

7 October 2025

LAWASIA STATEMENT OF SUPPORT FOR THE SAMOA LAW SOCIETY

Recent events in Samoa have raised significant issues on the rule of law that relate to the Samoa Law Society (SLS).

LAWASIA considers Law Societies and Bar Associations to be critical to upholding the rule of law and the independence of the legal profession, free from external pressures.

LAWASIA, as the voice of lawyers in Asia and the Pacific, is concerned that the continued attacks on the SLS and its officers, in the press and on social media, are negatively impacting on the rule of law.

On 1 October 2025, the SLS issued the statement noting that the new Samoa government, which won the elections on 29 August 2025, had announced its cabinet roles. It was noted in the Statement that the Prime Minister of Samoa also took on additional roles such as the Minister responsible for the Ministry of Police and Prisons, and Office of the Attorney General.

The SLS, while welcoming the acknowledgment of the Prime Minister that the new government will ensure accountability, transparency and good governance, also noted that the Prime Minister is a defendant in criminal proceedings before the District Court, including charges of attempting to defeat the course of justice, and is the subject of a recent police complaint for criminal defamation.¹

The SLS, *inter alia*, stated:

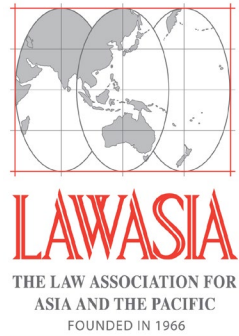
“The Samoa Law Society welcomes the Honourable Prime Minister’s recent statement to media that he will let the pending District Court proceedings take their course and accept the outcome of the judicial process.

It is also important that criminal law enforcement functions are conducted independently, fairly and impartially. This serves to protect both the justice system and the Office of the Prime Minister from any allegations of wrongdoing. Justice must be both done and seen to be done to maintain public trust and confidence in the criminal justice system. This is fundamental to the rule of law and to uphold democratic principles.

The Samoa Law Society respectfully calls upon the Honourable Prime Minister to put in place a framework to ensure that pending cases and complaints are handled independently of the political process. It is vital that the Police and Constitutional officers undertake their investigative and prosecutorial duties in an independent and objective manner in accordance with Samoa’s laws.”

In Samoa, the statement issued by SLS appears to have triggered ongoing public attacks on the law society and its officers.

¹ <https://newsline Samoa.com/law-society-raises-conflict-concerns-over-pms-portfolios/>



LAWASIA notes that the Commonwealth Lawyers' Association (CLA) has issued a statement expressing its support to and solidarity with the President and the Council of SLS for issuing the statement.²

Following the CLA statement, there has been further correspondence published in the press and further public statements made, including attacks on the role of the CLA and further criticism of the President of the SLS.

LAWASIA recognises that opinions may differ in respect of the application of the rule of law, however it is also important to respect the institutions of the legal system, including the Law Societies and Bar Associations of respective countries.

LAWASIA extends its support to the President and Council of the Samoa Law Society in respect of the Statement issued by the Samoa Law Society. Recognising that there have been a number of comments in the press and social media and that these appear to be escalating, LAWASIA, urges all parties to reflect on the current situation while recognising the important role of Law Societies, Bar Associations and international legal organisations in protecting the rule of law.

Shyam Divan

President

LAWASIA, The Law Association for Asia and The Pacific

² <https://www.commonwealthlawyers.com/statement/the-commonwealth-lawyers-association-statement-in-support-of-the-samoa-law-society/>