ai le Poloa’iga. O nei tulafono fa’atonutonu, tulafono e puipui ai po o tulafono lāiti, e ono aofia ai ni tapula’a o aiā tatau a tagata o le atunu’u. Peita’i, e tatau lava ona matuā mana’omia, tusa ma le tulafono, ma fuafua fa’atatau lelei nei tapula’a. Ua mana’omia le faiga o Poloa’iga e le Mālō ona o le KOVITI-19.²⁸ ‘Olo’o fa’amamaluina pea ia poloa’iga e o’o mai i le asō.²⁹

3. Tali atu a le Mālō i le KOVITI-19 i Sāmoa

E matuā tāua le ōgatasi o fa’atinoga a le Mālō e tali atu i le KOVITI-19 ma le Fa’avae o Sāmoa, tulafono a le atunu’u e puipuia ai aiā tatau a tagata soifua, fa’apea feagaiga fa’avāomālō ua ‘auai atu i ai Sāmoa.

Talu mai lava le ‘āmataga o le pesi o le fa’ama’i o le KOVITI-19 i le 2020, na vave le tali atu a le Mālō o Sāmoa i le fa’atinoga o auala e fa’afetaia’i ai, ma o le tele o ia auala, o se ulua’i taimi lea ua fa’atino ai, mo le saogalēmū o le atunu’u. O ni fa’ata’ita’iga, o le lautele o polokalame fa’apitoa e una’i ai le soifua mālōlōina, fa’atapula’aina o le sa’olotoga e fegāsoloa’i ma feso’ota’iga a tagata, fesoasoani tautupe e una’i ai ni vaega patino o le tamāo’āiga ma polokalame fa’apitoa mo le faiga o tui puipui. Peita’i, e mafai ona āfāina aiā tatau i le soifua mālōlōina ma isi aiā tatau a se tagata, ona o auala fa’atino mo le puipuiga o le aiā tatau a tagata lautele ma tagata tā’ito’atasi i le soifua mālōlōina, e pei o le sa’olotoga e fegāsoloa’i ma potopotoga, ma aiā tatau i a’oa’oga, galuega ma le lē fa’ailoga tagata.³⁰

Ina ia maua se mālamlamaga ātili i fa’atinoga a le Mālō i le fa’atautaiga o le fa’ama’i i Sāmoa e o’o mai i le asō, ua tu’uina atu i lalo se fa’agāsologa o mea na tutupu, na aoina mai i auala o fa’amatalaga aloa’ia a le Mālō.

FA’AMATALAGA FA’AMĀLAMALAMA: FA’ASOLOGA O MEA NA TUTUPU I LE KOVITI-19 I SĀMOA

Fa’amatalaga: e lē o aofia uma i le lisi mea na tutupu, a o ni vaega ‘autū e uiga i le KOVITI-19 e feso’ota’i ma Sāmoa, aemaise lava fa’atinoga a le Mālō e tali atu i leni fa’ama’i

Novema 2019 → Aliali a’e le KOVITI-19 i Wuhan, Saina

Fepuari-Mati 2020 → ‘Āmata fa’atino e le Mālō tulafono e aofia ai le tāofiga o femalagaa’iga fa’avāomālō i va’alele, fa’apea va’a, vaganā va’a ‘olua ma suāu’u. Na fa’asāina potopotoga i Aso Sā. Fa’atapula’aina femalagaa’iga, na’o tagatānu’u Sāmoa na mafai ona ulufale mai i le atunu’u. O i latou na toe fo’i mai na nonofo i nofoaga o le fa’anofo’esea mo le 14 aso

²⁸ See **Part 5** which provides a compliance assessment of the Government’s response with human rights principles of necessity, legitimacy and proportionality et al.

²⁹ See Government of Samoa webpage for all the latest SOE Orders issued by the Government here: <https://www.samoagovt.ws/category/novel-coronavirus-covid-19/covid-19-state-of-emergency-soe-orders/>.

³⁰ See **Part 3** which discusses the ‘impacts of COVID-19 and the Government’s measures’ on rights and freedoms of citizens.

<i>Aperila 2020</i>	→ Polokalame fa'amālosi'au e aofia ai fesoasoani mo faletalimālō, ³¹ fesoasoani mo tagata ta'ito'atasi ma 'āiga, fa'apea sui faisaofoaga o le SNPF ³²
<i>Iuni 2020</i>	→ 'Ave'esea o isi tāofiofiga i totonu o le atunu'u. Tumau pea le tāpunia o tuā'oi.
<i>Novema 2020</i>	→ Ulua'i tagata i nofoaga o le fa'anofofesea ua māsalomia ua maua i le fa'ama'i
<i>Aperila 2021</i>	→ Fa'asolo tui puipui mo tagata 18-84 tausaga
<i>Aperila-Me 2021</i>	→ Fesoasoani mo le 'aufaifa'ato'aga ³³
<i>Aokuso 2021</i>	→ 2-aso o le faiga o tui puipui i le atunu'u 'ātoa mo tagata 18-84 tausaga
<i>Oketopa 2021</i>	→ Si'itia le taimi o le fa'anofofesea mo tagata malaga mai fafo mai i le 14 aso i le 21 aso. Fa'asolo tui puipui mo i latou e 12-17 tausaga ³⁴
<i>Novema 2021</i>	→ Fesoasoani fa'amālosi'au 3 mo le vaega o tagata tafafao maimoa ³⁵
<i>Tesema 2021</i>	→ Fesoasoani fa'amālosi'au mo le vaega o pisinisi tūma'oti ³⁶
<i>Ianuari 2022</i>	→ Silia i le 20 tagata pēsia i nofoaga o le fa'anofofesea e aofia ai tagata malaga mai Ausetalia ma 'aufaigaluega ta'imua
<i>22 Ianuari 2022</i>	→ Ulua'i taimi o le tāpunia o le atunu'u 'ātoa, matuā fa'atapula'aina le fegāsoloa'i. Na'o 'au'aunaga mana'omia na fa'atagaina (e lē aofia ai faletalavai ma 'au'aunaga a foma'i tūma'oti). Fa'atapula'aina taimi e tatala ai fale'oloa.
<i>29 Ianuari 2022</i>	→ 'Ave'esea tapula'a ma tatala uma vavao. Se'e atu Sāmoa mai le La'asaga 3 i le La'asaga 1.

³¹ BDO, "Stimulus Measures", <https://www.bdo.ws/en-gb/services/special-events/covid-19-crisis-hub/government-support-measures>, accessed 10 February 2022.

³² Samoa National Provident Fund, "SNPF Concessionary Assistance – COVID 19", *Press Release*, https://www.bdo.ws/getmedia/619a1f54-b0e3-4384-9e6c-364b2c2a07d1/SNPF-COVID-19-PR_ENG.pdf.aspx.

³³ Samoa Global News, "Over 1,300 Farmers and Fishers Approved to Receive Grant Assistance", *Samoa Global News* (18 April 2021) <https://samoaglobalnews.com/over-1300-farmers-and-fishers-approved-to-receive-grant-assistance/>. See also SPC, "New poultry units to boost Samoa livestock industry", *News* (12 October 2021) <https://www.spc.int/updates/news/media-release/2021/10/new-poultry-units-to-boost-samoa-livestock-industry>.

³⁴ Adel Fruean, "Children receive first Pfizer vaccines", *Samoa Observer* (23 October 2021) <https://www.samoobserver.ws/category/samoa/93540>.

³⁵ Samoa Tourism Authority, "Tourism Industry Welcomes Launch of Government Stimulus Assistance", *News Release* (3 December 2021) <https://www.samoatourism.org/articles/373/tourism-industry-welcomes-launch-of-government-stimulus-assistance>. Packages 1 and 2 were awarded in 2020 which included the freezing payments for the Samoa National Provident Fund (SNPF) and the Accident Compensation Corporation (ACC) for six months for tourism sector businesses including accommodation providers, restaurants, travel agents, tour operators, rental vehicles, tourism sites and activity providers (Package 1), and the reduced rates on electricity usage for three months among other assistance (Package 2) – see Government of Samoa, "Government relief assistance announced for Tourism Sector COVID-19", <https://www.samoagovt.ws/2020/04/government-relief-assistance-announced-for-tourism-sector-covid-19/>.

³⁶ Ministry of Commerce Industry and Labour, "Government COVID-19 assistance for private sector", *Public Notice* (February 2022) https://www.mcil.gov.ws/storage/2022/02/COVID19-Assistance_Public-Notie-English-Version-Samoa-Versiion.pdf.

29 Ianuari 2022	→ Lāgā popōlega o le Fa'alāpotopotoga a Foma'i Sāmoa i le ono mama mai o le fa'ama'i i tua i nu'u ma afio'aga ma fautuaina le Mālō e fa'atino su'ega (testing) i nu'u ma afio'aga
Fepuari 2022	→ Solia tulafono o le fa'anofosea e se tausisoifua ma se 'aveta'avale
5 Mati 2022	→ 'Āmata tui puipui o tamaiti 5-11 tausaga
13 Mati 2022	→ Tāofia tui puipui fa'aopoopo ona ua leai nivailā'au
17 Mati 2022	→ Aliali a'e le ulua'i tagata pēsia i nu'u ma afio'aga
18 Mati 2022	→ 'Āmata su'ega mo le fa'ama'i i nu'u ma afio'aga 'ae na'o le lua nofoaga na fa'atino ai
19 Mati 2022	→ Tāpunia le atunu'u 'ātoa i aso e 3, a ua fa'aitiitia ni tapula'a mo pisinisi. Ua tatala ai faletupe, faletalavai, fale kesi ma pamu penisini, fale o 'olosa si'i'ātoa ma supamāketi, e fa'aopoopo i 'au'aunaga mana'omia. Tatalaina su'ega mo le fa'ama'i i nu'u ma afio'aga ma toe 'āmatalia tui puipui fa'aopoopo
22 Mati 2022	→ Fa'aaau le tāpunia o le atunu'u se'ia o'o i le aso 5 o Aperila 2022 ma fa'amamaluina sone
31 Mati 2022	→ Fa'aitiitia le taimi fa'anofosea o tagata malaga mai fafo mai i le 21 aso i le 7-10 aso
2 Aperila 2022	→ Tu'uina atu i le To'omaga mo ē Puapuagātia (SVSG) se tupe fa'ameaalofa e fesoasoani i ana galuega o le tāofiga o sāuāga ³⁷
4 Aperila 2022	→ Se'e mai le atunu'u mai le La'asaga 3 i le La'asaga 2 mo le lua vaiaso fa'apea fetu'una'iga o aiaiga. O ia fetu'una'iga na aofia ai itūlā e tatala ai pisinisi mai i le 6am – 2pm, Aso Gafua i Aso To'ona'i. Tatala lotu ma maliu ae fa'atapula'a i le 30 tagata e mafai ona 'auai. Tatala isi fa'apotopotoga ae fa'atapula'a i le 15 tagata. Fa'aaau le tāpunia o ā'oga ma e fa'asā pea tamaiti e i lalo ifo o le 12 tausaga i nofoaga faitele. Tatala 'au'aunaga uma a le Mālō mai le 8am – 2pm. Fa'aaau su'ega o le fa'ama'i i nu'u ma afio'aga fa'apea le fa'asologa o tui puipui. ³⁸
11 Aperila 2022	→ Fesoasoani fa'amālosi'au ma tului a le SNPF mo le 'aufai saofaga ma Fa'alāpotopotoga a tagata lautele ma Fa'alāpotopotoga Tūma'oti e 13 ³⁹

³⁷ Government of Samoa, "Official Signing of the Government of Samoa/SVSG Funding Agreement on Efforts to Eliminate Violence Against Women and Girls", *Government of Samoa Official Facebook page* (2 April 2022),

<https://m.facebook.com/samoagovt/videos/official-signing-of-the-government-of-samoasvsg-funding-agreement-on-efforts-to-664809841462271/>. See also Adel Fruean, "Government, S.V.S.G. sign off on \$500,000 funding", *Samoa Observer* (2 April 2022), <https://www.samoaoobserver.ws/category/samoa/97824>.

³⁸ Hon. Prime Minister, "Samoa's COVID-19 Alert Level 3 downgraded To Alert Level 2", *Government of Samoa Official YouTube Channel* (4 April 2022), <https://www.youtube.com/watch?v=5GaxIz3NENI>.

³⁹ Adel Fruean, "S.N.P.F. Board approves \$42M interim interest payment", *Samoa Observer* (11 April 2022), https://www.samoaoobserver.ws/category/samoa/97918?utm_content=bufferd5d74&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer&fbclid=IwAR1OmgQ6w4BLhKJTxSPKxw8FevqdRk5vuupP0MeJPussILV-H36sf9-T9UJ.

19 Aperila 2022	→ Tumau Sāmoa i le La’asaga 2 mo le isi lua (2) vaiaso ma isi fetu’una’iga. O ia fetu’una’iga na aofia ai itūlā e tatala ai pisinisi mai i le 6am – 8pm Aso Gafua i Aso To’ona’i, ma le Aso Sā, mai i le 12pm – 8pm. O taimi o vavao o le 10pm – 6am. E fa’atapula’a fa’atasiga i le 50 tagata i totonu o fale, 100 tagata i fa’atasiga i fafo. Fa’auau le tūpunia o ā’oga. ⁴⁰
2 Me 2022	→ Tumau Sāmoa i le La’asaga 2 mo le isi lua (2) vaiaso ma isi fetu’una’iga fa’aopoopo. ⁴¹ Tatala iunivesitē. Taimi e tatala ai pisinisi, 6am – 10pm. Taimi o vavao, 11pm – 6am. Tatala pisinisi i Aso Sā i le 12pm – 10pm. Tatala fa’atasiga ua leai ni tapula’a, ae tatau ona tausia tulaga mana’omia tau soifua mālōlōina. Mafai ona malaga mai tagatānu’u mo so’o se fa’amoemoe. Fuafuaina le toe tatalaina o tuā’oi mo femalagaa’iga fa’avāomālō, Aokuso-Setema.
16 Me 2022	→ Tumau Sāmoa i le La’asaga 2 mo le isi lua (2) vaiaso ma isi fetu’una’iga fa’aopoopo. O fetu’una’iga e aofia ai le ‘ave’esea o vavao ma ua mafai ai ona fegāsoloa’i tagata i le aso ‘ātoa. Tatalaina tuā’oi o le atunu’u i so’o se tagata i le aso 1 o Aokuso 2022. Toe tatalaina Kolisi, A’oa’oga Fa’auau i le aso 18 o Me, 2022, ā’oga tulagalua i le aso 30 o Me, ma ā’oga ‘āmata i le aso 4 o Iulai, 2022. ⁴²
30 Me 2022	→ Se’e ifo mai i le La’asaga 2 i le La’asaga 1 ma ona fetu’una’iga. O fetu’una’iga e aofia ai le toe fo’i o pisinisi i itūlā māsanī, Aso Gafua i Aso Sā. Ua fa’ataga ona feoa’i tamaiti i lalo ifo o le lima (5) tausaga le matua i nofoaga faitete, a ia tausia mana’oga tau soifua mālōlōina. Toe fa’auau malaga a va’alele i aso ta’itasi mai Amerika Sāmoa i Apia. Fa’auau pea le fa’amālosi’au i le faia o tali fofoga, tutū po o le nonofo vāvāmamao ma tausia le tūmamā. ⁴³

Maua mai i: itūlau o le ‘upega tafā’ilagi a le Mālō o Sāmoa o le KOVITI-19 ma lana itūlau aloa’ia o le Facebook, ma le ‘upega tafā’ilagi a le Matāgaluega o le Soifua Mālōlōina ma lana itūlau aloa’ia o le Facebook

⁴⁰ Special Announcement from the Office of the Prime Minister, Government of Samoa Official Facebook page (19 April 2022), <https://www.facebook.com/samoagovt/videos/358410456235748>.

⁴¹ Special Announcement from the Office of the Prime Minister, Government of Samoa Official YouTube Channel (2 May 2022), https://www.youtube.com/watch?v=SDCZw4l4V_8.

⁴² Special Announcement by the Hon. Prime Minister, Fiame Naomi Mataafa: Next Steps for Covid-19 Alert Levels in Samoa (16 May 2022), <https://www.samoagovt.ws/2022/05/special-announcement-by-the-hon-prime-minister-fiame-naomi-mataafa-next-steps-for-covid-19-alert-levels-in-samoa-16th-may-2022/>.

⁴³ Address by the Prime Minister, Afioga Fiame Naomi Mataafa: Alert Level 2 Downgraded to Alert Level 1 with Amendments (30 May 2022), <https://www.samoagovt.ws/2022/05/address-by-the-prime-minister-afioga-fiame-naomi-mataafa-alert-level-2-downgraded-to-alert-level-1-with-amendments-monday-30th-may-2022/>. Government of Samoa, State of Emergency Order No. 80 (31 May 2022), <https://www.samoagovt.ws/wp-content/uploads/2022/05/order-80.pdf>.

Fa'atinoga a le Mālō: mana'omia/fuafua fa'atatau/ talafeagai



E 'ese'ese tali na maua mai i fefa'asoa'iga fa'apea folasaga na tu'uina mai, e uiga i le fuafua fa'atatau lelei, mana'omia ma le talafeagai o fa'atinoga a le Mālō mo le fa'ama'i. E ui ina manatu le to'atele na mana'omia fa'atinoga a le Mālō; e iai isi na manatu e le'i fuafuaina tatau pe lē talafeagai fo'i, e pei ona fa'ailoaina i le kalafi i luga atu.

O ni lagona nei na fa'aalia e i latou na manatu na mana'omia ma fuafua fa'atatau fa'atinoga a le Mālō:

- Na fesoasoani le tāpunia o femalagaa'iga fa'avāomālo e tāofia ai le o'o mai o le fa'ama'i i Sāmoa⁴⁴
- Na mana'omia nofoaga o le fa'anofo'esea e tāofia ai le sao i tua o le fa'ama'i ma salalau i nu'u ma afio'aga⁴⁵
- O se fa'atinoga matuā lelei polokalame fa'apitoa na una'i ai le faiga o tui puipui ua mafai ai ona o'o i nu'u ma afio'aga i tua⁴⁶

O ni lagona nei o i latou na faitioina fa'atinoga a le Mālō ma manatu ua so'ona fai ma e le'i mana'omia:

- o le fa'aaauu o tapula'a ma le tāpunia pea o femalagaa'iga fa'avāomālo e ui ina ua mae'a tui puipui e lua o le to'atele, ua saga a'afia ai lava pisinisi ma le tamāo'āiga⁴⁷
- o se fa'atinoga so'ona fai le mana'omia o pepa tui i fale'oloa ma le tele o nofoaga faitele ma ua a'afia ai le aiā tatau i le soifua mālōlōina ma le mauaina o 'au'aunaga fa'avae e pei o taumafa⁴⁸
- o tapula'a ma taimi o vavao ua matuā a'afia ai le tele o pisinisi ma o'o ai i fa'afitāuli tau tamāo'āiga ua a'afia ai tupe maua ma le totogiina o nonōgātupe⁴⁹
- e le'i talafeaga ma sa tele fa'afitāuli o le sā o Mati 2022 ma itūlā na tatala ai fale'oloa talu ai, e le'i lava taimi e fai ai fa'atau a tagata ma na matuā tumutumu fale'oloa⁵⁰
- e le'i gafatia e 'āiga e la'iititi tupe maua le fa'atau si'i'ātoa o oloa i taimi na tapuni ai fale'oloa ma fa'ato'ā toe tatala i le mavae o se 2 – 3 aso

⁴⁴ NHRI Samoa, SHRR 2022 community consultations, *Youth group Upolu* (16 March 2022).

⁴⁵ Submitter EB, *Written submission* (8 March 2022).

⁴⁶ NHRI Samoa, SHRR 2022 community consultations, *Youth group Savaii* (14 March 2022).

⁴⁷ Adele Kruse, *Written submission* (9 March 2022).

⁴⁸ Daniel, *Written submission* (14 January 2022); Ben H, *Written submission* (2 March 2022); Matz, *Written submission* (March 2022).

⁴⁹ Submitter EB, *Written submission* (8 March 2022); Samoa Business Hub (SBH), *Clients Impact Assessment*, 16 December 2021 (on file).

⁵⁰ NHRI Samoa, SHRR 2022 community consultations, (14 and 16 March 2022).

- na tele le fenumia'i o le atunu'u i taimi o vavao na 'āmata fa'amamalu i le aso 19 o Aperila 2022. Mo se fa'ata'ita'iga, na tāpunia feoa'iga i luga o auala i le 2pm. O le taimi na mānava ai le to'atele o tagata faigaluega o le 2pm. Ua fa'amati'e ai le lē lelei o fuafuaga talu ai, o le taimi mānava, ua sā ai fo'i ona toe feoa'i ta'avale i luga o le auala tele.⁵¹ *Fa'amatalaga na toe suia lea i le 6am-8pm, ma fa'aavanoa le 2 itulā (8pm-10pm) e malaga ai tagata i o latou 'āiga i teuteuga o le Poloa'iga i le aso 19 Aperila 2022*⁵², *ma na toe suia fo'i i le 6am-10pm ma le itulā e 1 e malaga ai i 'āiga, e tusa ma le teuteuga na tu'uina mai i le aso 3 o Me 2022.*⁵³

O le tele o fa'afitāuli e pei ona tā'ua i luga ua mae'a ona fō'ia, e ala i teuteuga lata mai o Poloa'iga. O le tele o nei suiga na afua mai i talosaga ma faitioga a tagata lautele ma pisinisi. O le aso 31 o Me 2022, na fa'asalalauina ai le Poloa'iga Nu. 80 ua mafai ai ona feoa'i sa'oloto tagata, tatala pisinisi i itulā māsani, lē toe iai ni tapula'a o le aofa'i o tagata i ni fa'atasiga, toe tatala ā'oga i le aso 18 o Me, e 'āmata i kolisi, 'ole'ā 'āmata femalagaa'iga fa'avāomālō iā Aokuso/Setema. Peita'i, e tumau pea le fa'aaliga o pepa tui, tausisia le nonofo/tutū vāvāmamao, ma le faia o tali fofoga i nofoaga faitete.⁵⁴

Ua fa'amatalaina au'ili'ili i lalo fa'atinoga a le Mālō.

a) Sā femalagaa'iga

O Fepuari-Mati 2020, na fa'asāina ai e le Mālō femalagaa'iga fa'avāomālō i va'alele e malaga mai pe malaga 'ese atu ma Sāmoa. O lenei sā na aofia ai uma tagatānu'u ma tagata asiasi mai se'i vaganā ua iai le fa'atagaga a le Kapeneta i ni tulaga e manatu e talafeagai. O ia tulaga talafeagai na aofia ai va'alele mo le 'auina mai ma le 'auina atu o 'olua, fa'apea tagatānu'u o Sāmoa e tāpunia femalagaa'iga 'olo'o i atunu'u i fafo. E tele fo'i atunu'u o le lalolagi na tāpunia femalagaa'iga fa'avāomālō mo le tāofiofiga o le salalau o le fa'ama'i.

E ui ina tele a'afiaga o le sa'olotoga e fegāsoloa'i o le to'atele o tagata, na manatu le Mālō o se fa'atinoga tataua lea ina ia 'aua ne'i o'o mai le KOVITI-19 i Sāmoa, ma e 'ātoa le lua tausaga e le'i o'o mai le KOVITI-19 i Sāmoa. O le 2021 na 'āmata ai ona tau faigōfie femalagaa'iga fa'avāomālō ma mafai ai ona malaga atu tagata faigaluega fa'avaitaimi ma toe fo'i tagata o atunu'u i fafo i o latou atunu'u. Na fa'apea fo'i ona mafai ona toe fo'i mai tagatānu'u ma i latou e i galuega mana'omia. O le aso 21 o Aperila 2022 na fautuaina ai tagata e malaga mai i Sāmoa ia faia o latou tui puipui fa'aopoopo ae le'i ulufale i le va'alele.⁵⁵

O le to'atele o tagata na fa'atalanoaina i fefa'asoa'iga i nu'u ma afio'aga iā Mati 2022 ae le'i sao mai i tua le fa'ama'i i le aso 18 o Mati 2022 na fa'apea mai, e lē tataua i le Mālō ona tatala malaga fa'avāomālō, ina ia tāofia le salalau o le fa'ama'i.⁵⁶

⁵¹ Ganasavea Manuia Tafeaga, "Public Confused Over SOE Orders Prohibiting Road Travel after 2pm", *Samoa Global News* (6 April 2022), <https://samoaglobalnews.com/public-confused-over-soe-orders-prohibiting-road-travel-after-2pm-level2/>.

⁵² Government of Samoa, *State of Emergency Order No. 77*, <https://www.samoagovt.ws/wp-content/uploads/2022/05/order-77.pdf>.

⁵³ Government of Samoa, *State of Emergency Order No. 78*, <https://www.samoagovt.ws/wp-content/uploads/2022/05/Order-78.pdf>. See also Special Announcement by the Hon. Prime Minister, Fiamē Naomi Mataafa (2 May 2022), https://www.youtube.com/watch?v=SDCZw4l4V_8.

⁵⁴ Government of Samoa, *State of Emergency Order No. 80*, <file:///C:/Users/dean.c/Downloads/order-80.pdf>.

⁵⁵ Adel Fruean, "Health issues revised travel advisory as COVID cases soar", *Samoa Observer* (22 April 2022), https://www.samoobserver.ws/category/samoa/98031?utm_content=bufferce790&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer.

⁵⁶ NHRI Samoa, SHRR 2022 community consultations, (14 and 16 March 2022).

O le aso 3 o Me 2022, na fa'ailoa mai ai teuteuga o Poloa'iga, ua mafai ai ona malaga mai i Sāmoa ona tagatānu'u mo so'o se māfua'aga a ia tausia tu'utu'uga tau soifua mālōlōina. 'Ole'ā toe tatala fo'i femalagaa'iga fa'avāomālō iā Aokuso/Setema.⁵⁷ E 'ese'ese lagona o tagata ma e iai faitioga e uiga i suiga fou. Mo se fa'ata'ita'iga, e manatu isi, e ui ina lelei suiga mo le tamāo'āiga ma tagata malaga maimoa, e iai popōlega ona o le āga'i pea i luga o le aofa'i o tagata e pēsia i le fa'ama'i.⁵⁸ O isi e manatu o le toe tatalaina o tuā'oi i tagata malaga mai fafo, e tula'i mai ai le lamatiaga o le sao mai o isi itū'āiga (variants) o le fa'ama'i ma e ono iai le avanoa e lē mafai e Sāmoa ona fa'afetaia'i. O lea e tatau ai i le Mālō ona mataala i lamatiaga e o'o i ai mai nei itū'āiga 'ese'ese o le fa'ama'i, i ana fa'ai'uga o le tatalaina o tuā'oi i faigāmalaga fa'avāomālō.⁵⁹

b) Sā ma fa'atonuga e nonofo i fale

O sā na fa'atapula'aina ai le sa'olotoga e fegāsoloa'i ma fa'atonuga e nonofo i fale, o se auala ta'atele lea na fa'atino e mālō e aofia ai Sāmoa, mo le KOVITI-19. O lenei auala na fa'asā ai le feoa'i/malaga o tagata i fafo atu o o latou 'āiga vaganā ai i taimi fa'atagaina. Na tāpunia pisinisi ma ofisa o le mālō, vaganā ai 'au'aunaga mana'omia. Na fa'asā fo'i fa'apotopotoga (e aofia ai lotu, ta'alogā, falepia/kalapu, fale'aiga m.f.). O nei fa'atinoga na manatu le Mālō o ni faiga mana'omia e tāofi ai le pepesi o le fa'ama'i, puipuia ai le avanoa e ono lē gafatia ai e 'au'aunaga tau soifua mālōlōina le togafitiga o tagata mama'i, ma fa'apea ai ona fa'asaoina le ola o tagata.⁶⁰

Ua fa'alua ona fa'atino sā a le atunu'u 'ātoa. O le sā muamua na fa'atino iā Ianuari 2022 ma lonalua iā Mati 2022. O le sā iā Ianuari 2022, na māfua ona ua iloa e silia i le 30 tagata i nofoaga o le fa'anofo'esea ua pēsia. Na fa'atino le sā lonalua iā Mati ona ua iloa le ulua'i tagata i nu'u ma afio'aga ua pēsia. E ui ina o nei sā na fa'atino ina ia tāofiofia le pepesi o le fa'ama'i ma puipuia le aiā tatau i le ola, e telē le āfāina o galuega, auala o le tausia o le ōlaga ma le mauaina o 'au'aunaga, e aofia ai tausia tau soifua mālōlōina ma a'oa'oga.⁶¹

c) Tui puipui

O le faia o tui puipui, o se fa'atinoga lava lea o aiā tatau. E tusa ai ma tulafono fa'avāomālō o aiā tatau a tagata soifua, e tatau i Mālō ona āmana'ia le "aiā tatau a tagata uma e maua fa'amanuiaga o le tulaga aupito maua o le soifua mālōlōina o le tino ma le māfaufau," e ala i le fa'atino o la'asaga mana'omia mo le "puipuiga, togafitiga ma le tāofiofia o ma'i pipisi, ma'i ta'atele, ma'i e feso'ota'i ma galuega, ma isi fa'ama'i."⁶² O se tasi o auala o ia puipuiga, o le faia lea o tui puipui.

Ua fa'apea mai le Fa'alāpotopotoga mo le Soifua Mālōlōina o le Lalolagi (WHO), o le faiga o tui puipui o se "galuega 'autū o le soifua mālōlōina", e tatau ona fa'amamua ma malupuipua i le taimi o le

⁵⁷ Government of Samoa, *State of Emergency Order No. 78*, <https://www.samoagovt.ws/wp-content/uploads/2022/05/Order-78.pdf>.

⁵⁸ Fuimaonno Lumepa Hald, "Mixed reaction to border reopening by beach fale owners", *Samoa Observer* (3 May 2022) https://www.samoobserver.ws/category/samoa/98151?utm_content=bufferc148a&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer&fbclid=IwAR0JxxbulXDmr27v3wZngBqS1wu8UT0RevizOboWad9M9n9q3JYP3Us87rY.

⁵⁹ Matai'a Lanuola T-Ah Tong, "Be vigilant of COVID-19 variants, says Tuilaepa", *Samoa Observer* (2 May 2022), https://www.samoobserver.ws/category/samoa/98138?utm_content=buffer0ce30&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer.

⁶⁰ United Nations, "COVID-19 and Human Rights We are all in this together", April 2020, <https://unsdg.un.org/sites/default/files/2020-04/COVID-19-and-Human-Rights.pdf>, p.4.

⁶¹ See United Nations, "COVID-19 and Human Rights We are all in this together", April 2020, <https://unsdg.un.org/sites/default/files/2020-04/COVID-19-and-Human-Rights.pdf>, p.4. See **Part 3** for more information on the impact of COVID-19 and government measures on rights and freedoms.

⁶² See Article 12 *International Covenant on Economic, Social and Cultural Rights*. Samoa has endorsed the WHO Global Vaccine Action Plan, <https://www.who.int/teams/immunization-vaccines-and-biologicals/strategies/global-vaccine-action-plan>.

fa'ama'i o le Koviti-19, pe 'āfai e mafai.⁶³ Ua talia e Sāmoa le Fuafuaga a le WHO mo le Fa'atinoga o Tui Puipui.⁶⁴

O le fa'asologa o tui puipui o le KOVITI-19 o se la'asaga talafeagai lea ma mana'omia e puipuia ai tagata mai lamatiaga ua feagai ai e pei o le Koviti-19, ma o le puipuia lava lea o le aiā tatau i le soifua mālōlōina.⁶⁵

O Aperila 2021, na 'āmata ai e le Mālō, fa'atasi ma le fesoasoani mai pā'aga fesoasoani e fa'atino tui puipui mo tagata e 18 tausaga āga'i i luga le matua.⁶⁶ Na soso'o lea ma tui puipui o i latou e 12-17 tausaga iā Oketopa 2021, soso'o ai ma tamaiti e 5-11 tausaga iā Mati 2022.

E lē se fa'afitāuli le mauaina o tui puipui i Sāmoa, ma na mafai ona faia tui puipui o so'o se tagata e agava'a i tui puipui i nofoaga 'ese'ese na saunia e le Matāgaluega o le Soifua Mālōlōina. E lua taumafaiga tetele o le fa'asologa o tui puipui na fa'atinoina talu le 2021, na tūpunia ai 'au'aunaga ae malaga atu le 'aufaigaluega a le soifua mālōlōina i itūmālō mo le faia o tui i 'āiga ina ia fa'afaigōfie ona maua e tagata. E fa'aopoopo i ia taumafaiga, na fa'apea ona fa'asolo tui puipui e le Matāgaluega o le Soifua Mālōlōina i ā'oga ma itūmālō ina ua sao mai le fa'ama'i i tua i nu'u ma afio'aga i le aso 17 o Mati 2022.

E o'o mai i le aso 30 o Me 2022, na fa'ailoa mai e le Mālō ua to'atele tagata ua faia tui puipui i vaega 'ese'ese o le matua e pei ona vaevae i ai le faiga o tui puipui. Mo se fa'ata'ita'iga,⁶⁷

- O le 93.1% o tagata o le vaega e 18 tausaga ma luga atu ua mae'a tui puipui e lua. O lea fo'i vaega, e 70,439 i latou ua mae'a tui puipui fa'aopoopo.
- O le 89.7% o tamaiti e 12-17 tausaga le matua e agava'a mo le faiga o tui puipui ua mae'a tui e lua.
- O le 87.6% o tamaiti e 5-11 tausaga le matua ua mae'a tui puipui e lua.

E ui ina o le filifiliga a le tagata i Sāmoa e faia ai lona tui puipui o le KOVITI-19 ma e lē fa'amālosia, 'olo'o manino i aiaiga o Poloa'iga o Fa'alavelave Fa'afuase'i le fa'amālosia o le faiga o tui puipui e ala lea i le fa'aalia o pepa tui, fa'ato'ā mafai ona ulufale i ni isi o nofoaga faitele. Taga'i i le vaega o **"Pepa tui"** 'olo'o mulimuli mai.

⁶³ WHO, "Guiding principles for immunization activities during the COVID-19 pandemic", *Interim Guidance* (26 March 2020), https://apps.who.int/iris/bitstream/handle/10665/331590/WHO-2019-nCoV-immunization_services-2020.1-eng.pdf.

⁶⁴ See WHO Global Vaccine Action Plan, <https://www.who.int/teams/immunization-vaccines-and-biologicals/strategies/global-vaccine-action-plan>.

⁶⁵ See WHO, "COVID-19 vaccines", <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/covid-19-vaccines>, accessed 10 February 2022.

⁶⁶ UNICEF, "Australia-UNICEF's COVID-19 Vaccine Support to Samoa", *Press Release* (6 April 2022), <https://reliefweb.int/report/samoa/australia-unicef-s-covid-19-vaccine-support-samoa>; Official website of the New Zealand Government, "New Zealand donates more COVID-19 vaccines to COVAX and the Pacific", *Press Release* (24 September 2022), <https://www.beehive.govt.nz/release/new-zealand-donates-more-covid-19-vaccines-covax-and-pacific>; WHO Western Pacific, "Samoa receives 24,000 doses of COVID-19 vaccines through the COVAX facility", *News Release* (9 April 2021), <https://www.who.int/westernpacific/about/how-we-work/pacific-support/news/detail/09-04-2021-samoa-receives-24-000-doses-of-covid-19-vaccines-through-the-covax-facility>.

⁶⁷ See Government of Samoa, Address by the Prime Minister, Afioga Fiamē Naomi Mataafa: Alert Level 2 Downgraded To Alert Level 1 with Amendments (30 May 2022), <https://www.samoagovt.ws/2022/05/address-by-the-prime-minister-afioga-fiamē-naomi-mataafa-alert-level-2-downgraded-to-alert-level-1-with-amendments-monday-30th-may-2022/>.

E matuā fautuaina e le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua tagata ta'ito'atasi ia taga'i toto'a i taunu'uga o a latou fa'ai'uga i lo latou soifua mālōlōina ma o latou tiute tau'ave i isi tagata. E telē le aogā o tui puipui o le KOVITI-19 e fesoasoani i le puipuiga o se tagata mai le matuā tīgāina ma le maliu ona o lenei siama. O le faia o ou tui puipui, e mafai ona puipuia ai oe lava fa'apea isi tagata.⁶⁸ Taga'i i matā'upu feso'ota'i ma tui puipui i le **Vaega 3(2)(a) i lona vaega, "aiā tatau i le soifua mālōlōina".**

d) Pepa tui

O le pepa tui, o le fa'amāoniga aloa'ia lea ua 'ātoa tui puipui o se tagata mo le Koviti-19.

O taumafaiga a le Mālō ia mautinoa le saogalēmū o tagata lautele e ulufale atu i falema'i, na fa'atino ai i le masina o Tesema 2021 se faiga fa'avae (ua aofia nei i Poloa'iga o Fa'alavelave Fa'afuase'i), e mana'omia ai le fa'aali o pepa tui, ona fa'ato'ā mafai lea ona ulufale se tagata i falema'i o le Tupua Tamasese Meaole ma le Falema'i i Tuasivi.⁶⁹

O Ianuari 2022, na toe fa'ailoa ai e le Mālō se fuafuaga e mana'omia ai le fa'aali o pepa tui i falefaigaluega o galuega a le mālō, e 'āmata atu i le aso 1 o Fepuari 2022. E lē mafai ona faigaluega se tasi e lē fa'ailoaina atu se fa'amāoniga ua fai tui puipui.⁷⁰ Ua iai fo'i le tulafono ia fa'aali pepa tui e tamaitiā'oga pe 'ā toe fo'i atu i ā'oga.⁷¹ O le tele fo'i o pisinisi i le vaega tūma'oti ua fa'atino faiga fa'apea mo a latou 'aufaigaluega ma le atunu'u lautele e ulufale atu i a latou pisinisi.⁷² E mana'omia fo'i fa'amāoniga o tui puipui i nofoaga faitele e pei o falesā ma ta'avale la'upāsese.

O le mana'omia o fa'amāoniga o tui puipui ina ia mafai ona maua ni 'au'aunaga pe ulufale atu i se nofoaga faitele, e a'afia ai isi aiā tatau a tagata soifua e pei o le mauaina o 'au'aunaga ma le sa'olotoga e fegāsoloa'i ma potopotoga. E silia i le lima fa'aseā ma folasaga na maua e le Ofisa e uiga i le tē'ena mai tausiga fa'asoifua mālōlōina, fale o ofisa o le mālō ma supamāketi ona o le leai o ni pepa tui.

E ōgatasi le fa'atulafonoina ma le mana'omia o fa'amāoniga o tui puipui mo le puipuiga o tagata i galuega/nofoaga faitele ma/po o le mauaina o 'au'aunaga e aofia ai tausiga fa'asoifua mālōlōina, ma tulafono fa'avāomālō tau aiā tatau a tagata soifua. Peita'i, e tāua le iai o ni fetu'una'iga talafeagai, aemaise lava mo i latou e lē mafai ona fai tui puipui ona o ni māfua'aga tau soifua mālōlōina.⁷³

⁶⁸ WHO, "COVID-19 vaccines provide strong protection against serious illness and death caused by Omicron", Facebook post (5 May 2022), <https://www.facebook.com/WHO/photos/a.167668209945237/5420557857989553/?type=3&theater>.

⁶⁹ Samoa Ministry of Health, December 2021 – COVID-19 and Health care facilities: <https://www.health.gov.ws/covid-19/>. See Video regarding COVID-19 protocols when entering hospital including conducting COVID-19 tests upon arrival before entry - <https://www.youtube.com/watch?v=OFidR5jggj8>.

⁷⁰ See Government of Samoa, State of Emergency order No. 65, <https://www.samoagovt.ws/2022/01/order-66-poloaiga-o-faalavelave-faafuasei-numera-66/>. The Government through NEOC has also strongly encouraged private businesses to ensure that they put in place similar measures for the safety of their employees and members of the public.

⁷¹ See Government of Samoa COVID-19 webpage: <https://www.samoagovt.ws/category/novel-coronavirus-covid-19/>. Samoa Ministry of Health advice – What prevention measures should be implemented in schools to prevent the spread of COVID-19? <https://www.health.gov.ws/covid-19/>. See also Matai'a Lanuola Tusani T - Ah Tong, "Vaccine cards mandatory for public servants next month", <https://www.samoobserver.ws/category/samoa/96680>.

⁷² See Government of Samoa, State of Emergency order No. 65, <https://www.samoagovt.ws/2022/01/order-66-poloaiga-o-faalavelave-faafuasei-numera-66/>. See also Samoa Ministry of Health advice - How can workplaces and businesses prevent COVID-19 transmission in the Workplace? <https://www.health.gov.ws/covid-19/>.

⁷³ See for example, New Zealand Ministry of Health, "COVID-19: Exemptions from mandatory vaccination", <https://www.health.govt.nz/our-work/diseases-and-conditions/covid-19-novel-coronavirus/covid-19-response-planning/covid-19-mandatory-vaccinations/covid-19-exemptions-mandatory-vaccination>.

O faiga fa'avae tau fa'amāoniga o tui puipui e i'u ina lē maua ai avanoa tutusa i 'au'aunaga tau soifua mālōlōina, a'oa'oga ma/po o galuega po o isi 'au'aunaga ona o ni māfua'aga matuā alagātatau, e tatau ona pu'upu'u taimi e fa'atino ai. O ia faiga fa'avae e mafai ona alagātatau i taimi o se fa'ama'i. E tatau ona iloilo faifaipea ma fetu'una'i ia talafeagai ma le tulaga ua o'o i ai le fa'ama'i, molimau aupito fou, fa'apea ta'iala tau soifua mālōlōina o tagata lautele.⁷⁴

O se lu'i tele mo atunu'u talu le tula'i mai o lenei fa'ama'i, le 'apo'apoina o aiā tatau a tagata ta'ito'atasi, i taumafaiga e puipui le ola o tagata lautele. E matuā tāua le taumafai o le Mālō ma ofisa ia pāleni le aiā tatau a tagata e le'i faia tui puipui ona o māfua'aga tau soifua mālōlōina, e aofia ai a'afiaga tumau o le soifua po o se isi tulaga tau soifua mālōlōina, ma aiā tatau a tagata ta'ito'atasi ma isi uma tagata i le soifua mālōlōina ma le saogalēmū.⁷⁵ E lē tatau ona 'avea fa'amāoniga o tui puipui ma māfua'aga e fa'alavelaveina ai le maua o so'o se 'au'aunaga, e aofia ai 'au'aunaga tau soifua mālōlōina, mo tagata e lē mafai ona fai tui puipui ona o māfua'aga tau lo latou soifua mālōlōina.

E fōliga mai e fa'auau pea mo se taimi le fa'aaogāina o pepa tui ma e ui ina mana'omia mo le taimi nei, e tāua le tāofi vave pe 'āfai ua lē toe mana'omia.

i. Fetu'una'iga talafeagai ona o māfua'aga tau soifua mālōlōina

Vaganā ai e matuā āfāina le soifua mālōlōina ma le saogalēmū o isi tagata, e tatau ona iai ni fetu'una'iga talafeagai po o ni tu'usaunoaga mo tagata e lē mafai ona fai tui puipui o le KOVITI-19 ona o ni māfua'aga tau lo latou soifua mālōlōina.

E lē manino po o iai ni tu'usaunoaga fa'apea i Sāmoa.⁷⁶ Peita'i, i lalo o ni tulafono o tui puipui, e tatau i tagata e maua tu'usaunoaga mai tui puipui ona tu'uina mai fa'amāoniga tusitusia mai a latou foma'i, e ta'u mai ai e iai le tu'usaunoaga ona o se māfua'aga tau soifua mālōlōina ua lē mafai ai ona 'ātoa tui puipui, fa'apea le taimi e aogā ai lea tu'usaunoaga.⁷⁷ O le tulaga i le sa'iliga o togafitiga fa'afoma'i mo tagata e le'i faia tui puipui a ua mana'omia vave se togafitiga, e matuā tāua le fa'ata'atia o se auala e mafai ona maua ai e nei tagata se togafitiga, ae lē o le tē'ena.⁷⁸

O le aotelega, e matuā tāua le sāunia ma fa'atino e le Mālō ma ofisa o ni auala ina ia mautinoa e lē so'ona tulituliloaina ni tagata, pe fa'aailoga tagata le fa'amamaluina o tulafono ma fa'amāoniga o tui puipui.

FA'AMATALAGA FA'AMĀLAMALAMA: O Ā FETU'UNA'IGA TALAFEAGAI?

O le talitonuga fa'avae tau aiā tatau a tagata soifua o le tulaga tutusa, e lē tatau ona 'ese le faiga o tagata ona o ni māfua'aga patino. Peita'i, e iai tulaga e alagātatau ai le 'ese o le faiga o ni tagata. Ina ia fō'ia le fa'aailoga tagata, e iai taimi e mana'omia ai ni fa'atinoga e fesoasoani i tagata e ma'ale'ale

⁷⁴ See OHCHR, *COVID-19 Guidance*, <https://www.ohchr.org/EN/NewsEvents/Pages/COVID19Guidance.aspx>. See also for example, British Columbia's Office of the Human Rights Commissioner, *A human rights approach to proof of vaccination during the COVID-19 pandemic: Policy Guidance*, July 2021, <https://bchumanrights.ca/wp-content/uploads/COVID-19-vaccine-guidance-Oct.-2021-update.pdf>.

⁷⁵ See British Columbia's Office of the Human Rights Commissioner, *A human rights approach to proof of vaccination during the COVID-19 pandemic*, October 2021, <https://bchumanrights.ca/wp-content/uploads/COVID-19-vaccine-guidance-Oct.-2021-update.pdf>.

⁷⁶ Note: NHRI Samoa made several attempts for an interview with the MOH with no success as of the date of finalising this report for publication.

⁷⁷ Samoa Ministry of Health - <https://www.health.gov.ws/covid-19/>.

⁷⁸ Consultations with NEOC provided that unvaccinated people are still allowed access to medical treatment and are not turned away.

le tulaga, ina ia mafai ona o latou mauaina ‘au’aunaga e aunoa ma ni pā pupuni. O nei fa’atinoga e mafai ona tā’ua o “fetu’una’iga talafeagai”.

O fetu’una’iga talafeagai o le fetu’una’i lea po se suiga e fa’atino e se tagata e ona le galuega/pisinisi /Matāgaluega/ i a latou fa’agāsologa māsani/faiga āloa’ia, ina ia maua e se tagata e iai a’afiaga tumau po o se vaega o tagata e ma’ale’ale le tulaga, ina ia tutusa avanoa ma o latou maua pea ‘au’aunaga ma avanoa.

O ni isi o fetu’una’iga talafeagai e aofia ai:

- Faiga o ni suiga lāiti i fa’agāsologa māsani ina ia mautinoa e maua avanoa ma ‘au’aunaga e tagata e iai a’afiaga tumau, tinā ma’itaga, tagata ua matua le soifua m.f.
- Tu’uina atu le avanoa i tagata e le’i faia tui puipui ina ia maua ‘au’aunaga ma tausiga tau soifua mālōlōina.
- Fai ni pepa fa’amāonia o tu’usaunoaga mai tui puipui mo i latou e lē mafai ona fai tui puipui, ina ia mafai ona o latou maua ‘au’aunaga e pei ona maua e tagata ua mae’a tui puipui.
- Fa’ata’atia ni auala fa’apitoa mo le faiga o tui puipui o tinā ma’itaga, tamaiti ma tagata ua matua le soifua;
- Ia iai ni nofoaga mo le togafitiga o tagata ua matua le soifua, tamaiti, ma tagata e iai a’afiaga tumau o le soifua m.f.

E faalagolago le faiga o fetu’una’iga talafeagai i tulafono, mataupu a le tagata, tupe faaalu, ma le a’afiaga o isi tagata lautele pea faatino nei fetu’una’iga talafeagai.

Maua mai i le: *Disability Rights California, “COVID-19: Reasonable Accommodations COVID-19 and work”, <https://www.disabilityrightsca.org/post/coronavirus-reasonable-accommodations> (9 June 2020). See also Article 33 Convention Coalition Monitoring Group, New Zealand Human Rights Commission, Ombudsman New Zealand, Reasonable accommodation of persons with disabilities in New Zealand, https://www.hrc.co.nz/files/7814/4848/7923/imm_reasonable_accommodation_guide.pdf.*

e) Tali fofoga

E lē gata i le fa’aaliga o fa’amāoniga o tui puipui e ala i pepa tui, ua fa’atulafonoina fo’i e le Mālō i lalo o Poloa’iga o Fa’alavelave Fa’afuase’i le faia o tali fofoga o tagata, aemaise lava i nofoaga faitele. O lona uiga, e mafai ona tē’ena e pisinisi, fa’alāpotopotoga ma isi nofoaga tagata e lē faia ni tali fofoga. Ua fautuaina e le Matāgaluega o le Soifua Mālōlōina, o le faia o tali fofoga, aemaise lava i nofoaga tumutumu ma totonu o fale, e fesoasoani lea i le puipuia o le tagata mai le KOVITI-19 ma e mana’omia mo le puipuiga o isi tagata.⁷⁹ E lē manino mai fa’atinoga a le Mālō pe iai ni tu’usaunoaga mo leni fa’atonuga.

E pei fo’i o pepa tui, e mafai i lalo o tulafono tau aiā tatau a tagata soifua ona fa’amālosia le faia o tali fofoga ma o se tasi leni o auala aupito aogā mo le tāofia o le salalau o le fa’ama’i.⁸⁰ Peita’i, e iai fo’i i lalo o ia tulafono aiaiga e tatau ona iai ni fa’atinoga e ono mana’omia e fesoasoani ai i isi tagata e ma’ale’ale le tulaga, ina ia mafai ona o latou maua ‘au’aunaga e aunoa ma le fa’alavelaveina.⁸¹ O lea e tatau ai ona iai ni tu’usaunoaga mo tagata e lē mafai ona fai tali fofoga ona o se a’afiaga tumau po o se tulaga e lē mafai ai ona fai se tali fofoga (e pei ona faia mo fa’amāoniga o tui puipui).

⁷⁹ See Ministry of Health website: <https://www.health.gov.ws/covid-19/>. See also Victorian Equal Opportunity & Human Rights Commission, “FAQs: Face masks and human rights”, <https://www.humanrights.vic.gov.au/resources/faqs-face-masks-and-human-rights/>.

⁸⁰ See Centres for Disease Control and Prevention, “Masks”, <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/masks.html>.

⁸¹ Special Rapporteur on the right to health, “Non-discrimination: groups in vulnerable situations”, <https://www.ohchr.org/en/special-procedures/sr-health/non-discrimination-groups-vulnerable-situations>.

E leai ni tu’usaunoaga mo tagata e tete’e i le faia o tali fofoga ona o o latou lava talitonuga po o manatu, ma e mafai ona tē’ena mai i se nofoaga.

f) Tutū/nonofo vāvāmamao

O aiaiga o le tutū/nonofo vāvāmamao na fa’apea fo’i ona fa’atinoina ina ia fa’aititia le pipisi o le fa’ama’i. Na mana’omia nei fa’atinoga mo le tele o ‘au’aunaga e aofia ai ofisa o le mālō fa’apea pisinisi tūma’oti. Mo le to’atele o tagata, o se tulaga matuā fou lea ma ua fai ma fa’alavelave i le ōlaga māsani. O se va’aiga fa’alemāfaufau, e mafai ona āfāina ai le soifuaga lautele, ma i’u ai ina āfāina lagona ma le mālōlōina o le māfaufau o tagata ta’ito’atasi.⁸²

Mo tagata, o le nonofo/tutū vāvāmamao e mafai ona fa’ateleina ai le lamatiaga i lagona o le tē’ena po o le fa’a’esea mai le soifuaga lautele, fa’ateleina o le lē manatu i isi ma le manatu o le tagata na’o ia lava, ma le mōu atu o le loto’āiga ma le lotonu’u. E lē lelei ona taunu’uga mo a’oa’oga ma le tuputupu a’e, ma e tāofia ai fefa’asoa’iga, o se mana’oga fa’avae o tagata soifua. O le nonofo/tutū vāvāmamao, e ‘aumai ai se fe’au fa’alemāfaufau, o le fefe i isi tagata, fa’atasi ma le manatu, o isi tagata ‘olo’o iai siama o le fa’ama’i e lamatia ai le ola o le tagata.⁸³

E ui ina e le’i fa’amati’eina i folasaga ma fefa’asoa’iga taunu’uga o le fa’ama’i i le tulaga o agafeso’ota’i, na mafuli popōlega i le usita’ia o le nonofo/tutū vāvāmamao, o se fa’afitāuli mo Sāmoa.⁸⁴ Mo se fa’ata’ita’iga, na fa’aalia i ala o fa’asalalauga e se tasi e fai lona fale’olua, le matuā faigatā ona fa’amālosia le tutū vāvāmamao i totonu o fale’olua. O le manatu o lea faipisinisi, e mafai e le Mālō ona taga’i i le fa’ailoaina o pisinisi ‘ese’ese e sa’oloto mai le KOVITI-19, ina ia mafai ona lagona e tagata fa’atau le māfanafana ‘olo’o i se si’osi’omaga saogalēmū a o fai a latou fa’atau.⁸⁵ E ui ina o se manatu aogā lea mo le saogalēmū o tagata lautele, e tāua le taga’i toto’a i se fa’atinoga ina ia mautinoa e lē i’u i se tulaga fa’ailoga tagata i le itū o le mauaina o avanoa i ‘au’aunaga.

O fefa’asoa’iga i nu’u ma afio’aga, na fa’apea mai vaega a tinā ma tama’ita’i, e lē tāitai ona mafai ona fa’amālosia le tutū/nonofo vāvāmamao i totonu o nu’u ma afio’aga. O lea e tatau ai ona tu’uina atu mea e mana’omia mo le tausiga o le tūmamā ma ia lava le suāvai ina ia mautinoa e tausia e tagata le tūmamā.⁸⁶

⁸² Fernanda da Fonseca Freitas, Anna Cecília Queiroz de Medeiros, and Fívia de Araújo Lopes, “Effects of Social Distancing during the COVID-19 Pandemic on Anxiety and Eating Behavior—A Longitudinal Study”, *Front. Psychol.* (1 June 2021), <https://www.frontiersin.org/articles/10.3389/fpsyg.2021.645754/full>.

⁸³ Kevin Sikali, “The dangers of social distancing: How COVID-19 can reshape our social experience”, *J Community Psychol.* (16 August 2020), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7461541/>.

⁸⁴ Samoa Global News, “Long Queues and Desperate Crowds Need to Withdraw Cash and Make it to Shops Before Curfew”, (16 March 2022) <https://samoaglobalnews.com/no-social-distancing-observed-as-crowds-rush-to-shops-money-transfers-and-vaccination-sites1/?fbclid=IwAR3xonbrxDQ5YqomYsFXN77JEhP5WARJU2Y86auZICE8C77cq-Jm2akDs1M>.

⁸⁵ The Editorial Board, “A shop owner’s ‘food for thought’ and critical data”, *Samoa observer* (20 April 2022) https://www.samoobserver.ws/category/editorial/98010?utm_content=bufferbb5f0&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer.

⁸⁶ NHRI Samoa, *SHRR 2022 community consultations* (14 and 16 March 2022). See **Part 2(3)(i)** below on ‘Government Support and stimulus packages’ which highlight Government support to assist with hygiene in communities.

g) Nofoga o le fa'anofo'esea

O tagatānu'u ma tagata fo'i mai i Sāmoa, na mana'omia le nonofo i nofoaga o le fa'anofo'esea na totogi e le Mālō. Na iai suiga o le taimi e fa'anofo'esea ai – mai le 14 aso, i le 21 aso, toe fo'i i le 14 aso, ma o le aso 2 o Aperila 2022, i le 10 aso.⁸⁷

Talu mai lava le 'āmataga o le fa'anofo'esea i le 2020, na tu'uina atu le avanoa iā i latou na mafai ona fa'anofo'esea i o lato 'āiga, ina ua fa'amalieina aiaiga na fa'ata'atitia e le Matāgaluega o le Soifua Mālōlōina. O ia aiaiga e aofia ai le iai o se tu'ā'oi e lua mita fa'ata'amilo i le fale ma se pā e si'omia ai le lotoā, fa'apea ma se fale e iai se faletā'ele mo le 'aufaigaluega a le Matāgaluega o le Soifua Mālōlōina.

Na fa'aogāina auala mo le soifua mālōlōina ma le saogalēmū i nofoaga o le fa'anofo'esea, e aofia ai tagata na leoina fanua, fa'atinoga o su'ega (testing) i taimi 'atofaina, meafaigaluega mo le saogalēmū o le 'aufaigaluga i ia nofoaga, fa'apea le fa'asāina o ni asiasiga mai tagata lautele. Na saunia fo'i taumafa mo le taeao ma le aoauli vaganā ai taumafataga o le afiafi.

E ui ina tāofia le sao atu o le fa'ama'i i nu'u ma afio'aga ona o le fa'aogāina o nofoaga o le fa'anofo'esea ma le fa'anofo'esea o isi i 'āiga, e tele lava fa'afitāuli na lāgā e isi e uiga i le talafeagai o fa'atinoga mo le saogalēmū ma le soifua mālōlōina, aemaise lava i nofoaga o le fa'anofo'esea.

E iai se folasaga na fa'apea mai, e tele 'āiga na mafai lava ona asiasi atu i ni nofoaga o le fa'anofo'esea e momoli atu ni āfifi, e ui ina fa'asāina ona o le lamatiaga o le pesia i le fa'ama'i.⁸⁸ O se tasi folasaga na fa'apea mai, e le'i tausia e le 'aufaigaluega a le Matāgaluega o le Soifua Mālōlōina na o'o atu e fa'atino su'ega le nonofo/tutū vāvāmamao mai tagata fa'anofo'esea ma o isi na sa'oloto lava le ulu atu i potu.⁸⁹ O se tasi o itū na lāgā i fefa'asoa'iga ma Fa'alāpotopotoga a Tagata Lautele ma Fa'alāpotopotoga Tūma'oti o le itū lea i le fā'atu ma le popole o tagata i taimi na fa'anofo'esea ai.⁹⁰

E lē gata i lea, na lāgā fo'i e Fa'alāpotopotoga a Tagata Lautele ma Fa'alāpotopotoga Tūma'oti popōlega i le saogalēmū o tagata na tula'i mai ona o se līpoti i ala o fa'asalalauga i le 'āmataga o le 2022, na tu'ua ai e se tausiaifua sa i se nofoaga o le fa'anofo'esea i se vaega o le taulaga le nofoaga, ae malaga ma se 'aveta'avale e tala tupe i se masini talatupe (A.T.M.)⁹¹ E ui ina ioeina e le mālō lea sasi, o mea tutupu fa'apea na o'o ai i se tulaga o le fa'apopleina o le atunu'u fa'apea le 'aufaigaluega o le soifua mālōlōina, aemaise lava i le malu ma le mautū o fa'agāsologa i nofoaga o le fa'anofo'esea ma le 'āto'atoa ma fa'amāoni o le fa'amālosia o ia aiaiga.

