



## U.S. DEPARTMENT of STATE

### Tuvalu

#### International Religious Freedom Report 2006

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.

National government policy continued to contribute to the generally free practice of religion. However, in the case of a charismatic Christian church banned by an island council of elders, the country's chief justice upheld the right of such traditional island councils to restrict the constitutional right to freedom of religion in cases where they contended it could threaten traditional mores and practices. In January 2006 a second traditional island council, on the main island of Funafuti, issued a resolution aimed at the same church that prohibited the establishment or practice of "any new religion." The High Court issued temporary injunctions prohibiting any further action against the church and its missionary work on both islands.

The success of some new Christian churches in winning followers away from the predominant Church of Tuvalu weakened the generally amicable relationship among religions in society. The High Court's decision to uphold the rights of traditional councils to restrict the activities of new faiths presented a challenge to religious freedom.

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 composed of nine island groups with an area of approximately ten square miles and an estimated population of 9,500. The Church of Tuvalu, which has historic ties to the Congregational Church and other churches in Samoa, had the largest number of followers. Government estimates of religious affiliation as a percentage of population included: Church of Tuvalu, 91 percent; Seventh-day Adventist, 3 percent; Baha'i, 3 percent; Jehovah's Witnesses, 2 percent; and Catholic, 1 percent. There were also smaller numbers of Muslims, Baptists, members of the Church of Jesus Christ of Latter-day Saints (Mormons), and atheists. The Brethren Church, subject of the high court case on religious freedom, was 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 had traditional chiefs who were members of the Church of Tuvalu. Most followers of other religions or denominations were found in Funafuti, the capital, with the exception of the relatively large proportion of followers of the Baha'i Faith on Nanumea Island.

There were active Christian missionary organizations in the country representing some of the above-mentioned religious faiths.

#### 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. However, in practice government ceremonies at the national and island council levels, such as the opening of Parliament, often include Christian prayers, clergy, and perspectives. By law, any new religious group with more than fifty members must register; failure to register could result in prosecution. The preamble of the constitution states: "And whereas the people of Tuvalu desire to constitute themselves as an independent State based on Christian principles, the Rule of Law, and Tuvaluan custom and tradition."

Missionaries practiced without restriction.

##### Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion. However, in 2003 the island council of Nanumanga banned the newly formed Tuvalu Brethren Church. In May 2005 the head of the Tuvalu Brethren Church filed a complaint against the island council, and the case was heard. In October 2005, the country's chief justice, citing the constitution, upheld the right of traditional island councils of elders to restrict the right to freedom of religion in cases where they contend it may threaten traditional mores and practices. The Brethren Church immediately appealed the verdict. In April the Nanumanga council of elders passed another resolution that banned all other new churches and threatened local civil servants with dismissal if they worshipped with the Brethren Church. Despite a High Court injunction against such action, in June the council dismissed without proper notice five council workers who were members of the Brethren Church.

In January 2006 the council of elders on the main island of Funafuti issued a similar resolution prohibiting the establishment or practice of "any new religion." The ban was aimed at the Brethren Church, which was reported to be approximately 300-strong on Funafuti. The ban forbids meetings and worshipping by members of the Brethren Church and specifically prohibits the construction of a new Brethren church. It also extends to all religions not already established on the island. However, the country's high court has issued a temporary injunction prohibiting any further actions against the Brethren Church and its missionary work. The matter was expected to come to trial in late 2006.

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 Attitudes

The generally amicable relationship among religions in society contributed to religious freedom; however, there was a degree of social intolerance for non-Church of Tuvalu activities, particularly on some outer islands.

Members of the Church of Tuvalu dominated most aspects of social and political life in the country, in view of the fact that they comprised approximately 90 percent of the population.

#### 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 spoke with the chief justice and expressed their concern about his October decision upholding the right of traditional authorities to restrict freedom of religion in certain circumstances. Embassy officials also met with representatives of religious communities and nongovernmental organizations that have an interest in religious freedom. The embassy actively supported efforts to improve and expand governmental and societal awareness of and protection for human rights, including the right to freedom of religion.

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