



## Tuvalu

### International Religious Freedom Report 2007

Released by the Bureau of Democracy, Human Rights, and Labor

The Constitution provides for freedom of religion, and the Government generally respected this right in practice.

There was no change in the status of respect for religious freedom by the Government during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

There were isolated reports of societal abuses or discrimination based on religious belief or practice.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights.

#### Section I. Religious Demography

The country is an archipelago of 9 island groups with a total area of 10 square miles and a population of 9,500. The Church of Tuvalu, which has historic ties to the Congregational Church and other churches in Samoa, has the largest number of followers. Government estimates of religious affiliation as a percentage of the population include: Church of Tuvalu, 91 percent; Seventh-day Adventist, 3 percent; Baha'i, 3 percent; Jehovah's Witnesses, 2 percent; and Roman Catholic, 1 percent. There are also smaller numbers of Muslims, Baptists, members of the Church of Jesus Christ of Latter-day Saints (Mormons), and atheists. The Tuvalu Brethren Church, a new charismatic Protestant group, is said to have as many as three hundred adherents, some 3 percent of the population, but this could not be confirmed by independent sources.

All nine island groups have traditional chiefs who are members of the Church of Tuvalu. Most followers of other religions or denominations are found in Funafuti, the capital, with the exception of the relatively large proportion of followers of the Baha'i Faith on Nanumea Island.

Missionaries are present and operate freely.

#### Section II. Status of Religious Freedom

##### Legal/Policy Framework

The Constitution provides for freedom of religion, and the Government generally respected this right in practice. There is no state religion, and the Constitution provides for separation of church and state. The preamble of the Constitution says the country is "an independent State based on Christian principles, the Rule of Law, and Tuvaluan custom and tradition." Government ceremonies at the national and island council levels, such as the opening of Parliament, often include Christian prayers and clergy. By law, any new religious group with more than 50 members must register; failure to register could result in prosecution.

Missionaries generally practiced without restriction.

##### Restrictions on Religious Freedom

At the end of reporting period, the Appeals Court had not yet met to hear the appeal of the Tuvalu Brethren Church. In 2005 the country's Chief Justice upheld the right of traditional island elder councils to restrict the constitutional right to freedom of religion in cases where they contended it could threaten traditional mores and practices. The Brethren case is

the first appeal of a High Court decision in Tuvalu's history as an independent nation, and the Appeals Court has never been constituted since independence. According to the Constitution, the Court of Appeals has jurisdiction to determine appeals from decisions of the High Court, whether in the exercise of original jurisdiction or appellate jurisdiction. The Government cited costs as grounds for the Appeals Court having not yet been established.

In June 2006 despite a High Court injunction against such action, the Nanumanga council of elders dismissed without proper notice five council workers who were members of the Brethren Church. This was the result of an April 2006 decision by the Nanumanga council to pass a resolution that banned all new churches and threatened local civil servants with dismissal if they worshipped with the Brethren Church.

In January 2006, the council of elders on the main island of Funafuti issued a resolution prohibiting the establishment or practice of "any new religion." The ban was primarily aimed at the Brethren Church. The ban forbids meetings and worship by members of the Brethren Church and specifically prohibited the construction of a new Brethren church. The High Court issued a temporary injunction prohibiting any further actions against the Brethren Church and its missionary work. By the end of the reporting period, the matter had not yet to come to trial.

There were no reports of religious prisoners or detainees in the country.

#### Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### Section III. Societal Abuses and Discrimination

There were isolated reports of societal abuses and discrimination based on religious belief and practice in the case of the Brethren Church and other groups perceived as outside the mainstream on some outer islands. In some cases, local traditional leaders discouraged groups from proselytizing or holding meetings, claiming that "new" religions may be disruptive to traditional societal structures.

Members of the Church of Tuvalu exert considerable influence in the social and political life in the country.

#### Section IV. U.S. Government Policy

Although the U.S. Government does not maintain a resident embassy in the country, the U.S. Ambassador to Fiji is also accredited to the Government. Representatives of the U.S. Embassy in Fiji visited the country periodically and discussed religious freedom issues with the Government as part of the overall policy to promote human rights. Embassy officials discussed with the chief justice his 2005 and 2006 decisions regarding the rights of traditional authorities to restrict freedom of religion in certain circumstances. Embassy officials also met with representatives of religious communities and nongovernmental organizations (NGOs) that have an interest in religious freedom. The Embassy actively supported efforts to expand governmental and societal awareness of and protection for human rights, including the right to freedom of religion. Embassy officials met with representatives of most denominations in the country to hear their views on trends in religious tolerance and to encourage an open attitude to religious freedom. They also raised the issue of the Brethren Church with members of government, NGOs and the office of the public defender.

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