O lonalua ai lea o matā'upu tau tagata e tu'ua nofoaga o le fa'anofo'esea. O le taimi muamua, o Oketopa 2021, na sola'ese ai se tagatānu'u ua toe talii mai, mai le nofoaga o le fa'anofo'esea i se po.⁹² Na mōlia i le tulafono le tagata faigaluega ta'imua fa'apea le tagatānu'u toe talii mai, ona ua solia tulafono o le Poloa'iga o Fa'alavelave Fa'afuase'i.

⁸⁷ Government of Samoa, *State of Emergency order No. 78*, <https://www.samoagovt.ws/wp-content/uploads/2022/05/Order-78.pdf>.

⁸⁸ Submitter BC, *Written submission* (4 February 2022).

⁸⁹ Submitter XC, *Written submission* (10 December 2021).

⁹⁰ The impact of COVID-19 on the right to health and specifically mental health is further explored in **Part 3(2)(a)** below.

⁹¹ NHRI Samoa, *SHRR 2022 consultations with CSOs/NGOs* (24 February 2022). See also Matai'a Lanuola Tusani T - Ah Tong, "Police probe quarantine breach by nurse and driver", *Samoa Observer* (1 February 2022), <https://www.samoaoobserver.ws/category/samoa/96968>.

⁹² Samoa Global News, "Man Escapes Quarantine Site and Enters Western Union before he is Recaptured", (20 October 2021), <https://samoaglobalnews.com/man-escapes-quarantine-site-and-enters-western-union-before-he-is-recaptured/>.

O le tulaga o le fa’anofo’esea i ‘āiga, o se folasaga mai se tagata na taliu mai i Niu Sila ma mafai ona fa’anofo’esea i le ‘āiga ina ua faa’amalieina aiaiga, na tā’ua ai le lelei o lea fa’atinoga.

E le’i iai ni fa’afitāuli i lo’u fa’anofo’esea i le ‘āiga ina ua ou fo’i mai Niu Sila... Na lelei fa’agāsologa uma ma lagona le malupuipua ma ou lagona ai le māfanafana, ‘olo’o lelei le tulaga o Sāmoa i le puipuiga o ona tuā’oi. Na iai tagata na leoleoina le fanua i le 24 itūlā i le aso na fa’amautinoa ai e leai ni tagata e asiasi atu. Na iai fa’agāsologa saogalēmū mo le ‘auina atu o mea mana’omia iā te a’u ft., o mea’ai, e leai se feso’ota’iga ma tagata na momoliina atu.⁹³

O teuteuga lata mai na faia i le aso 19 o Aperila 2022, na fa’ataga ai so’o se tagata su’esu’e i māfua’aga o le maliu o se tagata (forensic pathologist) ma ua ‘ātoa tui puipui, e mafai ona lē nofo i nofoaga o le fa’anofo’esea.⁹⁴ O le māfua’aga o lea tu’usaunoaga, o le mana’oga lea e fa’atino su’esu’ega mo le tele o tino maliu ua silia i le tausaga o tāofi i le falema’i ona o le leai o se tasi i le atunu’u e mafai ona faia ia su’esu’ega.⁹⁵

O isi teuteuga na faia i le aso 3 o Me 2022 na suia ai i le na’o tagata ua pēsia i le fa’ama’i e mana’omia le nonofo i nofoaga o le fa’anofo’esea, a o i latou e lē maua i le fa’ama’i e mafai ona fa’anofo’esea i ‘āiga mo le 10 aso e pei ona fa’atunuina e le Fa’atunu Aoa o le Soifua Mālōlōina.⁹⁶

h) Su’ega

O le ‘āmataga o le tali atu a Sāmoa i le KOVITI -19, na’o nofoaga o le fa’anofo’esea ma le ‘aufaigaluega ta’imua na fa’atino i ai su’ega. Na faia su’ega i taimi fa’atulagaina mo tagata ua toe taliu mai fafo fa’apea le ‘aufaigaluega ta’imua e aofia ai le ‘aufaigaluega a le soifua mālōlōina ma le ‘aufaigaluega o tuā’oi. Na matuā tāua le faiga o ia su’ega ina ia iloa tagata ua maua i le fa’ama’i.

Na ‘āmata su’ega mo le lautele o le atunu’u i le aso 18 o Mati 2022, ina ua tula’i mai i le aso 17 o Mati 2022 le ulua’i tagata i nu’u ma afio’aga ua maua i le fa’ama’i.

Ae le’i ‘āmatalia su’ega mo tagata i nu’u ma afio’aga, e tele popōlega na fa’aalia e tagata o le atunu’u fa’apea le ‘aufaigaluega o le soifua mālōlōina, e uiga i le fa’atuai o le Mālō i le faiga o su’ega mo tagata o nu’u ma afio’aga. O se tusi o le aso 29 o Ianuari 2022 i le Minisitā o le Soifua Mālōlōina, mai le Fa’alāpotopotoga a Foma’i i Sāmoa,⁹⁷ na tu’uina atu ai le talosaga i le Mālō e fautuaina ai le fa’atinoga o ni su’ega mo le KOVITI-19 i nu’u ma afio’aga,⁹⁸ aemaise lava ina ua aliali a’e, e silia i le 30 tagata i totonu o nofoaga o le fa’anofo’esea ua pēsia. O i latou ia na malaga mai i se va’alele mai Ausetalia, ma i’u ai i le fa’atinoga o le ulua’i sã ma vavao i Sāmoa mai le aso 22 se’ia o’o i le aso 29 o Ianuari 2022.

⁹³ Dr. Malama Tafuna’i, *Written submission* (4 and 7 February 2022).

⁹⁴ Government of Samoa, *State of Emergency order No. 77*, <https://www.samoagovt.ws/wp-content/uploads/2022/05/order-77.pdf>. See also Matai’a Lanuola Tusani T-Ah Tong, “Cabinet to approve passengers exempt from quarantine”, *Samoa Observer* (20 April 2022), https://www.samoobserver.ws/category/samoa/98009?utm_content=buffer9c446&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer&fbclid=IwAR15X8_Q5siFXSznxviROIQrkDauWFBcjrUVwWnLJ_IzVmbhaXpNtRpo3M.

⁹⁵ Sunlinesamoa, “Police in Grateful Relief for Chinese Forensic Pathologists”, (4 May 2021), <https://newslinesamoa.com/police-in-grateful-relief-for-chinese-forensic-pathologists/>.

⁹⁶ Government of Samoa, *State of Emergency order No. 78*, <https://www.samoagovt.ws/wp-content/uploads/2022/05/Order-78.pdf>.

⁹⁷ The Samoa Medical Association represents most of Samoa’s doctors in public and private practice and has a membership of 110.

⁹⁸ Adel Fruean, “Do more COVID-19 tests in community: Medical Association”, *Samoa Observer* (29 January 2022), <https://www.samoobserver.ws/category/samoa/96888>.

O fefa’asoa’iga ma Fa’alāpotopotoga a Tagata Lautele ma Fa’alāpotopotoga Tūma’oti fa’apea tagata lautele na fa’atino iā Fepuari ma Mati 2022 (ae le’i maua le ulu’ai tagata i nu’u ma afio’aga ua pēsia ma i’u ai i le sā ma vavao lonalua) na lagolagoina ai fo’i le manatu ia lautele le fa’atinoga o su’ega i nu’u ma afio’aga ma e tatau ona fa’atino su’ega mo le KOVITI-19 i itūmālō uma ina ia mautinoa e aofia ai le lautele o le atunu’u.⁹⁹

Na iai fo’i se fa’afitāuli e uiga i le taugatā o su’ega (R.A.T) ‘olo’o fa’atauina i faletalavai e \$20 i le su’ega e tasi. O le māfua’aga lea ua lē fia faia ai ni su’ega a isi tagata.¹⁰⁰

E o’o mai i le asō, ‘olo’o fa’atinoina su’ega mo tagata lautele i le falema’i ‘autū.

O le itū i le auala o le fa’atinoga o su’ega, na lāgā i se tasi o folasaga se popōlega e uiga i le a’afia o le pūisu i le faiga o le su’ega ma fa’atū mai le fa’aogāina o isi auala o su’ega e pei o le su’ega o le fāua.¹⁰¹

i) Lagolago a le Mālō ma fesoasoani fa’amālosi’au

Ina ia fesoasoani i le pagātia o tagata ona o le fa’ama’i ma auala na fa’atino e tali atu i ai, na tu’uina atu e le Mālō fa’atasi ma le lagolago a ana pā’aga o atunu’u i fafo ni fesoasoani ‘ese’ese. O nei fesoasoani e aofia ai fesoasoani fa’amālosi’au mo pisinisi, fesoasoani fa’atōsina tautupe mo tagata lautele, fa’apea mea e mana’omia mo le tausia o le tūmamā ma isi ‘oloa. Na fesoasoani fo’i Fa’alāpotopotoga a Tagata Lautele ma Fa’alāpotopotoga Tūma’oti fesoasoani mo ‘āiga e itiiti tupe maua ma le ‘aufaigaluega ta’imua.

Ua tu’uina atu i le pusa ‘olo’o i lalo ni isi o fa’atinoga o le lagolago ma le fa’amālosi’au a le Mālō e fesoasoani i le pagātia o pisinisi ma nu’u ma afio’aga ona o a’afiaga o le KOVITI-19.

2020	<p>→ O le aso 11 o Aperila na fa’atino ai le ulua’i fesoasoani fa’amālosi’au e \$23.6 miliona tālā Amerika e aofia ai fesoasoani mo le vaega o pisinisi, aemaise lava pisinisi e feso’ota’i ma tagata malaga maimoa, ua fa’amālōlō le silia i le 500 tagata faigaluega.¹⁰²</p> <p>→ O le tala fa’atatau o tupe o le 2020/2021 na fa’ata’atia i le laulau ā fono iā luni 2021, na fa’ailoa ai e le mālō se la’asaga lonalua o fesoasoani fa’amālosi’au e \$29.88 miliona Amerika mo tagata ta’ito’atasi ma ‘au’āiga ua aupito āfāina le tamā’āiga ona o le tali atu i le fa’ama’i. O ni isi o ia fa’amanuiaga na aofia ai:¹⁰³</p> <ul style="list-style-type: none"> ○ se penisione fa’apitoa e tasi e \$300, e fa’aopoopo i le penisione māsani e \$145 o le masina e soso’o ai;
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⁹⁹ NHRI Samoa, *SHRR 2022 consultations with CSOs/NGOs* (24 February 2022). NHRI Samoa, *SHRR 2022 community consultations* (14 and 16 March 2022).

¹⁰⁰ Submitter TM, *Verbal submission* (23 April 2022).

¹⁰¹ Submitter AR, *Written submission* (4 February 2022).

¹⁰² UN in Samoa, *COVID-19 Socio-Economic Response Plan, 2020*, https://reliefweb.int/attachments/d79e6353-d1da-3962-88a7-c710d9f1cfc2/WSM_Socioeconomic-Response-Plan_2020.pdf, p. 8. See also Loop Pacific News, “700 displaced tourism workers benefit from Samoa Government’s stimulus package”, (13 February 2021), <https://www.loopsamoa.com/samoa-news/700-displaced-tourism-workers-benefit-samoa-government%E2%80%99s-stimulus-package-97559>.

¹⁰³ BDO, “Stimulus Measures”, <https://www.bdo.ws/en-gb/services/special-events/covid-19-crisis-hub/government-support-measures>, accessed 10 February 2022. See also Hon. Sili Epa Tuioti, “Second Supplementary Budget Address 2019/2020”, (7 April 2020), https://www.bdo.ws/getmedia/b5676db0-4b27-4429-a02d-32c88d2a8ddf/201920-Second-Supp-Speech-to-Parl-English_FINAL.pdf.aspx.

	<ul style="list-style-type: none"> ○ tau’ave e le Mālō o le 2% o le aofa’iga o tului o nonōgātupe uma i faletupe o fefa’ataua’iga – le NBS, BSP, SCB ma le ANZ – mo le 3 masina; ○ fa’aitiitia o le tau o le eletise i le 10sene, ae tau’ave e le Matāgaluega o Tupe le 7sene, ma le Fa’alāpotopotoga o le Malosi Fa’a’eletise, e tau’vaeina le 3 sene, mo le vaitaimi e 6 masina; ○ fa’aitiitia mo le 6 masina le tau o le suāvai i le 20 sene ‘ae tau’ave e le Matāgaluega o Tupe isi tau. <p>→ Na iai fo’i fesoasoani mo tagata faisaofaga i le SNPF na aofia ai:¹⁰⁴</p> <ul style="list-style-type: none"> ○ Toe fa’amatu’uina atu o tupe totogi mo nonōgātupe o le masina e tasi; ○ Tu’uavanoa i le 6 masina i le vaega o pisinisi talimālō mo le totogiina o saofaga; ○ Lua masina e leai se totogi mo pisinisi tūma’oti ‘olo’o mautotogi i fale o le SNPF; ○ 20% e mafai ona fa’amatu’uina atu mo sui faisaofaga e i le vaega o Taligāmālō ua fa’amālōlō mai galuega ona o le KOVITI-19.
<p>2021</p>	<p>→ O Aperila-Me 2021, e silia i le 1,300 faifa’ato’aga ma tagata faifaiva na talia le tu’uina atu i ai o Fesoasoani Fa’ameaalofa mai le Mālō, na lagolagoina e le Faletupe o le Lalolagi ma le Fa’aputugātupe Fa’avāomālō mo Ātina’e tau Fa’ato’aga.¹⁰⁵</p> <p>→ O Aperila 2021 na ‘āmata fa’asolo ai tui puipui, na fesoasoani mai ai Mālō o Niu Sila, Ausetalia ma Saina i le ‘auina mai o le afe ma afe o tui puipui mo le KOVITI-19, e fesoasoani i polokalame a le Mālō mo le faiga o tui puipui.¹⁰⁶</p> <p>→ O Setema-Novema 2021, na tu’uina atu ai le Fesoasoani Fa’atōsina III a le Mālō mo le Vaega o Tagata Tafafao Maimoa na fa’amanuiaina ai le tele o pisinisi faletalimālō i se fesoasoani tupe e SAT\$5 miliona. O lea fesoasoani na fa’amanuiaina ai pisinisi e 209 e aofia ai faletalimālō, pisinisi e faia malaga maimoa ma ofisa malaga, ua tu’uina atu i ai fesoasoani tupe mo le tau o fa’agāioioiga o pisinisi po o isi a latou fa’amuumua.¹⁰⁷</p>

¹⁰⁴ Samoa National Provident Fund, “SNPF Concessionary Assistance – COVID 19”, *Press Release*, https://www.bdo.ws/getmedia/619a1f54-b0e3-4384-9e6c-364b2c2a07d1/SNPF-COVID-19-PR_ENG.pdf.aspx.

¹⁰⁵ Samoa Global News, “Over 1,300 Farmers and Fishers Approved to Receive Grant Assistance”, (18 April 2021), <https://samoaglobalnews.com/over-1300-farmers-and-fishers-approved-to-receive-grant-assistance/>.

¹⁰⁶ Official website of the New Zealand Government, “New Zealand donates more COVID-19 vaccines to COVAX and the Pacific”, *Press Release* (24 September 2022), <https://www.beehive.govt.nz/release/new-zealand-donates-more-covid-19-vaccines-covax-and-pacific>; Marc Membrere, “China ready to help with vaccines”, *Samoa Observer* (14 April 2021), <https://www.samoobserver.ws/category/samoa/82389>; UNICEF, “Australia-UNICEF’s COVID-19 Vaccine Support to Samoa”, *Press Release* (6 April 2022), <https://reliefweb.int/report/samoa/australia-unicef-s-covid-19-vaccine-support-samoa>.

¹⁰⁷ See Samoa Tourism Authority, “Tourism Industry Welcomes Launch of Government Stimulus Assistance”, *News Release* (3 December 2021) <https://www.samoatourism.org/articles/373/tourism-industry-welcomes-launch-of-government-stimulus-assistance>; Adel Fruean, “Stimulus to help struggling tourism operators”, *Samoa Observer* (2 December 2022), <https://www.samoobserver.ws/category/samoa/95428>.

	<p>→ O Tesema 2021, na tu’uina atu ai e le Mālō se tupe e SAT\$10 miliona i le vaega tūma’oti ma le fa’amoemoe e fa’aaogā lea mo pisinisi lāiti ma pisinisi feoloolo, o se fesoasoani ona o le KOVITI-19.¹⁰⁸</p> <p>→ O le aso 16 o Novema 2021, na fa’ailoa ai e le Komiti mo le Fa’amāopoopoina o Faiga Fa’avae a le Atunu’u (National Policy Coordination Committee) ‘ole’ā galue i se “faiga fa’avae e aofia ai tagata uma” e maua ai alauni mo le lamatiaga mo le ‘aufaigaluega ta’imua e 300 na faigaluega i taimi o le fa’ama’i o le KOVITI-19.¹⁰⁹ Peita’i, e o’o mai i le aso 8 o Mati, e le’i o’o atu lava i le Kapeneta se talosaga mai le Komiti mo le tologiina atu o alauni mo le lamatiaga o le ‘aufaigaluega ta’imua a Sāmoa.¹¹⁰</p> <p>→ Na aofia fo’i i le saunoaga a le Minisitā o Tupe mo le Tala fa’atatau o Tupe 2021/2022 se fa’amanuiaga mo tagata e iai a’afiaga tumau o le soifua.¹¹¹ Na talisapaia e le NOLA le aofia o se fesoasoani tautupe mo tagata e iai a’afiaga tumau o le soifua i le tala fa’atatau o tupe fou, aemaise lava ona o taunu’uga o le KOVITI-19 mo tagata e iai a’afiaga tumau o le soifua.¹¹²</p>
<p>2022</p>	<p>→ O le aso 2 o Aperila 2022, na sainia ai e le Mālō se maliega Fa’apā’aga ma le To’omaga mo ē Puapuagātia e SAT\$500,000, e lagolagoina ai le To’omaga i ana galuega mo le tafi’esea o sāuāga fa’asaga i tinā ma tama’ita’i ma teine.¹¹³ Ua matuā talafeagai lenei fesoasoani pe ‘ā taga’i i sāuāga ua o’o i ai tinā ma tama’ita’i ona o fa’atinoga e tali atu ai i le KOVITI-19.</p> <p>→ O le aso 11 o Aperila 2022, na maua ai e tagata fai saofaga i le SNPF se tului e 5%, ma fa’apea fo’i ona maua e le ‘aupenisione se fa’amanuiaga e \$300 na fa’aopoopo i a latou penisione masani i le masina na soso’o ai. E 13 fo’i ni Fa’alōpotopotoga a Tagata Lautele ma Fa’alāpotopotoga Tūma’oti na maua fa’amanuiaga mai le SNPF.¹¹⁴</p> <p>→ Na tu’uina atu fo’i e le Matāgaluega o Tinā ma Tama’ita’i, Ātina’e o Nu’u ma Afio’aga ma Agafeso’ota’i ni meaalofa o ‘oloa mo le tausiga o le tūmamā i ‘āiga e ma’ale’ale le tulaga ua āfāina ona o le KOVITI-19. O lenei fesoasoani na fa’amuumua ai ‘āiga e itiiti tupe maua ma ua feagai ma faigatā i le tausiga o tamaiti e to’atele, se tagata po o ni tagata e iai a’afiaga</p>

¹⁰⁸ Ministry of Commerce Industry and Labour, “Government COVID-19 assistance for private sector”, Public Notice (February 2022) https://www.mcil.gov.ws/storage/2022/02/COVID19-Assistance_Public-Notie-English-Version-Samoa-Versiion.pdf.

¹⁰⁹ Matai’a Lanuola Tusani T-Ah Tong, “Frontline workers to get risk allowance”, *Samoa Observer* (16 November 2021), <https://www.samoobserver.ws/category/samoa/94694>.

¹¹⁰ Adel Fruean, “Cabinet yet to get risk allowance submission”, *Samoa Observer* (8 March 2022), <https://www.samoobserver.ws/category/samoa/97457>.

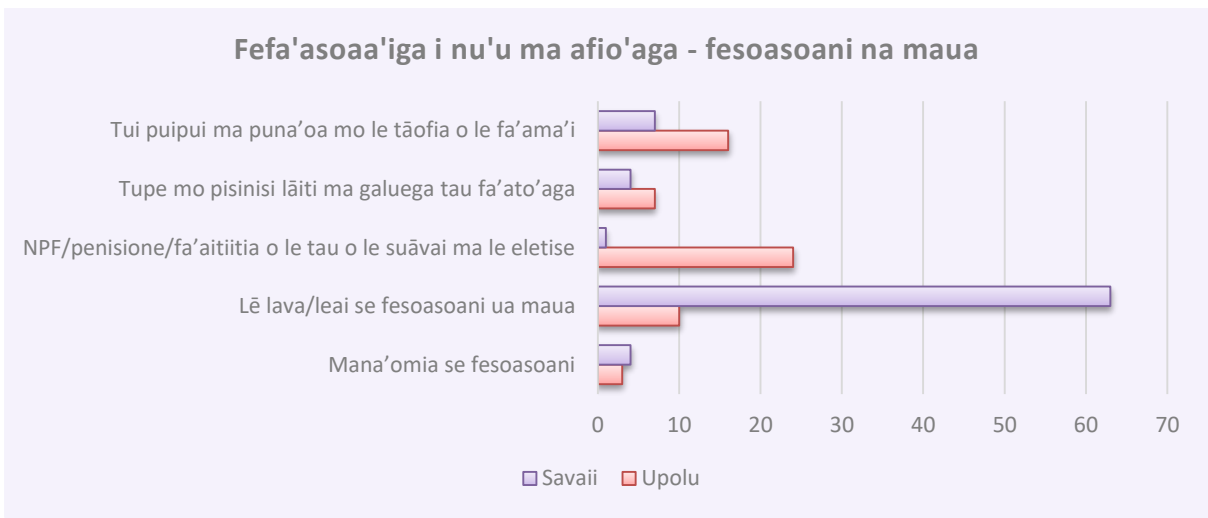
¹¹¹ Ministry of Finance, *Minister’s Budget Address 2021/2022*, 14 September 2022, <https://www.mof.gov.ws/wp-content/uploads/2021/10/ENG-Budget-Address-20212022-Final-for-Printing.pdf>.

¹¹² Marc Membrere, “New funding disability advocates’ ‘dream’”, *Samoa Observer* (14 October 2022), <https://www.samoobserver.ws/category/samoa/93036>.

¹¹³ Loreta Kelemete, “Government Signs \$500,000 Partnership with Samoa Victim Support Group to Support Elimination of Violence against Women and Girls”, *Samoa Global News* (3 April 2022), <https://samoaglobalnews.com/government-partners-with-samoa-victim-support-group-to-eliminate-violence-against-women-and-girls-500k/>.

¹¹⁴ Adel Fruean, “S.N.P.F. announces \$42 million payment to contributors”, *Samoa Observer* (11 April 2022) <https://www.samoobserver.ws/category/samoa/97922>. Note while the contributions by SNPF were awarded in celebration of its Jubilee, consultations with NEOC revealed that all assistance given to date by government institutions is to assist with the impact of COVID-19.

	<p>tumau o le soifua, tagata ua matua le soifua, po o se tagata o le 'āiga ua pēsia i le KOVITI-19.¹¹⁵</p> <p>→ Na fa'ameaalofa e le Fa'alāpotopotoga a Tausisoifua o Sāmoa le aofa'iga e SAT\$32,000 mo le silia i le 600 tausisoifua i vaega uma o le atunu'u, 'olo'o ta'imua i le tausiga o tagata pēsia, fa'apea le fa'agāsologa o tui puipui mo le lautele o le atunu'u.¹¹⁶</p> <p>→ Na sainia e le Mālō se maliega ma nu'u ma afio'aga, 'olo'o tu'uina atu ai le SAT\$200,000 i itūmālō ta'itasi e fesoasoani i polōketi tau ātina'e.¹¹⁷</p>
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E ui i nei fesoasoani, na aliali mai i fefa'asoa'iga i nu'u ma afio'aga, e tele nu'u ma afio'aga e le'i maua lava se fesoasoani ma o lea e mana'omia ai lava le fa'aopoopoina o fesoasoani (taga'i i le kalafi o i luga). O le itū o fesoasoani tautupe, e to'atele lava tagata e le'i maua ni fa'amanuiaga, aemaise lava tagata e fa'atinoina galuega e lē fa'amauina pe maua ni totogi aloa'ia. E lē gata i lea, e to'atele tagata e lē fisaofaga i le SNPF, ma o i latou ia e lē maua ni fa'amanuiaga mai le SNPF.¹¹⁸ Na iai se manatu fa'aalia e tatau ona taga'i i ni fa'amanuiaga mo tamaiti e fesoasoani ai i mātua i a'oa'oga a tamaiti i le 'āiga i taimi na tāpunia ai ā'oga.¹¹⁹ E tāua le fa'amauina, o le to'atele o tagata na 'auai i fefa'asoa'iga, aemaise lava i Savai'i, e lei manatu i le fesoasoani a le Mālō na laugatasia ai tagata uma, e pei o le fa'aitiitia o le tau o le suāvai ma le eletise, na aofia ai 'au'āiga uma i Sāmoa. Na tulimata'i lava le fesoasoani faitino tu'usa'o mo tagata ta'ito'atasi ma 'āiga (e pei o meaai ma seleni tupe).

Na fa'ailoa mai e pisinisi na matuā mana'omia lava se fesoasoani a le Mālō i le taimi o sā ma vavao o le atunu'u 'ātoa iā Mati 2022 ona ua alu uma a latou tupe maua ma tupe na teu i taumafaiga e fa'auau pea a latou pisinisi.¹²⁰ E tusa ai ma fa'amaumauga a le Samoa Business Hub (SBH), e tusa o le 75% o

¹¹⁵ Ministry of Women, Community and Social Development, "Hygiene Packages to Support vulnerable families", *Press Release* (11 April 2022), https://m.facebook.com/story.php?story_fbid=344442954385528&id=100064594783465.

¹¹⁶ TV 1 Samoa, "The Samoa Nurses Association gifts \$32 thousand tala to more than 600 nurses around the country", *Talafou News* (13 April 2022), <https://www.facebook.com/429614057244016/posts/1941751816030225/>.

¹¹⁷ Ganasavea Manuia Tafeaga, "18 out of 51 District Development Committees Sign \$200,000 Funding Agreements" *Samoa Global News* (27 May 2022), <https://samoaglobalnews.com/18-out-of-51-district-development-committees-sign-200000-funding-agreements1/>.

¹¹⁸ NHRI Samoa, *SHRR 2022 community consultations* (14 and 16 March 2022).

¹¹⁹ Submitter M, *SHRR 2022 community consultations* (14 March 2022).

¹²⁰ Samoa Business Hub (SBH), *Clients Impact Assessment*, 16 December 2021 (on file).

ona sui na fa'ailoa ane e matuā mana'omia se isi fesoasoani e fa'aopoopo i le fesoasoani lea na maua. O le manatu fa'aalia e uiga i le fesoasoani na maua, e 56.7% na fa'apea mai o le matuā aogā ia o le fesoasoani, e 36.43% na fa'apea mai na aogā a o le isi vaega na fa'apea mai e le'i iai se aogā.¹²¹ Na tu'uina mai fo'i e sui o le Fa'alāpotopotoga a le 'Aufaipisinisi a Sāmoa ni fautuaga e taga'i i ai le Mālō e tali atu ai i fa'afitāuli ua pagātia ai le atunu'u e aofia ai – le tu'uina atu o fesoasoani po o meaalofa tupe e lagolago ai le toe fa'afo'isia i se tulaga lelei, lagolagoina o pisinisi lāiti, ma fa'aitiitia lāfoga ma tau o le mautotogi o pisinisi.¹²² Ua mae'a ona fa'ao'oina atu nei fautuaga i le Mālō e taga'i i ai mo sana fa'ai'uga.

O isi na fa'atalanoa i taimi o fefa'asoa'iga i nu'u ma afio'aga na manatu e telē le aogā mo 'āiga ma nu'u ma afio'aga pe 'āfai e fa'aopoopo i fa'atōsina tautupe ni puna'oa e aofia ai taumafa, 'oloa mo le tausiga o le tūmamā/soifua mālōlōina, e pei o tali fofoga ma vailā'au fufulu lima, fa'apea meafaigaluega mo fa'ato'aga ma faigāfaiva, ma isi lagolago e pei o le 'ave'esea o le tau e resitala ai le 'aufaifa'ato'aga.¹²³ E tūa tele le manatu mulimuli talu ai o le to'atele o 'āiga ua toe fo'i i le galuea'ina o le 'ele'ele ma le fāgotaina o le tai mo le tausiga o 'āiga i aso ta'itasi.¹²⁴ Talu ai le to'atele o tagata ua āga'i atu nei e sa'ili i le tai taumafa, e tatau i le Mālō ona fautuaina auala o faigāfaiva e gafataulimaina e le si'osi'omaga, e lē gata i le fa'aauuina o le maua pea o ia taumafa, ae matuā tūa fo'i, o le puipuiga o le si'osi'omaga.

O le itū mulimuli, o le fa'aaogāga o tupe, e mana'omia le manino ma mālmalama. E tatau ona fa'aauu le taugologo pea o le Mālō i le atunu'u e uiga i ana tupe fa'aaogā i taimi o fa'alavelave fa'afuase'i e lē gata i tupe fa'atatauina i ana tala o tupe, ae fa'apea fo'i fesoasoani mai isi atunu'u ma fa'alāpotopotoga fa'avāomālō. E lē gata ina mautinoa ai le manino, a o se fa'ailoga fo'i lea o pūlega lelei.

4. Soliga o Poloa'iga o Fa'alavelave Fa'afuase'i

O lalo o tulafono o Poloa'iga o Fa'alavelave Fa'afuase'i, e mafai ona fa'asalaina tagata e lē usita'ia nei tulafono. O ni fa'asalaga mo le solia o tulafono o Poloa'iga o Fa'alavelave Fa'afuase'i e aofia ai:¹²⁵

- Sala tupe e SAT\$200 ma le SAT\$500 mo le toe solitulafono (mo tagata ta'ito'atasi) ma sala tupe e SAT\$5,000 ma le SAT\$7,000 mo le toe solitulafono (mo pisinisi ma fa'alāpotopotoga) mo le solia o tulafono o le fa'anofosea, potopotoga faitele, lotu, fa'atauina o le 'ava mālosi ma itūlā e tatala ai pisinisi. E mafai fo'i ona tāofia se tagata e Leoleo mo se vaitaimi e lē silia i le 3 masina.
- Sala tupe e SAT\$2,000 mo le lē tausisia o aiaiga o le fa'anofosea i le 'āiga e pei ona tu'uina mai e le Fa'atonu o le Soifua Mālōlōina
- Sala tupe e SAT\$10,000 po o le nofo sala i le falepuipui mo se vaitaimi e lē silia le 12 masina, po o fa'asalaga uma e lua pe 'āfai e fa'amāonia se solitulafono i lalo o Poloa'iga o Fa'alavelave Fa'afuase'i

¹²¹ Samoa Business Hub (SBH), *Clients Impact Assessment*, 16 December 2021 (on file).

¹²² Samoa Chamber of Commerce, *Business Confidence Survey Report 2021-2022*, March 2022 (on file).

¹²³ NHRI Samoa, *SHRR 2022 community consultations – Upolu* (16 March 2022).

¹²⁴ See Fuimaono Lumepa Hald, "Lockdown forces diet transition for villagers", *Samoa Observer* (15 April 2022)

https://www.samoobserver.ws/category/samoa/97969?utm_content=buffer45ae&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer.

¹²⁵ See Government of Samoa, *State of Emergency Order No. 79*, <https://www.samoagovt.ws/wp-content/uploads/2022/05/order79.pdf>.

- Fa'alēaogāina o le laisene pisinisi po o le laisene e fa'atau ai le 'ava mālosi mo le taimi 'ātoa o Poloa'iga o Fa'alavelave Fa'afuase'i, mo pisinisi e solia tulafono e uiga i itūlā e tatala ai ma le fa'atauina o le 'ava mālosi

Na lipotia e le Matāgaluega o Leoleo ma Falepuipui e tele solitulafono o Poloa'iga o Fa'alavelave Fa'afuase'i (f.t. silia ma le 300 tagata i le masina o Aperila 2022), o tagata sōsola 'ese mai nofoaga o le fa'anofo'esea ma tagata feoa'i i taimi o vavao i le taimi o sā ma vavao a le atunu'u i le masina o Mati.¹²⁶ O le solitulafono aupito ta'atele o tagata e lē faia tali fofoga i nofoaga faitele ma tagata feoa'i i itūlā fa'asāina o vavao.¹²⁷ Na fa'asalaina fo'i i sala tupe ni pisinisi na tatala e ui ina e le'i fa'atagaina i taimi o sā.¹²⁸

E tusa ai ma faatalatalanoga ma le NEOC, o le faagasologa mo le feutaga'i ma tagata ta'ito'atasi o lo'o solia tulafono a le SOE e aofia ai - ua solia e le tagata se aiaiga o le poloaiga tau faalavelave faafuase'i (SOE), ona fai lea o le lipoti o fa'alavelave e tu'ufa'atasia e le Matagaluega o le Soifua Malolo'ina, e tu'uina atu le lipoti i le Taitaifono o le NEOC ona pasia lea agai i leoleo mo nisi suesuega. Afai ua faamaonia le solia o poloaiga o faalavelave faafuase'i, ona faailoa loa lea i le tagata. E maua le avanoa o le tagata ua solia le poloaiga e finau ai i le moliaga i luma o le Komiti ua fa'atulaga i lalo o le Mataupu 108 o le Fa'avae e fa'atatau i solitulafono e tula'i i taimi o faalavelave fa'afuase'i. O se tagata na te solia le poloaiga a le SOE ma i le faagasologa ua ia faia foi se solitulafono, e molia foi i lalo o le tulafono talafeagai, faataitaiga, o le gaosi i itula o le vavao.

O le Fuai'upu 108 o le Fa'avae 'olo'o iai auala ma fa'agāsologa mo solitulafono o Poloa'iga o Fa'alavelave Fa'afuase'i e fa'atagaina ai le tāofia o so'o se tagata. Ua fa'apea mai fo'i le Fuai'upu, 'ole'ā iai se komiti faufautua e aofia ai se Fa'amasino e tōfia e le Ao o le Mālō ma ni isi sui e to'alu. O le agaga o le fuai'upu ia fa'aaogā talitonuga fa'avae o fa'amasinoga tonu i matā'upu i ni tagata e tāofia.¹²⁹ O tulafono o poloa'iga 'olo'o iai nei, ua tu'uina atu ai le pule fa'ataga i leoleo e tāofia ai se tagata mo se vaitaimi e lē silia i le tolu masina mo le solia o tulafono o Poloa'iga o Fa'alavelave Fa'afuase'i.¹³⁰ O le tāofiga o se tagata ona ua solia tulafono o Poloa'iga, e tataui i le Mālō, i le mulimulita'i i le tulafono, ona mautinoa e ōgatasi ana fa'atinoga ma fa'agāsologa e pei ona fa'ata'atia i le Fa'avae.

5. Lu'i o feagai ma le Mālō

E iai lu'i tetele na feagai ma 'olo'o feagai pea ma le Mālō, e lē gata i le fa'amālosia o tulafono a o taumafaiga e tāofia le fa'ama'i, fa'apea puna'ona mana'omia mo nei galuega uma.

Mai lava i le 'āmataga o le KOVITI-19 i le 2020, na feagai le Matāgaluega o le Soifua Mālōlōina ma se lu'i faigatā, aemaise lava o le pesi o le fa'ama'i o le misela i le 2019 na matuā a'afia ai 'āiga ma nu'u ma afio'aga. O lenei fa'ama'i na fa'amatī'e ai ni vāivaiga tūgā i 'au'aunaga tau soifua mālōlōina a le

¹²⁶ Adel Fruean, "Police issue 300-plus fines for S.O.E. breaches", *Samoa Observer* (15 April 2022)

<https://www.samoobserver.ws/category/samoa/97964>. See also Ganasavea Manuia Tafeaga, "11 Charged for Breach of SOE Orders – Samoa Police Call for Public Cooperation and Support", *Samoa Global News* (21 March 2022) <https://samoaglobalnews.com/11-charged-for-breach-of-soe-orders-samoa-police-call-for-public-cooperation-and-support/>.

¹²⁷ Adel Fruean, "Most fines for not wearing face masks: Police", *Samoa Observer* (24 April 2022)

https://www.samoobserver.ws/category/samoa/98055?utm_content=bufferf575d&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer. Not wearing of face masks in public place carries a fine of \$200 tala.

¹²⁸ Ganasavea Manuia Tafeaga, "Police Issue Samoa National Lotto with Two x \$5,000 Tala Fines", *Samoa Global News* (12 April 2022) <https://samoaglobalnews.com/police-issue-samoa-national-lotto-with-two-x-5000-tala-fines/>.

¹²⁹ *Constitution of the independence State of Samoa 1960*, Article 108(2).

¹³⁰ See SOE Order No. 79 order 18(1)(b), Government of Samoa, *State of Emergency Order No. 79*, <https://www.samoagovt.ws/wp-content/uploads/2022/05/order79.pdf>.

atunu'u. O le o'o mai o le KOVITI-19, ua matuā faigatā ona fa'asoasoa puna'oa. E o'o mai iā Ianuari 2022, na līpotia e le Mālō ua silia i le SAT\$20 miliona ua fa'aalu i galuega 'ese'ese e feso'ota'i ma le fa'anofu'esea o tagatānu'u toe taliu mai i le atunu'u i le lua tausaga na se'i mavae atu.¹³¹ O Aperila 2022, e tusa o le SAT\$35 miliona ua fa'aalu i le tali atu i le KOVITI-19 e aofia ai le fa'atauina o meafaigaluega fa'afoma'i, taumafaiga tāpenapena ma le tāofia o le fa'ama'i, ma o le tele o lea tupe na fa'aalu i tau o le fa'anofu'esea o tagata.¹³²

E lē gata i lea, 'olo'o fa'aauau pea le lamatia o le 'aufaigaluega ta'imua i aso ta'itasi, ma o le to'atele fo'i o i latou ua pēsia i le fa'ama'i. E fa'aopoopo lea i lagona o le māfatia ma le āfāina ona o le mamafa o le galuega 'olo'o tau'ave. Taga'i i le **Vaega 3(4)(g)** mo isi au'ililiga o le "taunu'uga o le KOVITI-19 i le 'aufaigaluega ta'imua". E iai fo'i lu'i na feagai ai e uiga i tui puipui e pei ona fa'amati'eina i le **Vaega 2(3)(c)** i "tui puipui".

O se fa'atalanoaga ma le 'aufa'asalalau i le aso 14 o Aperila 2022, na fa'aailoa ai e le Fa'atonu Aoa o le Soifua Mālōlōina, 'ole'ā sua vaitaimi o līpoti mai le ta'i 12 itūlā i le ta'i 48 itūlā. O māfua'aga na tu'uina mai, o le lē lava o le 'aufaigaluega e fa'atinoina galuega mo līpoti mo aso ta'itasi.¹³³

E lē faigōfie le tāpenaga o līpoti a le Matāgaluega o le Soifua Mālōlōina mo aso ta'itasi. Ua lagona e le 'aufaigaluega le lē lāvavā, ma o isi fo'i ua a'afia i le KOVITI.¹³⁴

O vaega nei e tūla'i mai ai popōlega talu ai, e lē gata ina fa'amati'e mai ai taunu'uga o le fa'ama'i i le 'aufaigaluega ta'imua, a o le aiā tatau fo'i a le atunu'u i le mauaina o fa'amatalaga sa'o i taimi e tatau ona maua ai. Ua toe fa'amatalaina i le **Vaega 3(1)(d)(i)** 'olo'o soso'o mai aiā tatau e uiga i le mauaina o fa'amatalaga tau le soifua mālōlōina o tagata lautele i taimi talafeagai.

E fa'apea fo'i ona feagai i latou e fa'amālosia tulafono ma lu'i faigatā i itū o le mauaina o puna'oa e fa'atino ai galuega, 'ātoa ai ma le lamatia o le 'aufaigaluega i le pēsia i le fa'ama'i.¹³⁵ Na fa'afaigatā le fa'amālosiga o tulafono o Poloa'iga o Fa'alavelave Fa'afuase'i ona o le to'atele o tagata na solia nei tulafono e pei ona fa'amati'eina i luga – *taga'i i le vaega "Soliga o Poloa'iga o Fa'alavelave Fa'afuase'i"*. O le aotelega, e matuā manino lava, o se lu'i i le fa'amālosia o le tutū/nonofo vāvāmamao le lē mafai lea ona fa'atonutonu pe pūlea le tumutumu o tagata.¹³⁶ Na fa'apea fo'i ona faigatā ona fa'atonutonu le tausisia e tagata o sone fa'atulagaina. E lē gata i lea, 'olo'o fai pea lava ma fa'alavelave i taumafaiga, fa'afitāuli tau feso'ota'iga.

¹³¹ See Loreta Kelemete, "Samoa Has Spent Over \$20 Million on Quarantine Costs Since Borders Shut in 2020", *Samoa Global News* (14 January 2022) <https://samoaglobalnews.com/samoa-has-spent-over-20-million-on-quarantine-costs-since-borders-shut-in-2020-not-sustainable/>.

¹³² NHRI Samoa, *SHRR 2022 consultations with NEOC*, 13 May 2022.

¹³³ Staff writers, "No More Daily Update Reports for Samoa's Covid-19 Outbreak – Director General of Health", *Samoa Global News* (16 April 2022) <https://samoaglobalnews.com/no-more-daily-update-reports-for-samoas-covid-19-outbreak-director-general-of-health/>.

¹³⁴ MOH Director General interview with media reported by Samoa Global news – Staff writers, "No More Daily Update Reports for Samoa's Covid-19 Outbreak – Director General of Health", *Samoa Global News* (16 April 2022) <https://samoaglobalnews.com/no-more-daily-update-reports-for-samoas-covid-19-outbreak-director-general-of-health/>.

¹³⁵ TV 1 Samoa, "More than 100 staff members of the ministry of Police and Prison Services have been infected with the COVID-19 virus", *Talafou News* <https://ne-np.facebook.com/429614057244016/photos/a.450144138524341/1931348333737240/?type=3>.

¹³⁶ The Editorial Board, "Enforcement of social distancing needed during lockdown", *Samoa Observer* (23 March 2022) <https://www.samoobserver.ws/category/editorial/97679>.

Mo le āga’i i luma, e tatau lava iā i latou ‘olo’o i tulaga o pūlega ona taga’i toto’a i nei lu’i ma ātīna’e ni fofō mo le lumana’i. E tatau i le Mālō ona fa’amautinoa e āmana’ia le tāua o nei tulaga ma fa’atino se galuega e fō’ia ai. O le itū e sili ona tāua, e tatau lava ona fa’aauau le galulue fa’atasi o tagata o le atunu’u ma pūlega, ma fa’atino la latou pitolā’au ina ia saogalēmū tagata uma.

O le aotelega, e ui ina sa tele fa’afitāuli mai lava i le ‘āmataga i le 2021 se’ia o’o mai iā Aperila 2022 e uiga i le talafeagai ma le fuafua fa’atatauina o auala na fa’atino (ma ‘olo’o fa’aauau pea i ni isi o vaega); na tele lava ina tausisia le tele o tapula’a na fa’ata’atitia, aemaise lava i le sa’olotoga o le fegāsoloa’i ma le mauaina o ‘au’aunaga, lea ua tele ina fa’amāmā i le taimi nei. E matuā tatau ma mana’omia le iloilo ina faifaipea o tapula’a fa’ata’atitia, ina ia mautinoa le toe fo’i i tulaga māsani i le taimi lava ua mafai ai, ae fa’amauiina fo’i le taga’i pea i ni lamatiaga i le lumana’i. Taga’i i le **Vaega 5(2)** ‘olo’o mulimuli ane mo isi fa’amatalaga e uiga i le “iloiloga o le tali atu a le Mālō”.

FAUTUAGA

Tulaga o fa’alavelave fa’afuase’i ma le puipuiga o aiā tatau a tagata soifua

1. la fa’amautinoa e le Mālō, e mo na’o se vaitaimi lē tumau e fa’aogā ai fa’atinoga mo fa’alavelave fa’afuase’i, e fuafua fa’atatau lelei ma e aupito itiiti a’afiaga mo tagata, ina ia ‘ausia fa’amoemoega tau soifua mālōlōina o tagata lautele, ma ia iai ni auala o le puipuiga e pei o aiaiga e toe iloilo ai, ina ia mautinoa le toe fo’i i tulafono māsani i se taimi lava ua te’a ai le tulaga o fa’alavelave fa’afuase’i.

Fa’atinoga a le Mālō ma le āmana’ia o aiā tatau a tagata soifua

2. la mautinoa e le Mālō e aofia tagata uma, e maua e tagata uma fa’amanuiaga, ma e ‘auai tagata uma i lana tali atu i le KOVITI-19, ina ia mautinoa e leai se tasi e tu’ulāfoa’iina.
3. O le fa’amamaluina o tulafono ma faiga fa’avae o tui puipui ma fa’amāoniga o tui puipui, e tatau i le Mālō ma ofisa ona fa’atino la’asaga ia mautinoa ai e lē fa’ailoga tagata ma/pe so’ona tulituliloaina ni tagata ta’ito’atasi. E lē gata i lea, e tatau ona iai ni fetu’una’iga talafeagai e ala i le faia o ni tu’usaunoaga mo tagata e lē mafai ona fai tui puipui ona o se tulaga tau soifua mālōlōina e iai puipuiga, e pei o se a’afiaga tumau o le soifua po o se tulaga tau soifua mālōlōina. E tatau ona fa’aeteete ia pāleni ia, fa’atusatusa i le aiā tatau faitele i le soifua mālōlōina ma le saogalēmū.
4. la mautinoa e le Mālō e mautū ma māopopo ana fa’agāsologa mo le faiga o tagata i nofoaga o le fa’anofosea ma ia matuā fa’amamaluina ia fa’agāsologa, ina ia mautinoa le saogalēmū o tagata uma.
5. E tatau ona faigōfie ona maua ma fa’atino mo tagata uma su’ega ina ia vave ona iloa po ua maua i le fa’ama’i. E tatau ona taga’i i le fa’aogāina o itū’āiga su’ega ‘ese’ese e aofia ai auala e lē mana’omia ai le momono o meafaitino i pūisu.

Manino ma le mafai ona tali atu

6. la mautinoa e le Mālō e fa’ailoa i le atunu’u tupe ua fa’aogāina mo fa’alavelave fa’afuase’i, e lē gata i tupe mai lana ia lava tala fa’atatau o tupe, a ia fa’apea fo’i fesoasoani mai fafo. E lē gata ‘ole’ā mautinoa ai le manino ma le mafai ona tali atu, a o se fa’ailoga fo’i lea o pūlega lelei.

7. Ia mautinoa e le Mālō e fa’auau le ‘apo’apoina o le tausisia o le tulafono, e ala i le mulimulita’ia o fa’agāsologa e pei ona fa’ata’atia i le Fua’upu 108 o le Fa’avae, i fa’atinoga mo tagata e tāofia ona ua solia tulafono o poloa’iga o fa’alavelave fa’afuase’i.

Fa’afetaia’iga o lu’i

8. Ia mautinoa e le Mālō, e matuā taga’i i lu’i na feagai ai, aemaise lava i le itū i lagona o le vāivai ma le mālōlōina o māfaufau o le ‘aufaigaluega, fa’apea le fa’amamaluina o tulafono o poloa’iga o fa’alavelave fa’afuase’i, ina ia mautinoa e fa’aitiitia nei fa’afitāuli i ni taimi e toe tula’i mai ai ni fa’alavelave fa’afuase’i o le soifua mālōlōina o tagata lautele i le lumana’i.

VAEGA 3: A’AFIAGA O AIĀ TATAU A TAGATA SOIFUA MAI LE KOVITI-19 & FA’ATINOGA A LE MĀLŌ E TALI ATU I AI

E tūgā a’afiaga o aiā tatau ma sa’olotoga o tagata uma aemaise lava vaega e ma’ale’ale le tulaga, ona o le KOVITI-19 ma fa’atinoga a le Mālō ina ia puipuia tagata ma tāofiofi le salalau o le fa’ama’i.

E ui ina e lē fa’ailoga tagata le siama o le COVID-19, e lē tutusa ona taunu’uga mo tagata uma. E telē le a’afiaga o tagata uma ona o le siama, fa’apea auala ua fa’atino e tali atu i ai, e aofia ai le faiga o tulafono o fa’alavelave fa’afuase’i ma le fa’atapula’aina o le fa’aaogāina o ni aiā tatau. Ae sili atu ona pagātia vaega o tagata e ma’ale’ale le tulaga o le soifuaga.¹³⁷

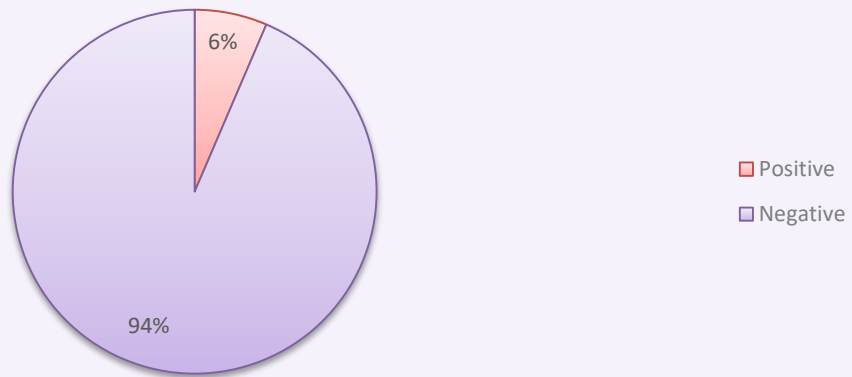
E pei ona fa’amati’eina i le **Vaega 2(1)** i “Matāfaioi a le Mālō tau aiā tatau a tagata soifua” ma le **Vaega 2(2)**, “Fa’aaliga o Fa’alavelave Fa’afuase’i ma Poloa’iga o Fa’alavelave Fa’afuase’i”, e āmanaia e tulafono tau aiā tatau a tagata soifua le fa’atapula’aina o ni aiā tatau pe ‘āfai e o’o mai ni tulaga ua lamatia ai le soifua mālōlōina o tagata lautele ma fa’alavelave fa’afuase’i e lamatia ai le atunu’u. E talafeagai nei fa’atinoga pe ‘āfai e,¹³⁸

- iai se fa’avae fa’aletulafono;
- matuā alagātatau ma e fa’avae i molimau fa’asaienisi;
- iai le māfua’aga tatau ma e lē fa’ailoga tagata le fa’atinoga;
- iai tapula’a o le taimi e fa’aaogā ai;
- āmana’ia le tāua o le tagata soifua;
- iloiloina; ma
- fuafua fa’atatau ina ia ‘ausia se fa’amoemoega.

¹³⁷ United Nations, “COVID-19 and Human Rights We are all in this together”, April 2020, <https://unsdg.un.org/sites/default/files/2020-04/COVID-19-and-Human-Rights.pdf>.

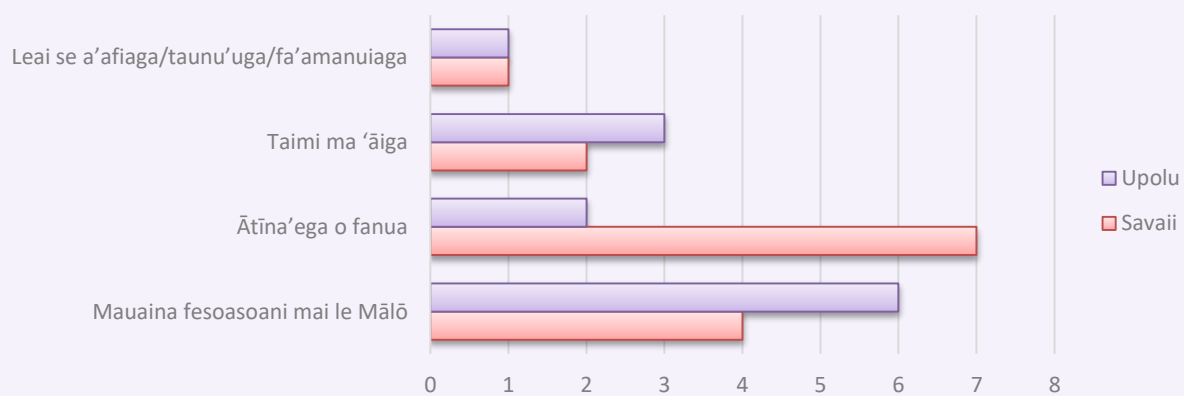
¹³⁸ HRC, General Comment No. 24: State of Emergency Article 4 of the ICCPR, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2F21%2FRev.1%2FAdd.11&Lang=en.

Aotelega o manatu mai fefa'asoa'iga i nu'u & afio'aga i taunu'uga o le KOVITI-19 ma fa'atinoga a le Mālō



E pei ona fa'aalia i le ata o i luga, o le to'atele o tagata na fa'afeso'ota'i ma tagata ta'ito'atasi na tu'uina mai finagalo na fa'amatieina itū lē lelei o taunu'uga o le fa'ama'i ma fa'atinoga a le Mālō, ma e matuā tele atu ia i lō taunu'uga lelei.

Pepa o fesili: fefa'asoa'iga i nu'u & afio'aga - TAUNU'UGA LELEI O LE KOVITI-19 ma fa'atinoga a le Mālō



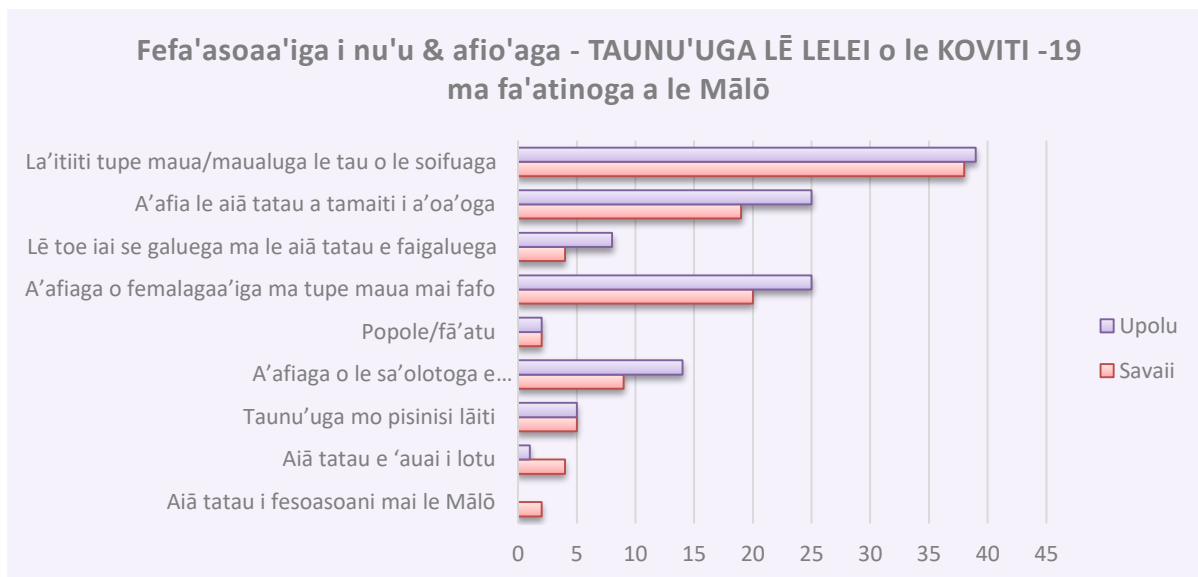
O ni isi o taunu'uga lelei na fa'amati'eina ma fa'ailoaina i le kalafi o i luga e aofia ai:

- Na lelei sã ma tapula'a ua tele ai taimi e fa'atasi ai ā'iga ma māfuta fa'atasi¹³⁹
- Na māmā le avega o fa'alavelave i taimi o Poloa'iga o Fa'alavelave Fa'afuase'i talu ai ua leai ni saofaga ma ua lē 'auai 'āiga i maliu, fa'aipoipoga m.f., ona o le fa'asāina o potopotoga ma aiaiga o le tutū/nonofo vāvāmamao¹⁴⁰
- talu ai ua to'atele tagata o 'āiga ua lē mafai ona feoa'i, ua maua le avanoa e ātina'e ai fanua ma fa'ato'aga a 'āiga mo taumafa. O se tulaga lelei tele lea ona o nei taimi, ua s'i'si'i pea i luga le tau o le soifuaga¹⁴¹

¹³⁹ NHRI Samoa, SHRR 2022 community consultations (14 and 16 March 2022).

¹⁴⁰ NHRI Samoa, SHRR 2022 community consultations – women focus groups (14 and 16 March 2022).

