

TUVALU 2012 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution and some other laws and policies protect religious freedom, but in practice, the government did not consistently respect religious freedom. The government's respect for religious freedom declined during the year. Some traditional island councils interfered with the free practice of religion.

There were reports of societal abuse or discrimination based on religious affiliation, belief, or practice, on at least five islands.

There is no permanent U.S. diplomatic presence in the country. The U.S. ambassador to Fiji is accredited to the government. Representatives from the embassy in Fiji visited the country and discussed religious freedom with the government and nongovernmental organizations.

Section I. Religious Demography

The government estimates the population to be 11,200. The Church of Tuvalu, with historic ties to the Congregational Church and other churches in Samoa, has the largest number of followers. According to the government, approximately 91 percent of the population belongs to the Church of Tuvalu; 3 percent to the Seventh-day Adventist Church; 3 percent to the Bahai Faith; 2 percent to the Jehovah's Witnesses; and 1 percent to the Roman Catholic Church. There are small populations of Muslims, Baptists, and members of The Church of Jesus Christ of Latter-day Saints (Mormons). The Tuvalu Brethren Church, a Protestant group, states it has approximately 500 members.

The nine island groups have traditional chiefs, all of whom are members of the Church of Tuvalu. Most members of other religious groups are found in Funafuti, the capital, although a relatively large number of Bahais live on Nanumea Island.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution protects religious freedom; however the Religious Organizations Restriction Act places limits on those freedoms.

The Church of Tuvalu is by law the state church, but this status affords it primarily “the privilege of performing special services on major national events.” The constitution provides for separation of church and state. The preamble of the constitution states the country is “an independent State based on Christian principles, the Rule of Law, and Tuvaluan custom and tradition.” Government ceremonies at the national level, such as the opening of parliament, and at the island-council level, often include Christian prayers and clergy.

By law any new religious group with more than 50 members must register with the government; failure to register could result in prosecution. Under the terms of the Religious Organizations Restrictions Act, all religious groups in the country must also register with and obtain approval from the traditional elder councils, known as Falekaupule, of any island on which they conduct services. The act prohibits joint or public worship by religious groups not approved by these councils. The act also allows the Falekaupule to withhold permission to certain religious groups to meet publicly should they be locally judged to “directly threaten the values and culture of the island community.” At the same time, the act guarantees an individual’s right to worship freely within one’s residence, a right previously questioned by traditional leaders. Several observers have noted that the Religious Organizations Restriction Act appears incompatible with the constitution, though there has not yet been a legal challenge to the act.

The government observes the following religious holidays as national holidays: Good Friday, Easter Monday, Gospel Day, and Christmas.

Government Practices

There were no reports of abuses of religious freedom, but the government enforced restrictions that affected members of minority religious groups. Government respect for religious freedom deteriorated somewhat during the year.

The government continued to protect the right to choose freely and practice religion individually and in private, but began to restrict public worship and religious group meetings.

Missionaries practiced without restriction on some islands, but on other islands the Falekaupule issued formal and informal bans on proselytizing by representatives of religious groups that were not already established or were thought to be new. Toward the end of the year, the central government reportedly began enforcing Falekaupule bans on public meetings of several religious groups, including the

Jehovah's Witnesses, the Brethren Church, the New Testament Church, Souljah, the Apostolic Church, Every Home, and Victory Church. Although the law provides only for monetary fines not to exceed AUD \$500 (\$514), the authorities reportedly threatened to arrest members of unapproved groups if they engaged in public meetings in violation of the act.

Section III. Status of Societal Respect for Religious Freedom

There were isolated reports of societal abuse and discrimination based on religious affiliation, belief, or practice. On at least five islands, including Funafuti, Nukulaelae, Nukufetau, Nanumanga, and Vaitupu Island, the Jehovah's Witnesses, the Brethren Church, and other groups were reportedly perceived as being outside of traditional norms. In some cases, local traditional leaders did not grant permission to religious groups to operate, or discouraged groups from proselytizing or holding meetings, claiming that "new" religious groups might disrupt traditional societal structures. Many religious groups continued to operate without formal approval, especially in Funafuti. Traditional leaders reportedly exerted significant pressure on the central government to enforce Falekaupule religious bans during the year.

Societal abuse and discrimination, including acts and threats of violence, occurred against Brethren Church members on Nanumanga, prompting some group members to move to Funafuti.

The Church of Tuvalu exerted considerable influence in the social and political life of the country.

Section IV. U.S. Government Policy

There is no permanent U.S. diplomatic presence in the country. The U.S. ambassador to Fiji is accredited to the government. Representatives of the U.S. embassy in Fiji visited the country and discussed the status and effects of the Religious Organizations Restrictions Act with the attorney general, and discussed religious freedom with the government. Embassy Suva placed opinion pieces on religious freedom and tolerance with regional media, which are read by Tuvaluans.