NHRI Samoa, SHRR 2022 community consultations (14 and 16 March 2022). See also Fuimaono Lumpea Hald, "My customers are struggling, says shop owner", *Samoa Observer* (19 June 2022)



O ni isi o taunu'uga lē lelei na fa'amati'eina i fefa'asoa'iga ma folasaga ma fa'ailoaina i le kalafi o i luga e aofia ai:

- O le tūpunia o ā'oga ma le fa'aaogāina o isi auala e ala i feso'ota'iga i le initaneti na matuā 'ese'ese a'afiaga o tamaiti, mātua ma tagata e va'aia fa'aletulafono, aemaise lava i latou e lē maua feso'ota'iga tau initaneti fa'apea meafaigaluega mana'omia
- Ua lē mafai ona asiasi tagata i o latou 'āiga pe fa'atasi fo'i ma isi o nu'u ma afio'aga
- Ua lē mafai ona feiloa'i ma 'āiga i atunu'u i fafo talu ai ua tūpunia femalagaa'iga i isi atunu'u
- O le lē toe maua o galuega ua fa'aitiitia ai tupe maua/ leai se tupe maua a 'āiga, ma ua āfāina ai le tausiga o 'āiga.
- Na tele fo'i le popole ma le fā'atu o ni isi o 'āiga ne'i pēsia i le fa'ama'i ma matuā tīgāina ma ono o'o ai lava ina maliu

Ua fa'amatalaina ātili taunu'uga o i luga i le vaega o soso'o, ma feso'ota'i ai ma aiā tatau i le vā ma isi tagata ma aiā tatau tau upufai o mālō, fa'apea aiā tatau tau tamāo'āiga ma agafeso'ota'i.

1. A'afiaga o aiā tatau i le vā ma isi tagata ma aiā tatau tau upufai o mālō

O le KOVITI-19 ma fa'atinoga a le Mālō e fa'afetaia'i ai le fa'ama'i, ua fa'alavelaveina ai aiā tatau 'ese'ese i le vā ma isi tagata ma aiā tatau tau upufai o mālō, e aofia ai le aiā tatau i le ola, sa'olotoga o le fegāsoloa'i, sa'olotoga o potopotoga ma le sa'olotoga o manatu ma le fa'aaliga o tāofi, fa'apea le mauaina o fa'amatalaga.

a) Aiā tatau i le ola

Na iloa i fefa'asoa'iga i nu'u ma afio'aga le telē o le a'afiaga o le aiā tatau i le ola, aemaise lava i le itū o le soifua mālōlōina. E o'o mai i le aso 31 o Me 2022, ua fa'amauina e Sāmoa ua 28 tagata ua māliliu.¹⁴² E silia i le 13,000 tagata ua pēsia e aofia ai tamaiti (aemaise lava tamaiti i le vaega e 0-4 tausaga le

https://www.samoobserver.ws/category/samoa/98715?utm_content=buffer7db0d&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer&fbclid=IwAR1wbCfaggFAt5veYdfjJdc5EqH2RPQ8TUmlpUhseg7ZQVqT5Z0vZEBTvWYY.

¹⁴² See Government of Samoa, *COVID-19 Situational Report No. 353-359*, (19 June 2022), https://www.samoagovt.ws/wp-content/uploads/2022/06/COVID19-SitRep-353-359_190622_weekly-report_final-1.pdf.

matua) ma tagata ua matua le soifua, ua o’o i se tulaga e lamatia ai le ola ona o le ma’ale’ale o le tulaga ua iai ma le lē mafai ona fai tui puipui.

O le aiā tatau i le ola, e pei ona ta’utino i le Fuai’upu 6 o le Feagaiga Fa’avāomālō i Aiā Tatau i le Vā ma isi Tagata ma Aiā Tatau tau Upufai o mālō, o le ‘āmataga lea o matāfaioi a Mālō, tau aiā tatau a tagata soifua. O le manatu o le Komiti mo Aiā Tatau a Tagata Soifua, o le aiā tatau i le ola

“o le aiā tatau sili lea e lē mafai ona fa’aitiitia pe fa’ata’atia ‘ese, e o’o lava i tulaga o taua ma isi fa’alavelave tutupu e lamatia ai le ola o le atunu’u”.¹⁴³

O le tiute tau’ave o Mālō o le puipuia lea o le ola o tagata ma e tatau ona fa’atino auala talafeagai e tali atu ai i ni tulaga e lamatia ai le ola pe tāofia ai tagata ta’ito’atasi mai le āmana’ia ma le mauaina o fa’amanuiaga o a latou aiā tatau i le ola, e pei ona iai i le fa’ama’i o le KOVITI-19. O auala e tatau ona fa’atino e Mālō e aofia ai,

i tulaga e mafai ai, fa’atinoga ia mautinoa ai e mafai ona maua e tagata ta’ito’atasi e leai se fa’atuai, o ‘olua ma ‘au’aunaga mana’omia e pei o taumafa, suāvai, nofoaga e malu ai, tausiga tau soifua mālōlōina, eletise, tūmamā mana’omia mo le soifua mālōlōina, ma isi fa’atinoga e una’ia ma fa’afaigōfie ai tulaga lautele o le soifuaga ...¹⁴⁴

Talu ai o Sāmoa o se Mālō ‘auai i le Feagaiga Fa’avāomālō i Aiā Tatau i le Vā ma isi Tagata ma Aiā Tatau tau Upufai o mālō, e tatau ai i le Mālō ona fa’atino auala mana’omia ma talafeagai ina ia mautinoa le puipuga o le aiā tatau i le ola, a tagata o Sāmoa.

b) Sa’olotoga o le fegāsoloa’i ¹⁴⁵

O le fa’asāina o femalagaa’iga fa’avāomālō ma sã i totonu o le atunu’u po o fa’atonuga e nonofo i fale na tāofiofi ai ma fa’atapula’aina le sa’olotoga e fegāsoloa’i. E pei ona fa’amatī’eina i luga, e lua sã na fa’atino mo Sāmoa ‘ātoa iā Ianuari ma Mati 2022.

O le to’atele o tagata na fa’afeso’otai i fefa’asoa’iga i nu’u ma afio’aga iā Mati 2022 ae le’i aliali a’e le sao mai o le fa’ama’i i nu’u ma afio’aga, na fa’apea mai, na matuā a’afia lo latou sa’olotoga e fegāsoloa’i ona o le sã na fa’atonuina e le Mālō. Mo se fa’ata’ita’iga, na fa’amauina e alī’i i fa’atalanoaga i vaega patino, o le tāpunia o tua’oi o le atunu’u na fa’aitiitia ai avanoa e asiasi i ‘āiga i atunu’u i fafo, ma fa’apea fo’i ona lē mafai ona asiasi mai ‘āiga mai fafo.¹⁴⁶

¹⁴³ HRC, *General comment no. 36, Article 6 (Right to Life)*, 3 September 2019, CCPR/C/GC/35, <https://www.refworld.org/docid/5e5e75e04.html>.

¹⁴⁴ HRC, *General comment no. 36, Article 6 (Right to Life)*, 3 September 2019, CCPR/C/GC/35, <https://www.refworld.org/docid/5e5e75e04.html>.

¹⁴⁵ Freedom of movement under international human rights law protects, in principle, the right of everyone to leave any country, to enter their own country of nationality, and the right of everyone lawfully in a country to move freely in the whole territory of the country. Restrictions on these rights can only be imposed when lawful, for a legitimate purpose, and when the restrictions are proportionate, including in considering their impact – see HRC, *General Comment No. 27 (67) Freedom of movement* (article 12) CCPR/C/21/Rev.1/Add. (1 November 1999)

<https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsiYoiCfMKoIRv2FVaVzRkMjTnjRO%2bfud3cPV/cM9YR0iyTM5JG6ezzyTK3dP9WEpoSy%2br%2fUX3265zq4wPzODm3XME7v23w4buJtGukID%2b1ocPstrJmk6cw8vHCV6DdBAA%3d%3d>.

Human Rights Watch, *COVID-19: A Human rights Checklist*, https://www.hrw.org/sites/default/files/supporting_resources/202004_northamerica_us_covid19_checklist2.pdf, p.6.

¹⁴⁶ NHRI Samoa, *SHRR 2022 community consultations – men focus group Upolu* (16 March 2022).

Na tu'uina mai i se tasi folasaga ni fa'afitāuli ona o le fa'atapula'aina o le fegāsoloa'i e fa'apea,¹⁴⁷

e ui ina mana'omia fa'atinoga e tāofiofi ai le fegāsoloa'i ina ia fa'aitiitia le salalau o le fa'ama'i, o se tulaga na fenumia'i ai tagata ma e lei fuafuaina fa'atatau lelei, aemaise lava i le sā muamua i le aso 22 o Ianuari 2022. E le'i fa'atagaina nofoaga tūma'oti o tausiga fa'asoifua mālōlōina fa'apea faletalavai, e ui ina o nei 'au'aunaga o ni 'au'aunaga mana'omia. Na fa'atonuina tagata se'ilogā o se tulaga ua matuā mana'omia se fesoasoani ona fa'ato'ā mafai lea ona feoa'i. O lenei tapula'a na matuā a'afia ai tamaiti talu ai, ua lē mānana'o mātua e malaga atu i falema'i mo se fesoasoani ona e mumusu ne'i soli itūlā o vavao.

E ui ina ua mē'a ona fō'ia lenei matā'upu, e tatau i le Mālō ona fa'amautinoa i le lumana'i, e matuā mana'omia, e fuafua fa'atatau lelei ma e lē fa'ailoga tagata le fa'atapula'aina o le sa'olotoga e fegāsoloa'i i taimi o fa'alavelave fa'afuase'i.

O le aso 7 o Aperila 2022, na 'ave'ese ai isi tāofiofiga o le sa'olotoga e fegāsoloa'i i totonu o le atunu'u, a ua fa'atapula'a i le 6am – 2pm.¹⁴⁸ O le aso 19 o Aperila 2022, na fai ai teuteuga i le sa'olotoga e fegāsoloa'i ua fa'ataga ai le fegāsoloa'i i itūlā o le 6am – 10pm,¹⁴⁹ ma na toe teuteu i itūlā o le 6am – 11pm i le aso 3 o Me 2022.¹⁵⁰ O le aso 16 o Me 2022, na 'ave'esea uma ai tapula'a o le fegāsoloa'i.¹⁵¹

E ui ua toe ave'ese'ina tapu mo fegāsoloaiga, e tāua tele i le Mālō le faamautino'ina o le talafegai, tatau ma le lē fa'ailogatagata o vaega e taofia ai le sa'olotoga o le fegāsoloa'i.

c) Sa'olotoga o fa'alāpotopotoga ma fa'apotopotoga

O se tasi fa'atinoga e tāofia ai le salalau o le KOVITI-19, o le fa'atapula'a lea o le sa'olotoga o potopotoga. Na fa'asāina potopotoga i nofoaga e māsani ona potopoto ai tagata e to'atele e pei o falesā, falepia, fale'aiga ma falekalapu, i lalo o tulafono o Poloa'iga o Fa'alavelave Fa'afuase'i i le ulua'i sā (22 Ianuari 2022) ma le sā lonalua (19 Mati 2022).

Na fa'ailoa i fefa'asoa'iga na fa'atinoina iā Mati 2022 ae le'i iloa ua iai tagata ua pēsia i nu'u ma afio'aga, o se taunu'uga o le fa'atapula'aina o le sa'olotoga o potopotoga na lē mafai ai ona 'auai tagata i lotu i Aso Sā.¹⁵² Na tā'ua i le folasaga a se tagata talavou, o le 'auai i lotu i Aso Sā o se vaega tāua o le aganu'u a Sāmoa ma ua fa'amotu e le KOVITI-19.¹⁵³

O le aso 7 o Aperila 2022, na teuteu ai tapula'a o potopotoga ma ua mafai ona potopoto tagata ma le tapula'a e 15 tagata vaganā lotu ma maliu e gata i le 30 tagata.¹⁵⁴ O le aso 19 o Aperila 2022, na si'itia ai le aofa'i o tagata i potopotoga i le 50 i totonu o fale ma le 100 tagata i fafo.¹⁵⁵ O le aso 3 o Me 2022,

¹⁴⁷ Dr. Malama Tafuna'i, *Written submission* (4 and 7 February 2022). See also LeMamea Mathew Mualia, "Are we community pharmacists not classified as essential frontline workers?" *Samoa Observer Letter to the Editor* <https://www.samoobserver.ws/category/letters/94751>.

¹⁴⁸ Government of Samoa, *State of Emergency Order No. 76*, <https://www.samoagovt.ws/wp-content/uploads/2022/04/order-76.pdf>.

¹⁴⁹ Government of Samoa, *State of Emergency Order No. 77*, <https://www.samoagovt.ws/wp-content/uploads/2022/05/order-77.pdf>.

¹⁵⁰ Government of Samoa, *State of Emergency Order No. 78*, <https://www.samoagovt.ws/wp-content/uploads/2022/05/Order-78.pdf>.

¹⁵¹ Special Announcement by the Hon. Prime Minister, Fiame Naomi Mataafa: Next Steps For COVID-19 Alert Levels In Samoa (16 May 2022), <https://www.samoagovt.ws/2022/05/special-announcement-by-the-hon-prime-minister-fiame-naomi-mataafa-next-steps-for-covid-19-alert-levels-in-samoa-16th-may-2022/>.

¹⁵² NHRI Samoa, *SHRR 2022 community consultations* (14 and 16 March 2022).

¹⁵³ NHRI Samoa, *SHRR 2022 community consultations – youth Upolu* (16 March 2022).

¹⁵⁴ Government of Samoa, *State of Emergency Order No. 76*, <https://www.samoagovt.ws/wp-content/uploads/2022/04/order-76.pdf>.

¹⁵⁵ Government of Samoa, *State of Emergency Order No. 77*, <https://www.samoagovt.ws/wp-content/uploads/2022/05/order-77.pdf>.

na ‘ave’esea ai le fa’atapula’aina o tagata i potopotoga; peita’i, e tatau ona tausisia aiaiga mo le soifua mālōlōina, e aofia ai le faia o tali fofoga ma le nonofo/tutū vāvāmamao.¹⁵⁶

E pei fo’i o le sa’olotoga o le fegāsoloa’i, e tatau i le Mālō ona mautinoa e matuā mana’omia, e fuafua fa’atatau lelei ma e lē fa’ailoga tagata ni tāofiofiga o le sa’olotoga o fa’apotopotoga ma fa’alāpotopotoga.

d) Sa’olotoga o manatu ma le fa’aaliga o tāofi ma le mauaina o fa’amatalaga

Ua tula’i mai i le fa’ama’i ni lu’i tetele e feso’ota’i ma le sa’olotoga o manatu ma le fa’aaliga o tāofi i Sāmoa. O ni isi o ia lu’i e aofia ai le mauaina o fa’amatalaga; mauaina o feso’ota’iga i le initaneti; puipuiga ma le una’iina o auala o fa’asalalaua; fa’amatalaga taufa’asesē e uiga i le soifua mālōlōina o tagata lautele; ma fa’amatalaga ma fa’amaumauga o le soifua mālōlōina o tagata lautele.¹⁵⁷

i. Mauaina o fa’amatalaga

E anoanoa’i fa’amatalaga fa’avāomālō ua fa’amamafaina ai le tāua o le mauaina o fa’amatalaga i taimi o le fa’ama’i o le KOVITI-19. Ua fa’amauina e le Failautusi Aoao o Mālō Aufa’atasi le mana’oga ina ia “sa’oloto ma vave le fefa’asoa’iga o fa’amatalaga moni ma sa’o, fa’apea fa’amaumauga ua tu’uvaega”, e aofia ai le mafai ona iloilo ma taga’i i itū lelei ma ni vāivaiga o auala fa’atino e le mālō e tali atu ai i le fa’ama’i.¹⁵⁸

O se tali atu i le KOVITI-19 e āmanaia ai aiā tatau a tagata soifua, e tatau ona fa’amautinoa e sa’o ma aofia ai fa’amatalaga aupito lata mai e uiga i le siama, mauaina o ‘au’aunaga, motusia o ‘au’aunaga, fa’apea isi itū o le tali atu i le fa’ama’i, mo le silafia e le atunu’u ma ia mafai ma faigōfie ona maua e tagata uma ia fa’amatalaga.¹⁵⁹

‘Olo’o āmana’ia i le Feagaiga Fa’avāomālō i Aiā Tatau i le Vā ma isi Tagata ma Aiā Tatau tau Upufai o mālō le tāua o le aiā tatau e sa’ili, mauaina ma fa’ailoa atu fa’amatalaga.¹⁶⁰ O lenei aiā tatau e āfua mai ai le matāfaio a mālō ina ia lē nofoa’i, a ia mata’alia i le fa’ailoa atu o fa’amatalaga, e aofia ai fa’amatalaga o vaega ‘autū e feso’ota’i ma le soifua mālōlōina i taimi o fa’alavelave fa’afuase’i ma fa’alavelave mātuiā.¹⁶¹

E leai se isi taimi e sili atu le tāua mo le mafai ona mauaina o fa’amatalaga, nai lō le taimi ua fa’atino ai fa’ai’uga tāua e a’afia ai le soifua, auala o le tausiga o le ōlaga o tagata ma o latou sa’olotoga. O le māfua’aga lea e matuā tatau ai lava ona tausisia le aiā tatau i le mauaina o fa’amatalaga, i tulaga uma e mafai ai, a o feagai pea ma taimi o fa’alavelave fa’afuase’i e pei o lenei fa’ama’i.

¹⁵⁶ Government of Samoa, *State of Emergency Order No. 78*, <https://www.samoagovt.ws/wp-content/uploads/2022/05/Order-78.pdf> and Government of Samoa, *State of Emergency Order No. 79*, <https://www.samoagovt.ws/wp-content/uploads/2022/05/order79.pdf>.

¹⁵⁷ See also John Kaye, *Disease pandemics and the freedom of opinion and expression*, Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (A/HRC/44/49) [EN/AR/RU/ZH], https://reliefweb.int/attachments/65e88631-37ce-3839-88c4-7506c3f98cfc/A_HRC_44_49_E.pdf.

¹⁵⁸ United Nations, *COVID-19 and Human Rights: We are All in This Together*, April 2020, https://www.un.org/sites/un2.un.org/files/un_policy_brief_on_human_rights_and_covid_23_april_2020.pdf.

¹⁵⁹ Human Rights Watch, *Human Rights Dimensions of COVID-19 Response*, March 2020, https://www.hrw.org/sites/default/files/supporting_resources/202003covid_report_0.pdf, p.4.

¹⁶⁰ ICCPR, Article 19.

¹⁶¹ See UNESCO, *The Right to Information in Times of Crisis: Access to Information – Saving Lives, Building Trust, Bringing Hope!* https://en.unesco.org/sites/default/files/unesco_ati_iduai2020_english_sep_24.pdf.

O taimi o fa'alavelave fa'afuase'i tau le soifua mālōlōina o tagata lautele, e iai le aiā tatau a tagata lautele i le mauaina pea o fa'amatalaga e tonu, manino ma fa'avae i fa'amatalaga fa'asaienisi, e uiga i le lamatiaga o lo latou soifua mālōlōina mai le KOVITI-19, le sao ma taunu'uga o auala ua fa'atino mo le puipuiga ma le tāofiofiga o le salalau o le fa'ama'i. E fa'apea fo'i auala e tatau ona fa'atino e tagata lautele, mo le puipuiga, fa'apea fa'amatalaga e uiga i le lautele o le salalau o le fa'ama'i.¹⁶²

E tatau i Mālō ona mata'alia i le lipoti au'ili'iliina o taunu'uga o le fa'ama'i ma tupe fa'aaogāina mo tulaga o fa'alavelave fa'afuase'i, ma fa'atinoina ia i se auala e mafai ona mauaina ai e tagata uma e ma'ale'ale le tulaga, e tusa ma fa'atinoga aupito lelei fa'avāomālō.¹⁶³

Ua mae'a ona sainia ma ua 'avea Sāmoa o se Mālō 'Auai i le Feagaiga Fa'avāomālō i Aiā Tatau i le Vā ma isi Tagata ma Aiā Tatau tau Upufai o mālō.¹⁶⁴ Ona o ia o se Mālō 'Auai, e tatau i le Mālō ona fa'amautinoa e faifaipea ona maua e tagata o le atunu'u fa'amatalaga tonu, lautele ma au'ili'ili, fa'avae i fa'amatalaga fa'asaienisi, i se taimi vave, e uiga i le lamatiaga mai le KOVITI-19, mo se māmalamaga ma le tali atu i le KOVITI-19. O nei fa'amatalaga e tatau ona aofia ai fa'amatalaga e uiga i tāofiofiga o iai, tui puipui, a'afiaga ona o le fa'ama'i, fa'apea tupe fa'aaogā i le tulaga o fa'alavelave fa'afuase'i.¹⁶⁵ O le mauaina o nei fa'amatalaga, e fesoasoani lea i le fa'amautinoaina o le silafia e le atunu'u ma le fa'atuatuaina o fa'atinoga. E mafai ai fo'i ona faia fa'ai'uga fa'avae lelei, fa'afetaia'i fa'amatalaga sesē, una'ia le mafai ona tali atu o le mālō, fa'apea le ātina'ega ma le mātā'itūina o le fa'atinoga o faiga fa'avae mo le fō'ia o le fa'ama'i

E ui ina fa'ailoa mai e le to'atele na 'auai i fefa'asoa'iga i nu'u ma afio'aga na talafeagai ma aogā fa'amatalaga na tu'uina atu, e tele popōlega na lāgā, aemaise lava mai i folasaga tusitusia na fa'ao'o mai. O ia popōlega e aofia ai le fesuisuia'i ma le lē sa'o o fa'amatalaga i taimi na fa'atinoina ai sã.

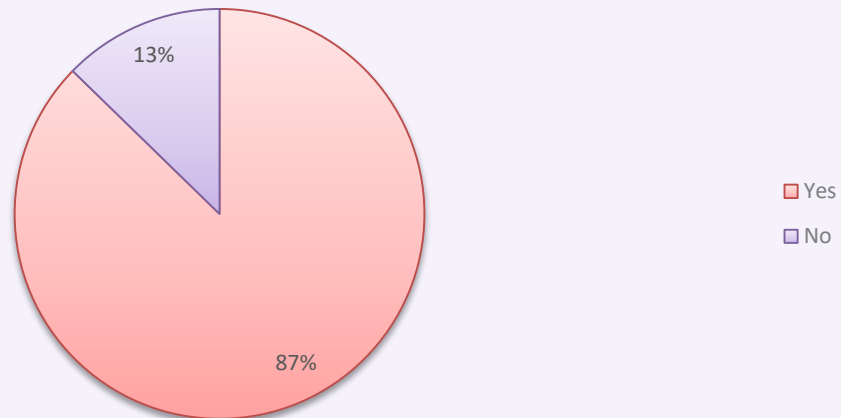
¹⁶² Press Statement on Human Rights Based Effective Response to the Novel COVID-19 Virus in Africa, 24 March 2020, <https://www.achpr.org/pressrelease/detail?id=483>.

¹⁶³ Inter-American Commission on Human Rights, Resolution No. 1/2020, note 28, cited in UNESCO, *The Right to Information in Times of Crisis: Access to Information – Saving Lives, Building Trust, Bringing Hope!* https://en.unesco.org/sites/default/files/unesco_ati_iduai2020_english_sep_24.pdf.

¹⁶⁴ Samoa ratified and became a party to the ICCPR in 2008 which Article 19 provides for freedom of expression which the right to information i.e. the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

¹⁶⁵ See Article 19, *Ensuring the Public's Right to Know in the COVID-19 Pandemic*, https://www.article19.org/wp-content/uploads/2020/05/Ensuring-the-Publics-Right-to-Know-in-the-Covid-19-Pandemic_Final-13.05.20.pdf.

Talafeagai ma le aogā o fa'amatalaga tu'uina mai e le Mālō



a) Talafeagai ma le aogā o fa'amatalaga tu'uina mai e le Mālō

E tasi le folasaga na fa'apea mai na lava fa'amatalaga na fa'asoa mai e le Mālō ma o se tulaga lelei, na 'ese'ese auala na fa'ailoa mai ai ia fa'amatalaga.¹⁶⁶ O se Su'esu'ega o A'afiaga o le Soifuaga Lautele ma le Tamāō'āga na fa'atino i le 2020 e iloilo ai taunu'uga o le fa'ama'i o le KOVITI-19 i Sāmoa, na fa'amati'e ai, "o le to'atele o tagata i Sāmoa na lelei lo latou mālalamalama i matā'upu tula'i mai e feso'ota'i ma le KOVITI-19 ma lona salalau. Na fa'alagolago tagata i televise, initaneti/ala o feso'ota'iga a tagata (social media) fa'apea leitiō, e maua mai ai fa'amatalaga".¹⁶⁷

'Olo'o mata'alia le Mālō i le fa'asoaina mai o fa'amatalaga e uiga i fa'atinoga o fa'alavelave fa'afuase'i ma le fa'agāsologa o tui puipui. Na lautele ma 'olo'o lautele pea le fa'asalalauina o fa'amatalaga e uiga i le KOVITI-19, e ala mai i le itūlau aloa'ia a le Matāgaluega i le Facebook¹⁶⁸ ma lana upega tafā'ilagi¹⁶⁹, le itūlau aloa'ia a le Mālō o Sāmoa i le Facebook, fa'apea le itūlau o le Novel Coronavirus i lana upega tafā'ilagi¹⁷⁰. Na fa'asalalauina ma 'olo'o fa'asalalauina pea fa'atinoga e feso'ota'i ma le KOVITI-19 i auala 'ese'ese o televise ma leitiō.

FA'AMATALAGA FA'AMĀLAMALAMA: FESO'OTA'IGA A LE MATĀGALUEGA O LE SOIFUA MĀLŌLŌINA I TAIMI O FA'ALAVELAVE FA'AFUASE'I

1. Feso'ota'iga i le la'asaga fa'aleatunu'u

O taimi o se fa'alavelave fa'afuase'i, 'āfai e fa'asilasila aloa'ia se fa'alavelave fa'afuase'i tau soifua mālōlōina o tagata lautele po o se fa'ama'i, 'ole'ā tau'aveina loa e le Komiti Faufautua mo Fa'alavelave Mātuiā fa'atinoga uma. O lenei faiga e mafai ai e le mālō, e ala atu i le Matāgaluega a le Palemia ma le Kapeneta, e galulue fa'atasi ma le Matāgaluega o Feso'ota'iga ma Fa'amatalaga Televavave Fa'aonapōnei, ona tau'ave le matāfaioi o feso'ota'iga i le la'asaga fa'aleatunu'u fa'apea feso'ota'iga fa'avāomālō.

¹⁶⁶ NHRI Samoa, *SHRR 2022 consultations with CSOs/NGOs* (24 February 2022).

¹⁶⁷ UN Resident Coordinator Office, *Samoa COVID-19 Socio-Economic Impact Assessment: Key Findings*, (August 2021)

https://samoa.un.org/sites/default/files/2021-09/Samoa%20SEIA%20Key%20Findings%20v10_Final%20%28Sep%202021%29.pdf,

p.2. The survey data collection was conducted from August to October 2020 and collected information from 22,774 households across the country.

¹⁶⁸ See Samoa Ministry of Health official Facebook page: <https://www.facebook.com/healthsamoa>.

¹⁶⁹ See Samoa Ministry of Health official website: <https://www.health.gov.ws/covid-19/>.

¹⁷⁰ See Government of Samoa, *Novel Coronavirus COVID-19 webpage*, <https://www.samoagovt.ws/category/novel-coronavirus-covid-19/>.

Ina ia mautinoa e sa’o ma lē fesuisuia’i fa’amatalaga e tu’uina atu, po o ai lava e fa’atatau i ai, ‘ole’ā fa’afae ma māta’itū nei fa’amatalaga uma. O le afioga a le Palemia, o le Ta’ita’ifono fo’i lea o le Fono mo Fa’alavelave Mātuiā, o le fofoga lea o le mālō.

O le tula’i mai o ni ma’i pipisi i se tulaga e lē o se fa’ama’i ua a’afia ai le lalolagi, o le Vaega o le Soifua Mālōlōina o Tagata Lautele o le Matāgaluega o le Soifua Mālōlōina, o i latou ia e nafa ma feso’ota’iga ma le atunu’u lautele, tagata faigaluega tau soifua mālōlōina, ma isi pā’aga galulue, fa’apea auala o fa’asalalauga.

O ia tulaga, o le Matāgaluega o le Soifua Mālōlōina po o se tagata e tōfia, o ia lea e fai ma fofoga o le matāgaluega. E iai le manatu ‘ole’ā fa’apea ona fa’aaau le matāfaioi a le Vaega o le Soifua Mālōlōina o Tagata Lautele mo fa’asalalauga o fa’amatalaga mo le atunu’u lautele, auala o fa’asalalauga ma pā’aga ‘autū, i taimi o fa’ama’i pepesi i totonu o le atunu’u ma fa’ama’i pepesi ua a’afia ai le lalolagi.

2. Feso’ota’iga i le la’asaga o vaega (sectoral level)

I le la’asaga o le vaega o le soifua mālōlōina lava ia, o le Matāgaluega o le Soifua Mālōlōina o le fofoga ‘autū lea i la’asaga uma o le fa’ama’i o le fulū ma o i latou ia e sāunia fe’au tau soifua mālōlōina mo le fa’asalalauga atu i le atunu’u lautele ma fa’apea ona fa’aaau ai le ‘avea ma auala o fa’asoaina atu ai fa’amatalaga tau fa’ama’i pesi i le atunu’u/lalolagi i le vaega o le soifua mālōlōina.

Ua mae’a ona ātina’e e le Vaega o le Soifua Mālōlōina o Tagata Lautele o le Matāgaluega o le Soifua Mālōlōina se Fuafuaga o Feso’ota’iga o Lamatiaga o le Soifua Mālōlōina o Tagata Lautele, e ta’iala ai le fa’atinoga o feso’ota’iga ae le’i tula’i mai, taimi o fa’ama’i ma taimi ua mavae atu se fa’ama’i.

3. Feso’ota’iga i nu’u ma afio’aga

O le la’asaga o nu’u ma afio’aga, e galulue fa’atasi le Matāgaluega o le Soifua Mālōlōina, Matāgaluega o Tinā ma Tama’ita’i, Ātina’e o Nuu ma Afio’aga ma Agafeto’ota’i ma le Matāgaluega o Ā’oga, Ta’aloga ma Aganu’u mo le fa’atinoina o fa’amatalaga fa’atupu silafia ina ia si’itia le māmamalama o tagata i nu’u ma afio’aga, ma ā’oga, i lamatiaga, puipuiga ma le tāofiofiga o le fa’ama’i o le fulū. E aofia ai i lenei galuega le fa’asalalauga atu o fa’amatalaga e uiga i taunu’uga o fa’ama’i i totonu o le atunu’u ma fa’ama’i ua a’afia ai le lalolagi, i le tulaga mālōlōina o le māfaufau ma puipuiga (ft., si’itia o sāuāga i totonu o ‘āiga, lagona o le popole), ma nofoaga e fa’afeso’ota’i mo se fesoasoani (ft., au’ili’iliga o Sāuāga Fa’avae i Itūpā), puipuiga o tamaiti, telefoni fa’afeso’ota’i i matā’upu o le pule i le ola, ma fesoasoani feso’ota’i ma le mālōlōina o le māfaufau.

Source: The Ministry of Health, National Epidemic and Pandemic Preparedness and Response Plan Financial Year 2020/21 – FY2024/25 (National Pandemic Plan) pp. 43-45.

b) Lē lelei ma fesuisuia’i fa’amatalaga fa’asoa mai e le Mālō

E ui i fa’amatalaga ua tā’ua i luga, na iai fa’afitāuli na tula’i mai e uiga i le sa’o, lautele, alatutusa ma taimi e maua ai fa’amatalaga na fa’asoa mai e le Mālō, na fa’atupu ai le popole ma le fenunia’i o ni tagata. O nei popōlega na lāgā i fefa’asoa’iga ma Fa’alāpotopotoga a Tagata Lautele ma Fa’alāpotopotoga Tūma’oti, fa’apea ni fa’aseā na fa’ao’o mai i le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua. E tele fo’i lipoti i ala o fa’asalalauga na fa’amati’e ai nei popōlega.¹⁷¹

¹⁷¹ Ganasavea Manuia Tafeaga, “Public Confused Over SOE Orders Prohibiting Road Travel after 2pm”, *Samoa Global News* (6 April 2022), <https://samoaglobalnews.com/public-confused-over-soe-orders-prohibiting-road-travel-after-2pm-level2/?fbclid=IwAR0zZKvXPEpEXtDJeVZS2BUEm7JRYeolRDYsUx2SyAGcOFdgG3UCLmUIUQ>; Ganasavea Manuia Tafeaga and Julius Netzler, “Government Clarifies – Permitted Road Hours same as Opening Hours, Services to Close Early and Allow Workers to Get Home”,

O se tasi o matā'upu 'autū na fa'aleoina i taimi o fefa'asoa'iga iā Mati 2022, ma fa'amati'eina i folasaga na tu'uina mai, o le lē alatutusa ma le nunumi o feso'ota'iga mai le Mālō, e uiga i Tulafono o Poloa'iga o Fa'alavelave Fa'afuase'i ma fa'aaliga e uiga i le fa'agāsologa o tui puipui. O se fa'afitāuli tele lea na tula'i mai, aemaise lava i le ulua'i sã iā Ianuari 2022.¹⁷²

Na fa'alētonu feso'ota'iga mai le Matāgaluega o le Soifua Mālōlōina. O le tele o fa'amatalaga e fete'ena'i ma e le'i lelei le fa'a'upuina ina ia fesoasoani i tagata ia mālamalama ft., o le itū i le mafai ona o'atu i le falema'i, o le manatu o mātua e lē mafai ona 'ave tamaiti i le falema'i pe 'āfai e mama'i. E iai fo'i tagata na manatu fa'ato'ā mafai ona o' i falema'i pe 'āfai ua o'o i se tulaga o se fa'alavelave fa'afuase'i ma o le manatu, e lē aofia le talaina o fuālā'au o se tulaga o se fa'alavelave fa'afuase'i. Peita'i, o le lē inuina o fuālā'au fa'atonuina e mafai ona i'u i se tulaga o se fa'alavelave fa'afuase'i talu ai 'ole'ā maualuga atu le lamatiaga o ma'i fatu ma ālātoto e i'u ina maliu ai.¹⁷³

Na toe lāgā fo'i lenei matā'upu i le tula'i mai o le sã lonalua iā Mati 2022. E to'atele tagata na fa'aalia le lē fiafia i le lē lelei ma lē manino o feso'ota'iga mai le Mālō, aemaise lava i le tulaga o le la'asaga o fa'alavelave fa'afuase'i ua se'e atu i ai le atunu'u.¹⁷⁴

Na lāgā fo'i popōlega e uiga i le leai o ni fa'amatalaga e uiga i ni faiga po o ni fa'agāsologa na fa'aaogā e le Mālō mo lana va'aiga i le lumana'i i le salalau o le fa'ama'i, fa'apea le aogā lelei o tui puipui.

E matuā lē lava lava, pe leai fo'i ni fa'amatalaga e uiga i ni faiga po o manatu na fa'aaogā e fau ai va'aiga i le lumana'i e uiga i le salalau o le fa'ama'i po o isi va'aiga tau soifua mālōlōina, fa'apea le aogā o tui puipui.¹⁷⁵

Pau fa'amatalaga na maua o fa'amatalaga i le faiga o tui puipui, ae la'itiiti pe leai fo'i se fa'amatalaga e uiga i ni a'afiaga po o isi āuga e tutupu i le faiga o tui puipui m.m.f. O fa'amatalaga fa'apea e fesoasoani i tagata i le faiga o a latou filifiliga ma le mālamalama. E tatau ona silafia e le Matāgaluega o le Soifua Mālōlōina mea 'olo'o tutupu i isi vaega o le lalolagi i le KOVITI-19 talu ai, 'olo'o iai suiga i aso ta'itasi, ma e tatau ai ona fa'aopoopo ia fa'amatalaga fou i a latou fa'amaumauga.¹⁷⁶

O fefa'asoa'iga ma Fa'alāpotopotoga a Tagata Lautele/Fa'alāpotopotoga Tūma'oti na tula'i mai ai ni vaega e taga'i i ai le Mālō e uiga i le fefa'asoa'iga o fa'amatalaga, e aofia ai le mana'oga mo le mālō

Samoa Global News (7 April 2022) https://samoaglobalnews.com/government-notice-clarifies-permitted-road-hours-same-as-opening-hours-services-told-to-close-early-and-allow-workers-to-get-home1/?fbclid=IwAR38SGvaBWRM3WCh6nlkfdkNRzYv5h66TaCO5zyKk1MQvZK_NI2-8pxSngQ.

¹⁷² NHRI Samoa, SHRR 2022 Community consultations (14 and 16 March 2022).

¹⁷³ Dr. Malama Tafuna'i, Written submission (4 and 7 February 2022).

¹⁷⁴ See Ganasavea Manuia Tafeaga, "Public Confused Over SOE Orders Prohibiting Road Travel after 2pm", Samoa Global News (6 April 2022), <https://samoaglobalnews.com/public-confused-over-soe-orders-prohibiting-road-travel-after-2pm-level2/?fbclid=IwAR0zKvXPEpEXtDJeVZS2BUEm7JRYeolRDYsUx2SyAGcOFdgG3UCLmuiUQ>.

¹⁷⁵ There have been several complaints lodged with the Office on such issues. On File.

¹⁷⁶ Daniel, Written submission (14 January 2022).

ina ia sa’o ma vave ona tu’uina mai ia fa’amatalaga.¹⁷⁷ E lē gata i lea, na fa’aalia i fefa’asooa’iga i nu’u ma afio’aga, “e mana’omia le tasi o le leo mo le tu’uina mai o fa’amatalaga ma fa’atonuga. E iai taimi e saunoa ai le Palemia, ae ‘ese se saunoaga e sau mai se isi Minisitā. E tāua le tasi o le leo e fa’alogo i ai.”¹⁷⁸

O le tula’i mai o matā’upu e pei ona tā’ua i luga, e tatau ai i le Mālō ona fa’amautinoa e fa’aauau le tapu’eina o auala o le fefa’asooa’iga o fa’amatalaga ma le manino i lana tali atu i le fa’ama’i o le KOVITI-19 i Sāmoa, ina ia manino ma lelei le mālamlamaga o tagata o le atunu’u.

PUNA’OA: TA’IALA O LE MATA’ALIA I LE FA’AILOA ATU O FA’AMATALAGA I TAIMI O LE KOVITI-19

E iai fa’alāpotopotoga fa’avāomālō a tagata lautele ua o latou ātina’eina ni ta’iala e patino i le mata’alia o le fa’ailoaina atu o fa’amatalaga i taimi o le fa’alavelave tau soifua mālōlōina ua tula’i mai nei, o le KOVITI-19:

Soifua mālōlōina

- Fa’amaumauga o le KOVITI-19 ua tu’uvaega i tagata ua a’afia, tagata māliliu ma su’ega ua fa’atinoina.
- Fa’amatalaga e uiga i falema’i ma ‘au’aunaga o tausiga tau soifua mālōlōina, ‘oloa mo le fa’atinoga o galuega ma le tulaga o le gafatia e ‘au’aunaga o galuega fa’atino.
- Auala ma manatu fa’avae ‘olo’o fa’aaogā e fau ai va’aiga i le lumana’i o le salalau o le fa’ama’i fa’apea isi va’aiga āga’i i le lumana’i tau soifua mālōlōina.
- Fa’amatalaga e uiga i le aogā lelei o tui puipui (e aofia ai ni a’afiaga e ono iai) po o ni togafitiga fa’ata’ita’i ‘olo’o fa’atinoina.
- Fuafuaga mo fa’alavelave tutupu fa’afuase’i ma ni isi tulaga e le’i fuafuaina.

Matāgaluega a le Mālō

- Fa’amatalaga i fa’agāoioiga o galuega, polōketi ma ala e fa’afeso’ota’i atu ai i le taimi o le fa’ama’i.
- Suiga o le ‘aufaigaluega ona o le fa’ama’i.
- ‘Au’aunaga a le mālō ua tāofia mo se taimi po o ‘au’aunaga ‘olo’o maua pea i le taimi o le fa’ama’i.

Tupe

- Fa’amatalaga au’ili’ili o fa’atatauga o tupe ma tupe ua fa’aaogāina i le tali atu i le fa’ama’i.
- Fa’amatalaga au’ili’ili o konekarate ma le fa’atatauga o ‘oloa ma ‘au’aunaga.
- Fa’agāsologa o tauofoga i le taimi o le fa’alavelave fa’afuase’i, aemaise lava mo ‘oloa ma meafaigaluega mana’omia.
- Fa’amatalaga o ni fa’atatauga o tupe mo fa’alavelave fa’afuase’i ma ni nonōgātupe po o ni tupe fa’ameaalofa mai ona o le fa’ama’i.
- Fa’amatalaga o le va’ava’aiga, mātā’itūina ma le su’ega o tusi o le fa’aaogāina o fa’atatauga o tupe.

Tulafono ma aiā tatau a tagata soifua

¹⁷⁷ Goshen Mental Health Trust, *Written submission* (24 February 2022).

¹⁷⁸ NHRI Samoa, *SHRR 2022 community consultations – women focus groups Upolu and Savaii* (14 and 16 March 2022).

- Fa'amatalaga e uiga i tulafono, tulafono fa'atonutonu ma faiga fa'avae e feso'ota'i ma le fa'ama'i, aemaise lava i tulaga ua suia ai fa'agāsologa māسانی po o matā'upu e tāua mo le manuia o tagata lautele.
- Fa'amatalaga e uiga i taunu'uga mo aiā tatau a tagata soifua o faiga fa'avae mo le KOVITI-19, e aofia ai fa'amatalaga o mōliaga ma fa'asalaga i lalo o tulafono o le KOVITI-19.
- Fa'atinoga ua faia e tali atu ai i fa'amatalaga taufa'asesē/tala fatu.
- Fa'amatalaga e uiga i le fa'aaogāina o polokalame komepiuta e mātāu ai tagata na ono iai ni feso'ota'iga po o tagata ta'ito'atasi i nofoaga o le fa'anofosea, e aofia ai iloiloga mo le pui puiga o fa'amaumauga.
- Faiga fa'avae ma fa'amatalaga e fa'asino tonu i vaega patino o tagata e ma'ale'ale le tulaga.
- Fa'amaumauga ma puna'oa mo sātāua fa'alōtoifale.

Maua mai I le: Taken directly from UNESCO, *The Right to Information in Times of Crisis: Access to Information – Saving Lives, Building Trust, Bringing Hope!* Issue brief in the UNESCO series: *World Trends in Freedom of Expression and Media Development*, <https://unesdoc.unesco.org/ark:/48223/pf0000374369>, p. 8.

ii. Aiā tatau i tekonolosi 'eletroni

O le mauaina o le initaneti ma le mālamalama i tekonolosi 'eletroni o 'oloa mo tagata lautele, ma e tatau ona 'avea le mauaina o feso'ota'iga lelei, o se 'au'aunaga mana'omia.¹⁷⁹

Ua fa'ateteleina le tāua o 'au'aunaga tau tekonolosi 'eletroni i taimi o sātā ma vavao, ma āga'i atu ina fa'aopoopoina le to'atele o tagata e galulue i 'āiga e lē o'o i ofisa, o se vaega o le tali atu mai le itū o le soifua mālōlōina o tagata lautele.¹⁸⁰ O le tulaga lea na o'o i ai Sāmōa i taimi e lua na fa'atino ai sātā mo le atunu'u 'ātoa. E ui ina ua fa'amatu'u 'ese isi tapula'a ma ua taga ona toe fo'i le 'aufaigaluega a le mālō i ofisa, 'olo'o iai pea tagata 'olo'o fa'aauau le galulue mai 'āiga, e fa'aaogā ai feso'ota'iga i le initaneti.¹⁸¹ O le tāpunia fo'i o ā'oga na i'u ai ina fa'aaogā e tamaiti le initaneti ma televise mo a'oa'oga.

E iai se kamupanī o feso'ota'iga fa'atekonolosi na fa'ailoa mai le si'i maualuga o le fa'aaogāina o le initaneti aemaise lava i taimi na fa'asā ai le fegāsoloa'i.¹⁸²

E ui ina fa'ateleina le fa'aaogāina o le initaneti, na fa'amati'e e le fa'ama'i le lē tutusa o avanoa o tagata e maua ai tekonolosi 'eletroni. E telē le 'ese'esega o le tulaga lelei o feso'ota'iga e mana'omia e le tele o galuega ma ā'oga. E to'atele i latou na fa'afeso'ota'i i taimi o fefa'asoa'iga na fa'ailoa mai le lē mafai ona maua feso'ota'iga i le initaneti, fa'apea fo'i puna'oa e pei o komepiuta, na fa'alavelaveina ai a'oa'oga mo tamaiti, aemaise lava i nu'u ma afio'aga taumamao mai taulaga.¹⁸³ Na fa'apēnā fo'i ona

¹⁷⁹ Oxfam, COVID-19 and Human Rights: States' obligations and businesses' responsibilities in responding to the pandemic", *Discussion Paper* (August 2020) <https://oxfamilibrary.openrepository.com/bitstream/handle/10546/621037/dp-covid-19-human-rights-principles-070820-advance-en.pdf?sequence=4>, p.37.

¹⁸⁰ Oxfam, COVID-19 and Human Rights: States' obligations and businesses' responsibilities in responding to the pandemic", *Discussion Paper* (August 2020) <https://oxfamilibrary.openrepository.com/bitstream/handle/10546/621037/dp-covid-19-human-rights-principles-070820-advance-en.pdf?sequence=4>, p.37.

¹⁸¹ Government of Samoa, *State of Emergency Order No. 77*, <https://www.samoagovt.ws/wp-content/uploads/2022/05/order-77.pdf>; Government of Samoa, *State of Emergency Order No. 79*, <https://www.samoagovt.ws/wp-content/uploads/2022/05/order79.pdf>.

¹⁸² Digicel Samoa.

¹⁸³ NHRI Samoa, SHRR 2022 community consultations – Savaii youth focus group (14 March 2022). See discussion on impact on the 'Right to education' of children and measures imposed by Government to address issues including internet access (**Part 3(2)(c)**).

feagai isi falefaigaluega ma fa'afitāuli o le lē lelei o feso'ota'iga tau initaneti i 'āiga o isi tagata faigaluega ma a'afia ai fo'i le tu'uina atu o 'au'aunaga i le atunu'u lautele.

O se fa'aaliga mai le Ofisa o le Pule Fa'atonu, e ui ina na'o le fā fa'aseā aloa'ia na taunu'u atu i le vaitaimi o Ianuari-Mati 2022 e uiga i 'au'aunaga tau initaneti, na mātauina le tele o faitioga a le atunu'u i luga o le Facebook aemaise lava i taimi o sā iā Ianuari ma Mati 2022. O faitioga na fa'atatau i itū nei:¹⁸⁴

- Telegese le initaneti
- Ua uma tupe na totogi mo le initaneti (data bundle) ae lē lelei le initaneti e tuai
- E lē mālmalama tagata i fa'amanuiaga e maua i tupe totogi mo le initaneti
- Leaga po o le leai fo'i o se feso'ota'iga. O le tulaga lea na maua i nofoaga e leai se Pou lata ane ona e lē to'atele tagata i lea vaega po ua tele tele lā'au ua pupuni ai auala e maua ai feso'ota'iga.

Na fa'ao'oina aloa'ia atu faitioga i kamupani 'olo'o tu'uina atu 'au'aunaga tau initaneti e taga'i i ai ma sa latou tali.

E ui ina e lē ogaoga le fa'afitāuli lenei i atunu'u e to'atele le faitauaofa'i o tagata, e iloga lava le 'ese'esega o fa'amanuiaga i le vā o tagata e lelei feso'ota'iga tau initaneti ma maua meafaigaluega mana'omia, ma i latou e lē maua ia fa'amanuiaga, (aemaise lava tamaiti i nofoaga taumamao ma taulaga) ma o se popōlega lea e tataua ona fa'atino i ai se galuega ina ia mautinoa e maua e tagata uma fa'amanuiaga o tekonolosi 'eletroni.

iii. Puipuiga ma una'iina o fa'asalalauga

O le tele o atunu'u o le lalolagi e aofia ai Sāmoa, e matuā taua le galuega a fa'asalalauga i le fa'asalalauina atu o fa'amatalaga i le atunu'u e uiga i fa'atinoga a le mālō mo le KOVITI -19 ma fa'amatalaga o tagata ua a'afia m.f.. Ina ia mautinoa e sa'o a latou līpoti, e fa'alagolago tele le 'aufa'asalalau i le Mālō. Peita'i, na lāgā e isi le popōlega e uiga i le fesoasoani atu o le Mālō i le 'aufa'asalalau ma le fa'atautū e tali atu i fesili ma'oti e pei o fesili e uiga i māfua'aga o fa'atinoga ma fa'ai'uga ua faia.¹⁸⁵

Peita'i, o le isi fo'i itū, e to'atele tagata na fa'aali popōlega i le fa'atuatuaina o tusitala, talu ai e iai fa'asalalauga ua 'ese tala e līpotiina mai fa'amatalaga na fa'asalalauina aloa'ia. O tulaga ia ua i'u ai i le fenumia'i ma le fa'asalalauina o fa'amatalaga sesē. O le manatu na fa'aalia e Fa'alāpotopotoga a Tagata Lautele/Fa'alāpotopotoga Tūma'oti i fefa'asoa'iga, e tāua le nafa o le 'aufa'asalalau e fa'amautinoa e sa'o le fa'auigaga o fa'amatalaga i a latou līpoti.¹⁸⁶

Ina ia mautinoa e sa'o fa'amatalaga e tu'uina atu i le atunu'u, e mana'omia le galulue felāta'i o le Mālō ma le 'aufa'asalalau. O le nafa o le 'aufa'asalalau e galulue ina ia mafai ona tali mai le Mālō i ana fa'atinoga e ala i le tu'uina atu o fesili e uiga i māfua'aga e fa'avae ai ana fa'ai'uga, e matuā tāua lea mo le manino o fa'atinoga a le mālō, aemaise lava i tulaga e fa'atapula'a ai aiā tataua ma sa'olotoga o tagata ta'ito'atasi. E tataua fo'i i le 'aufa'asalalau ona faia līpoti sa'o, ma ia mautinoa e fa'amāonia a

¹⁸⁴ Office of the Regulator, response to NHRI Samoa SHRR 2022 consultation queries, 18 April 2022 (email correspondence).

¹⁸⁵ Submitter M, *Verbal communication* (4 March 2022).

¹⁸⁶ NHRI Samoa, *SHRR 2022 CSOs/NGOs consultations*, (24 February 2022). See **Part 4(3)** on 'Business community and the media' regarding the importance of the role of the media and how the media and government can work together.

latou tala ae le'i fa'asalalauina, aemaise lava i matā'upu tau fa'atinoga a le Mālō. E matuā tāua le alatutusa o fe'au mai le 'aufa'asalalau ma le Mālō ina ia 'alofia le sesē o fa'amatalaga e tu'uina atu i le atunu'u.

iv. Fa'amatalaga taufa'asesē e uiga i le soifua mālōlōina o tagata lautele

O se fa'afitāuli tele mo atunu'u o le lalolagi e aofia ai Sāmoa, o fa'amatalaga taufa'asesē ia e uiga i le soifua mālōlōina o tagata lautele. E tele fa'aseā na fa'ao'o mai e tagata i le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua, ma o ia fa'aseā e uiga i fa'amatalaga taufa'asesē tau soifua mālōlōina, e uiga i tui puipui. E to'atele tagata na fa'aalia manatu ma fa'asalalau fa'amatalaga taufa'asesē tau soifua mālōlōina i feso'ota'iga i le initaneti, ua fa'atupu ai le māsosalalo o tagata lautele.

E iai se folasaga na fa'apea mai,

Ou te manatu e to'atele tagata aemaise lava tagata e tete'e i tui puipui, ua fa'aaogāina le fa'ama'i mo politiki ma 'olo'o taumafai e fa'alavelave i taumafaiga a le Mālō e fai tui puipui, e ala i le fa'asalalauina o fa'amatalaga taufa'asesē i auala 'ese'ese e aofia ai feso'ota'iga a tagata i le initaneti. O nei faiga e matuā fuafua lelei. O le to'atele fo'i o ia tagata e mau'oloa o latou 'āiga ma e puipuia mai ni taunu'uga o le fa'ama'i, a o 'āiga e vāivai le tamāo'āiga, o i latou ia e pagātia.¹⁸⁷

E tatau i pūlega a le soifua mālōlōina ona fa'atino auala uma e mafai, e fa'afetaia'i ai fa'amatalaga taufa'asesē tau soifua mālōlōina e ala i le fa'asalalauina o fa'amatalaga e feso'ota'i ma tui puipui fa'apea māfua'aga o fa'ai'uga, e mulimulita'i i fautuaga e fa'avae i fa'amatalaga fa'asaïenisi. E ui ina talia e iai le aiā tatau a tagata uma i le sa'olotoga o le tautala, e tāua fo'i le fa'atino e tagata ta'ito'atasi o o latou tiute i isi tagata, ina ia fa'amautinoa e lē 'avea o latou manatu fa'aalia, e fa'alavelaveina ai taumafaiga mo le manuia o tagata lautele, e pei o le puipuiga o le soifua mālōlōina o tagata mai le āfāina ona o le fa'ama'i.

FA'AMATALAGA FA'AMĀLAMALAMA: FA'AMATALAGA SESĒ, FA'AMATALAGA TAUFA'ASESĒ TAU SOIFUA MĀLŌLŌINA O TAGATA LAUTELE MA AUALA E FA'AFETAIA'I AI

Fa'amatalaga taufa'asesē: o "fa'amatalaga sesē ia e fa'asalalauina ma le mautinoa ma e māsani ona fa'asalalau i se auala fa'ananā (e pei o le fa'asalalauina o fāfātala) ina ia fa'atōsina ai manatu o tagata lautele pe tanumia ai fo'i le meamoni".¹⁸⁸

Fa'amatalaga sesē: o "fa'amatalaga sesē ia e fa'asalalauina, pe iai pe lē iai fo'i se fuafuaga e taufa'asesē."¹⁸⁹

Ua 'avea ma 'olo'o 'avea pea o se fatiātāma'i i le tali atu i le KOVITI-19 fa'amatalaga sesē ma fa'amatalaga taufa'asesē tau soifua mālōlōina, ua tupu ai le popole, lē mautonu ma le māsosalalo i le tele o tagata. Ua 'avea lea o se lu'i mo Mālō i a latou taumafaiga e fa'atino auala o le puipuiga.

Mo le fa'afetaia'iga o fa'amatalaga taufa'asesē ma fa'amatalaga sesē, e tāua i tagata o le atunu'u ona sa'ili i taimi uma i auala aloa'ia mo fa'amatalaga aupito talafeagai, fa'atuatuaina ma aupito lata

¹⁸⁷ BC, *Written submission*, (4 and 8 February 2022).

¹⁸⁸ Merriam-Webster, "disinformation", <https://www.merriam-webster.com/dictionary/disinformation>, accessed 1 June 2022.

¹⁸⁹ Dictionary.com, "Misinformation vs. Disinformation: Get Informed on the Difference", 15 May 2020, <https://www.dictionary.com/e/misinformation-vs-disinformation-get-informed-on-the-difference/>.

mai. E tatau fo’i i le Mālō ma le pūlega o le soifua mālōlōina ona fa’atino la’asaga uma ina ia mautinoa e lagolagoina e su’esu’ega ma molimau fa’atuatua ina fa’amatalaga uma e fa’asalalauina atu i le atunu’u. E lē gata i lea, e tatau fo’i ona fa’asalalauina māfua’aga e fa’avae ai fa’ai’uga.

O auala ‘autū e maua ai fa’amatalaga aloa’ia mai le Mālō e uiga i le KOVITI-19 i Sāmoa, e aofia ai:

1. Itūlau o le Government of Samoa Novel Coronavirus i le upega tafā’ilagi a le Mālō <https://www.samoagovt.ws/cate.../novel-coronavirus-covid-19/> e maua uma ai fa’amatalaga aupito lata mai e uiga i fa’atinoga a le mālō e feso’ota’i ma le KOVITI-19
2. Itūlau aloa’ia a le Mālō i le Facebook <https://www.facebook.com/samoagovt> e maua ai tala aupito lata mai e uiga i fa’atinoga o Poloa’iga o Fa’alavelave Fa’afuase’i ma isi fa’amatalaga tāua e uiga i le KOVITI-19
3. Matāgaluega o le Soifua Mālōlōina mo fa’amatalaga e uiga i fa’atinoga mo le KOVITI-19 i le <https://www.health.gov.ws/covid-19/>
4. Itūlau aloa’ia i le Facebook a le Matāgaluega o le Soifua Mālōlōina <https://www.facebook.com/healthsamoa> e maua ai fautuaga ma fa’amatalaga aupito lata mai mo le atunu’u lautele

O isi auala tāua e maua ai fa’amatalaga fa’avāomālō e uiga i fa’atinoga mo le KOVITI-19 e aofia ai a’afiaga o aiā tatau ma sa’olotoga o:

1. OHCHR and COVID-19, COVID-19 Guidance: <https://www.ohchr.org/en/covid-19/covid-19-guidance>
2. COVID-19 and Human Rights Treaty Bodies: <https://www.ohchr.org/en/treaty-bodies/covid-19-and-human-rights-treaty-bodies>
3. World Health Organization website on COVID-19: https://www.who.int/health-topics/coronavirus#tab=tab_1 and <https://www.who.int/emergencies/diseases/novel-coronavirus-2019> and Facebook page: <https://www.facebook.com/WHO/>

v. Māta’itūina o le soifua mālōlōina o tagata lautele, aiā tatau i mea patino i le tagata ma le malu o fa’amaumauga tau soifua mālōlōina

a) Māta’itūina o le soifua mālōlōina o tagata lautele ma tekonolosi mo le sāliliga o tagata na latalata i se tagata ua pēsia

E ui ina fesoasoani i le Mālō tekonolosi mo le māta’itūina o le soifua mālōlōina o tagata lautele ma le sāliliga o tagata na latalata i se tagata ua pēsia, i lana fa’atautaiga ma le tāofia o le salalau o le KOVITI-19, ua tūla’i mai ai fo’i popōlega e uiga i fa’amatalaga patino i se tagata ma le fa’afoga o fa’amaumauga o le soifua mālōlōina o tagata.

O avanoa i tekonolosi ‘eletroni, aemaise lava le fa’aaogāina o polokalame e māta’itū ai gāoioiga tagata, e tatau ona fausia ma fa’aaogā ina ia āmana’ia le talitonuga fa’avae, o tagata e ona a latou fa’amaumauga, mea e patino iā i latou, lo latou saogalēmū, mafai ona tali atu, ma le tulaga tutusa.¹⁹⁰

O le itū i le mauaina o avanoa i tekonolosi mo le sāliliga o tagata, na lāgā i fefa’asoa’iga i nu’u ma afio’aga, e to’atele tagata, aemaise lava tagata ua matua le soifua, e lē mauaina nei tekonolosi talu ai, e leai so latou tomai fa’atekonolosi ma e leai ni a latou telefoni pei o ni komepiuta e mafai ona

¹⁹⁰ See for example, Owen Bowcott, “COVID-19 tracking app must satisfy human rights and data laws”, *The Guardian* (3 May 2020) <https://www.theguardian.com/world/2020/may/03/covid-19-tracking-app-must-satisfy-human-rights-and-data-laws> on the privacy aspects of contact tracing apps.

feso'ota'i i le initaneti. Ona o lea, e tatau i le Mālō ona fa'amautinoa e maua e tagata lautele nei polokalame.¹⁹¹

O le itū tau fa'atuatua o polokalame fa'aaogāina, na fesiligia le aogā o le polokalame e sa'ili ai tagata na felāta'i ma se tagata ua pēsia, talu ai, na fa'asalalauina e mafai e le polokalame ona iloa ai tagata ua pēsia e ala i le fa'aaogāina o le tekonolosi *Bluetooth* e iloa ai tagata ua ono pēsia. Peita'i, e le'i fa'ailoaina mai lava le fa'aaogāga ma le aogā o lea polokalame.¹⁹²

Mo pisinisi 'olo'o galulue e fesoasoani i le mātā'itūina o gāioiga, aemaise lava i le sāliliga o tagata ua ono pēsia, e tatau lava ona iai fa'agāsologa ma ta'iala mo le malu o le teuina o fa'amatalaga ma le fa'afoega o le mama atu i tua o ni fa'amaumauga, e aofia ai ni fofō talafeagai, mo ni tagata e a'afia. E lē gata i lea, e tatau ona fa'atino se galuega i fa'afitāuli o le mauaina o tekonolosi mana'omia, ina ia aogā lelei ma fa'atuatua auala o le sāliliga o tagata ua ono pēsia fa'apea le faiga o līpoti.

b) Fa'amaumauga o le soifua mālōlōina o tagata lautele ma fa'amatalaga tapuia

Na lāgā ni popōlega e uiga i le malupuipua o fa'amaumauga tau soifua mālōlōina. O le aliali a'e o le ulua'i tagata i nu'u ma afio'aga i Sāmoa ua maua i le KOVITI-19, na mama ai i tua i feso'ota'iga i le initaneti fa'amatalaga o lea tagata e aofia ai lona igoa ma sona ata, ma i'u ina feagai ai lea tagata ma faiga fa'ailoga tagata. Na 'ioeina e le Mālō le sesē ma fa'aalia le fa'anoanoa i le 'aufaigaluega ona o le fa'ailoaina atu o fa'amatalaga patino i lea tagata, na fa'amoemoe na'o le Kapeneta e taga'i i ai.¹⁹³ O lenei tulaga lē manuia ua fa'amati'e ai vāivaiga e lē gata i le mautū o fa'agāsologa o le fa'afoega o fa'amatalaga, a o le mālmalama o le 'aufaigaluega o le soifua mālōlōina i le fa'afoega o fa'amatalaga tau soifua mālōlōina e patino i se tagata. O le mama i tua o fa'amatalaga fa'apea e mafai ona i'u atu i faiga fa'ailoga tagata ma le lamatia o se tagata i āmio inosia ma le tauemua mai isi tagata.

Ona o lea, e tatau i le Mālō ma ana pūlega ona fa'amautinoa i taimi uma e matuā malu le puipua o fa'amatalaga o tagata ta'ito'atasi i le aoina o fa'amatalaga mo le fa'afoega o le KOVITI-19. O nei fa'amatalaga o fa'amatalaga tapuia e tatau ona malu. E tatau ona iai ni puipua fa'aletulafono mo le fa'aaogāga talafeagai o fa'amatalaga tau soifua mālōlōina o tagata ta'ito'atasi ma e tatau ona aofia i faiga fa'avae, ma ia fa'atino ni a'oa'oga lautele ma au'ililili mo le 'aufaigaluega o le soifua mālōlōina e aofia i le fa'afoega ma le fa'aaogāga o nei fa'amaumauga.

2. A'afiaga o aiā tatau tau tamāo'āiga ma agafeso'ota'i

E 'ogātotonu aiā tatau tau agafeso'ota'i ma le tamāo'āiga i le tali atu e lē gata i a'afiaga o le soifua mālōlōina ona o le fa'ama'i, ae fa'apea fo'i a'afiaga lautele atu mo tagata 'olo'o ola i tulaga ma'ale'alele.¹⁹⁴ Ua talanoaina i vaega 'olo'o soso'o mai taunu'uga o le KOVITI-19 i ni aiā tatau tau agafeso'ota'i ma le tamāo'āiga. O nei aiā tatau e aofia ai le aiā tatau i le soifua mālōlōina, aiā tatau i a'oa'oga, aiā tatau e faigaluega, aiā tatau i 'au'aunaga mana'omia e pei o le suāvai ma le fa'afoega o

¹⁹¹ NHRI Samoa, *SHRR 2022 community consultations – Upolu youth focus group* (16 March 2022).

¹⁹² The Editorial Board, "A shop owner's 'food for thought' and critical", *Samoa Observer* (20 April 2022) https://www.samoobserver.ws/category/editorial/98010?utm_content=bufferbb5f0&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer.

¹⁹³ Sialai Sarafina Sanerivi, "Report was 'only for eyes of Cabinet', says N.E.O.C. Chairman", *Samoa Observer* (19 March 2022) <https://www.samoobserver.ws/category/samoa/97605>.

¹⁹⁴ Oxfam, COVID-19 and Human Rights: States' obligations and businesses' responsibilities in responding to the pandemic", *Discussion Paper* (August 2020) <https://oxfamlibrary.openrepository.com/bitstream/handle/10546/621037/dp-covid-19-human-rights-principles-070820-advance-en.pdf?sequence=4>, p.23.

otaota lāfoa’i, puipuiga o tagata ma, i tulaga ua lamatia ai le talafegai o taumafa e maua, ua a’afia ai le aiā tatau i taumafa.

a) Aiā tatau i le soifua mālōlōina (e aofia ai aiā tatau i se soifuaga fanau manuia ma aiā tatau i tui puipui)

O le aiā tatau i le soifua mālōlōina o se vaega lē matō’esea o le aiā tatau i le ola. Ua matuā mamafatū le galuega tau’ave a Mālō e puipui le aiā tatau a tagata i le soifua mālōlōina ona o le KOVITI-19. E tatau ona maua e so’o se tagata fa’amanuiaga o le tulaga aupito maua o le soifua mālōlōina, e mafai ai ona ola i se o’laga e āmana’ia ma fa’atāuina.¹⁹⁵ Po o le ā lava le tulaga i le soifuaga lautele po o le tamāo’āiga, e tatau ona maua e so’o se tagata le tausiga tau soifua mālōlōina latou te mana’omia.¹⁹⁶

Ina ia mautinoa e maua e tagatānu’u le aiā tatau i le soifua mālōlōina, e tatau i Mālō ona fa’atino la’asaga ia “(c) Puipuia, togafitia ma tāofiofi ma’i pipisi, ma’i ta’atele, ma’i e feso’ota’i ma galuega, ma isi fa’ama’i; (d) Fausia se si’osi’omaga e mautinoa le maua ai e tagata uma o ‘au’aunaga ma togafitia fa’afoma’i pe ‘āfai e ma’i se tasi.”¹⁹⁷

O le fa’ataunu’uina o a latou matāfaioi i lalo o le aiā tatau i le soifua mālōlōina, e tatau i Mālō ona mautinoa, i le tu’uina atu o nofoaga, ‘oloa ma ‘au’aunaga tau soifua mālōlōina, ia fa’amalieina itū nei tau aiā tatau a tagata soifua.¹⁹⁸

- e lava ma talafeagai,
- e mafai ona maua e tagata uma e leai se fa’ailoga tagata, e gafatia e tagata uma le tau, e aofia ai tagata e lē māsani ona āmana’ia;
- e talafeagai, āmana’ia āmioga tatau fa’afoma’i ma e talafeagai ma le aganu’u; ma
- e talafeagai i le itū fa’asaienisi ma fa’afoma’i ma e lelei.

FA’AMATALAGA FA’AMĀLAMALAMA: MATĀGALUEGA O LE SOIFUA MĀLŌLŌINA: TALITONUGA TA’IALA MO LE AIĀ TATAU I LE SOIFUA MĀLŌLŌINA

- **MAFAI ONA MAUA:** E mana’omia ai le faigōfie ona maua o ‘au’aunaga tau soifua mālōlōina ma ‘au’aunaga mana’omia i taimi ae le’i o’o mai, ua o’o mai ma ua mavae atu se fa’ama’i
- **MAFAI ONA TALI ATU:** E mana’omia ai le fa’aleleia, manino ma mafai ona tali atu, ina ia puipuia le soifua mālōlōina ma le soifua manuia o le atunu’u
- **SŌLOGA LELEI & ‘ĀTO’ATO:** E mana’omia le lelei o le ‘atofaina o puna’oa (tupe, ‘aufaigaluega, meafaigaluega, ātina’e ‘ese’ese)
- **MANUIA AI TAGATA UMA:** E mana’omia le tonu, tatau ma lē fa’aitū’au o le fa’atinoga o ‘au’aunaga i taimi ae le’i o’o mai, ua o’o mai ma ua mavae atu se fa’ama’i

¹⁹⁵ See *International Covenant on Economic, Social and Cultural Rights*, Article 12 (1).

¹⁹⁶ United Nations, “COVID-19 and Human Rights We are all in this together”, April 2020, <https://unsdg.un.org/sites/default/files/2020-04/COVID-19-and-Human-Rights.pdf>, p.4.

¹⁹⁷ *International Covenant on Economic, Social and Cultural Rights*, Article 12 (2).

¹⁹⁸ UN Committee on Economic, Social and Cultural Rights (CESCR), *General Comment No. 14: The Right to the Highest Attainable Standard of Health* (Art. 12 of the Covenant), 11 August 2000, E/C.12/2000/4, <https://www.refworld.org/docid/4538838d0.html>.

- **SAOGALĒMŪ:** O le tu'uina atu o 'au'aunaga i taimi ae le'i o'o mai, ua o'o mai ma ua mavae atu se fa'ama'i, e faia i taimi uma ia saogalēmū tagata lautele fa'apea le 'aufaigaluega
- **LELEI:** Galue pūnoua'i ia 'ausia tulaga maualuga o fa'atinoga o tāpenaga mo taimi o fa'ama'i, tali atu i fa'ama'i fa'apea 'au'aunaga mo le toe fa'afo'isia i tulaga māsanī

Maua mai I le: Ministry of Health, National Epidemic and Pandemic Preparedness and Response Plan Financial Year 2020/21 – FY2024/25 (National Pandemic Plan), p. 16

E iai fo'i matāfaioi mo isi fa'amuumua tau aiā tatau i le soifua mālōlōina:¹⁹⁹

- a) la fa'amautinoa tausiga tau soifua mālōlōina mo le soifuaga fanau manuia, tausiga o le soifua mālōlōina o tinā ma'itaga ma failele ma tausiga tau soifua mālōlōina mo tamaiti;
- b) la faia tui puipui mo fa'ama'i pipisi e ta'atele i le atunu'u;
- c) la fa'atino auala e puipui, togafiti ma tāofiofi ai fa'ama'i pipisi ma ma'i ta'atele;
- d) la fa'atino a'oa'oga ma ia maua e tagata fa'amatalaga e uiga i fa'afitāuli 'autū tau soifua mālōlōina 'olo'o iai i le atunu'u, e aofia ai auala o le puipuiga ma le tāofiofiga;
- e) la fa'atino a'oa'oga talafeagai i tomā o galuega mo le 'aufaigaluega o le soifua mālōlōina, ia aofia ai a'oa'oga i le soifua mālōlōina ma aiā tatau a tagata soifua.

O le *Fuafuaga Aoao o Tāpenaga ma le Tali atu i Fa'ama'i, Tausaga Fa'aletupe 2020/21 – FY2024/25* (Fuafuaga Aoao mo Fa'ama'i) 'olo'o fa'amati'e ai talitonuga ta'iala mo le mauaina o fa'amanuiaga o aiā tatau i le soifua mālōlōina i Sāmoa, e ōgatasi uma ma tulaga fa'ata'atitia o aiā tatau a tagata soifua. E ui i nei folafolaga, e tele popōlega na lāgā aemaise lava i le tulaga o le tausisia o nei ta'iala i fa'atinoga.

O le to'atele o tagata na fa'afeso'ota'i na fa'aילו mai ua matuā a'afia a latou aiā tatau i le soifua mālōlōina ona o le KOVITI-19, e lē gata i le lamatiaga o le ola, ae fa'apea fo'i i le mauaina o 'au'aunaga tau soifua mālōlōina. Ua fa'amati'e atu i lalo ni isi o folasaga na maua mai i fefa'asoa'iga ma su'esu'ega e uiga i a'afiaga o le mauaina o 'au'aunaga tau soifua mālōlōina:

E le'i mafai e mātua ona ave a latou fanau i le falema'i, aemaise lava i le sā muamua iā Ianuari 2022, talu ai, na sau le fa'amatalaga na'o tagata ua i tulaga o fa'alavelave fa'afuase'i/mātuiā e talia²⁰⁰

E le'i mafai ona tatala ofisa o foma'i ma tausiga tau soifua mālōlōina tūma'oti i le sā muamua iā Ianuari, e ui o nei vaega o 'au'aunaga mana'omia²⁰¹

Ua lē mafai ona maua 'au'aunaga o tausiga tau soifua mālōlōina pe 'āfai e lē fa'aalia pepa tui, e ui ina 'olo'o mana'omia togafitiga.²⁰²

¹⁹⁹ UN Committee on Economic, Social and Cultural Rights (CESCR), *General Comment No. 14: The Right to the Highest Attainable Standard of Health* (Art. 12 of the Covenant), 11 August 2000, E/C.12/2000/4, <https://www.refworld.org/docid/4538838d0.html>.

²⁰⁰ Dr. Malama Tafuna'i, *Written submission* (4 and 7 February 2022).

²⁰¹ Dr. Malama Tafuna'i, *Written submission* (4 and 7 February 2022).

²⁰² Daniel, *Written submission* (14 January 2022).

Na lē mafai ona maua e vaega e ma'ale'ale le tulaga, o i latou ia e fa'alagolago i le tausiga a isi tagata, e aofia ai tagata e iai a'afiaga tumau o le soifua, ona o sã ma tulafono o le nnofo/tutū vāvāmamao²⁰³

E tele 'au'āiga na feagai ma fa'afitāuli i le sã'iliga o tausiga fa'asoifua mālōlōina. O le māfua'aga 'autū o le lē lava o tupe ma ua si'itia le tau o vai ma fuālā'au. Ua fa'aitiitia fo'i auala o feoa'iga mo ni isi 'au'āiga aemaise lava i Savai'i.²⁰⁴

O se tasi o aiā tatau e matuā tāua i le fa'amautinoaina o le tulaga aupito maualuga o le soifua mālōlōina o tagatānu'u na a'afia i ia taimi, o le aiā tatau lea i 'au'aunaga tau Soifuaga Fanau Manuia. E tusa ai ma se fa'aaliga a se Fa'alāpotopotoga Tūma'oti 'olo'o galulue i lea vaega o 'au'aunaga i Sāmoa, na matuā fa'aitiitia avanoa e maua ai ia 'au'aunaga i taimi o le fa'ama'i ma i'u ai ina si'itia le lamatiaga o ma'itaga e le'i fuafuaina fa'apea isi fa'afitāuli tau Soifuaga Fanau Manuia.²⁰⁵ E ui ina sa maua 'au'aunaga e ala i le initaneti, o le to'atele lava na fa'alagolago i tausiga fesāga'i. O le lē maua o le fesoasoani a 'au'aunaga tau Soifuaga Fanau Manuia na matuā a'afia ai tinā ma tama'ita'i ma teine, aemaise lava i latou e la'itiiti tupe maua a o latou 'āiga.²⁰⁶

O se isi aiā tatau e tutusa le tāua mo le aiā tatau i le soifua mālōlōina, o le aiā tatau lea i tui puipui. E pei ona tā'ua i luga, e tatau i mālō ona fa'atino la'asaga mana'omia mo le puipuga, togafitiga ma le tāofiofiga o fa'ama'i, ina ia mautinoa e maua e tagata le aiā tatau i le tulaga aupito maualuga o le soifua mālōlōina ma o ia la'asaga, e aofia ai le faiga o tui puipui. (Taga'i i le **Vaega 2(3)(c)** i "Tui puipui"). E ui ina faigōfie ona maua tui puipui i Sāmoa, e iai fa'afitāuli ua fa'alavelaveina ai le fa'atinoga ma le fa'agāsologa o tui puipui. O nei fa'afitāuli e aofia ai le fa'alotolotolua ona o le leai o ni fa'amatalaga e uiga i le aogā lelei o tui puipui, fa'apea filifiliga a le tagata lava ia ma ona talitonuga e tete'e ai i tui puipui.

i. Fa'alotolotolua i tui puipui ma fa'amatalaga e uiga i le aogā lelei o tui puipui (leai po o le lē lava)

E ui ina ua silia ma le 'afa o le aofa'i o tagata e agava'a ua mae'a tui puipui, na feagai fo'i le Mālō ma se lu'i i le fa'atinoga o tui puipui. Na feagai le Matāgaluega o le Soifua Mālōlōina ma se lu'i maoa'e talu le fa'ama'i o le misela i le 2019, i taumafaiga e fa'atalitonu tagata e fai tui puipui, aemaise lava mātua, i le faiga o tui puipui o a latou fanau. E ui ina mālamalama i tui puipui i taimi ua tuana'i, na fa'apea lava ona fa'alotolotolua tagata. O se folasaga mai se tasi o foma'i na fa'apea mai, "e ono fesoasoani pe ana fa'apea na iai se fofō mo i latou na pagātia i le fa'ama'i o le misela, semanū ua maua ai se mapusaga mo ia tagata ma se avanoa e fa'afo'isia ai le fa'atuatua ina o tui puipui e tagata o le atunu'u".²⁰⁷

Na faigatā ona fa'atalitonu isi tagata e fai tui puipui, ona o fa'amatalaga fa'atōsina e tete'e i tui puipui, na ātili sasao ona o le tele o manatu fa'afoma'i 'ese'ese e fete'ena'i, talitonuga o le tagata lava ia ma talitonuga fa'alelotu, fa'apea le tele o fa'amatalaga sesē.²⁰⁸ O se manatu na fa'aalia i se tasi folasaga,

²⁰³ NHRI Samoa, *SHRR 2022 consultations with CSOs/NGOs* (24 February 2022).

²⁰⁴ UN Resident Coordinator Office, *Samoa COVID-19 Socio-Economic Impact Assessment: Key Findings*, (August 2021) https://samoa.un.org/sites/default/files/2021-09/Samoa%20SEIA%20Key%20Findings%20v10_Final%20%28Sep%209%202021%29.pdf, p.2.

²⁰⁵ Samoa Family Health Association (SFHA), *Annual General Meeting 2021 presentation*, 23 November 2021, Taumeasina Island Resort.

²⁰⁶ SFHA, *Annual General Meeting 2021 presentation*, 23 November 2021, Taumeasina Island Resort.

²⁰⁷ Dr. Malama Tafuna'i, *Written submission* (4 and 7 February 2022).

²⁰⁸ BC, *Written submission* (4 and 8 February 2022).

“o le gagana fa’atōsina o le tete’e i tui puipui e lamatia ai le soifua mālōlōina ma e telē lona sao e fa’alavelaveina ai taumafaiga a le Mālō i le fa’atinoga o tui puipui”.²⁰⁹

O se tasi fa’afitāuli, o le lē lava lea po o le leai fo’i o ni fa’amatalaga e fa’asoaina mai e le Mālō e uiga i le aogā lelei o tui puipui. E tele folasaga na tu’uina mai na fa’apea mai e le lē lava fa’amatalaga ua tu’uina mai e uiga i le aogā o tui puipui i su’esu’ega po o le aogā lelei i togafitiga ma ni a’afiaga e ono tūla’i mai. E iai folasaga na fa’apea mai:

Na faigatā ona fai la’u fa’ai’uga pe fai o’u tui puipui pe leai, ona o le lē lava o ni fa’amatalaga mai le Matāgaluega o le Soifua Mālōlōina e uiga i le aogā lelei o tui puipui ma ni a’afiaga e ono tūla’i mai.²¹⁰

E lē lava fa’amatalaga mai le Matāgaluega o le Soifua Mālōlōina e uiga i le aogā lelei o tui puipui ma ni a’afiaga e ono tūla’i mai, aemaise lava mo tamaiti. E leai se auala e iloa pe mautinoa ai e tagata le aogā lelei o tulafono o le faia o tui puipui, pe ‘āfai e leai ni lipoti mai ala o fa’asalalaua ma le lē maua mai o ni fa’amaumauga mai le Matāgaluega o le Soifua Mālōlōina...²¹¹

O se popōlega tele mo tagata ua matua le soifua fa’apea tupulaga talavou i Sāmoa, le la’itiiti o fa’amatalaga ua tu’uina mai e uiga i le tulaga o le tui puipui ma lona aogā lelei. E tāua le māmamalama ‘ātoatoa o tagata i taunu’uga o le tui puipui; e tatau fo’i ona iloilo ma fa’amāoniga ni isi auala o togafitiga e mafai ona fa’atino mo tagata e lē talia tui puipui.²¹²

ii. Filifiliga a le tagata ma ona talitonuga e tete’i ai i tui puipui

E ui ina ua fesoasoani tui puipui e fa’aitiitia a’afiaga o le soifua mālōlōina ona o le KOVITI-19, e iai lava se vaega to’aitiiti e tete’e i tui puipui. E tele ni fa’aseā na o’o mai i le Ofisa nei, e fesiligia ai le aogā o tui puipui ma fa’apea mai latou te lē iloa pe ‘aiseā e fai ai o latou tui puipui e leai se aogā, o lea lava e pēsia tagata ua mē’a tui puipui.²¹³ E tolu folasaga na maua mai na fa’apea mai ua leai ni a latou galuega po ua ‘ave aso mālōlō talu ai e leai ni fa’amāoniga ua fai tui puipui. O tagata uma e to’atolu na fa’ao’o mai ia folasaga, e le’i faia tui puipui ona o a latou lava filifiliga.

E ui ina e fai le tui puipui o le KOVITI-19 i le filifiliga a le tagata, e leai se aiā tatau i se fetu’una’iga, e maua e se tagata e lē faia ona tui puipui ona o lana lava filifiliga po o ona talitonuga.²¹⁴ ‘Āfai e tē’ena se ‘au’aunaga po o le fa’afaigaluegaina o se tagata ona o lana lava filifiliga po o ona talitonuga ua lē faia ai ona tui puipui, e lē fa’apea o le tiute o fetu’una’iga talafeagai ‘oleā mafai ai ona ia maua se tu’usaunoaga mai tulafono o tui puipui po o ona fa’amāoniga. E mafai ona fa’atapula’aina le tiute o fetu’una’iga talafeagai i tulaga e āfāina ai le soifua mālōlōina po o le saogalēmū e i’u atu i tulaga pagātia – e pei o taimi o se fa’ama’i ua a’afia ai le lalolagi ‘ātoa.

Talu ai le a’afia o le aiā tatau i le soifua mālōlōina ona o matā’upu ua tā’ua i luga, e tatau i le Mālō ona fa’aaau le fa’atinoga o la’asaga ma auala ina ia puipui, togafitia ma tāofiofia fa’ama’i, tu’uina atu fesoasoani ma tausiga fa’asoifua mālōlōina tau soifuaga fanau manuia, fa’atino a’oa’oga mo tagata

²⁰⁹ BC, *Written submission* (4 and 8 February 2022).

²¹⁰ Alfred, *written submission* (4 February 2022) – unemployed because of vaccine mandate.

²¹¹ ASVR, *complaint lodged with NHRI Samoa on vaccine mandates*, 16 January 2022.

²¹² Anthony W, *complaint lodged with NHRI Samoa on vaccine mandates*, November 2021.

²¹³ NHRI Samoa had received 6 complaints regarding COVID-19 and vaccines since 2021.

²¹⁴ Right to accommodation refers to the right to be accommodated/ treated on a certain ground. .

lautele, maua e tagata lautele fa'amatalaga, ma tapu'e a'oa'oga i tomai o le 'aufaigaluega o le soifua mālōlōina, e aofia ai a'oa'oga e uiga i aiā tataua a tagata soifua, e fa'alagolago i ana puna'oa ma ia mulumulita'i i talitonuga ta'iala o le mauaina o le aiā tataua i le soifua mālōlōina, e pei ona iai i lana *Fuafuaga Aoa o Tāpenaga ma le Tali atu i Fa'ama'i*.

O le itū i matā'upu tau tui puipui, e tāua mo le āga'i i luma le ātina'e o ni auala e fa'afetaia'i ai nei lu'i, ia aofia ai le tu'uina atu o fa'amatalaga sa'o ma au'ili'ili e uiga i le aoga lelei o tui puipui ma ni a'afiaga e ono tūla'i mai, ma ia tapu'e le mālamlamaga o tagata i tui puipui.

b) Mauaina o fa'amasinoga

O le tāpunia ma le fa'atapula'aina o itūlā o fa'amasinoga na 'avea ma fa'alavelave i le mauaina o fa'amasinoga. E tele ni matā'upu na i luma o le fa'amasinoga na tolopō ona o sā na fa'atino ma ātili ai ona fa'atuai le fofogaina o nei matā'upu. Na telē le a'afiaga o tagata ona o le tolopō o matā'upu, aemaise lava i latou sa tāofia.

E iai se tasi na fa'atalanoaina i le taimi o le asiasiga a le Ofisa i le Falepuipui i Tanumalala i le aso 28 o Aperila 2022 na fa'ailoa mai na toe tolopō le fofogaina o le matā'upu o lona nofo va'ava'aia, e ui lava ina sa mafai ona fa'atino le fofogaina o matā'upu i feso'ota'iga i le initaneti. O lea fa'atuai na o'o ai i se tulaga lē mautinoa a ua leva ona fa'atalitali i le aso e tatala ai i tua ae se'i feiloa'i ma lona 'āiga ma lana fanau.²¹⁵

O le faiga fa'avae a le Matāgaluega o Fa'amasinoga ma le Fa'afoeina o Matā'upu tau Fa'amasinoga, *Faiga fa'avae o Tu'utu'uga mo le Fa'aaauaina o Galuega i le Tuana'i ai o Sā*, na teuteuina iā Mati 2022, na maua ai 'au'aunaga fa'aaau, peita'i, e tele tapula'a na iai. O le taimi o sā, na tāpunia 'ātoa ai 'au'aunaga. O tu'utu'uga fou o 'au'aunaga a le fa'amasinoga i le mavae ai o sā na aofia ai aiaiga nei:²¹⁶

- Na'o lōia, itū fa'amasinoga, molimau ma sui fa'asalalau e fa'ataga i fa'amasinoga.
- E lē silia i le 10 matā'upu e fa'atulaga i se lisi/uluu'i fofogaina o se matā'upu i se taimi e tasi.
- O fa'amasinoga e to'atele tagata tete'e ma/po o molimau, 'ole'ā fetu'una'i lea e le fa'amasinoga e fa'alagolago i matā'upu ta'itasi ma ia fa'amāonia muamua e le fa'amasino o le matā'upu.
- E lē silia i le 10 tagata e fa'ataga i fonotaga o fautuaga /fa'atalanoaga /Asiasiga i so'o se taimi.

Ina ia mautinoa e fa'aaau pea le mauaina o fa'amasinoga tonu, e tataua i le Mālō ma fa'amasinoga ona taga'i i le fa'aaogāina o isi auala mo le fofogaina o matā'upu, e pei o le fa'aaogāina o feso'ota'iga i ata vito. 'Ole'ā fesoasoani lea faiga e fō'ia ai ni isi fa'afitāuli e tula'i mai ona o le fa'atuai o le fofogaina o matā'upu.

c) Aiā tataua i a'oa'oga

O se tasi o taunu'uga aupito tūgā o le fa'ama'i o le KOVITI-19 o le motusia lea o a'oa'oga a tamaiti ina ua tāpunia ā'oga ona o māfua'aga tau soifua mālōlōina o tagata lautele.

²¹⁵ NHRI Samoa, *Prison inspections: COVID-19 preparedness, prevention and control in places of detention assessment*, May 2022, <https://ombudsman.gov.ws/wp-content/uploads/2022/05/COVID-19-Prison-Inspection-Report-2022-FINAL-ready-for-web.pdf>. See also, NHRI Samoa, "COVID-19 preparedness, prevention and control in places of detention assessment report published", *Press Statement* (7 June 2022) https://ombudsman.gov.ws/wp-content/uploads/2022/06/PR-Detention-COVID-assessment-Report_-FINAL-7-6-22.pdf.

²¹⁶ Ministry of Justice and Courts Administration, *Business Continuity Arrangements Post Lockdown Policy*, February 2022 (on file).

O le tūpunia o ā’oga na matuā aliali ai le matāfaioi a le Mālō o le mauaina e tagata o a’oa’oga.²¹⁷ E lē gata i le mauaina o avanoa i a’oa’oga, e tatau fo’i i mālō ona mautinoa e mafai ona fa’atino galuega a nofoaga o a’oa’oga e ala i le iai o puna’oa mana’omia e fa’atino ai a’oa’oga e lē fa’aaogāina pe fa’aaogāina ai le initaneti, ina ia mautinoa e mafai ona maua pea e tamaiti a’oa’oga.²¹⁸

O le to’atele o tagata na fa’afeso’ota’i i fefa’asoa’iga i nu’u ma afio’aga iā Mati 2022 ae le’i aliali a’e le pēsia o tagata i nu’u ma afio’aga i le aso 17 o Mati na fa’amauina, e telē le a’afiaga o a’oa’oga a a latou fanau ona o le fa’ama’i. E iai se folasaga na tu’uina mai, o le fa’aauau ma le fa’a’umi’umi ona tūpunia o ā’oga, ‘ole’ā telē se a’afiaga o le ātina’e o tamaiti.²¹⁹

Na fa’apea mai se tamaitiiti na tu’uina mai se folasaga,

Na matuā a’afia la’u aiā tatau i a’oa’oga ona o le tūpunia o ā’oga. O se taimi faigatā lea ona o le se’e atu i a’oa’oga i le initaneti, o se faiga fou lea. E sili lava iā a’u ā’oga fesāga’i e telē atu le fesoasoani e maua mo a’u.²²⁰

E iai ni Fa’alāpotopotoga a Tagata Lautele/Fa’alāpotopotoga Tūma’oti ‘olo’o galulue i ā’oga mo i latou e iai a’afiaga tumau na fa’ailoa mai na matuā a’afia tamaiti e iai a’afiaga tumau talu ai, o nei tamaiti e fa’alagolago i tausiga ma fesoasoani fesāga’i.

O le motusia o a’oa’oga ona ua tūpunia ā’oga, na ‘avea o se lu’i tele i le a’oa’oina o tamaiti, aemaise lava mo tamaiti e iai a’afiaga tumau.²²¹

Na telē le a’afiaga o tamaiti e iai mana’oga fa’apitoa talu ai, ua lē mafai ona fa’atino asiasiga i ‘āiga i taimi o sā ma vavao. E lei mafai ona maua e nei tamaiti le fesoasoani latou te mana’omia i a latou a’oa’oga.²²²

O le itū i a’oa’oga e fa’atino i le initaneti, na aliali mai na’o se vaega o taunu’uga o a’oa’oga na mafai ona ‘ausia ma na’o se to’aitiiti fo’i na fa’amanuiaina i nei itū’āiga a’oa’oga.²²³ E pei ona talanoaina i le **Vaega 3(1)(d)(ii)** i luga atu e uiga i “aiā tatau i tekonoosi ‘eleoroni ma le initaneti”, na matuā manino ma telē le ‘ese’ese o i latou e maua ma i latou e lē maua komepiuta ma le initaneti. O lenei tulaga e mafai ona ātili iloga ai le lē tutusa o fa’amanuiaga e maua, ma ātili tele atu ai fa’amanuiaga e lē maua e isi tamaiti.

²¹⁷ The right to education is found in three international human rights treaties, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, and the Convention on the Rights of Persons with Disabilities. Samoa is a party to the two latter conventions. See Sandra Fredman, “A human rights approach: The right to education in the time of COVID-19”, *Child Development* (2021) <https://srcd.onlinelibrary.wiley.com/doi/epdf/10.1111/cdev.13654>, p.e902.

²¹⁸ See Sandra Fredman, “A human rights approach: The right to education in the time of COVID-19”, *Child Development* (2021) <https://srcd.onlinelibrary.wiley.com/doi/epdf/10.1111/cdev.13654>, p.e902.

²¹⁹ Submitter EB, *Written submission* (8 March 2022).

²²⁰ Theresa Siaki – LDS Church College, *Written submission* (24 April 2022).

²²¹ Samoa Victim Support Group, *Written submission* (24 February 2022).

²²² Loto Taumafai Incorporated Society, *Written submission* (24 February 2022).

²²³ Sandra Fredman, “A human rights approach: The right to education in the time of COVID-19”, *Child Development* (2021) <https://srcd.onlinelibrary.wiley.com/doi/epdf/10.1111/cdev.13654>, p.e902.

Na fa'apea mai se tasi folasaga, e ui ina sa maua fesoasoani mai ā'oga i le tu'uina mai o meaā'oga, na iai lava fa'afitāuli tau puna'oa fa'apea le mauaina o feso'ota'iga i le initaneti talu ai, e lē maua uma e tamaiti i Sāmoa ni komepiuta ma feso'ota'iga i le initaneti.²²⁴

O se su'esu'ega na fa'atino e le Ofisa o Mālō Aufa'atasi i Sāmoa i le 2020 i taunu'uga o le fa'ama'i o le KOVITI-19 i Sāmoa, na fa'amati'e ai se fa'afitāuli fa'apea fo'i e uiga i le lē lelei o le tulaga o le mauaina o a'oa'oga ma avanoa i a'oa'oga e fa'aaogā ai le initaneti, ma na fa'apea le lipoti²²⁵

o Sāmoa, toetiiti lava to'atasi mai le to'alima o tamaiti e le'i mafai ona mauaina ni a'oa'oga i 'āiga i taimi na tūpunia ai ā'oga. E lē tutusa fo'i tulaga na o'o i ai i le taga'i i le atunu'u 'ātoa. E to'atele atu tamaiti i nofoaga lata i taulaga na mafai ona maua a'oa'oga i le initaneti nai lō tamaiti i nofoaga taumamao ma le taulaga.

Ina ia fa'atino se galuega e fō'ia ai le lē tutusa o avanoa e maua ai a'oa'oga, na iai se fautuaga mai fefa'asoa'iga i nu'u ma afio'aga, e mafai ona aogā se fa'amanuiaga mo tamaiti e fesoasoani ai i o latou mana'oga tau a'oa'oga, aemaise lava mo 'āiga e itiiti tupe maua ma 'āiga ua leai ni galuega ona o le fa'ama'i.²²⁶

E lē gata i le lē maua o feso'ota'iga tau initaneti, na mātauina e isi, e to'atele tamaiti na faigatā ona fai meaā'oga i 'āiga ona o le faiga o fe'au po o isi fa'atinoga ona e lē māsani i le ā'oga i le fale.²²⁷ O manatu na fa'aalia e vaega patino a tinā ma tama'ita'i i fefa'asoa'iga i Upolu na fa'apea, na faigatā i le tele o mātua, aemaise lava i latou e le'i lelei pe le'i mē'a a'oa'oga, ona fesoasoani i meaā'oga a a latou fanau.

O le taimi o le sālā na 'ātoa le va'aso i le masina o Fepuari 2022, na faigatā ona fesoasoani i tamaiti i le faiga o a latou meaā'oga. Ua 'ese ā'oga i nei aso ua faigatā pe 'ā fa'atusa i aso ia ua te'a. E laki tinā na lelei a latou ā'oga o lea e mafai ona fesoasoani i a latou fanau.²²⁸

Ina ia mautinoa e maua pea e tamaiti a'oa'oga, na fa'atino ai, ma 'olo'o fa'atino pea e le Matāgaluega o Ā'oga, Ta'aloga ma Aganu'u a'oa'oga mo tamaiti e fa'asalalau i le televise ma na talisapaia e le to'atele. E iai se Fa'alāpotopotoga 'olo'o galulue i le tu'uina atu o 'au'aunaga lagolago tau a'oa'oga i nu'u ma afio'aga na fa'ailoa mai, e ui i sālā na fa'atinoina, na mafai lava ona maua e tamaiti a'oa'oga e ala atu i le initaneti ma Televise.²²⁹

Na fa'apea fo'i ona sālānia e i latou e tu'uina atu a'oa'oga meaā'oga mo tamaiti e o' atu mātua e 'ave.

²²⁴ NHRI Samoa, *SHRR 2022 community consultations – Savaii* (14 March 2022).

²²⁵ UN Resident Coordinator Office, *Samoa COVID-19 Socio-Economic Impact Assessment: Key Findings*, (August 2021) https://samoa.un.org/sites/default/files/2021-09/Samoa%20SEIA%20Key%20Findings%20v10_Final%20%28Sep%20%202021%29.pdf, p.2.

²²⁶ NHRI Samoa, *SHRR 2022 community consultations – youth focus group Savaii* (14 March 2022).

²²⁷ NHRI Samoa, *SHRR 2022 community consultations – youth focus group Upolu* (16 March 2022).

²²⁸ NHRI Samoa, *SHRR 2022 community consultations – women focus group Upolu* (16 March 2022).

²²⁹ Samoa Educational Network, *Written submission* (24 February 2022).

Ina ia fesoasoani e fa'aleleia feso'ota'iga i le initaneti, na pāsia e le Mālō i le aso 5 o Aperila 2022 le fesoasoani mo le fa'alateleina o le o'o atu o le initaneti i ā'oga uma i le atunu'u ina ia mautinoa e mafai e ā'oga uma i le atunu'u ona feso'ota'i i le initaneti.²³⁰

Peita'i, e ui i nei galuega mo le tu'uina atu o 'au'aunaga tau a'oa'oga mo tamaiti, o se tasi o lu'i tele, o le lē fa'aaogāina lea e mātua ma tamaiti o nei avanoa. E tusa ai ma se fa'atalanoaga ma le 'aufa'asalalau i le aso 20 o Aperila 2022, na tā'ua ai e le Minisitā o A'oa'oga, "e le'i iai lava se tali mai a mātua po o tamaitiā'oga i lēsona na tu'uina atu e faiā'oga i le initaneti po o meaā'oga fo'i na 'aveina e mātua." Na fa'apea fo'i ona toe fautuaina e le Minisitā mātua ma tamaiti ina ia fa'aaogā fesoasoani ua tu'uina atu ina ia mautinoa e sōloga lelei a'oa'oga ma maua pea e tamaiti a'oa'oga latou te mana'omia.²³¹ Na fa'apea mai fo'i se folasaga a se tamaitiiti, "e tāua le 'aua ne'i fa'aaogāina e mātua ma tamaiti o le tāpunia o ā'oga, e fai ma 'alofaga o le lē faia o meaā'oga."²³²

O le lē lelei o le tali mai a mātua ma tamaitiā'oga i a'oa'oga e fa'atino mai 'āiga, o se lu'i tele lea ma e tatau ona taga'i toto'a i ai le Mālō 'aemaise lava i le itū o le aogā lelei. E ui o se la'asaga lelei le tu'uina atu o a'oa'oga i le initaneti ma puna'oa e fa'atino ai meaā'oga i 'āiga, e tāua le fa'amautinoa e fa'aaogā 'āto'atoa ma e mafai ona maua e tamaitiā'oga uma. E tāua fo'i le fa'amamafa i mātua, e tatau ona fa'aaau la latou lagolago i taumafaiga a le Mālō, ma fa'atino so latou sao ia mautinoa e fa'aaau pea le a'oa'oina o a latou fanau.

O teuteuga o Poloa'iga o Fa'alavelave Fa'afuase'i o le aso 2 o Me 2022, na fa'ataga ai le toe tatala o iunivesitē mo le toe 'āmataina o vasega. O se fa'aaliga a le Tapa'au o le Lunivesitē Aoao o Sāmoa, o lea fa'ai'uga na āmana'ia ai se talosaga na faia e le Lunivesitē talu ai e to'atele tagata ā'oga e le'i fa'aaogāina 'āto'atoa auala o a'oa'oga e fa'aaogā ai le initaneti.²³³

O le aso 16 o Me 2022, na 'ave'esea ai isi tāofiofiga na fa'ataga ai le toe tatala fa'asolosolo o ā'oga. Na tatala kolisi i le aso 18 o Me, ā'oga tūlagalua i le aso 30 o Me, ae 'ole'ā tatala ā'oga 'āmata i le aso 4 o Iulai. O le matāfaioi a le Matāgaluega o Ā'oga, Ta'aloga ma Aganu'u fa'apea puleā'oga, o le fa'amautinoa lea e iai auala mautū mo le saogalemū i le fa'asolosolo o le toe fo'i atu o tamaiti i ā'oga.²³⁴

Ina ia mautinoa e maua pea e tamaiti a'oa'oga lelei ma e maua e tamaiti uma tekonolosi 'eletroni, e tatau i le Mālō ona fa'amautinoa e iai meafaigaluega talafeagai ma fa'atuatua ina ia fesoasoani i a'oa'oga e fa'aaogā ai le initaneti. E tatau fo'i ona fa'aaogā isi auala o le a'oa'oina. E lē gata i lea, e tatau ona maua e tamaiti le fesoasoani ma puna'oa ina ia mautinoa e mafai ona o latou maua a'oa'oga e fa'aaogā ai le initaneti, aemaise lava tamaiti e i nu'u ma afio'aga e taumamao ma le taulaga, fa'apea 'āiga e itiiti tupe maua. O ia fesoasoani e tatau fo'i ona aofia ai mātua, aemaise lava i latou e fa'afaigatā ona fesoasoani i le a'oa'oina o a latou fanau i le fale. Mo tamaiti e iai a'afiaga tumau o le soifua, e

²³⁰ Sialai Sarafina Sanerivi, "NetVo gets approval to install school internet", *Samoa Observer* (5 April 2022)

<https://www.samoobserver.ws/category/samoa/97826>.

²³¹ Adel Fruean, "Parents, students urged to utilise lessons", *Samoa Observer* (21 April 2022)

https://www.samoobserver.ws/category/samoa/98023?utm_content=bufferd5704&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer.

²³² Theresa Siaki – LDS Church College, *Written submission* (24 April 2022).

²³³ TV 1 Samoa, "The National University of Samoa has received its approval by the Government to reopen the University campus and resume classes", *Talafou News* (3 May 2022) <https://www.facebook.com/429614057244016/posts/1956762517862488/?sfnsn=mo>.

²³⁴ See Special Announcement by the Hon. Prime Minister, Fiame Naomi Mataafa: Next Steps For COVID-19 Alert Levels In Samoa, (16 May 2022) <https://www.samoagovt.ws/2022/05/special-announcement-by-the-hon-prime-minister-fiame-naomi-mataafa-next-steps-for-covid-19-alert-levels-in-samoa-16th-may-2022/>.

tatau ona āmana'ia o latou mana'oga o le a'oa'oina, i taimi e fa'amālosia ai le nonofo i 'āiga, talu ai, o le to'atele o ia tamaiti e fa'alagolago i a'oa'oga fesāga'i.

d) Aiā tatau i galuega ma tupe maua

O le to'atele o tagata na fa'afeso'ota'i i fefa'asoa'iga i nu'u ma afio'aga na fa'ailoa mai, o le KOVITI-19 ma le tāpunia o femalagaa'iga fa'avāomālō ua i'u ai ina leai ni galuega, aemaise lava i latou e faigaluega i galuega tau tagata tafafao maimoa. O le to'atele o tagata faigaluega na fa'amālōlō ona ua lē gafatia e tagata e ona galuega totogi o le 'aufaigaluega ona ua leai ni tupe maua a pisinisi.²³⁵ O taimi o sã na fa'atino, na fa'ailoa mai e isi na fa'aititia itūlā faigaluega ma fa'apea ona fa'aititia ai tupe maua ma ua āfāina ai le tausiga o o latou 'āiga.²³⁶

Na a'afia fo'i le aiā tatau i galuega a isi tagata ona o fa'atinoga a le Mālō na fa'atulafonoina ai le fa'aali o pepa tui. E iai nai folasaga na fa'apea mai, na fa'amālōlō ia tagata mai galuega ona o le tulafono e fa'aali pepa tui ma ua a'afia ai le tausiga o 'āiga. O ia tagata e le'i talitonu i tui puipui ma ua lē fa'atagaina ai i galuega.

E iai fo'i isi tagata faigaluega na feagai ma fa'afitāuli o auala o femalagaa'iga aemaise lava i le taimi o sã. O le fa'aaliga mai i se tasi folasaga,²³⁷

o le taimi lea na fa'atino ai le sã i le vaiaso iā Ianuari 2022, e le'i iai ni aiaiga mo femalagaa'iga a le 'aufaigaluega o le vaega tūma'oti. Mo se fa'ata'ita'iga, o lo'u to'alua e leoleo sikūlātī ma e faigaluega i se tasi o kolisi iinei i Savai'i. E māvava ane i le po, ua leai se auala e toe fo'i mai ai i le fale. Na i'u ina matou telefoni i Leoleo mo se ta'avale, ae fai mai le tali, o le tagata e ona le galuega e tatau ona 'aumaia le ta'avale mo lana 'aufaigaluega.

Āfai e leai se fesoasoani, e to'atele tagata e ono feagai ma faigatā ma tīgā tau tamāo'āiga ma tulaga o le lē tutusa. Ona o lea, e tatau i le Mālō ona fa'atino ni auala e tali ai a'afiaga tau tamāo'āiga o le KOVITI-19, aemaise lava mo tagata faigaluega e maualalo totogi ma tagata faigaluega i le vaega tūma'oti.²³⁸

e) Mautū o taumafa talafeagai ma le aiā tatau i taumafa

O sã na fa'atino iā Ianuari 2022 ma Mati 2022 na o'o mai ai lamatiaga i le mautū o taumafa talafeagai ma fa'apea ona a'afia ai ma le aiā tatau i taumafa. E ui ina to'atele tagata na liliu i fa'ato'aga ma le sami mo taumafa, ua tele ina fa'alagolago tagata i taumafa mai fafo, aemaise lava tagata e nonofo i taulaga po o tagata fo'i e leai ni 'ele'ele e fai ai ni fa'ato'aga. O lona uiga, ua fa'alagolago i taumafa e fa'atau mai i fale'olua.

Na fa'aalia popōlega o fale'olua si'i'ātoa ona ua vave le alu o 'olua si'iātoa aemaise lava taumafa, ona ua so'ona fa'atau popole tagata i taimi o sã.

O 'olua sa tatau ona i tulaga māsani lea ua tele ina alu. E va'ai atu e o'o i se taimi faigatā atu i le lumana'i talu ai, o le tulaga o Sāmoa e mamao mai isi atunu'u, e feagai fo'i ma a'afiaga o le fa'atuai o le taunu'u mai o 'olua ona o gāsologa ia ua

²³⁵ Samoa Business Hub (SBH), *Clients Impact Assessment*, 16 December 2021 (on file).

²³⁶ NHRI Samoa, *SHRR 2022 community consultations – men focus group Savaii* (14 March 2022).

²³⁷ NHRI Samoa, *SHRR 2022 community consultations – women focus group Savaii* (14 March 2022).

²³⁸ See **Part 3(4)(d)** for further discussion on impact of COVID-19 on 'Low-income families and people living in poverty'.

*āga'i atu i ai māketi. 'Ole'ā fa'apea fo'i ona feagai ma le si'itia o le tau o so'o se 'oloa, e lē na'o taumafa ma isi 'oloa e maua i supamāketi.*²³⁹

O le itū i le tau o taumafa, o le to'atele o tagata na fa'afeso'ota'i i fefa'asoa'iga i nu'u ma afio'aga na fa'ailoa mai ua telē le si'itaga o le tau o taumafa ma o le leai o a latou galuega sa iai ua lē toe gafatia ai le fa'atauina o isi 'oloa o taumafa sa māsani ona fa'atau.²⁴⁰ Na līpotiina fo'i i ala o fa'asalalauga popōlega o le to'atele o tagata i le si'itia o le tau o le soifuaga ma fautuaina ai le Mātāgaluega o Pisinisi Alamanuia ma Leipa e fa'atino ni a latou asiasiga i pisinisi ma fa'atino ni auala e fa'aitiitia ai le telē o le si'itaga o le tau o 'oloa.²⁴¹ 'Āfai e fa'aauau pea le si'ita'i o le tau o 'oloa ma o'o ina lē toe gafatia e 'āiga le tau o taumafa, e mafai ona ogaoga le a'afiaga o le mautū o taumafa talafeagai fa'apea la latou aiā tatau i taumafa.

O se 'oto'otoga o le līpoti a le Matāgaluega o Fuainumera Fa'amauiina o le Fua o le Tau o le Soifuaga iā Fepuari 2022, na fa'amati'e ai, "na si'itia le fua o le tau o le soifuaga i le 0.4 pasene iā Fepuari 2022 fa'atusa iā Ianuari 2022. Na fa'apea fo'i ona si'itia i le 9.2 pasene fa'atusa iā Fepuari 2021".²⁴² Mo le masina o Mati 2022, na fa'aopoopo ai se si'itaga e 0.7 pasene. O le si'itia o le tau o 'Oloa 'aumai fafo i le 1.0 pasene mai le masina na tuana'i na mǎfua i le si'itaga o le tau o penisini/suāu'u, 'api ā'oga, pepa faleuila, napekini o tamaiti, simā, fasimoli ma sapelu. O le tau fo'i o ia 'oloa, o le mǎfua'aga 'autū lea o le si'itaga e 0.7 pasene o 'Oloa Uma i le Fua o le Tau o le Soifuaga.²⁴³

E tatau i le Mālō ma pisinisi ona fa'amautinoa e taga'i i a'afiaga o le gāsologa o le 'aumaia o 'oloa mai fafo ina ia mautinoa e lava taumafa mo mana'oga o le atunu'u. E tatau fo'i ona taga'i i le ono si'itia pea o le tau o taumafa ma le tau o le soifuaga a o fa'aauau pea ona feagai le lalolagi ma fa'afitāuli e feso'ota'i ma le mauaina o 'oloa ma 'au'aunaga.

f) Aiā tatau i le suāvai, fa'afoga o otaota lāfoa'i, ma le tūmamā

O le aiā tatau i le suāvai ma le fa'afoga o otaota lāfoa'i o ni vaega mana'omia o le aiā tatau i tulaga talafeagai mo le soifua, ma "o ni vaega lē matō'esea e feso'ota'i ma isi aiā tatau tau tamāō'āiga ma agafeso'ota'i, fa'apea le aiā tatau i le soifua mālōlōina."²⁴⁴ O le manatu o le Fa'alāpotopotoga o le Soifua Mālōlōina o le Lalolagi, e matuā mana'omia le mauaina o suāvai mamā, fa'afoga o otaota

²³⁹ Jarrett Malifa, "Supplies "drain" an already volatile market", *Samoa Observer* (7 April 2022)

https://www.samoobserver.ws/category/samoa/97886?utm_content=buffer350a4&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer.

²⁴⁰ NHRI Samoa, *SHRR 2022 community consultations* (14 and 16 March 2022).

²⁴¹ David Mala, "Price hike of goods in Apia challenging: public", *Samoa Observer* (15 January 2022)

<https://www.samoobserver.ws/category/contributors/96718>. See also Fuimaono Lumpea Hald, "My customers are struggling, says shop owner", *Samoa Observer* (19 June 2022)

https://www.samoobserver.ws/category/samoa/98715?utm_content=buffer7db0d&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer&fbclid=IwAR1wbCfqqFAt5veYdfjJdc5EqH2RPO8TUmlpUhg7ZQVgT5Z0vZEBTvWYY.

²⁴² Samoa Bureau of Statistics, *Consumer Price Index*, February 2022, https://www.sbs.gov.ws/images/sbs-documents/Economics/CPI/2022/feb/2-CPI_feb_2022.pdf.

²⁴³ Samoa Bureau of Statistics, *Consumer Price Index*, March 2022, https://www.sbs.gov.ws/images/sbs-documents/Economics/CPI/2022/march/3-CPI_mar_22.pdf.

²⁴⁴ UN Committee on Economic, Social and Cultural Rights (CESCR), *General Comment No. 15: The Right to Water (Arts. 11 and 12 of the Covenant)*, 20 January 2003, E/C.12/2002/11, <https://www.refworld.org/docid/4538838d11.html>; Human Rights Watch, *Human Rights Dimensions of COVID-19 Response*, March 2020, https://www.hrw.org/sites/default/files/supporting_resources/202003covid_report_0.pdf, p.20.

lāfoa’i ma le tūmamā, ina ia puipuia le soifua mālōlōina o tagata i taimi o le pesi o le fa’ama’i o le KOVITI-19.²⁴⁵

E ui ina mauaina faifaipea le suāvai i Sāmoa i le tele o taimi, e tatau lava i le Mālō ona fa’amautinoa e maua pea e tagata suāvai e saogalemū mo le taumafa, e aofia ai tagata ua ono lē mafai ona totogiina le suāvai.

Na lāgā fo’i ni popōlega e uiga i le a’afiaga o tagata e iai a’afiaga tumau o le soifua ma ‘āiga mātitiva, i le itū tau fa’afoega o otaota lāfoa’i.²⁴⁶

E matuā tāua le lagolago ia maua le suāvai ma auala o le fa’afoega o suāvai lāfoa’i i taimi o fa’alavelave tau soifua mālōlōina o tagata lautele ina ia mautinoa e fa’atino faiga talafeagai mo le suāvai, tūmamā ma le fa’afoega o otaota lāfoa’i i nu’u ma afio’aga, ‘āiga ma nofoaga o tausiga fa’asoifua mālōlōina.²⁴⁷ O nei fa’atinoga e mafai ona puipuia ai le pipisi o le siama o le KOVITI-19. E lē gata i lea, e mana’omia le fa’aauau pea o le galulue fa’atasi o le Mālō ma nu’u ma afio’aga ia mautinoa e talafeagai auala ‘olo’o iai mo le tūmamā ma le fa’afoega o otaota lāfoa’i. E tāua le fa’amauina, ‘olo’o fa’aauau pea e le Matāgaluega ana galuega e si’itia ai le silafia o tagata i le tūmamā ma fa’afoega o otaota lāfoa’i i ‘āiga ma falefaigaluega, e ala atu i le televise.

3. A’afiaga o le tamāo’āiga, fa’afitāuli o le soifuaga lautele ma le āfāina o le si’osi’omaga

O le fa’amuamua, o le puipuiga o le ola o tagata; e fesoasoani i lea le puipuiga o auala o le tausiga o le soifuaga: E tatau ona fa’atino fa’atasi galuega mo a’afiaga o le tamāo’āiga ma le soifuaga lautele, ma fa’atinoga mo le soifua mālōlōina o tagata lautele.²⁴⁸

E lē gata i le a’afiaga o aiā tatau ma sa’olotoga o tagatānu’u, ua ogaoga le a’afiaga o le tamāo’āiga o Sāmoa ona o le KOVITI-19; ua tūla’i mai fa’afitāuli i le soifuaga lautele fa’apea popōlega i lamatiaga o le si’osi’omaga ona o otaota e māfua mai i le KOVITI-19.

E pei o le tele o atunu’u o le lalolagi, ‘olo’o fa’asolo pea ina pa’ū le tulaga o le tamāo’āiga o Sāmoa ona o le KOVITI-19. O le tāpunia o femalagaa’iga fa’avāomālō ua matuā āfāina ai le vaega o tagata tafafao maimoa – o le vaega lea na aupito tele le tupe a le atunu’u na maua mai ai.

Talu le tula’i mai o le KOVITI-19, ua mātāuina le si’itia o fa’afitāuli o le soifuaga lautele ua a’afia ai nu’u ma afio’aga, pisinisi, ae aupito tāua, o vaega e ma’ale’ale le tulaga e aofia ai tinā ma tama’ita’i, tagata ua matua le soifua ma Tagata e iai A’afiaga Tumau o le Soifua.²⁴⁹ O ni isi o nei fa’afitāuli e aofia ai le fa’ateleina o soligātulafono e pei o le gaoui, sāuāga fa’alōtoifale aemaise lava i taimi na fa’atino ai sā;

²⁴⁵ WHO and UNICEF, “Water, sanitation, hygiene, and waste management for SARS-CoV-2, the virus that causes COVID-19”, (29 July 2020) <https://apps.who.int/iris/rest/bitstreams/1292822/retrieve>.

²⁴⁶ NHRI Samoa, Ombudsman Human Rights and Good Governance Dialogue, *NOLA presentation* (10 December 2021).

²⁴⁷ WHO, *Water, sanitation, hygiene, and waste management for SARS-CoV-2, the virus that causes COVID-19*, 29 July 2022 <https://www.who.int/publications/i/item/WHO-2019-nCoV-IPC-WASH-2020.4>.

²⁴⁸ United Nations, “COVID-19 and Human Rights We are all in this together”, April 2020, <https://unsdg.un.org/sites/default/files/2020-04/COVID-19-and-Human-Rights.pdf>, p.7.

²⁴⁹ See **Part 4(4)** below on for discussion on the impact of COVID-19 on ‘Vulnerable Groups’.

lē toe maua galuega ma ua a'afia ai le tausiga o 'āiga, fa'afitāuli tau mālōlōina o le māfaufau, ma faiga fa'ailoga tagata aemaise lava i auala o feso'ota'iga i le initaneti.

Ua mātauina fo'i ma le popole tele a'afiaga o le si'osi'omaga ona o otaota mai mea 'olo'o fa'aaogāina ona o le KOVITI-19. O nei otaota ua fa'aopoopo ai le 'avega tau'ave o le fa'afoega o otaota lāfoa'i, fa'atasi ai ma le fa'atamala o tagata i le lāfoa'iina o tali fofoga ma isi otaota fa'apēnā. E tūa le fa'amauina, ua loa ona fa'atino ma 'olo'o fa'atino pea e le Mālō polokalame i televise e uiga i le lāfoa'iina o otaota mai le KOVITI-19.

a) A'afiaga o le tamāo'āiga

E pei ona iai i le tele o atunu'u o le lalolagi, ua ogaoga a'afiaga o le tamāo'āiga o Sāmoa, o se atunu'u itiiti, ona o le KOVITI-19. O fa'amaumauga a le Faletupe Tūtotonu o Sāmoa iā Mati 2021, na fa'ailoa mai ai e 8.6 pasene na pa'ū ai le tamāo'āiga o le atunu'u ina ua leai se tupe maua mai tagata tāfafao maimoa, fa'atusatusa i le silia i le \$200 miliona Amerika i le 'ogātotonu o le 2019.²⁵⁰ O se līpoti a le Faletupe o Asia na lapata'ia ai o le lamatiaga aupito maualuga mo le tamāo'āiga o Sāmoa mo le 2022, o le fa'ateteleina lea o le salalau o le KOVITI-19 i nu'u ma afio'aga.²⁵¹

O se fa'atalanoaga ma le Minisitā o Tupe i le televise na fa'ailoa mai ai le a'afiaga o le tamāo'āiga o le atunu'u i le sā na fa'atino iā Mati 2022, na iai se pa'ū e SAT\$210 miliona i tupe maua. O le tūpunia o pisinisi na māfua ai le leai o ni tupe maua a le Mālō i lea taimi.²⁵²

O tapula'a o sā na matuā āfāina ai pisinisi lāiti ma pisinisi feoloolo. O se fa'atalanoaga ma le 'aufa'asalalau na tā'ua ai e le Ofisa Sili o le Fa'alāpotopotoga a le 'Aufaipisinisi a Sāmoa (Fa'alāpotopotoga), "o le tele o pisinisi lāiti ma pisinisi feoloolo i Sāmoa ua matuā pagātia lava ma e uma ane le sā na tūpunia ai le atunu'u 'ātoa iā Mati, ua leai ni a latou tupe".²⁵³ Mo sui o le Fa'alāpotopotoga e aofia ai i latou i pisinisi aloa'ia, pisinisi lē fa'amauina aloa'ia, e aofia ai tagata fa'atau'oloa i tafāala, fa'apea pisinisi tau fale'aiga i ā'oga, o le tūpunia o pisinisi na lē toe mafai ai ona totogi pe fai ni nonōgātupe, fa'apea fale 'olo'o mautotogi ai. E iai fo'i pisinisi na i'u ina fa'aaogā tupe teu a le tagata e ona le pisinisi, ina ia fa'aaau ai le pisinisi.²⁵⁴

O se su'esu'ega na fa'atino e le Fa'alāpotopotoga iā Fepuari 2022 – Mati 2022 na aofia ai le silia i le 500 sui o le Fa'alāpotopotoga, na fa'amati'eina ai e tusa o le 39% o sui na līpotiina le fa'aitiitia o tupe mamā na maua i le 12 masina na se'i mavae atu. Tusa e 30% na fa'apea mai 'ole'ā ātili leaga le tulaga i masina o soso'o, ae 29% na fa'apea mai 'ole'ā lelei atu le tulaga. Na fa'amati'eina fo'i i le su'esu'ega, o fa'afitāuli 'autū e tolu ua feagai ma le ola o pisinisi talu ona tūla'i mai le KOVITI-19, o le tau lea o le

²⁵⁰ UNESCAP, *Micro, Small and Medium-sized Enterprises' Access to Finance in Samoa: COVID-19 Supplementary Report and Recommendations*, 2020, <https://www.unescap.org/sites/default/d8files/knowledge-products/Samoa%20COVID-19%20FINAL-formatted.pdf>; See also Radio NZ, "From pandemic to economic crisis: Samoa's COVID-19 journey one year on", 16 March 2021, <https://www.rnz.co.nz/international/pacific-news/438422/from-pandemic-to-economic-crisis-samoa-s-covid-journey-one-year-on>.

²⁵¹ Asia Development Bank, "Maintain stimulus and support in Cook Islands, Niue, Samoa and Tonga until tourists return", *Press Release* (28 April 2022) <https://m.facebook.com/samoagovt/photos/a.900118486685841/4177140232316967/>.

²⁵² E.F.K.S. TV Soalepule programme on Wednesday 6 April, 2022. See also Adel Fruean "Recent lockdown impacted businesses: Minister", *Samoa Observer* 9 April 2022, https://www.samoaoobserver.ws/category/samoa/97903?utm_content=buffer3d79b&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer.

²⁵³ Adel Fruean, "'Businesses said there's no money': Chamber C.E.O.", *Samoa Observer* (6 April 2022) https://www.samoaoobserver.ws/category/samoa/97866?utm_content=buffer9e768&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer.

²⁵⁴ Adel Fruean, "'Businesses said there's no money': Chamber C.E.O.", *Samoa Observer* (6 April 2022) https://www.samoaoobserver.ws/category/samoa/97866?utm_content=buffer9e768&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer.

fa'agāoioiga o pisinisi, lāfoga ma isi tupe totogi i le mālō, ma le fa'aitiitia o le mana'oga mo 'oloa ma 'au'aunaga.²⁵⁵

Na fa'atino fo'i e le Sāmoa Business Hub se su'esu'ega i a'afiaga o tupe mamā ma tupe maua a ona sui ona o le KOVITI-19. O lea su'esu'ega na iloa ai le si'itia o le fua o le tau o le fa'agāoioiga o se pisinisi mai le 59.66% i le 2020 i le 78.63% i le 2021. E tele atu pisinisi na lipoti ane le tele o fa'afitāuli na feagai ai i le totogiina o nonōgātupe i le 2021 nai lō le 2020. O fa'afitāuli 'autū e tolu na feagai ma pisinisi talu ona tūla'i mai le KOVITI-19, o le totogiina o nonōgātupe, totogi o le 'aufaigaluega ma le totogiina o pisinisi e fa'atau mai ai 'oloa/'au'aunaga mo le pisinisi.²⁵⁶ O le tulaga i tagata faigaluega i pisinisi na fa'atalanoaina, na fa'ailoa mai, e o'o mai iā Iulai 2020, ua fa'aitiitia i le 15% le 'aufaigaluega mai le aofa'i na iai iā Tesema 2019.²⁵⁷

O le aso 19 o Aperila 2022, na toe fa'aopoopo ai e le Mālō itūlā e tatala ai pisinisi ma o le manatu o le Fa'alāpotoptoga a le 'Aufaipisinisi, o se tali mai lea i manatu fa'aalia o ona sui fa'apea le 'aufaipisinisi i le atunu'u.²⁵⁸

E ui o se la'asaga lelei mo pisinisi le fa'aopoopoina o itūlā e tatala ai, e lē lava tupe e maua mai ai e maua ai se vaifofō mo le tamāo'āiga ua āfāina. Fa'afetai 'olo'o maua mai pea fesoasoani fa'avāomālō (e ui o le vaega tele o nei fesoasoani e mo le tali atu i le KOVITI-19). Ua fesoasoani fo'i tupe 'auina mai 'āiga i atunu'u i fafo. O fa'amaumauga aupito lata mai na fa'ailoa mai ai e silia i le SAT\$400 miliona tupe na maua e le atunu'u mai fafo.²⁵⁹ E lē gata i nei auala o tupe maua, e tāua mo le Mālō ona fa'aaauu pea le taga'i i isi fa'atinoga e mafai ai ona toe fa'afo'isia le tamāo'āiga i se tulaga lelei ma le saogalēmū, mai a'afiaga ona o le KOVITI-19.

O se fa'amatalaga mai le Fa'aputugātupe Fa'avāomālō i le 2021 na tu'uina mai ai ni fautuaga e fesoasoani iā Sāmoa i ana taumafaiga e toe fa'afo'isia le tamāo'āiga i se tulaga lelei. O se tasi o ia fautuaga o le fa'alauteleina lea o ana faiga fa'avae tau tupe ina ia mautinoa e iai ni fesoasoani fa'atōsina/fa'amālosi'au mo pisinisi ma 'au'āiga ua ma'ale'ale le tulaga.²⁶⁰

O le galulue ai ma fefa'asoa'iga ma le 'aufaipisinisi, e tatau i le Mālō ona taga'i i ni 'auala e tali atu ai i a'afiaga tau tamāo'āiga o pisinisi, e aofia ai le 'atofaina o ni fesoasoani tupe fa'apitoa e fesoasoani i le toe fa'afo'isia o pisinisi i se tulaga lelei.

b) Fa'afitāuli o le soifuaga lautele

Ua fa'aopoopo mai fo'i e le fa'ama'i le mau fa'afitāuli 'ese'ese i nu'u ma afio'aga i Sāmoa, e aofia ai le fa'ailoga tagata, si'itia o sāuāga fa'avae i itūpā, to'atele tagata ua fa'amālōlō mai galuega ma ua āfāina

²⁵⁵ Samoa Chamber of Commerce, *Business Confidence Survey Report 2021-2022*, March 2022 (on file).

²⁵⁶ Samoa Business Hub (SBH), *Clients Impact Assessment*, 16 December 2021 (on file).

²⁵⁷ Samoa Business Hub (SBH), *Clients Impact Assessment*, 16 December 2021 (on file).

²⁵⁸ Adel Fruean "Business community welcome easing of restrictions", *Samoa Observer* (23 April 2022)

https://www.samoaoobserver.ws/category/samoa/98039?utm_content=buffera83e7&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer.

²⁵⁹ E.F.K.S. TV Soalepule programme on Wednesday 6 April, 2022. See also Adel Fruean "Recent lockdown impacted businesses: Minister", *Samoa Observer* 9 April 2022,

https://www.samoaoobserver.ws/category/samoa/97903?utm_content=buffer3d79b&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer.

²⁶⁰ Oxfam, COVID-19 and Human Rights: States' obligations and businesses' responsibilities in responding to the pandemic", *Discussion Paper* (August 2020) <https://oxfamlibrary.openrepository.com/bitstream/handle/10546/621037/dp-covid-19-human-rights-principles-070820-advance-en.pdf?sequence=4>, p.15.

ai le tausiga o 'āiga, si'itia fa'afitāuli o le mālōlōina o le māfaufau, fa'apea soligātulafono e aofia ai le gaoi ma le talepe fale.

i. Sāuāga fa'avae i itūpā

Ua fa'aopoopo a'afiaga o sā i taimi o le KOVITI-19 ma tāofiofiga ma tapula'a fa'atino, i luga o tulaga o le lē tutusa, āmioga māsani, ma le fa'ateleina o le popole, ua i'u ai i le fa'ateteleina o sāuāga fa'atino i tinā ma tama'ita'i, ma o le tele o ia sāuāga e fa'atino e se pā'aga vāvālalata. Na lipotiina le si'itia o sāuāga fa'alōtoifale i Sāmoa i taimi na fa'atino ai sā i le atunu'u.²⁶¹ O taimi o le sā muamua na fa'ailoa mai ai e le To'omaga mo ē Puapuagātia (To'omaga), na mātauina le iloga o le si'itia o sāuāga i totonu o 'āiga.²⁶²

O se folasaga na tu'uina mai e se sui o le To'omaga i se fefa'asoa'iga ma Fa'alāpotopotoga a Tagata Lautele/Fa'alāpotopotoga Tūma'oti na talimālō ai le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua iā Tesema 2021, na fa'amati'e ai²⁶³,

O tāofiofiga ona o le KOVITI-19 na mātauina ai le si'ita'i o sāuāga i totonu o 'āiga ma e to'atele 'āiga na sa'ili fesoasoani atu i le To'omaga. O le to'atele o i latou na sa'ili fesoasoani atu o tinā fa'apea ni mātua na talosaga atu i le To'omaga se'i o latou tausia a latou fanau ona ua o latou lē gafatia le tau o le tausiga i taimi o sā ma vavao o le KOVITI-19. O se lu'i lea mo le To'omaga, aemaise lava i taimi o Poloa'iga o Fa'alavelave Fa'afuase'i na fa'aitiitia ai 'au'aunaga na mafai ona fa'atino e le To'omaga ma lē mafai ai ona fa'atino ni asiasiga ma polokalame fa'atupu silafia i nu'u ma afio'aga. O taimi ia na i'u ai ina fa'aaogā e le To'omaga feso'ota'iga i le initaneti e fa'aauau ai ana polokalame fa'atupu silafia ma tali atu i matā'upu na fa'ao'o atu.

O le fa'afetaia'iga o sāuāga fa'avae i itūpā ma sāuāga fa'alōtoifale, e tatau lava i le Mālō ona fa'amautinoa e iai se fesoasoani mo le fa'aauauina ma le fa'atinoga 'āto'atoa o auala e mautinoa ai e lagolagoina 'au'aunaga mana'omia.²⁶⁴

ii. Solitulafono

O taimi o le KOVITI-19 ma sā na fa'atinoina, ua mātauina ai le si'itia o fa'atinoga solitulafono i Sāmoa. Na iai se lapata'iga mai le Matāgaluega o Leoleo ma Falepuipui i auala o fa'asalalauga e fa'ailoa mai ai le si'itia o le gaoi ma le talepe fale i taimi na fa'atapula'a ai le fegāsoloa'i, ma e lē itiiti ifo i le tasi i le aso matā'upu tau talepe fale na lipotia atu talu le 'āmataga o le sā iā Mati 2022.²⁶⁵

²⁶¹ Oxfam, COVID-19 and Human Rights: States' obligations and businesses' responsibilities in responding to the pandemic", *Discussion Paper* (August 2020) <https://oxfamlibrary.openrepository.com/bitstream/handle/10546/621037/dp-covid-19-human-rights-principles-070820-advance-en.pdf?sequence=4>, p.15.

²⁶² See Laufa Lesa and Louisa Apelu, "Help is not on lockdown: Samoan shelters and helplines continue operating through the pandemic", *Spotlight Initiative News* (22 September 2022) <https://www.spotlightinitiative.org/fr/node/36175>.

²⁶³ NHRI Samoa, *Ombudsman Human Rights and Good Governance Dialogue*, SVSG presentation (10 December 2021). See also Adel Fruean, "N.G.O. takes in children after positive mother's plea", *Samoa Observer* (16 April 2022) https://www.samoaoobserver.ws/category/samoa/97972?utm_content=buffer8a5ef&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer.

²⁶⁴ Government support for GBV services is discussed in **Part 2(3)** on 'Government response to COVID-19 in Samoa'.

²⁶⁵ Police warn burglary, theft on the rise, "Police warn burglary, theft on the rise", *Samoa Observer* (7 April 2022) https://www.samoaoobserver.ws/category/samoa/97884?utm_content=buffer9b2a5&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer&fbclid=IwAR0l0-zUjEGHtZuBwsamRx7faVRIMapuI9TURQVUntoRNFURIDDwvbfhd_Q.

E tele pisinisi ua a'afia i tagata talepe fale ma gaoia 'olua ma tupe.²⁶⁶ O se talanoaga ma le 'aufa'asalalau na fa'ailoa mai ai e le Matāgaluega,²⁶⁷

...ua mātauina mai lenei vaiaso le o'o mai o līpoti i Leoleo e uiga i fale o 'āiga ua fa'aleagaina. E lē gata i le fa'aleagaina o fale ma meatōtino, a ua gaoia fo'i a latou meatōtino. E fōliga mai ua fa'ateteleina i lenei vaiaso nei itū'āiga solitulafono.

E lē gata i ana taumafaiga e fa'asaina le ola o tagata ma tāofiofi le salalau o le fa'ama'i, e tatau fo'i i le Mālō ona fa'auau le fa'afetaia'iga o fa'afitāuli o le soifuaga lautele, e aofia ai le tāofiga o solitulafono, ina ia mautinoa le saogalēmū o tagata.

iii. Fa'afitāuli o le fa'a'esea ma le mālōlōina o le māfaufau

O le fa'a'esea, fa'apea sā na fa'atino ma le nofo i nofoaga o le fa'anofa'esea, o ni tulaga ia na fa'aopoopo i fa'afitāuli o le mālōlōina o le māfaufau. Na mātauina le si'itia o fa'afitāuli o le mālōlōina o le māfaufau i taimi o le fa'ama'i o le misela i le 2019 ma ua ātili si'itia i le o'o mai o le KOVITI-19. Na fa'ailoa mai e se Fa'alāpotopotoga 'olo'o tu'uina atu 'au'aunaga faufautua²⁶⁸,

...ua si'itia le aofa'i o tagata e a'afia i le popole, fā'atu, ma le fa'anoanoa, ua sa'ili atu se fesoasoani i a latou 'au'aunaga talu mai le pesi o le misela i le 2019 ma soso'o mai ai ma le fa'ama'i o le KOVITI-19. Mo se fa'ata'ita'iga, o le taunu'uga o le fa'amālōlō mai le galuega, o le leai lea o se tupe maua m.f.. O le fa'afitāuli e feagai ma tagata, e tele ina mātua mai i le lē lava o tupe maua e tausi ai o latou 'āiga ma tamaiti. E mafai ona i'u lea i sāuāga i totonu o le 'āiga, gaoi, ma isi fa'afitāuli.

O le to'atele o tagata a'afia e aofia ai tama talavou/lāiti. Na fa'ailoa mai e le Fa'atonu o le Vaega mo le Mālōlōina o le Māfaufau (VMM), o le to'atele o gasegase na 'auina atu i le VMM, e silia i le 50 pasene, o tama na feagai ma faiga fa'atūtala.²⁶⁹

E tusa ai ma se līpoti a le Fa'aputugātupe a Mālō Aufa'atasi mo Tamaiti (UNICEF) na fa'a'atū i tamaiti ma le mālōlōina o le māfaufau, "e maua atu le fua fa'ata'u o tamaiti 15-19 tausaga le matua i le Pasefika, e pule i le ola, nai lō isi atunu'u o le itūlagi o Asia-Pasefika. O atunu'u aupito maua le fua fa'ata'u e aofia ai Vanuatu, Sāmoa ma le Atu Solomona"²⁷⁰.

Na ta'atele fo'i le fā'atu i mātua, aemaise lava tinā. Na aliali mai i fefa'asoa'iga i nu'u ma afio'aga i vaega patino o tinā ma tama'ita'i i Upolu ma Savai'i, le to'atele o tinā na popole i taimi uma i le o'o mai ma salalau o le fa'ama'i i nu'u ma afio'aga. Na lagona le fefe e feoa'i ona o le popole ne'i pēsia i le fa'ama'i ma ono i'u ai i le maliu.²⁷¹

²⁶⁶ Marc Membrere, "Thieves break into Siusoga supermarket", *Samoa Observer* (28 March 2022) https://www.samoobserver.ws/category/samoa/97763?utm_content=bufferb85f5&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer&fbclid=IwAR2BC4YDXY1rpbxRI61Ur5_De2y4ffXXcdALqEgZwqQnJnxpk91DpxBYvsA.

²⁶⁷ Adel Fruean, "Burglary on the rise during lockdown, says Police", *Samoa Observer* (30 March 2022) https://www.samoobserver.ws/category/samoa/97783?utm_content=bufferb36fa&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer.

²⁶⁸ Krystal Selwood Juffa, "Stress, anxiety and depression on the rise: counsellor", *Samoa Observer* (19 May 2021) <https://www.samoobserver.ws/category/samoa/84159>.

²⁶⁹ Fuimaono Lumepa Hald, "Over half of mental health cases are boys: psychiatrist", *Samoa Observer* (15 January 2022) <https://www.samoobserver.ws/category/samoa/96723>.

²⁷⁰ UNICEF, "The State of the World's Children 2021 – Own My Mind: Promoting, protecting and caring for children's mental health", May 2022, <https://www.unicef.org/reports/state-worlds-children-2021>.

²⁷¹ NHRI Samoa, *SHRR 2022 community consultations – women focus group Upolu* (16 March 2022).

Ona o ia matā'upu ua tā'ua i luga, e mana'omia le taga'i o le Mālō i le 'ātoaga o le aiā tataui i le soifua mālōlōina, ina ia aofia i ana fa'atinoga, auala e fō'ia ai fa'afitāuli o le mālōlōina o le māfaufau. E tataui ona fa'aauau le galulue fa'atasi ma fefa'asoa'i ma Fa'alāpotopotoga 'olo'o galulue e fō'ia fa'afitāuli e feso'ota'i ma le mālōlōina o le māfaufau, ina ia mautinoa e tu'uina atu le fesoasoani i tagata 'olo'o mana'omia le fesoasoani, ma ia tulimata'i tagata e aupito ma'ale'ale le tulaga, aemaise lava tamaiti ma tagata talavou.

iv. Fa'amutaina o galuega

O a'afiaga o le tamāo'āiga ma pisinisi ua i'u ai ina fa'amutaina le fa'afaigaluegaina o le to'atele ma ua āfāina ai lo latou tausiga ma le tausiga o o latou 'āiga.

O le to'atele o i latou na fa'afeso'ota'i i taimi o fefa'asoa'iga i nu'u ma afio'aga ma tu'uina mai folasaga na fa'apea mai, ua telē le a'afiaga o a latou galuega ona o le KOVITI-19. E to'atele ua fa'amutaina galuega, po ua fa'aitiitia fo'i itūlā faigaluega ma ua a'afia ai a latou tupe maua ma le tausiga o 'āiga.²⁷² O le lē toe maua o tupe mai totogi, ua o'o ai i isi fa'afitāuli e pei o sāuāga ma e to'atele ua faigatā ona maua taumafa mo le 'āiga.

O nei lagona e ōgatasi ma se su'esu'ega na fa'atino i le 2020 i le taimi o le ulua'i sā a Sāmoa, na fa'amati'e ai le tulaga na o'o i ai galuega ma tupe maua a 'au'āiga,²⁷³

Toeitiiti lava 11% o 'au'āiga i Sāmoa na iai se tagata po o ni tagata na fa'amutaina galuega ona o fa'atinoga e tali atu i le KOVITI-19. E lē gata i lea, na līpoti mai e le 17% o i latou na aofia i le su'esu'ega le fa'aitiitia o a latou tupe maua ona o le fa'aauauina o le tulaga o Fa'alavelave Fa'afuase'i, ma e fai si maualuga atu o i latou e maualuga atu le tulaga o a'oa'oga na aofia i lea vaega. Ina ia tau fa'amāmā le 'avega tautupe, e to'atele 'au'āiga a'afia na tua i ma'umaga ma togālā'au 'aina fa'apea tupe fa'amomoli mai uō/tagata o 'āiga.

E mafai ona matuā ogaoga taunu'uga o le lē toe maua o galuega, i le tausiga o 'āiga, aemaise lava 'āiga e lē tele ni tupe maua, e iai tagata e lē faigaluega po o 'āiga fo'i e mātitiva. O lea e tataui ai lava i le Mālō ona fa'amautinoa, e aofia taumafaiga ia lē fa'amālōlōina tagata mai galuega ma le mauaina o isi avanoa, aemaise lava mo 'āiga e itiiti tupe maua ma i latou e leai ni galuega, i faiga fa'avae a le Mālō e fesoasoani, fa'amālosi'au ma fa'atōsina ona tagata. O lea faiga 'ole'ā mautinoa ai e mautū auala o le tausiga o le soifuga ma fa'aitiitia ai le mativa ma le fa'a'esea o tagata.

v. Fa'ailoga tagata

Ua tūla'i mai fo'i i le fa'ama'i faiga fa'ailoga tagata fa'asaga i ni tagata ona o lo latou tupu'aga ma le tulaga feso'ota'i ma le KOVITI-19. O tala o fa'asalalauga mai i ni isi atunu'u ua fa'amaui ai faiga fa'aitū'au, fa'ailoga tagata ona o le tupu'aga, ino'ino i tagata mai isi atunu'u, ma le fa'ailoga tagata fa'asaga i tagata e tupuga mai atunu'u i Asia.²⁷⁴

O Sāmoa, o le aliali a'e o le ulua'i tagata i nu'u ma afio'aga ua pēsia i le fa'ama'i, na tele le tusitusi lima ma fa'amatalaga i ala o feso'otaiga i le initaneti na fa'asaga i lea tagata, fa'atasi ma faitioga i lona

²⁷² NHRI Samoa, *SHRR 2022 community consultations* (14 and 16 March 2022).

²⁷³ UN Resident Coordinator Office, *Samoa COVID-19 Socio-Economic Impact Assessment: Key Findings*, (August 2021) https://samoa.un.org/sites/default/files/2021-09/Samoa%20SEIA%20Key%20Findings%20v10_Final%20%28Sep%209%202021%29.pdf, p.2.

²⁷⁴ Human Rights Watch, *Human Rights Dimensions of COVID-19 Response*, March 2020, https://www.hrw.org/sites/default/files/supporting_resources/202003covid_report_0.pdf, p.17.

fa'asalalauina o le siama ma i'u ai ina fa'atino le sā i le atunu'u. Sa lipotia foi le afaasalalau se tamā matua 76 tausga le matua ua pēsia, sa faanofo I fafo o le falemai e fai ai lana pamu fa'amanava.²⁷⁵ O se tasi folasaga na tu'uina mai na fa'a'ailoa mai ai se popōlega, ona ua mātauina le fa'asi'ugutua o tagata ua maua i le fa'ama'i.²⁷⁶ **E tāua le fa'amamafaina, e lē tatau ona fa'a'esea se tagata ona o lona tulaga feso'ota'i ma le KOVITI-19.** E tatau ona fa'amautinoa e le Mālō e talefeagai auala e fa'afetaia'i ai le fa'a'ailoga tagata, ma e mafai ona aofia ai polokalame fa'atupu silafia. E tatau fo'i i tagata ta'ito'atasi ona fa'amautinoa e fa'atino āmioga o le āmana'ia ma le alofa i isi tagata.

c) A'afiaga o le si'osi'omaga ma le fa'afoga o otaota lāfoa'i

E ui ina tulimata'i i fa'atinoga a le tele o mālō le puipuiga o le ola o tagata ma le fa'afosisia o le tamāo'āiga i se tulaga lelei, e matuā tāua le lelei o le fa'afoga o otaota lāfoa'i, e aofia ai otaota mai fale o 'āiga, tausiga fa'asoifua mālōlōina ma isi otaota e lamatia ai le ola o tagata, ina ia fa'aititia ni isi a'afiaga o le soifua mālōlōina ma le si'osi'omaga.²⁷⁷

Mo atunu'u e pei o Sāmoa e lē tutusa le lelei o le fa'afoga o otaota lāfoa'i e pei o tulaga i atunu'u e maua atu le ātina'e ona o māfua'aga tau toma'i, fa'atinoga ma/po o le lē lava o tupe, e i'u ina lamatia ma ma'ale'ale ona o le fa'afoga o otaota lāfoa'i i taimi o le fa'ama'i.

O lea e tatau ai i le Mālō ona fa'aauu le ātina'ega o faiga ma auala o le fa'afoga o otaota lāfoa'i, ma si'itia le silafia ma le mālmalama o tagata i auala saogalēmū o le lāfoa'iina o otaota o mea fa'aaogā i le KOVITI-19 ina ia mautinoa le saogalēmū, fa'apea le tūmamā o le atunu'u.

4. Vaega e ma'ale'ale le tulaga

a) Tinā ma tama'ita'i ma teine (e aofia ai tinā ma'itaga)

E pei ona fa'amati'e i le vaega i luga atu i lalo o le aiā tatau i le soifua mālōlōina, e telē le a'afiaga o sā na fa'atino, i le mauaina e tinā ma tama'ita'i o 'au'aunaga tau soifuaga fanau manuia e aofia ai auala o 'āiga fuafuaina, tausiga mo tinā ma'itaga fa'apea failele ma pepe.²⁷⁸

Mo tinā ma'itaga, o tulaga fa'ata'atitia a le WHO e mana'omia ai le fa'aauu o lo latou mauaina o tausiga fa'asoifua mālōlōina. Ua fa'amauina, "e ono tele atu le popole ma le atuatuva'e e feagai ma tinā ma'itaga ma o latou 'āiga ona o le KOVITI-19 i nu'u ma afio'aga, ma o lea e tatau ai ona 'avea le tausiga o tinā ma'itaga o se tasi o fa'amamamua o 'au'aunaga fa'avae tau soifua mālōlōina."²⁷⁹ O le itū i le fa'asusuina o pepe i tinā, e ui ina e le'i iloa ni a'afiaga o le pēsia e ala i le fa'asusuina o le pepe i le tinā, ua fautuaina e le Fa'aputugātupe a Malo Afa'atasi mo Faatinoga Tau Potopotoga o Tagata (UNFPA) ia 'a'ua ne'i 'ave'esea pepe mai tinā ua mama'i.²⁸⁰

²⁷⁵ Staff writers, "76 year old covid positive grandfather is treated outside of security hut of District Hospital", *Samoa Global News* (27 March 2022) <https://samoaglobalnews.com/76-year-old-covid-positive-grandfather-is-treated-outside-the-security-hut-of-district-hospital/?fbclid=IwAR2gs7D2wfv1XzmpzstoauBC25dBGVFR0rPPXIJ9NKuTDwszYgXu6RM0Vs>.

²⁷⁶ Lemalie SP, *Oral submission* (28 April 2022).

²⁷⁷ IGES/UNEP, *Waste Management during the COVID-19 Pandemic from Response to Recovery*, (2020) <https://wedocs.unep.org/bitstream/handle/20.500.11822/33416/WMC-19.pdf?sequence=1&isAllowed=y>.

²⁷⁸ SFHA, *AGM presentation*, 23 November 2021 (on file).

²⁷⁹ See World Health Organization/United Nations Population Fund, *COVID-19 technical brief for maternity services*, (July 2020) <https://www.unfpa.org/resources/covid-19-technical-brief-maternity-services>; Mona Larki, Farangis Sharifi and Robab Latifnejad Roudsari, "Models of maternity care for pregnant women during the COVID-19 pandemic", *EMHJ*, Vol. 26 No. 9 (2020) <https://applications.emro.who.int/emhj/v26/09/1020-3397-2020-2609-994-998-eng.pdf?ua=1>.

²⁸⁰ Human Rights Watch, *Human Rights Dimensions of COVID-19 Response*, March 2020, https://www.hrw.org/sites/default/files/supporting_resources/202003covid_report_0.pdf, p.15.

E telē atu fo’i le lamatiaga o tinā ma tama’ita’i e pēsia ai i le fa’ama’i talu ai e to’atele tinā ma tama’ita’i i le ‘aufaigaluega ta’imua (e pei o tausiga fa’asoifua mālōlōina ma le tausiga o tagata) fa’apea galuega tau tamāo’āiga e lē fa’amauina aloa’ia. E feagai fo’i tinā ma tama’ita’i ma le mamafa o galuega e lē maua se totogi, e aofia ai le tausiga o ‘āiga, tagata mama’i, tagata ua matua le soifua, ua saga tapu’e ai pea manatu māsani i le atunu’u e uiga i nafa o itūpā.²⁸¹

O tulafono o le nonofo/tutū vāvāmamao ma tāofiofiga o le fegāsoloa’i i taimi o sā ma vavao na fa’ateleina ai le lamatiaga o sāvāga fa’alōtoifale ona ua umi taimi e nonofo fa’atasi ai i fale ma pā’aga fa’atāutala, i tulaga ua fa’ateleina ai le popole ma le lē mautonu ona o tulaga ua o’o i ai le tamāo’āiga.²⁸² E pei ona fa’amati’e i le **Vaega 3(3)(b)(i)** o “fa’afitāuli o le soifuaga lautele ma sāvāga fa’avae i itūpā”, na lipotia mai e le To’omaga le si’itia o sāvāga fa’avae i itūpā i taimi o sā. O se popōlega tele lea ma o se matā’upu e tataua ona fa’afetaia’i e ala i le fa’auau pea o le lagolago i ‘au’aunaga feso’ota’i e pei o le iai o nofoaga e malu ai ma se ‘au’aunaga telefoni e leai se totogi, ina ia mautinoa e maua pea e tinā ma tama’ita’i ua a’afia le fesoasoani.

Ina ia mautinoa e lē fa’aopoopoina le āfāina o tinā ma tama’ita’i ma teine (e aofia ai tinā ma’itaga) mai taunu’uga o le KOVITI-19, e matuā tāua le fa’amautinoa e le Mālō e ‘avea ‘au’aunaga tau soifuaga fanau manuia, o se tasi o fa’amuumua o ‘au’aunaga fa’avae tau soifua mālōlōina, tu’uina atu fesoasoani mo tinā ma tama’ita’i ‘olo’o matuā to’atele i le vaega ‘olo’o tausia tagata, ma ia tu’uina atu se fesoasoani mo i latou ua āfāina ona o sāvāga fa’avae i itūpā.

b) Tagata ua matua le soifua ma tagata e iai gasegase tumau (e aofia ai i latou e iai le HIV)

Ua tula’i mai ma ‘olo’o fa’auau pea lamatiaga tūgā mo tagata ua matua le soifua ma tagata e iai gasegase tumau ona o le fa’ama’i o le KOVITI-19. O molimau ua maua ua fa’aalia mai ai e tele atu le avanoa e matuā tīgāina ma o’o ina lamatia le ola o tagata ua silia i le 60 tausaga le matua, fa’apea tagata e iai gasegase tumau, pe ‘āfai e pēsia i le KOVITI-19.²⁸³ E telē le a’afiaga o le mālōlōina o le māfaufau o tagata ua matua le soifua, aemaise tagata e i nofoaga o tausiga, ona o sā ma tulafono na tāofiofia ai asiasiga.²⁸⁴

E pei lava le KOVITI-19 o isi fa’ama’i pipisi, e telē atu le lamatiaga e pēsia ai tagata e nonofo felāta’i. E fa’aopoopo i lenā, e telē atu le āfāina o tagata ua matua le soifua ma tagata e iai gasegase tumau e pei o ma’i o le fatu ma ālātoto, ma’i suka, ma’i o ālā’ea, ma le toto maualuga.²⁸⁵

Mo Sāmoa, o le lipoti a le Matāgaluega o le Soifua Mālōlōina o le aso 1 o Aperila 2022 o le Tulaga ua o’o i ai le KOVITI-19 ‘olo’o si’itia pea le aofa’i o tagata ua matua le soifua (e tele i le 65 tausaga ma sili

²⁸¹ OECD, “Caregiving in crisis: Gender inequality in paid and unpaid work during COVID-19”, (13 December 2021) https://read.oecd-ilibrary.org/view/?ref=1122_1122019-pxf57r6v6k&title=Caregiving-in-crisis-Gender-inequality-in-paid-and-unpaid-work-during-COVID-19.

²⁸² Kelly Scott, Celine-Da-Graca-Pires and Maria Bennici, “Respecting the Rights of Vulnerable Groups during the COVID-19 Pandemic”, *BSR Blog* (19 August 2020) https://www.bsr.org/reports/Respecting_Rights_of_Vulnerable_Groups_in_COVID-19.pdf.

²⁸³ Kelly Scott, Celine-Da-Graca-Pires and Maria Bennici, “Respecting the Rights of Vulnerable Groups during the COVID-19 Pandemic”, *BSR Blog* (19 August 2020) https://www.bsr.org/reports/Respecting_Rights_of_Vulnerable_Groups_in_COVID-19.pdf.

²⁸⁴ Oxfam, COVID-19 and Human Rights: States’ obligations and businesses’ responsibilities in responding to the pandemic”, *Discussion Paper* (August 2020) <https://oxfamlibrary.openrepository.com/bitstream/handle/10546/621037/dp-covid-19-human-rights-principles-070820-advance-en.pdf?sequence=4>, p.17.

²⁸⁵ Human Rights Watch, *Human Rights Dimensions of COVID-19 Response*, March 2020, https://www.hrw.org/sites/default/files/supporting_resources/202003covid_report_0.pdf, p.8.

atu le matua).²⁸⁶ O le aso 8 o Aperila 2022, na fa’amāonia mai ai e le Matāgaluega o le Soifua Mālōlōina e 7 tagata ua māliliu mai māfua’aga e feso’ota’i ma le KOVITI-19, ma e to’alima e silia i le 60 tausaga le matua.²⁸⁷ E o’o mai i le aso 26 o Me 2022, ua 25 tagata ua māliliu ona o māfua’aga e feso’ota’i ma le KOVITI-1. O le to’atele o ia tagata, o i latou ua matua le soifua po o tagata e iai gasegase tumau.²⁸⁸

Na fa’aalia fo’i e le Matāgaluega o le Soifua Mālōlōina, talu mai le ulua’i tagata na iloa ua maua i le fa’ama’i i nu’u ma afio’aga i le aso 17 o Mati 2022, o le to’atele o tagata na pēsia na aofia ai tagata e 40 tausaga ma āga’i i luga le matua ma e iai o latou gasegase tumau, ua fa’ateleina ai le lamatiaga e matuā tīgāina.²⁸⁹ Ina ia mautinoa le puipuiga o tagata, na mata’alia le Matāgaluega o le Soifua Mālōlōina i le fa’asalalauina o fa’amatalaga i auala o feso’ota’iga i le initaneti, e uiga i mana’oga fa’apitoa o tagata e iai gasegase tumau fa’apea fa’amālamalama o māfua’aga e ala ai ona telē atu le lamatiaga mo i latou.²⁹⁰

E tāua fo’i le fa’amati’e, o tagata e iai le HIV e ono a’afia le mafai ona tete’e e o latou tino o fa’ama’i ma e ono telē fo’i le lamatiaga e matuā tīgāina ai. E ono tē’ena fo’i le mauaina o togafitiga mana’omia ona ua lē gafatia e ‘au’aunaga fa’asoifua mālōlōina.²⁹¹ O lea e tatau ai ona fa’amautinoa e fa’auau ona maua e tagata e iai le HIV le fesoasoani latou te mana’omia.

c) Tamaiti ma tupulaga talavou

E ‘ese’ese a’afiaga o vaega ‘ese’ese o le ōlaga o tamaiti ma tupulaga talavou ona o le fa’ama’i ma fa’atinoga a le Mālō ina ia tāofia le salalau o le siama.

E pei ona fa’amati’e i le **Vaega 3(2)(c)** i le “aiā tatau i a’oa’oga”, na tāpunia ā’oga ona o le KOVITI-19 ma motusia ai le a’oa’oina o tamaiti ma ua fa’alavelaveina ai lo latou ātina’e a o tuputupu a’e.²⁹² Na matuā faigatā le tāpunia o āoga, i tamaiti e iai a’afiaga tumau, talu ai, o nei tamaiti e fa’alagolago i a’oa’oga, tausiga ma fesoasoani fesāga’i.²⁹³

Ua fa’aalia fo’i atugaluga e uiga i le si’itia o le tulaga popole ma le atuatuvaile o tamaiti ona o le lē mafai ona feso’ota’i ma isi, fa’apea le tulaga faigatā ua o’o i ai le tamāo’āiga.²⁹⁴

²⁸⁶ See MOH, *Situational Report on COVID-19 Pandemic, 1 April 2022*, <https://www.facebook.com/samoagovt/posts/337930038370153>. On the 2nd of April 2022, Ministry of Health recorded 188 positive cases of people age 60+ and children less than 10 years old at 203 – see MOH, *Situational Report on COVID-19 Pandemic, 2 April 2022*, <https://www.facebook.com/samoagovt/posts/338378524991971>. See also Newsline Samoa “COVID Death Risk Highest in 16% of Population”, (25 April 2022) <https://newsline.com.samoanews.com/covid-death-risk-highest-in-16-of-population/?fbclid=IwAR3eHZYFafObahChCaldhRsv73b-NkxnbQrDb4xCe8gi5uGNeVzWk2FUyI>.

²⁸⁷ See Government of Samoa, “Samoa records its second COVID 19 related death”, *Press Release* (3 April 2022) <https://www.facebook.com/samoagovt/posts/338889584940865>.

²⁸⁸ See Government of Samoa, “Situational Report on COVID-19 Pandemic 22nd -24th May 2022”, *Press Release* (26 May 2022) <https://www.samoagovt.ws/2022/05/press-release-situational-report-on-covid-19-pandemic-22nd-24th-may-2022/>. To access the detailed COVID-19 situational analysis reports, visit the MOH website at <https://www.health.gov.ws/>.

²⁸⁹ See Adel Fruean, “Rising positive cases of those aged 40-plus worry authorities”, *Samoa Observer* (27 March 2022) https://www.samoobserver.ws/category/samoa/97748?utm_content=bufferd2cbd&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer.

²⁹⁰ See MOH website at <https://www.health.gov.ws/>.

²⁹¹ See UN Women and Translators without Borders, *COVID-19: How to include marginalized and vulnerable people in risk communication and community engagement*, March 2020, https://reliefweb.int/sites/reliefweb.int/files/resources/COVID-19_CommunityEngagement_130320.pdf.

²⁹² EB, *Written submission* (8 March 2022).

²⁹³ SVSG, *Written submission* (24 February 2022).

²⁹⁴ UN in Samoa, *COVID-19 Socio-Economic Response Plan, 2020*, https://reliefweb.int/attachments/d79e6353-d1da-3962-88a7-c710d9f1cfc2/WSM_Socioeconomic-Response-Plan_2020.pdf, p. 22.

E ui ina fa'aali mai i ulua'i fa'amaumauga e maualalo atu le fua fa'atatau o tamaiti a'afia i le KOVITI-19 i lō tagata mātutua, ua fa'ailoa mai i su'esu'ega fou, e faigōfie atu le salalau o le KOVITI-19 i tamaiti nai lō līpoti muamua.²⁹⁵ O fa'amaumauga mai le Matāgaluega o le Soifua Mālōlōina i le aso 21 o Mati 2022, na fa'ailoa mai ai e to'alima tamaiti e 4 tausaga ma itiiti ifo ua pēsia, fa'atasi ai ma le ono o tamaiti i le vā o le lima i le iva tausaga le matua.²⁹⁶

O a'afiaga ua tā'ua i luga o tamaiti ma tupulaga talavou i Sāmoa, e pei lava o a'afiaga na mātauina e le Fono o Aiā Tatau a Tagata Soifua i lana tauaofiaga lona 48 i le aso 13 o Setema - 8 Oketopa 2021 mo tamaiti i le lalolagi 'ātoa. Mo le āga'i i luma, na fautuaina e le Fono ia mautinoa e Mālō e iai auala talafeagai ina ia tafi'esea ai itū'āiga fa'ailoga tagata o feagai ma tamaiti, fa'apea fo'i ona fa'amautinoa e fa'aauau le maua pea e tamaiti ma tupulaga talavou a'oa'oga i tulaga saogalēmū.²⁹⁷

O Sāmoa o se Mālō 'Auai i le Feagaiga mo le Puipuiga o Fa'amanuiaga Talafeagai mo le Ola o le Tamaitiiti, 'olo'o āmana'ia ai le matāfaioi a le mālō e fa'amautinoa le fa'amanuiaga tatau mo le tamaitiiti i le soifua mālōlōina (Fuai'upu 24) ma le aiā tatau i a'oa'oga (Fuai'upu 28) e ala i le mautinoa e talafeagai puna'oa ma faiga ina ia mautinoa e maua e tamaiti a'oa'oga e lē fa'alavelaveina, fa'apea le 'auai o tamaiti i faigā fa'ai'uga (Fuai'upu 12). E pei ona fa'amati'e i le Vaega 3(2)(c), e tatau ona fa'atino e le Mālō auala e fesoasoani ai, ia maua e tamaiti fa'amanuiaga o le aiā tatau i a'oa'oga, aemaise lava i taimi o sā, e aofia ai le fa'aaogāina o tupe ina ia maua 'au'aunaga tau initaneti e ā'oga, ma le fa'atinoina o lēsona e ala atu i le televise.

Ona o tulaga ua tā'ua i luga, e tatau i le Mālō ona fa'aauau le fa'atinoga o ana matāfaioi e feso'ota'i ma le aiā tatau a tamaiti 'olo'o i ana faiga fa'avae ma lalo o le Feagaiga mo le Puipuiga o Fa'amanuiaga Talafeagai mo le Ola o le Tamaitiiti.

d) Tagata i nofoaga o le to'ese

E mafai fo'i ona ogaoga taunu'uga o le KOVITI-19 i le soifua mālōlōina o tagata i nofoaga o le to'ese. E maualuga le tulaga o lamatiaga i nofoaga e mafai ona vave salalau ai le fa'ama'i, aemaise lava pe 'āfai e lē lelei le tulaga o le mauaina o tausiga fa'asoifua mālōlōina.²⁹⁸ O tagata e i falepuipui e māsani ona iai tagata ua mātutua ma tagata e iai gasegase tumau, ma e tele atu le lamatiaga e tīgāina ai pe 'ā maua i le KOVITI-19.²⁹⁹ E mafai fo'i ona iai a'afiaga o le atuatuva'e o le māfaufau ona o le fa'a'esea. E mafai fo'i ona āfāina le mālōlōina o le māfaufau o le to'atele ona o tāōfiofiga o sā, e fa'aitiitia ai tagata e asiasi atu i nei nofoaga.³⁰⁰

Mo Sāmoa, toetiiti 'ātoa le tolu vaiaso talu le sā i le aso 18 o Mati 2022, na līpotia mai ai ua o'o le fa'ama'i i le falepuipui i Tanumalala. E to'aiva pāgotā na pēsia (fitu al'i ma le lua tama'itai) na

²⁹⁵ Kelly Scott, Celine-Da-Graca-Pires and Maria Bennici, "Respecting the Rights of Vulnerable Groups during the COVID-19 Pandemic", *BSR Blog* (19 August 2020) https://www.bsr.org/reports/Respecting_Rights_of_Vulnerable_Groups_in_COVID-19.pdf.

²⁹⁶ See Matai'a Lanuola Tusani T - Ah Tong, "Babies test positive to COVID-19", *Samoa Observer* (22 March 2022) <https://www.samoobserver.ws/category/samoa/97671>.

²⁹⁷ See Human Rights Council, *Human rights implications of the COVID-19 pandemic on young people*, Resolution A/HRC/48/L.26/Rev.1, <https://documents-dds-ny.un.org/doc/UNDOC/LTD/G21/272/42/PDF/G2127242.pdf?OpenElement>.

²⁹⁸ Human Rights Watch, *Human Rights Dimensions of COVID-19 Response*, March 2020, https://www.hrw.org/sites/default/files/supporting_resources/202003covid_report_0.pdf, p.9.

²⁹⁹ Human Rights Watch, *Human Rights Dimensions of COVID-19 Response*, March 2020, https://www.hrw.org/sites/default/files/supporting_resources/202003covid_report_0.pdf, p.9.

³⁰⁰ Oxfam, COVID-19 and Human Rights: States' obligations and businesses' responsibilities in responding to the pandemic", *Discussion Paper* (August 2020) <https://oxfamlibrary.openrepository.com/bitstream/handle/10546/621037/dp-covid-19-human-rights-principles-070820-advance-en.pdf?sequence=4>, p.17.

masalomia na pēsia mai i leoleo na vala’auina mo se fesoasoani ona o ni pāgotā na sōsola i tua.³⁰¹ O le aso 28 o Aperila 2022, na līpotia mai ai e 24 pāgotā i le falepuipui i Vaiaata i Savai’i ua pēsia i le fa’ama’i ma e masalomia fo’i na pēsia mai i ni leoleo o le falepuipui.³⁰²

O fefa’asoa’iga ma le Komesina Lagolago e feagai ma le va’aiga o falepuipui i le asiasiga a le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua i le aso 28 o Aperila 2022, na fa’ailoa mai ai ua iai tāpenaga e tāofia ai le salalau o le fa’ama’i i isi pāgotā e ala i le fa’anofo’esea o i latou ua maua i le fa’ama’i i ni sela ua ‘atofaina.³⁰³ Na mātā’itūina se fuafuaga a Falepuipui e Tali atu i le KOVITI-19 na fa’aaogā ai fautuaga mai le Matāgaluega o le Soifua Mālōlōina ae le’i o’o mai le fa’ama’i i tua i nu’u ma afio’aga. O le fuafuaga lea na fa’aaogā i le fa’afoga o le KOVITI-19 i nofoaga uma o le to’ese.³⁰⁴ Mai le asiasiga a le Ofisa, e fā sela ‘olo’o fa’aaogā mo le fa’anofo’esea – 2 mo pāgotā ali’i, 1 mo ali’i tāofia ma le 1 mo pāgotā tama’ita’i. E lelei le fegāsoloa’i o le ‘ea i sela uma e fā ma e talafeagai faleui ma faletā’ele. E lē gata i lea, e iai le vaega fa’apitoa e feagai ma le fa’atinoga o le siakiina, su’ega ma le mātā’itūina o pāgotā ua pēsia ma le fa’ao’oina atu o fa’amatalaga e uiga i le KOVITI-19 i pāgotā ma le ‘aufaigaluega e uiga i matā’upu e aofia ai fa’atinoga o le tūmamā, mātā’itūina o āuga m.m.f.

E lē gata i lea, na fa’atino se faiga fa’avae mo le tatala i tua o ni pāgotā ina ua sao le fa’ama’i i tua i nu’u ma afio’aga. Mo se fa’ata’ita’iga, na tatala i tua tinā e fa’asusu a latou pepe, tagata e iai gasegase tumau ma i latou e māgalo le fa’asalaga i totonu o le 6 masina o lumana’i. E iai aiaiga o le fa’ataga i tua o nei tagata ma sa mātā’itūina ma le toto’a. O lenei fa’atinoga ua fesoasoani tele i le fa’aitiitia o tagata i le falepuipui ma mafai ai ona tausisia le nonofo/tutū vāvāmamao. E maua isi fa’amatalaga e uiga i le asiasiga a le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua i le Līpoti o le Asiasiga 2022, na tulimata’i ai le iloiloga o auala o le puipuiga, tāpenaga ma le fa’afoga o le KOVITI-19 i nofoaga o le to’ese.³⁰⁵

e) ‘Āiga e la’itiiti tupe maua ma tagata ‘olo’o ola i tulaga o le mativa

E ono telē le āfāina o ‘āiga e itiiti tupe maua ma tagata ‘olo’o ola i tulaga o le mativa talu ai e ‘uti’uti puna’oa e mafai ai ona nonofo i ‘āiga i ni taimi umi, aemaise lava i taimi o sālā. E ono iai fo’i fa’afitāuli tau soifua mālōlōina ona o le si’osi’omaga ‘olo’o ola ai.³⁰⁶

E matuā telē le āfāina o ‘āiga e la’itiiti tupe maua ma tagata mātiva. O i latou fo’i ia e ono iai fa’afitāuli tau soifua mālōlōina, e nonofo fe’ōma’i i fale, leai ni puna’oa e mafai ai ona nonofo i ‘āiga mo se taimi umi, ma e faigaluega i galuega

³⁰¹ Matai’a Lanuola Tusani T - Ah Tong, “COVID-19 breaks into Tanumalala prison”, *Samoa Observer* (6 April 2022) https://www.samoobserver.ws/category/samoa/97872?utm_content=buffer8b172&utm_medium=social&utm_source=facebook.com&utm_campaign=buffer. See also NHRI Samoa, *Prison inspections: COVID-19 preparedness, prevention and control in places of detention assessment*, May 2022, <https://ombudsman.gov.ws/wp-content/uploads/2022/05/COVID-19-Prison-Inspection-Report-2022-FINAL-ready-for-web.pdf>.

³⁰² See TV 1 Samoa, “Twenty four prisoners at the Vaiaata Prison in Savaii have tested positive to the covid 19 virus”, *Talafou News* (28 April 2022) <https://www.facebook.com/429614057244016/posts/1952642068274533/?sfnsn=mo>.

³⁰³ NHRI Samoa, *Prison inspections: COVID-19 preparedness, prevention and control in places of detention assessment*, May 2022, <https://ombudsman.gov.ws/wp-content/uploads/2022/05/COVID-19-Prison-Inspection-Report-2022-FINAL-ready-for-web.pdf>.

³⁰⁴ NHRI Samoa was given a copy of this Plan and after sighting it provides adequate measures for managing COVID-19 in prison with some areas to be further strengthened.

³⁰⁵ NHRI Samoa, *Prison inspections: COVID-19 preparedness, prevention and control in places of detention assessment*, May 2022, <https://ombudsman.gov.ws/wp-content/uploads/2022/05/COVID-19-Prison-Inspection-Report-2022-FINAL-ready-for-web.pdf>.

³⁰⁶ Kelly Scott, Celine-Da-Graca-Pires and Maria Bennici, “Respecting the Rights of Vulnerable Groups during the COVID-19 Pandemic”, *BSR Blog* (19 August 2020) https://www.bsr.org/reports/Respecting_Rights_of_Vulnerable_Groups_in_COVID-19.pdf.

*e la'itiiti totogi ma e fa'amālosia e filifili i le lamatia o le soifua mālōlōina po o le nofo i le fale ma lē toe maua ai se totogi.*³⁰⁷

O le to'atele o tagata na fa'afeso'ota'i i fefa'asoa'iga i nu'u ma afio'aga i Upolu ma Savai'i iā Mati 2022 ae le'i o'o mai le fa'ama'i i nu'u ma afio'aga na fa'ailoa mai, o le lē toe iai o ni galuega na i'u ai ina lē mafai ona tausi o latou 'āiga. Na fa'apea mai se tasi,

Na'o a'u le tagata o lo matou 'āiga e faigaluega ma e na'o le \$150 lo'u totogi i le vaiaso. Ou te faigaluega o se leoleo sikulātī. Na fa'aitiitia o'u itulā faigaluega ona o le KOVITI-19 ma fa'aitiitia ai fo'i ma lo'u totogi. O le tulaga lenā na faigatā ai lava ona tausi lo'u 'āiga.³⁰⁸

Na fa'apea mai se isi, "E lē telē so'u totogi mai la'u galuega ma ua matuā faigatā lava mo lo'u 'āiga. Ua lē mafai ona totogi a matou nonōgātupe."³⁰⁹

E tatau ona 'avea o se matāupu 'autū mo le Mālō i le fausaga o ana faiga fa'avae fa'amālosi'au/fa'atōsina a'afiaga lē mafa'atusalia o 'āiga e la'itiiti tupe maua ma tagata 'olo'o ola i le mativa, ina ia mautinoa e maua e nei tagata le fesoasoani mana'omia ina ia mafai ona fa'aauau le tausiga o o latou 'āiga.

f) Tagata e iai A'afiaga Tumau o le Soifua

E tele fa'afitāuli ua feagai ma Tagata e iai a'afiaga tumau o le soifua ona o le fa'ama'i. O ia fa'afitāuli e aofia ai le fa'aitiitia o le mauaina o fesoasoani māsanī e maua i nu'u ma afio'aga talu ai sā, fa'apea le faia e isi tagata o fa'ai'uga mo i latou.

O se fonotaga i aiā tatau a tagata soifua na talimālō ai le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua iā Tesema 2021, na tu'uina mai ai e le Nuanua o le Alofa (NOLA), o le fa'alāpotopotoga 'autū fo'i lea a Sāmoa 'olo'o galue mo Tagata e iai A'afiaga Tumau o le Soifua se fa'amatalaga fa'apea,³¹⁰

O tāofiofiga i Sāmoa ona o le KOVITI-19 na fa'ateleina ai lu'i ua tā'ua i luga ma fa'apea fo'i ona fa'ateteleina ai lu'i mo NOLA ma Tagata e iai A'afiaga Tumau o le Soifua i Sāmoa. O ia lu'i e aofia ai le fa'aitiitia o 'au'aunaga e mafai ona tu'uina atu, ua lē mafai ona fa'aauauina fesoasoani mai pā'aga, e to'atele Tagata e iai A'afiaga Tumau o le Soifua na lē toe iai galuega, aemaise lava i latou e faigaluega i ofisa. Na motusia fo'i ni 'au'aunaga fa'asoifua mālōlōina, ma na fa'apea fo'i ona ta'atele fa'afitāuli o le mauaina o le suāvai fa'apea tulaga tau tūmamā.

E pei fo'i o tagata ua matua le soifua, o le tele o Tagata e iai A'afiaga Tumau o le Soifua, e fa'alagolago i 'au'aunaga ma fesoasoani lē motusia i 'āiga fa'apea nu'u ma afio'aga. O le fa'amautinoaina o le maua pea e lē motusia nei 'au'aunaga ma fa'atinoga, e tatau ai i ona mafai e ofisa o le mālō, fa'alāpotopotoga i nu'u ma afio'aga, tagata e tu'uina atu tausiga fa'asoifua mālōlōina ma isi 'au'aunaga mana'omia, ona fa'aauau pea a latou 'au'aunaga mana'omia, ina ia tali atu i mana'oga o Tagata e iai A'afiaga Tumau o le Soifua. E tatau ona fausia fuafuaga a le Mālō ina ia itiiti se a'afiaga o 'au'aunaga, ma ia ātīna'e ni isi auala o 'au'aunaga mo taimi o fa'alavelave fa'afuase'i. E mafai ona 'avea le motusia o 'au'aunaga i

³⁰⁷ Philip Alston, "Responses to COVID-19 are failing people in poverty worldwide", *Former UN Special Rapporteur on Extreme Poverty and Human Rights*, 22 April 2020, <https://www.ohchr.org/en/press-releases/2020/04/responses-covid-19-are-failing-people-poverty-worldwide-un-human-rights>.

³⁰⁸ NHRI Samoa, *SHRR 2022 community consultations – men focus group Savaii* (14 March 2022).

³⁰⁹ NHRI Samoa, *SHRR 2022 community consultations Upolu* (16 March 2022).

³¹⁰ NHRI Samoa, *Ombudsman Human Rights and Good Governance Dialogue*, NOLA presentation (10 December 2021).

nu'u ma afio'aga, e i'u ai i le 'ave atu o Tagata e iai A'afiaga Tumau o le Soifua i ni nofoaga fa'apitoo mo i latou, ma o'o ai i ni taunu'uga lē lelei o le soifua mālōlōina, e aofia ai le maliu.³¹¹

E pei ona fa'amati'e i le **Vaega 3 (2)(c)** o taunu'uga i le "aiā tatau i a'oa'oga", na fa'ailoa mai i se tasi folasaga, e telē le a'afiaga o le mauaina e tamaiti e iai a'afiaga tumau, o 'au'aunaga, ma na matuā a'afia fo'i a latou a'oa'oga ona o tapula'a ma tāofiofiga na fa'atinoina talu ai, o le to'atele o i latou e fa'alagolago tele i tausiga ma fesoasoani fesāga'i, o ni fesoasoani na motusia ona o sā.³¹²

O lalo o le Feagaiga mo Aiā Tatau a Tagata e iai Aafiaga Tumau o le Soifua, ua 'auai atu i ai Sāmoa, o le matāfaioi a le Mālō o le puipuiga o aiā tatau a Tagata e iai Aafiaga Tumau o le Soifua, o le fa'atino lea o auala uma e mana'omia mo le puipuiga o ia aiā tatau, e aofia ai le tu'uina atu o meafaigaluega mana'omia mo le puipuiga o tagata faigaluega e tautia tagata, ma fesoasoani tau tupe ina ia mautinoa e mafai ona fa'atino le tausiga o Tagata e iai Aafiaga Tumau o le Soifua.³¹³ Ua fa'amamafaina fo'i le aiā tatau i le 'auai, e mana'omia ai Mālō ina ia iai se sao o Tagata e iai Aafiaga Tumau o le Soifua, e ala i fa'alāpotopotoga e 'avea ma o latou sui, i le fausaga o auala e tali atu ai i le fa'ama'i.³¹⁴

Ina ia fesoasoani e si'itia le mālamlama i le ma'ale'ale o le tulaga o Tagata e iai Aafiaga Tumau o le Soifua, na sāunia ma fa'asalalauina e le Mālō e ala mai i le Matāgaluega o Tinā ma Tama'ita'i, Ātina'e o Nu'u ma Afio'aga ma Agafeso'otai ni ata vito mo le atunu'u lautele, e uiga i le fa'atinoga o faiga e lē fa'ailoga tagata, ma ia āmana'ia Tagata e iai Aafiaga Tumau o le Soifua,³¹⁵ fa'apea le fa'aaogāina o le gagana faitāga mo tagata logonoa e feso'ota'i ai i taimi o le KOVITI-19.³¹⁶

E tatau ona fa'amautinoa e le Mālō le fa'aauuina pea o taumafaiga e fesoasoani i Tagata e iai Aafiaga Tumau o le Soifua i taimi o le KOVITI-19, ma le itū aupito tāua, o le tu'uina atu lea o fesoasoani mana'omia, e aofia ai fesoasoani tau tupe, ina ia mautinoa e mafai ona fa'atino lo latou tausiga. E tatau fo'i i le Mālō ona fa'amautinoa e iai se sao o Tagata e iai Aafiaga Tumau o le Soifua, e ala i fa'alāpotopotoga e 'avea ma o latou sui, i le fausaga o auala e tali atu ai i le fa'ama'i.

g) 'Aufaigaluega ta'imua

Ua matuā iloga ona lu'iina e le KOVITI-19 a tatou faiga tau soifua mālōlōina ma ua telē le a'afiaga o a tatou 'aufaigaluega ta'imua. O i latou ia 'olo'o galulue i ao ma pō i le tausiga o tagata ua pēsia, fa'apea le puipuiga o le salalau o le fa'ama'i.

Ua fa'ailoa mai i lipoti a le Matāgaluega o le Soifua Mālōlōina le tele o taimi ua pēsia ai le 'aufaigaluega ta'imua ma i'u ina fa'anofosea. O ia tulaga na matuā a'afia ai le tu'uina atu o 'au'aunaga tau soifua mālōlōina.

³¹¹ Human Rights Watch, *Human Rights Dimensions of COVID-19 Response*, March 2020, https://www.hrw.org/sites/default/files/supporting_resources/202003covid_report_0.pdf, p.20.

³¹² SVSG, *Written submission* (14 February 2022).

³¹³ *Convention on the Rights of Persons with Disabilities* (CRPD), Article 11.

³¹⁴ *Convention on the Rights of Persons with Disabilities* (CRPD), Article 29. See also UN Committee on the Rights of Persons with Disabilities, *General comment No. 7 (2018) on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention*, CRPD/C/GC/7 9 November 2018, <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhnsbHatvuFkZ%2Bt93Y3D%2Baa2pjFYzWLBuOvA%2BBBr7QovZhbuvqzIDN0plweYI46WXrJJ6aB3Mx4y%2FspT%2BQrY5K2mKse5zjo%2BfvBDVu%2B42R9iK1p>.

³¹⁵ See video here: <https://fb.watch/cM96jR9nRU/>.

³¹⁶ See video here: <https://fb.watch/cM9eDrNOxK/>.

Na lāgā fo’i popōlega i le tulaga o le ātu, āfāina i le mamafa o le galuega tau’ave ma le matuā vāivai o le ‘aufaigaluega ta’imua. O se folasaga na tu’uina mai e se tagata faigaluega ta’imua na fa’ailoa mai ai le lagona o le matuā vāivai ona o le umi o taimi faigaluega ma le lē mafai ona feilo’ai ma ‘āiga.³¹⁷ E iai fo’i popōlega na lāgā e ni tausisoifua i ala o fa’asalaluga, i le lē totogiina o o latou ‘ovataimi, fa’apea fo’i le totogiina e i latou lava o mea e tatau ona totogi e le Matāgaluega e pei o penisini o ta’avale. O se tali mai a le Matāgaluega i lea tulaga na fa’apea mai, o le māfua’aga o le fa’atuai ona maua o ia tupe ona ua lē faigaluega tagata e feagai ma lea galuega ona ua pēsia i le fa’ama’i.³¹⁸

‘Olo’o āmana’ia e le Matāgaluega i le *Fuafuaga Aoao mo Fa’ama’i Pipisi ua Salalau* le mana’oga ia tautia le soifua manuia o le ‘aufaigaluega ina ia fa’aitiitia le ātu fa’apea le lamatiaga o le āfāina ona o le mamafa o le galuega. E mafai ona fa’atino lea e ala i le iai o tagata e va’ava’aia, sāunia o ni auala e felagolagoma’i ma feso’ota’i ai le ‘aufaigaluega ma fa’amautinoa le mauaina o fesoasoani tau mālōlōina o le māfaufau e malu fa’amatalaga ma auala manino mo le ‘auina atu o tagata faigaluega uma mo se fesoasoani f.t. ‘au’aunaga faufautua mo le ‘aufaigaluega.³¹⁹ E lē manino po o maua lea fesoasoani peita’i, e fōliga mai i folasaga na maua, e leai se fesoasoani fa’apea o maua.

O se vaega o le aiā tatau i le soifua mālōlōina, e iai le tiute tau’ave o mālō ia fa’aitiitia le lamatiaga o le ‘aufaigaluega mai fa’alavelave e tutupu ma fa’ama’i e ono tūla’i mai i galuega, e aofia ai le fa’amautinoa e maua e le ‘aufaigaluega fa’amatalaga tau soifua mālōlōina, e talafeagai lā’ei ma meafaigaluega mo le puipuiga, fa’apea fesoasoani tau le māfaufau ma agafeso’ota’i mo le fa’afoga o le ātu ma le māfatia o le māfaufau.³²⁰ E tele le tupe ua fa’aalu e le Mālō i le fa’atauga o lā’ei ma meafaigaluega fa’apea meafaitino mana’omia ina ia aogā lelei le fa’atinoga o ‘au’aunaga tau tausiga o le soifua mālōlōina.³²¹ Ua iai fo’i se fuafuaga mo le tu’uina atu o fa’atōsina/fa’amālosi’au tupe mo le ‘aufaigaluega ta’imua.³²²

Ina ia ōgatasi ma le *Fuafuaga Aoao mo Fa’ama’i Pipisi ua Salalau*, e tatau i le Mālō ona fa’amautinoa e maua e le ‘aufaigaluega ta’imua fesoasoani tupe e mana’omia, fa’apea fesoasoani tau le māfaufau ma agafeso’ota’i, ina ia mautinoa e mafai ona fa’aaauu e le ‘aufaigaluega ta’imua ‘au’aunaga tau soifua mālōlōina e aogā lelei mo tagata o le atunu’u.

h) Faafafine, faatama, ma Tagata e ‘ese o latou lagona mai manatu māsani e uiga i itūpā³²³

E tele vaega o le soifuaga o aso ta’itasi e feagai ma faafafine, faatama ma tagata e ‘ese o latou lagona mai manatu māsani e uiga i itūpā, ma faiga e lē tutusa ma le faiga o isi tagata ma ua ātili ai le ma’ale’ale o lo latou tulaga ona o le fa’ama’i. E to’atele tagata e ‘ese o latou lagona mai manatu māsani e uiga i

³¹⁷ BC, *Written submission* (4 and 8 March 2022).

³¹⁸ See Fuimaono Lumepa Hald, “Nurses pay for own fuel after virus strikes M.O.H. officials”, *Samoa Observer* (28 April 2022) <https://www.samoaoobserver.ws/category/samoa/98096>.

³¹⁹ MOH, *National Epidemic and Pandemic Preparedness and Response Plan Financial Year 2020/21 – FY2024/25*, p.36.

³²⁰ UN Committee on Economic, Social and Cultural Rights (CESCR), *General Comment No. 14: The Right to the Highest Attainable Standard of Health* (Art. 12 of the Covenant), 11 August 2000, E/C.12/2000/4, <https://www.refworld.org/docid/4538838d0.html>.

³²¹ See MOH, *Samoa COVID-19 Emergency Response Project*, May 2020, https://www.health.gov.ws/wp-content/uploads/2020/09/Samoa-COVID-19-ESMF_May-22-Final.pdf. See also Australian Government DFAT Official website, *Pillar 1 – Health Security in Samoa*, <https://www.dfat.gov.au/geo/samoa/development-assistance/pillar-1-health-security-samoa>.

³²² Matai’a Lanuola Tusani T-Ah Tong, “Frontline workers to get risk allowance”, *Samoa Observer* (16 November 2022) <https://www.samoaoobserver.ws/category/samoa/94694>.

³²³ **SOGIESC persons** refers to persons with diverse sexual orientation, gender identity and expression and sexual characteristics. In the context of Samoa this refers to faafafine, faatama, MSM groups and inter-sex. **It is important to note that faafafine and faatama are cultural gender identities and therefore do not necessarily fit under the SOGIESC umbrella.**

itūpa e feagai ma fa’afitāuli i le mauaina o tausiga fa’asoifua mālōlōina ona o le fa’a’esea ma faiga fa’ailoga tagata.³²⁴ E mafai fo’i ona feagai nei tagata ma ni pā pupuni i le mauaina o ‘au’aunaga tau KOVITI-19 i fa’atinoga e aofia ai ni vaega se tele.

O Sāmoa, e tele fa’afitāuli e feagai ma tagata e ‘ese lagona mai manatu māsani e uiga i itūpā, i le mauaina o tausiga fa’asoifua mālōlōina, pagātia o le tamāo’āiga ona ua leai se galuega, ma ua fa’apea fo’i ona feagai isi ma sāuāga.³²⁵ O le galulue fa’atasi o le Mālō ma fa’alāpotopotoga a tagata e ‘ese o latou lagona mai manatu māsani e uiga i itūpā, e tatau ona fa’amautinoa e tu’uina atu e le Mālō le fesoasoani, ma fa’afetaia’i fa’afitāuli ‘olo’o feagai ma tagata e ‘ese o latou lagona mai manatu māsani e uiga i itūpā i Sāmoa talu ai, ua fa’ateteleina nei fa’atitāuli ona o le KOVITI-19 ma fa’atinoga e tali atu ai i le KOVITI-19.

FAUTUAGA

Aiā tatau i le ola

9. Ia fa’amautinoa e le Mālō e āmana’ia, puipuia ma mafai ona fa’atino aiā tatau fa’avae, e aofia ai le aiā tatau i le ola ma le aiā tatau i le soifua mālōlōina, e o’o lava i taimi o fa’alavelavae fa’afuase’i e pei o se fa’alavelave tau le soifua mālōlōina o tagata lautele. E ōgatasi lea ma matāfaioi a Sāmoa i lalo o le Feagaiga Fa’avāomālō i Aiā Tatau i le Vā ma isi Tagata ma Aiā Tatau tau Upufai o mālō, fa’apea isi feagaiga o aiā tatau a tagata soifua ua ‘auai atu i ai Sāmoa.

Sa’olotoga o le fegāsoloa’i ma le sa’olotoga o fa’alāpotopotoga ma fa’apotopotoga

10. E fautuaina le Mālō ina ia fa’amautinoa i le lumana’i, e matua mana’omia mo le fa’amoemoe ua fa’atino ai, e fuafua fa’atatau lelei ma e lē fa’ailoga tagata le fa’atapula’aina o le sa’olotoga o fa’apotopotoga ma fa’alāpotopotoga, aemaise lava le sa’olotoga e fegāsoloa’i.

Aiā tatau i fa’amatalaga, aiā tatau i tekonoosi ‘eletroni, sa’olotoga o auala o fa’asalalauga, ma fa’amatalaga taufa’asesē tau soifua mālōlōina

11. Talu ai ua ‘auai atu Sāmoa i le Feagaiga Fa’avāomālō i Aiā Tatau i le Vā ma isi Tagata ma Aiā Tatau tau Upufai o mālō, e fautuaina le Mālō ina ia tapu’e ātili auala o le fa’asoaina atu, ma le manino o fa’amatalaga, e aofia ai le mata’alia i le fa’ailoaina atu o fa’amatalaga i le atunu’u ma le galulue vāvālalata ma auala o fa’asalalauga, ina ia mautinoa e mauaina ma mafai ona faifaipea ona maua e tagata fa’amatalaga e sa’o, i taimi vave, alatutusa, au’ili’ili, ma fa’avae i fa’amatalaga fa’asaienisi, e uiga i lamatiaga mai le KOVITI-19 ma le aogā lelei o tui puipui ‘olo’o maua fa’apea ni a’afiaga e ono tula’i mai, ina ia mālamalama tagata, ma fa’apea ona tali atu i le pesi o le fa’ama’i. E matuā tāua le alatutusa o fa’amatalaga mai le Mālō ma le ‘aufa’asalalau, ina ia ‘alofia fa’amatalaga sesē ma fa’amatalaga taufa’asesē, e tupu ai le māsaloalo ma le lē fa’atuatuaina e tagata lautele.

12. Ia fa’amautinoa e le Mālō e fa’atino ni auala e fō’ia ai le ‘ese’esega ‘olo’o iai nei i le vā o i latou ‘olo’o maua, ma i latou e lē o mauaina ‘au’aunaga tau initaneti ma meafaigaluega mana’omia (aemaise lava tamaiti ma tagata i nofoaga taumamao ma taulaga), ina ia mautinoa e fa’amanuiaina tagata uma i tekonoosi ‘eletroni.

³²⁴ See OHCHR, *COVID-19 Guidance*, <https://www.ohchr.org/EN/NewsEvents/Pages/COVID19Guidance.aspx>.

³²⁵ NHRI Samoa, *SHRR 2022 CSOs/NGOs consultations* (24 February 2022).

13. E ui ina talia e iai le aiā tatau a so’o se tagata i le sa’olotoga o le tautala, mo se fa’ata’ita’iga, i le matā’upu e feso’ota’i ma le aogā lelei o tui puipui ma ni a’afiaga e ono iai, e tāua le āmana’ia ma manatu i isi tagata, ina ia mautinoa o le fa’aaliga o se manatu, e lē i’u ina āfāina ai taumafaiga ‘olo’o fa’atino ina ia ‘ausia le manuia o tagata lautele, e pei o le puipuiga o le soifua mālōlōina mai a’afiaga ona o se fa’ama’i ua salalau.

Māta’itūina o le soifua mālōlōina o tagata lautele, aiā tatau i mea patino i le tagata, ma le malu o fa’amauga tau soifua mālōlōina

14. E tatau i pisinisi ‘olo’o galulue e fesoasoani i le māta’itūina o gāioiga, aemaise lava le sāliliga o tagata ua ono pēsia, ona iai ni fa’agāsologa ma ta’iala mo le malu o le teuina o fa’amatalaga ma le fa’afoega o le mama atu i tua o ni fa’amauga, e aofia ai ni fofō talafeagai, mo ni tagata e a’afia. E lē gata i lea, e tatau ona fa’atino se galuega i fa’afitāuli o le mauaina o tekonoosi mana’omia, ina ia aogā lelei ma fa’atuatua auala o le sāliliga o tagata ua ono pēsia, fa’apea le faiga o lipoti.

15. E tatau i le Mālō ma ana pūlega ona fa’amautinoa i taimi uma, e matuā malu le pupuiga o fa’amatalaga o tagata ta’ito’atasi i le aoina o fa’amatalaga mo le fa’afoega o le KOVITI-19. O nei fa’amatalaga o fa’amatalaga tapuia e tatau ona malu. E tatau ona iai ni puipuiga fa’aletulafono mo le fa’aaogāga talafeagai o fa’amatalaga tau soifua mālōlōina o tagata ta’ito’atasi ma e tatau ona aofia i faiga fa’avae, ma ia fa’atino faifaipea ma ia alatutusa ni a’oa’oga lautele ma au’ili’ili mo le ‘aufaigaluega o le soifua mālōlōina e aofia i le fa’afoega ma le fa’aaogāga o nei fa’amauga.

Aiā tatau i le soifua mālōlōina

16. Ia fa’amautinoa e le Mālō le fa’aauuina pea o le fa’atinoga o la’asaga ma auala ina ia puipui, togafitia ma tāofiofia fa’ama’i; tu’uina atu tausiga fa’asoifua mālōlōina mo le soifuaga fanau manuia fa’apea tinā ma’itaga ma failele; fa’atino a’oa’oga mo tagata lautele ma ia maua e tagata lautele fa’amatalaga; ma tapu’e a’oa’oga i tomai o le ‘aufaigaluega o le soifua mālōlōina, e aofia ai a’oa’oga e uiga i aiā tatau a tagata soifua. E tatau fo’i ona taga’i i puna’oa ‘olo’o maua, ma ia mulimulita’i i talitonuga ta’iala o le mauaina o le aiā tatau i le soifua mālōlōina, e pei ona iai i lana *Fuafuaga Aoa o Tāpenaga ma le Tali atu i Fa’ama’i FY 2020/21 – FY2024/25*.

17. E fautuaina le Mālō e toe saga tapu’e ma fa’aauu pea le fa’agāsologa o ana polokalame fa’apitoa e una’i ai le soifua mālōlōina o tagata lautele ma tui puipui, i ni auala aogā lelei, e fa’aaogā ai auala ‘ese’ese o feso’ota’iga, e fa’afetaia’i ai lu’i o le fa’alotolotolu i le faiga o tui puipui, ma si’itia ai le mālamlamaga o tagata i tui puipui, e lē gata i tui mo le KOVITI-19, ae fa’apea isi tui puipui uma.

Mauaina o fa’amasinoga

18. Ina ia mautinoa e fa’aauu pea ona maua e tagata fa’amasinoga i taimi o iai tapula’a ma tāofiofia, e fautuaina le Mālō ma fa’amasinoga, e taga’i i isi auala o le fofogaina o matā’upu ma le fa’atinoga o fa’amasinoga, e pei o le fa’aaogāina o feso’ota’iga i ata vito. ‘Ole’ā fesoasoani lea faiga e fō’ia ai ni isi fa’afitāuli e tula’i mai ona o le fa’atuai o le fofogaina o matā’upu.

Aiā tatau i a’oa’oga

19. E fautuaina le Mālō ina ia iai meafaigaluega talafeagai ma fa’atuatua, e fesoasoani i a’oa’oga e fa’aaogā ai le initaneti, ina ia mautinoa e maua e tamaiti uma avanoa e fa’aaogā ai tekonoosi

‘eletoroni, ma fa’apea ona maua ai e tamaiti uma a’oa’oga e lelei le tulaga. E tatau fo’i ona fa’aaogā isi auala o le a’oa’oina. E lē gata i lea, e tatau ona maua e tamaiti le fesoasoani ma puna’oa ina ia mautinoa e mafai ona o latou maua a’oa’oga e fa’aaogā ai le initaneti, aemaise lava tamaiti e i nu’u ma afio’aga e taumamao ma le taulaga, fa’apea āiga e itiiti tupe maua. E tatau fo’i ona āmana’ia mana’oga o tamaiti e iai a’afiaga tumau, i taimi e fa’amālosia ai le nonofo i ‘āiga, talu ai, o le to’atele o nei tamaiti e fa’alagolago i a’oa’oga ma fesoasoani fesāga’i.

Aiā tatau i galuega

20. E fautuaina le Mālō ina ia fa’atino ni auala e tali ai a’afiaga o le tamāo’āiga ona o le KOVITI-19, aemaise lava mo tagata faigaluega e maualalo totogi, fa’apea tagata faigaluega i le vaega tūma’oti. E tatau fo’i i pisinisi ona taga’i i le tu’uina atu o ni fesoasoani mo tagata ua tatau ona fa’anofo’esea ona ua pēsia i le fa’ama’i, e ala i le totogiina o aso ma’i.

Mautū o taumafa talafeagai ma le aiā tatau i taumafa

21. E fautuaina le Mālō ma pisinisi ina ia fa’amautinoa e taga’i, ma fa’atino ni galuega i a’afiaga o le gāsologa o le ‘aumaia o ‘oloa mai fafo, ina ia mautinoa e lava taumafa mo mana’oga o le atunu’u, aemaise i taimi o sā. E tatau fo’i ona taga’i i le ono si’itia pea o le tau o taumafa ma le tau o le soifuaga, a o fa’aaauu pea ona feagai le lalolagi ma fa’afitāuli e feso’ota’i ma le mauaina o ‘oloa ma ‘au’aunaga.

Aiā tatau i le suāvai, fa’afoga o otaota lāfoa’i ma le tūmamā

22. E fautuaina le Mālō ina ia fa’amautinoa e maua pea e tagata suāvai e saogalēmū mo le taumafa, i taimi o le fa’ama’i, e aofia ai tagata ua ono lē mafai ona totogiina le suāvai.

23. E fautuaina le Mālō ina ia fa’amautinoa e maua le fesoasoani o ātina’e tetele mo le suāvai ma auala o le fa’afoga o suāvai lāfoa’i, ina ia mautinoa e fa’atino faiga talafeagai mo le suāvai, tūmamā ma le fa’afoga o otaota lāfoa’i i nu’u ma afio’aga, ‘āiga ma nofoaga o tausiga fa’asoifua mālōlōina. E mana’omia le fa’aaauu pea o polokalame fa’atupu silafia i le tūmamā, ma le galulue fa’atasi pea o le Mālō ma nu’u ma afio’aga ina ia mautinoa e talafeagai auala ‘olo’o iai mo otaota lāfoa’i ma le tūmamā, e aofia ai auala saogalēmū mo le lāfoa’iina o otaota o mea e fa’aaogā mo le KOVITI-19.

Lagolago fa’amālosi’au ma fesoasoani fa’atōsina

24. E fautuaina le Mālō ina ia mautinoa e aofia tagata uma i ana lagolago fa’amālosi’au ma fesoasoani fa’atōsina, ina ia ‘avea o se sini le mafai ona iai pea o galuega a tagata faigaluega, fa’apea le fausia o ni isi avanoa tau tamāo’āiga, aemaise lava mo pisinisi ma ‘au’āiga ua ma’ale’ale le tulaga, ina ia mautinoa e mafai ona fa’aaauu auala mo le tausiga o ‘āiga. E tatau ona fa’atino ni fefa’asoa’iga ma nei vaega, e uiga i ni auala e fa’afetaia’i ai a’afiaga o le tamāo’āiga, ina ia mautinoa e iai tini e fa’atatau tonu i ai se tali e fa’afetaia’i ai.

Fa’afetaia’iga o fa’afitāuli o le soifuaga lautele

25. E fautuaina le Mālō ina ia tu’uina atu fesoasoani mo le fa’aauuina ma le fa’atinoga ‘āto’atoa o auala ma fa’atinoga e aofia ai le lagolagoina o ‘au’aunaga mana’omia, ina ia fa’afetaia’i sāuāga fa’avae i itūpā.

26. E fautuaina le Mālō ina ia taga’i i itū uma i lana tali atu i a’afiaga o le aiā tatau i le soifua mālōlōina, ina ia aofia ai le mālōlōina o le māfaufau. E tatau ona fa’aauu le galulue fa’atasi ma fefa’asoa’i ma Fa’alāpotopotoga ‘olo’o galulue i le mālōlōina o le māfaufau, ina ia mautinoa e maua lenei fesoasoani e i latou uma e mana’omia, ma ia tulimata’i vaega e ma’aale’ale le tulaga, aemaise lava tinā ma tama’ita’i ma tamaiti.

Fa’afetaia’iga o le fa’ailoga tagata

27. E fautuaina le Mālō ina ia fa’aauu le mātā’itūina ma fa’atino la’asaga e tali atu ai i faiga fa’ailoga tagata, ma e mafai ona aofia ai ni a’oa’oga fa’atupu silafia. E tatau fo’i ona tāpena ni fa’atinoga mo ni tulaga e ono o’o i ai ni nu’u ma afio’aga ma vaega e ma’ale’ale le tulaga ona o le si’itia o faiga fa’ailoga tagata ona o le tali atu a le Mālō i le KOVITI-19. E tatau fo’i i tagata ta’ito’atasi ona manatu i isi tagata ma fa’atino āmioga o le āmana’ia ma le agaalofa i isi tagata.

Tinā ma tama’ita’i ma teine e aofia ai tinā ma’itaga

28. E tatau i le Mālō ona ‘avea le aiā tatau i ‘au’aunaga tau soifuaga fanau manuia o se tasi o fa’amuumua o ‘au’aunaga fa’avae tau soifua mālōlōina, ina ia fesoasoani i tinā ma tama’ita’i ma tinā ma’itaga. E tatau ona tu’uina atu le fesoasoani i tinā ma tama’ita’i, o i latou ia ‘olo’o matuā to’atele i le vaega ‘olo’o tausia tagata o ‘āiga, fa’apea tinā ma tama’ita’i ua a’afia i sāuāga fa’avae i itūpā.

Tagata ua matua le soifua ma tagata e iai gasegase tumau e aofia ai i latou e iai le HIV

29. E fautuaina le Mālō ina ia mautinoa e talafeagai le tali atu i a’afiaga o tagata ua matua le soifua, e aofia ai le atuatuvaale o le māfaufau, e ala i fefa’asoa’iga ma lea vaega o tagata.

30. E fautuaina le Mālō ina ia fa’aauu polokalame mo le silafia fa’apea fesoasoani mo mana’oga patino o i latou e iai gasegase tumau ma tu’uina atu i ai fa’amatalaga o māfua’aga e ala ai ona telē atu le lamatiaga mo i latou. E tatau fo’i ona mautinoa e fa’aauu le mauaina e tagata e iai le HIV, o le fesoasoani latou te mana’omia.

Tamaiti ma tupulaga talavou

31. E fautuaina le Mālō ina ia fa’aauu le fa’atinoga o ana matāfaioi e feso’ota’i ma fa’amanuiaga talafeagai mo tamaiti ‘olo’o i ana faiga fa’avae, ma lalo o le Feagaiga mo le Puipuiga o Fa’amanuiaga Talafeagai mo le Ola o le Tamaitiiti, aemaise lava le itū i le puipuiga, ‘auai, ma a’oa’oga.

Tagata i nofoaga o le to’ese

32.E fautuaina le Mālō ina ia āmana’ia ma fa’atino fautuaga o le Līpoti a le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua, o le Asiasiaga o le 2022: Iloiloga o le KOVITI-19, ina ia mautinoa e fa’aaauu pea le puipuiiga o i latou ‘olo’o nofosala i le to’ese.³²⁶

‘Āiga e la’itiiti tupe maua ma tagata ‘olo’o ola i tulaga o le mativa

33.E fautuaina le Mālō, ina ia taga’i toto’a i le tāpenaga ma le fausaga o ana faiga fa’avae o fesoasoani fa’amālosi’au/fa’atōsina, ma ia talafeagai lana tali atu i a’afiaga lē mafa’atusalia ua feagai ma ‘āiga e la’itiiti tupe maua ma tagata ‘olo’o ola i le mativa. O lea faiga ‘ole’ā mautinoa ai auala e mautū ma mafai ona fa’aaauu, mo le tausiga o ‘āiga, ma fa’aitiitia ai le mativa ma le fa’a’esea.

Tagata e iai a’afiaga tumau o le soifua

34.E fautuaina le Mālō ina ia mautinoa le fa’aaauuina pea o fa’atinoga mo le si’itia o le silafia o le atunu’u lautele, e fesoasoani i tagata e iai a’afiaga tumau o le soifua, i taimi o le KOVITI-19, ma le itū aupito tāua, o le tu’uina atu lea o fesoasoani mana’omia, e aofia ai fesoasoani tau tupe, ina ia mautinoa e mafai ona fa’atino lo latou tausiga. E fautuaina fo’i le iai o se sao o Tagata e iai A’afiaga Tumau o le Soifua, e ala i Fa’alāpotopotoga e ‘avea ma o latou sui, i le fausaga o auala e tali atu ai i le fa’ama’i.

‘Aufaigaluega ta’imua

35.E fautuaina le Mālō, ina ia ōgatasi ma lana ta’utinoga i lalo o lana *Fuafuaga Aoao o Tāpenaga ma le Tali atu i Fa’ama’i Pipisi ua Salalau i le Atunu’u ma Fa’ama’i Pipisi ua Salalau i le Lalolagi FY 2020/21 – FY2024/25*, e tatau ona tu’uina atu i le ‘aufaigaluega ta’imua le fesoasoani tupe e mana’omia, fa’apea fesoasoani tau le māfaufau ma agafeso’ota’i, ina ia mautinoa e mafai ona fa’aaauu e le ‘aufaigaluega ta’imua ‘au’aunaga tau soifua mālōlōina e aogā lelei mo le atunu’u.

Tagata e ‘ese lagona mai manatu māsani e uiga i itūpā

36.E fautuaina le Mālō, i le galulue fa’atasi ai ma fa’alāpotopotoga a Fa’afāfine ma Fa’atama, fa’apea fa’alāpotopotoga a Tagata e ‘ese o latou lagona mai manatu māsani e uiga i itūpā, ina ia mautinoa e tu’uina atu e le Mālō fesoasoani, ma fa’afetaia’i fa’afitāuli ‘olo’o feagai ma tagata e ‘ese o latou lagona mai manatu māsani e uiga i itūpā i Sāmoa, talu ai, ua fa’ateteleina nei fa’afitāuli ona o le KOVITI-19 ma fa’atinoga a le mālō e tali atu ai i le KOVITI-19.

VAEGA 4: GALULUE FA’ATASI

Ua mātauina i le atunu’u fa’apea le lalolagi ‘ātoa, e lē mafai ona fa’atino e le vaega o le soifua mālōlōina na’o latou le tali atu i se fa’alavelave fa’afuase’i tau soifua mālōlōina o tagata lautele e pei o le KOVITI-19. O tulaga fa’apēnei e mana’omia ai le galulue fa’atasi o vaega uma, fa’apea le atunu’u ‘ātoa. E tusa ai ma lana *Fuafuaga Aoao mo Fa’ama’i Pipisi ua Salalau*, ma le *Fuafuaga o Tāpenaga ma le Tali atu i*

³²⁶ See full list of recommendations in **Annex 4**.

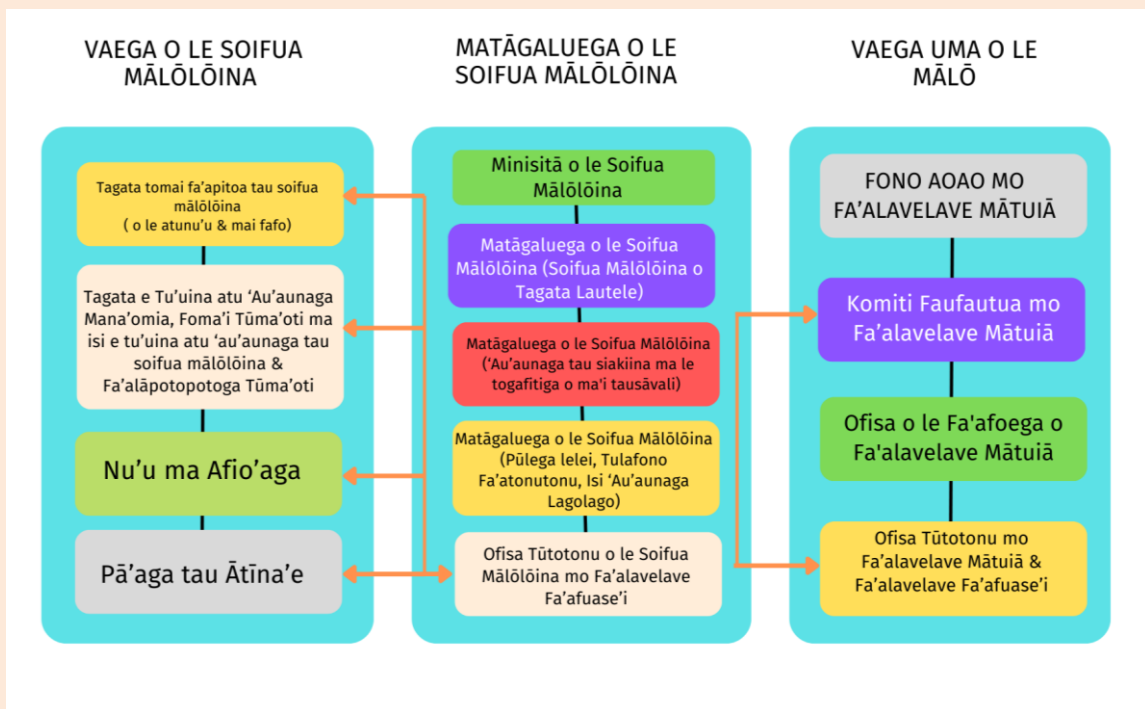
le KOVITI-19 na fa’asalalauina iā Fepuari 2020, o lea ua fa’aaogā ai se auala e aofia ai tagata uma ma vaega uma ina fa’aitiitia lamatiaga o le soifua mālōlōina ma ‘alofia ai maluu e mafai ona tāofia.³²⁷

O le *Fuafuaga Aoa mo Fa’ama’i Pipisi ua Salalau* a le Matāgaluega o le Soifua Mālōlōina ‘olo’o tā’ua fa’apitoa ai, o se tasi o agatausili ‘autū o le “‘auai”, ma o lea agatausili ‘autū, e maua ai le avanoa mo tagata uma, mai tagata ‘olo’o i upufai o mālō, e o’o lava i le la’asaga o nu’u ma afio’aga, e ‘auai i le puipuiga ma le tāofiofiga o fa’ama’i. O le itū i le ‘auai i fuafuaga, ‘olo’o fa’amati’e i le *Fuafuaga Aoa mo Fa’ama’i Pipisi ua Salalau*³²⁸,

O le faiga o fuafuaga, e aofia ai le feso’ota’i ma le fa’amāopoopoina ma le galulue fa’atasi o le vaega o le soifua mālōlōina ma pā’aga, e aofia ai matāgaluega a le mālō ma fa’alāpotopotoga, Fa’alāpotopotoga Tūma’oti ‘olo’o galulue i ‘au’aunaga tau soifua mālōlōina, tagata tomā fa’apitoa ma tagata faigaluega tau soifua mālōlōina a le mālō ma le vaega tūma’oti, fa’apea nu’u ma afio’aga, ae le’i o’o ina tupu se fa’alavelave fa’afuase’i tau soifua mālōlōina o tagata lautele.

E ui ina ‘avea le ‘auai o se tasi o agatausili ‘autū o le *Fuafuaga Aoa mo Fa’ama’i Pipisi ua Salalau*, ua lāgā faitioga e uiga i lea itū, aemaise lava i le fa’atinoga. Ua talanoaina i lalo ia matā’upu.

FA’AMATALAGA FA’AMĀLAMALAMA: FA’AGĀSOLOGA O LE FAIGA O FUAFUAGA A SĀMOA MO LE VAEGA O LE SOIFUA MĀLŌLŌINA MO FA’AMA’I



Maua mai i le: Ministry of Health, National Epidemic and Pandemic Preparedness and Response Plan Financial Year 2020/21 – FY2024/25, p.30.

³²⁷ MOH, National Epidemic and Pandemic Preparedness and Response Plan Financial Year 2020/21 – FY2024/25, p.24; MOH, 2019 Novel Coronavirus (COVID-19) Preparedness and Response Plan, <https://www.health.gov.ws/covid-19/>.

³²⁸ MOH, National Epidemic and Pandemic Preparedness and Response Plan Financial Year 2020/21 – FY2024/25, p.31.

O le Fa'amatalaga Fa'amālamalama ua tu'uina atu i luga 'olo'o fa'aali mai ai le fa'agāsologa o fuafuaga mo le vaega o le soifua mālōlōina i taimi o fa'ama'i. O le Matāgaluega o le Soifua Mālōlōina o le ofisa tūtotonu lea ma o le tasi itū e galulue fa'atasi ai ma tagata e iai lo latou sao o le Vaega o le Soifua Mālōlōina, e aofia ai tagata tomai fa'apitoa tau soifua mālōlōina, foma'i tūma'oti ma isi e tu'uina atu 'au'aunaga tau soifua mālōlōina, Fa'alāpotopotoga Tūma'oti ma nu'u ma afio'aga. O le isi itū, e galulue fa'atasi ai ma isi uma vaega o le mālō e aofia ai le Ofisa Tūtotonu mo Fa'alavelave Mātuiā ma Fa'alavelave Fa'afuase'i, ma le Komiti Faufautua mo Fa'alavelave Mātuiā.

1. 'Au'aunaga tūma'oti o tausiga tau soifua mālōlōina

E pei ona mātauina i le pesi o le fa'ama'i o le misela i le 2019, e tāua le galuega na fa'atino e tagata faigaluega tau soifua mālōlōina o le atunu'u ma tagata mai fafo, na ofoina la latou fesoasoani i le taimi o fa'alavelave fa'afuase'i o le soifua mālōlōina o tagata lautele e fa'atino 'au'aunaga i vaega e le'i lava ai le 'aufaigaluega a le matāgaluega. 'Olo'o fa'apea mai le *Fuafuaga Aoa mo Fa'ama'i Pipisi ua Salalau*,³²⁹

- ina ia fa'aleleia ātili le fa'aaogāina o tagata ofoina mai la latou 'au'aunaga i taimi e le'i pesi ma salalau se fa'ama'i se'ia o'ina mavae atu, e tatau i le Matāgaluega o le Soifua Mālōlōina ona taga'i i isi 'auala e 'ese mai i lana 'aufaigaluega māsani, ma fa'aaogā tagata agava'a ua ofoina mai la latou fesoasoani, fa'apea foma'i tūma'oti ma isi 'olo'o tu'uina atu 'au'aunaga tau soifua mālōlōina. E matuā tāua le:
 - a) vave fa'aaogā ma ia aofia vaega tūma'oti 'olo'o tu'uina atu 'au'aunaga tau soifua mālōlōina ma tagata o le atunu'u e ofoina mai la latou 'au'aunaga i le taimi 'olo'o fa'agāsolo fuafuaga, o lona uiga, ae le'i o'ina mai se fa'ama'i pipisi ma salalau.
 - b) fausia o so'otaga aogā lelei ma le galulue fa'apā'aga ma tagata o le atunu'u e ofoina mai a latou 'au'aunaga, fa'apea ni tagata mai fafo
 - c) ātina'e auala o feso'ota'iga aogā lelei i le vā o ia tagata, matāgaluega a le mālō, nu'u ma afio'aga ma isi tagata e iai o latou sao, ina ia fa'aleleia ātili tomai o fuafuaga.

E ui ina fa'amauiina nei itū i le Fuafuaga, e le'i 'āto'atoa ona tino mai i fa'atinoga, e pei ona māua i ni folasaga na tu'uina mai i le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua, mai ni sui o le vaega tūma'oti 'olo'o tu'uina atu 'au'aunaga tau soifua mālōlōina. O se folasaga mai se foma'i tūma'oti na fa'apea mai, "e le'i aofia foma'i ma le vaega tūma'oti 'olo'o tu'uina atu 'au'aunaga o tausiga fa'asoifua mālōlōina, i le fefa'asoa'iga o fa'amatalaga ma le fuafuaina o le tali atu a Sāmoa i le KOVITI-19. E leai fo'i ni fa'amatalaga na maua i taumafaiga e fa'afeso'ota'i le Matāgaluega o le Soifua Mālōlōina".³³⁰

O se isi folasaga na fa'apea mai, "e leai se fefa'asoa'iga o fa'amatalaga i le vā o i latou 'olo'o tu'uina atu 'au'aunaga. E tatau ona mālamlama lelei tagata 'olo'o tu'uina atu 'au'aunaga lagolago i auala 'olo'o fa'amoemoe e galulue atu ai, ina ia fesoasoani i taumafaiga a le atunu'u e fa'afetaia'i le KOVITI-19".³³¹

Talu ai matā'upu ua tā'ua i luga, e tatau i le Mālō ona fa'amautinoa e mulimulita'i i ana fuafuaga i le itū e uiga i le feso'ota'i ma le vaega tūma'oti 'olo'o tu'uina atu 'au'aunaga o tausiga fa'asoifua mālōlōina, e lē gata ina ia fa'aaogā 'āto'atoa puna'oa ma ia aogā lelei le tausiga o tagata o le atunu'u,

³²⁹ MOH, *National Epidemic and Pandemic Preparedness and Response Plan Financial Year 2020/21 – FY2024/25*, p.36.

³³⁰ Dr. Malama Tafuna'i, *Written submission* (4 and 7 February 2022).

³³¹ LS, *Written submission* (7 February 2022).

ae fa’apea fo’i ona fesoasoani i le ‘aufaigaluega ua pagātia i le to’aitiiti a ua tele galuega ma umi itūlā e faigaluega ai.

2. Vaega e ma’ale’ale le tulaga

E pei ona fa’amati’e i le **Vaega 3(4)** i ‘Vaega e Ma’ale’ale le tulaga, e tāua le ‘auai ‘āto’atoa o vaega e ma’ale’ale le tulaga i le faiga o fa’ai’uga e uiga i fesoasoani latou te mana’omia, aemaise lava tagata ua matua le soifua, Tagata e iai A’afiaga Tumau o le Soifua, ma tamaiti. E tatau fo’i ona sa’ili ni manatu mai ‘āiga e la’itiiti tupe maua, tagata o i nofoaga o le to’ese, fa’apea tinā ma tama’ita’i, teine, ma Tagata e ‘Ese o latou Lagona mai Manatu Māsani e uiga i Itūpā.

O se su’esu’ega na fa’atino iā Luni 2020 e le UNFPA na aoina ai ni tali mai le silia i le 300 tupulaga talavou i Sāmoa (15-24 tausaga), na fa’amati’e ai³³²,

e to’atele le ‘autalavou i Sāmoa e fia iai so latou sao i le tali atu a le atunu’u i le KOVITI-19, ma ‘auai i tāpenaga a nu’u ma afio’aga mo ni fa’alavelave tau soifua mālōlōina e tūlā’i mai i le lumana’i. O le to’atele na tali mai, ‘āfai latou te maua puna’oa, e mafai ona fesoasoani iā i latou lava fa’apea isi tagata, e ala i le tu’uina atu o fa’amatalaga sa’o e uiga i auala e tāofiofia ai le salalau o le KOVITI-19 (68 pasene), a’oa’oina o ‘āiga ma uō ina ia taumafai e fa’atino faiga māsani, ae fa’atino ai fo’i auala mana’omia e puipua ai (52 pasene), fa’aaogā auala sogasogā e pei o tusiga o ata m.m.f, e fa’asalalau ai fa’amatalaga sa’o (33 pasene) ma le ‘auai i auala o tāpenaga ina ia aogā lelei se tali atu i ni tulaga fa’apea i le lumana’i (28 pasene).

Ina ia mautinoa e aofia ma ‘auai tagata uma i taunu’uga fa’amoemoeina o faiga fa’avae a le atunu’u e tali atu i le KOVITI-19, e tatau i le Mālō ona fa’aaau le feso’otai pea ma vaega e ma’ale’ale le tulaga, ina ia maua o latou manatu, ma o ia manatu, e fesoasoani i le fausaga o fa’atinoga e fa’afetaia’i ai le fa’ama’i. E tatau ona fa’aaau lea faiga ma fa’atino i le tula’i mai o se isi fa’alavelave tau soifua mālōlōina o tagata lautele.

3. ‘Aufaipisinisi ma le ‘aufa’asalalau

E tatau ona ‘auai pisinisi i le faiga o fa’ai’uga ma e tatau ona sa’ili so latou manatu ina ia maua e le Mālō fa’amatalaga tonu e uiga i a’afiaga o pisinisi ona o le KOVITI-19. O lea faiga ‘ole’ā mautinoa ai itū e tulituliloa i fesoasoani fa’amālosi’au.

E lē gata i le maua ai o fesoasoani, e iai le matāfaioi tāua a pisinisi e tatau ona fa’atino ma ia mautinoa e,³³³

- fa’aaau le faiga tutusa o a latou tagata faigaluega ma e lē fa’ailoga tagata, mo se fa’ata’ita’iga, o fa’ai’uga e fa’amālōlō pe fa’amuta le fa’afaigaluegaina;
- mautinoa e iai auala fa’ata’atitia mo le mauaina e tagata lautele o ‘au’aunaga e lē fa’ailoga tagata;

³³² UN in Samoa, *COVID-19 Socio-Economic Response Plan*, 2020, https://reliefweb.int/attachments/d79e6353-d1da-3962-88a7-c710d9f1cfc2/WSM_Socioeconomic-Response-Plan_2020.pdf, p.33. See also similar call in NZ, Tagata Pasifika, “Covid-19: Young people call for a place at decision-making table”, (16 April 2022) https://tpplus.co.nz/health-lifestyle/covid-19-young-people-call-for-a-place-at-decision-making-table/?fbclid=IwAR3c13BlprThEeBUg9YDsoe-jxq8VleCvchmVGMmr5_K5TTCbCZxQ5mFt54.

³³³ Oxfam, *COVID-19 and Human Rights: States’ obligations and businesses’ responsibilities in responding to the pandemic*, *Discussion Paper* (August 2020) <https://oxfamlibrary.openrepository.com/bitstream/handle/10546/621037/dp-covid-19-human-rights-principles-070820-advance-en.pdf?sequence=4>, p.26.

- mautinoa e iai auala fa'ata'atitia mo le tali atu i faiga fa'ailoga tagata / faiga 'inosia e feagai ma le 'aufaigaluega mai tagata lautele;
- taga'i i faiga e fuafua fa'ata'au lelei, aemaise lava mo pisinisi 'olo'o galulue ma le Mālō i tekonoosi mo le mātauina/sā'iliga o gāoioiga a tagata ma le māta'itūina;
- fa'aauau le iloilo pea o le fa'agāsologa o le mauaina o 'oloa mai fafo i nei aso o le fa'ama'i, ina ia mautinoa e lava ma talafeagai 'oloa o taumafa.

'Olo'o fa'aauau le nafa tāua o le 'aufa'asalalau e aofia ai nusipepa ma leitiō, i a'oa'oga tau soifua mālōlōina o tagata lautele, e ala lea i le fa'asalalauina o fa'amatalaga tāua e uiga i fa'atinoga mo le KOVITI-19, a'afiaga ona o le KOVITI-19, fa'apea tupe fa'aaogā i taimi o fa'alavelave fa'afuase'i. O le māfua'aga lea e tāua ai le lē fa'atapula'aina o le sa'olotoga o le fa'aaliga o tāofi ma aiā tatau i fa'amatalaga.³³⁴ E pei ona fa'amati'e i le **Vaega 3(1)(d)(i)** i taunu'uga o le KOVITI-19 i le "mauaina o fa'amatalaga", e tāua le mauaina pea e le atunu'u o fa'amatalaga e fa'atuatuaina, e sa'o, ma vave ona maua. E fa'apea fo'i ona tāua e fa'atuatuaina līpoti a le 'aufa'asalalau, ina ia 'alofia fa'amatalaga sesē po o tala fete'ena'i i a latou līpoti ma līpoti i fa'asalalaua a le mālō.

4. Fa'alāpotopotoga a tagata lautele ma Fa'alāpotopotoga Tūma'oti

E tāua Fa'alāpotopotoga a tagata lautele ma Fa'alāpotopotoga Tūma'oti i le ātina'ega ma le fa'atūmauina o le fa'atuatuaina o 'au'aunaga tau soifua mālōlōina. E mafai ona o latou fesoasoani e fa'ailoa auala ma tekonoosi fou e mafai ona fetu'utu'una'i, e vave tali atu ai i mana'oga, aemaise lava mo vaega i le atunu'u e ma'ale'ale le tulaga.

O fa'alāpotopotoga a tagata lautele, e mafai ona o latou 'āmatalia, ātina'e ma fetu'una'i manatu ma auala fou e tali atu ai i lu'i o le soifuaga lautele, ma fa'atina ai ni fofō fou e tapu'e ma fa'amālosia ai fa'atinoga a mālō.³³⁵

'Olo'o i se tulaga lelei fa'alāpotopotoga a tagata lautele e 'auai i galuega fesoasoani ma le fa'atinoina o le tali atu i le fa'amai e ta'imua ai nu'u ma afio'aga: tu'uina atu o 'au'aunaga mo le fa'asaoina o le ola o tagata, fa'atinoga o polokalame fa'atupu silafia, ma le fa'afetaia'iga o matā'upu tau le tausiga o 'āiga ma isi matā'upu feso'ota'i. E mafai fo'i ona fesoasoani i le fa'aleleia o le mafai ona tali atu o mālō i tagatānu'u uma...³³⁶

E tele Fa'alāpotopotoga a Tagata Lautele i Sāmoa 'olo'o fa'atinoina ni galuega tāua i le lagolagoina o taumafaiga e puipuia tagata ma ia mautinoa e maua e vaega e ma'ale'ale le tulaga avanoa i puipuia, tausiga ma 'au'aunaga tau soifuaga lautele. O ni Fa'alāpotopotoga a Tagata Lautele ma ni fesoasoani ua tu'uina atu e aofia ai:

³³⁴ Oxfam, COVID-19 and Human Rights: States' obligations and businesses' responsibilities in responding to the pandemic", *Discussion Paper* (August 2020) <https://oxfamilibrary.openrepository.com/bitstream/handle/10546/621037/dp-covid-19-human-rights-principles-070820-advance-en.pdf?sequence=4>, p.26.

³³⁵ Oxfam, COVID-19 and Human Rights: States' obligations and businesses' responsibilities in responding to the pandemic", *Discussion Paper* (August 2020) <https://oxfamilibrary.openrepository.com/bitstream/handle/10546/621037/dp-covid-19-human-rights-principles-070820-advance-en.pdf?sequence=4>, p.32.

³³⁶ Oxfam, COVID-19 and Human Rights: States' obligations and businesses' responsibilities in responding to the pandemic", *Discussion Paper* (August 2020) <https://oxfamilibrary.openrepository.com/bitstream/handle/10546/621037/dp-covid-19-human-rights-principles-070820-advance-en.pdf?sequence=4>, p.32.

- Fa'alāpotopotoga Soka a Sāmoa na tu'uina atu taumafa mo sui o kalapu³³⁷,
- Brown Girl Woke na fa'ameaalofa le 30 pusa o taumafa ma isi 'oloa mana'omia mo le 'aufaigaluega ta'imua³³⁸,
- ADRA Samoa "na fa'ameaalofa atu 'oloa o taumafa ma 'oloa mo le tūmamā, e \$65,000 le tau mo Leoleo ma le Pūlega o Tineimū ma Fa'alavelave Tutupu Fa'afuase'i a Sāmoa, e fa'atāua ai la latou galuega i taimi o le fa'ama'i".³³⁹ Ua fa'apea fo'i ona tu'uina atu e le ADRA, fa'atasi ai ma se fesoasoani tupe mai le Mālō, fale mo 'āiga e ma'ale'ale le tulaga.³⁴⁰

E tatau i le Mālō ona mautinoa e fa'aauau le puipuiga ma le lagolago i Fa'alāpotopotoga a Tagata Lautele/Fa'alāpotopotoga Tūma'oti 'olo'o fa'atinoina galuega alofa, ina ia mautinoa e mafai ona fa'aauau pea la latou fesoasoani, 'olo'o matuā mana'omia e tagata aupito ma'ale'ale le tulaga.

5. Fono a nu'u ma nu'u ma afio'aga

E matuā tāua le nafa o Fono a Nu'u i Sāmoa, e lē gata i le tausiga o le filēmū, a o le fa'asalalauina atu o fa'amatalaga tāua e ala atu i Sui o Nu'u ma Sui Tama'ita'i o Nu'u, fa'apea le fa'agāioioiga o le lagolago ma fesoasoani a le mālō i tagata o nu'u ma afio'aga, aemaise lava i taimi o fa'alavelave tutupu fa'afuase'i e pei o fa'ama'i pipisi ua salalau i le atunu'u. 'Olo'o fa'ailoa i le *Fuafuaga Aoa mo Fa'ama'i Pipisi ua Salalau* le nafa tāua o Fono a Nu'u i le fa'asalalauina atu o fe'au tau soifua mālōlōina ma fa'amatalaga e aofia ai le mālmalama i le nonofo/tutū vāvāmamao ma faiga mana'omia mo le tausiga o le tūmamā e pei ona fa'asalalauina e ofisa o le mālō.³⁴¹

O le matā'upu i Poloa'iga o Fa'alavelave Tutupu Fa'afuase'i, na fa'aalia i fefa'asoa'iga i nu'u ma afio'aga e tatau ona taga'i le Mālō i le fa'aaogāina o Fono a Nu'u e fesoasoani i le fa'amamaluina o tulafono o Poloa'iga o Fa'alavelave Tutupu Fa'afuase'i. O lea faiga 'ole'ā lē gata ina fesoasoani i le usita'ia o tulafono, a 'ole'ā fesoasoani tele fo'i i le 'aufaigaluega 'olo'o feagai ma le fa'amamaluina o tulafono, i le mamafa o la latou galuega.³⁴² O le galulue fa'atasi ma Fono a Nu'u fa'apea nu'u ma afio'aga, e mafai ona fesoasoani lea i le Mālō, e silafia ai fesoasoani talafeagai e mafai ona tu'uina atu i 'āiga, ina ia mafai ona toe fa'afo'isia i se tulaga lelei, mai a'afiaga ona o le KOVITI-19.

Ona o ia itū uma, e tatau i le Mālō ona fa'aauau le fa'aaogāina o ana so'otaga i nu'u ma afio'aga, ina ia sa'oloto ma sōloga lelei le fa'ao'o atu o fa'amatalaga i nu'u ma afio'aga, e uiga i le soifua mālōlōina o tagata lautele, fa'apea fo'i ona fesoasoani i le fa'amamaluina o Poloa'iga o Fa'alavelave Tutupu Fa'afuase'i, ma tau fa'amāmā ai le 'avega a le 'aufaigaluega 'olo'o fa'amamaluina tulafono. E fa'apea fo'i **ona iai le matāfaioi a nu'u ma afio'aga ia mautinoa e āmana'ia ma fa'atāua isi tagata, ma ia lagolago i taumafaiga a le Mālō e fa'afetaia'i a'afiaga ua tūla'i mai ona o le fa'ama'i, e aofia ai le mulimulita'i i tulafono o Poloa'iga o Fa'alavelave Tutupu Fa'afuase'i, ma fa'aaogā avanoa ua tu'uina atu mo a'oa'oga a le fanau.**

³³⁷ Marc Membere, "Football club assists families with food donation", *Samoa Observer* (4 April 2022) <https://www.samoobserver.ws/category/samoa/97845>.

³³⁸ Marc Membere, "B.G.W. donates food to frontline workers", *Samoa Observer* (27 March 2022) <https://www.samoobserver.ws/category/samoa/97737>.

³³⁹ Adel Fruean, "Police, F.E.S.A. receive \$65,000 worth of food", *Samoa Observer* (13 April 2022) <https://www.samoobserver.ws/category/samoa/97944>.

³⁴⁰ Tracey Bridcutt, "ADRA Samoa building houses for vulnerable families", *Adventist Record* (22 February 2022) <https://record.adventistchurch.com/2022/02/22/adra-samoa-building-houses-for-vulnerable-families/>.

³⁴¹ MOH, *National Epidemic and Pandemic Preparedness and Response Plan Financial Year 2020/21 – FY2024/25*, p.45.

³⁴² NHRI Samoa, *SHRR 2022 community consultations – men focus group Savaii* (14 March 2022).

6. Ofisa a Atunu'u mo Aiā Tatau a Tagata Soifua

O taimi o fa'alavelave tutupu fa'afuase'i i le atunu'u, e mafai ona tāua le nafa o Ofisa mo Aiā Tatau a Tagata Soifua, e lē gata i le tu'uina atu o fautuaga i le Mālō i matā'upu tau faiga fa'avae ina ia mautinoa e fa'aauau pea le puipuiga ma le una'iina o aiā tatau a tagata soifua, e ala i le fa'aaogāina o se auala e fa'avae i aiā tatau a tagata soifua i le faiga o fuafuaga fa'apea faiga o fa'ai'uga, ae mafai fo'i ona fesoasoani i le mātā'itūina ma le faiga o līpoti e uiga i taunu'uga e ono o'o i ai, o le fa'ama'i ma fa'atinoga a le mālō e tali atu i ai (se fa'alāpotopotoga e mātā'itūina fa'atinoga).³⁴³

O le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua o se ofisa tūto'atasi e mātā'itūina matā'upu tau aiā tatau a tagata soifua i Sāmoa, e iai lana galuega tau'ave i lalo o le *Tulafono o le Komesina o Sulufa'iga 2013* e fa'atino galuega nei (e aofia ai i taimi o fa'alavelave tutupu fa'afuase'i):³⁴⁴

- **U'una'ia le silafia o tagata lautele e uiga i aiā tatau a tagata soifua:** O lenei galuega tau'ave e mafai ai e le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua ona fa'asoa atu ma fa'ailoa i le atunu'u fa'amatalaga e uiga i a latou aiā tatau i taimi o le KOVITI -19;
- **Mātā'itūina ma u'una'ia le tausisia o tulafono i aiā tatau a tagata soifua:** O lenei galuega tau'ave e mafai ai e le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua ona mātā'itū, lāgā ni popōlega ma tu'uina atu fautuaga po o ni ta'iala i le Mālō e uiga i fa'ai'uga ma fa'atinoga e tali atu i le koviti-19, ina ia ōgatasi ma tulafono a le atunu'u ma tulafono fa'avāomālō tau aiā tatau a tagata soifua;
- **Su'esu'eina ma tu'uina atu līpoti o so'o se tu'ua'iga o le solia o aiā tatau a tagata soifua:** O lenei galuega tau'ave e mafai ai e le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua ona su'esu'e ma tu'uina atu līpoti o ni tu'ua'iga o le solia o aiā tatau a tagata soifua.

Mai lava i le 'āmataga o le fa'ama'i i le 2020 e o'o mai i le asō, na fa'atinoina e le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua ni galuega 'ese'ese e aofia ai le:

- Faifaipea o le mātā'itūina o taunu'uga e ono o'o i ai aiā tatau ma sa'olotoga o tagata o Sāmoa ona o le fa'ama'i, e ala i fa'asalalauaga ma isi auala e maua ai fa'amatalaga ma fa'amaumauga;
- Talia ma tali atu i fa'aseā mai tagata o le atunu'u e uiga i a'afiaga o aiā tatau ona o fa'atinoga a le Mālō;
- Fa'atinoga o fefa'asoa'iga ma Fa'alāpotopotoga a Tagata Lautele/Fa'alāpotopotoga Tūma'oti fa'apea nu'u ma afio'aga, ina ia maua fa'amatalaga e fa'avae ai lana līpoti i le Palemene e uiga i le KOVITI-19 ma aiā tatau a tagata soifua;
- Sāunia ma fa'asalalauina i ana auala o feso'ota'iga i le initaneti fa'amatalaga e uiga i le KOVITI-19 ma taunu'uga e ono o'o i ai aiā tatau a tagata soifua, mo le silafia e le atunu'u;
- Tu'uina atu o fautuaga ma ta'iala i le Mālō e ala i le 'avea o se sui 'auai i le Komiti Faufautua mo Fa'alavelave Mātūiā, ina ia mautinoa e 'avea aiā tatau a tagata soifua, o se vaega 'autū o fuafuaga ma le tali atu a le Mālō i le KOVITI-19.

Ina ia mautinoa e ōgatasi le tali atu a Sāmoa i le KOVITI-19 ma talitonuga fa'avae o aiā tatau a tagata soifua ma e tausisia ana matāfaioi i lalo o tulafono fa'avāomālō o aiā tatau a tagata soifua, e tatau i le Mālō ona fa'aauau feso'ota'iga ma le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua, mo fautuaga ma

³⁴³ United Nations Development Programme, *COVID-19 and National Human Rights Institutions: A Study by GANHRI, OHCHR and UNDP*, 31 March 2021, <https://www.ohchr.org/sites/default/files/Documents/Countries/NHRI/GANHRI/COVID-19-and-NHRI.pdf>.

³⁴⁴ *Ombudsman Act 2013*, section 33.

ta'iala e uiga i talitonuga fa'avave o aiā tatau a tagata soifua e tatau ona āmana'ia ma aofia i faiga o fa'aiu'ga ma le tali atu i le fa'ama'i. O le isi itū e tāua, e tatau fo'i i le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua, ona lē nofoa'i, a ia mata'alia i le fa'ailoa atu o ona manatu.

7. So'otaga fa'avāomālō

O se tulaga e o'o atu ai se atunu'u ua ia lē gafatia le fa'afetaia'iga o se fa'alavelave mātuiā, o le tiute o lea Mālō, o le tūpā lea o se fesoasoani, i tulaga e talafeagai, mai isi Mālō, Mālō Aufa'atasi ma isi vaega e ono maua mai ai se fesoasoani.³⁴⁵

Talu ai ua salalau ma ua a'afia atunu'u uma i le fa'ama'i o le KOVITI-19, e tatau ona fa'atāua tiute o mālō ina ia galulue felagolagoma'i ma isi. Ua aofia i tulafono fa'avāomālō le galulue felagolagoma'i o mālō, e pei ona iai, mo se fa'ata'ita'iga, i Tulafono Fa'atonutonu Fa'avāomālō a le Fa'alāpotopotoga mo le Soifua Mālōlōina o le Lalolagi 2005,³⁴⁶ ma o le tulaga fo'i lea mo le tele o mālō. O nei aiaiga e aofia ai:³⁴⁷

- le tiute tau'ave e “ātina'e, tapu'e ma fa'aauuina ... le mafai e vave ma aogā lelei ai le tali atu i lamatiaga o le soifua mālōlōina o tagata lautele, fa'apea fa'alavelave tutupu fa'afuase'i o le soifua mālōlōina o tagata lautele, ua 'avea ma fa'afitāuli fa'avāomālō” (Fuai'upu 13);
- le tiute tau'ave e “galulue fa'atasi i tulaga uma e mafai ai, i: (a) le mata'iina ma iloiloga o, ma tali atu i, mea e tutupu e pei ona fa'ata'atia i lalo o nei Tulafono Fa'atonutonu; (b) le tu'uina atu po o le fa'afai'ofieina o le tu'uina atu ma le fefa'asoa'iga o tomai fa'apitoa, aemaise lava i le ātina'ega, tapu'eina ma le fa'aauuina o le mafai e 'au'aunaga tau soifua mālōlōina o tagata lautele e pei ona mana'omia i lalo o nei Tulafono Fa'atonutonu; (c) le fa'agāoioiga o puna'oa tautupe e fesoasoani i le fa'atinoga o a latou matāfaioi i lalo o nei Tulafono Fa'atonutonu; ma (d) le fausaga o tulafono fuafuaina ma isi aiaiga fa'aletulafono mo le fa'atinoga o nei Tulafono Fa'atonutonu.”

E o'o mai i le asō, ua maua mai e le Mālō fesoasoani 'ese'ese o tupe ma puna'oa mai ana pā'aga, e fesoasoani i lana tali atu i le fa'ama'i. Ua tu'uina mai e mālō o Niu Sila³⁴⁸, Ausetalia³⁴⁹, ma Saina³⁵⁰ fesoasoani tupe, fa'apea puna'oa mo le tausiga o le soifua mālōlōina e aofia ai tui puipui mo le KOVITI-19 ma mea faigaluega mo su'ega. Na tu'uina mai e Iapani ta'avale e fesoasoani i galuega feso'ota'i atu i nu'u ma afio'aga. Na fesoasoani mai Pisikoa Amerika i le fa'agāsologa o tui puipui mo tamaiti.³⁵¹ Ua

³⁴⁵ Article 11 of the *Draft Articles on the Protection of Persons in the event of disasters* cited in Oxfam, COVID-19 and Human Rights: States' obligations and businesses' responsibilities in responding to the pandemic”, *Discussion Paper* (August 2020) <https://oxfamlibrary.openrepository.com/bitstream/handle/10546/621037/dp-covid-19-human-rights-principles-070820-advance-en.pdf?sequence=4>, p.24.

³⁴⁶ WHO, *International Health Regulations 2005*.

³⁴⁷ Oxfam, COVID-19 and Human Rights: States' obligations and businesses' responsibilities in responding to the pandemic”, *Discussion Paper* (August 2020) <https://oxfamlibrary.openrepository.com/bitstream/handle/10546/621037/dp-covid-19-human-rights-principles-070820-advance-en.pdf?sequence=4>, p.24.

³⁴⁸ Official website of the New Zealand Government, “New Zealand donates more COVID-19 vaccines to COVAX and the Pacific”, *Press Release* (24 September 2022), <https://www.beehive.govt.nz/release/new-zealand-donates-more-covid-19-vaccines-covax-and-pacific>.

³⁴⁹ UNICEF, “Australia-UNICEF's COVID-19 Vaccine Support to Samoa”, *Press Release* (6 April 2022), <https://reliefweb.int/report/samoa/australia-unicef-s-covid-19-vaccine-support-samoa>.

³⁵⁰ Marc Membere, “China ready to help with vaccines”, *Samoa Observer* (14 April 2022) <https://www.samoasobserver.ws/category/samoa/82389>.

³⁵¹ U.S. Embassy in Samoa, “Peace Corps Assists with Paediatric Vaccine Rollout in Samoa”, *Press Release* (11 March 2022) <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEw1mtaj9Zr3AhXqUGwGHfuNBGY>

maua mai fo'i fesoasoani mai fa'alāpotopotoga fa'avāomālō tautupe ma fa'alāpotopotoga a Mālō Aufa'atasi, e aofia ai le Faletupe o le Lalolagi³⁵², Faletupe a Asia mo Ātina'e³⁵³, ma le Fa'alāpotopotoga a Mālō Aufa'atasi mo le Soifua Mālōlōina o le Lalolagi³⁵⁴.

A o fa'aauau taumafaiga e fa'afoe le tali atu i lu'i ma a'afiaga ona o le fa'ama'i, ma fa'atinoga e mausalī mo le fa'afo'isia o le atunu'u i se tulaga lelei, e tatau i le Mālō ona fa'aauau le galulue felagolagoma'i ma ana pā'aga fa'avāomālō, ina ia tino mai nei taumafaiga.

FAUTUAGA

Galulue fa'atasi

- 37.**E fautuaina le Mālō ina ia mautinoa e mulimulita'i i ana fuafuaga e uiga i le feso'ota'i ma le vaega tūma'oti 'olo'o tu'uina atu 'au'aunaga o tausiga fa'asoifua mālōlōina, e lē gata ina ia fa'aogā āto'atoa ai puna'oa ma ia aogā lelei le tausiga o tagata o le atunu'u, ae fa'apea fo'i ona fesoasoani i le 'aufaigaluega ua pagātia i le tele o galuega.
- 38.**E fautuaina le Mālō ina ia feso'ota'i ma vaega e ma'ale'ale le tulaga, ina ia maua o latou manatu e uiga i matā'upu o a'afia ai o latou mana'oga, ma o ia manatu, e fesoasoani i le fausaga o auala e tali atu ai i le fa'ama'i. O lea faiga, 'ole'ā fesoasoani i le mautinoa e aofia ma āmana'ia tagata uma i faiga fa'avae a le atunu'u mo le KOVITI-19 ma fa'apea ona fa'asaga tonu i ai fa'atinoga.
- 39.**E tatau i pisinisi ona fa'amautinoa e,
- fa'aauau le faiga tutusa o a latou tagata faigaluega ma e lē fa'ailoga tagata, mo se fa'ata'ita'iga, o fa'ai'uga e fa'amālōlō pe fa'amuta le fa'afaigaluegaina;
 - mautinoa e iai auala fa'ata'atitia mo le mauaina e tagata lautele o 'au'aunaga e lē fa'ailoga tagata;
 - mautinoa e iai auala fa'ata'atitia mo le tali atu i faiga fa'ailoga tagata / faiga 'inosia e feagai ma le 'aufaigaluega mai tagata lautele.
- 40.**E fautuaina le Mālō ina ia mautinoa le puipuiga ma le lagolagoina o Fa'alāpotopotoga a Tagata Lautele/ Fa'alāpotopotoga Tūma'oti, ina ia mafai ona fa'aauau pea la latou fesoasoani 'olo'o tu'uina atu, aemaise lava mo tagata e aupito ma'ale'ale le tulaga.
- 41.**E fautuaina le Mālō ina ia fa'aauau le fa'aogāina o ana so'otaga i nu'u ma afio'aga, ina ia sa'oloto ma sōloga lelei le fa'ao'oina atu o fa'amatalaga i nu'u ma afio'aga, e uiga i le soifua mālōlōina o tagata lautele, ma fa'apea fo'i ona fesoasoani i le fa'amamaluina o tulafono o Poloa'iga o Fa'alavelave Tutupu Fa'afuase'i, ma tau fa'amāmā ai le 'avega a le 'aufaigaluega 'olo'o fa'amamaluina tulafono.
- 42.**E fa'apea fo'i ona iai le matāfaioi a nu'u ma afio'aga, ina ia mautinoa e āmana'ia ma fa'atāua isi tagata, ma ia lagolago i taumafaiga a le Mālō e fa'afetaia'i a'afiaga ua tūla'i mai ona o le fa'ama'i,

[QFnoECAyQAQ&url=https%3A%2F%2Fwww.usembassy.gov%2Fpeace-corps-is-assisting-the-pediatric-vaccine-rollout-in-samoa%2F&usg=AOvVaw13Oz7b1vAxjlwyaE_b7yx1.](https://www.wfp.org/publications/news/2022/04/24/world-bank-provides-additional-34-million-samoas-fight-against-covid-19)

³⁵² World Bank, "World Bank Provides Additional \$3.4 million for Samoa's Fight Against COVID-19", *Press Release* (24 April 2020) <https://reliefweb.int/report/samoa/world-bank-provides-additional-34-million-samoas-fight-against-covid-19>.

³⁵³ Asian Development Bank, "ADB Provides \$10 Million Grant to Help Samoa Manage COVID-19", *Press Release* (25 April 2022) <https://www.adb.org/news/adb-provides-10-million-grant-help-samoa-manage-covid-19>.

³⁵⁴ WHO, "15 tonnes of lifesaving COVID-19 supplies arrive in Samoa", *Press Release* (3 May 2022) <https://www.who.int/westernpacific/about/how-we-work/pacific-support/news/detail/03-05-2022-15-tonnes-of-lifesaving-covid-19-supplies-arrive-in-samoa>.

e aofia ai le mulimulita'i i tulafono o Poloa'iga o Fa'alavelave Tutupu Fa'afuase'i, ma fa'aaogā avanoa ua tu'uina atu mo a'oa'oga a le fanau.

43. E fautuaina le Mālō ina ia mautinoa e feso'ota'i ma fefa'asoa'i ma ofisa e mātā'itūina fa'atinoga, e aofia ai le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua, i ni fautuaga ma ta'iala o talitonuga fa'avae o aiā tatau a tagata soifua e tatau ona āmana'ia ma aofia i faiga o fa'ai'uga ma fa'atinoga e tali atu i le KOVITI-19. O lea faiga 'ole'ā mautinoa ai le alatutusa ma le tausisia o matāfaioi tau aiā tatau a tagata soifua, i lalo o tulafono a le atunu'u, fa'apea tulafono fa'avāomālō, o aiā tatau a tagata soifua. E fa'apea fo'i ona tāua le lē nofoa'i o le Ofisa a Samoa mo Aiā Tatau a Tagata Soifua, a ia mata'alia i le fa'ailoa atu o ona manatu.

44. E fautuaina le Mālō ina ia fa'aaau le galulue felagolagoma'i ma ana pā'aga fa'avāomālō, e tali atu i a'afiaga ua tūla'i mai ona o le fa'ama'i, ina ia mautinoa e mafai ona fa'afo'isia le atunu'u i se tulaga lelei ma mausalī.

VAEGA 5: FA'APĀLENIINA O AIĀ TATAU A TAGATA SOIFUA I LE SI'OSI'OMAGA O LE KOVITI-19 – FA'AAOGĀINA O SE VA'AIGA MAI LE ITŪ O AIĀ TATAU A TAGATA SOIFUA

Mo le KOVITI-19, e tatau lava ona pāleni le taga'i toto'a i aiā tatau 'ese'ese. Mo se fa'ata'ita'iga, e a'afia aiā tatau a tagata ta'ito'atasi i galuega, a'oa'oga, sa'olotoga o potopotoga ma le fegāsoloa'i, ona o le puipuiga o le aiā tatau i le ola, tausiga tau soifua mālōlōina, ma le puipuiga o le soifua mālōlōina.³⁵⁵

Talu ona iloa ma salalau le fa'ama'i o le KOVITI-19, ua tūla'i mai ni fesili lavelave e lē gata i Sāmoa nei, a o isi atunu'u o le lalolagi, e uiga i tulaga e alagātatau ai tāofiofiga i lalo o Poloa'iga o Fa'alavelave Tutupu Fa'afuase'i, fa'apea fo'i le tulaga e iai le pāleni i le vā o aiā tatau ma sa'olotoga o tagata ta'ito'atasi ma le aiā tatau i le soifua mālōlōina, e aofia ai le soifua mālōlōina ma le saogalēmū o tagata lautele.

E ui ina fa'alagolago le auala o le fa'apāleniina o aiā tatau i se matā'upu ma le si'osi'omaga, **o le itū aupito tāua, o le 'avea lea o aiā tatau a tagata soifua e fa'avae ma ta'iala ai le faiga o fa'ai'uga, po o fa'ai'uga a le mālō, po o fa'ai'uga a pisinisi.** O le fa'aaogāina e le Mālō o se auala e fa'avae i aiā tatau a tagata soifua, 'ole'ā fa'apea ona mafai ai ona fa'apāleni aiā tatau a tagata soifua i le si'osi'omaga o le KOVITI-19.

O le aofia o talitonuga fa'avae o aiā tatau a tagata soifua i le tali atu a le Mālō i le KOVITI-19 ma auala e toe fa'afo'isia ai i se lelei, e lē gata ina i'u i ni taunu'uga lelei mo tagata uma, a 'ole'ā mautinoa ai fo'i le tausiga fa'asoifua mālōlōina mo tagata uma, fa'apea le āmana'ia ma le fa'atumauiina o le tāua o le tagata soifua.

³⁵⁵ Human Rights Watch, *Human Rights Dimensions of COVID-19 Response*, March 2020, https://www.hrw.org/sites/default/files/supporting_resources/202003covid_report_0.pdf.

‘Āfai e leai se taumafaiga toto’a ma le fa’aeteete e fa’avae i aiā tatau a tagata soifua mo le fa’afoega o le KOVITI-19, e aofia ai le māta’itūina e se vaega tūto’atasi, ‘ole’ā fa’apea ona fa’ateteleina le tulaga lē tutusa o tagata, aemaise lava vaega e ma’ale’ale le tulaga.³⁵⁶

E pei ona tā’ua i le **Vaega 2(1)**, o lalo o tulafono tau aiā tatau a tagata soifua, o le mālō e pa’ū iai le uluulu o le lā’au o le matāfaioi o le āmana’ia, puipuia ma le fa’ataunu’uina o aiā tatau a tagata soifua, e aofia ai le fa’atino o la’asaga mana’omia ina ia puipuia, togafitia ma tāofiofi le salalau o fa’ama’i pepesi, ina ia tino mai le aiā tatau i le soifua mālōlōina. O le fa’atinoga o nei auala, e matuā tāua le mautinoa e talafeagai ma fuafua fa’atatau lelei, ina ia puipuia aiā tatau uma a tagata soifua.

O le Fuai’upu 106 (3) o le Fa’avae o Sāmoa ‘olo’o tu’uina mai ai le mālosi’aga i le Mālō e fa’atino ai auala e aofia ai le faiga o Poloa’iga o Fa’alavelave Tutupu Fa’afuase’i, e mana’omia mo le fa’atumauiina o le saogalemū o le atunu’u e pei o taimi o fa’alavelave tutupu tau soifua mālōlōina o tagata lautele, e i’u ai ina fa’atapula’aina le fa’atinoga o aiā tatau a tagatānu’u. E ui ina ōgatasi le faiga o Poloa’iga o Fa’alavelave Tutupu Fa’afuase’i ma le Fa’avae, fa’apea tulafono o aiā tatau a tagata soifua, e tatau ona mulimulita’i le Mālō i talitonuga fa’avae o le mana’omia, tusa ma le tulafono ma e talafeagai le fa’atapula’aina o aiā tatau. ‘Olo’o soso’o mai se fa’atalanoaga ātili o nei talitonuga fa’avae.

1. Talitonuga fa’avae o aiā tatau a tagata soifua ma le tali atu i le KOVITI-19

E iai talitonuga fa’avae i lalo o tulafono o aiā tatau a tagata soifua e tatau ona tausisia e mālō ina ia mautinoa e āmana’ia ma puipuia aiā tatau a tagatānu’u i fa’atinoga e tali atu i le fa’ama’i.

E tele talitonuga fa’avae o aiā tatau a tagata soifua e feso’ota’i ma fa’atinoga e tali atu i le fa’ama’i e aofia ai le **taga’i i le tāofiga o le KOVITI-19, o ni fa’atinoga o matāfaioi tau aiā tatau a tagata soifua, tulaga tutusa ma le lē fa’aailoga tagata, ‘auai ma le mafai ona tali atu, puipuiga o vaega e ma’ale’ale le tulaga, fuafua fa’atatau lelei, ma le aiā tatau i fa’amatalaga.**³⁵⁷ O le maua’a o nei talitonuga fa’avae i fa’atinoga, ‘ole’ā fesoasoani e fa’afetaia’i tulaga o le lē tutusa, fa’apea le solia o aiā tatau a tagata soifua e māfua mai i taunu’uga o le KOVITI-19.

E iai puna’oa ua ātinae e Mālō Aufa’atasi ma fa’alāpotopotoga tau aiā tatau a tagata soifua i atunu’u ‘ese’ese, ua tu’uina mai ai ni ta’iala mo mālō, i le fa’aaogāina o auala e fa’avae i aiā tatau a tagata soifua, i a latou tali atu i le KOVITI-19. Ua tu’uina atu i lalo se tasi o ia puna’oa (‘olo’o fa’amati’e ai talitonuga fa’avae o aiā tatau a tagata soifua e pei ona tā’ua i luga). **E fautuaina e le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua le Mālō, ina ia fa’aauau le fa’aaogāina o vaega ‘autū ua tu’uina atu i lalo, i le faiga o ana fa’ai’uga, fuafuaga ma le tali atu i le fa’ama’i ma ona taunu’uga i Sāmoa.**

PUNA’OA: TALITONUGA FA’AVAE MO SE AUALA E FA’AVAE I AIĀ TATAU A TAGATA SOIFUA MO LE FA’ATAUTAIGA O LE FA’AMA’I O LE KOVITI-19

Taga’i i le tāofiga ma le togafitiga o le KOVITI-19, o se matāfaioi tau aiā tatau a tagata soifua

³⁵⁶ United Nations, “COVID-19 and Human Rights We are all in this together”, April 2020, <https://unsdg.un.org/sites/default/files/2020-04/COVID-19-and-Human-Rights.pdf>, p.2.

See for example, Oxfam, COVID-19 and Human Rights: States’ obligations and businesses’ responsibilities in responding to the pandemic”, Discussion Paper (August 2020) <https://oxfamilibrary.openrepository.com/bitstream/handle/10546/621037/dp-covid-19-human-rights-principles-070820-advance-en.pdf?sequence=4>, p.4.

1. la talia, e a'afia le aiā tatau i le soifua mālōlōina ma le ola ona o le fa'ama'i o le KOVITI-19, e tusa ai ma tiute tau'ave fa'avāomālō, o aiā tatau a tagata soifua.
2. la talia, o tiute tau'ave fa'avāomālō tau aiā tatau a tagata soifua, e mana'omia ai auala e fa'aitiitia ai le ono āfāina o aiā tatau e feso'ota'i ma le aiā tatau i le soifua mālōlōina ma le ola, e aofia ai le aiā tatau i galuega, a'oa'oga, tulaga tutusa, mauaina o fa'amatalaga, sa'olotoga mai faiga po o fa'asalaga e lē tusa ma le faiga o se tagata ola, fa'apea sa'olotoga o fa'alāpotopotoga, fa'aaliga o manatu, potopotoga ma le fegāsoloa'i.
3. la talia, e fa'asā fa'atinoga fa'aailoga tagata i lalo o tiute tau'ave fa'avāomālō o aiā tatau a tagata soifua, e aofia ai le fa'asoesā i so'o se tagata po o nu'u ma afio'aga, ona ua masalomia pe fa'amaonia ni so'otaga ma le KOVITI-19.

Fa'ata'atia tapula'a mautū o fa'atinoga e āfāina ai aiā tatau

1. la mautinoa e tu'utapula'a taimi ma iloilo pea i ni taimi fa'atulagaina, so'o se fa'atinoga tau soifua mālōlōina o tagata lautele, po o se fa'atinoga tau fa'alavelave fa'afuase'i ua manatu e mana'omia mo le tāofiga o le salalau o le KOVITI-19 ma ua fa'aitiitia ai le fa'atinoga o aiā tatau.
2. la talia, o tiute tau'ave fa'avāomālō o Sāmoa, e tatau ai ona manino ua fa'amaonia e mana'omia, e tusa ma le tulafono, ma ua fuafua fa'atatau lelei so'o se fa'atinoga e fa'atapula'a ai le fa'aaogāina o aiā tatau.
3. la mautinoa, e pulea e puipuiga fa'aletulafono e fa'avae i aiā tatau a tagata soifua, auala talafeagai o le fa'aaogāga ma le fa'afoega o fa'amatalaga o le soifua mālōlōina o tagata ta'ito'atasi.

Puipuiga o vaega e ma'ale'ale le tulaga

1. Taga'i i le lumana'i, iloilo ma fa'atino ni galuega fesoasoani mo tagata e ma'ale'ale le tulaga o le soifuaga ua matuā āfāina ona o le KOVITI-19 ma tapula'a ua fa'atinoina.
2. la mautinoa, e maua e tagata e ma'ale'ale le tulaga o le soifuaga avanoa tutusa i tausiga tau soifua mālōlōina fa'apea isi fa'atinoga e tali atu ai i le KOVITI-19, e aofia ai fesoasoani tautupe ma isi fesoasoani.
3. la fa'atino ni la'asaga e fa'aitiitia ai a'afiaga tau itūpā ma ia mautinoa e lē fa'aauuina e fa'atinoga mo le KOVITI-19 le lē tutusa o tulaga o itūpā.
4. la mautinoa, e āmana'ia i fa'atinoga tau soifua mālōlōina ma fa'alavelave fa'afuase'i mana'oga o tagata e iai a'afiaga tūmau o le soifua mo le sao atu i nofoaga 'ese'ese fa'apea isi mana'oga o tagata e iai a'afiaga tūmau. O i latou ia ua fa'ateleina le lamatia i le pēsia ma āfāina i le KOVITI-19 ma ono feagai ma isi fa'afitāuli e tele atu, i le mauaina o 'au'aunaga ma 'oloa ona o tapula'a ma vavao ua fa'atinoina.
5. la mautinoa, e lē so'ona tulituliloaina pe ta'u solitulafonoina ni tagata ona o o latou tala'aga po o o latou tulaga.

Āmana'ia ma le tausiga o le tagata soifua, tulaga tutusa ma le tali atu i le fa'aailoga tagata

1. la mautinoa, o so'o se fa'atinoga e tali atu ai i le KOVITI-19, e fa'avae i molimau, ma e toto'a le lu'iina, tē'ena ma le fa'ata'apeina o manatu māsanani e sesē ma lē fa'avaea.
2. Taga'i i le lumana'i, ma tāpena ni fuafuaga mo ni vaega o tagata po o ni nu'u ma afio'aga e ono feagai ma le si'itia o faiga fa'aailoga tagata, ona o le tali atu a le Mālō i le fa'ama'i o le KOVITI-19.
3. la fa'atino ni la'asaga e 'alofia ai le fa'asi'ugutua po o le 'inosia o ni tagata i taimi o le fa'ama'i fa'apea le mavae atu o le fa'ama'i
4. Māta'itū ma līpoti ni faiga ua gāsolo atu i le fa'aailoga tagata ona o le KOVITI-19, ma tulituliloa ni fa'asalaga talafeagai, e aofia ai mōliaga o se solitulafono pe 'āfai ua talafeagai.

'Auai, tapu'eina o le mafai ona tali atu, ma le māta'itūina o matā'upu tau aiā tatau a tagata soifua

1. Fefa'asoa'a'i ma ofisa tau aiā tatau a tagata soifua ma tagata tomai fa'apitoa, vaega e ma'ale'ale le tulaga o le soifua, fa'apea tagata, nu'u ma afio'aga ua a'afia i le KOVITI-19, i le faiga o fa'ai'uga, fa'atinoga ma le 'atofaina o puna'oa.
2. Fa'avae nafa faufautua aloa'ia mo sui o ofisa tau aiā tatau a tagata soifua i totonu o komiti fa'apitoa a le Mālō mo le KOVITI-19, isi komiti fa'apitoa ma komiti galulue.
3. Taga'i toto'a ma ia lautele le silasila i se faiga e tūto'atasi e 'auai pulega 'ese'ese, e mātā'itūina le ono tūla'i mai o ni itū e solia ai aiā tatau a tagata soifua, ma vave fa'atino i le 'āmataga auala e tāofia pe fa'aitiitia ai.
4. Aoina fa'amatalaga tau soifua mālōlōina ma isi fa'amaumauga tau aiā tatau a tagata soifua o le tali atu i le KOVITI-19. Ia tu'uvaega i tausaga o le matua, a'afiaga tūmau o le soifua, itūpā, tulaga o le soifuaga lautele, m.m.f.

Sa'olotoga o manatu ma le fa'aaliga o tāofi ma le mauaina o fa'amatalaga

1. Tu'uina atu fa'amatalaga fa'atuatuaina ma sa'o e uiga i fa'atinoga mo le KOVITI-19, tagata ua pēsia m.f., ia aofia ai le fa'amaninoina o fa'amatalaga sesē, e pei o le fa'asalalauina ma le unai'iina o togafitiga sesē.
2. Ia mautinoa le lē fa'atapula'aina o le mauaina o 'au'aunaga fa'amoemoeina tau initaneti ma 'ave'esea ni tāofiofiga o le sa'olotoga o manatu ma fa'aaliga o tāofi, e aofia ai le sa'olotoga o le 'aufa'asalalau
3. Faifaiepa le mātā'itūina ma līpoti atu i le atunu'u ni a'afiaga o aiā tatau a tagata soifua, taunu'uga ma ni tulaga o le lē tutusa ua o'o i ai ona o le fa'ama'i o le Koviti-19 ma lona fa'atautaiga.

Maua mai: See OHCHR, COVID-19 Guidance, <https://www.ohchr.org/EN/NewsEvents/Pages/COVID19Guidance.aspx>. See also Ontario Human Rights Commission, Policy statement on a human rights-based approach to managing the COVID-19 pandemic, <https://www.ohrc.on.ca/en/policy-statement-human-rights-based-approach-managing-covid-19-pandemic> (accessed 16 January 2022); Oxfam, COVID-19 and Human Rights: States' obligations and businesses' responsibilities in responding to the pandemic", Discussion Paper (August 2020) <https://oxfamilibrary.openrepository.com/bitstream/handle/10546/621037/dp-covid-19-human-rights-principles-070820-advance-en.pdf?sequence=4>.

FA'AMATALAGA: E maua isi fa'amatalaga aogā o ta'iala ma lisi mo auala fa'avae i aiā tatau a tagata soifua e mafai ona taga'i i ai le Mālō e fesoasoani i lana tali atu i le KOVITI-19, i le vaega o "Puna'oa" 'olo'o i lalo.

2. Iloiloga o le tausisia o aiā tatau a tagata soifua i le tali atu a le Mālō

a) Taga'i i le tāofiga ma le togafitiga o le KOVITI-19, o se matāfaioi tau aiā tatau a tagata soifua

O ni agatausili 'autū 'olo'o fa'amati'e i le *Fuafuaga Aoao mo Fa'ama'i*, i e aofia ai aiā tatau a tagata soifua ma le 'auai.³⁵⁸

Aiā Tatau a Tagata Soifua: E iai le aiā tatau a tagata uma i le mauaina o 'au'aunaga tau soifua mālōlōina e aofia ai 'au'aunaga mana'omia ae le'i o'o mai, taimi ua o'o mai, ma taimi ua tuana'i atu se fa'ama'i pipisi ua salalau i le atunu'u ma fa'ama'i pipisi ua a'afia ai le lalolagi 'ātoa

'Auai: Iai mālosi'aga talafeagai e mafai ai ona 'auai tagata uma mai le la'asaga o upufai o mālō e o'o atu i nu'u ma afio'aga, i le puipuiga ma le tāofiofiga o

³⁵⁸ MOH, National Epidemic and Pandemic Preparedness and Response Plan Financial Year 2020/21 – FY2024/25, p.16.

fa'ama'i pipisi ua salalau i le atunu'u ma fa'ama'i pipisi ua a'afia ai le lalolagi 'ātoa.

O le fa'amamafaina o le agatausili o "**aiā tatau a tagata soifua**" i le *Fuafuaga Aoa mo Fa'ama'i*, o se fa'aילו tāua lea o le naunauta'iga o le Mālō ina ia mautinoa e una'i ma puipuia le aiā tatau i le soifua mālōlōina i taimi o fa'alavelave fa'afuase'i e pei o se fa'ama'i pipisi ua a'afia ai le lalolagi 'ātoa, fa'apea fo'i le tāua o le nafa o vaega 'ese'ese i le faiga o fa'ai'uga ma fuafuaga.

E ui ina fa'amamafaina le tāua o le aiā tatau i le soifua mālōlōina, e tāua fo'i le taga'i i isi aiā tatau ma sa'olotoga e a'afia. O a'afiaga o le aiā tatau i le soifua mālōlōina, e mafai fo'i ona a'afia ai isi aiā tatau e pei ona fa'amati'eina i le **Vaega 3**. Ia fa'aaau e le Mālō le āmana'ia ma fa'atino galuega mo isi aiā tatau e feso'ota'i, e pei o le aiā tatau i a'oa'oga, e ala i le tu'uina atu o avanoa e maua ai feso'ota'iga i le initaneti, fa'apea le 'ave'esea o tapula'a o le sa'olotoga e fegāsoloa'i – **taga'i i le Vaega 2(3)** i le "Tali atu a le Mālō i le KOVITI-19 i Sāmoa".

b) Fa'ata'atia tapula'a mautū o fa'atinoga e āfāina ai aiā tatau a tagata soifua ma ia fua fa'atatau lelei

E ui ina sa tele aiaiga na fa'atapula'a ai le sa'olotoga o le fegāsoloa'i e ala i sā, na vave lava ona toe fa'aitiitia ma 'ave'esea nei tapula'a e Sāmoa i totonu o se vaitaimi o ni vaiaso, fa'atusatusa i le faitau masina i isi atunu'u. 'Olo'o fa'aaau fo'i e le Mālō poloa'iga mana'omia e tusa ma le Fa'avae, mo le mautinoa o le saogalemū o tagata lautele. Peita'i, e pei ona fa'amati'eina i le **Vaega 3** i le "A'afiaga o aiā tatau a tagata soifua mai le KOVITI-19 & fa'atinoga a le Mālō e tali atu i ai", na fesiligia e ni tagata le fua fa'atatau lelei ma le talafeagai o nei poloa'iga. Mo se fa'ata'ita'iga, na sili atu le a'afia o le tele o pisinisi nai lō isi, ona o sā ma vavao na fa'atino, na matuā pagātia ai lo latou tamāo'āiga ma i'u ai ina fa'amālōlō ni a latou tagata faigaluega. O tapula'a o le feoa'iga o le aso 19 o Aperila 2022, aemaise lava mo auala o femalagaa'iga, na nunumi ai tagata ma fa'amati'e ai le lē lelei o fuafuaga ona o le to'atele o tagata na mānava i le 2 i le aoauli, a o le 2 fo'i i le aoauli na fa'asā ai ona toe feoa'i tagata i auala tele.

E ui i nei fa'afitāuli, i le aotelega, 'olo'o mulimulita'i lava i le talitonuga fa'avae o le fua fa'atatau lelei. O le tele o tapula'a o le fegāsoloa'i ma le mauaina o 'au'aunaga a le mālō e pu'upu'u se taimi na fa'tino ai, ma ua fa'amāmā/fa'amatuu ese i le taimi nei.³⁵⁹ E matuā tāua le fa'aaau pea e le Mālō o le iloiloga o ana fa'atinoga ma fai suiga e mana'omia.

c) Puipuiga o vaega e ma'ale'ale le tulaga

E ui ina ua tu'uina atu le fesoasoani i vaega e ma'ale'ale le tulaga, e aofia ai fa'amanuiaga mo tagata e iai a'afiaga tumau o le soifua, le fa'aopoopoina o tupe maua e tagata penisione, fesoasoani mo 'āiga e itiiti tupe maua mai Fa'alāpotopotoga a Tagata Lautele/Fa'alāpotopotoga Tūma'oti (na fesoasoani i ai le Mālō) mo sāuāga fa'avae i itūpā ma fale mo 'āiga, e mana'omia pea ni fesoasoani fa'aopoopo, ina ia mautinoa e faifaiepea le puipuiga o vaega e ma'ale'ale le tulaga i nei taimi 'olo'o fa'aaau pea le māfatia ona o a'afiaga o le KOVITI-19, ua ātili fa'ateteleina ai le tulaga o le lē tutusa.

O se tasi o ava i le itū o le lē tutusa o tulaga, o le avanoa lea mo le 'auai o vaega e ma'ale'ale le tulaga i le faiga o fa'ai'uga. Ona o lea, e lē gata i le mauaina o fesoasoani tautupe, e matuā tāua le āmana'ia o manatu o vaega e ma'ale'ale le tulaga, aemaise lava i matā'upu e a'afia ai o latou mana'oga. Mo se

³⁵⁹ See Government of Samoa, *State of Emergency Order No. 79*, <https://www.samoagovt.ws/wp-content/uploads/2022/05/order79.pdf>.

fa'ata'ita'iga, e tatau ona āmana'ia mana'oga o tagata ua matua le soifua ma Tagata e iai A'afiaga Tumau o le Soifua e fa'alagolago i le tausiga e isi tagata. O i latou ia e āfāina i le fa'atapula'aina o feoa'iga ma le latalata i isi tagata. E mana'omia e tinā ma tama'ita'i ma teine 'au'aunaga tau Soifuaga Fanau Manuia. E fa'apea fo'i i mana'oga o tamaiti mo le a'oa'oina.

d) Āmana'ia ma le tausiga o le tagata soifua, tulaga tutusa ma le tali atu i le fa'ailoga tagata

E ui ina iai tulaga o le fa'ailoga tagata ma le fa'asi'ugutua, aemaise lava mo i latou ua pēsia i le fa'ama'i, o le tele lava o taimi 'olo'o tausisia le agaalofoa, āmana'ia, tausiga ma le tulaga tutusa. Mo se fa'ata'ita'iga, 'olo'o mafai ona maua e tagata tui puipui e lē fa'alavelaveina; 'olo'o fa'aauau pea le mauaina e tagata lautele o 'au'aunaga a le mālō, e aofia ai a'oa'oga mo tamaiti e ala i le initaneti. Peita'i, e iai tagata e le'i mafai ona mauaina 'au'aunaga talu ai e le'i faia tui puipui ona o a latou lava filifiliga ma talitonuga. O le tē'ena o 'au'aunaga mo ia tagata, e ōgatasi ma tulafono tau aiā tatau a tagata soifua, ona o māfua'aga e feso'ota'i ma le saogalēmū o tagata o le atunu'u.

Ina ia mautinoa e tausisia le lē fa'ailoga tagata, e tatau i le Mālō ona fa'aauau le mātā'itūina ma fa'atino la'asaga mana'omia e tali atu ai i ni faiga fa'ailoga tagata i ni taimi e tula'i mai ai. E tatau fo'i ona nofo sāuni mo se taimi e ono feagai ai ni nu'u ma afio'aga fa'apea vaega e ma'ale'ale le tulaga ma ni faiga fa'ailoga tagata ona o fa'atinoga e tali atu i le KOVITI-19. E mafai ona fa'afetaia'i lea itū e ala i le fa'amautinoa e 'auai nei nu'u ma afio'aga ma vaega, i le faiga o fa'ai'uga.

e) 'Auai, tapu'eina o le mafai ona tali atu ma le mātā'itūina o matā'upu tau aiā tatau a tagata soifua

E pei ona fa'amati'e i luga le tāua o le 'auai o vaega e ma'ale'ale le tulaga i le faiga o fa'ai'uga (taga'i i le **Vaega 4(2)**), o le itū i le 'auai, o se tasi lea o vaega e tatau ona fa'aleleia ma tapu'eina. E ui ina 'olo'o tu'uina atu e le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua fautuaga i le Mālō e ala i lona 'auai o se sui o le Komiti Fautuaga mo Fa'alavelave Mātuiā, 'olo'o iai se lu'i, aemaise lava i le lē lelei o le tali mai a le Mālō, i le itū o le 'auai o le 'aufaigaluega tau soifua mālōlōna, e aofia ai foma'i ma faletalavai tūma'oti (na tu'uina mai ni folasaga, e le'i fa'afeso'ota'iina i latou) e fesoasoani i le tali atu a le atunu'u i le KOVITI-19.

Mo le āga'i i luma, e tatau i le Mālō ona mautinoa e fa'aauau le tāpā o manatu mai vaega 'ese'ese o le atunu'u e iai o latou sao, e aofia ai 'au'aunaga tūma'oti o tausiga fa'asoifua mālōlōina, pisinisi, Fa'alāpotopotoga a Tagata Lautele/Fa'alāpotopotoga Tūma'oti, auala o le mātā'itūina, e aofia ai le Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua, ma se vaega aupito tāua, o vaega ia e ma'ale'ale le tulaga, ina ia mautinoa e aofia i le 'ausia o taunu'uga lelei atu mo tagata uma. O le fa'ataunu'uina e le Mālō o ia fa'atinoga, 'ole'ā fa'aleleia ātili ai le manino o ana fa'atinoga, ma le mafai ona tali atu.

f) Sa'olotoga o manatu ma le fa'aaliga o tāofi ma le mauaina o fa'amatalaga

E ui ina e le'i fa'atapula'aina le sa'olotoga o le fa'aaliga o tāofi o tagatānu'u ma le 'aufa'asalalau, o se tasi o matā'upu 'autū na tūla'i mai i fefa'asoa'iga ma lipoti a le 'aufa'asalalau, o le lē māopoopo lea ma le lē lava o fa'amatalaga na fa'asoa mai e le Mālō, aemaise lava fa'amatalaga e uiga i tapula'a i taimi o sā, fa'amatalaga e uiga i le aogā lelei o tui puipui ma ni a'afiaga e ono o'o i ai, fa'apea māfua'aga mo fa'ai'uga na faia. E pei ona fa'amati'e i luga i le **Vaega 3(1)(d)(i)** i le "mauaina o fa'amatalaga" ma le **Vaega 4(1)** ma le **4(2)** i le galulue felagolagoma'i ma "'au'aunaga fa'asoifua mālōlōina tūma'oti" ma "vaega e ma'ale'ale le tulaga", e le'i lelei feso'ota'iga mai le Matāgaluega o le Soifua Mālōlōina, aemaise lava i taimi o sā. E tele fo'i fa'aaliga na fete'ena'i ma e le'i lelei le fa'a'upuga ina ia fesoasoani

i tagata ia mālamlalama. Mo se fa'ata'ita'iga, o matā'upu e uiga i le mauaina o tausiga fa'asoifua mālōlōina. E matuā la'itiiti lava fa'amatalaga ua maua i le aogā o tui puipui ma e 'ese'ese foi leo na o'o mai i taimi o fa'asalalaga.

E matuā tāua le maua e tagata o fa'amatalaga mai le Mālō e fa'atuatuaina ma sa'o i taimi e mana'omia ai, aemaise lava i taimi e a'afia ai le ola ma aiā tatau a tagata uma, ona o fa'ai'uga e faia. E tatau i le Mālō ona mautinoa e mata'alia i le fa'ailoa atu o fa'amatalaga, aemaise lava i taimi o fa'alavelave fa'afuase'i e pei o se fa'ama'i ua salalau.

O le aotelega, e ui ina 'olo'o lelei le tausisia o aiā tatau a tagata soifua i le tele o tulaga, 'olo'o iai lava vaega e mana'omia le fa'aleleia ātili ina ia mautinoa e 'apo'apoina aiā tatau ma sa'olotoga o tagatānu'u. O nei vaega e tele ina feso'ota'i ma le mauaina o fa'amatalaga, puipuiga o vaega e ma'ale'ale le tulaga, fa'apea le 'auai o tagata ma le tapu'eina o le mafai ona tali atu ma le mātā'itūina o matā'upu tau aiā tatau a tagata soifua.

I'UGA

E tele lu'i 'ese'ese ua feagai ma le tamāo'āiga o le atunu'u ona o le KOVITI-19. O fa'atinoga fo'i a le Mālō e fa'afetaia'i ai le KOVITI-19, ua telē ai le a'afiaga o aiā tatau ma sa'olotoga o tagata uma i Sāmoa. E sili ai le āfāina o tagata e ma'ale'ale le tulaga talu ai le lē tutusa o tulaga sa iai 'ae le'i o'o mai le fa'ama'i. Ua telē le a'afiaga o aiā tatau ma sa'olotoga e aofia ai aiā tatau i le vā ma isi tagata ma aiā tatau tau upufai o mālō, fa'apea aiā tatau tau tamāo'āiga ma agafeso'ota'i. O sā na fa'atino, na fa'atapula'a ai le sa'olotoga e fegāsoloa'i fa'apea le aiā tatau a tamaiti i a'oa'oga. Ua telē le a'afiaga o le aiā tatau i le soifua mālōlōina, o se vaega lē matō'esea o le aiā tatau i le ola, ona o lenei fa'ama'i, ma 'olo'o fa'aaauu pea ona 'avea o se galuega mamafa mo le Mālō le taumafai e puipuia lea aiā tatau fa'avae.

E ui ina ua alagātatau le patipatia o galuega a le Mālō i le lagolagoina ma taumafaiga ia mautinoa e malupuipua le soifua mālōlōina ma le saogalemū o tagata uma o Sāmoa, e iai lava galuega 'olo'o mana'omia pea, ina ia mautinoa e lelei atu le fa'amāoopopoga ma fuafuaga, aemaise lava i itū o le fa'asoaina atu o fa'amatalaga; tapu'eina o le puipuiga o vaega uma e ma'ale'ale le tulaga, ma mautinoa e āmana'ia ma aofia o latou mana'oga i le tali atu a le Mālō i le KOVITI-19; fa'apea le fa'aleleia ma le tapu'eina o le galulue felagolagoma'i, mafai ona tali atu ma le mātā'itūina, ma le 'auai o tagata e iai o latou sao i se matā'upu, i le faiga o fa'ai'uga. O le āmana'ia o nei itū, fa'atasi ai ma isi talitonuga fa'avae o aiā tatau a tagata soifua ua fa'amati'e ma talanoaina i le Līpoti, e lē gata ina 'ole'ā fa'amati'eina ai le naunauta'i o le Mālō i le fa'aaogāina o se auala e fa'avae i aiā tatau a tagata soifua i lana tali atu i fa'ama'i pipisi ua salalau, ae fa'apea fo'i lona naunauta'iga ina ia mautinoa e fa'aaauu pea le 'apo'apoina o aiā tatau a ona tagatānu'u i taimi o ni fa'alavelave fa'afuase'i tau soifua mālōlōina o tagata lautele.

E talosagaina ma fautuaina le Mālō ina ia fa'atinoina fautuaga ua i totonu o lenei Līpoti, ina ia mautinoa e aogā lelei ma aofia tagata uma o Sāmoa i tali atu a le Mālō i le KOVITI-19, e lē gata i le taimi nei, ae fa'apea le lumana'i i ni isi fa'alavelave fa'afuase'i tau soifua mālōlōina o tagata lautele, e lamatia ai le ola o o tatou tagata.

PUNA’OA: TA’IALA & LISI

Ua tu’uina atu ni Ta’iala ma Lisi e siaki ai meata’itasi (Lisi), e fesoasoani i le Mālō ma pā’aga galulue, ina ia aogā lelei le fa’atinoga o talitonuga fa’avae o aiā tatau a tagata soifua i le tali atu i le KOVITI-19. O nei Ta’iala ma Lisi na maua ma ua fetu’una’i mai i fa’amatalaga a fa’alāpotopotoga fa’avāomālō i aiā tatau a tagata soifua,.

E fia fa’amauina, o nei puna’oa e lē tu’uina atu o se fa’atonuga e tatau ona usita’ia, a ua na’o ni molimau o filifiliga o faiga fa’avae e mafai ona fa’atino e le Mālō ma i latou e iai o latou sao, ‘olo’o taumafai ia aofia aiā tatau a tagata soifua i a latou fuafuaga, fa’ai’uga ma fa’atinoga.

PUNA’OA: KOVITI-19– LISI TAU AIĀ TATAU A TAGATA SOIFUA

Ua fa’ama’oti e le Human Rights Watch ni fesili e ta’iala ai se tali atu i le fa’ama’i e āmanaia ai aiā tatau a tagata soifua, e tali atu ai i mana’oga o vaega aupito lamataia, e aofia ai tagata ‘olo’o ola i le mativa. Ua tu’uina atu i lalo vaega e talafeagai ma le si’osi’omaga i Sāmoa:

PUIPUIGA MA LE TAUSIGA

Taulogologo i Tagata Lautele

1. O tu’uina atu e le Mālō i tagata lautele fa’amatalaga sa’o, i taimi e mana’omia ai, ma mafai ona maua fa’amatalaga e uiga i le salalau o le fa’ama’i?
2. O fa’atino e le Mālō ni la’asaga e tali atu i le ‘ese’ese o le mauaina o tekonolosi ‘eletroni e ala i le si’itia o le mafai ona maua ma le gafatia e tagata o le tau o le initaneti, aemaise lava i nofoaga ua mana’omia ai le fa’aaogāina o le initaneti mo galuega, a’oa’oga ma le mauaina o fa’amatalaga e uiga i le KOVITI-19 ona o sā ua fa’atino?

Tu’uina atu o Su’ega ma Togafitiga

3. E maua tausiga fa’asoifua mālōlōina lelei ma e gafatia e tagata uma o lou atunu’u le tau, ma o se aiā tatau lea e leai se fa’aailoga tagata?
4. ‘Āfai o fa’atino e lou atunu’u le fa’anofesea ma iai nofoaga o le fa’anofesea mo le KOVITI-19, o maua e tagata o nonofo ai tausiga fa’asoifua mālōlōina, puipuiga mai le pēsia, ma taumafa ma vaiinu?
5. O taumafai lou mālō e talepe pā pupuni o tausiga fa’asoifua mālōlōina mo tagata ‘olo’o ola i le mativa ma isi tagata e māsani ona fa’a’esea e pei o tagata e ‘ese o latou lagona mai manatu māsani e uiga i itūpā ma tagata e iai a’afiaga tumau o le soifua?
6. E laugatasia le fa’aaogāina o meafaigaluega mo su’ega ma masini fa’amānava tagata?

Puipuiga o Foma’i ma le ‘Aufaigaluega Ta’imua

7. E talafeagai meafaigaluega mo le puipuiga o tu’uina atu mo le ‘aufaigaluega o le soifua mālōlōina?
8. O fa’atino e le mālō ni la’asaga mo le puipuiga o le ‘aufaigaluega o le soifua mālōlōina mai ni fa’atinoga o le tau ma sui ona ua māsalomia le a’afia o se tasi i le siama?
9. O fa’atino e pisinisi ma le mālō auala ina ia mautinoa e talafeagai le puipuiga mai le KOVITI-19 ma fa’atino su’ega o tagata faigaluega i ‘au’aunaga mana’omia e pei o fale’oloa, pisinisi tiliva ‘oloa ma ‘oloa si’i’ātoa, falepuipui, ma tausiga i ‘āiga?

Fa’aitiitia Lamatiaga i Nofoaga o le to’ese ma Falepuipui

10. O fa’aitiitia e le Mālō le aofa’i o tagata i falepuipui ina ia fa’aitiitia le fe’ōma’i ma mafai ai ona fa’atino le “nonofo/tutū vāvāmamao”?
11. O tatala i tua e le Mālō tagata e lē tatau ona tāofia, e aofia ai le to’atele o i latou e tāofia e fa’atali ai fa’amasinoga, tagata tāofia mo soligātulafono lāiti, tagata tāofia e le’i faia ni mōliaga ma talavou solitulafono e lē fa’atupu vevesi?

12. O taga'i pūlega i le tatalaina o pāgotā e tele atu le lamatiaga o le ma'i tīgāina ona o le siama, e aofia ai tagata ua matua le soifua, tagata e iai gasegase tumau, tagata e iai a'afiaga tumau o le soifua, ma tinā ma'itaga?

Fa'atupula'ia le mauaina o le Suāvai ma Auala o le Fa'afoga o Otaota Lāfoa'i

13. O fa'atino e le Mālō ni la'asaga ia mautinoa e maua pea le suāvai mamā e tagata uma, e aofia ai le fa'ata'atia 'ese mo se taimi o le tipiina o paipa?

FA'AFOEGA O FA'ALAVELAVE FA'AFUASE'I E ĀMANA'IA AI AIĀ TATAU

Fa'aaogāina o Mālosi'aga o Fa'alavelave Fa'afuase'i ma le Tali atu i le So'ona Fa'aaogāina o le Mālosi'aga e i Latou e Fa'amamaluina Tulafono

14. E tusa ma le tulafono, mana'omia ma fua fa'atatau lelei le fa'aaogāina o mālosi'aga o fa'alavelave fa'afuase'i?
15. E tu'u taimi ma aofia i tulafono ma mātā'itūina e le fa'amasinoga mālosi'aga o fa'alavelave fa'afuase'i?
16. O līpoti mai e le Mālō le fa'ata'atia 'ese mo se taimi lē tumau o ni matāfaioi tau aiā tatau a tagata soifua i lalo o ni feagaiga fa'avāomālō ua 'auai atu i ai?
17. 'Āfai o fa'amamaluina e ofisa o le mālō tulafono o Poloa'iga o Fa'alavelave Tutupu Fa'afuase'i, o fa'atino ni auala e tāofia ma tali atu ai i le so'ona fa'aaogā e le 'aufaigaluega o le mālosi'aga o iā i latou?

'Alofia le Fa'atuatua'ia o Isi Aiā Tatau

18. O fau fa'apitoa e le Mālō le fa'aaogāina o tekonoosi eletoroni mo le mātā'itūina o le fa'ama'i ina ia puipua le aiā tatau i fa'amatalaga e lē fia fa'alauta'iteleina, aiā tatau i fa'apotopotoga ma le fa'aaliga o tāofi?
19. O faigōfie pea ona maua auala o 'āiga fuafuaina ma tausiga o le soifua mālōlōina mo tinā ma'itaga ma failele?

Tali atu i A'afiaga o le Tamāo'āiga

20. E fa'avae fuafuaga a le Mālō e fa'amāmā a'afiaga o le tamāo'āiga mai le KOVITI-19 i le fa'amautinoa e maua e tagata uma aiā tatau fa'avae tau tamāo'āiga, e aofia ai tagata faigaluega e itiiti tupe maua, tagata faigaluega i galuega e leai ni fa'amaumauga aloa'ia?
21. O fa'atino e le Mālō ni galuega mo le tu'uina atu o 'au'aunaga e fesoasoani i 'āiga e mamao mai nofoaga o galuega?
22. O tu'uina atu e le Mālō ni fesoasoani i tinā ma tama'ita'i o ono tau'aveina le mamafa o le galuega o le tausiga o tamaiti ona o le tāpunia o ā'oga ma le fa'atapula'aina o le fegāsoloa'i?

TALI ATU I LE ĀFĀINA O LE "NONOFO/TUTŪ VĀVĀMAMAO"

Fesoasoani mo le Mālōlōina o le Māfaufau

23. O tu'uina atu e le Mālō i tagata ni 'au'aunaga mo le mālōlōina o le māfaufau, ona o mea ua tutupu i le soifuaga e pei o fa'atonuga mo le "nonofo/tutū vāvāmamao", a'afiaga o le tamāo'āiga, fa'apea le motusia o mafutaga ma i latou e pele i le agaga ona o le KOVITI-19?

Fa'aaauuina o le A'oa'oina o Tamaiti

24. 'Āfai ua tāpunia e le Mālō ā'oga, ua fa'atino ni la'asaga ia mafai ai e tamaiti uma ona fai meaā'oga i le fale?
25. O fa'atino e le Mālō ni galuega ina ia mafai ona maua e tagata e lē māsani ona taulia, e aofia ai tamaiti e iai a'afiaga tumau a'oa'oga e fa'atino mai i 'āiga/nofoga e lē o faleā'oga (distance learning)?

Fa'afetaia'iga o Sāuāga i totonu o le 'Āiga ma le fa'ailoga tagata

26. O fa'atino e le Mālō ni auala e fa'afetaia'i ai le fa'aailoga tagata e aofia ai faiga i luga o le initaneti e fa'asaga i isi tagata, e aofia ai tagata ua maua i le KOVITI-19?
27. O tu'uina atu e le Mālō ni puna'oa e fesoasoani i tagata ua a'afia i sãuāga i totonu o 'āiga?

Maua mai i le: Human Rights Watch, *COVID-19: A Human rights Checklist*,
https://www.hrw.org/sites/default/files/supporting_resources/202004_northamerica_us_covid19_checklist2.pdf.

PUNA'OA: Lisi mo se Auala Fa'avae i Aiā Tatau a Tagata Soifua mo le Tali atu i le KOVITI-19 mo le Tamāo'āiga ma le Soifuaga Lautele

FA'AMUAMUA LE SOIFUA MĀLŌLŌINA: PUIPUIGA O 'AU'AUNAGA MA FAIGA TAU SOIFUA MĀLŌLŌINA I TAIMI O LE FA'ALAVELAVE FA'AFUASE'I

<i>Fa'atinoga ma itū e tatau ona taga'i i ai</i>	<i>loe</i>	<i>E le'i faia</i>
1. O maua e tagata uma avanoa, gafatia le tau, leai se fa'aailoga tagata ma aofia ai vaega e lamatia i le tu'ulāfoa'iina, i fale, 'olua, ma 'au'aunaga tau soifua mālōlōina (e aofia ai le vave faia o su'ega ma togafitiga mo le KOVITI-19 ma isi 'au'aunaga mana'omia e pei o tui puipui, 'au'aunaga tau soifuaga fanau manuia, HIV/AIDS, māmāpala, togafitiga mo ma'i e lē pipisi e pei o le kanesa ma le ma'i suka, ma togafitiga ma fesoasoani o le māfaufau mo i latou ua āfāina i sãuāga fa'avae i itūpā)?		
2. O iai ni auala ia mautinoa ai e maua e vaega o tagata e māsani ona lē āmana'ia 'au'aunaga tau soifua mālōlōina ma 'olua mana'omia mo le tūmamā (e pei o suāvai mamā ma fasimoli) ina ia fa'aitiitia le āfāina ona o taunu'uga o le fa'ama'i, ma tali atu i fa'afitāuli e pei o pā pupuni tau fa'agāsologa ma upufai o mālō, tulafono, ma fa'agāoioiga o galuega e fa'alavelaveina ai le mauaina o 'au'aunaga?		
3. E āmana'ia i fa'atinoga lamatiaga fa'apitoa e feagai ma tagata ua matua le soifua ma tagata e iai a'afiaga tumau o le soifua (e aofia ai le fa'anofo'esea, tu'ulāfoa'iina, po o sãuāga e mǎfua ona o tausaga o le matua po o isi faiga fa'aailoga tagata) i le mauaina o togafitiga fa'afoma'i ma isi fesoasoani?		
4. O iloiloina ma fa'atino se galuega mo le saogalēmū ma le soifua mālōlōina i galuega, o i latou 'olo'o galulue i taimi o lenei fa'alavelave (e aofia ai o latou mana'oga mo le mālōlōina o le māfaufau) aemaise lava le 'aufaigaluega o le soifua mālōlōina, 'aufaigaluega lagolago, ma i latou uma o feagai ma le tausiga o tagata i la'asaga uma?		
5. O fa'asalalauina mo le silafia e tagata lautele fa'amatalaga ua aoina e uiga i le fa'ama'i, ua 'ave'ese igoa o tagata ma ua tu'uvaega (ia aofia ai, e lē itiiti ifo i vasega o itūpā, tausaga, atunu'u/aganu'u (ethnicity), itū'āiga (race) ma a'afiaga tumau o le soifua) ina ia fesoasoani i le fausaga o tali tau soifua mālōlōina ma fa'ama'oti tagata e aupito lamatia ona ua lē āmana'ia?		
6. Ua iai ni puipuiga ina ia mautinoa e āmana'ia le aiā tatau i fa'amatalaga e lē fia fa'alaua'iteleina, aemaise lava i le mǎta'itūina o tagata a'afia i le KOVITI-19?		
7. E aofia vaega, nu'u ma afio'aga ua a'afia, i le fausaga o le fuafuaga ma fa'atinoga tau soifua mālōlōina e tali atu ai i le fa'ama'i?		
8. Ua fa'aitiitia pā pupuni tautupe mo 'au'aunaga mana'omia o le soifua mālōlōina ma togafitiga, e aofia ai ni tulafono ina ia tāofia le so'ona		

si'ita'i o le tau o 'olua mana'omia mo le tūmamā, vai ma vailā'au mo togafitiga ma isi oloa tau soifua mālōlōina?		
9. Ua si'itia tupe fa'atatauina mo vaega o le soifua mālōlōina ma 'au'aunaga lagolago ma ni puna'oa mo le tapu'eina o le afaigaluega o le soifua mālōlōina (e aofia ai tinā ma tama'ita'i i galuega o le tausiga fa'asoifua mālōlōina ma 'au'aunaga tau soifuaga fanau manuia) ma le fa'atauina o isi masini ma meafaigaluega mo potu o ma'i tīgāina, masini fa'amānava tagata, meafaigaluega mo le puipuiga o le 'aufaigaluega, ma vailā'au mo le togafitiga o le pīsia i isi siama ona ua pēsia i le KOVITI-19?		
PUIPUIGA O TAGATA: PUIPUGA O TAGATA LAUTELE MA 'AU'AUNAGA MANA'OMIA		
<i>Fa'atinoga ma itū e tatau ona taga'i i ai</i>	<i>loe</i>	<i>E le'i faia</i>
1. O iai ni auala o le puipuiga o le soifuaga lautele ina ia mautinoa e maua e tagata uma 'olua ma 'au'aunaga mana'omia, i se fa'afoga manino e 'auai tagata uma e iai o latou sao, leai se fa'aailoga tagata e feagai ma so'o se tagata e fa'aaogāina, ma taga'i fa'apitoa i le tulaga tutusa o itūpā?		
2. O iai ni auala fa'apitoa e tulimata'i ai le puipuiga ma le fa'aititia o taunu'uga o le fa'ama'i i vaega ta'itasi e i se tulaga lamatia?		
3. O iai ni fa'amanuiaga tau soifuaga lautele? E faigōfie fa'agāsologa ma le sao atu o tagata e agava'a i nei fa'amanuiaga, i nofoaga maua ai?		
4. E āmana'ia i puipuiga o le soifuaga lautele mata'upu tau itūpā? E āmana'ia le avega tele 'olo'o tau'ave e tinā ma tama'ita'i o le fa'atino o le tausiga o tagata e leai se totogi, fa'apea le to'atele o i latou i vaega o le tamāo'āiga e lē fa'amauiina aloa'ia? E iai se fa'amoemoe o nei auala e toe fetu'una'i ai le avega ina ia tutusa le vaega e tau'ave e tinā ma tama'ita'i ma ali'i (ft. livi mo mātua ma 'au'aunaga lautele o le tausiga)?		
5. E iai se auala i tupe fa'aagaaga a le atunu'u mo a'oa'oga, e tali atu ai i mea tutupu e le'i fuafuaina, ina ia mautinoa e mafai ona fa'aauiu a'oa'oga a so'o se tagata'oga e fa'amālosia fa'aletulafono le 'auai i a'oa'oga, e aunoa ma faiga fa'aailoga tagata?		
6. E mautinoa i auala 'olo'o iai, e fa'atumauiina tulaga lelei o le soifuaga ma e leai ni 'au'aunaga mana'omia e tāofia mo se taimi lē tumau pe tē'ena ona ua lē totogiina ona o le tali atu i le fa'ama'i, e aofia ai le suāvai, eletise, telefoni, initaneti ma feso'ota'iga (ft. tulafono e tu'uavanoa ai i le totogiina o 'au'aunaga a le mālō)?		
7. E iai ni auala e mautinoa ai e lē i'u ina leai ni apitaga o vaega e lamatia le tulaga, o i latou ia ua lē mafai ona o'o i o latou 'āiga po ua mana'omia le tu'ua o le 'āiga ona o sāuāga (e aofia ai sāuāga fa'avae i itūpā), ma e maua e ia tagata apitaga talafeagai (e aofai ai nofoaga o sulufa'iga), e mautinoa le saogalēmū ma maua le suāvai, faiga mo otaota lāfoa'i, taumafa, fesoasoani tau agafeso'ota'i, 'au'aunaga tau soifua mālōlōina, ma su'ega mo le KOVITI-19?	<i>KOVITI</i>	
8. O iai ni auala e mautinoa ai le lava pea o taumafa talafeagai (e aofia ai le tu'uina atu o fesoasoani o taumafa talafeagai), aemaise lava tagata e lē māsani ona āmana'ia?		
9. O iai ni auala e tali atu ai i mana'oga o tagata e ma'ale'ale le tulaga, mo le suāvai, fa'afoga o otaota lāfoa'i ma le tūmamā, e aofia ai tagata e lē tutusa ma e lē talafeagai avanoa e maua ai le suāvai?		
FA'ATINOGA MO LE TOE FA'ALELEIA O LE TAMĀO'ĀIGA: PUIPUIGA O GALUEGA, PISINISI LĀITI MA PISINISI FELOOLOO, MA LE 'AUFAIGALUEGA I GALUEGA E LĒ FA'AMAUINA ALOA'IA		

<i>Fa'atinoga ma itū e tatau ona taga'i i ai</i>	<i>loe</i>	<i>E le'i faia</i>
1. O iai ni fa'atinoga mo le saogalēmū ma le soifua mālōlōina i galuega o tagata 'olo'o fa'auau pea ona galulue, aemaise lava i vaega o le soifua mālōlōina, vaega o taumafa ma fela'ua'iga fa'apea fa'afoga o otaota lāfoa'i, e aofia ai le tu'uina atu o meafaigaluega mana'omia mo lo latou puipuiga?		
2. O iai ni faiga fa'apitoa e fesoasoani ai i faifa'ato'aga lāiti, aemaise faifa'ato'aga tinā ma tama'ita'i, ina ia mautū fua o fa'ato'aga mo taumafa mana'omia, e aofia ai fesoasoani tupe, tekonolosi ma māketi?		
3. O iai ni faiga mo le puipuiga o galuega, penisione, ma isi fa'amanuiaga tau soifua mālōlōina ma le soifuaga lautele mo tagata faigaluega i taimi o le fa'ama'i, e aofia ai tagata e fa'atino a latou lava galuega, tagata faigaluega i galuega e lē fa'amaumauina aloa'ia (galuega a le tagata lava ia, galuega lē tumau, galuega fa'avaitaimi), tagata faigaluega i galuega tau tamāo'āiga e lē iai ni fa'amaumauga aloa'ia, ma tagata faigaluega mai isi atunu'u?		
4. O iai ni fa'atinoga e fō'ia ma fa'aitiitia ai a'afiaga ona o le KOVITI-19 i le fa'afaigaluegaina ma totogi o tagata faigaluega (e pei o le fa'afaigaluegaina o tamaiti, fa'ate'a e leai se māfua'aga tatau ma le fa'amālōlōina mai galuega, fa'aitiitia o itūlā faigaluega ma suiga i itū'āiga galuega)?		
5. O iai ni fa'atinoga e puipua ai tagata faigaluega e iai a'afiaga tumau o le soifua mai le fa'ate'aina mai galuega, e aofia ai fetu'una'iga o galuega fa'apea le mauaina o auala mo le saogalēmū ma le soifua mālōlōina o le 'aufaigaluega ina ia tāofia le toe pēsia?		
6. O iai ni fa'atinoga mo tupe fesoasoani i totogi o tagata faigaluega, fa'amāmāina o lāfoga, ma le fa'avaeina o fesoasoani fa'aopopo mo tagata ma ni polokalame mo le puipuiga o tupe maua, ma, o aofia ai vaega e lamatia i le tu'ulāfoa'iina?		
7. O iai ni fa'atinoga e fa'aitiitia ai taunu'uga lē lelei mo le 'autalavou e lē faigaluega?		
8. O iai ni fofō aogā tau fa'amasinoga ma isi auala mo fa'aseā a tagata faigaluega ina ia fa'afetaia'i ai matā'upu e tula'i mai ona o fa'atinoga feso'ota'i ma le KOVITI-19?		
O iai ni faiga fa'avae ia mautinoa ai e lē fa'ailoaina igoa ma fa'amatalaga o tagata faigaluega ua pēsia i le KOVITI-19 i le 'aufaigaluega ma le atunu'u lautele, se'i vaganā ua malie i ai lea tagata pe mana'omia fo'i e le mālō i lalo o ni tulafono feso'ota'i?		
TAMĀO'ĀIGA LAUTELE MA LE GALULUE FA'ATASI MA ISI ATUNU'U MA FA'ALĀPOTOPOTOGA		
<i>Fa'atinoga ma itū e tatau ona taga'i i ai</i>	<i>loe</i>	<i>E le'i faia</i>
1. O āmana'ia aiā tatau a tagata soifua i tāpenaga o fesoasoani fa'atōsina? O tali atu fuafuaga tautupe ma le tamāo'āiga i tulaga o le lē tutusa sa iai ma ua fa'ateteleina ona o le fa'ama'i ma ona taunu'uga? E mautinoa e maua e tagata uma avanoa i taumafa, tausiga mana'omia fa'asoifua mālōlōina, suāvai mamā, fale talafeagai ma tulaga mana'omia o le puipuiga o le soifuaga lautele, e leai se fa'aailoga tagata?		
2. O 'avea ma sini o fuafuaga tautupe ma le tamāo'āiga le fa'aogāina 'āto'atoa o puna'oa 'olo'o iai (e aofia ai lāfoga e fa'avae i tupe maua a tagata) mo teugātupe fa'afaigaluega mo vaitaimi feoloolo ma vaitaimi		

umi, i 'au'aunaga mo tagata lautele ina ia mafai ona fa'amalieina matāfaioi fa'avae?		
3. 'Āfai ua lē ma'alofia le toe fo'i i se tulaga pagātia atu nai le tulaga sa iai, o 'avea ma sini ma fa'atinoga o fuafuaga tautupe ma le tamāo'āiga le fa'amautinoaina e mo na'o se taimi lē tumau, tusa ma le tulafono, fua fa'ataatau lelei, lē fa'ailoga tagata ma puipuia matāfaioi fa'avae o aiā tatau tau tamāo'āiga, soifuaga lautele ma fa'aleaganu'u, ma ia o'gatasi ma mana'oga mo le manino, 'auai ma le mafai ona tali atu?		
4. O āmana'ia i iloiloga ma auala o fa'atinoga a le atunu'u mafatiaga o le totogiina o 'aitālafu, lamatiaga o le lē mafai ona totogi 'aitālafu, ma fesoasoani mo le mafai ona fa'aauuina pea o pisinisi 'olo'o fa'atino e Fa'alāpotopotoga a Mālō Aufa'atasi (UNCT)? 'Āfai o lea, o aofia ai Iloiloga o 'A'afiaga o Aiā Tatau a Tagata Soifua ma o tali atu i matā'upu lāgā i ia iloiloga? O tulituliloa ai le fa'amautinoaina e talafeagai tupe maua a le atunu'u mo le fa'atinoina o ana matāfaioi fa'avae?		
5. O iai ni fa'atinoga ina ia mautinoa e lē iai ni aiaiga a fa'alāpotopotoga tautupe fa'avāomālō (FTF) fa'apea pā'aga fesoasoani e mafai ona oia ai le mafai e le mālō ona fa'ataunu'u ana matāfaioi tau aiā tatau a tagata soifua i le 'atofaina o puna'oa ma le fausaga o faiga fa'avae?		
6. O māta'itū nonōgātupe ma tupe fa'ameaalofa mai FTF ma pā'aga fesoasoani, e ni tino e aofia ai Ofisa mo Aiā Tatau a Tagata Soifua ma fa'alāpotopotoga a tagata lautele, ina ia mautinoa e fa'aaogā mo le tali atu i mana'oga ua manino, ma e tulituliloa ai tagata e aupito lamatia 'ole'ā fa'agaloina?		
7. O āmana'ia le tu'uina atu o fesoasoani e fa'amāmā i le totogiina o lāfoga ma le fa'ata'atia mo se taimi lē tumau o le totogiina o nonōgātupe a tagata e aupito lamatia 'ole'ā tu'ulāfoa'iina, i le fausaga o faiga fa'avae mo le toefuata'iga tautupe ma le tamāo'āiga?		
8. Ua iai se fesoasoani tu'uina atu mo se iloiloga o faiga fa'avae tautupe e fua ai le a'afiaga o 'au'āiga e itiiti tupe maua o ona o lāfoga o oloa ma galuega faatino e faia i luga o aofa'iga o tau, ma taga'i ai i se faiga fa'avae o lāfoga e fa'avae i tupe maua a tagata?		
9. O tāofia i le fausaga o faiga fa'avae tautupe ma le tamāo'āiga mo le toefuata'iga le so'ona si'ita'i o le tau o taumafa mana'omia, fuālā'au, 'oloa ma meafaigaluega mana'omia mo galuega fa'afoma'i, suāvai ma auala o fela'ua'iga i le lau'ele'ele (ina ia tumau tau i tulaga sa iai ae le'i o'o mai le KOVITI-19)? O iai ni fa'asalaga e fesoasoani i le usita'ia o tulafono o tau o 'oloa?		
MĀOPOPO TAGATA MA MAUTŪ NU'U MA AFIO'AGA		
<i>Fa'atinoga ma itū e tatau ona taga'i i ai</i>	<i>loe</i>	<i>E le'i faia</i>
1. O fa'aaogā tulaga o fa'alavelave fa'afuase'i mo māfua'aga tatau tau soifua mālōlōina o tagata lautele, ae lē o ni auala e tāofiofi ai faitioga, fa'aitiitia ai avanoa mo fa'atinoga a tagata lautele, fa'asāina tete'e to'afilēmū, tolopō faigā palota, fa'afilēmū tagata e lagolagoina aiā tatau a tagata soifua po o le 'autusitala po o le tāofia fo'i o isi aiā tatau a tagata soifua? O tusa ma matāfaioi fa'avāomālō fa'asalalauga o tulaga o fa'alavelave fa'afuase'i?		
2. O fa'avae fa'aletulafono ma faifaipea ona iloiloina fa'atinoga mo tulaga o fa'alavelave fa'afuase'i? E iloiloina lo latou aogā lelei ma iai se aiaiga manino o taimi e fa'amuta ai fa'atinoga mo fa'alavelave fa'afuase'i? E		

<p>mafai ona fa'amāonia e lē o āfāina aiā tatau e lē mafai ona fa'ata'atia 'ese?</p>		
<p>3. O iai ni auala e lagolagoina ai le tausisia o aiā tatau a tagata soifua e ofisa e fa'amamaluina tulafono o sã ma vavao?</p>		
<p>4. O iai ni auala fa'atino e puipuia ai le aiā tatau i fa'amatalaga ma le sa'olotoga o le fa'aaliga o tāofi, e aofia ai le sa'olotoga o le 'aufa'asalalau, ina ia mautinoa e maua e tagata uma fa'amatalaga sa'o, manino ma fa'avae i molimau?</p>		
<p>5. E faifaipea ona maua fa'amatalaga sa'o e uiga i le fa'ama'i, i se auala e mafai ona maua ai e tagata uma i gagana e māmamalama ai tagata, e aofia ai tagata e iai a'afiaga tumau o le soifua ma tagata ua matua le soifua, ina ia mautinoa e leai se vaega o tagata e fa'a'esea pe fa'asi'ugutua i le maua o fa'amatalaga?</p>		
<p>6. O mafai ona 'auai vaega o le atunu'u e aupito a'afia, fa'apea tagata lautele e fai so latou sao i le fausaga ma le fa'atinoga o tali atu i le fa'ama'i?</p>		
<p>7. O fa'afeso'ota'i ni ali'i ma tama'ita'i, e aofia ai tupulaga talavou ma tagata ua matua le soifua, ma vaega e lamatia le lē āmana'ia, i le 'auai i faiga o fa'ai'uga e feso'ota'i ma le tali atu i le fa'ama'i i nu'u ma afio'aga, itūmālō, ma le atunu'u fa'apea auala fa'apitoa e tali atu ai i le KOVITI-19?</p>		
<p>8. 'Āfai o fa'aaogā auala o le mātā'itūina o le soifua mālōlōina e sa'ili pe mātā'itū ai fa'atinoga ma gāoioiga a tagata, o fa'atapula'a le fa'aaogāga o nei auala ia 'ausia le fa'amoemoe o le fa'afoega o le fa'ama'i o le KOVITI-19? O iai ni auala o puipuiga e fa'afae ai le lamatiaga o le fa'aaogā sesē?</p>		
<p>9. O fesoasoani le Mālō ia mafai ona fa'atino galuega e le Ofisa mo Aiā Tatau a Tagata Soifua, ina ia mātā'itū ma feso'ota'i ma le mālō i fautuaga fa'apitoa ma auala e fa'avae i aiā tatau?</p>		
<p>10. O sa'oloto le fa'atinoga o galuega a fa'alāpotopotoga 'ese'ese a tagata lautele ma tagata e puipuia aiā tatau a tagata soifua, e aofia ai fa'alāpotopotoga a tinā ma tama'ita'i ma i latou e puipuia aiā tatau a tinā ma tama'ita'i? O sa'ilia so latou sao i le tali atu a le Mālō?</p>		
<p>11. O iai ni auala e fa'amautinoa ai le tausiga o le soifua mālōlōina o tagata e i totonu o fale ma nofoaga tāpunipuni, e aofia ai nofoaga o le to'ese ma nofoaga o tausiga fa'apitoa, ina ia fa'aitiitia le lamatiaga o le āfāina ma le si'itia o le ma'ale'ale o le tulaga mai le pēsia i siama?</p>		
<p>12. O fa'atino e ofisa o le mālō ni la'asaga e fa'aitiitia ai le so'ona tumu o falepuipui, e pei o le tatala i tua o tagata ta'ito'atasi, e aofia ai tamaiti, tagata e iai gasegase tumau, tagata e la'itiiti le lamatiaga e ono fa'atupu fa'alavelave ma ua tāofia ona o ni solitulafono māmā, tagata ua toeitiiti mā'ea le taimi o o latou fa'asalaga, tagata 'olo'o tāofia e fa'atali ai o latou fa'amasinoga, ma tagata ua tāofia mo solitulafono e lē āmana'ia i lalo o tulafono fa'avāomālō?</p>		
<p>13. O taumafai vave pūlega e fa'avae ni fa'asalaga e 'ese mai ma le tāofia o tagata, mo tagata mai isi atunu'u 'olo'o tāofia?</p>		
<p>14. Ua iai se fa'atagaga fa'aletulafono mo tamaiti i nofoaga o le to'ese? O iai ni taumafaiga o galulue ai pūlega ma tagata mo le puipuiga o tamaiti ma pūlega a le mālō e feso'ota'i, ia mautinoa e iai aiaiga mo tausiga talafeagai mo tamaiti e tatala i tua?</p>		

<p>15. O iai ni faiga mo le māta'itūina ma le mafai ona tali atu, e aofia ai le ofisa o fa'amasinoga? O fa'afeso'ota'i nei vaega e uiga i le tali atu a le Mālō i le fa'amai? O fa'aauau galuega a le ofisa o fa'amasinoga e fa'amautinoa e maua e tagata fa'amasinoga ma aiā tataua fa'avae?</p>		
<p>Maua mai: Office of the United Nations High Commissioner for Human Rights, United Nations Development Programme, and United Nations Sustainable Development Group, "Checklist for a Human Rights-Based Approach to Socio-Economic Country Responses to COVID-19", https://www.undp.org/sites/g/files/zskgke326/files/publications/gpn-crisis-human-rights_Checklist_Human_Rights-Based_Approach_to_Socio-Economic_Country_Responses_to_COVID-19_REPORT.pdf.</p>		

PUNA'OA: Vaega e ma'ale'ale le tulaga, māfua'aga o le ma'ale'ale ma feso'ota'iga e uiga i lamatiaga ma fa'atinoga a nu'u ma afio'aga mo lo latou puipuiga ma le fa'aitiitia o lamatiaga mai taunu'uga o le KOVITI-19

Tagata ua matua le soifua

<p><u>Māfua'aga o le ma'ale'ale:</u></p> <ul style="list-style-type: none"> • O molimau mo le KOVITI-19 ua fa'ailoa mai ai o le vaega aupito ma'ale'ale lenei, 'auā e aupito maualuga le fua fa'atatau o tagata māliliu. • E lē mafai ona o'atu i 'au'aunaga tau soifua mālōlōina i taimi uma pe lē talafeagai fo'i 'au'aunaga e maua mo tagata ua matua le soifua. • E ono faigatā ona tausī i latou lava ma e fa'alagolago i tagata o 'āiga po o tagata e tu'uina atu ia 'au'aunaga. E mafai ona faigatā atu i taimi o fa'alavelave fa'afuase'i. • E ono lē mālmalama i fa'amatalaga / fe'au 'olo'o tu'uina atu pe lē mafai fo'i ona mulimuli i fa'atonuga. • O tagata ua matua le soifua e i nofoaga e iai tagata ma mea faigaluega fesoasoani, e nonofo vāvālalata ma isi tagata ma e mafai ona faigatā mo i latou le nonofo/tutū vāvāmamao. 	<p><u>Fa'atinoga:</u></p> <ul style="list-style-type: none"> • Fa'atatau tonu fe'au i tagata ua matua le soifua ma ia mafai ona o latou fa'atinoina i si'osi'omaga 'olo'o nonofo ai (e aofia ai nofoaga e iai tagata ma meafaigaluega fesoasoani), ma le tulaga o le soifua mālōlōina. • Fefa'asoa'i ma tagata ua matua le soifua ina ia tali atu i ni o latou manatu na fa'aalia. • Ātina'e fe'au fa'apitoa e fa'amālamalama ai lamatiaga mo tagata ua matua le soifua ma auala o lo latou tausiga, aemaise lava i 'āiga. Fa'asagatonu fe'au i tagata o 'āiga, tagata e tu'uina atu tausiga fa'asoifua mālōlōina ma tagata e tausia.
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Tagata e iai gasegase tumau

<p><u>Māfua'aga o le ma'ale'ale:</u></p> <ul style="list-style-type: none"> • E telē atu le lamatiaga e matuā tīgāina ai. • Latou te lē mauaina i taimi uma fa'amatalaga manino ma fa'amālamalama o le māfua'aga e maualuga ai lo latou tulaga lamatia. • O le taimi nei, e iai o latou gasegase 'olo'o togafitia. 'Āfai e iai se isi gasegase e tula'i mai, o se tulaga lea e faigatā mo i latou. 	<p><u>Fa'atinoga:</u></p> <ul style="list-style-type: none"> • Ātina'e fa'amatalaga e uiga i mana'oga patino ma fa'amālamalama pe 'aiseā e maualuga ai lo latou tulaga lamatia. • Fautua e tāpenapena ne'i te'i ua faigatā ona maua a latou fuālā'au po o togafitiga po o le lē mafai fo'i ona o'atu i falema'i.
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<ul style="list-style-type: none"> • E lē usita'ia i taimi uma togafitiga po o fautuaga pe lē tele fo'i avanoa e mafai ai ona ō i falema'i i taimi o fa'amai 	
<p>Tagata e 'ese o latou lagona mai manatu māسانی e uiga i itūpā</p>	
<p>Māfua'aga o le ma'ale'ale:</p> <ul style="list-style-type: none"> • Feagai ma lu'i i le mauaina o 'au'aunaga o tausiga fa'asoifua mālōlōina ona o le fa'asi'ugutua ma faiga fa'ailoga tagata, fa'apea si'osi'omaga e ta'ua ai i latou o ni tagata solitulafono, feagai ma faiga taufa'amata'u i o latou saogalēmū ma le ola. • O tagata ua matua le soifua e tele ina nonofo na'o latou. • E ono feagai ma pā pupuni i le mauaina o 'au'aunaga tau KOVITI-19 ma/po o fesoasoani mo le manuia o tagata soifua, i fa'atinoga mo le KOVITI-19 e aofia ai vaega 'ese'ese o le atunu'u. 	<p>Fa'atinoga:</p> <ul style="list-style-type: none"> • la aofia fa'alāpotopotoga a tagata e 'ese o latou lagona mai manatu māسانی e uiga i itūpā, nu'u ma afio'aga i fa'atinoga ma polokalame feso'ota'i atu, talu ai, e iai o latou nafa tāua i le puipuiga ma le fesoasoani i le mauaina o tausiga fa'afoma'i. • Sāunia ni pepa o Fesili ma Tali/Matā'upu e Fesiligia So'o, e galulue fa'atasi ai ma tagata e 'ese o latou lagona mai manatu māسانی e uiga i itūpā, e uiga i itū patino e ma'ale'ale ai fa'apea o latou popōlega. • Talosagaina se fesoasoani mai fa'alāpotopotoga fa'aitūlagi pe 'āfai e lē saogalēmū pe lē mafai ona fa'atino i totonu o le atunu'u po o nu'u ma afio'aga.
<p>Tagata āfāina i sāuāga fa'avae i itūpā</p>	
<p>Māfua'aga o le ma'ale'ale:</p> <ul style="list-style-type: none"> • E ono motusia le tausiga ma fesoasoani mo i latou na āfāina i sāuāga fa'avae i itūpā ona o le tele o galuega i le tali atu i tagata ua a'afia i le KOVITI-19. • E ono a'afia ai 'au'aunaga i falema'i tetele. • E mafai ona motusia 'au'aunaga tau fa'amasinoga ona o le fa'aaogāina o puna'oa a ofisa o le mālō i le fa'alavelave fa'afuase'i tau soifua mālōlōina o tagata lautele. • E mafai ona talosagaina ulua'i 'au'aunaga ma 'au'aunaga lonalua tau soifua mālōlōina, e tau'aveina galuega mo i latou ua āfāina i sāuāga fa'avae i itūpā ma 'auina atu na'o tagata aupito tūgā a'afiaga i falema'i tetele 	<p>Fa'atinoga:</p> <ul style="list-style-type: none"> • Teuteu la'asaga o fa'agāsologa ai aofia ai nofoaga e maua ai ulua'i 'au'aunaga ma 'au'aunaga lonalua tau soifua mālōlōina mo i latou ua āfāina i sāuāga fa'avae i itūpā. • Logo i latou i nu'u ma afio'aga ma tagata e tu'uina atu 'au'aunaga e uiga i teuteuga o la'asaga o fa'agāsologa. • la mautinoa e iai auala e fa'aitiitia ai lamatiaga i nofoaga o le fa'anofosea ma auala mo le tu'ua o ia nofoaga pe 'āfai e mana'omia. • Tapu'e le mafai e le 'aufaigaluega ona fa'atino galuega i isi vaega uma o 'au'aunaga e fa'aopoopo i le tali atu mai le itū o le soifua mālōlōina. Mo se fa'ata'ita'iga, fa'aopoopo le 'aufaigaluega tali telefoni mo le tali atu i fa'alavelave fa'afuase'i fa'apea vaega mo le saogalēmū ma le puipuiga. • Tufa atu pepa o Agatausili mo le Puipuiga mai le Fai 'āiga Fa'atautala ma isi auala o le puipuiga, ma fa'amanatu i le 'aufaigaluega le mana'oga e usita'ia ia agatausili
<p>Tinā ma'itaga</p>	
<p>Māfua'aga o le ma'ale'ale:</p>	<p>Fa'atinoga:</p>

<ul style="list-style-type: none"> • E ono galulue le ‘aufaigaluega masani o nei ‘au’aunaga i vaega o feagai ma togafitiga o le fa’ama’i ma isi vaega ua tele galuega, ma motusia ai tausiga o tinā ma’itaga ma failele. • O le o’o so’o i falema’i e mafai ona lamatia ai i le pēsia i le fa’ama’i, aemaise lava i vaega e lē lelei a latou puipuiga o tagata mai le pēsia i fa’ama’i 	<ul style="list-style-type: none"> • Ātina’e puna’oa tau a’oa’oga mo tinā ma’itaga e uiga i fa’atinoga mana’omia mo le tūmamā, puipuiga mai le pēsia, ma auala ma nofoaga e sa’ili i ai le tausiga, e fa’alagolago i a latou fesili ma itū o popole ai. • Fa’aliliu ia puna’oa i le gagana e mālmalama ai, ma fetu’una’i ia talafeagai ma le si’osi’omaga i nu’u ma afio’aga.
<p>Tagata e iai le HIV</p>	
<p>Māfua’aga o le ma’ale’ale:</p> <ul style="list-style-type: none"> • Ua ono āfāina le mafai e o latou tino ona tete’e atu i siama ma ua si’itia ai lo latou lamatiaga, e ma’i tīgāina. • E ono manatu e lē lava fa’amatalaga i auala e puipui ai i latou mai le pēsia. • E ono feagai ma le fa’asi’ugutua ma faiga fa’ailoga tagata i nofoaga o tausiga fa’asoifua mālōlōina, e aofia ai le fa’amālosia e fai su’ega mo le HIV ae lē o mānana’o ai. • E ono tē’ena tagata e iai le HIV mai le mauaina o togafitiga mana’omia, e aofia ai vailā’au e togafiti ai le HIV, ona ua matuā tele galuega a falema’i 	<p>Fa’atinoga:</p> <ul style="list-style-type: none"> • Fa’aaogā auala ma faiga ua iai i nu’u ma afio’aga e fa’afaigōfie ai feso’ota’iga ma tagata e iai le HIV, e aofia ai le fa’aaogāina o isi auala, ina ia ‘alofia le motusia o togafitiga. • Ia mautinoa e maua fa’amatalaga e uiga i mana’oga patino e fa’avae i o latou manatu fa’aalia, e aofia ai fa’amatalaga aupito lata mai e uiga i auala e mafai ona maua ai vailā’au e togafiti ai le HIV. • Sāunia ni pepa o Fesili ma Tali/Matā’upu e Fesiligia So’o, e galulue fa’atasi ai ma tagata e iai le HIV, e tali atu ai i o latou popōlega ma itū e ma’ale’ale ai. • ‘Āfai e mafai, tu’uina atu pepa talavai mo ni māsina ina ia mautinoa e maua e tagata e iai le HIV vailā’au o togafitiga mo ni masina. • Ia fautuaina, mo tagata e iai le HIV, ia lava taumafa e umi ona teu ina ia mafai ona inu pea a latou a latou fuālā’au/fa’atino togafitiga. • Tu’uina atu fesoasoani e lagolago ai i tagata e iai le HIV, o i latou ia ua ono atuatuvaile, fa’a’esea ma ma’ale’ale.
<p>Tinā ma tama’ita’i ma teine</p>	
<p>Māfua’aga o le ma’ale’ale:</p> <ul style="list-style-type: none"> • O tinā ma tama’ita’i o se vaega to’atele lea o le ‘aufaigaluega o le soifua mālōlōina • O le to’atele o tagata e fa’atinoina ulua’i tausiga mo tagata mama’i, o tinā ma tama’ita’i. • E tele tinā ma tama’ita’i i le vaega o le tamāo’āiga e lē fa’amauina aloa’ia, ma o i latou ia e aupito āfāina le tamāo’āiga ona o le KOVITI-19. • E si’itia le lamatiaga o tinā ma tama’ita’i e ai feagai ma sāuāga 	<p>Fa’atinoga:</p> <ul style="list-style-type: none"> • Ia mautinoa e pāleni itūpā o vaega e galulue i nu’u ma afio’aga ma e una’iina ta’ita’iga a tinā ma tama’ita’i i nei vaega. • Tu’uina atu fautuaga fa’apitoa mo tagata – ma o le tele o taimi, o ia tagata o tinā ma tama’ita’i – e tausia tamaiti, tagata ua matua le soifua ma isi vaega e ma’ale’ale le tulaga, i nofoaga o le fa’anofosea, ma e lē mafai ona ‘alofia le latalata i isi tagata. • Tāpena su’esu’ega fesāga’i ma su’esu’ega e fa’aaogā ai le initaneti

<p>fa'avae i itūpā, e aofia ai le fa'aaogāina i faigā 'āiga.</p> <ul style="list-style-type: none"> • E ono lē taulia fo'i tinā ma tama'ita'i i faigā fa'ai'uga ona o tulaga fa'aleaganu'u ma fa'aitiitia ai lo latou mauaina o fa'amatalaga e uiga i le pesi o fa'ama'i, ma 'au'aunaga e mafai ona maua. • E mafai ona motusia le mauaina o 'au'aunaga tau soifuaga fanau manuia, e aofia ai 'āiga fuafuaina. • E iai ni tulaga fa'aleaganu'u e lē mafai ai e tinā ma tama'ita'i ona maua 'au'aunaga fa'asoifua mālōlōina mo i latou lava po o nofoaga ua 'atofaina e tu'uina atu 'au'aunaga mo ali'i 	<p>fa'apea isi fa'atinoga e mafai ona 'auai tinā ma tama'ita'i 'olo'o fa'atinoina galuega o le tausiga, e lē maua se totoḡi.</p> <ul style="list-style-type: none"> • la āmana'ia fesoasoani mo le tausiga o tamaiti, fela'ua'iga, femalagaa'iga ma le saogalēmū, mo fa'atinoga fesāga'i i nu'u ma afio'aga. • la mautinoa e pāleni itūpā o le 'aufaigaluega o le soifua mālōlōina, ma ia āmana'ia tū ma le aganu'u, ia fa'apea fo'i ona āmana'ia lagona o isi tagata e uiga i itūpā.
<p>Tagata e iai a'afiaga tumau o le soifua</p>	
<p><u>Māfua'aga o le ma'ale'ale:</u></p> <ul style="list-style-type: none"> • E tele ina 'avea o se pā pupuni le mauaina o fa'amatalaga e tagata e iai a'afiaga tumau o le soifua, o i latou ia e iai mana'oga fa'apitoa i le itū tau feso'ota'iga. • E māsani ona lē aofia i le faiga o fa'ai'uga ma e lē tutusa o latou avanoa ma isi tagata i le mauaina o fa'amatalaga e uiga i le pesi o fa'ama'i fa'apea le mauaina o 'au'aunaga. • E mafai ona fa'a'esea mai le soifuaga lautele pe 'āfai e lē tele ni taimi e feso'ota'i ai ona o tulaga o galuega po o a'oa'oga. 	<p><u>Fa'atinoga:</u></p> <ul style="list-style-type: none"> • la mautinoa e feso'ota'i atu ina ia maua manatu ma fautuaga mai tagata e iai a'afiaga tumau o le soifua. • Fa'aaogā le gagana faigōfie ma manino mo le fa'asalalauina o fa'amatalaga. • Tu'uina atu fa'amatalaga i auala e mafai ona maua ma aogā i tagata, e pei o tusitusiga ma mata'itusi fa'apitoa mo tagata tauaso, mata'itusi lāpopo'a. • Tu'uina atu feso'ota'iga i auala 'ese'ese, e pei o upu lolomi e fa'aopopo i ata i luga o le televise mo tagata logonoa, gagana faitāga, puna'oa i luga o le initaneti mo tagata e fa'aaogāina tekonolosi o meafaitino fesoasoani. • la 'auai fa'alāpotopotoga a tagata e iai a'afiaga tumau o le soifua i fefa'asoa'iga ma le faiga o fa'ai'uga. • la sāunia fa'apitoa auala mo le tali atu i mana'oga o tagata ta'ito'atasi, galulue ma tagata e tausia tagata e iai a'afiaga tumau, fa'apea isi vaega 'olo'o tu'uina atu fesoasoani tau soifuaga lautele
<p>Tamaiti</p>	
<p><u>Māfua'aga o le ma'ale'ale:</u></p> <ul style="list-style-type: none"> • E ono lē maua e tamaiti lāiti pe faigatā fo'i ona mālmalama i fa'amatalaga 'olo'o maua e le atunu'u lautele e uiga i le KOVITI-19. • O tamaiti ua leai se tagata e tausia ma tamaiti e lē o iai o latou mātua ma 	<p><u>Fa'atinoga:</u></p> <ul style="list-style-type: none"> • Fa'atino fautuaga ina ia mautinoa e fa'amuamua e le mālō ma tagata e iai o latou sao, mana'oga o tamaiti ma le tupulaga, i fa'amatalaga ma feso'ota'iga. • Fefa'asoa'i ma tamaiti ma le tupulaga, e aofia ai tamaiti ua leai se tagata e tausia

<p>tagata e va'aia fa'aletulafono, e matuā tele fa'afitāuli latou te feagai, i le mauaina o fa'amatalaga tāuā i taimi mana'omia, fa'apea 'au'aunaga tau soifua mālōlōina.</p> <ul style="list-style-type: none"> • E māsani ona lē mafai e tamaiti ona fa'aleo mea 'olo'o popōle/fā'atu ai. • O le fa'a'umi'umi ona tāpunia ā'oga ma le fa'atapulā'aina o gāoioiga, e mafai ona i'u i le lē to'a o le māfaufau ma tupu ai le atuatuvaile. • Ua ono lē mafai ona fa'atino lelei le tausiga a tagata e māsani ona tausia ma fa'alagolago i ai tamaiti. • E iai a'afiaga o le saogalēmū ma le puipuiga o tamaiti pe 'āfai e nonofo i le fale ona o le tāpunia o ā'oga, ae o mātua e faigaluega. • O le fa'ateleina o fa'afitāuli ma le popole o mātua, e mafai ona i'u i le si'itia o sāuāga fa'atino i tamaiti i le fale. • 'Āfai e pēsia, fa'anofesea pe maliu le tagata e tausia tamaiti, e mafai ona tula'i mai ai fa'afitāuli o le māfaufaufau ma le soifuaga lautele, fa'apea le puipuiga o tamaiti. • E ui ina fōlīga mai e lē tīgāina tamaiti pe 'ā pēsia i le fa'ama'i, e mafai ona pēsia ai le 'au tausitama, o i latou ia e ono ma'ale'ale le soifua i le pēsia ma le ma'i tīgāina. 	<p>ma tamaiti e lē o iai o latou mātua ma tagata e va'aia fa'aletulafono, ina ia maua se mālamlamaga i mea 'olo'o popole ma fefefe ai, fa'apea o latou mana'oga.</p> <ul style="list-style-type: none"> • Sāunia puna'oa o fa'amatalaga ma feso'ota'iga i aualea e aogā lelei ma fiafia i ai tamaiti • Tu'uina atu fa'amatalaga e uiga i matā'upu tau mālōlōina o le māfaufau ma feso'ota'iga ma isi tagata, fa'apea le soifua mālōlōina ma le tūmamā. • Tu'uina atu i mātua tomā e togafitia ai o latou popōlega ma fesoasoani ai e fa'aititia popōlega o a latou fanau • Fa'atino fautuaga mo faiga fa'avāe a falefaigaluega ina ia mafai e mātua ona fa'aleleia le tausiga o a latou fanau. • Lagolago ma una'i fa'atinoga e mafai ona fiafia ma 'auai fa'atasi ai mātua ma tamaiti, ma fa'aititia ai le popole ma le vevesi. • Lagolago ma una'i ia maua 'au'aunaga faufautua ma fesoasoani mo tagata a'afia. • Taga'i i mana'oga 'ese'ese mai le va'aiga tau itūpā, si'osi'omaga ma vaega e māsani ona lē āmana'ia
<p>Maua mai: UN Women and Translators without Borders, "COVID-19: How to include marginalized and vulnerable people in risk communication and community engagement", https://reliefweb.int/attachments/034f414e-2885-3be5-ad2e-77c8240a96b6/COVID-19_CommunityEngagement_130320.pdf.</p>	

PEPA FA'AOPOOPO

Ofisa a Sāmoa mo Aiā Tatau a Tagata Soifua: Lipoti o Asiasiga i Nofoga o le To'ese 2022: Iloiloga o le KOVITI-19

a) Pepa fa'aopoopo 1: Lisi 'atoa o fautuaga³⁶⁰

So'ona tumu

1. E tatau i le Matāgaluega o Leoleo ma Falepuipui (Matāgaluega) ona fa'atino se galuega e fō'ia ai māfua'aga o le so'ona tumu o le falepuipui, e aofia ai le galulue fa'atasi ma le fa'amasinoga ma lōia, ina ia fa'afaigōfie le fa'aopoopoina o le fofogaina o matā'upu tau tatalaina i tua o tagata tāofia, ma

³⁶⁰ NHRI Samoa, *Prison inspections: COVID-19 preparedness, prevention and control in places of detention assessment*, May 2022, <https://ombudsman.gov.ws/wp-content/uploads/2022/05/COVID-19-Prison-Inspection-Report-2022-FINAL-ready-for-web.pdf>.

talosagaina se toe iloiloga o aiaiga o le tatalaina i tua, aemaise lava mo i latou e ono umi le taimi e tāofia ai a o fa'atali le taimi o fa'amasinoga.

'Aufaigaluega ma nofoaga mo le 'aufaigaluega

2. E tatau i le Matāgaluega ona taga'i i le fa'aaogāina talafeagai o vaega o avanoa i le falepuipui mo ni potu ma isi mea e mana'omia e le 'aufaigaluega a le falepuipui ma leoleo i taimi e mālōlō ai, aemaise lava pe 'ā galulue i sifi e ta'i 24 itulā, i taimi ua mana'omia ai, e pei o taimi o fa'alavelave tau soifua mālōlōina o tagata lautele.

3. E tatau ona taga'i le Matāgaluega i le fa'aopoopoina o le 'aufaigaluega i falepuipui mo le fa'afoega o le saogalemū o pāgotā fa'apea mana'oga mo le malupuipua.

Fa'ailoaina atu o lamatiaga ma fuafuaga

4. E tatau i le Matāgaluega ona fa'amautinoa e fa'ailoa atu i taimi augamālie fa'amatalaga e uiga i fuafuaga ma lamatiaga ona o le KOVITI-19, i se auala e mālamlama lelei ai pāgotā uma.

5. E tatau i le Matāgaluega ona sāunia ma fa'aali i poloka sela uma, ma vaega e ulufale atu ai i totonu, fa'amatalaga e feso'ota'i ma le KOVITI-19 e uiga i le puipuiga ma fa'atinoga tau soifua mālōlōina, e aofia ai – po o le ā le KOVITI-19, āuga, taimi e talosagaina ai se fesoasoani, tulafono mana'omia mo le tūmamā o lima m.m.f., mo pāgotā ma tagata asiasi atu, ina ia tele atu se puipuiga mai le siama.

Iloiloga ma le fa'afoega o lamatiaga

6. E tatau i le Matāgaluega ona fa'aaau le fa'atinoga o iloiloga o lamatiaga, siakiina ma su'ega mo pāgotā, 'aufaigaluega ma tagata e asiasi atu i le falepuipui, tusa lava po ua fa'aitiitia tāofiofiga mo le atunu'u 'ātoa, vaganā ua iai ni molimau mautū, ua mavae atu po ua fa'aitiitia lamatiaga mai le fa'ama'i.

7. E tatau i le Matāgaluega ona fa'aaau le tausia pea o se lesitala e fa'amaumau ai tagata uma e asiasi atu i le falepuipui i taimi o le fa'ama'i, ina ia fesoasoani i le sa'iliga o tagata ono pēsia, tusa lava po ua fa'aitiitia tāofiofiga mo le atunu'u 'ātoa.

8. E tatau ona galulue fa'atasi le Matāgaluega, ma le Matāgaluega o le Soifua Mālōlōina ma/po o pā'aga fesoasoani fa'avāomālō, ina ia mautinoa e lava meafaigaluega mo le puipuiga mo le 'aufaigaluega i le falepuipui, fa'apea meafaigaluega mo su'ega (testing kits).

9. O le tula'i mai o se fa'alavelave fa'afuase'i tau soifua mālōlōina o tagata lautele i le lumana'i, e tatau i le Matāgaluega, fa'atasi ai ma le fesoasoani a le Matāgaluega o le Soifua Mālōlōina ma le Ofisa mo Aiā Tatau a Tagata Soifua, ona fa'atino se iloiloga lautele ma au'ili'ili o falepuipui i le atunu'u, ina ia mautinoa le puipuiga ma talafeagai le fa'afoega o ni lamatiaga e feso'ota'i.

'Auai

10. E tatau i le Matāgaluega ona fa'avae se faiga po o se auala e aoina, tu'ufa'atasia ma aofia ai i fuafuaga ma le tāpenaga o fe'au/fa'amatalaga e tu'uina atu, manatu o tagata 'olo'o i falepuipui e

uiga i lamatiaga (aemaise lava tagata aupito ma'ale'ale, e aofia ai tinā ma'itaga, pāgotā ua matua le soifua ma i latou e iai gasegase tumau, fa'apea pāgotā talavou), le 'aufaigaluega ma tagata asiasi atu.

Fesoasoani tau le mālōlōina o le māfaufau ma feso'ota'iga ma isi tagata

11. Talu ai le leai o ni fa'atinoga fesāga'i mo le toefuata'iina, aemaise māfua'aga tau soifua mālōlōina o tagata lautele, e tatau i le Matāgaluega ona fa'auau le tu'uina atu o feso'ota'iga e itiiti lamatiaga e tula'i mai ai, fa'apea fesoasoani tau le mālōlōina o le māfaufau ma feso'ota'iga ma isi tagata, aemaise lava mo i latou e talavou (e tusa ma matāfaioi a Sāmoa i lalo o le Feagaiga mo le Puipuiga o Fa'amanuiga Fa'avae o le Ola o le Tamaitiiti), ina ia fa'amāmā le popole ma le atuatuvaletu o le māfaufau. E tatau fo'i ona tu'uina atu lea fesoasoani mo le 'aufaigaluega i falepuipui. O tulaga e mana'omia ai fesoasoani mo le mālōlōina o le māfaufau ma feso'ota'iga ma isi tagata, e tatau i le Matāgaluega ona tūpā se fesoasoani e galulue fa'atasi ai ma Fa'alāpotopotoga Tūma'oti 'olo'o galulue i ia 'au'aunaga.

Aiā tatau i le soifua mālōlōina

12. Ia lē fa'apito i pāgotā ua pēsia i le siama, e tatau i le Matāgaluega ona fa'auau le fa'amautinoaina, e maua e pāgotā uma le avanoa i tausiga fa'asoifua mālōlōina, e aofia ai le va'aiga o se foma'i, maua o fuālā'au/vailā'au ma tui puipui.

13. E tatau i le Matāgaluega ona 'aua le toe fa'atuai, a ia fa'anatinati le fa'amāe'aina o itū mana'omia mo le konekarate a le foma'i e galue i le falepuipui ina ia 'āmata loa ona galue ma maua ai e pāgotā le avanoa e va'ai ai le foma'i mo matā'upu tau lo latou soifua mālōlōina.

Tāofiofiga o le fegāsoloa'i

14. O ni fa'atinoga e toe tāofiofi ai le fegāsoloa'i o pāgotā i totonu o falepuipui, e 'ese mai i fa'atinoga mo le tāofiofiga o le fa'ama'i, e tatau ona fa'amalieina aiaiga o le mana'omia, tusa ma le tulafono, ma fua fa'atatau lelei.

Mauaina o fa'amasinoga

15. E tatau i le Matāgaluega ona galulue vāvālalata ma le Matāgaluega o Fa'amasinoga ma le Fa'afoeina o Matā'upu tau Fa'amasinoga ma le Ofisa o le Lōia Sili, ina ia fa'afaigōfie le fofogaina o matā'upu a pāgotā ua o'o i taimi e fofogaina ai. E tatau ona fa'aaogāina 'āto'atoa isi auala o le fofogaina o matā'upu e lē fesāga'i, e pei o feso'ota'iga i ata vito.

Fa'ailoga tagata

16. E tatau i le Matāgaluega ona mautinoa e talafeagai lana tali atu i taimi e tula'i mai ai se faiga fa'ailoga tagata, aemaise lava faiga ua fa'atino i ni pāgotā ua pēsia i le fa'ama'i. E tatau ona fa'asalalau atu i pāgotā fa'amatalaga e tineia ai nei faiga.

Pepa o Fesili

a) Pepa fa'aopoopo 2: Pepa o Fesili mo Tagata Lautele

KOVITI-19 MA AIĀ TATAU A TAGATA SOIFUA - I SĀMOA
FEFA'ASOAA'IGA MO LE LĪPOTI O LE TULAGA O AIĀ TATAU A TAGATA SOIFUA 2022
 (NOTE: Answer all questions that are applicable to you)

NAME (OPTIONAL):	
AGE:	
GENDER:	
DISABILITY:	Yes / No
OCCUPATIONAL STATUS:	
VILLAGE:	

1. What are some of the impact of COVID-19 on you and your rights, your family, your business, education etc.?
O a ni a'afiaga o le Koviti-19 i ou aia tatau (f.t. a'oaoga, gaioiga), lou aiga, lau pisinisi ma isi?

2. Was the Government's response to COVID-19, necessary/legitimate? Proportionate? Effective? **YES/NO?** Please explain your answer
*Na talafeagai ma aoga le tali a le Malo I le puipuiga o Samoa mai le Koviti-19? **IOE/ LEAI?** Faamatala mafua'aga o lau tali.*

3. What and how did the response by Government impact on your human rights?
Na faapefea ona a'afia ou aia tatatu I le tali ma gaioiga a le Malo I le Koviti-19?

4. Was there effective information sharing by Government/ NEOC regarding rules, guidelines, vaccination etc.? **YES/NO?** Please explain your answer.
*Na lelei ma ato'atoa le faasoaina e le Malo o faamatalaga e faatatau I tulafono ma taiala I puipuiga, femalagaiga, le faatino'ina o tuiga ma isi? **IOE/ LEAI?** Faamatala mafua'aga o lau tali.*

5. What were some of the issues at managed isolation (e.g. mental stress etc.)?
O a ni faafitauli na maitauina pe na aafia ai lou tagata I nofoaga na tuueseai ai tagata mo le puipuiga mai le Koviti-19?

6. Were there any safety measures at the managed isolation facilities and if so were such measures effective? [*Answer only if applicable*]
*O a ni auala mo puipuiga na maitauina I notofoga na tuueseai ai tagata mo puipuiga ma sa aoga ma malupuipua nei auala? [*Tali pea talafeagai ia te oe*]*

7. What measures were imposed by Government to assist the public with the impacts **and** were these measures adequate/ sufficient?

O a ni fesoasoani a le Malo mo tagata lautele aemaise pisinisi e faaitiitia ai luitau o le Koviti-19, ma sa lava ma ato'atoa nei fesoasoani?

8. Are there any areas or matters that could be improved and how?
O iai nisi vaega poo mataupu e ao ona silafia e toe faaleleia aua le tali atu I aafiaga o le Koviti-19 ma o a nei vaega?
-

b) Pepa fa'aopoopo 3: Pepa o Fesili mo Tamaiti

COVID-19 AND HUMAN RIGHTS - THE CASE OF SAMOA
STATE OF HUMAN RIGHTS REPORT 2022 CONSULTATIONS
 (NOTE: Answer all questions that are applicable to you)

NAME/IGOA (OPTIONAL):	
AGE/TAUSAGA:	
GENDER/ITUPA:	
DISABILITY/A'AFIAGA TUMAU:	Yes / No
VILLAGE:	

1. What are some of the impact of COVID-19 on you and your rights and freedoms e.g. right to education, right to health, freedom of movement, access to information?
a ni a'afiaga o le Koviti-19 i ou aia tatau, faamanuiaga faavae ma saolotoga (f.t. a'oaoga, gaioiga ma isi)?
-

2. Was the Government's response to COVID-19, necessary/legitimate? Proportionate? Effective? **YES/NO?** Please explain your answer
*Na talafeagai ma aoga le tali a le Malo I le puipuiga o Samoa mai le Koviti-19? **IOE/ LEAI?** Faamatala mafua'aga o lau tali.*
-

3. Was there effective information sharing by Government (via MESC/ schools) regarding rules, guidelines, vaccination etc.? **YES/NO?** Please explain your answer.
*Na lelei ma ato'atoa le faasoaina e le Mālō o faamatalaga e faatatau I tulafono ma taiala I puipuiga, femalagaiga, le faatino'ina o tuiga ma isi? **IOE/ LEAI?** Faamatala mafua'aga o lau tali.*
-

4. What would you like to recommend to Government regarding the safeguarding of the rights and freedoms of children during these times and in the recovery from COVID-19?
O ni au fatuaga I le Mālō aua le malupuipua pea o aia tatau, faamanuiaga faavae, ma saolotoga a tamaiti o Samoa aua le feagaia ai o Samoa ma le faama'i o le Koviti-19?
-

c) Pepa fa’aopoopo 4: Pepa o Fesili: Fefa’asoa’iga ma Nu’u ma Afio’aga

PEPA FESILI: KOVITI-19 MA A’AFIAGA O FA’AMANUIAGA FA’AVAE MA SA’OLOTOGA O TAGATA SĀMOA | LIPOTI O TULAGA O AIĀ TATAU I SĀMOA

O tali ma fa’amatalaga e tu’uina mai i nei fesili e teu fa’alilolilo ma malu puipuia e le fa’ailoaina i seisi tagata vagana ua e malie iai. Fa’amolemole, tali mai ma le faamaoni fesili o lo’o i lalo.

SUAFA NAME (E LĒ FA’AMALOSIA):	
TAUSAGA AGE:	
ITUAIGA GENDER:	
A’AFIAGA TUMAU O LE TINO DISABILITY:	IOE/LEAI
TULAGA GALUEGA OCCUPATIONAL STATUS:	<input type="checkbox"/> O lo’o faigaluega <input type="checkbox"/> Ua lē toe faigaluega ona o le Koviti-19 <input type="checkbox"/> Faia le fatu aiga (ft.) tausima matua, maumaga, fai pisinisi i le fale, fagota ma isi <input type="checkbox"/> Tau saili se galuega
AFIOAGA VILLAGE:	

1. O a ni a’afiaga o le Koviti-19 i ou fa’amanuiaga fa’avae/aia tatau (f.t. a’oaoga, sa’olotoga, gaioiga), lou aiga, lau pisinisi ma isi?

2. Na talafeagai ma aogā le tali a le Malo I le puipuiga o Samoa mai le Koviti-19?

..... IOE / LEAI? (li’o na o le tasi)

Fa’amatala mafua’aga o lau tali.

3. Na fa’apefea ona a’afia ou fa’amanuiaga fa’avae/ aia tatau/sa’olotoga I le tali ma gaioiga a le Malo I le Koviti-19?

4. Na lelei ma ato’atoa le tu’uina atu/fa’asoa atu e le Malo o fa’amatalaga e fa’atatau I vavao / tulafono ma ta’iala I puipuiga, femalagaiga, le fa’atino’ina o tuiga ma isi?.....IOE/ LEAI? (li’o na o le tasi)

Fa’amatala mafua’aga o lau tali.

FA’ATUMU PE AFAI SA FA’ANOFO ESEA OE MO SE TAIMI [afai e leai alu sa’o i le Fesili 7 & 8 o lo’o i lalo]

5. O a ni fa’afitauli na maitauina na a’afia ai lou tagata I nofoaga na fa’anofo esea ai tagata mo le puipuiga mai le Koviti-19?

6. O a ni auala ma puipuiga na maitauina I nofoaga na fa'anofo esea ai oe sa aoga ma malupuipua? [Tali pea talafeagai ia te oe]

7. O a ni fesoasoani a le Malo mo tagata lautele aemaise pisinisi e fa'aititia ai luitau o le Koviti-19, ma sa lava ma ato'atoa nei fesoasoani?

8. O iai nisi vaega poo mataupu e ao ona silafia e toe faaleleia aua le tali atu I aafiaga o le Koviti-19 ma o a nei vaega?



Ofisa Komesina o Sulufaiga Ofisa Tu Totonu mo Aiā Tatau a Tagata Soifua i
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www.ombudsman.gov.ws

KOVITI-19 MA AIĀ TATAU A TAGATA SOIFUA: I SAMOA
Līpoti o le Tulaga o Aiā Tatau a Tagata Soifua

Iuni 2022